

CITY OF FRESNO
MITIGATED NEGATIVE DECLARATION
FOR
DEVELOPMENT CODE TEXT AMENDMENT APPLICATION NO. P24-00794
(MINISTERIAL APPROVAL FOR OFFICE-TO-DWELLING CONVERSIONS IN THE OFFICE
ZONE, HOUSING NEAR BUS STOPS IN MULTI-FAMILY ZONES, INFILL RESIDENTIAL
DEVELOPMENT IN MIXED USE ZONES AND NEW RESIDENTIAL IN OFFICE ZONES)

STATE CLEARINGHOUSE NUMBER: [2024110662](#)

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Planning and Development Department
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[Revised February 2025](#)

Attachments:

Notice of Intent to Adopt a Mitigated Negative Declaration
Appendix G/Initial Study for a Mitigated Negative Declaration
Project Specific Mitigation Monitoring Checklist
[Public Review Draft of Text Amendment](#)

NOTE TO READER:

This Initial Study/MND was originally circulated from November 20, 2024, to December 20, 2024. Since the Initial Study/MND was circulated, minor changes to the document have been made as summarized below. Recirculation is not required pursuant to CEQA Guidelines Section 15073.5 as this is not considered a “substantial revision,” no new, avoidable significant effect is identified where mitigation measures or project revisions must be made to reduce the effect of insignificance. Revisions are shown in purple/red underlined text in the following sections.

- Section 2.9.1: Environmental Analysis Assumptions: Noted 500-foot exception and added footnote on figure 2-7.
- Section 4.3 Air Quality: Discussion on the proposed Text Amendment and Toxic Air Contaminants has been added under Environmental Setting and Impact Assessment.
- Section 4.4.1 Environmental Setting: Made correction to text amendment exception.
- Section 4.13 Noise: Discussion on the proposed Text Amendment and Construction Noise has been added under Impact Assessment.
- Section 4.17.1: Corrected the typo where 100 new peak hour trips and 200 new peak hour trip thresholds were switched.
- Section 4.19 Utilities and Service Systems: Discussion on the status of the Metro Plan has been added to the Environmental Setting and clarifications were made to Mitigation Measures (MM). MM UTL-1 and MM UTL-4 were edited to reflect existing conditions. MM UTL-2, MM UTL-3, MM UTL-5, and MM UTL-6 were deleted through consultation with the City of Fresno Department of Public Utilities. The deleted mitigation measures identified projects that the City is no longer pursuing or projects that have already been completed. MM UTL-4 was renumbered to MM UTL-2 and MM UTL-7 was renumbered to MM UTL-3. Changes are also reflected in the Mitigation Monitoring and Reporting Program.
- Chapter 5 Mitigation Monitoring and Reporting Program: The Utility related mitigation measures were edited as discussed in Section 4.19 Utilities and Service Systems.
- Appendices: Public Review Draft of Text Amendment Added

Table of Contents

1 INTRODUCTION9

1.1 Regulatory Information.....9

1.2 Purpose of the Initial Study.....9

1.3 Document Format..... 10

1.4 Pre-consultation Letters Received 10

2 ENVIRONMENTAL CHECKLIST FORM..... 11

2.1 Project Title..... 11

2.2 Lead Agency Name and Address..... 11

2.3 Contact Person and Phone Number 11

2.4 Study Prepared By..... 11

2.5 Project Location 11

2.6 Latitude and Longitude 11

2.7 General Plan Designations 13

2.8 Zoning 13

2.9 Description of Project 13

2.9.1 Environmental Analysis Assumptions..... 14

2.10 Environmental Setting 25

2.11 Required Project Approvals 26

2.12 Consultation with California Native American Tribes..... 26

3 DETERMINATION..... 28

3.1 Environmental Factors Potentially Affected 28

3.2 Determination..... 28

4 EVALUATION OF ENVIRONMENTAL IMPACTS 30

4.1 AESTHETICS..... 30

4.1.1 Environmental Setting 30

4.1.2 Impact Assessment 38

4.1.3 Mitigation Measures 40

4.2 AGRICULTURE AND FORESTRY RESOURCES 41

4.2.1 Environmental Setting 41

4.2.2	Impact Assessment	46
4.2.3	Mitigation Measures	47
4.3	AIR QUALITY	48
4.3.1	Environmental Setting	48
4.3.2	Impact Assessment	54
4.3.3	Mitigation Measures	62
4.4	BIOLOGICAL RESOURCES	63
4.4.1	Environmental Setting	64
4.4.2	Impact Assessment	70
4.4.3	Mitigation Measures	74
4.5	CULTURAL RESOURCES	78
4.5.1	Environmental Setting	78
4.5.2	Impact Assessment	80
4.5.3	Mitigation Measures	83
4.6	ENERGY	86
4.6.1	Environmental Setting	86
4.6.2	Impact Assessment	88
4.6.3	Mitigation Measures	89
4.7	GEOLOGY AND SOILS	90
4.7.1	Environmental Setting	91
4.7.2	Impact Assessment	95
4.7.3	Mitigation Measures	98
4.8	GREENHOUSE GAS EMISSIONS	100
4.8.1	Environmental Setting	100
4.8.2	Impact Assessment	102
4.8.3	Mitigation Measures	106
4.9	HAZARDS AND HAZARDOUS MATERIAL	107
4.9.1	Environmental Setting	107
4.9.2	Impact Assessment	111
4.9.3	Mitigation Measures	119

4.10 HYDROLOGY AND WATER QUALITY 120

4.10.1 Environmental Setting 121

4.10.2 Impact Assessment 124

4.10.3 Mitigation Measures 131

4.11 LAND USE PLANNING 133

4.11.1 Environmental Setting 133

4.11.2 Impact Assessment 133

4.11.3 Mitigation Measures 134

4.12 MINERAL RESOURCES 135

4.12.1 Environmental Setting 135

4.12.2 Impact Assessment 137

4.12.3 Mitigation Measures 137

4.13 NOISE 138

4.13.1 Environmental Setting 138

4.13.2 Impact Assessment 141

4.13.3 Mitigation Measures 145

4.14 POPULATION AND HOUSING 146

4.14.1 Environmental Setting 146

4.14.2 Impact Assessment 147

4.14.3 Mitigation Measures 147

4.15 PUBLIC SERVICES 148

4.15.1 Environmental Setting 148

4.15.2 Impact Assessment 153

4.15.3 Mitigation Measures 155

4.16 RECREATION 157

4.16.1 Environmental Setting 157

4.16.2 Impact Assessment 163

4.16.3 Mitigation Measures 163

4.17 TRANSPORTATION 164

4.17.1 Environmental Setting 164

4.17.2	Impact Assessment	170
4.17.3	Mitigation Measures	176
4.18	TRIBAL CULTURAL RESOURCES	177
4.18.1	Environmental Setting	177
4.18.2	Impact Assessment	178
4.18.3	Mitigation Measures	180
4.19	UTILITIES AND SERVICE SYSTEMS.....	183
4.19.1	Environmental Setting	183
4.19.2	Impact Assessment	186
4.19.3	Mitigation Measures	195
4.20	WILDFIRE.....	198
4.20.1	Environmental Setting	198
4.20.2	Impact Assessment	199
4.20.3	Mitigation Measures	200
4.21	MANDATORY FINDINGS OF SIGNIFICANCE	201
4.21.1	Impact Assessment	201
5	MITIGATION MONITORING AND REPORTING PROGRAM.....	204
6	REPORT PREPARATION	220
7	APPENDICES	221
7.1	Appendix A: CalEEMod Output Files (Annual).....	221
7.2	Appendix B: CNDDDB Occurrence Report	222
7.3	Appendix C: Pre-consultation letters	223
7.4	Appendix D: NAHC CORRESPONDENCE	224
7.5	Appendix E: Public Review Draft Development Code Text Amendment Application No. P24-00794	225

Figures

Figure 2-1	Project Location	12
Figure 2-2	Existing Office Uses on Office-zoned Parcels	16
Figure 2-3	Developed and Undeveloped Parcels (Multi-Family Residential Districts within ½ mile of an existing Bus Stop).....	18

Figure 2-4 Vacant/Underutilized Parcels (Multi-Family Residential Districts within 1/2 mile of a Bus Stop) 19

Figure 2-5 Developed and Undeveloped Parcels (Mixed Use Zoned Sites within Infill Priority Area) 21

Figure 2-6 Vacant/Underutilized Parcels (Mixed Use Zoned Sites within Infill Priority Area) 22

Figure 2-7 Vacant/Underutilized Parcels (Office Zoned Sites) 24

Figure 4-1 San Joaquin River Parkway Vista Points 33

Figure 4-2 Scenic Corridors 34

Figure 4-3 Project Parcels within the Bluff Protection Overlay District..... 37

Figure 4-4 California Important Farmland Map (2022) 44

Figure 4-5 Williamson Act Contract Lands Map 45

Figure 4-6 Wetlands Map 66

Figure 4-7 Surface Water Features 67

Figure 4-8 Wildlife Occurrences in and near the Project Area 68

Figure 4-9 Hazardous Waste Sites 115

Figure 4-10 City of Fresno Water Service Areas..... 123

Figure 4-11 Flood Zone Map 130

Figure 4-12 Mineral Land Classification Map 136

Figure 4-13 School Districts 156

Figure 4-14 Neighborhood Amenities Gap 161

Figure 4-15 Existing Conditions Needs Gradient Map..... 162

Figure 4-16 VMT Analysis Process for Land Use Development Projects 169

Figure 4-17 Traffic Impact Zones 172

Figure 4-18 Priority Areas for Development Incentives 173

Figure 4-19 VMT per Capita 175

Tables

Table 2-1 Zone Districts and Project Area 13

Table 2-2 Units on Vacant/Underutilized MX Sites for Ministerial Approval 20

Table 2-3 2019 Land Use Acreages 25

Table 4-1 Bluff Protection Overlay District Parcels within Project Area, 2024 36

Table 4-2 Prime Farmland within Project Area, 2024 42

Table 4-3 SJVAPCD Recommended Air Quality Thresholds of Significance ^{2F}	51
Table 4-4 SJVAPCD Air Quality Thresholds of Significance – Toxic Air Contaminants	52
Table 4-5 Construction Emissions of Criteria Air Pollutants, Unmitigated	54
Table 4-6 Operational Emissions of Criteria Air Pollutants, Unmitigated.....	55
Table 4-7 PM ₁₀ , PM _{2.5} , and NO _x Concentrations for Construction.....	58
Table 4-8 PM ₁₀ , PM _{2.5} , and NO _x Concentrations for Operations.....	59
Table 4-9 Recommendations on Siting New Sensitive Land Uses	60
Table 4-10 Scoping Plan Priority GHG Reduction Strategies Consistency Analysis	104
Table 4-11 Parcels within the Project Area that are in an AIA/Safety Zone	117
Table 4-12 City of Fresno General Plan Noise Level Standards - Transportation (Non-Aircraft) Noise Sources.....	139
Table 4-13 Non-Transportation Noise Level Standards, dBA – City of Fresno Municipal Code, Section 15-2506..	140
Table 4-14 Assumed Minimum Ambient Noise Level, dBA - City of Fresno Municipal Code, Section 10-102(B)...	140
Table 4-15 Typical Construction Equipment Maximum Noise Levels, dBA	142
Table 4-16 Guideline Vibration Annoyance Potential Criteria	143
Table 4-17 Guideline Vibration Damage Potential Threshold Criteria	143
Table 4-18 Typical Vibration Levels During Construction.....	144
Table 4-19 Fire Facilities Fee Program	149
Table 4-20 Police Facilities Fee Program.....	150
Table 4-21 Student Generation Rates of each School District	151
Table 4-22 Park Facilities Fee Program	152
Table 4-23 Student Generation under Project Implementation	154
Table 4-24 Traffic Signal Mitigation Impact Fee for Multi-family Residential Uses.....	170
Table 4-25 Water Demand Factors by Land Use.....	191
Table 4-26 Water Demand by Land Use for Existing Conditions versus Project Conditions	191
Table 4-27 Wastewater Flows by Land Use for Existing Conditions versus Project Conditions	193
Table 4-28 Estimated Waste Generation for Existing Conditions versus Project Conditions.....	194

1 INTRODUCTION

Precision Civil Engineering, Inc. (PCE) has prepared this Initial Study/Mitigated Negative Declaration (IS/MND) on behalf of the City of Fresno (City) to address the environmental effects of the Development Code Text Amendment Application No. P24-00794 (Project, proposed Project, or Text Amendment). This document has been prepared in accordance with the California Environmental Quality Act (CEQA), Public Resources Code *Section 21000 et. seq.* The City of Fresno is the Lead Agency for this proposed Project. The Project Area and the proposed Project are described in detail in **SECTION 2 ENVIRONMENTAL CHECKLIST FORM**.

1.1 Regulatory Information

An Initial Study (IS) is a document prepared by a lead agency to determine whether a project may have a significant effect on the environment. In accordance with California Code of Regulations Title 14 (Chapter 3, Section 15000, et seq.), also known as the CEQA Guidelines, *Section 15064 (a)(1)* states that an environmental impact report (EIR) must be prepared if there is substantial evidence in light of the whole record that the proposed project under review may have a significant effect on the environment and should be further analyzed to determine mitigation measures or project alternatives that might avoid or reduce project impacts to less than significant levels.

A negative declaration (ND) may be prepared instead if the lead agency finds that there is no substantial evidence in light of the whole record that the project may have a significant effect on the environment. An ND is a written statement describing the reasons why a proposed project, not otherwise exempt from CEQA, would not have a significant effect on the environment and, therefore, why it would not require the preparation of an EIR (CEQA Guidelines *Section 15371*). According to CEQA Guidelines *Section 15070*, a ND or mitigated ND shall be prepared for a project subject to CEQA when either:

a. The IS shows there is no substantial evidence, in light of the whole record before the agency, that the proposed project may have a significant effect on the environment, or

b. The IS identified potentially significant effects, but:

1. Revisions in the project plans or proposals made by or agreed to by the applicant before the proposed mitigated negative declaration and initial study are released for public review would avoid the effects or mitigate the effects to a point where clearly no significant effects would occur is prepared, and

2. There is no substantial evidence, in light of the whole record before the agency, that the proposed project as revised may have a significant effect on the environment.

1.2 Purpose of the Initial Study

The City of Fresno is the Lead Agency in regard to the proposed Project. No new development projects are proposed in this Initial Study. As subsequent projects requiring discretionary approvals are proposed in the future, those individual projects would be subject to project-specific review under CEQA. For those projects that will be considered ministerial projects as proposed under the text amendment, this document serves to clear those future projects as they will not require future environmental review. It is the City's intent that this Initial Study can be tiered from pursuant to *Section 15168(c)(1)* and *Section 15168(d)*, for evaluations of environmental issues associated with those later activities/subsequent projects. The City of Fresno may also use this environmental

analysis for discretionary actions associated with projects developed in the Project Area, including RM-1, RM-2, RM-3, O, NMX, CMX, RMX, CMS, and CR zoned parcels.

1.3 Document Format

This IS/MND contains five chapters plus appendices. **SECTION 1 INTRODUCTION** provides the basis for the IS/MND's regulatory information and an overview of the proposed Project. **SECTION 2 ENVIRONMENTAL CHECKLIST FORM** provides a detailed description of proposed Project components. **SECTION 3 DETERMINATION** concludes that the Initial Study is a mitigated negative declaration, identifies the environmental factors potentially affected based on the analyses contained in this IS, and concludes with the Lead Agency's determination based upon those analyses. **SECTION 4 EVALUATION OF ENVIRONMENTAL IMPACTS** presents the CEQA checklist and environmental analyses for all impact areas and the mandatory findings of significance. A brief discussion of the reasons why the Project impact is anticipated to be potentially significant, less than significant with mitigation incorporated, less than significant, or why no impacts are expected is included. **SECTION 5 MITIGATION AND MONITORING PROGRAM** presents the mitigation measures recommended in the IS/MND for the Project. Appendices are attached to the IS/MND, including CalEEMod Output Files (**Appendix A**), CNDDDB Occurrence Report (**Appendix B**), Native American Heritage Commission Correspondence (**Appendix C**), Pre-Consultation Comment Letters (**Appendix D**), and Public Review Draft Development Code Text Amendment Application No. P24-00794 (**Appendix E**).

1.4 Pre-consultation Letters Received

Pre-consultation was conducted for the Project. Letters were received from the following:

- Consultation from Fresno Metropolitan Flood Control District on April 18, 2024.
- Consultation from San Joaquin River Conservancy on April 18, 2024.
- Consultation from Department of Public Works on April 18, 2024.
- Consultation from Department of Public Utilities on April 12, 2024.
- Consultation from Fresno Fire Department on April 19, 2024.

Pre-consultation letters were also routed to California Department of Transportation, Department of Current Planning, Department of Toxic Substance Control, Fresno Area Express, Fresno Irrigation District, Public Works Engineering, Clovis School District, Fresno School District, Central Unified School District, Fresno Police Department, and San Joaquin Valley Air Pollution Control District. However, no comments were received from these departments. Pre-consultation correspondence is provided in **Appendix D** and comments are incorporated throughout this document.

2 ENVIRONMENTAL CHECKLIST FORM

2.1 Project Title

City of Fresno Development Code Text Amendment Application No. P24-00794

2.2 Lead Agency Name and Address

City of Fresno
2600 Fresno Street
Fresno, CA 93721

2.3 Contact Person and Phone Number

Lead Agency

City of Fresno
Planning and Development Department
Attn: Sophia Pagoulatos
Planning Manager
(559) 621-8062

Applicant

City of Fresno
2600 Fresno Street
Fresno, CA 93721
(559) 621-8062

2.4 Study Prepared By

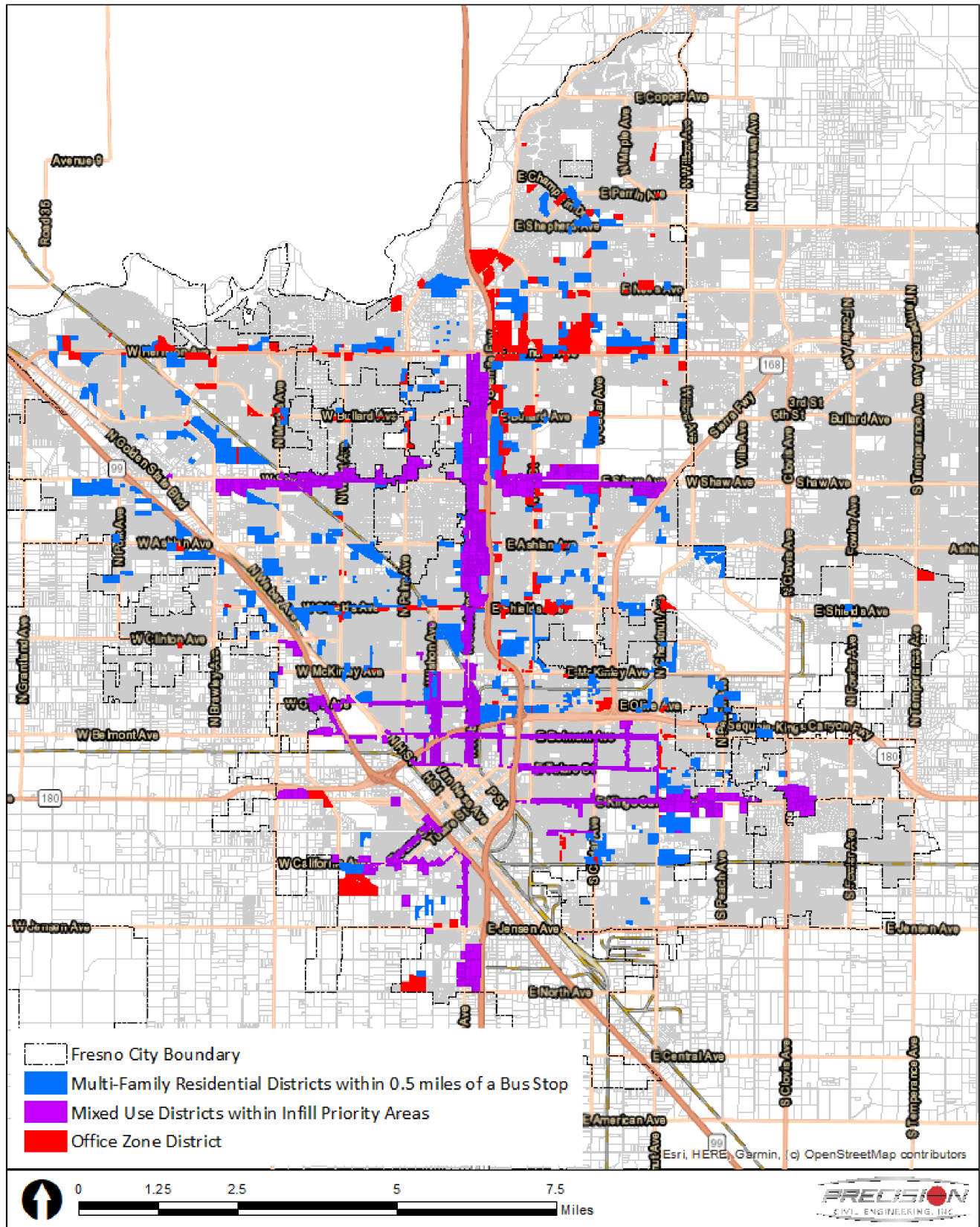
Precision Civil Engineering
1234 O Street
Fresno, CA 93721

2.5 Project Location

The Project is in the jurisdiction of the City of Fresno, Fresno County, California and contains approximately 13,560 parcels that altogether total approximately 6,440 acres (“Project Area”) in the RM-1, RM-2, RM-3, O, NMX, CMX, RMX, CMS, and CR zoned parcels through the city of Fresno (Figure 2-1).

2.6 Latitude and Longitude

The centroid of the Project Area is 36.76673162122419, -119.76698105478725.



CITY OF FRESNO - Development Code Text Amendment Application No. P24-00794

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Figure 2-1 Project Location

2.7 General Plan Designations

The Project Area is within four (4) land use classifications, Residential, Commercial, Employment, and Mixed-Use, and nine (9) land use designations within these classifications: Residential – Medium High Density, Residential – Urban Neighborhood, Residential – High Density, Commercial – Main Street, Commercial – Regional, Employment – Office, Mixed-Use – Neighborhood, Mixed-Use – Corridor/Center, and Mixed-Use – Regional.

2.8 Zoning

The Project Area is within four (4) district types, Residential Multi-Family Districts (RM), Commercial Districts (C), Mixed-Use Districts (MX), and Employment Districts (E), and nine (9) zone districts within the base districts: RM-1 (Residential Multi-Family, Medium High Density), RM-2 (Residential Multi-Family, Urban Neighborhood), RM-3 (Residential Multi-Family, High Density), CMS (Commercial – Main Street), CR (Commercial – Regional), NMX (Neighborhood Mixed-Use), CMX (Corridor/Center Mixed-Use), RMX (Regional Mixed-Use), and O (Office) (Table 2-1).

Table 2-1 Zone Districts and Project Area

Zone District	Parcels	Acres
RM-1	8,454	3,109.2
RM-2	713	609.6
RM-3	94	129.2
CMS	585	137.2
CR	178	589.2
NMX	1,924	817.4
CMX	2,561	1,498.7
RMX	488	827.0
O	1,368	1,373.0
Total	13,560	6,440

2.9 Description of Project

The City of Fresno, Planning and Development Department (Applicant) proposes Development Code Text Amendment No. P24-00794 that would amend the Fresno Municipal Code (FMC) to:

- 1) Allow ministerial approval of the proposed “office-to-dwelling conversion” residential use classification in the O zone district within existing buildings (“Office-to-Dwelling Conversions”);
- 2) Allow ministerial approval of multi-unit residential development in the RM-1, RM-2, and RM-3 zone districts on parcels that are within ½ mile of an existing bus stop (“Housing Near Bus Stops”);
- 3) Allow ministerial approval for “multi-unit residential” uses in NMX, CMX, RMX, CMS, and CR zone districts on parcels within the City’s Infill Priority Area (“Infill Residential Development in Mixed Use Zones”); and
 - Allow ministerial approval of new standalone multi-unit residential development in the O zone district (“New Residential Development on Office Parcels”).

No development is currently proposed with this Text Amendment. The full text amendment, which is considered the “Project,” is attached as [Appendix E](#).

2.9.1 Environmental Analysis Assumptions

Although no physical development is proposed by the Project, this Initial Study analyzes the potential buildout of the Project Area at a programmatic level, using reasonable assumptions so that future projects resulting from implementation of the Project may tier from this Initial Study pursuant to CEQA Guidelines *Section 15168(c)(1)* and *15168(d)* for evaluations of environmental issues associated with later activities/subsequent projects. However, depending on the final design of future physical development, additional project specific CEQA review may be required as determined by the City through the entitlement review and approval process.

According to the assumptions listed in the sub-sections below, the development capacity analyzed in the IS/MND includes:

- A reasonable build out of 2,692 units resulting from the conversion of gross floor area of office uses to residential uses in the O zone district over the next 30 years (Office-to-Dwelling Conversions).
- A reasonable build out of 5,525 units in RM-1, RM-2, and RM-3 zone districts within a ½ mile of an existing bus stop over the next 30 years (Housing Near Bus Stops).
- A reasonable build out of 12,032 units in CMS, CR, NMX, CMX, and RMX zone districts in the Infill Priority Area over the next 30 years (Infill Residential Development in Mixed Use Zones).
- A reasonable build out of 2,176 units in the O zone district (New Residential Development on Office Parcels).

Cumulatively, the Project could result in a reasonably foreseeable buildout of 22,425 units over the next 30 years. However, of the 22,425 units, only 4,868 units or 162 units per year (Office-to-Dwelling Conversions and New Residential Development on Office Parcels) account for additional capacity beyond what is currently permitted within the Fresno Municipal Code. This additional capacity is a result of adding “office-to-residential conversion” and “multi-unit residential development” as permitted residential use classifications in the O zone district, where residential development is currently not permitted. The remaining 17,557 units, comprising 5,525 units in the RM-1, RM-2, and RM-3 zone districts and 12,032 units in the CMS, CR, NMS, CMX, and RMX, are currently allowable uses consistent with the underlying zone district and General Plan land use designation.

Office-to-Dwelling Conversions

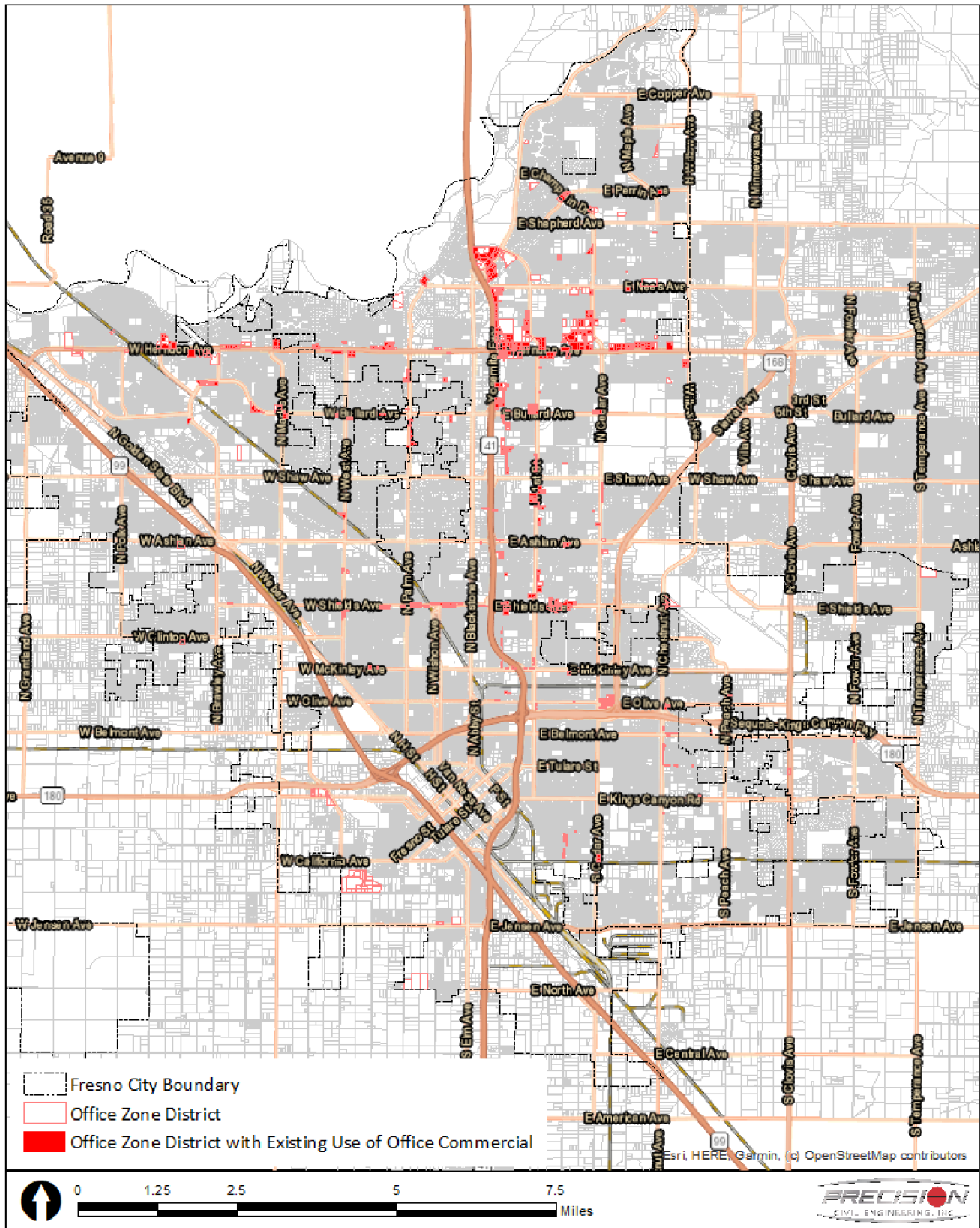
This Text Amendment would allow ministerial approval of the proposed “office-to-dwelling conversion” residential use classification on parcels in the O zone district that have an existing office use (“Project”). There are approximately 1,373 acres (1,368 parcels) zoned O in the City of Fresno. Approximately 45% (618 acres or 735 parcels) of parcels in the O zone district are developed with an existing office use (“Project Area”). These parcels are shown in **Figure 2-2**.

For the purposes of the environmental analysis, “office-to-dwelling conversion” means the conversion of existing office building(s) from commercial office use to a residential use. As defined by FMC Section 15-6704 (Commercial Use Classifications), an “office” use means offices of firms or organizations providing professional, executive, management, administrative or design services such as accounting, architectural, computer software design, engineering, graphic design, interior design, investment, insurance, and legal offices, excluding banks and savings and loan associations. This classification also includes offices where medical and dental services are provided by physicians, dentists, chiropractors, acupuncturists, optometrists, and similar medical professionals, including medical/dental laboratories within medical office buildings but excluding clinics or independent research laboratory

facilities and hospitals. Further classifications of “office” use includes business and professional, medical, dental, and walk-in clientele. Office-to-dwelling conversion is currently not permitted in the O zone district. The Text Amendment would add “office-to-dwelling conversion” as a residential use classification that is permitted in the O zone district.

The environmental analysis assumes that a reasonable percentage of existing gross floor area of office commercial use would be converted to residential use over the next 30 years within a reasonable density range per the City of Fresno “Reasonable Dwelling Unit Per Acre and FAR by Land Use” calculation prepared for the General Plan Build Out assumptions. There are approximately 618 acres in the O zone district that are developed with existing office use, which equates to approximately 26,920,080 square feet of total area. The Reasonable Dwelling Unit Per Acre and Floor Area Ratio by Land Use calculation identifies a 0.5 FAR for the Office land use designation. Using a 0.5 FAR, it can be assumed that there are approximately 13,460,040 square feet of existing gross floor area (26,920,080 square feet multiplied by 0.5 FAR equals 13,460,040 square feet).

To determine a reasonable percentage of development, the City of Fresno utilized the Housing Element Annual Progress Reports to determine the typical proportion of multi-family residential development to all residential development, finding that multi-family residential development generally accounts for approximately 20% of all residential development. Twenty percent (20%) of the existing gross floor area is approximately 2,692,008 square feet (20% of 13,460,040 square feet equals 2,692,008 square feet). If unit size is estimated at 1,000 square feet per unit, 2,692,008 square feet of residential uses would account for 2,692 units. Therefore, the environmental analysis reasonably assumes that approximately 20% of existing gross floor area of office commercial use would be converted to residential use, with a reasonable build out of 2,692 units over the next 30 years.



CITY OF FRESNO - Development Code Text Amendment Application No. P24-00794

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Figure 2-2 Existing Office Uses on Office-zoned Parcels

Housing Near Bus Stops

This Text Amendment would allow ministerial approval of “multi-unit residential development” in multi-family zone districts, RM-1, RM-2, and RM-3, on parcels that are within ½ mile of an existing bus stop (“Project”). There are approximately 3,848 acres (9,261 parcels) zoned RM-1, RM-2, or RM-3 in the City of Fresno. Approximately 77% (2,978 acres or 7,537 parcels) of multi-family zone parcels are within a ½ mile of an existing bus stop (“Project Area”). These parcels are shown in **Figure 2-3**.

For the purposes of the environmental analysis, “multi-unit residential development” means three (3) or more dwelling units on a site or lot as defined by FMC Section 15-6702 (Residential Use Classifications). Types of multiple unit dwellings include townhouses, garden apartments, senior housing developments, and multi-story apartment buildings. This use also includes multi-unit development in which individual units are occupied exclusively by one or more persons 62 years of age or older. Multi-unit residential development is currently permitted in the RM-1, RM-2, and RM-3 zone districts. No changes to the use classification are proposed by the Text Amendment.

The environmental analysis assumes that vacant and/or underutilized land¹ zoned RM-1, RM-2, or RM-3 within ½ mile of an existing bus stop would be developed with a multi-unit residential development over the next 30 years within a reasonable density range per the City of Fresno “Reasonable Dwelling Unit Per Acre and FAR by Land Use” calculation prepared for the General Plan Build Out assumptions. There are approximately 327.4 acres (216 parcels) of vacant and/or underutilized land within the RM-1, RM-2, and RM-3 zone districts within ½ mile of an existing bus stop (**Figure 2-4**), which could result in a reasonable build out of 5,525 units as shown in **Table 1-2**. Because the Project would not result in changes to the land use designation or zone district, the assumed build out would not result in new or additional residential units, and therefore population, would not increase beyond what is permitted in the FMC .

Table 2-2 Units on Vacant/Underutilized RM Sites for Ministerial Approval

Zone Districts	Acres	Reasonable Density (du/ac)	Reasonable Units *
RM-1	179.2	14	2,477
RM-2	140.5	20	2,790
RM-3	7.7	34	258
Total	327.4	-	5,525

Note: Each parcel was calculated separately and rounded down to not exceed the density limit.

¹ “Vacant and/or underutilized lands” mean parcels within the City Limits of Fresno that have an existing land use of “vacant parcel,” “parking,” or “open space/ag” per the City of Fresno’s GIS Viewer.

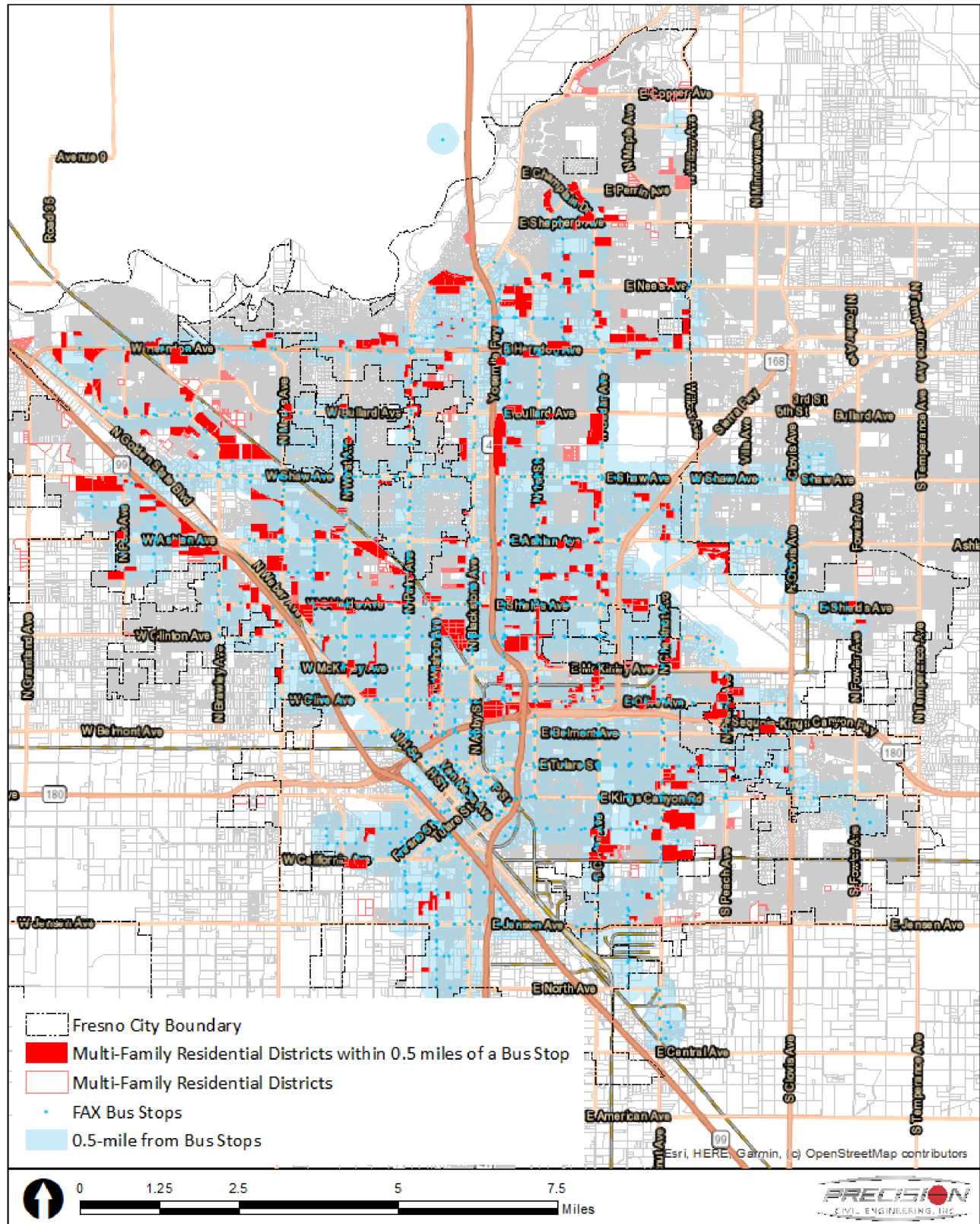
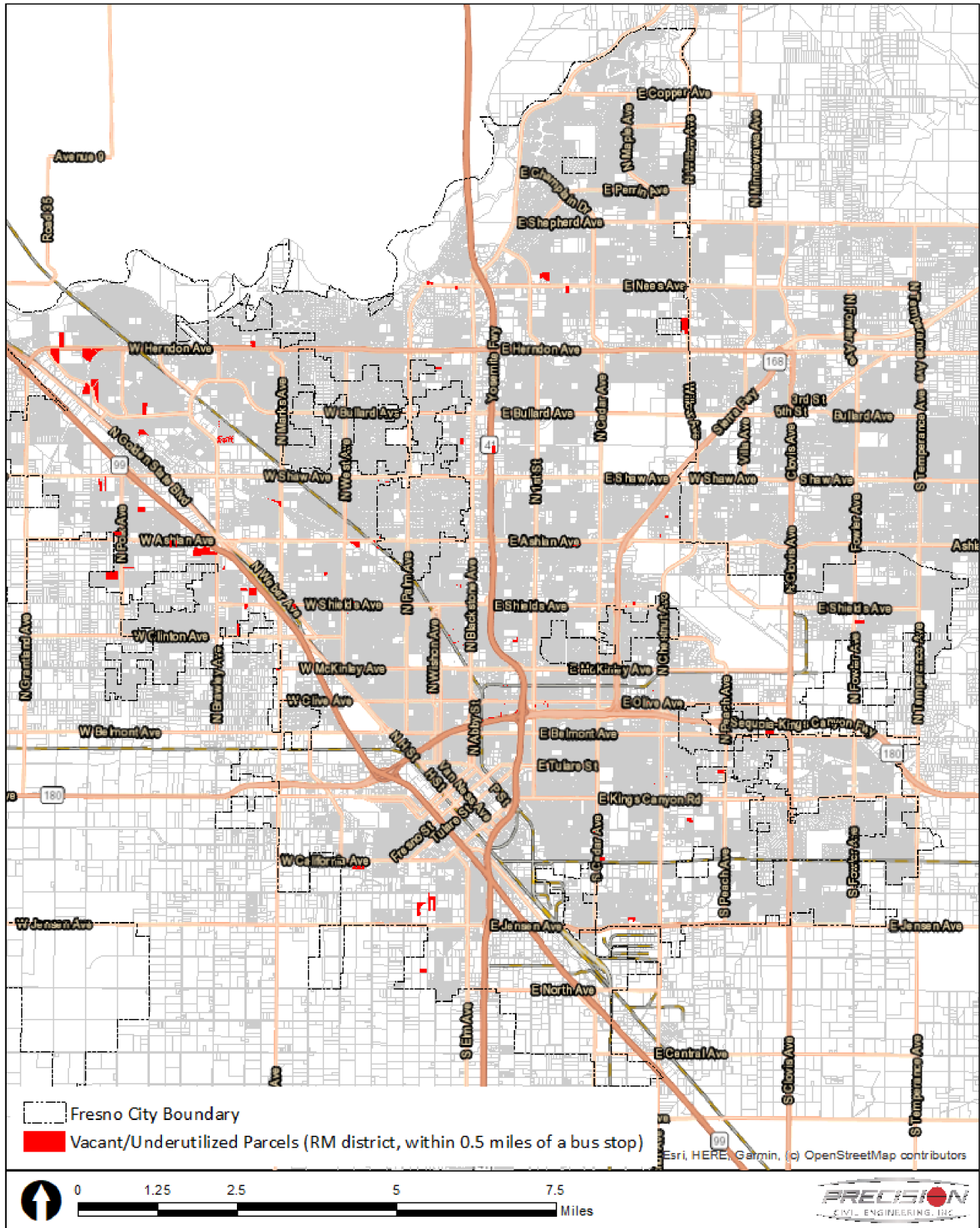


Figure 2-3 Developed and Undeveloped Parcels (Multi-Family Residential Districts within ½ mile of an existing Bus Stop)



CITY OF FRESNO - Development Code Text Amendment Application No. P24-00794

CREATED: 5/28/2024

Figure 2-4 Vacant/Underutilized Parcels (Multi-Family Residential Districts within 1/2 mile of a Bus Stop)

Infill Residential Development in Mixed-Use Zones

This Text Amendment would allow ministerial approval of “multi-unit residential development” in zone districts that allow mixed uses, NMX, CMX, RMX, CMS, CR, on parcels that are within the City’s Infill Priority Area as identified on Figure IM-1 of the City of Fresno General Plan (“Project”). There are approximately 3,867 acres (5,736 parcels) zoned NMX, CMX, RMX, CMS, and CR in the City. Approximately 74% (2,844 acres or 5,288 parcels) of parcels in zone districts that allow mixed uses are within the Infill Priority Area (“Project Area”) as shown in **Figure 2-5**.

For the purposes of the environmental analysis, “multi-unit residential development” means three (3) or more dwelling units on a site or lot as defined by FMC Section 15-6702 (Residential Use Classifications). Types of multiple unit dwellings include townhouses, garden apartments, senior housing developments, and multi-story apartment buildings. This use also includes multi-unit development in which individual units are occupied exclusively by one or more persons 62 years of age or older. Multi-unit residential development is currently permitted in the NMX, CMX, RMX, CMS, and CR zone districts. No changes to the use classification are proposed by the Text Amendment.

The environmental analysis assumes that vacant and/or underutilized land² zoned CMS, CR, NMX, CMX, or RMX in the Infill Priority Area would be developed with residential uses over the next 30 years within a reasonable density range per the City of Fresno “Reasonable Dwelling Unit Per Acre and FAR by Land Use” calculation prepared for the General Plan Build Out assumptions. There are approximately 242.6 acres (363 parcels) of vacant and/or underutilized land zoned CMS, CR, NMX, CMX, and RMX in the City of Fresno Infill Priority Area (**Figure 2-6**), which could result in a reasonable build out of 12,032 units as shown in **Table 2-2**.

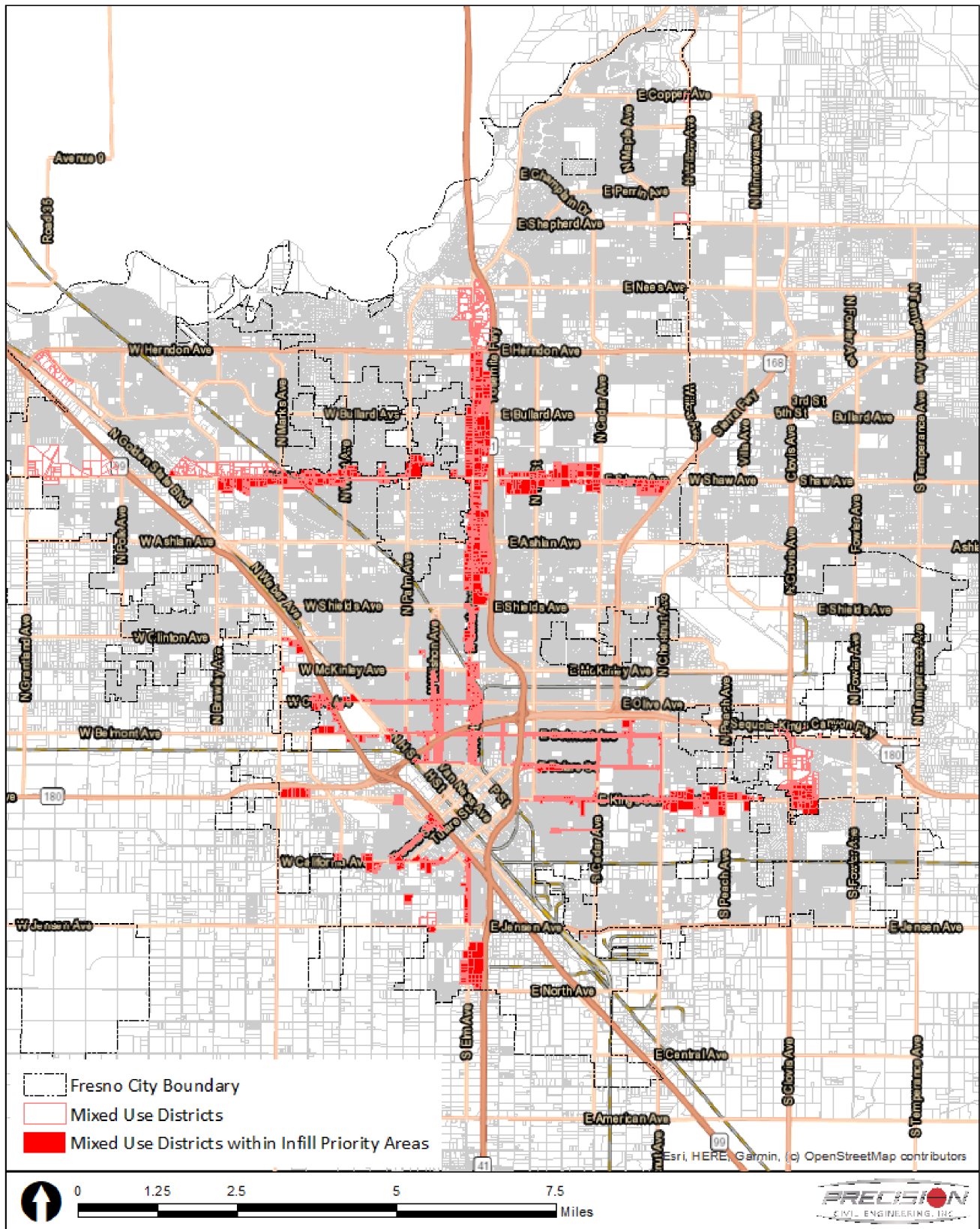
Because the Project would not result in changes to land use designations or zoning, the assumed buildout would not result in additional residential units or population beyond what is permitted in the FMC and Fresno General Plan.

Table 2-2 Units on Vacant/Underutilized MX Sites for Ministerial Approval

Zone Districts	Acres	Reasonable Density (du/ac)	Reasonable Units *
CMS	9.5	24	208
CMX	93.2	50	4,620
CR	21.0	20	416
NMX	98.5	56	5,408
RMX	20.4	68	1,380
Total	242.6	-	12,032

Note: Each parcel was calculated separately and rounded down to not exceed the reasonable density.

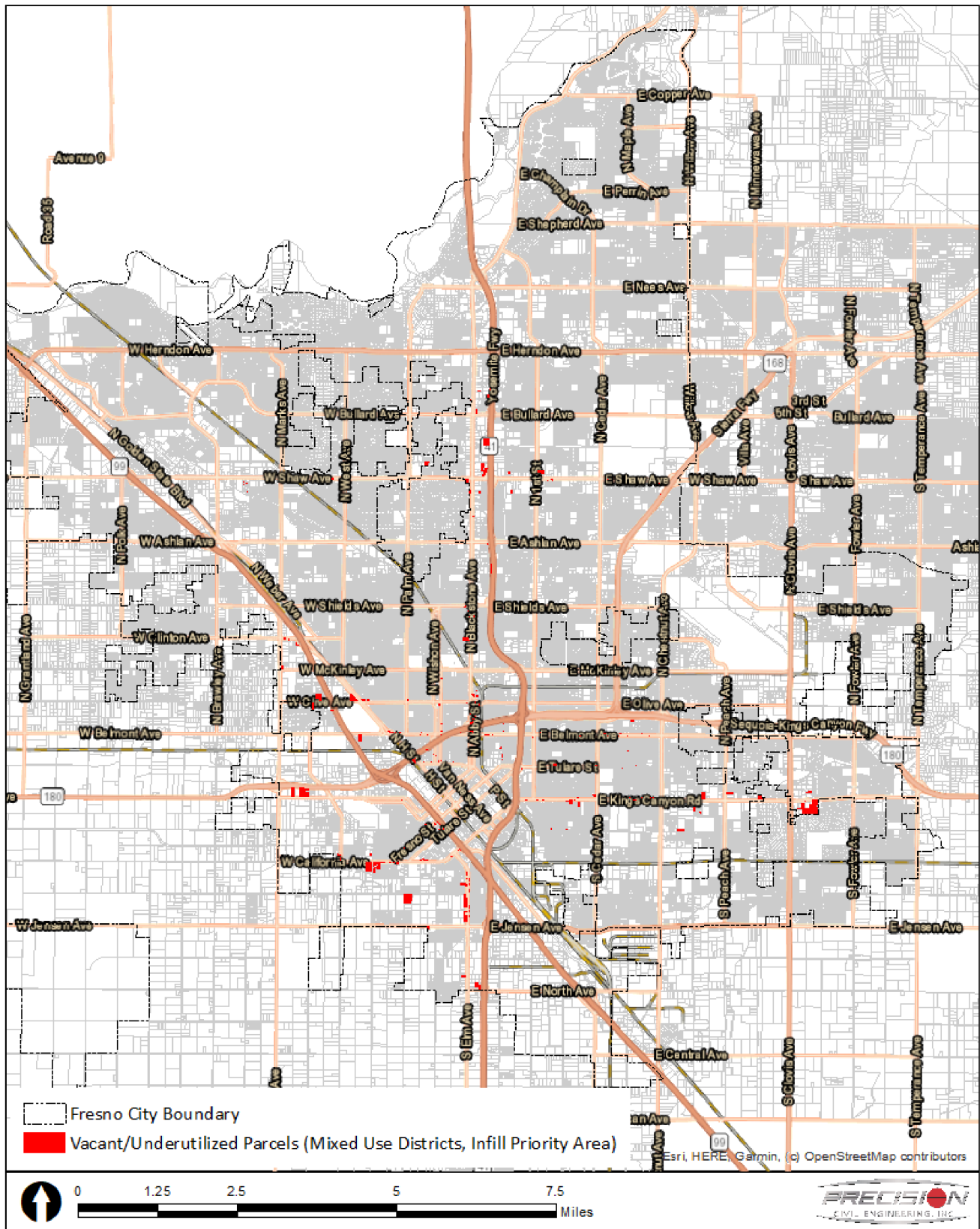
² “Vacant and/or underutilized lands” means parcels within the City Limits with an existing land use of “vacant parcel,” “parking,” or “open space/ag” per the City of Fresno’s GIS Viewer, and sites along the City of Fresno’s BRT Corridors that are over five (5) acres in size currently operated as surface parking lots.



CITY OF FRESNO - Development Code Text Amendment Application No. P24-00794

CREATED: 5/28/2024

Figure 2-5 Developed and Undeveloped Parcels (Mixed Use Zoned Sites within Infill Priority Area)



CITY OF FRESNO - Development Code Text Amendment Application No. P24-00794

CREATED: 5/28/2024

Figure 2-6 Vacant/Underutilized Parcels (Mixed Use Zoned Sites within Infill Priority Area)

New Residential Development on Office Parcels

This Text Amendment would allow ministerial approval of new standalone multi-unit residential development on parcels in the O zone district (“Project”). There are approximately 1,373 acres (1,368 parcels) zoned O in the City of Fresno as shown in [Figure 2-1](#) (“Project Area”).

For the purposes of the environmental analysis, “multi-unit residential development” means three (3) or more dwelling units on a site or lot as defined by FMC Section 15-6702 (Residential Use Classifications). Types of multiple unit dwellings include townhouses, garden apartments, senior housing developments, and multi-story apartment buildings. This use also includes multi-unit development in which individual units are occupied exclusively by one or more persons 62 years of age or older. Multi-unit residential development is currently not permitted in the O zone district. The Text Amendment would add “multi-unit residential development” as a use classification that is permitted in the O zone district.

The environmental analysis assumes that a reasonable percentage of vacant and/or underutilized land³ zoned O would be developed with residential uses over the next 30 years within a reasonable density range per the City of Fresno “Reasonable Dwelling Unit Per Acre and FAR by Land Use” calculation prepared for the General Plan Build Out assumptions. Approximately 22% (324 acres or 144 parcels) of parcels in the O zone district are vacant or underutilized. These parcels are shown in [Figure 2-7](#). It should be noted that this exhibit includes all O zoned parcels, however the text amendment proposes to not allow residential development (on vacant or underutilized parcels) within 500 feet of a school.

To determine a reasonable percentage of development, the City of Fresno utilized the Housing Element Annual Progress Reports to determine the typical proportion of multi-family residential development to all residential development, finding that multi-family residential development generally accounts for approximately 20% of all residential development. Since no density is assigned to the Office land use designation or zone district, the environmental analysis applies the reasonable density assumed for the High-Density Residential land use designation/RM-3 zone district which is 34 dwelling units per acre. Therefore, the environmental analysis reasonably assumes that approximately 20% of vacant parcels in the O zone district, or 64 acres out of 324 acres, could be developed with a reasonable build out of 2,176 units over the next 30 years (34 dwelling units multiplied by 64 acres equals 2,176 units).

³ “Vacant and/or underutilized lands” mean parcels within the City Limits of Fresno that have an existing land use of “vacant parcel,” “parking,” or “open space/ag” per the City of Fresno’s GIS Viewer.

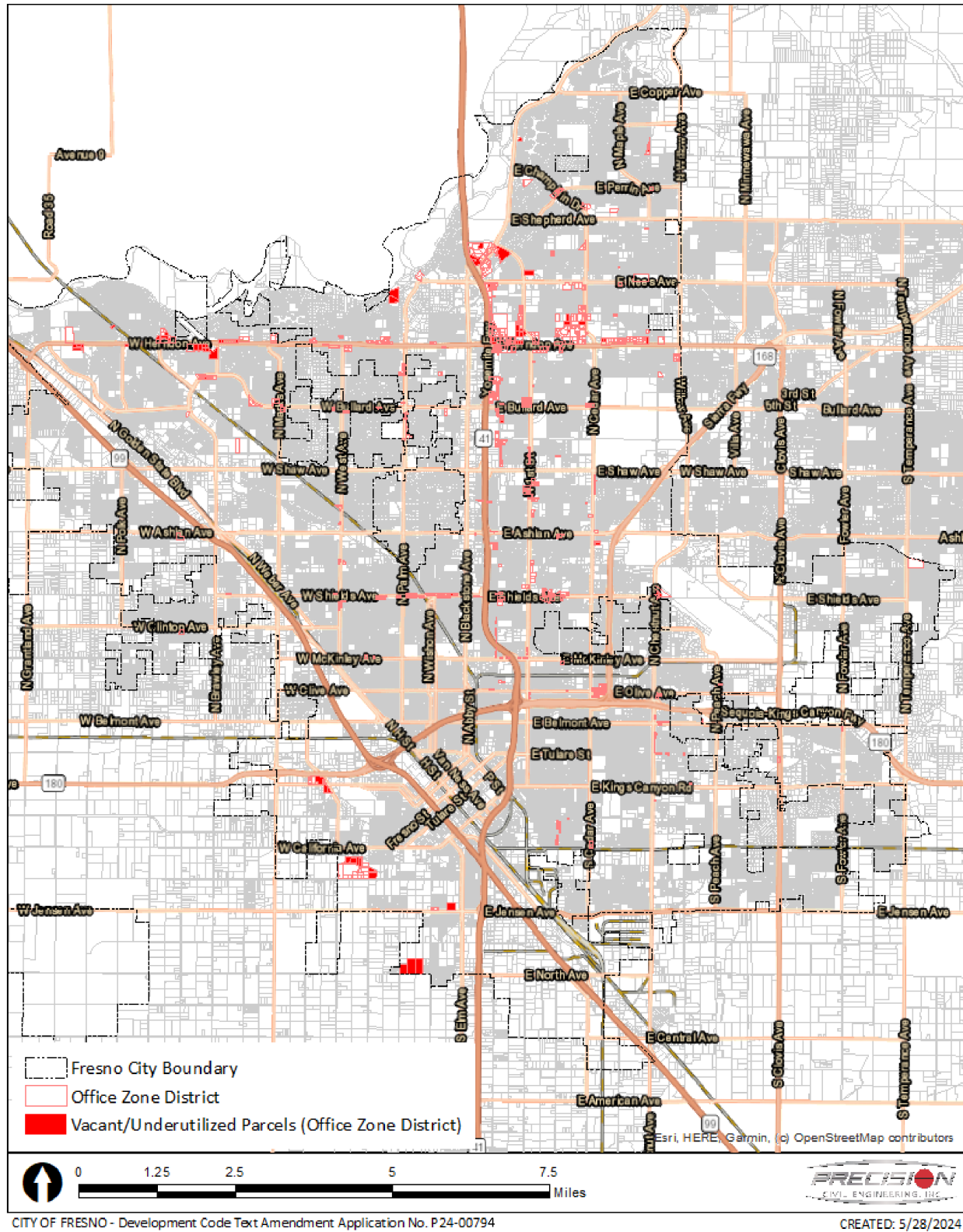


Figure 2-7 Vacant/Underutilized Parcels (Office Zoned Sites) ⁴

⁴ [Residential development prohibited on vacant or underutilized office zoned parcels within 500 feet of a school.](#)

2.10 Environmental Setting

The City of Fresno has approximately 106,027 acres of land area as of the existing 2019 baseline acreage identified in the General Plan. The city is predominately comprised of developed urban land. Planned land uses within the city include residential, commercial, industrial, mixed use, public facilities, open space, etc. **Table 2-3** shows the acreage of these land uses as of 2019.

Table 2-3 2019 Land Use Acreages

Land Use Designation	Existing Acreage in 2019
Residential*	46,459
Commercial	6,665
Industrial	9,303
Mixed Use	3,863
Public Facilities	17,519
Open Space	2,342
Other**	19,876
Total	106,027

Source: City of Fresno Planning and Development Department (2019)

** The residential designation includes all designations that allow residential units except for Mixed use. The Neighborhoods designation in the Downtown Area primarily allows residences.*

*** This category includes roads, canals, railroads, etc. and the buffer area designated in Southeast Development Area.*

According to the 2020 Decennial Census, the city of Fresno's population is 542,107. The population projection of the General Plan under full buildout within the General Plan Planning Area is 970,000 persons by year 2056. This uses a one-year growth increment of approximately 1.25 percent growth within the city and a 1.24 percent growth in the Sphere of Influence (SOI).

Regional Housing Needs Allocation (RHNA)

California General Plan Law requires that all cities accommodate a fair share of regional housing needs to ensure a fair distribution of new housing construction among communities and a mix of housing types for all income levels. Consequently, the City of Fresno's Fifth Cycle Housing Element, year 2015 to 2023, allocates a total of 23,565 units. In addition, pursuant to AB 1233, unaccommodated 2008 lower income RHNA obligation that is rolled over includes 6,476 units. As such, the city of Fresno is allocated a total of 30,041 housing units. The Sixth Cycle Housing Element has been drafted and is currently in review with the California Department of Housing and Community Development.

The General Plan estimates 195,429 housing units in the Planning Area in 2015 and projects 336,000 housing units at full buildout. According to the 2015-2023 Housing Element, the household size of the city increased from 2.99 persons per unit in 2000 to 3.07 persons per unit in 2010. The city expects the household size to remain the same, 3.07 persons, in 2020.

All land within the City Limits includes the infill areas identified in the General Plan. The Project Area, or mixed-use zone districts, are predominantly located in the BRT corridors and Downtown infill areas. The General Plan

emphasizes the City's interest in supporting infill development. Roughly half of all new growth is expected to be infill development.

The text amendment supports multiple goals of the 2014 Fresno General Plan:

***Goal 3.** Emphasize conservation, successful adaptation to climate and changing resource conditions, and performance effectiveness in the use of energy, water, land, buildings, natural resources, and fiscal resources required for the long-term sustainability of Fresno.*

***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.*

***Goal 8.** Develop Complete Neighborhoods and districts with an efficient and diverse mix of residential densities, building types, and affordability which are designed to be healthy, attractive, and centered by schools, parks, and public and commercial services to provide a sense of place and that provide as many services as possible within walking distance.*

***Goal 10.** Emphasize increased land use intensity and mixed-use development at densities supportive of greater use of transit in Fresno.*

2.11 Required Project Approvals

Other approvals not listed below may be required as identified through the entitlement process. In addition, other agencies may have the authority to issue permits prior to implementation of the Project as listed below.

- Zoning Ordinance Text Amendment

2.12 Consultation with California Native American Tribes

The State requires lead agencies to consider the potential effects of proposed projects and consult with California Native American tribes during the local planning process for the purpose of protecting Traditional Tribal Cultural Resources through the CEQA Guidelines. Pursuant to PRC *Section 21080.3.1*, the lead agency shall begin consultation with the California Native American tribe that is traditionally and culturally affiliated with the geographical area of the proposed project. Such significant cultural resources are either sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a tribe which is either on or eligible for inclusion in the California Historic Register or local historic register, or, the lead agency, at its discretion, and support by substantial evidence, choose to treat the resources as a Tribal Cultural Resources (PRC *Section 21074(a)(1-2)*). According to the most recent census data, California is home to 109 currently recognized Indian tribes.

Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See PRC *Section 21083.3.2*.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per PRC *Section 5097.96* and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that PRC *Section 21082.3(c)* contains provisions specific to confidentiality.

A consultation list of tribes with traditional lands or cultural places located within Fresno County was requested and received from the California Native American Heritage Commission (NAHC) on April 8, 2024. NAHC Correspondence is provided in **Appendix C**. The listed tribes include Amah Mutsun Tribal Band, Big Sandy Rancheria of Western Mono Indians, Cold Springs Rancheria of Mono Indians of California, Dumna Wo-Wah Tribal Government, Kitanemuk & Yowlumne Tejon Indians, Mono Lake Kutzadika Tribe, North Fork Mono Tribe, Northern Valley Yokut/Ohlone Tribe, Picayune Rancheria of the Chukchansi Indians, Santa Rosa Rancheria Tachi Yokut Tribe, Southern Sierra Miwuk Nation, Table Mountain Rancheria, Tule River Indian Tribe, and Wuksache Indian Tribe/Eshom Valley Band. The NAHC also conducted a Sacred Lands File (SFL) search which was positive.

In compliance with AB 52, as part of the preparation of this Initial Study and Mitigated Negative Declaration, the City of Fresno sent tribal consultation notices by certified mail to all the tribes listed above on April 5, 2024 and April 8, 2024. Tribes have up to 30 days to request consultation. The City received one response. The response was from the Santa Rosa Rancheria Tachi Yokut Tribe dated May 6, 2024. The responses stated, “due to the location of this project the tribe will be deferring to the more local tribes of the area.” The City did not receive responses from any other tribe.

3 DETERMINATION

3.1 Environmental Factors Potentially Affected

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | |
|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Land Use Planning |
| <input type="checkbox"/> Agriculture and Forestry Resources | <input type="checkbox"/> Mineral Resources |
| <input checked="" type="checkbox"/> Air Quality | <input checked="" type="checkbox"/> Noise |
| <input checked="" type="checkbox"/> Biological Resources | <input type="checkbox"/> Population and Housing |
| <input checked="" type="checkbox"/> Cultural Resources | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Energy | <input type="checkbox"/> Recreation |
| <input checked="" type="checkbox"/> Geology and Soils | <input type="checkbox"/> Transportation |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input checked="" type="checkbox"/> Tribal and Cultural Resources |
| <input checked="" type="checkbox"/> Hazards and Hazardous Materials | <input checked="" type="checkbox"/> Utilities and Service Systems |
| <input type="checkbox"/> Hydrology and Water Quality | <input type="checkbox"/> Wildfire |

For purposes of this Initial Study, the following answers have the corresponding meanings:

"No Impact" means the specific impact category does not apply to the project, or that the record sufficiently demonstrates that project specific factors or general standards applicable to the project will result in no impact for the threshold under consideration.

"Less Than Significant Impact" means there is an impact related to the threshold under consideration, but that impact is less than significant.

"Less Than Significant with Mitigation Incorporation" means there is a potentially significant impact related to the threshold under consideration, however, with the mitigation incorporated into the project, the impact is less than significant. For purposes of this Initial Study "mitigation incorporated into the project" means mitigation developed specifically for an individual project.

"Potentially Significant Impact" means there is substantial evidence that an effect may be significant related to the threshold under consideration.

3.2 Determination

This completed environmental impact checklist form, and its associated narrative reflect applicable comments of responsible and trustee agencies and research, and analysis conducted to examine the interrelationship between the proposed project and the physical environment. The information contained in the Project application and its related environmental assessment application, responses to requests for comment, checklist, initial study narrative, and any attachments thereto, combine to form a record indicating that an initial study has been completed in compliance with the State CEQA Guidelines and the CEQA.

All new development activities and many non-physical projects contribute directly or indirectly toward cumulative impacts on the physical environment. It has been determined that the incremental effect contributed by this Project toward cumulative impacts is not considered substantial or significant in itself, and/or that cumulative impacts accruing from this project may be mitigated to less than significant with application of feasible mitigation measures.

Based upon the evaluation guided by the environmental checklist form, it was determined that there are no foreseeable substantial impacts from the Project, after the incorporation of project-specific mitigation measures in the Mitigation Monitoring and Reporting Program. The completed environmental checklist form indicates whether an impact is potentially significant, less than significant with mitigation, less than significant, or no impact.

For some categories of potential impacts, the checklist may indicate that a specific adverse environmental effect has been identified which is of sufficient magnitude to be of concern. Such an effect may be inherent in the nature and magnitude of the Project or may be related to the design and characteristics of the individual project. Effects so rated are not sufficient in themselves to require the preparation of an EIR and have been mitigated to the extent feasible. With the Project-specific mitigation imposed, there is no substantial evidence in the record that this Project may have significant, direct, indirect or cumulative effects on the environment that are significant. The Project-specific Mitigation Monitoring and Reporting Program will be imposed on this Project.

The Initial Study has concluded that the Project will not result in any adverse effects which fall within the "Mandatory Findings of Significance" contained in *Section 15065* of the CEQA Guidelines. The finding is, therefore, made that the Project will not have a significant adverse effect on the environment.

On the basis of this initial evaluation (to be completed by the Lead Agency):

- ☐ I find that the proposed Project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ I find that although the proposed Project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the Project have been made by or agreed to by the Project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed Project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT (EIR) is required.
- ☐ I find that the proposed Project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An EIR is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed Project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed Project, nothing further is required.

Approved By:

Sophia Pagoulatos, Planning Manager
City of Fresno, Planning and Development Department

Date

4 EVALUATION OF ENVIRONMENTAL IMPACTS

4.1 AESTHETICS

Except as provided in Public Resources Code <i>Section 21099</i> , would the Project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?			X	
b) Substantially damage scenic resources, including, but not limited to, trees, rock out-croppings, and historic buildings within a state scenic highway?				X
c) In non-urbanized areas, substantially degrade the existing visual character or quality public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the Project is in an urbanized area, would the Project conflict with applicable zoning and other regulations governing scenic quality?			X	
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?		X		

4.1.1 Environmental Setting

The Project Area, within city of Fresno, is located within Fresno County in the central San Joaquin Valley, California. The Project Area and potential area of impacts are limited to RM-1, RM-2, RM-3, O, NMX, CMX, RMX, CMS, and CR zone districts, as described in [Section 2.9 Description of Project](#). Visual features in the City of Fresno are predominately urbanized land uses.

Three (3) elevated highways, State Route (SR) 180, 99, and 41, enclose Downtown Fresno and residential areas north of Downtown. Downtown Fresno, the city's center, contains high-rise buildings and diverse land use, including offices, restaurants, entertainment, and housing. The most common building types are mixed-use buildings, theaters, civic/institutional buildings, and industrial warehouses. Many structures provide historical design

elements and contribute to the historical scene.⁵ There are no parcels within the Project Area that are in Downtown Fresno.

Generally, areas of the City that are outside Downtown Fresno mainly consist of low-rise, residential uses with a mix of retail, office, churches, schools, parks, and other public facilities. NMX, CMS, and CMX zones are located along the corridors in areas closer to Downtown. These zones have current characteristics of low-rise, small-scaled, and pedestrian-oriented neighborhood buildings. CR and RMX zones, which allow urban-scale retail that serves the larger region, are located further from Downtown. Densities are lower, further from the city center.

Uses along major thoroughfares, such as Herndon Avenue, Shaw Avenue, Cesar Chavez Boulevard (formerly Ventura Avenue/Kings Canyon Road), Blackstone Avenue, and Clovis Avenue, are primarily low-rise commercial, residential, and industrial. Areas along these corridors are primarily CR, NMX, CMX, and RMX districts. Multi-family zones, including RM-1, RM-2, and RM-3 districts, are evenly spread across the city. Most of these districts are adjacent to arterial or larger collector roadways. Similarly, the Office district is primarily located along major thoroughfares, with larger accumulations north of Herndon Avenue along Yosemite Freeway (State Route 41). The Project Area and its surrounding areas are highly urbanized, thus visual characteristics include significant sources of light and glare, including streetlights, parking lot lighting, and interior lights from buildings and public facilities.

California Scenic Highway Program

The California Scenic Highway Program was established in 1963 with the purpose of protecting and enhancing the natural scenic beauty of California highways and adjacent corridors, through special conservation treatment. A highway may be designated scenic depending upon how much of the natural landscape can be seen by travelers, the scenic quality of the landscape, and the extent to which development intrudes upon the traveler's enjoyment of the view. According to the California Scenic Highway Program, there are no officially designated State Scenic Highways in the City of Fresno, inclusive of the Project Area.⁶ The nearest eligible State Scenic Highway is State Route 168 located in Clovis and State Route 180 near Sanger. There are no eligible highways in Fresno.

Fresno General Plan

The Fresno General Plan does not identify or designate scenic vistas within the City or Sphere of Influence. However, it identifies vista points along the San Joaquin River bluff (see **Figure 4-1**) and scenic corridors (see **Figure 4-2**) along major street networks. Objectives and policies related to these scenic resources are listed below.

OBJECTIVE POSS-7 *Support the San Joaquin River Conservancy in its collaborative, multiagency efforts to develop the San Joaquin River Parkway.*

Policy POSS-70-f River Bluffs. Preserve the river bluffs as a unique geological feature in the San Joaquin Valley by maintaining and enforcing the requirements of the "BP" Bluff Preservation Overlay Zone District, maintaining the bluff area setback for buildings, structures, decks, pools and spas (which may be above or below grade), fencing, and steps, and maintaining designated vista points.

⁵ City of Fresno. (2014). City of Fresno General Plan. Accessed on May 24, 2024, https://www.fresno.gov/wp-content/uploads/2023/03/upload_temp_Consolidated-GP-10-13-2022_compressed.pdf

⁶ Caltrans. California State Scenic Highway System Map. Accessed on May 24, 2024, <https://caltrans.maps.arcgis.com/apps/webappviewer/index.html?id=465dfd3d807c46cc8e8057116f1aaca>

OBJECTIVE MT-3 *Identify, promote and preserve scenic or aesthetically unique corridors by application of appropriate policies and regulations.*

Policy MT-3-a Scenic Corridors. *Implement measures to preserve and enhance scenic qualities along scenic corridors or boulevards, including:*

- *Van Ness Boulevard - Weldon to Shaw Avenues*
- *Van Ness Extension - Shaw Avenue to the San Joaquin River Bluff*
- *Kearney Boulevard - Fresno Street to Polk Avenue*
- *Van Ness/Fulton couplet - Weldon Avenue to Divisadero*
- *Butler Avenue - Peach to Fowler Avenues*
- *Minnewawa Avenue - Belmont Avenue to Central Canal*
- *Huntington Boulevard - First Street to Cedar Avenue*
- *Shepherd Avenue - Friant Road to Willow Avenue*
- *Audubon Drive - Blackstone to Herndon Avenues*
- *Friant Road - Audubon to Millerton Roads*
- *Tulare Avenue - Sunnyside to Armstrong Avenues*
- *Ashlan Avenue- Palm to Maroa Avenues*

Policy MT-3-b *Preserve street trees lining designated scenic corridors or boulevards. Replace trees of the predominant type and in a comparable pattern to existing plantings if there is no detriment to public safety.*

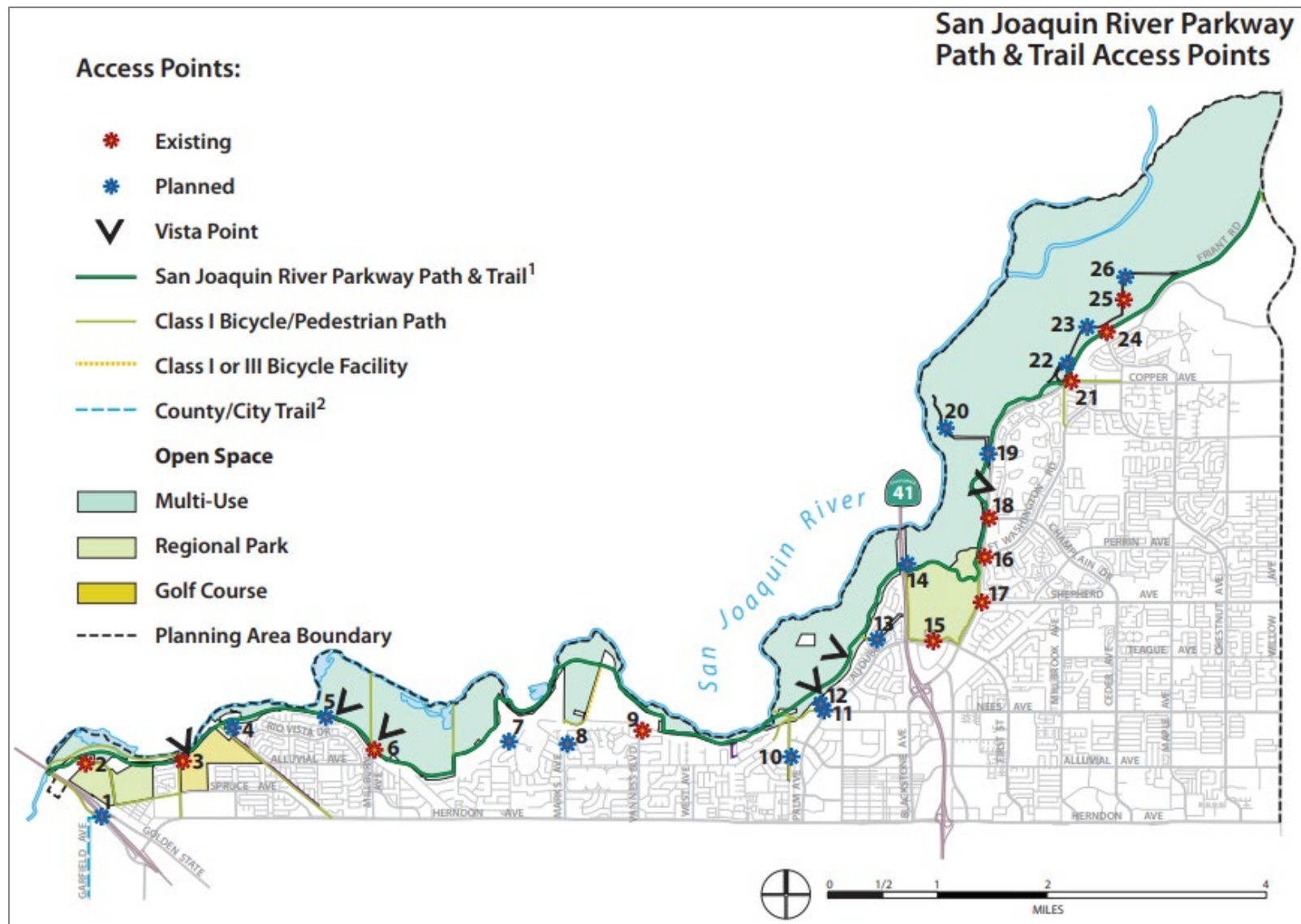
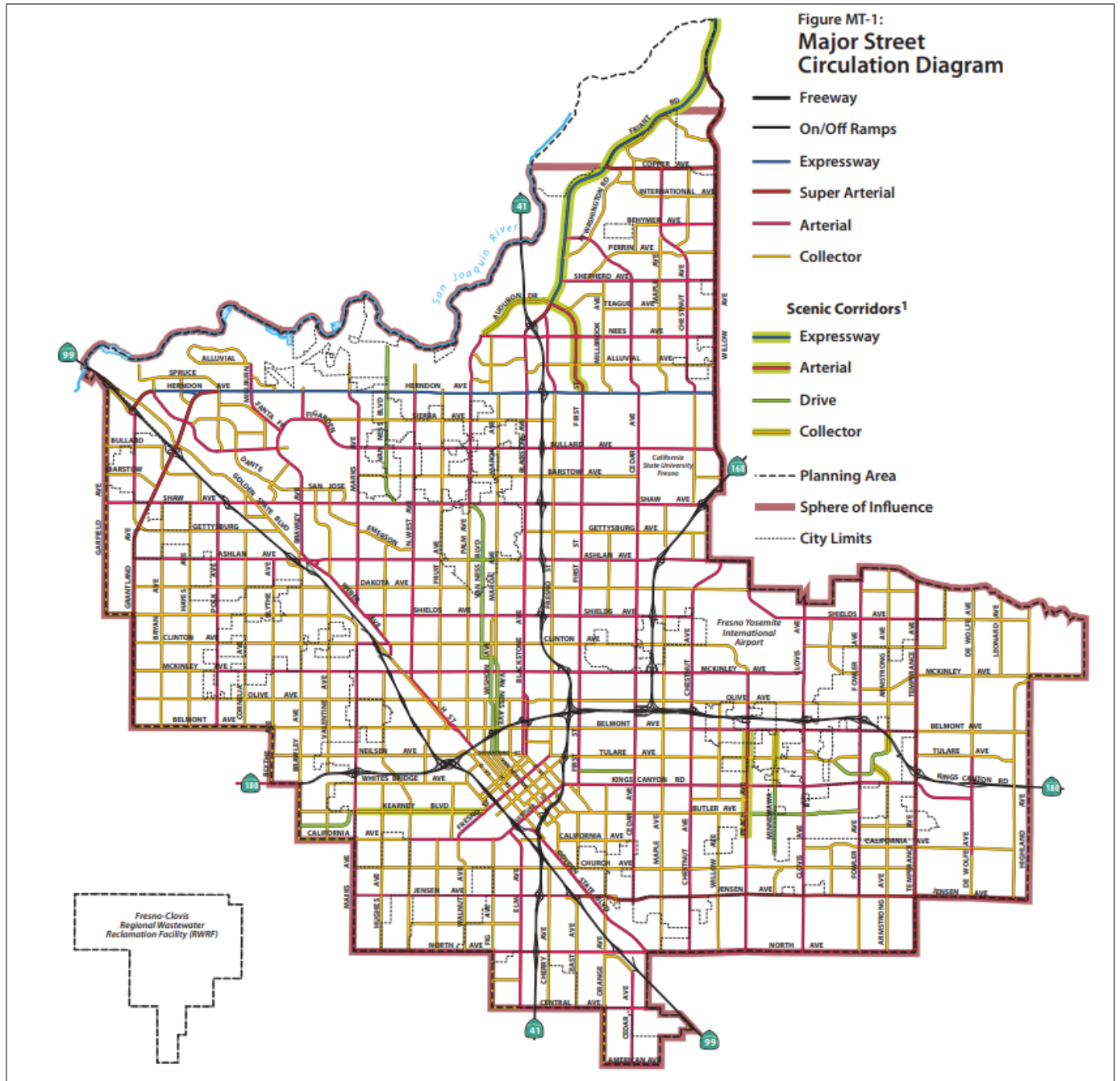


Figure 4-1 San Joaquin River Parkway Vista Points



Fresno Municipal Code

The Fresno Municipal Code *Section 15* includes several standards that regulate the aesthetics of development, such as building height, setbacks, landscaping, frontage, etc. Some sections specifically relate to light and glare for any proposed development project, such as:

15-2015 Outdoor Lighting and Illumination. This section applies standards to on-site lighting of residential and non-residential sites.

15-2420 Parking Area Lighting. *Parking areas designed to accommodate four or more vehicles shall be provided with light over the parking surface as follows:*

A. Lighting design shall be coordinated with the landscape plan to ensure that vegetation growth will not substantially impair the intended illumination.

B. 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.

C. Carport lighting shall be integrated into carport structures, and there shall have no bare light bulbs.

15-2508 Lighting and Glare. (B) Lighting. *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 street lights 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.*

15-2610 Standards for Specific Sign Types. This section regulates the number, height, landscaping, setback, illumination, lighting, etc., of different types of signs, for example:

(A) Awning and Canopy Signs. (4) Illumination. *Internal illumination of awnings is prohibited.*

(B) Pole Signs. (8) Lighting. *Lighting systems shall not exceed 100 foot Lamberts (FT-L) when adjacent to streets which have an average light intensity of less than 2.0 horizontal foot candles. When adjacent to streets with a greater average light intensity, systems shall not exceed 500 FT-L.*

(C) Monument Signs. (6) Lighting. *Lighting systems shall not exceed 100 foot Lamberts (FT-L) when adjacent to streets which have an average light intensity of less than 2.0 horizontal foot candles. When adjacent to streets with a greater average light intensity, systems shall not exceed 500 FT-L.*

Bluff Protection Overlay District

FMC *Section 15-1603 – Bluff Protection (BL) Overlay District* establishes regulations and standards to ensure the preservation of the natural landscape of the southerly San Joaquin River Bluffs, adjacent properties, and adjacent open spaces. This overlay applies to lands that are within 300 feet of the toe of the San Joaquin River bluff. Additional standards are set forth in this section, such as increased setback from the bluff edge, direction of lighting and illumination away from the river bottom, designs to keep the natural character of the bluff, and provisions to minimize potential geological and soil hazards.

According to the City of Fresno GIS Viewer (as of July 2024), there are three (3) parcels within the Project Area with the BL Overlay. **Figure 4-3** shows the BL Overlay parcels within the Project Area. BL Overlay parcels within the Project Area are summarized in **Table 4-2**. All three parcels are in the O Zone District. Two (2) of the parcels are developed as an Office building with parking lot and one parcel is vacant. The Project would allow the existing office building to be converted to residential uses and the vacant parcel to be developed with new residential uses. All three (3) parcels are adjacent to existing access points to the San Joaquin River (**Figure 4-1**).

Table 4-1 Bluff Protection Overlay District Parcels within Project Area, 2024

Assessor's Parcel Number	Existing Use	Zone District	Acreage
405-340-04	Vacant	O	11.89
402-570-13	Office	O	4.23
402-030-36T	Parking Lot*	O	0.05
Total			16.17
*Parcel contains portion of the parking lot serving the Office development on parcel identified as APN 402-570-13. Development of APN 402-030-36T is dependent on the development of adjacent parcel(s).			

*Parcel contains portion of the parking lot serving the Office development on parcel identified as APN 402-570-13



CITY OF FRESNO - Development Code Text Amendment Application No. P24-00794

CREATED: 7/23/2024

Figure 4-3 Project Parcels within the Bluff Protection Overlay District

4.1.2 Impact Assessment

a) *Have a substantial adverse effect on a scenic vista?*

Less than Significant Impact. Development of the proposed Project Area could result in a substantial adverse effect on a scenic vista or scenic corridor if views of such features were blocked. Scenic corridors are views along transportation corridors, such as the State Scenic Highway or scenic corridors identified in the General Plan. These views could be short- or long-range. Scenic vistas are usually long-range views or expansive viewpoints of a particular feature, such as mountain ranges.

The Fresno General Plan does not identify or designate scenic vistas within the City Limits or Sphere of Influence. “Vista Points” are identified by the General Plan along the San Joaquin River bluffs, which is adjacent to some parcels within the Project Area. However, the General Plan has taken this into consideration and provided buffers as well as planned access points to the identified Vista Points to ensure that the river bluffs are protected. There are three (3) parcels within the Bluff Protection (BL) Overlay District in the Project Area, two (2) of which are currently developed. **Figure 4-3** shows the location of these parcels. As discussed in the Environmental Setting, development of parcels within the BL Overlay District would be subject to additional standards that are intended to preserve the natural character of the bluff and minimize potential geological and soil hazards. As such, future development on the three (3) identified parcels within the Project Area would be subject to compliance with all applicable requirements of the BL Overlay and through compliance, would have a less than significant impact.

Scenic features may also include developed features such as historic buildings, green open spaces, corridors, and highways. The Project Area is almost entirely developed and characterized by urban and suburban landscape consisting of low, medium, and high density residential, commercial, office, and mixed uses. There is limited public viewshed due to the highly developed, dense low- to high-rise buildings. The General Plan identifies “Scenic Corridors” (General Plan **Policy MT-3-a**). Scenic corridors adjacent to the Project Area would be subject to compliance with General Plan policies, including **Policy MT-3-a** (enhancement measures) and **Policy MT-3-b** (tree preservation) to prevent significant impacts. In addition, there are no scenic highways in Fresno, inclusive of the Project Area.

Additionally, the Project would not conflict with objectives and policies in the General Plan related to urban form and urban design because development standards of visual characteristics, such as height, setbacks, landscaping, and parking requirements, remain the same, and future development projects in the Project Area would be subject to comply with such standards. The Text Amendment would not facilitate future development that exceeds these standards that could result in aesthetic related impacts. For these reasons, impacts would be less than significant.

b) *Substantially damage scenic resources, including, but not limited to, trees, rock out-croppings, and historic buildings within a state scenic highway?*

No Impact. According to the California State Scenic Highway Program, there are no eligible or designated State Scenic Highways in Fresno, inclusive of the Project Area. The nearest eligible State Scenic Highway is State Route 168 located in Clovis and State Route 180 near Sanger. As such, the Project would not damage scenic resources, including trees, rock out-croppings, and historic buildings within a state scenic highway and no impact would occur.

c) *In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage*

point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

Less than Significant Impact. Implementation of the proposed Project could facilitate future residential uses in City Limits. The Project Area is in an urbanized area. The Project does not conflict with objectives and policies in the General Plan related to urban form and urban design because development standards of visual characteristics, such as height, setbacks, landscaping, and parking requirements, remain the same, and future development in the Project Area would be subject to comply with such standards, including but not limited to FMC *Section 15-1004, Section 15-1005, Section 15-2015, Section 15-2508, and Section 15-2614* (See **Environmental Setting**). Further, the Text Amendment would not facilitate future development that exceeds existing site design or development standards that could result in aesthetic related impacts. For these reasons, the Project would not substantially alter the existing visual character of the Project Area and its surroundings and impacts would be less than significant.

d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

Less than Significant Impact with Mitigation Incorporated. Generally, lighting impacts are associated with artificial lighting in evening hours either through interior lighting from windows or exterior lighting (e.g., street lighting, parking lot lighting, landscape lighting, cars, and trucks). Future development of the Project Area could incrementally increase the amount of light from streetlights, exterior lighting, and vehicular headlights, especially in areas with less development. Such sources could create adverse effects on day or nighttime views in the area. However, considering the Project Area's existing urbanized environment and conditions, there are existing light and glare sources. New sources of light and glare associated with future development would be similar in nature to the existing surrounding uses, as regulated by the General Plan, FMC, and Title 24, as described further below.

Project construction would also introduce light and glare resulting from construction activities that could adversely affect day or nighttime views. Although construction activities are anticipated to occur primarily during daylight hours, it is possible that some activities could occur during dusk or early evening hours (*Section 10-109* of the FMC permits construction work to take place between 7:00 am and 10:00 pm on any day except Sunday, for work that is accomplished pursuant to a building permit). Construction during these time periods could result in light and glare from construction vehicles or equipment. However, construction would occur primarily during daylight hours and would be temporary in nature. Once construction is completed, any light and glare from these activities would cease to occur.

Future development resulting from Project implementation would be required to comply with the applicable General Plan policies and the enforceable requirements and restrictions contained in the FMC intended to prevent light and glare impacts including General Plan *Policy D-4-c and D-4-f* and FMC *Section 15-2015, Section 15-2508, and Section 15-2614*. Further, compliance with Title 24 lighting requirements as verified through the Building Permit process would reduce impacts related to nighttime light. The lighting requirements cover outdoor spaces including regulations for mounted luminaires (i.e., high efficacy, motion sensor control, time clocks, energy management control systems, etc.). However, to further ensure that future development reduces lighting and glare impacts to less than significant levels, the Project shall incorporate **Mitigation Measure (MM) AES-1, MM AES-2, and MM AES-3** as described below.

MM AES-1: Lighting for Street and Parking Areas. Lighting systems for street and parking areas shall include shields to direct light to the roadway surfaces and parking areas. Vertical shields on the light fixtures shall also be used to direct light away from adjacent light sensitive land uses such as residences.

MM AES-2: Signage Lighting. Lighting systems for freestanding signs shall not exceed 100 foot-Lamberts (FT-L) when adjacent to streets which have an average light intensity of less than 2.0 horizontal footcandles and shall not exceed 500 FT-L when adjacent to streets which have an average light intensity of 2.0 horizontal footcandles or greater.

MM AES-3: Use of Non-Reflective Materials. Materials used on building facades shall be non-reflective.

As such, required compliance with the General Plan, FMC, and Title 24, in addition to the incorporation of mitigation, would reduce light and glare impacts to less than significant with mitigation incorporated.

4.1.3 Mitigation Measures

The Project shall implement and incorporate, as applicable, the aesthetics related mitigation measures as described in this section, and in the **MITIGATION MONITORING AND REPORTING PROGRAM** contained in **SECTION 5**.

MM AES-1: Lighting for Street and Parking Areas. Lighting systems for street and parking areas shall include shields to direct light to the roadway surfaces and parking areas. Vertical shields on the light fixtures shall also be used to direct light away from adjacent light sensitive land uses such as residences.

MM AES-2: Signage Lighting. Lighting systems for freestanding signs shall not exceed 100 foot-Lamberts (FT-L) when adjacent to streets which have an average light intensity of less than 2.0 horizontal footcandles and shall not exceed 500 FT-L when adjacent to streets which have an average light intensity of 2.0 horizontal footcandles or greater.

MM AES-3: Use of Non-Reflective Materials. Materials used on building facades shall be non-reflective.

4.2 AGRICULTURE AND FORESTRY RESOURCES

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?			X	
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				X
d) Result in the loss of forest land or conversion of forest land to non-forest use?				X
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?			X	

4.2.1 Environmental Setting

The Project Area is located within Fresno City Limits. The Project includes sites that are zoned for office, multi-family, and mixed use. As such, the Project Area is predominately planned for urbanized uses. Approximately 94.9% of sites within the Project Area are developed and occupied by a mix of existing urban uses; the remaining 5.1% of sites within the Project Area are undeveloped, vacant lands. Most of the Project Area does not contain any agricultural or forestry resources such as agricultural land, forest land, or timberland. Five (5) parcels are identified as Prime Farmland (described below). There are no parcels within the Project Area that are subject to the Williamson Act (described below).

Farmland Mapping and Monitoring Program

The California Department of Conservation manages the Farmland Mapping and Monitoring Program (FMMP) that provides maps and data for analyzing land use impacts to farmland. The FMMP produces the Important Farmland Finder as a resource map that shows quality (soils) and land use information. Agricultural land is rated according to soil quality and irrigation status, in addition to many other physical and chemical characteristics. The highest quality land is called “Prime Farmland.” Maps are updated every two (2) years.

According to the FMMP, California Important Farmland most recent map (created September 27, 2022; updated May 16, 2024), parcels within the Project Area are mostly categorized as “Urban and Built-Up Land.” A small portion of parcels within the Project Area (mainly on the southwest and northwest side of the City) are categorized as “Vacant and Disturbed Land,” “Farmland of Local Importance,” and “Prime Farmland”⁷ FMMP definitions for Farmland of Local Importance and Prime Farmland are listed below.

- Prime Farmland: *“farmland with the best combination of physical and chemical features able to sustain long term agricultural production. This land has the soil quality, growing season, and moisture supply needed to produce sustained high yields. Land must have been used for irrigated agricultural production at some time during the four years prior to the mapping date.”*⁸ Farmland of Local Importance: *“land of importance to the local agricultural economy as determined by each county’s board of supervisors and a local advisory committee.”*

Figure 4-4 shows the California Important Farmland map of the Project Area. Parcels categorized as Prime Farmland within the Project Area are summarized in Table 4-2. All parcels are currently undeveloped. Four (4) of the parcels are in the O zone district and one (1) parcel is in the RM-1 / RS-5 zone district.

Table 4-2 Prime Farmland within Project Area, 2024

Assessor’s Parcel Number	FMMP Category	Zone District	Acreage
479-020-29	Prime Farmland	O	9.17
328-080-03	Prime Farmland	RM-1 / RS-5	5.16
328-080-05	Prime Farmland	O	19.68
328-080-06	Prime Farmland	O	19.68
328-080-07	Prime Farmland	O	11.10
Total Acreage			64.80

California Land Conservation Act (Williamson Act)

The California Land Conservation Act of 1965 (i.e., the Williamson Act) allows local governments to enter contracts with private landowners to restrict parcels of land for agricultural or open space uses. In return, property tax assessments of the restricted parcels are lower than full market value since the restricted parcels are assessed according to their restricted use rather than their development potential free of such restriction. The minimum initial term of a Williamson Act contract is 10 years and automatically renews annually upon its anniversary date;

⁷ Farmland Mapping and Monitoring Program, Division of Land Resource Protection, California Department of Conservation. (created September 27, 2022; updated May 16, 2024). California Important Farmland: Most Recent. Downloaded from <https://gis.conservation.ca.gov/portal/home/item.html?id=22da298849d147679551680593b9b035>

⁸ California Department of Conservation. Important Farmland Categories. Accessed on May 28, 2024, <https://www.conservation.ca.gov/dlrp/fmmp/Pages/Important-Farmland-Categories.aspx>

as such, the contract length is essentially indefinite unless appropriately cancelled. **Figure 4-5** shows Williamson Act parcels as of 2023. No parcels within the Project Area are subject to a Williamson Act Contract.

Fresno General Plan

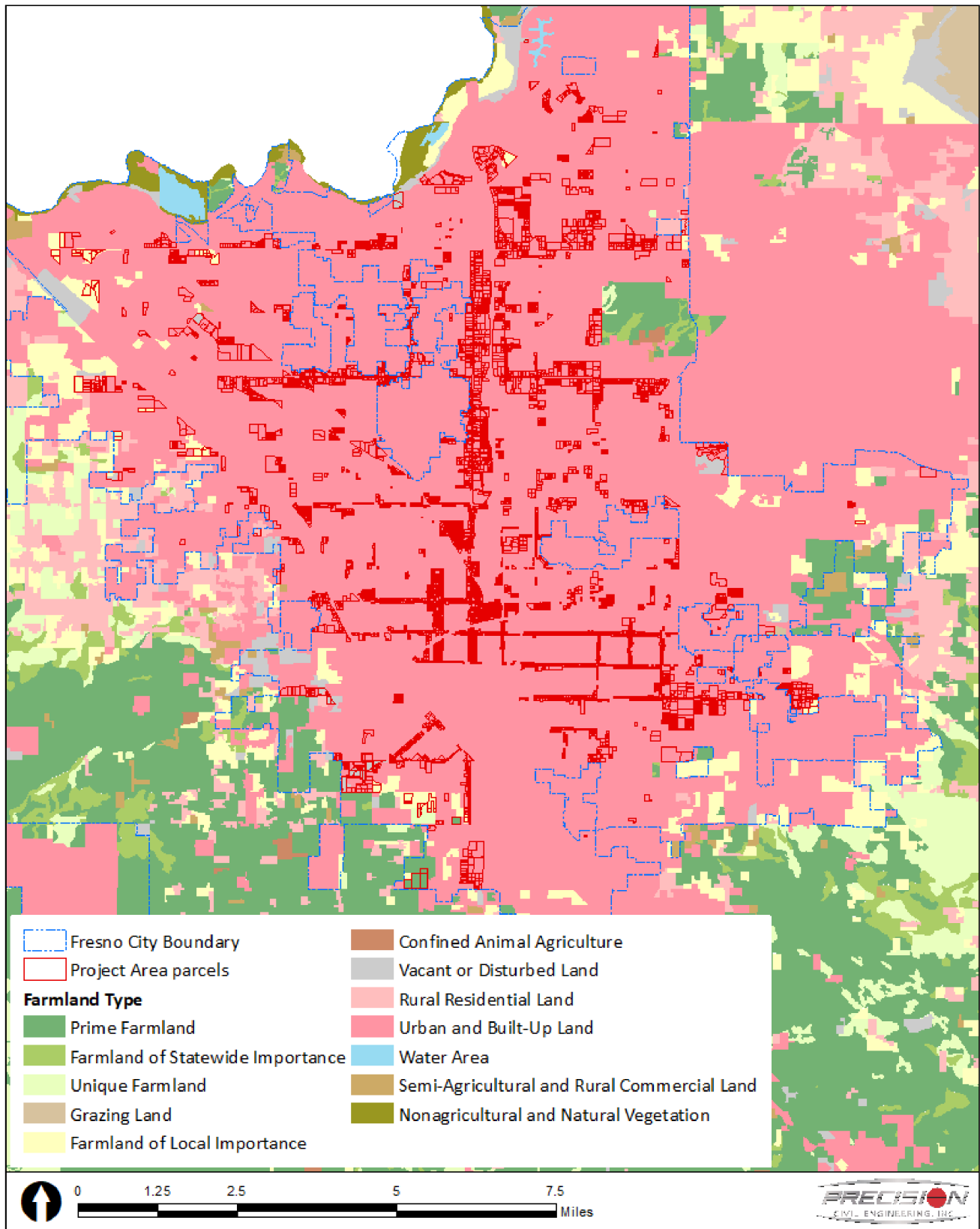
The Fresno General Plan Resource Conservation and Resilience Element identified policies related to agricultural preservation for “*agricultural land outside of the area planned for urbanization under this General Plan.*” However, these objectives and policies regarding farmland preservation in the Fresno General Plan do not apply to the proposed Project since they are targeted at preserving agricultural land outside the City Limits. No parcels within the Project Area are outside City Limits.

City of Fresno Proposed Text Amendment for Ministerial Approval

The City of Fresno’s proposed Text Amendment for ministerial approval prohibits ministerial approval of projects in “Sensitive Areas.” The following language would prohibit ministerial approval of a project that is located on a parcel that contains any of the following characteristics related to agriculture and agricultural resources. Projects that meet these characteristics would be required to obtain a Development Permit. The full Text Amendment is provided in **Appendix E**.

B. Exceptions

1. *Sensitive Areas. A project that is located on a parcel that contains any of the following characteristics must obtain a Development Permit.*
 - a. *Important Farmland (Prime Farmland, Unique Farmland, or Farmland of Statewide Importance), as designated by the State Department of Conservation;*
 - b. *Williamson Act contract(s);*



CITY OF FRESNO - Development Code Text Amendment Application No. P24-00794

CREATED: 5/28/2024

Figure 4-4 California Important Farmland Map (2022)

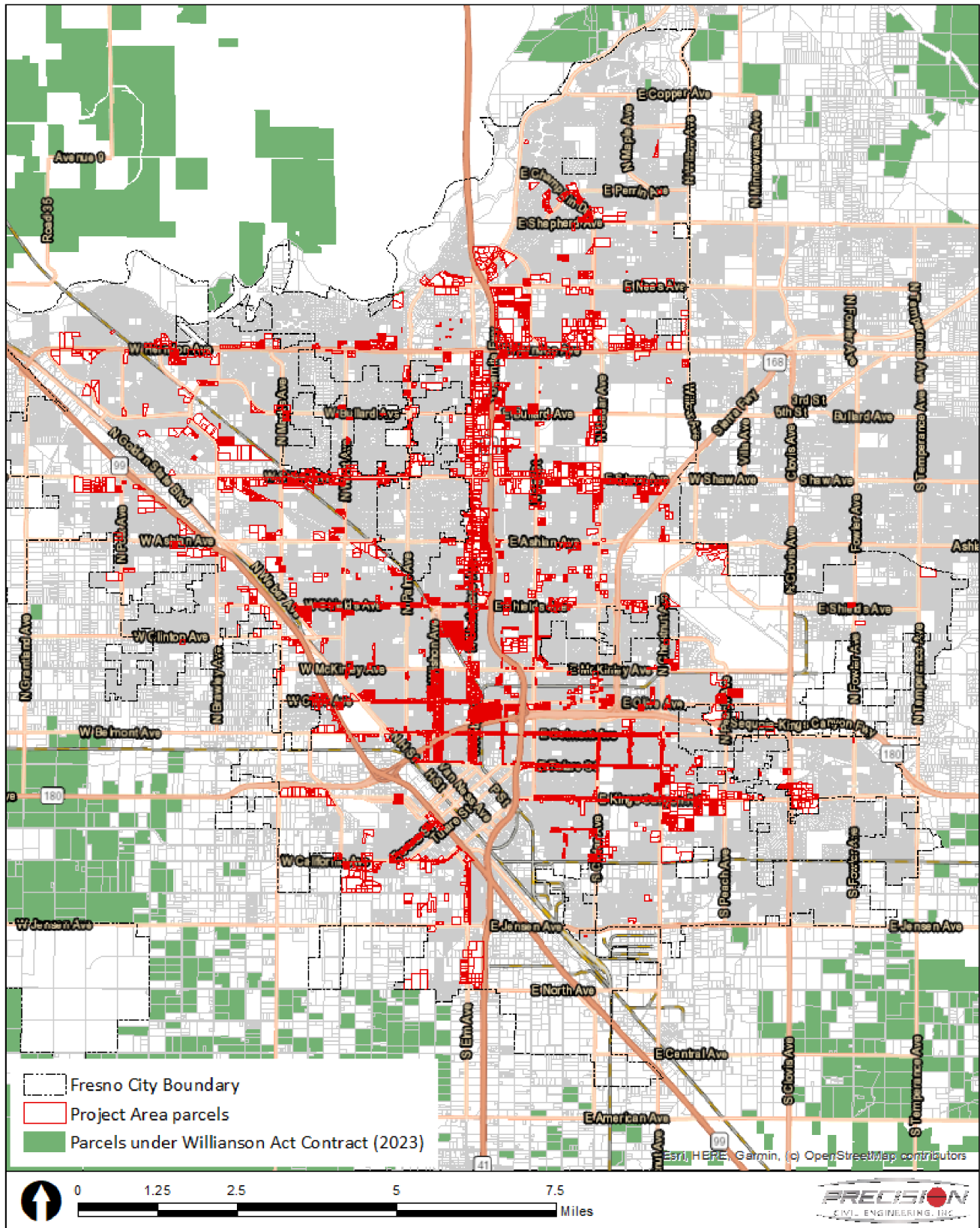


Figure 4-5 Williamson Act Contract Lands Map

4.2.2 Impact Assessment

- a) *Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?*

Less than Significant Impact. According to the FMMP, there are five (5) parcels, totaling approximately 64.8 acres of the Project Area that are categorized as “Prime Farmland.” These parcels are located within City Limits, in the southwestern portion of the city, on the northeast corner of East Jensen Avenue and South Clara Avenue and on the northeast corner of West North Avenue and South Walnut Avenue (Table 4-2). As seen in aerial imagery, these parcels have existing agricultural uses and are undeveloped. Four (4) of the parcels are in the O zone district and one (1) parcel is in the RM-1 / RS-5 zone district. There are no parcels in the Project Area that are designated for Unique Farmland or Farmland of Statewide Importance.

The Project includes a Text Amendment that would allow new multi-family residential development on Office-zoned parcels, either ministerially or with a discretionary permit, and allow ministerial approval of multi-family residential development on parcels in multi-family zone districts that are within ½ mile of an existing bus stop. The Text Amendment would prohibit ministerial approval of new multi-family residential development on parcels within the Project Area that are designated as Prime Farmland as shown on the FMMP maps, or on parcels containing existing agricultural operations and uses, where development would result in the conversion of farmland to non-agricultural use. Any discretionary projects resulting from Project implementation would require further environmental review pursuant to CEQA. For these reasons, impacts would be less than significant.

- b) *Conflict with existing zoning for agricultural use or a Williamson Act contract?*

No Impact. The Project Area is not zoned for agricultural uses nor is it under a Williamson Act Contract. Properties surrounding the Project Area to the north, south, east, and west are also not zoned for agricultural uses nor are they under a Williamson Act contract. Therefore, no impact would occur.

- c) *Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?*

No Impact. The Project Area is not zoned for forest land (as defined in PRC Section 12220(g)), timberland (as defined in PRC Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g)). In addition, parcels within a quarter mile radius are also not zoned for forest land, timberland, or timberland zoned Timberland Production. As a result, the Project would not conflict with existing zoning for, or cause rezoning of, forest land, timberland, forest land, timberland, or timberland zoned Timberland Production and no impact would occur.

- d) *Result in the loss of forest land or conversion of forest land to non-forest use?*

No Impact. The Project Area does not contain forest land. Therefore, implementation of the Project would not result in the loss of forest land or conversion of forest land to non-forest use and no impact would occur.

- e) *Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?*

Less than Significant impact. The Project Area is located within Fresno City Limits. The Project includes sites that are zoned for office, multi-family, and mixed use. As such, the Project Area is predominately planned for urbanized uses. Approximately 94.9% of sites within the Project Area are developed and occupied by a mix of existing urban uses; the remaining 5.1% of sites within the Project Area are undeveloped, vacant lands. Most of the Project Area does not contain any agricultural or forestry resources such as agricultural land, forest land, or timberland. Five (5) parcels are identified as Prime Farmland as described under criterion a).

The Project includes a Text Amendment that would allow new multi-family residential development on Office-zoned parcels, either ministerially or with a discretionary permit, and allow ministerial approval of multi-family residential development on parcels in multi-family zone districts that are within ½ mile of an existing bus stop. The Text Amendment would prohibit ministerial approval of new multi-family residential development on parcels within the Project Area that are designated as Prime Farmland as shown on the FMMP maps, or on parcels containing existing agricultural operations and uses, where development would result in the conversion of farmland to non-agricultural use. Any discretionary projects resulting from Project implementation would require further environmental review pursuant to CEQA. For these reasons, impacts would be less than significant.

4.2.3 Mitigation Measures

None required.

4.3 AIR QUALITY

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Conflict with or obstruct implementation of the applicable air quality plan (e.g., by having potential emissions of regulated criterion pollutants which exceed the San Joaquin Valley Air Pollution Control Districts (SJVAPCD) adopted thresholds for these pollutants)?			X	
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?			X	
c) Expose sensitive receptors to substantial pollutant concentrations?		X		
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?			X	

4.3.1 Environmental Setting

The Project is located within the San Joaquin Valley Air Basin (SJVAB). The San Joaquin Valley Air Pollution Control District (SJVAPCD) regulates air quality in eight (8) counties including: Fresno, Kern, Kings, Madera, Merced, San Joaquin, Stanislaus, and Tulare. The SJVAPCD oversees the SJVAB.

Impacts on air quality result from emissions generated during short-term activities (construction) and long-term activities (operations). Construction-related emissions consist mainly of exhaust emissions (NO_x and PM) from construction equipment and other mobile sources, and fugitive dust (PM) emissions from earth moving activities. Operational emissions are source specific and consist of permitted equipment and activities and non-permitted equipment and activities.

Air pollution in the SJVAB can be attributed to both human-related (anthropogenic) and natural (non-anthropogenic) activities that produce emissions. Air pollution from significant anthropogenic activities in the SJVAB includes a variety of industrial-based sources as well as on- and off-road mobile sources. Four main sources of air pollutant emissions in the SJVAB are motor vehicles, industrial plants, agricultural activities, and construction activities. All four (4) of the major pollutant sources affect ambient air quality throughout the SJVAB. These sources, coupled with geographical and meteorological conditions unique to the area, stimulate the formation of unhealthy air. Air pollutants can remain in the atmosphere for long periods and can build to unhealthful levels when stagnant

conditions that are common in the San Joaquin Valley occur. Pollutants are transported downwind from urban areas with many emission sources which are also recirculated back to the urban areas.

Further, the SJVAB is in non-attainment for ozone, PM₁₀, and PM_{2.5}, which means that certain pollutants' exposure levels are often higher than the normal air quality requirements. The air quality standards have been set to protect public health, particularly the health of vulnerable people. Therefore, if the concentration of those contaminants exceeds the norm, some susceptible individuals in the population are likely to experience health effects. Concentration of the pollutant in the air, the length of time exposed and the individual's reaction are factors that affect the extent and nature of the health effects.

San Joaquin Valley Air Pollution Control District

The SJVAPCD is the agency primarily responsible for ensuring that National Ambient Air Quality Standards (NAAQS) (per the U.S. Environmental Protection Agency (EPA)) and California Ambient Air Quality Standards (CAAQS) (per the California Air Resources Board) are not exceeded and that air quality conditions are maintained in the SJVAB, within which the Project is located. Responsibilities of the SJVAPCD include, but are not limited to, preparing plans for the attainment of ambient air quality standards, adopting and enforcing rules and regulations concerning sources of air pollution, issuing permits for stationary sources of air pollution, inspecting stationary sources of air pollution and responding to citizen complaints, monitoring ambient air quality and meteorological conditions, and implementing programs and regulations required by the Federal Clean Air Act (FCAA) and the California Clean Air Act (CCAA).

Fresno General Plan

In regard to local measures and thresholds for air quality impacts, the Fresno General Resource and Conservation Element outlines goals, objectives, and policies for addressing air quality. A sample of applicable goals and policies are as follows:

Objective RC-4: *In cooperation with other jurisdictions and agencies in the San Joaquin Valley Air Basin, take necessary actions to achieve and maintain compliance with State and federal air quality standards for criteria pollutants.*

Policy RC-4-a: Support Regional Efforts. *Support and lead, where appropriate, regional, State and federal programs and actions for the improvement of air quality, especially the SJVAPCD's efforts to monitor and control air pollutants from both stationary and mobile sources and implement Reasonably Available Control Measures in the Ozone Attainment Plan.*

Policy RC-4-b: Conditions of Approval. *Develop and incorporate air quality maintenance requirements, compatible with Air Quality Attainment and Maintenance Plans, as conditions of approval for General Plan amendments, community plans, Specific Plans, neighborhood plans, Concept Plans, and development proposals.*

Policy RC-4-c: Evaluate Impacts with Models. *Continue to require the use of computer models used by SJVAPCD to evaluate the air quality impacts of plans and projects that require such environmental review by the City.*

City of Fresno Proposed Text Amendment for Ministerial Approval

The City of Fresno’s proposed Text Amendment for ministerial approval prohibits ministerial approval of projects which exceed development or impact thresholds. The following language would prohibit ministerial approval of a project that exceed development or impact thresholds related to air quality. Projects that exceed these thresholds would be required to obtain a Development Permit. The full Text Amendment is provided in **Appendix E**.

B. Exceptions.

2. *Development or Impact Thresholds.* A project site that is determined to require additional review or improvements based on a technical study or analysis required pursuant to any of the following must obtain a Development Permit unless otherwise specified below.
 - e. *If the Project would exceed 224 units for low-rise (1-2 levels), 225 units for mid-rise (3-10 levels), or 340 units for high-rise (10+ levels) apartments, and generate more than 800 average daily one-way trips. If the project exceeds this threshold but a technical assessment for operational and construction emissions determines the project will be below applicable air district thresholds, then the project can be processed as a zone clearance.*
 - f. *If the Project proposes construction on a parcel adjacent to sensitive receptors, a Health Risk Assessment (HRA) for Toxic Air Contaminants (TACs) related to construction will be required. If this HRA determines the project will be below applicable air district thresholds (with or without construction conditions including requiring Tier 4 equipment, limiting idle time, limiting construction time, etc.), then the project can be processed as a zone clearance. Otherwise, a discretionary development permit will be required.*

Threshold of Significance

To assist local jurisdictions in the evaluation of air quality impacts, the SJVAPCD has published the *Guide for Assessing and Mitigating Air Quality Impacts* (GAMAQI). SJVAPCD recommends a three-tiered approach to air quality analysis based on project size to allow quick screening for CEQA impacts:

1. **Small Project Analysis Level (SPAL):** based on the District’s New Source Review, the District pre-quantified emissions and determined values as thresholds of significance for criteria pollutants. Residential, commercial, retail, industrial, educational, and recreational land uses are eligible to use this for screening. The SPAL was published on November 13, 2020, by the SJVAPCD to determine potential impacts in GAMAQI.⁹ SPAL is based on CalEEMod version 2016.3.2.
2. **Cursory Analysis Level (CAL):** CAL is used to determine significance on projects that exceed the SPAL criteria. Analysis includes using CalEEMod to estimate emissions and air pollutants.
3. **Full Analysis Level (FAL):** this level of analysis is usually required for an EIR. It requires a full air quality report that describes impacts to the public.

GAMAQI also includes recommended thresholds of significance to be used for the evaluation of short-term construction, long-term operational, odor, toxic air contaminant, and cumulative air quality impacts. Accordingly, the SJVAPCD-recommended thresholds of significance are used to determine whether implementation of the proposed Project would result in a significant air quality impact. Projects that exceed these recommended

⁹ San Joaquin Valley Air Pollution Control District. (2020). “Small Project Analysis Levels (SPAL)”. Accessed on June 3, 2024: <https://www.valleyair.org/transportation/CEQA%20Rules/GAMAQI-SPAL.PDF>

thresholds would be considered to have a potentially significant impact on human health and welfare. The thresholds of significance are summarized, as follows:

Criteria Air Pollutants

SJVAPCD adopted thresholds of significance for criteria air pollutants, as shown in **Table 4-3**. The thresholds of significance are based on a calendar year basis. For construction emissions, the annual emissions are evaluated on a rolling 12-month period. The following summarizes these thresholds:

Short-Term Emissions of Particulate Matter (PM₁₀): Construction impacts associated with the proposed Project would be considered significant if the feasible control measures for construction in compliance with Regulation VIII as listed in the SJVAPCD guidelines are not incorporated or implemented, or if project-generated emissions would exceed 15 tons per year (TPY).

Short-Term Emissions of Ozone Precursors (ROG and NOX): Construction impacts associated with the proposed Project would be considered significant if the project generates emissions of Reactive Organic Gases (ROG) or NO_x that exceeds 10 TPY.

Long-Term Emissions of Particulate Matter (PM₁₀): Operational impacts associated with the proposed Project would be considered significant if the project generates emissions of PM₁₀ that exceed 15 TPY.

Long-Term Emissions of Ozone Precursors (ROG and NOX): Operational impacts associated with the proposed Project would be considered significant if the project generates emissions of ROG or NOX that exceeds 10 TPY.

Table 4-3 SJVAPCD Recommended Air Quality Thresholds of Significance.¹⁰

Pollutant	Significance Threshold	
	Construction Emissions (tons/year)	Operational Emission (tons/year)
CO	100	100
NO _x	10	10
ROG	10	10
SO _x	27	27
PM ₁₀	15	15
PM _{2.5}	15	15

Conflict with or Obstruct Implementation of Applicable Air Quality Plan

Air Quality Plans (AQPs) are plans for reaching the attainment of air quality standards. The applicable AQP for the SJVAB is the GAMAQI. Due to the region’s nonattainment status for ozone, PM_{2.5}, and PM₁₀, if the Project-generated emissions of either of the ozone precursor pollutants (i.e., ROG and NO_x) or PM₁₀ would exceed the SJVAPCD’s significance thresholds, then the Project would be considered to be conflicting with the AQP. In addition, if the Project would result in a change in land use and corresponding increases in vehicle miles traveled, the Project may

¹⁰ SJVAPCD. (2015). Air Quality Thresholds of Significance-Criteria Pollutants. Accessed on July 26, 2024, <https://ww2.valleyair.org/media/m2ecyxiw/1-cms-format-ceqa-air-quality-thresholds-of-significance-criteria-pollutants.pdf>

result in an increase in vehicle miles traveled that is unaccounted for in regional emissions inventories contained in regional air quality control plans. Vehicle Miles Traveled are analyzed in [Section 4.17](#).

Local Mobile-Source CO Concentrations

Local mobile source impacts associated with the proposed Project would be considered significant if the project contributes to CO concentrations at receptor locations in excess of the CAAQS (i.e., 9.0 ppm for 8 hours or 20 ppm for 1 hour).

Toxic Air Contaminants

As discussed in the GAMAQI, toxic pollutants in California are identified as toxic air contaminants (TACs) and are listed in the AB 2588 Air Toxic “Hot Spots” and Assessment Act’s “Emissions Inventory Criteria and Guideline Regulation.” A subset of these pollutants has been listed by the Office of Environmental Health Hazard Assessment (OEHHA) as having acute, chronic, and/or carcinogenic effects, as defined by California Health and Safety Code (CH&SC) §39655. The California TAC list has approximately 700 plus pollutants listed.

The SJVAPCD’s current thresholds of significance for toxic air contaminant (TAC) emissions from the operations of both permitted and non-permitted sources are combined and presented in **Table 4-4**. Exposure to toxic air contaminants (TAC) would be considered significant if the probability of contracting cancer for the Maximally Exposed Individual (i.e., maximum individual risk) would exceed ~~10~~ **20** in 1 million (formerly 10 in 1 million) or would result in a Hazard Index greater than one (1). Carcinogenic (cancer) risk is expressed as cancer cases per one million. Noncarcinogenic (acute and chronic) hazard indices (HI) are expressed as a ratio of expected exposure levels to acceptable exposure levels. The significance of the impacts of TAC emissions from both permitted and non-permitted equipment and activities is evaluated under a single threshold, for example 10 in one million.

Table 4-4 SJVAPCD Air Quality Thresholds of Significance – Toxic Air Contaminants

Carcinogens	Maximally Exposed Individual risk equals or exceeds 20 in one million (formerly 10 in one million)
<u>Non-Carcinogens</u>	<u>Acute: Hazard Index equals or exceeds 1 for the Maximally Exposed Individual</u>
	<u>Chronic: Hazard Index equals or exceeds 1 for the Maximally Exposed Individual</u>

As recommended by the SJVAPCD, the latest approved California Air Pollution Control Officer’s Association (CAPCOA) methodology was utilized as the TAC screening methodology. According to the CAPCOA Guidance Document titled “Health Risk Assessments for Proposed Land Use Projects,” there are two types of land use projects that have the potential to cause long-term public health risk impacts. These project types are as follows:

- Type A: Land use projects with toxic emissions that impact receptors, and
- Type B: Land use projects that will place receptors in the vicinity of existing toxics sources.

In this Guidance document, Type A project examples are (project impacts receptors):

- combustion related power plants,
- gasoline dispensing facilities,
- asphalt batch plants,

- warehouse distribution centers,
- quarry operations, and
- other stationary sources that emit toxic substances.

Odor

The intensity of an odor source's operations and its proximity to sensitive receptors influences the potential significance of odor emissions. Specific land uses that are considered sources of undesirable odors include landfills, transfer stations, composting facilities, sewage treatment plants, wastewater pump stations, asphalt batch plants and rendering plants. The SJVAPCD has identified these common types of facilities that have been known to produce odors in the SJVAB and has prepared screening levels for potential odor sources ranging from one to two miles of distance from the odor-producing facility to sensitive receptors. Odor impacts would be considered significant if the project has the potential to frequently expose members of the public to objectionable odors.

Ambient Air Quality

The SJVAPCD applies the following guidance in determining whether an ambient air quality analysis should be performed: when assessing the significance of project-related impacts on air quality, it should be noted that the impacts may be significant when on-site emission increases from construction activities or operational activities exceed the 100 pounds per day screening level of any criteria pollutant after implementation of all enforceable mitigation measures. Under such circumstances, the SJVAPCD recommends that an ambient air quality analysis be performed.

Small Project Analysis Level

The SPAL identifies pre-quantified emissions and determined values related to project type, size, and number of vehicle trips. According to the SPAL, projects that fit specified descriptions are deemed to have a less than significant impact on air quality and as such are excluded from quantifying criteria pollutant emissions for CEQA purposes.

Methodology

CalEEMod is a statewide model designed to provide a uniform platform for government agencies, land use planners, and environmental professionals to quantify potential criteria pollutant and greenhouse gas (GHG) emissions from land use projects. The model quantifies direct emissions from construction and operation (including vehicle use), as well as indirect emissions, such as emissions from energy use, solid waste disposal, vegetation planting and/or removal, and water use. The model also identifies mitigation measures to reduce criteria pollutant and GHG emissions.

(1) CalEEMod Assumptions: The Project itself would not result in direct physical changes to the existing environment. Although no specific development is currently proposed, short-term construction and long-term operational GHG emissions for the Project were estimated using CalEEMod™ (Version 2022.1.1.26) (See **Appendix A** for output files) with the assumptions set forth in **Section 2.9.1**, and summarized in the following:

- A reasonable build out of 2,692 units resulting from the conversion of gross floor area of office uses to residential uses in the O zone district over the next 30 years (Office-to-Dwelling Conversions). This is a new use proposed by the Project.

- A reasonable build out of 5,525 units in RM-1, RM-2, and RM-3 zone districts within a ½ mile of an existing bus stop over the next 30 years (Housing Near Bus Stops).
- A reasonable build out of 12,032 units in CMS, CR, NMX, CMX, and RMX zone districts in the Infill Priority Area over the next 30 years (Infill Residential Development in Mixed Use Zones).
- A reasonable build out of 2,176 units in the O zone district (New Residential Development on Office Parcels). This is a new use proposed by the Project.
- Development assuming 1,000 square feet per unit, which is the default size in CalEEMod.
- To summarize, a reasonable buildout of 22,425 units to be developed in 30 years, resulting in an average of **748** units to be built each year, which is the number of units considered in the CalEEMod run.

4.3.2 Impact Assessment

- a) *Would the project conflict with or obstruct implementation of the applicable air quality plan (e.g., by having potential emissions of regulated criterion pollutants which exceed the San Joaquin Valley Air Pollution Control Districts (SJVAPCD) adopted thresholds for these pollutants)?*

Less than Significant Impact. According to the GAMAQI, projects with emissions below the thresholds of significance for criteria pollutants would be determined to “not conflict or obstruct implementation of the District’s air quality plan.” The following analysis estimates criteria pollutants for buildout under the proposed Project using CalEEMod™ (Version 2022.1.1.26) that was modeled on July 26, 2024. Emissions account for all units that are anticipated to be developed in one (1) year (748 units), as discussed in the **CalEEMod Assumptions** in the **Environmental Settings**. Output files are provided in **Appendix A**.

It should be noted that 748 units per year is a worse-case scenario. As mentioned in the Project Assumptions, of the approximately 22,425 units that could result from the proposed Project, 17,557 units are currently permitted uses consistent with the underlying zone district and General Plan land use designation. Therefore, the Project could result in additional residential capacity of approximately 4,868 units or 162 units per year (Office-to-Dwelling Conversions and New Residential Development on Office Parcels).

Construction Emissions

Construction activities associated with future development would vary on a project-by-project basis, but would generally include site preparation, grading, building construction, paving, and architectural coating. **Table 4-5** provides the estimated construction criteria pollutant emissions of a one (1)-year buildout of residential units, or 748 units, on office, mixed-use, and multi-family zoned districts. As noted above, the development of 748 multi-family residential units per year assumes that all vacant/undeveloped land on office, mixed-use, and multi-family zoned districts within the current city limits would be fully developed within 30 years. As such, this is a worse-case scenario. Under this assumption, all estimated emissions are below significance thresholds. As a result, it can be anticipated that construction emissions as a result of the implementation of the Project would be less than significant.

Table 4-5 Construction Emissions of Criteria Air Pollutants, Unmitigated

Emissions Source (Tons Per Year)	CO	NO _x	ROG	PM ₁₀	PM _{2.5}
Construction Year 2025	3.12	2.29	0.34	0.90	0.41
Construction Year 2026	3.77	1.67	0.40	0.46	0.14
Construction Year 2027	3.61	1.58	0.38	0.46	0.14
Construction Year 2028	1.93	0.88	2.67	0.23	0.07

Maximum Year of Emissions	3.77	2.29	2.67	0.90	0.41
Significance Threshold	100	10	10	15	15
Exceed Threshold?	No	No	No	No	No

Source: CalEEMod, Version 2022.1.1.26, ran on July 26, 2024. See Appendix A.

Operational Emissions

Pollutants of concern include ROG, NO_x, CO, PM₁₀, and PM_{2.5}. Table 4-6 provides the estimated operational criteria pollutant emissions of a one (1)-year buildout of residential units, or 748 units, on office, mixed-use, and multi-family zoned districts. As shown, all estimated emissions are below significance thresholds. Therefore, the operational emissions would be less than significant.

Table 4-6 Operational Emissions of Criteria Air Pollutants, Unmitigated

Emissions Source (Tons Per Year)	CO	NO _x	ROG	PM ₁₀	PM _{2.5}
Area	12.1	1.75	2.34	2.39	0.62
Energy	10.9	0.40	4.45	1.01	0.97
Mobile	0.41	0.95	0.06	0.08	0.08
Total Operational Emissions	23.3	3.11	6.85	3.48	1.67
Significance Threshold	100	10	10	15	15
Exceed Threshold?	No	No	No	No	No

Source: CalEEMod, Version 2022.1.1.26, ran on July 26, 2024. See Appendix A.

In terms of cumulative impacts, the Project would not result in a net increase in new dwellings citywide that exceed what was previously planned in the General Plan. As mentioned above, it is assumed that the units/population would increase in the Project Area and decrease in other areas so that there would still be the same amount of growth citywide through 2056. The Text Amendment aims to provide flexibility in locations (i.e., office zoned districts) that currently doesn’t permit the development of multi-family residential dwellings. Overall, long-term population projections are not expected to change based on the proposed Text Amendment.

Project-Specific Analysis

While the analysis above provides an estimation of Text Amendment’s annual buildout emissions based on CalEEMod Assumptions, project-specific conditions and designs could generate emissions that cannot be analyzed at the programmatic level provided in the analysis above. If future development projects proposed as part of the implementation of the Text Amendment exceed SJVAPCD’s criteria pollutant emissions thresholds, the individual project would have a significant impact on air quality. Consequently, additional analysis on whether the specific projects exceed SJVAPCD’s criteria pollutant emissions thresholds shall be conducted when future development projects are proposed. For ministerial projects, the proposed Text Amendment prohibits ministerial approval of new multi-family residential development on parcels within the Project Area that would exceed the SJVAPCD Small Project Analysis Level (SPAL) screening criteria or exceed operational and construction emissions quantitative thresholds set forth by the District. The proposed Text Amendment reads, “If the Project would exceed 224 units for low-rise (1-2 levels), 225 units for mid-rise (3-10 levels), or 340 units for high-rise (10+ levels) apartments, and generate more than 800 average daily one-way trips [ministerial approval is not permitted]. If the project exceeds this threshold but a technical assessment for operational and construction emissions determines the project will be below applicable air district thresholds, then the project can be processed as a zone clearance.”

Thus, if a project is found to exceed air district thresholds, a discretionary process would be required instead. Any discretionary projects resulting from Project implementation would require further environmental review pursuant

to CEQA. As part of the CEQA environmental review, an assessment evaluating construction- and operation-related air quality impacts, in conformance with the air district's methodology and thresholds is required. Project specific mitigation measures would be required to bring the individual project under significance levels, or a statement of overriding considerations would be required for that individual project.

Overall, the cumulative impacts of build out under the proposed Text Amendment will not exceed significance thresholds, and thereby, be consistent with the applicable AQP. Individual development projects that exceed significance thresholds would be subject to a discretionary process, which would be further assessed and mitigated in conformance with the air district's methodology and thresholds. As such, the Project would have a less than significant impact on air quality.

b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?

Less than Significant Impact. The SJVAB is in non-attainment for ozone, PM₁₀, and PM_{2.5}, which means that certain pollutants' exposure levels are often higher than the normal air quality requirements. Concentration of the pollutant in the air, the length of time exposed and the individual's reaction are factors that affect the extent and nature of the health effects. According to GAMAQI, while a project for which emissions exceed the thresholds of significance for criteria pollutant would have a cumulatively considerable net increase of the criteria pollutant, it does not imply that a project is not cumulatively significant if it is below these thresholds. As such, the lead agency may determine that a project is not cumulatively considerable if the project complies with requirements in an approved plan or mitigation program that is aimed to reduce cumulative emissions within a geographic area. In this case, the Project's compliance with SJVAPCD's AQP would indicate that the Project would not result in a cumulative consideration net increase of any criteria pollutant.

As discussed in criterion a), modeling indicates that future buildout under the Project would not generate construction or operational emissions of criteria pollutants and ozone precursors that exceed levels of significance in GAMAQI. SJVAPCD's annual thresholds are tied to long-term regional air quality planning, which demonstrates that the Project would not conflict with GAMAQI. To ensure that projects resulting from Project implementation do not conflict with or obstruct implementation of GAMAQI and do not result in cumulatively considerable net increase in any criteria pollutant, the proposed Text Amendment prohibits ministerial approval of new multi-family residential development on parcels within the Project Area that would exceed the SJVAPCD Small Project Analysis Level (SPAL) screening criteria or exceed operational and construction emissions quantitative thresholds set forth by the District. Individual development projects that exceed significance thresholds would be subject to a discretionary process, which would be further assessed and mitigated in conformance with the air district's methodology and thresholds. Mitigation measures would be required to bring the individual project under significance levels, or a statement of overriding considerations would be required for that individual project.

In addition, future development projects under the implementation of the Project would be subject to various rules and regulations set forth by the SJVAPCD. These rules implement control strategies to reduce emissions in the Valley in order to reach attainment of the federal standards. It is evident that implementation of these rules has

significantly reduced the emissions from stationary sources in the Air District.¹¹ The SJVAPCD rules and regulations that may apply to future development projects during buildout of the Project Area include but are not limited to the following:

Rule 2010 – Permits Required. The purpose of this rule is to require any person constructing, altering, replacing or operating any source operation which emits, may emit, or may reduce emissions to obtain an Authority to Construct or a Permit to Operate. This rule also explains the posting requirements for a Permit to Operate and the illegality of a person willfully altering, defacing, forging, counterfeiting or falsifying any Permit to Operate.

Rule 2201 – New and Modified Stationary Source Review Rule. The purpose of this rule is to provide for the following:

The review of new and modified Stationary Sources of air pollution and to provide mechanisms including emission trade-offs by which Authorities to Construct such sources may be granted, without interfering with the attainment or maintenance of Ambient Air Quality Standards; and

No net increase in emissions above specified thresholds from new and modified Stationary Sources of all nonattainment pollutants and their precursors.

Rule 4001 – New Source Performance Standards. This rule incorporates the New Source Performance Standards from Part 60, Chapter 1, Title 40, Code of Federal Regulations (CFR).

Rule 4002 – National Emission Standards for Hazardous Air Pollutants. This rule incorporates the National Emission Standards for Hazardous Air Pollutants from Part 61, Chapter I, Subchapter C, Title 40, Code of Federal Regulations (CFR) and the National Emission Standards for Hazardous Air Pollutants for Source Categories from Part 63, Chapter I, Subchapter C, Title 40, Code of Federal Regulations (CFR).

Rule 4102 – Nuisance. The purpose of this rule is to protect the health and safety of the public and applies to any source operation that emits or may emit air contaminants or other materials.

Rule 4601 – Architectural Coatings. The purpose of this rule is to limit VOC emissions from architectural coatings. This rule specifies architectural coatings storage, cleanup, and labeling requirements.

Rule 4641 – Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations. The purpose of this rule is to limit VOC emissions from asphalt paving and maintenance operations. This rule applies to the manufacture and use of cutback asphalt, slow cure asphalt and emulsified asphalt for paving and maintenance operations.

Regulation VIII – Fugitive PM10 Prohibitions. The purpose of Regulation VIII (Fugitive PM10 Prohibitions) is to reduce ambient concentrations of fine particulate matter (PM10) by requiring actions to prevent, reduce or mitigate anthropogenic fugitive dust emissions.

Rule 9510 – Indirect Source Review. The purposes of this rule are to:

¹¹ San Joaquin Valley Air Pollution Control District. Current District Rules and Regulations. Accessed July 26, 2024, <https://ww2.valleyair.org/rules-and-planning/current-district-rules-and-regulations/>

1. Fulfill the District’s emission reduction commitments in the PM10 and Ozone Attainment Plans.
2. Achieve emission reductions from the construction and use of development projects through design features and on-site measures.
3. Provide a mechanism for reducing emissions from the construction of and use of development projects through off-site measures.

Since the Project’s construction and operational emissions would not exceed SJVAPCD’s regional criteria pollutant emissions quantitative thresholds and future development projects under the Project implementation would be required to comply with all applicable SJVAPCD rules and regulations, the Project would not conflict the AQP, indicating that the Project would not result in a cumulative consideration net increase of any criteria pollutant, and thus a less than significant impact would occur.

c) Expose sensitive receptors to substantial pollutant concentrations?

Less than Significant Impact with Mitigation Incorporated. Sensitive receptors are defined as people that have an increased sensitivity to air pollution or environmental contaminants. Sensitive receptor locations include schools, parks and playgrounds, day care centers, nursing homes, hospitals, and residential dwelling units. The Project Area includes sensitive receptors and implementation of the Project would result in future residential development, which may include sensitive receptors.

Construction Pollutant Concentrations

Construction-related emissions consist mainly of exhaust emissions (NOx and PM) from construction equipment and other mobile sources, and fugitive dust (PM) emissions from earth moving activities.¹² Construction impacts would be short-term and last only during the duration of construction. SJVAPCD recommends an ambient air quality analysis with a screening level of 100 pounds per day for any pollutant from construction and operational emission activities. As shown in **Table 4-7**, construction emissions from buildout under Project implementation would be less than 100 pounds per day for PM₁₀, PM_{2.5}, and NOx criteria pollutants. As such, construction emissions would not cause an ambient air quality standard violation according to guidance from the SJVAPCD.

Table 4-7 PM₁₀, PM_{2.5}, and NOx Concentrations for Construction

Emissions Source (Pound per Day)	NO _x	PM ₁₀	PM _{2.5}
Construction Year 2025	31.7	21.1	11.4
Construction Year 2026	13.0	3.59	1.12
Construction Year 2027	12.3	3.55	1.08
Construction Year 2028	11.7	3.51	1.05
Maximum Daily Emissions	31.7	21.1	11.4
Significance Threshold	100	100	100
Exceed Threshold?	No	No	No

Operational Pollutant Concentrations

¹² San Joaquin Valley Air Pollution Control District. (2015). Guidance for Assessing and Mitigating Air Quality Impacts. Accessed July 26, 2024, <https://www.valleyair.org/transportation/GAMAQI-2015/FINAL-DRAFT-GAMAQI.PDF>

Operational emissions are source specific and consist of permitted equipment and activities and non-permitted equipment and activities. SJVAPCD recommends an ambient air quality analysis with a screening level of 100 pounds per day for any pollutant from construction and operational emission activities. As shown in **Table 4-8**, operational emissions from Project implementation would be less than 100 pounds per day for PM₁₀, PM_{2.5}, and NO_x criteria pollutants. As such, operational emissions would not cause an ambient air quality standard violation according to guidance from the SJVAPCD.

Table 4-8 PM₁₀, PM_{2.5}, and NO_x Concentrations for Operations

Emissions Source (Pound per Day)	NO _x	PM ₁₀	PM _{2.5}
Mobile	11.4	14.9	3.87
Area	8.96	24.6	23.7
Energy	5.22	0.42	0.42
Daily Total	25.6	39.9	28.0
Significance Threshold	100	100	100
Exceed Threshold?	No	No	No

Toxic Air Contaminants

Development has the potential to result in emissions of Toxic Air Contaminants (TACs) during both construction and operation, which would affect sensitive receptors. TACs related to construction and operations under the proposed Project are discussed further below.

Construction

Although no development is proposed, future development resulting from Project implementation would involve construction activities which would typically include the use of diesel-fueled vehicles and equipment. Such construction activities would result in emissions of diesel particulate matter, a recognized TAC. As described in the **Environmental Setting**, the SJVAPCD has established a significance threshold for TAC emissions based on an increased cancer risk for the maximally exposed individual.

Due to the programmatic nature of this environmental analysis, it is not feasible to conduct project-level health risk assessments (HRAs) for each potential development project that could be accommodated by the Project. A meaningful quantification of health risks required detailed project-specific information, such as the exact types and quantities of equipment used during construction, the precise locations of emission sources, and the proximity of sensitive receptors to these sources. No development is proposed by the Project, so this level of detail is not available.

Without this level of detail, there is potential for TAC emissions to exceed the SJVAPCD’s significance threshold. As described in the Text Amendment, if a project proposes construction on a parcel adjacent to sensitive receptors, a Health Risk Assessment (HRA) for Toxic Air Contaminants (TACs) related to construction will be required. If the HRA determines the project will be below applicable air district thresholds (with or without construction conditions including requiring Tier 4 equipment, limiting idle time, limiting construction time, etc.), then the project can be processed as a zone clearance. Otherwise, a discretionary development permit will be required, which would require additional environmental review. As such, potential for TAC emissions from construction will not result in significant impacts.

Operations

Type A New Source

As described in Environmental Setting, there are two types of land use projects that have the potential to cause long-term public health risk impacts, “Type A” (new source) and “Type B” (“new receptor”) uses. Type A, new sources would be new projects that would impact sensitive receptors living or working in the area, such as power plants, gasoline dispensing facilities, asphalt batch plants, warehouse distribution centers, quarry operations, and other stationary sources that emit toxic substances. The Project would allow ministerial approval of multi-family housing development in various areas within the City of Fresno. As such, the Project does not include or account for Type A uses such as gasoline dispensing facilities, asphalt batch plants, warehouse distribution centers, freeways or high traffic roads, or other stationary sources that emit toxic substances.

Type B New Receptor

However, development of some parcels within the Project Area would be considered Type B projects, which are projects that would place receptors in the vicinity of existing toxic sources such as freeways or high traffic roads, distribution centers, rail yards, etc. California Air Pollution Control Offices Association (CAPCOA) provides recommendations on siting new sensitive land use (i.e., residential uses in this case) near these existing toxic sources, as shown in **Table 4-9**.¹³ If future development under the proposed Project is located within a recommended avoidance distance to any of the listed sources in the table, a health risk assessment (HRA) shall be performed to assess risk to potential sensitive receptors, as incorporated into this Project as **Mitigation Measure AIR-1** to ensure less than significant impacts.

***Mitigation Measure AIR-1:** If a residential development project is proposed within the recommended buffer distances identified in the most current version of the CARB Air Quality and Land Use Handbook: A Community Health Perspective (CARB Handbook), the project shall submit a Health Risk Assessment (HRA) in compliance with guidance from the San Joaquin Valley Air Pollution Control District (SJVAPCD) to the City of Fresno. If the HRA shows that the project would exceed the applicable SJVAPCD thresholds, mitigation measures capable of reducing potential impacts to an acceptable level, such as provide enhanced filtration, must be identified and approved by the City.*

Table 4-9 Recommendations on Siting New Sensitive Land Uses

Source Category	Advisory Recommendations
Freeways and high-traffic roads	<ul style="list-style-type: none">• Avoid siting new sensitive land uses within 500 feet of a freeway, urban roads with 100,000 vehicles/day, or rural roads with 50,000 vehicles per day.
Distribution centers	<ul style="list-style-type: none">• Avoid siting new sensitive land uses within 1,000 feet of a distribution center (that accommodates more than 100 trucks per day, more than 40 trucks with operating transport refrigeration units (TRUs) per day, or where TRU unit operations exceed 300 hours per week).• Take into account the configuration of existing distribution centers and avoid locating residences and other new sensitive land uses near entry and exit points.

¹³ California Air Pollution Control Offices Association. (2009). Health Risk Assessments for Proposed Land Use Projects. Accessed July 26, 2024, https://ww2.valleyair.org/media/glsdzpx3/capcoa_hra_lu_guidelines_8-6-09.pdf

Rail yards	<ul style="list-style-type: none"> • Avoid siting new sensitive land uses within 1,000 feet of a major service and maintenance rail yard. • Within one mile of a rail yard, consider possible siting limitations and mitigation approaches.
Refineries	<ul style="list-style-type: none"> • Avoid siting new sensitive land uses immediately downwind of petroleum refineries. Consult with local air districts and other local agencies to determine an appropriate separation
Chrome platers	<ul style="list-style-type: none"> • Avoid siting new sensitive land uses within 1,000 feet of a chrome plater.
Dry cleaners using perchloroethylene	<ul style="list-style-type: none"> • Avoid siting new sensitive land uses within 300 feet of any dry cleaning operation. For operations with two or more machines, provide 500 feet. For operations with 3 or more machines, consult with the local air district. • Do not site new sensitive land uses in the same building with perc dry cleaning operations.
Gasoline dispensing facilities	<ul style="list-style-type: none"> • Avoid siting new sensitive land uses within 300 feet of a large gas station (defined as a facility with a throughput of 3.6 million gallons per year or greater). A 50 foot separation is recommended for typical gas dispensing facilities.

Source: California Air Pollution Control Offices Association. (2009). *Health Risk Assessments for Proposed Land Use Projects*. Accessed July 26, 2024, https://ww2.valleyair.org/media/glsdzpx3/capcoa_hra_lu_guidelines_8-6-09.pdf

In summary, construction and operations emissions would not exceed SJVAPCD screening levels for ambient air quality analysis, and therefore, exposure of sensitive receptors to substantial pollutant concentrations is not likely. In addition, implementation of the Project would facilitate future residential uses on parcels that are planned and zoned to allow for residential uses. Residential uses are not uses that typically result in excessive pollutant concentrations which could impact sensitive receptors. However, future residential development could be sited in the vicinity of existing toxic sources. To ensure less than significant impacts, the Project shall incorporate ***Mitigation Measure AIR-1***. With mitigation incorporated, impacts would be less than significant.

d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

Less than Significant Impact. Odor impacts from construction and operations are described below.

Odors from Construction

Construction activities could result in odorous emissions from diesel exhaust associated with truck trips and construction equipment. However, these emissions would be short-term, intermittent, and would dissipate rapidly from the source. As such, it is not expected that these emissions would be noticeable for extended periods or beyond the immediate construction area.

Odors from Operations

Specific land uses that are considered sources of undesirable odors include landfills, transfer stations, composting facilities, sewage treatment plants, wastewater pump stations, asphalt batch plants and rendering plants. Future development resulting from Project implementation would not consist of such uses; rather, implementation of the proposed Project would facilitate future residential development. Generally, residential development does not result in emissions, such as those leading to odors, that would adversely affect a substantial number of people.

In summary, the Project would not result in a substantial amount of odors during construction or operations and thus would have a less than significant impact.

4.3.3 Mitigation Measures

The Project shall implement and incorporate, as applicable, the air quality related mitigation measures as identified in this section and in the **MITIGATION MONITORING AND REPORTING PROGRAM** contained in **SECTION 5**.

***MM AIR-1:** If a residential development project is proposed within the recommended buffer distances identified in the most current version of the CARB Air Quality and Land Use Handbook: A Community Health Perspective (CARB Handbook), the project shall submit a Health Risk Assessment (HRA) to the City. If the HRA shows that the project would exceed the applicable SJVAPCD thresholds, mitigation measures capable of reducing potential impacts to an acceptable level, such as provide enhanced filtration, must be identified and approved by the City.*

4.4 BIOLOGICAL RESOURCES

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?		X		
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?		X		
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?		X		
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?			X	
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?			X	
f) Conflict with provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.			X	

4.4.1 Environmental Setting

The Project Area consists of land that is mostly developed. Approximately 94.9% of sites within the Project Area are developed and occupied by a mix of existing urban uses; the remaining 5.1% of sites within the Project Area are undeveloped, vacant lands.

U.S. Fish and Wildlife – Special-Status Species Database

The U.S. Fish and Wildlife Service (USFWS) operates an “Information for Planning and Consultation” (IPaC) database, which is a project planning tool for the environmental review process that provides general information on the location of special-status species that are “known” or “expected” to occur (**note:** the database does not provide occurrences; refer to the California Department of Fish and Wildlife – Natural Diversity Database below).¹⁴ Specifically, the IPaC database identifies 18 special-status species that are potentially affected by activities in Fresno including: San Joaquin Kit Fox (endangered), Fresno Kangaroo Rat (endangered), California Condor (endangered), Yellow-billed Cuckoo (threatened), Blunt-nosed Leopard Lizard (endangered), Northwestern Pond Turtle (proposed threatened), California Tiger Salamander (threatened), Western Spadefoot (proposed threatened), Monarch Butterfly (candidate), Valley Elderberry Longhorn Beetle (threatened), Conservancy Fairy Shrimp (endangered), Vernal Pool Fairy Shrimp (threatened), Fleshy Owl’s-clover (threatened), Greene’s Tuctoria (endangered), Hairy Orcutt Grass (endangered), Harweg’s Golden Sunburst (endangered), Lassics Lupine (endangered), and San Joaquin Valley Orcutt Grass (threatened).

U.S. Fish and Wildlife – Critical Habitat Report

Once a species is listed under the federal Endangered Species Act, NOAA Fisheries is required to determine whether there are areas that meet the definition of Critical Habitat. Per NOAA Fisheries, Critical Habitat is defined as:

- *Specific areas within the geographical area occupied by the species at the time of listing that contain physical or biological features essential to conservation of the species and that may require special management considerations or protection; and*
- *Specific areas outside the geographical area occupied by the species if the agency determines that the area itself is essential for conservation.*¹⁵

The process of Critical Habitat designation is complex and involves the consideration of scientific data, public and peer review, economic, national security, and other relevant impacts.

According to the Critical Habitat for Threatened & Endangered Species Report updated May 23, 2024, the Project Area and its immediate vicinity (0.5-mile radius) are not located within a federally designated Critical Habitat.¹⁶ The

¹⁴ U.S. Fish and Wildlife Service. Information and Planning Consultation Online System. Accessed on May 29, 2024, <https://ecos.fws.gov/ipac/>

¹⁵ NOAA Fisheries. Critical Habitat. Accessed on May 29, 2024, <https://www.fisheries.noaa.gov/national/endangered-species-conservation/critical-habitat#key-regulations>

¹⁶ U.S. Fish & Wildlife. (2024). ECOS Environmental Conservation Online System: USFWS Threatened & Endangered Species Active Critical Habitat Report (updated May 23, 2024). Accessed on May 29, 2024, <https://ecos.fws.gov/ecp/report/table/critical-habitat.html>

closest federally designated Critical Habitat is located approximately 1.2 miles north of the Project Area boundary and is for Hairy Orcutt grass (*Orcuttia Pilosa*).

U.S. Fish & Wildlife – National Wetlands Inventory

The USFWS provides a National Wetlands Inventory (NWI) with detailed information on the abundance, characteristics, and distribution of U.S. wetlands. A search of the NWI shows no federally protected wetlands (including but not limited to marsh, vernal pool, coastal, etc.) on the Project Area or within the immediate vicinity (0.5-mile radius) of the Project Area.¹⁷ According to the NWI, 3.6% of the Project parcels intersect with wetland habitats. The NWI identifies 44 man-made wetland habitats (i.e., canals or basins), eight (8) freshwater emergent wetland habitats, and five (5) riverine habitats in the Project Area. The freshwater emergent wetland habitats are in areas that are fully or partially developed. The riverine habitats are located at Fashion Fair Mall, between East Ashlan Avenue and Buckingham Way, and along East Shields Avenue. It is evident that these wetlands are no longer present or have been channelized by a canal. No wetland habitats within the city of Fresno are categorized to be federally or state protected. The NWI also does not identify any riparian areas within or in the immediate vicinity of the Project Area. **Figure 4-6** shows the wetlands in the Project Area.

Environmental Protection Agency – WATERS Geoviewer

The U.S. Environmental Protection Agency (EPA) WATERS GeoViewer provides a GeoPlatform based web mapping application of water features by location. According to the WATERS GeoViewer there are several surface water features (i.e., waterbodies, pipelines, canals, streams, catchments, hydrologic units) within or in the immediate vicinity (0.5-mile radius) of the Project Area (see **Figure 4-7**).¹⁸

California Department of Fish and Wildlife – Natural Diversity Database

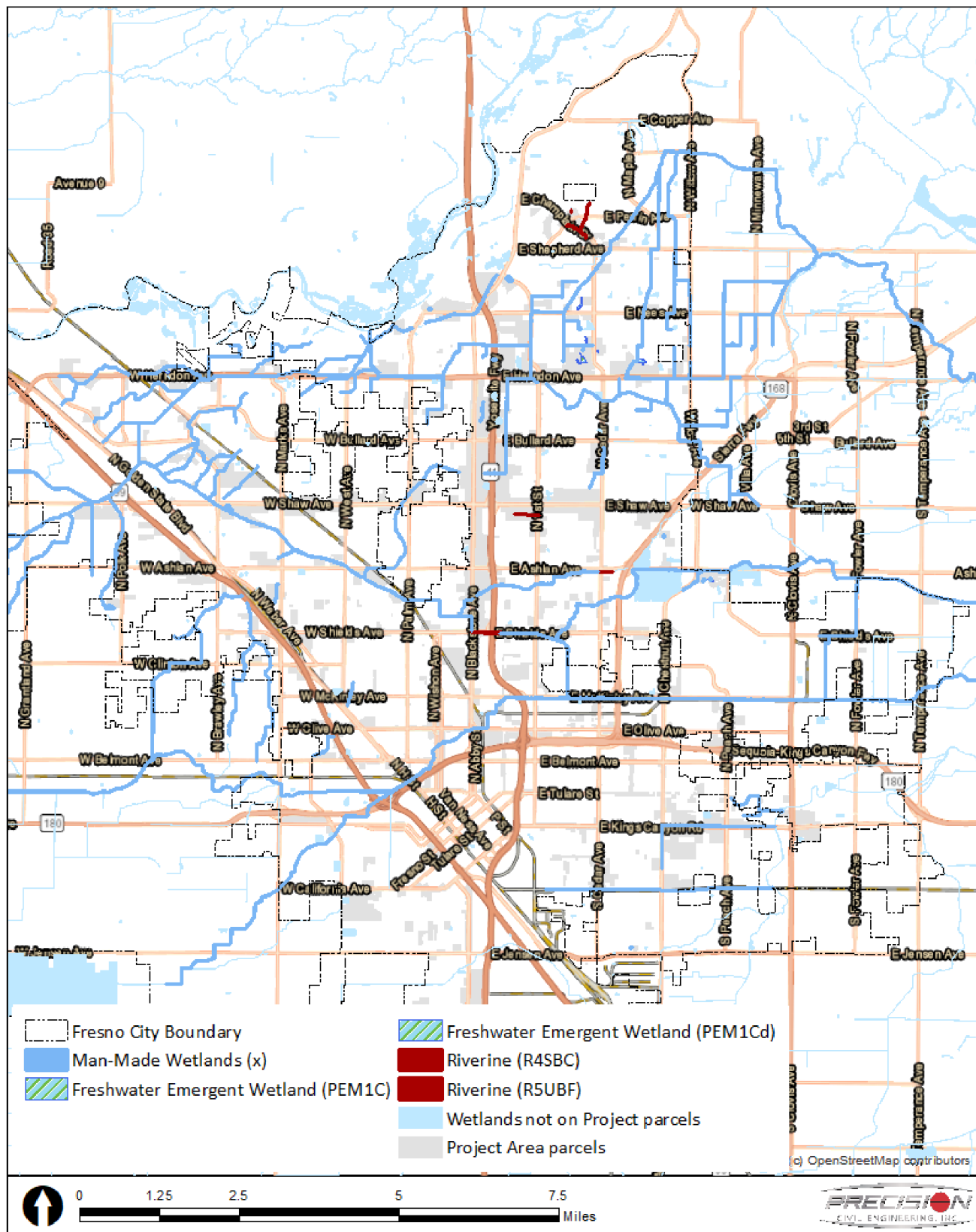
The California Department of Fish and Wildlife (CDFW) operates the California Natural Diversity Database (CNDDDB), which is an inventory of the status and locations of special-status plants and animals in California in addition to the reported occurrences of such species.¹⁹ According to the CDFW CNDDDB Rarefind database, there are 39 special-status species that have been observed and reported to the CDFW in or near Fresno (i.e., Herndon, Kearney Park, Fresno North, Fresno South, Clovis, and Malaga Quads as designated by the United States Geological Survey (USGS)).²⁰ Of the 39 species, there are 17 federally or state-listed species. **Figure 4-8** shows the CNDDDB-identified occurrences of the animal and plant species in these quads. A total of 68 occurrences were observed and recorded as of June 3, 2024. See **Appendix B** for the detailed list of the special-status species occurrences, their characteristics, and general habitat.

¹⁷ U.S. Fish & Wildlife Service. National Wetlands Inventory. Accessed May 29, 2024, <https://www.fws.gov/wetlands/data/Mapper.html>

¹⁸ Environmental Protection Agency. WATERS GeoViewer. Accessed on May 29, 2024, <https://epa.maps.arcgis.com/apps/webappviewer/index.html?id=074cfede236341b6a1e03779c2bd0692>

¹⁹ California Department of Fish and Wildlife. California Natural Diversity Database. Accessed on May 29, 2024, <https://wildlife.ca.gov/Data/CNDDDB>

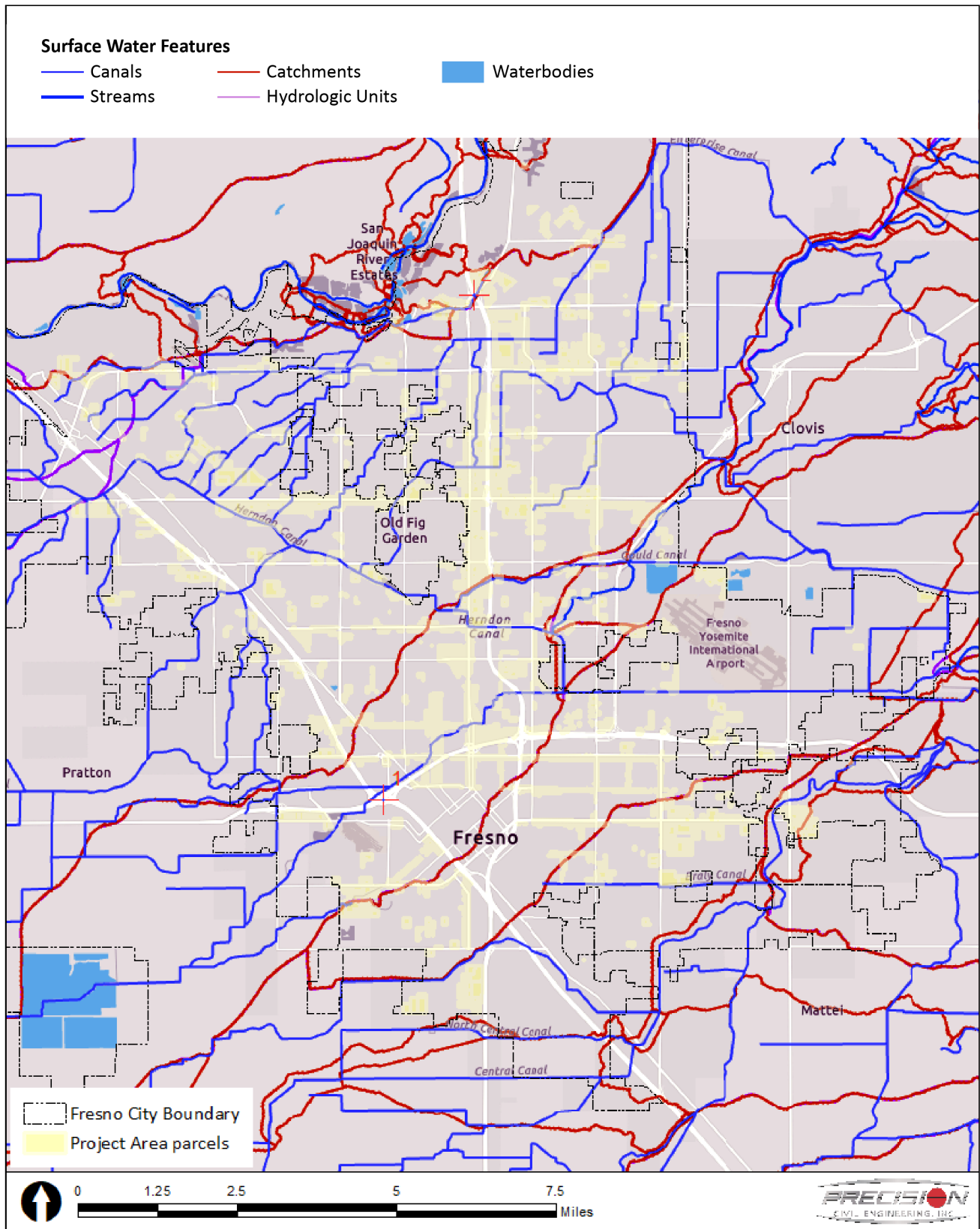
²⁰ California Department of Fish and Wildlife. Rarefind. Accessed on June 3, 2024, <https://apps.wildlife.ca.gov/rarefind/view/RareFind.aspx>



CITY OF FRESNO - Development Code Text Amendment Application No. P24-00794

CREATED: 5/29/2024

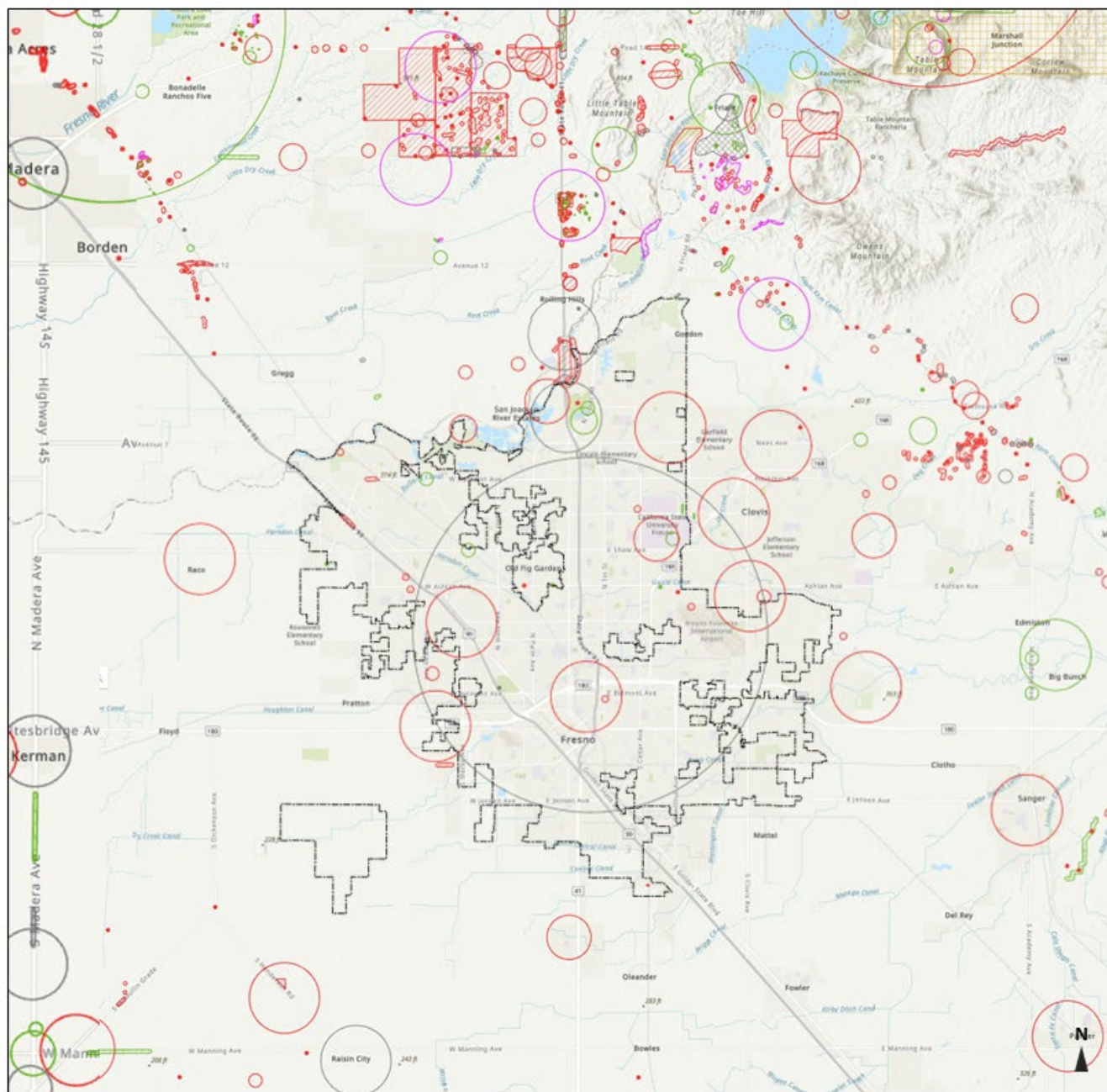
Figure 4-6 Wetlands Map



CITY OF FRESNO - Development Code Text Amendment Application No. P24-00794

CREATED: 5/29/2024

Figure 4-7 Surface Water Features



Symbology

 Plant (80m)	 Terrestrial Comm. (80m)
 Plant (specific)	 Terrestrial Comm. (specific)
 Plant (non-specific)	 Terrestrial Comm. (non-specific)
 Plant (circular)	 Terrestrial Comm. (circular)
 Animal (80m)	 Multiple (specific)
 Animal (specific)	 Multiple (non-specific)
 Animal (non-specific)	 Multiple (circular)
 Animal (circular)	

Source: California Natural Diversity
Database (CNDDB) Commercial [ds85]
Accessed Date: June 3, 2024

----- City Limits

Figure 4-8 Wildlife Occurrences in and near the Project Area

Fresno General Plan

The Fresno General Plan Planning Area contains 11 vegetation communities, two (2) special-status natural communities, and 29 special-status species (including 12 plant species and 17 wildlife species). The General Plan identified objectives and policies regarding the preservation and conservation of wildlife species that would be applicable to the Project:

OBJECTIVE POSS-5 *Provide for long-term preservation, enhancement, and enjoyment of plant, wildlife, and aquatic habitat.*

Policy POSS-5-a Habitat Area Acquisition. *Support federal, State, and local programs to acquire significant habitat areas for permanent protection and/or conjunctive educational and recreational uses.*

Policy POSS-5-b Habitat Conservation Plans. *Participate in cooperative, multijurisdictional approaches for area-wide habitat conservation plans to preserve and protect rare, threatened, and endangered species.*

Policy POSS-5-c Buffers for Natural Areas. *Require development projects, where appropriate and warranted, to incorporate natural features (such as ponds, hedgerows, and wooded strips) to serve as buffers for adjacent natural areas with high ecological value.*

Policy POSS-5-d Guidelines for Habitat Conservation. *Establish guidelines for habitat conservation and mitigation programs, including:*

- *Protocols for the evaluation of a site's environmental setting and proposed design and operating parameters of proposed mitigation measures.*
- *Methodology for the analysis depiction of land to be acquired or set aside for mitigation activities.*
- *Parameters for specification of the types and sources of plant material used for any re-vegetation, irrigation requirements, and post-planting maintenance and other operational measures to ensure successful mitigation.*
- *Monitoring at an appropriate frequency by qualified personnel and reporting of data collected to permitting agencies.*

Policy POSS-5-e *Pursue development of conjunctive habitat and recreational trail uses in flood control and drainage projects.*

Policy POSS-5-f Regional Mitigation and Habitat Restoration. *Coordinate habitat restoration programs with responsible agencies to take advantage of opportunities for a coordinated regional mitigation program.*

OBJECTIVE POSS-6 *Maintain and restore, where feasible, the ecological values of the San Joaquin River corridor.*

City of Fresno Proposed Text Amendment for Ministerial Approval

The City of Fresno's proposed Text Amendment for ministerial approval of projects prohibits ministerial approval of projects which exceed development or significance thresholds. The following language would prohibit ministerial approval of a project that exceeds development or significance thresholds related to biological resources. Projects that exceed these thresholds would be required to obtain a Development Permit. The full Text Amendment is provided in **Appendix E**.

B. Exceptions

2. *Development or Impact Thresholds.* A project site that is determined to require additional review or improvements based on a technical study or analysis required pursuant to any of the following, must obtain a Development Permit unless otherwise specified below.
 - If the project is located on land where no urban development has ever occurred, or on a site that could provide suitable habitat for special-status species (trees, natural habitat, etc.), a technical study (biological assessment) as required pursuant to the General Plan PEIR mitigation measures is required. If it is determined that the property could not provide suitable habitat for special-status species, then the project can be processed as a zone clearance.

4.4.2 Impact Assessment

- a) *Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service?*

Less than Significant with Mitigation Incorporated. The Project Area is within the Fresno General Plan Planning Area. All future development in the Project Area, resulting from Project implementation, would be limited to these sites that have been previously planned for development in the General Plan. The Project would not result in new or additional lands proposed for development that are beyond the Fresno General Planning Area.

The Project Area is in an urbanized area that is zoned and planned for urbanized uses. Approximately 94.9% of sites within the Project Area are developed with existing structures and improvements and are surrounded by improvements including curb, gutter, sidewalks, and streetlights. The remaining parcels (5.1%) are predominately undeveloped but are highly disturbed due to periodic discing and/or grading for fire prevention, or current agricultural uses, as indicated in aerial imagery. The topography of the Project Area is relatively flat, with no significant landforms or foothills. According to the California Department of Fish and Wildlife and U.S. Fish and Wildlife Service databases, no special-status species occurrences have been observed or reported on sites within the Project Area.

Future development within the Project Area may include ground disturbance, removal of vegetation, and conversion of existing land cover associated with construction of the site, roadways, and infrastructure, which could potentially impact habitat for special-status species including wildlife and plant species. Therefore, to ensure that future projects resulting from Project implementation do not have a substantial adverse effect, either directly or through habitat modifications, on special status wildlife and plant species with known occurrences in the Fresno General Planning Area, the Project shall incorporate **MM BIO-1**, **MM BIO-2**, **MM BIO-3**, and **MM BIO-4** as described below. Incorporation of mitigation would reduce impacts to less than significant.

MM BIO-1: *Construction of a proposed project shall avoid, where possible, vegetation communities that provide suitable habitat for a special-status species known to occur within the Planning Area. If construction within potentially suitable habitat must occur, the presence/absence of any special-status plant or wildlife species must be determined prior to construction, to determine if the habitat supports any special-status species. If a special-status species are determined to occupy any portion of a project site, avoidance and minimization measures shall be incorporated into the construction phase of a project to avoid direct or incidental take of a listed species to the greatest extent feasible. Specific mitigation measures for direct or incidental impacts to special-status species shall be determined on a case-by-case*

basis through agency consultation during the review process for discretionary projects, and shall be consistent with survey protocols and mitigations measures recommended by the agency at the time of consultation.

MM BIO-2: *Direct or incidental take of any state or federally listed species shall be avoided to the greatest extent feasible. If construction of a proposed project will result in the direct or incidental take of a listed species, consultation with the resources agencies and/or additional permitting may be required. Agency consultation through the CDFW Section 2081 and USFWS Section 7 or Section 10 permitting processes shall take place prior to any action that may result in the direct or incidental take of a listed species. Specific mitigation measures for direct or incidental impacts to special-status species shall be determined on a case-by-case basis through agency consultation during the review process for discretionary projects, and shall be consistent with survey protocols and mitigations measures recommended by the agency at the time of consultation.*

MM BIO-3: *Development within the Planning Area shall avoid, where possible, special-status natural communities and vegetation communities that provide suitable habitat for special-status species. If a proposed project will result in the loss of a special-status natural community or suitable habitat for special-status species, compensatory habitat-based mitigation is required under CEQA and CESA. Mitigation shall consist of preserving on-site habitat, restoring similar habitat or purchasing off-site credits from an approved mitigation bank. Compensatory mitigation shall be determined through consultation with the City and/or resource agencies. An appropriate mitigation strategy and ratio shall be agreed upon by the developer and lead agency to reduce project impacts to special-status natural communities to a less than significant level. Agreed-upon mitigation ratios shall depend on the quality of the habitat and presence/absence of a special-status species. Specific mitigation measures for direct or incidental impacts to special-status natural communities and vegetation communities shall be determined on a case-by-case basis through agency consultation during the review process for discretionary projects, and shall be consistent with survey protocols and mitigations measures recommended by the agency at the time of consultation.*

MM BIO-4: *Proposed projects within the Planning Area should avoid, if possible, construction within the general nesting season of February through August for avian species protected under Fish and Game Code 3500 and the Migratory Bird Treaty Act (MBTA), if it is determined that suitable nesting habitat occurs on a project site. If construction cannot avoid the nesting season, a pre-construction clearance survey shall be conducted by a qualified biologist to determine if any nesting birds or nesting activity is observed on or within 500-feet of a project site. If an active nest is observed during the survey, a biological monitor shall be on site to ensure that no proposed project activities would impact the active nest. A suitable buffer shall be established around the active nest until the nestlings have fledged and the nest is no longer active. Project activities may continue in the vicinity of the nest only at the discretion of the biological monitor. Prior to commencement of grading activities and issuance of any building permits, the Director of the City of Fresno Planning and Development Department, or designee, shall verify that all proposed project grading and construction plans include specific documentation regarding the requirements of the Migratory Bird Treaty Act (MBTA) and California Fish and Game Code Section 3503, that preconstruction surveys have been completed and the results reviewed by staff, and that the appropriate buffers (if needed) are noted on the plans and established in the field. Specific mitigation measures for direct or*

incidental impacts to avian species protected under Fish and Game Code 3500 and the Migratory Bird Treaty Act (MBTA) shall be determined on a case-by-case basis through agency consultation during the review process for discretionary projects, and shall be consistent with survey protocols and mitigations measures recommended by the agency at the time of consultation.

- b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service?*

Less than Significant Impact with Mitigation Incorporated. According to the Fresno General Plan, California Department of Fish and Wildlife (CDFW) database, and U.S. Fish and Wildlife Service (USFWS) database, there are 11 vegetation communities, two (2) of which are considered special-status natural communities by the CDFW, and no riparian habitats in Fresno. As discussed in criterion a), the Project would not result in new or additional lands proposed for development that are beyond the Fresno General Planning Area. However, to ensure future projects resulting from Project implementation do not have a substantial adverse effect on sensitive natural community identified by the CDFW and USFWS, the Project shall incorporate **MM BIO-5**, **MM BIO-6**, and **MM BIO-7** as described below. Incorporation of mitigation would reduce impacts to less than significant.

MM BIO-5: *A pre-construction clearance survey, following current CDFW protocols, shall be conducted by a qualified biologist to determine if a proposed project will result in the removal or impact to any riparian habitat and/or a special-status natural community with potential to occur in the Planning Area, compensatory habitat-based mitigation shall be required to reduce project impacts. Compensatory mitigation must involve the preservation or restoration or the purchase of off-site mitigation credits for impacts to riparian habitat and/or a special-status natural community. Mitigation must be conducted in-kind or within an approved mitigation bank in the region. The specific mitigation ratio for habitat-based mitigation shall be determined through consultation with the appropriate agency (i.e., CDFW or USFWS) on a case-by-case basis. The project applicant/developer for a proposed project shall develop and implement appropriate mitigation regarding impacts on their respective jurisdictions.*

MM BIO-6: *A pre-construction clearance survey, following current CDFW protocols, shall be conducted by a qualified biologist to determine if a proposed project will result in significant impacts to streambeds or waterways protected under Section 1600 of Fish and Wildlife Code and Section 404 of the CWA. The project applicant/developer for a proposed project shall consult with partner agencies such as CDFW and/or USACE to develop and implement appropriate mitigation regarding impacts on their respective jurisdictions, determination of mitigation strategy, and regulatory permitting to reduce impacts, as required for projects that remove riparian habitat and/or alter a streambed or waterway. The project applicant/developer shall implement mitigation as directed by the agency with jurisdiction over the particular impact identified.*

MM BIO-7: *Prior to project approval, a pre-construction clearance survey, following current CDFW protocols, shall be conducted by a qualified biologist to determine if a proposed project will result in project-related impacts to riparian habitat or a special-status natural community or if it may result in direct or incidental impacts to special-status species associated with riparian or wetland habitats. The project applicant/developer for a proposed project shall be obligated to address project-specific impacts to special-status species associated with riparian habitat through agency consultation, development of a*

mitigation strategy, and/or issuing incidental take permits for the specific special-status species, as determined by the CDFW and/or USFWS.

- c) *Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?*

Less than Significant Impact with Mitigation Incorporated. Based on the search of the National Wetlands Inventory (NWI), the Project Area does not contain any state or federally protected wetlands. According to the EPA WATERS GeoViewer, there are several surface water features (i.e., waterbodies, pipelines, canals, streams, catchments, hydrologic units) within the Project Area or in the Project Area's immediate vicinity (see [Figure 4-7](#)). These features are not identified as state or federally protected wetlands. However, to ensure that future projects resulting from Project implementation do not have a substantial adverse effect on state or federally protected wetlands, the Project shall incorporate **MM BIO-8** and **MM BIO-9** as described below. Incorporation of mitigation would reduce impacts to less than significant.

MM BIO-8: *If a proposed project will result in the significant alteration or fill of a federally protected wetland, a formal wetland delineation conducted according to USACE accepted methodology is required for each project to determine the extent of wetlands on a project site. The delineation shall be used to determine if federal permitting and mitigation strategy are required to reduce project impacts. Acquisition of permits from USACE for the fill of wetlands and USACE approval of a wetland mitigation plan would ensure a "no net loss" of wetland habitat within the Project Area. Appropriate wetland mitigation/creation shall be implemented in a ratio according to the size of the impacted wetland.*

MM BIO-9: *In addition to regulatory agency permitting, Best Management Practices identified from a list provided by the USACE shall be incorporated into the design and construction phase of the project to ensure that no pollutants or siltation drain into a federally protected wetland. Project design features such as fencing, appropriate drainage and incorporating detention basins shall assist in ensuring project-related impacts to wetland habitat are minimized to the greatest extent feasible.*

- d) *Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?*

Less than Significant Impact. Wildlife movement corridors are linear habitats that function to connect two (2) or more areas of significant wildlife habitat. These corridors may function on a local level as links between small habitat patches (e.g., streams in urban settings) or may provide critical connections between regionally significant habitats (e.g., deer movement corridors).

Wildlife corridors typically include vegetation and topography that facilitate the movements of wildlife from one area of suitable habitat to another, to fulfill foraging, breeding, and territorial needs. These corridors often provide cover and protection from predators that may be lacking in surrounding habitats. Wildlife corridors generally include riparian zones and similar linear expanses of contiguous habitat.

The Project Area is in City Limits and is greatly fragmented by existing development and structures including developed roadways, highways, and other infrastructure which limits linear expanses of potential habitat that could support wildlife movement. As such, based on the existing disturbed conditions of the Project Area, the Project would not interfere substantially with the movement of native resident or migratory fish or wildlife species or with

established native resident or migratory wildlife corridors or impede the use of native wildlife nursery sites. Impacts would be less than significant.

e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

Less than Significant Impact. FMC *Section 15-1603* establishes a Bluff Protection (BL) Overlay District for lands within 300 feet of the San Joaquin River bluff to ensure the preservation of the environment and minimization of geological and soil hazards of the bluff. Three (3) of the parcels within the Project Area are within the BL Overlay District. Future development of these parcels would be subject to compliance with the standards to ensure the preservation of the bluff area. Further, if future development resulting from Project implementation would result in the planting, preservation, or removal of street trees along public streets, it would be subject to FMC *Section 13-304* and FMC *Section 13-305* as verified through the building permit process. Through required compliance, the Project would not conflict with any local policies or ordinances protecting biological resources and a less than significant impact would occur.

f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

Less than Significant Impact. The Project Area is within the PG&E San Joaquin Valley Operation and Maintenance HCP Area. If a site within the Project Area contains PG&E transmissions, distribution facilities, easements, or private access routes or if PG&E owns all or any portions of a site, future development would require compliance with the PG&E San Joaquin Valley Operation and Maintenance Plan, as verified through the building permit process. Therefore, the Project would not conflict or interfere with the HCP. The Project is also located in the planning area of the Recovery Plan for Upland Species of the San Joaquin Valley. The Project would not conflict with the Recovery Plan since the Project Area does not provide suitable habitat for the upland species identified in the Recovery Plan because the Project Area does not contain grasslands or scrublands and is not adjacent to foothills. There are no other applicable local, regional, or state habitat or natural community conservation plans. Therefore, the Project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. A less than significant impact would occur.

4.4.3 Mitigation Measures

The Project shall implement and incorporate, as applicable, the biological resources related mitigation measures as identified in this section, and in the **MITIGATION MONITORING AND REPORTING PROGRAM** contained in **SECTION 5**.

***MM BIO-1:** Construction of a proposed project shall avoid, where possible, vegetation communities that provide suitable habitat for a special-status species known to occur within the Project Area. If construction within potentially suitable habitat must occur, the presence/absence of any special-status plant or wildlife species must be determined prior to construction, to determine if the habitat supports any special-status species. If a special-status species is determined to occupy any portion of a project site, avoidance and minimization measures shall be incorporated into the construction phase of a project to avoid direct or incidental take of a listed species to the greatest extent feasible. Specific mitigation measures for direct or incidental impacts to special-status species shall be determined on a case-by-case basis through agency*

consultation during the review process for discretionary projects and shall be consistent with survey protocols and mitigations measures recommended by the agency at the time of consultation.

MM BIO-2: *Direct or incidental take of any state or federally listed species shall be avoided to the greatest extent feasible. If construction of a proposed project will result in the direct or incidental take of a listed species, consultation with the resources agencies and/or additional permitting may be required. Agency consultation through the CDFW 2081 and USFWS Section 7 or Section 10 permitting processes shall take place prior to any action that may result in the direct or incidental take of a listed species. Specific mitigation measures for direct or incidental impacts to special-status species shall be determined on a case-by-case basis through agency consultation during the review process for discretionary projects and shall be consistent with survey protocols and mitigations measures recommended by the agency at the time of consultation.*

MM BIO-3: *Development within the Planning Area shall avoid, where possible, special-status natural communities and vegetation communities that provide suitable habitat for special-status species. If a proposed project will result in the loss of a special-status natural community or suitable habitat for special-status species, compensatory habitat-based mitigation is required under CEQA and CESA. Mitigation shall consist of preserving on-site habitat, restoring similar habitat or purchasing off-site credits from an approved mitigation bank. Compensatory mitigation shall be determined through consultation with the City and/or resource agencies. An appropriate mitigation strategy and ratio shall be agreed upon by the developer and lead agency to reduce project impacts to special-status natural communities to a less than significant level. Agreed-upon mitigation ratios shall depend on the quality of the habitat and presence/absence of a special-status species. Specific mitigation measures for direct or incidental impacts to special-status natural communities and vegetation communities shall be determined on a case-by-case basis through agency consultation during the review process for discretionary projects and shall be consistent with survey protocols and mitigations measures recommended by the agency at the time of consultation.*

MM BIO-4: *Proposed projects within the Planning Area should avoid, if possible, construction within the general nesting season of February through August for avian species protected under Fish and Game Code 3500 and the Migratory Bird Treaty Act (MBTA), if it is determined that suitable nesting habitat occurs on a project site. If construction cannot avoid the nesting season, a pre-construction clearance survey shall be conducted by a qualified biologist to determine if any nesting birds or nesting activity is observed on or within 500-feet of a project site. If an active nest is observed during the survey, a biological monitor shall be on site to ensure that no proposed project activities would impact the active nest. A suitable buffer shall be established around the active nest until the nestlings have fledged and the nest is no longer active. Project activities may continue in the vicinity of the nest only at the discretion of the biological monitor. Prior to commencement of grading activities and issuance of any building permits, the Director of the City of Fresno Planning and Development Department, or designee, shall verify that all proposed project grading and construction plans include specific documentation regarding the requirements of the Migratory Bird Treaty Act (MBTA) and California Fish and Game Code Section 3503, that preconstruction surveys have been completed and the results reviewed by staff, and that the appropriate buffers (if needed) are noted on the plans and established in the field. Specific mitigation measures for direct or incidental impacts to avian species protected under Fish and Game Code 3500 and the Migratory Bird*

Treaty Act (MBTA) shall be determined on a case-by-case basis through agency consultation during the review process for discretionary projects and shall be consistent with survey protocols and mitigations measures recommended by the agency at the time of consultation.

MM BIO-5: *A pre-construction clearance survey, following current CDFW protocols, shall be conducted by a qualified biologist to determine if a proposed project will result in the removal or impact to any riparian habitat and/or a special-status natural community with potential to occur in the Planning Area, compensatory habitat-based mitigation shall be required to reduce project impacts. Compensatory mitigation must involve the preservation or restoration or the purchase of off-site mitigation credits for impacts to riparian habitat and/or a special-status natural community. Mitigation must be conducted in-kind or within an approved mitigation bank in the region. The specific mitigation ratio for habitat-based mitigation shall be determined through consultation with the appropriate agency (i.e., CDFW or USFWS) on a case-by-case basis. The project applicant/developer for a proposed project shall develop and implement appropriate mitigation regarding impacts on their respective jurisdictions.*

MM BIO-6: *A pre-construction clearance survey, following current CDFW protocols, shall be conducted by a qualified biologist to determine if a proposed project will result in significant impacts to streambeds or waterways protected under Section 1600 of Fish and Wildlife Code and Section 404 of the CWA. The project applicant/developer for a proposed project shall consult with partner agencies such as CDFW and/or USACE to develop and implement appropriate mitigation regarding impacts on their respective jurisdictions, determination of mitigation strategy, and regulatory permitting to reduce impacts, as required for projects that remove riparian habitat and/or alter a streambed or waterway. The project applicant/developer shall implement mitigation as directed by the agency with jurisdiction over the particular impact identified.*

MM BIO-7: *Prior to project approval, a pre-construction clearance survey, following current CDFW protocols, shall be conducted by a qualified biologist to determine if a proposed project will result in project-related impacts to riparian habitat or a special-status natural community or if it may result in direct or incidental impacts to special-status species associated with riparian or wetland habitats. The project applicant/developer for a proposed project shall be obligated to address project-specific impacts to special-status species associated with riparian habitat through agency consultation, development of a mitigation strategy, and/or issuing incidental take permits for the specific special-status species, as determined by the CDFW and/or USFWS.*

MM BIO-8: *If a proposed project will result in the significant alteration or fill of a federally protected wetland, a formal wetland delineation conducted according to USACE accepted methodology is required for each project to determine the extent of wetlands on a project site. The delineation shall be used to determine if federal permitting and mitigation strategy are required to reduce project impacts. Acquisition of permits from USACE for the fill of wetlands and USACE approval of a wetland mitigation plan would ensure a “no net loss” of wetland habitat within the Project Area. Appropriate wetland mitigation/creation shall be implemented in a ratio according to the size of the impacted wetland.*

MM BIO-9: *In addition to regulatory agency permitting, Best Management Practices identified from a list provided by the USACE shall be incorporated into the design and construction phase of the project to ensure that no pollutants or siltation drain into a federally protected wetland. Project design features such*

as fencing, appropriate drainage and incorporating detention basins shall assist in ensuring project-related impacts to wetland habitat are minimized to the greatest extent feasible.

4.5 CULTURAL RESOURCES

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?		X		
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?		X		
c) Disturb any human remains, including those interred outside of formal cemeteries?		X		

4.5.1 Environmental Setting

Generally, the term ‘cultural resources’ describes property types such as prehistoric and historical archaeological sites, buildings, bridges, roadways, and tribal cultural resources. As defined by CEQA, cultural resources are considered “historical resources” that meet criteria in *Section 15064.5(a)* of the CEQA Guidelines. These criteria generally include:

1. Listed in, or eligible for listing in, the California Register of Historical Resources.
2. Included in a local register of historical resources.
3. Identified as significant in a historical resource survey meeting the criteria in PRC Section 5024.1(g).
4. Determined by the lead agency to be historically significant.

When a project will impact an archeological site, a lead agency must first determine whether the site is a historical resource as defined by the criteria above. If a lead agency determines that the archeological site is a historical resource, then it shall refer to Public Resources Code Section 21084.1 and CEQA Guidelines Section 15126.4.

According to CEQA Guidelines Section 15064.5, generally, a project that follows the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring, and Reconstructing Historic Buildings or the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings (1995), Weeks and Grimmer, shall be considered as mitigated to a level of less than a significant impact on the historical resource.

Fresno has one (1) National Historical Landmark and 32 individual properties listed on the National Register of Historic Places as of 2019, including the Azteca Theater, Maubridge Apartments, Bank of Italy Building, Memorial Auditorium, Brix Home, Meux Home, Einstein Home, Old Fresno Water Tower, Forestiere Underground Gardens, Pantages Theatre, Fresno Bee Building, Physicians Building, Fresno Brewing Company, Rehorn Home, Fresno City College Old Administration Building, Romain Home, Fresno County Hall of Records, San Joaquin Light & Power Corporation Building, Fresno Republican Printery, Santa Fe Hotel, Fresno Sanitary Landfill, Santa Fe Railroad Depot, Holy Trinity Armenian Apostolic Church, Southern Pacific Railroad Depot, Hotel Californian, Tower Theatre, Hotel

Fresno, Twining Laboratories, Kearney Mansion, Warehouse Row Buildings, Kindler Home, and Y.W.C.A. Residence Hall. There are 31 properties listed in the California Register of Historic Resources.

The City of Fresno adopted the Historic Preservation Ordinance in 1979 and maintains a Local Register of Historic Resources that includes places in the National Register, buildings, structures, objects, sites, and districts that have sufficient integrity and are significant in Fresno's history. There are currently 316 individual properties listed on the City of Fresno Local Register of Historic Resources, including Fresno Buddhist Temple, Fresno Memorial Auditorium, and Helm Building.²¹ In addition, Fresno also designates four (4) official local historic districts: the Porter Tract, the Wilson Island, Chandler Airfield/Fresno Municipal Airport, and Huntington Boulevard. There are also six (6) districts in Downtown and four (4) districts in the Tower District that have been proposed as historic districts.²²

According to the Southern San Joaquin Valley Information Center (SSJVIC) records search conducted for the Fresno General Plan (dated March 2020), there are 1,011 recorded built environment resources and one (1) recorded archaeological resource within the General Plan Planning Area.

Fresno General Plan

The General Plan identifies policies related to historic and cultural resources including:

Policy HCR-2-a Identification and Designation of Historic Properties. Work to identify and evaluate potential historic resources and districts and prepare nomination forms for Fresno's Local Register of Historic Resources and California and National registries, as appropriate.

Policy HCR-2-c Project Development. Prior to project approval, continue to require a project site and its Area of Potential Effects (APE), without benefit of a prior historic survey, to be evaluated and reviewed for the potential for historic and/or cultural resources by a professional who meets the Secretary of Interior's Qualifications. Survey costs shall be the responsibility of the project developer. Council may, but is not required, to adopt an ordinance to implement this policy.

Policy HCR-2-d Native American Sites. Work with local Native American tribes to protect recorded and unrecorded cultural and sacred sites, as required by State law, and educate developers and the community-at-large about the connections between Native American history and the environmental features that characterize the local landscape. ***Commentary:*** Development on archaeologically sensitive sites requires on-site monitoring by appropriate Native American consultant(s) and a qualified archaeologist for all grading, excavation, and site preparation activities that involve earth-moving operations.

Policy HCR-2-g Demolition Review. Review all demolition permits to determine if the resource scheduled for demolition is potentially eligible for listing on the Local Register of Historic Resources. Consistent with the Historic Preservation Ordinance, refer potentially eligible resources to the Historic Preservation Commission and as appropriate to the City Council.

²¹ City of Fresno. Historic Preservation Database. Accessed on May 29, 2024, <https://cityoffresno.maps.arcgis.com/apps/webappviewer/index.html?id=80d8d181234a46a6a102460db2e9a57a>

²² City of Fresno. A Guide to Historic Architecture in Fresno, California. Accessed on May 29, 2024, <http://www.historicfresno.org/districts/index.htm>

City of Fresno Proposed Text Amendment for Ministerial Approval

The City of Fresno’s proposed Text Amendment for ministerial approval prohibits ministerial approval of projects in “Sensitive Areas” or which exceed development or significance thresholds. The following language would prohibit ministerial approval of a project that is located on a parcel that contains any of the following characteristics related to cultural resources. Projects that meet these characteristics would be required to obtain a Development Permit. The full Text Amendment is provided in **Appendix E**.

C. Exceptions

1. *Sensitive Areas.* A project that is located on a parcel that contains any of the following characteristics must obtain a Development Permit.
 - g. The Project would involve the modification or demolition of a designated Historic Resource.*
2. *Development or Impact Thresholds.* A project site that is determined to require additional review or improvements based on a technical study or analysis required pursuant to any of the following, must obtain a Development Permit unless otherwise specified below.
 - c. If the Project involves the demolition or change to the exterior building elevations of a building over 50 years old, a Historic Resource evaluation is required. If the building is determined to be a potentially significant historic resource, a discretionary development permit is required.*
 - d. If a project involves changes on previously undisturbed land, a CHRIS record search is required. If no additional recommendations are provided in this letter that would trigger a cultural resource study, then the project can be processed as a zone clearance.*

California Native American Heritage Commission (NAHC)

A consultation list of tribes with traditional lands or cultural places located within Fresno County was requested and received from the California Native American Heritage Commission (NAHC) on April 8, 2024. The listed tribes include Amah Mutsun Tribal Band, Big Sandy Rancheria of Western Mono Indians, Cold Springs Rancheria of Mono Indians of California, Dumna Wo-Wah Tribal Government, King’s River Choinumni Farm Tribe, Kitanemuk & Yowlumne Tejon Indians, Mono Lake Kutzadika Tribe, North Fork Mono Tribe, Northern Valley Yokut/Ohlone Tribe, Picayune Rancheria of the Chukchansi Indians, Santa Rosa Rancheria Tachi Yokut Tribe, Southern Sierra Miwuk Nation, Table Mountain Rancheria, Tule River Indian Tribe, and Wuksache Indian Tribe/Eshom Valley Band. The NAHC also conducted a Sacred Lands File (SLF) search which was positive.

AB 25 Tribal Consultation

In accordance with AB 52 (Chapter 532, Statutes 2014), the City of Fresno sent formal tribal consultation request letters by certified mail to the tribes listed above on April 5, 2024 and April 8, 2024. The City received one response. The response was from the Santa Rosa Rancheria Tachi Yokut Tribe dated May 6, 2024. The responses stated, “due to the location of this project the tribe will be deferring to the more local tribes of the area.” The City did not receive responses from any other tribe.

4.5.2 Impact Assessment

- a) Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?*

Less than Significant Impact with Mitigation Incorporated. According to Section 15064.5, substantial adverse change in the significance of a historical resource means the physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical resource would be materially impaired. Fresno General Plan *Policy HCR-2* and Historical Preservation Ordinance regulations partially mitigate impacts to historical resources. T

The Project includes a Text Amendment that would allow 1) office-to-dwelling conversions on Office-zoned parcels either ministerially or with a discretionary permit, 2) ministerial approval of new multi-family residential development on multi-family-zoned parcels within ½ mile of an existing bus stop, 3) ministerial approval of new multi-family residential development on Mixed Use-zone parcels in the City’s Infill Priority Area, and 4) new multi-family residential development on Office-zoned parcels either ministerially or with a discretionary permit. The Project itself would not result in physical development.

The Text Amendment would prohibit ministerial approval on parcels within the Project Area that contain a historical resource or archeological resource pursuant to CEQA Guidelines Section 15064.5 where development would result in a substantial adverse change including the physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of the historical resource would be materially impaired. However, to ensure that future projects resulting from Project implementation do not result in a substantial adverse change in the significance of a historical resource, the Project shall incorporate **MM CUL-1** and **MM CUL-2** as described below. Incorporation of mitigation would reduce impacts to less than significant.

***MM CUL-1:** If previously unknown resources are encountered before or during grading activities, construction shall stop in the immediate vicinity of the find and a qualified historical resources specialist shall be consulted to determine whether the resource requires further study. The qualified historical resources specialist shall make recommendations to the City on the measures that shall be implemented to protect the discovered resources, including but not limited to excavation of the finds and evaluation of the finds in accordance with Section 15064.5 of the CEQA Guidelines and the City’s Historic Preservation Ordinance. If the resources are determined to be unique historical resources as defined under Section 15064.5 of the CEQA Guidelines, measures shall be identified by the monitor and recommended to the Lead Agency. Appropriate measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds.*

No further grading shall occur in the area of the discovery until the Lead Agency approves the measures to protect these resources. Any historical artifacts recovered as a result of mitigation shall be provided to a City-approved institution or person who is capable of providing long-term preservation to allow future scientific study.

***MM CUL-2:** Prior to approval of any discretionary project that could result in an adverse change to a potential historic and/or cultural resource, the City shall require a site-specific evaluation of historic and/or cultural resources by a professional who meets the Secretary of Interior’s Qualifications. The evaluation shall provide recommendations to mitigate potential impacts to historic and/or cultural resources and shall be approved by the Director of Planning and Development.*

- b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?**

Less than Significant Impact with Mitigation Incorporated. Substantial adverse change in the significance of a historical resource, including an archeological resource, means the physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of an historical or archeological resource would be materially impaired. Potential impacts to an archeological resource that meets the criteria of an historical resource in Section 15064.5 would be partially mitigated through Mitigation Measure, MM-CUL-2 . As discussed in criterion a), the Project includes a Text Amendment and the Project itself would not result in physical development. The Text Amendment would prohibit ministerial approval on parcels within the Project Area that contain a historical resource or archeological resource pursuant to CEQA Guidelines Section 15064.5 where development would result in a substantial adverse change including the physical demolition, destruction, relocation, or alteration of the resource or its immediate surroundings such that the significance of the historical resource would be materially impaired. However, to ensure that future projects resulting from Project implementation do not result in a substantial adverse change in the significance of an archaeological resource, the Project shall incorporate **MM CUL-3** as described below. Incorporation of mitigation would reduce impacts to less than significant.

***MM CUL-3:** Subsequent to a preliminary City review of the project grading plans, if there is evidence that a project will include excavation or construction activities within previously undisturbed soils, a field survey and literature search for prehistoric archaeological resources shall be conducted. The following procedures shall be followed.*

- If prehistoric resources are not found during either the field survey or literature search, excavation and/or construction activities can commence. In the event that buried prehistoric archaeological resources are discovered during excavation and/or construction activities, construction shall stop in the immediate vicinity find and a qualified archaeologist shall be consulted to determine whether the resource requires further study. The qualified archaeologist shall make recommendations to the City on the measures that shall be implemented to protect the discovered resources, including but not limited to excavation of the finds and evaluation of the finds in accordance with Section 15064.5 of the CEQA Guidelines. If the resources are determined to be unique prehistoric archaeological resources as defined under Section 15064.5 of the CEQA Guidelines, mitigation measures shall be identified by the monitor and recommended to the Lead Agency. Appropriate measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds. No further grading shall occur in the area of the discovery until the Lead Agency approves the measures to protect these resources. Any prehistoric archaeological artifacts recovered as a result of mitigation shall be provided to a City-approved institution or person who is capable of providing long-term preservation to allow future scientific study.*
- If prehistoric resources are found during the field survey or literature review, the resources shall be inventoried using appropriate State record forms and submit the forms to the Southern San Joaquin Valley Information Center. The resources shall be evaluated for significance. If the resources are found to be significant, measures shall be identified by the qualified archaeologist. Similar to above, appropriate mitigation measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds. In addition, appropriate mitigation for excavation and construction activities in the vicinity of the resources found during the field survey or literature review shall include an archaeological monitor. The monitoring period shall be determined by the qualified archaeologist. If additional prehistoric archaeological resources are found during*

excavation and/or construction activities, the procedure identified above for the discovery of unknown resources shall be followed.

c) Disturb any human remains, including those interred outside of formal cemeteries?

Less than Significant Impact with Mitigation Incorporated. There is some possibility that human remains may exist with no surface evidence, including those interred outside of formal cemeteries. Such resources would be discovered during ground disturbing activities. Therefore, to reduce potential impacts related to human remains, the Project shall incorporate **MM CUL-4** as described below. Incorporation of mitigation would reduce impacts to less than significant.

***MM CUL-4:** In the event that human remains are unearthed during excavation and grading activities of any future development project, all activity shall cease immediately. Pursuant to Health and Safety Code (HSC) Section 7050.5, no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to PRC Section 5097.98(a). If the remains are determined to be of Native American descent, the coroner shall within 24 hours notify the Native American Heritage Commission (NAHC). The NAHC shall then contact the most likely descendent of the deceased Native American, who shall then serve as the consultant on how to proceed with the remains. Pursuant to PRC Section 5097.98(b), upon the discovery of Native American remains, the landowner shall ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices, where the Native American human remains are located is not damaged or disturbed by further development activity until the landowner has discussed and conferred with the most likely descendants regarding their recommendations, if applicable, taking into account the possibility of multiple human remains. The landowner shall discuss and confer with the descendants all reasonable options regarding the descendants' preferences.*

4.5.3 Mitigation Measures

The Project shall implement and incorporate, as applicable, the cultural resources related mitigation measures as identified in this section, and in the **MITIGATION MONITORING AND REPORTING PROGRAM** contained in **SECTION 5**.

***MM CUL-1:** If previously unknown resources are encountered before or during grading activities, construction shall stop in the immediate vicinity of the find and a qualified historical resources specialist shall be consulted to determine whether the resource requires further study. The qualified historical resources specialist shall make recommendations to the City on the measures that shall be implemented to protect the discovered resources, including but not limited to excavation of the finds and evaluation of the finds in accordance with Section 15064.5 of the CEQA Guidelines and the City's Historic Preservation Ordinance. If the resources are determined to be unique historical resources as defined under Section 15064.5 of the CEQA Guidelines, measures shall be identified by the monitor and recommended to the Lead Agency. Appropriate measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds.*

No further grading shall occur in the area of the discovery until the Lead Agency approves the measures to protect these resources. Any historical artifacts recovered as a result of mitigation shall be provided to

a City-approved institution or person who is capable of providing long-term preservation to allow future scientific study.

MM CUL-2: *Prior to approval of any discretionary project that could result in an adverse change to a potential historic and/or cultural resource, the City shall require a site-specific evaluation of historic and/or cultural resources by a professional who meets the Secretary of Interior's Qualifications. The evaluation shall provide recommendations to mitigate potential impacts to historic and/or cultural resources and shall be approved by the Director of Planning and Development.*

MM CUL-3: *Subsequent to a preliminary City review of the project grading plans, if there is evidence that a project will include excavation or construction activities within previously undisturbed soils, a field survey and literature search for prehistoric archaeological resources shall be conducted. The following procedures shall be followed.*

- *If prehistoric resources are not found during either the field survey or literature search, excavation and/or construction activities can commence. In the event that buried prehistoric archaeological resources are discovered during excavation and/or construction activities, construction shall stop in the immediate vicinity find and a qualified archaeologist shall be consulted to determine whether the resource requires further study. The qualified archaeologist shall make recommendations to the City on the measures that shall be implemented to protect the discovered resources, including but not limited to excavation of the finds and evaluation of the finds in accordance with Section 15064.5 of the CEQA Guidelines. If the resources are determined to be unique prehistoric archaeological resources as defined under Section 15064.5 of the CEQA Guidelines, mitigation measures shall be identified by the monitor and recommended to the Lead Agency. Appropriate measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds. No further grading shall occur in the area of the discovery until the Lead Agency approves the measures to protect these resources. Any prehistoric archaeological artifacts recovered as a result of mitigation shall be provided to a City-approved institution or person who is capable of providing long-term preservation to allow future scientific study.*
- *If prehistoric resources are found during the field survey or literature review, the resources shall be inventoried using appropriate State record forms and submit the forms to the Southern San Joaquin Valley Information Center. The resources shall be evaluated for significance. If the resources are found to be significant, measures shall be identified by the qualified archaeologist. Similar to above, appropriate mitigation measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds. In addition, appropriate mitigation for excavation and construction activities in the vicinity of the resources found during the field survey or literature review shall include an archaeological monitor. The monitoring period shall be determined by the qualified archaeologist. If additional prehistoric archaeological resources are found during excavation and/or construction activities, the procedure identified above for the discovery of unknown resources shall be followed.*

MM CUL-4: *In the event that human remains are unearthed during excavation and grading activities of any future development project, all activity shall cease immediately. Pursuant to Health and Safety Code (HSC) Section 7050.5, no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to PRC Section 5097.98(a). If the remains are determined to be of Native American descent, the coroner shall within 24 hours notify the Native American Heritage*

Commission (NAHC). The NAHC shall then contact the most likely descendent of the deceased Native American, who shall then serve as the consultant on how to proceed with the remains. Pursuant to PRC Section 5097.98(b), upon the discovery of Native American remains, the landowner shall ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices, where the Native American human remains are located is not damaged or disturbed by further development activity until the landowner has discussed and conferred with the most likely descendants regarding their recommendations, if applicable, taking into account the possibility of multiple human remains. The landowner shall discuss and confer with the descendants all reasonable options regarding the descendants' preferences.

4.6 ENERGY

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?			X	
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?			X	

4.6.1 Environmental Setting

Appendix F of the CEQA Guidelines provides guidance in determining whether a project will result in inefficient, wasteful, and unnecessary consumption of energy. According to Appendix F of the CEQA Guidelines, the goal of energy conservation implies the “wise and efficient use” of energy through 1) decreasing overall per capita energy consumption, 2) decreasing reliance on fossil fuels such as coal, natural gas, and oil, and 3) increasing reliance on renewable energy sources.

Per Appendix F, a project would be considered inefficient, wasteful, and unnecessary if it violated existing energy standards, had a negative effect on local and regional energy supplies and requirements for additional capacity, had a negative effect on peak and base period demands for electricity and other energy forms, and effected energy resources. Appendix F includes the following criteria to determine whether a threshold of significance is met:

1. The project energy requirements and its energy use efficiencies by amount and fuel type for each stage of the project including construction, operation, maintenance and/or removal. If appropriate, the energy intensiveness of materials may be discussed.
2. The effects of the project on local and regional energy supplies and on requirements for additional capacity.
3. The effects of the project on peak and base period demands for electricity and other forms of energy.
4. The degree to which the project complies with existing energy standards.
5. The effects of the project on energy resources.
6. The project’s projected transportation energy use requirements and its overall use of efficient transportation alternatives.

Building Energy Efficiency Standards – Title 24

California’s energy code is designed to reduce wasteful and unnecessary energy consumption in newly constructed and existing buildings. The Building Energy Efficiency Standards (Title 24, Parts 6 and 11 of the California Code of Regulations) are updated by the California Energy Commission every three years. The Standards relate to various

energy efficiency measures including, but not limited to ventilation, air conditioning, and lighting.²³ The 2022 Building Energy Efficiency Standards became effective in January 2023. The state’s “green building code” (i.e., CALGreen) is contained within the Building Energy Efficiency Standards, Title 24, Part 11. The CALGreen standards address environmental and sustainable practices during building construction including energy efficiency. CALGreen applies to the planning, design, operation, construction, use and occupancy of every newly constructed building or structure and additions and alterations on a statewide basis. Compliance with these energy efficiency regulations and programs reduce wasteful, inefficient, or unnecessary consumption of energy sources.

Fresno General Plan

Energy resources and conservation are discussed in the Resource Conservation and Resilience Section of the Fresno General Plan. The following objectives and policies of the Fresno General Plan relate to energy resources and conservation of development in order to reduce community-wide energy consumption:

Policy RC-2 Promote land uses that conserve resources.

Policy RC-2-a Link Land Use to Transportation. Promote mixed-use, higher density infill development in multi-modal corridors. Support land use patterns that make more efficient use of the transportation system and plan future transportation investments in areas of higher-intensity development. Discourage investment in infrastructure that would not meet these criteria.

Policy RC-2-b Provide Infrastructure for Mixed-Use and Infill. Promote investment in the public infrastructure needed to allow mixed-use and denser infill development to occur in targeted locations, such as expanded water and wastewater conveyance systems, complete streetscapes, parks and open space amenities, and trails. Discourage investment in infrastructure that would not meet these criteria.

Policy RC-8 Reduce the consumption of non-renewable energy resources by requiring and encouraging conservation measures and the use of alternative energy sources.

Policy RC-8-a Existing Standards and Programs. Continue existing beneficial energy conservation programs, including adhering to the California Energy Code in new construction and major renovations.

Policy RC-8-b Energy Reduction Targets. Strive to reduce per capita residential electricity use to 1,800 kWh per year and non-residential electricity use to 2,700 kWh per year per capita by developing and implementing incentives, design and operation standards, promoting alternative energy sources, and cost-effective savings.

Policy RC-8-c Energy Conservation in New Development. Consider providing an incentive program for new buildings that exceed California Energy Code requirements by fifteen percent.

Policy RC-8-e Energy Use Disclosure. Promote compliance with State law mandating disclosure of a building’s energy data and rating of the previous year to prospective buyers and lessees of the entire building or lenders financing the entire building.

²³ California Energy Commission. 2022 Building Energy Efficiency Standards. Accessed on June 12, 2024, <https://www.energy.ca.gov/programs-and-topics/programs/building-energy-efficiency-standards/2022-building-energy-efficiency>

4.6.2 *Impact Assessment*

- a) *Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?*

Less than Significant Impact. The Project proposes office-to-residential conversions in the Office District and ministerial approval of residential developments in office, multi-family, and mixed-use districts. Since the Project does not propose increased density, it is not expected that future development in the Project Area would result in increased consumption of energy resources during construction and operation compared to what is allowed within the General Plan land use designations and permitted by the FMC. The consumption of energy resources during construction and operation for future development under the Project are further analyzed below.

Construction

Construction would be short-term and temporary. Future development would consist of residential uses that are permitted in office, multi-family, and mixed-use zone districts. Typically, characteristics or construction processes for these types of development would not require the use of equipment that would be more energy intensive than is used for comparable activities. Construction activities would include typical demolition, site preparation, grading, paving, architectural coating, and trenching – all of which would require the transportation of building materials and equipment. Therefore, the primary source of energy for construction activities would be diesel and gasoline (i.e., petroleum fuels). All construction equipment shall conform to current emissions standards and related fuel efficiencies including applicable CARB regulations (Airborne Toxic Control Measure), California Code of Regulations (Title 13, Motor Vehicles), and Title 24 standards. Compliance with such regulations would ensure that the short-term, temporary construction activities do not result in wasteful, inefficient, or unnecessary consumption of energy resources.

Operations

The Project includes a Text Amendment related to multi-family residential uses. The Project itself would not result in physical development but could facilitate future residential development. Future residential development would include residential uses that would involve heating, cooling, equipment, and vehicle trips. Energy consumption related to operations would be associated with natural gas, electricity, and fuel. Applicable state and local regulations and programs would be implemented to reduce energy waste from operation. These programs include but are not limited to the following.

- Future development would be required to be designed and constructed in accordance with adopted energy efficiency standards contained in Title 24, including energy conservation requirements that apply to structural, mechanical, electrical, and plumbing systems in a building. Compliance with Title 24 would be verified through the building permit process.
- Future development would be required to comply with numerous policies and implementation programs in the General Plan that are focused on improving the sustainability of the city, including reduction in the consumption of non-renewable energy resources by requiring and encouraging conservation measures and use of alternative energy sources (see [Environmental Setting](#)).
- Future development would be required to comply with the recommended requirements for Air Quality, Greenhouse Gas Emissions, and Transportation as discussed in this Initial Study/MND that would reduce energy usage.

Therefore, through compliance, future development projects would not consume energy in a manner that is wasteful, inefficient, or unnecessary nor would the project conflict with any state or local plan for energy efficiency. In addition, because of the location and characteristics of the Project Area (i.e., Infill Priority Area, along major transportation corridors within ½ mile of existing bus stops, on parcels with existing buildings, etc.), residents of future developments will be more likely to take public transportation and thus reduce fuel consumption compared to development in other parts of the city, thereby reducing unnecessary consumption of energy resources even further.

Overall, the results of the analyses do not rise to a level of significance given the Project's required compliance with various energy efficiency regulations and policies including Title 24, the General Plan, and CARB. Thus, through compliance, the Project is not expected to result in wasteful, inefficient, or unnecessary consumption of energy resources and a less than significant impact would occur because of the Project.

b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

Less than Significant Impact. A significant impact would occur if the proposed Project would conflict with or obstruct a state or local plan for renewable energy or energy efficiency. As discussed under criterion a), the Project itself would not result in physical development. The construction and operations of future development projects would be subject to compliance with applicable energy efficiency regulations including but not limited to Title 24, General Plan, and CARB. Thus, applicable state and local regulations and programs would be implemented to reduce energy waste from construction and operations. Therefore, through compliance, the Project would not conflict with or obstruct any state or local plan for energy efficiency and impacts would be less than significant.

4.6.3 Mitigation Measures

None Required.

4.7 GEOLOGY AND SOILS

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Directly or Indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:			X	
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.				X
ii. Strong seismic ground shaking?			X	
iii. Seismic-related ground failure, including liquefaction?			X	
iv. Landslides?			X	
b) Result in substantial soil erosion or the loss of topsoil?			X	
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?			X	
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?			X	
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of waste water?				X

f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?		X		
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4.7.1 Environmental Setting

The city of Fresno, inclusive of the Project Area, is in the San Joaquin Valley which is one of the two large valleys comprising the Great Valley Geomorphic Province. The San Joaquin Valley is surrounded by Sierra Nevada (east), Coast Ranges (west), Tehachapi (south), and the Sacramento Valley (north). The Fresno area is set on gently southwest-sloping alluvial fans and plans formed by the San Joaquin and Kings Rivers. A brief discussion of the likelihood of seismic activities to occur in or affect Fresno is provided below.

Faulting

There are no active faults mapped in Fresno. The Project Area is not located in an Alquist-Priolo Earthquake Fault Zone as established by the Alquist-Priolo Fault Zoning Act (Section 2622 of Chapter 7.5, Division 2 of the California Public Resources Code). The nearest fault to the Project Area is the Clovis Fault, which is approximately 6.5 miles northeast of the Project Area, which is a non-active fault. The nearest active faults include San Joaquin Fault (approximately 63 miles west), Round Valley Fault (approximately 69 miles northeast), Kings Canyon Fault (approximately 74 miles southeast), and the San Andreas Fault (approximately 74 miles southwest).²⁴

Subsurface Soils

According to the Geologic Hazards Investigation for the Fresno General Plan, the uppermost soils in the General Plan Planning Area (i.e., 6-12 inches) comprise very loose silty sand, silty sand with trace clay, sandy silt, clayey sand, or clayey gravel. These soils are disturbed, have low strength, and are highly compressible when saturated. Area soils between two (2) to four (4) feet below ground surface (bgs) range from loose/soft to very dense/hard clays, silts, sands, and gravels with the characteristics of moderately strong and moderately compressible. Three (3) to five (5) feet bgs soils are clays, silts, sands, and gravels that are moderately strong and slightly compressible. Various soil types comprise the Project Area.

Strong Ground Shaking

According to the Fresno General Plan, the Fresno area is subject to low to moderate ground shaking. In addition, the Fresno area is classified by FEMA Earthquake Hazard Maps as being in a moderate seismic risk zone, Category “C” or “D,” depending on the soils underlying the specific location being categorized and that location’s proximity to the nearest known fault lines.²⁵ The Owens Valley Earthquake of 1872 and the Coalinga Earthquake of 1982 generated ground shaking of intensity VII of the 12-point Modified Mercalli Intensity (MMI) scale. Intensity VII earthquakes result in negligible damage to buildings, slight to moderate in well-built structures, considerable

²⁴ California Department of Conservation. Fault Activity Map of California. Accessed on May 31, 2024, <https://maps.conservation.ca.gov/cgs/fam/>

²⁵ Federal Emergency Management Agency. (2023). Earthquake Hazards Map. Accessed on May 31, 2024, <https://www.fema.gov/emergency-managers/risk-management/earthquake/hazard-maps>

damage in poorly built or badly designed structures, and some broken chimneys.²⁶ All new development is required to conform to current seismic protection standards in the California Building Code (CBC), which are intended to minimize potential risks.

Liquefaction

Liquefaction is a seismic phenomenon in which loose, saturated, fine-grained granular soils behave similarly to a fluid when subjected to high-intensity ground shaking. The potential for liquefaction in the city of Fresno is low to moderate, per the Fresno County Multi-Hazard Mitigation Plan. There has been no observed liquefaction from any historic earthquake. Additionally, ground shaking, seismic settlement, and lateral spreading are not considered to be significant hazards due to the stable area soils as observed in the Geologic Hazards Investigation for the Fresno General Plan.

Erosion

Wind and flowing water are the primary agents of erosion in the San Joaquin Valley. Two (2) types of areas with moderate to high erosion potential are identified by the Fresno County Multi-Hazard Mitigation Plan: soils in the Sierra Nevada and foothills on slopes over 30 percent and soils in the western San Joaquin Valley and Coast Ranges. According to the Fresno General Plan, Fresno is not susceptible to soil erosion except for land within 300 feet of the toe of the San Joaquin River bluff.

There are three (3) parcels within the Bluff Protection (BL) Overlay District in the Project Area, two (2) of which are currently developed (**Table 4-1** and **Figure 4-3**). Parcels within the BL Overlay District are subject to the following provisions set forth in the FMC *Section 15-1603* to minimize potential geological and soil hazards and ensure erosion control measures are completed.

5. *Geologic Impact Standards. To minimize potential geologic and soil hazards, the following provisions shall apply to all subdivisions and development within Bluff Zones I, II, and III of the San Joaquin River Bluffs environs:*
 - a. *General Provisions. General provisions for grading, drainage, and erosion:*
 - i. *Locations of streets, utilities and other facilities shall be approved by the Director and the City Engineer.*
 - ii. *Requirements for the location, design, construction, and maintenance of surface and subsurface drainage facilities shall be as determined by the Fresno Metropolitan Flood Control District.*
 - iii. *All development within Bluff Zones I, II, and III shall comply with the applicable provisions of the Building Code as adopted and amended by the City.*
 - iv. *Drainage of storm and irrigation water shall be directed away from the Bluff Face to public rights-of-way or to drainage facilities approved by the Fresno Metropolitan Flood Control District. A drainage plan shall be provided and approved by the Director for each separate lot within the Bluff Influence Area, establishing methods for conveying surface water from*

²⁶ US Geological Survey (USGS), 2017. The Modified Mercalli Intensity Scale, Accessed on July 23, 2024, <https://www.usgs.gov/programs/earthquake-hazards/modified-mercalli-intensity-scale>

roofs and landscaping, and drain water from all swimming pools or decorative pools to approved locations away from the Bluff Face.

- v. To minimize erosion, the following shall apply to all graded, altered, or unstable bluff areas:*
 - 1. Landscaping with drought-tolerant, low-fuel plants, compatible with the bluff environs, from a list prepared by the City.*
 - 2. Landscape irrigation shall utilize drip irrigation or low precipitation systems, and must be approved by the civil engineer prior to installation.*
 - 3. Hydroseeding, netting and mulch shall be utilized to re-establish plant life, to control erosion and to discourage rodent burrowing.*

b. Soils Investigation. The following types of soil evaluations shall be performed and reported:

- i. Bluff Zone I. A civil engineer or soils engineer registered in the State of California shall investigate and report on soil and geologic conditions, utilizing methods consistent with accepted practices. The report shall evaluate soils and geologic conditions for development proposals located outside Bluff Zone II and shall be similar in scope to the soils investigation required under Subparagraph ii, below. The investigation and report shall identify potential surface and subsurface drainage problems that may ultimately affect the stability of the bluffs and any measures to mitigate such effects.*
- ii. Bluff Zone II. A civil engineer or soils engineer registered in the State of California shall provide a detailed Soils Investigation and Evaluation Report using methods consistent with accepted practice and shall include the following:*
 - 1. Evaluation of existing stability;*
 - 2. Evaluation of post-development slope stability;*
 - 3. Documentation of existing conditions for rock falls, block caving, creep failures, shear failures, excessive erosion and sloughing;*
 - 4. Evaluation of slope angles, subsurface drainage, proposed grading, structures, utility trenches, potential rodent population, storm drain disposal, surface irrigation and drainage, erosion, traffic vibration, potential seismic hazards, and on-site sewage disposal approximate to the bluffs;*
 - 5. Evaluation of the influence of future development and grading along the Bluff Toe for its effect on slope stability;*
 - 6. Evaluation of the adverse effect of increased surface and subsurface drainage;*
 - 7. Coordination, review, and approval of site grading and drainage plans prepared by the project civil engineer for conformance to soils and geologic reports;*
 - 8. Laboratory tests to evaluate the soil parameters to be used in determination of slope stability;*
 - 9. Determination and establishment of the location of the Bluff Toe, Bluff Edge and of any building setbacks.*
- iii. Bluff Zone III. A civil engineer or soils engineer registered in the State of California shall complete a Soils Investigation and Evaluation Report, involving detailed study of individual lots within the River Bluff Influence Area, as follows:*
 - 1. Zone III soils investigations will address the details of the configuration, location, type, and loading of the proposed structures and drainage plan;*

2. *The report shall provide detailed recommendations for foundations, drainage, and other items critical to bluff stability.*
- c. *Filing. Filing of Soils Investigation and Evaluation Reports shall be required as follows:*
 - i. *A Zone I, Zone II or Zone III Soils Investigation and Evaluation Report and a grading plan shall be filed at the time of filing any tentative tract map or parcel map providing for lots or portions of lots within Zone I, Zone II or Zone III, or at the time of filing any application for rezoning or for special permits for parcels of land within Zone I, Zone II or Zone III;*
 - ii. *For parcels of land within Zone I, Zone II or Zone III, that are not the subject of the filing of a tentative map or tentative parcel map, or that are not the subject of any application for rezoning or a special permit, a Zone I, Zone II or Zone III Soils Investigation and Evaluation Report and a grading plan shall be filed with any request for a building permit.*
- d. *Certification. The Soils Investigation and Evaluation Reports shall be certified as follows:*
 - i. *The engineer responsible for the soils investigation and evaluation report and for the grading plan shall certify that the proposed project will not cause any significant increase in the risk of damage to the bluff from erosion, slippage, subsidence, or other movement when grading, drainage, and other slope protection measures have been done in accordance with the Soils Investigation and Evaluation Report and the grading plan. The certificate may be executed on the face of the subdivision map or parcel map or may be contained in a separate instrument delivered to the Director.*
 - ii. *The engineer responsible for the soils investigation and evaluation report and for the grading plan for parcels of land for which certification is not provided above shall file written certification with any request for a building permit that the proposed project will not cause any significant increase in the risk of damage to the bluff from erosion, slippage, subsidence or other movement, when grading, drainage and other slope protection have been done in accordance with the soils investigation and evaluation report and the grading plan.*
- e. *Completion of Erosion Controls. All erosion control measures shall be completed before the issuance of occupancy permits for residences constructed on lots within or partially within Zone II, and shall be completed before the issuance of building permits for structures constructed on lots within or partially within Zone III.*

Ground Subsidence

Ground subsidence is the settling or sinking of surface soil deposits with little or no horizontal motion. Soils with high silt or clay content are subject to subsidence. While the County of Fresno identifies a significant hazard significance for subsidence due to heavy groundwater withdrawal, the city of Fresno is not known to be subject to subsidence hazards. Areas with potential for subsidence hazards are in western Fresno County over 30 miles west and southwest from the Project area, as mapped in the Fresno County Multi-Hazard Mitigation Plan.

Fresno General Plan

Geology and soils are discussed in the Noise and Safety Chapter of the Fresno General Plan. The following relevant policies of the Fresno General Plan:

Policy NS-2 Minimize risks of property damage and personal injury posed by geologic and seismic risks.

***Policy NS-2-a Seismic Protection.** Ensure seismic protection is incorporated into new and existing construction, consistent with the Fresno Municipal Code.*

***Policy NS-2-b Soil Analysis Requirement.** Identify areas with potential geologic and/or soils hazards, and require development in these areas to conduct a soil analysis and mitigation plan by a registered civil engineer (or engineering geologist specializing in soil geology) prior to allowing on-site drainage or disposal for wastewater, stormwater runoff, or swimming pool/spa water.*

***Policy NS-2-c Landfill Areas.** Require proposed land uses on or near landfill areas to be designed and maintained to comply with California Code of Regulations, Title 27, Section 21190, Post Closure Land Use.*

4.7.2 Impact Assessment

a) *Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:*

i. *Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.*

No Impact. There are no known active earthquake faults in Fresno (inclusive of the Project Area), nor is Fresno within an Alquist-Priolo earthquake fault zone as established by the Alquist-Priolo Fault Zoning Act. As such, the implementation of the Project in an area void of earthquake faults would not cause the rupture of a known earthquake fault. Thus, no impact would occur.

ii. *Strong seismic ground shaking?*

Less than Significant Impact. The Fresno area, inclusive of the Project Area, is classified by the State as being in a moderate seismic risk zone, Category “C” or “D,” depending on the soils underlying the specific location being categorized and that location’s proximity to the nearest known fault lines. In addition, future development within the Project Area would be required to conform to current seismic protection standards in the CBC and General Plan policies, which are intended to minimize potential risks. Therefore, because of the Project Area’s distance from active fault lines, conformance with seismic protection standards, and compliance with General Plan policies, the Project does not have any aspect that could result in strong seismic ground shaking. Therefore, the Project would have a less than significant impact.

iii. *Seismic-related ground failure, including liquefaction?*

Less than Significant Impact. The Project Area is relatively flat with stable soils and no apparent unique or significant landforms. Further, Fresno, inclusive of the Project Area, does not have significant liquefaction potential since it is in a stable geologic formation. For these reasons, liquefaction or seismically induced settlement or bearing loss is considered unlikely, even if there should be a substantial increase in ground water level. Further, future development of the Project Area would require compliance with the City’s grading and drainage standards. Therefore, because of the Project Area’s relatively flat topography, stability of soils, infrequency of seismic activity, and required compliance with City standards, the Project does not have any aspect that could result in seismic-related ground failure, including liquefaction. Therefore, a less than significant impact would occur.

iv. *Landslides?*

Less than Significant Impact. According to the Fresno County Multi-Hazard Mitigation Plan (HMP), landslides are generally not expected to affect the Project Area as the City of Fresno is not susceptible to landslides, subsidence, or liquefaction due to the flat topography of the Project Area and lack of significant landforms. Future development within the Project Area on flat, stable sites in areas that are not susceptible to seismic activities or geologic instability would have a very low probability for landslides. However, there are certain areas identified by the HMP where inadequate ground cover could accelerate erosion, and thereby landslides. These areas are along the San Joaquin River.

There are three (3) parcels within the Bluff Protection (BL) Overlay District (i.e., within 300 feet of the San Joaquin River bluff) in the Project Area, two (2) of which are currently developed. Future development on these parcels is subject to provisions set forth in the Fresno Municipal Code *Section 15-1603* to minimize potential geological and soil hazards and ensure erosion control measures. Therefore, compliance with these standards and regulations would control erosion and reduce landslide risk, resulting in a less than significant impact.

b) Result in substantial soil erosion or the loss of topsoil?

Less Than Significant Impact. Future development within the Project Area would require site preparation activities such as grading and trenching which may result in the potential for short-term soil disturbance or erosion impacts. Future construction could also involve the use of water which may cause further soil disturbance. Such impacts would be addressed through compliance with regulations set by the State Water Resources Control Board (SWRCB). Namely, any site that is greater than one-acre in size would require preparation of a Stormwater Pollution Prevention Plan (SWPPP) in compliance with the National Pollution Discharge Elimination System (NPDES) stormwater program. The SWPPP estimates the sediment risk associated with construction activities and includes BMPs to control erosion. BMPs specific to erosion control cover erosion, sediment, tracking, and waste management controls. Implementation of the SWPPP minimizes the potential to result in substantial soil erosion or loss of topsoil and impacts would be less than significant.

c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?

Less than Significant Impact. The Project Area is relatively flat with no apparent unique or significant landforms. Furthermore, the Project Area is in an area of infrequent and low historic seismic activity of nearby faults. Such factors minimize the potential for other geologic hazards such as landslides, lateral spreading, subsidence, liquefaction or collapse. Therefore, development within the Project Area is unlikely to become unstable and result in geologic hazards. However, there are three (3) parcels within 300 feet of the San Joaquin River bluff, which are more susceptible to landslides due to potential acceleration of erosion. As discussed under criteria a)-iv., future development in this area is subject to provisions set forth in the Fresno Municipal Code *Section 15-1603* to minimize potential geological and soil hazards and ensure erosion control measures. These provisions would ensure the reduction of landslide risk to a less than significant impact. In addition, the Project does not have any aspect that could result in a landslide, lateral spreading, subsidence, liquefaction, or collapse. Therefore, the impacts would be less than significant.

d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994, as updated), creating substantial direct or indirect risks to life or property?

Less than Significant Impact. The Project Area comprises various soils, including clays, silts, sands, gravels, and cobbles. Clayey soils are slightly to moderately expansive as defined in Table 18-1-B of the UBC. Specific locations of such expansive soils are currently unknown. However, future development that results from Project implementation would be required to be developed in accordance with the General Plan and FMC. FMC *Section 15-3302* requires a preliminary soils report be prepared to identify expansive soils and other soil issues in addition to inclusion of foundation support and grading parameters during the land division process. These reports typically include measures to reduce potential impacts due to soil conditions. In addition, FMC *Section 15-1603* requires further grading and erosion control measures. Compliance with the requirements of the FMC would reduce potential expansive soil impacts to less than significant.

e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

No Impact. Since the Project Area is within City Limits, future development that results from Project implementation would be required to connect to the City's water and sewer systems, in accordance with FMC Section 6-303 – Sewer Connection Required. Thus, no septic tanks or alternative wastewater disposal systems would be installed, and no impact would occur.

f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Less than Significant with Mitigation Incorporated. There are no known paleontological resources or unique geological features in the Project Area. Nevertheless, there is some possibility that non-visible buried resources or sites may exist and may be uncovered during future ground disturbance which would constitute a significant impact. Fresno General Plan *Policy HCR-2* and Historical Preservation Ordinance regulations would partially mitigate resources that are encountered during future development that would result from Project implementation. However, to ensure that future projects do not directly or indirectly destroy a unique paleontological resource or site or unique geologic features, the Project shall incorporate **MM GEO-1** as described below. Incorporation of mitigation would reduce impacts to less than significant.

MM GEO-1: *Subsequent to a preliminary City review of the project grading plans, if there is evidence that a project will include excavation or construction activities within previously undisturbed soils, a field survey and literature search for unique paleontological/geological resources shall be conducted. The following procedures shall be followed:*

- If unique paleontological/geological resources are not found during either the field survey or literature search, excavation and/or construction activities can commence. In the event that unique paleontological/geological resources are discovered during excavation and/or construction activities, construction shall stop in the immediate vicinity of the find and a qualified paleontologist shall be consulted to determine whether the resource requires further study. The qualified paleontologist shall make recommendations to the City on the measures that shall be implemented to protect the discovered resources, including but not limited to, excavation of the finds and evaluation of the finds. If the resources are determined to be significant, mitigation measures shall be identified by the monitor and recommended to the Lead Agency. Appropriate mitigation measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds. No further grading shall occur in the area of the discovery until the*

Lead Agency approves the measures to protect these resources. Any paleontological/geological resources recovered as a result of mitigation shall be provided to a City-approved institution or person who is capable of providing long-term preservation to allow future scientific study.

- *If unique paleontological/geological resources are found during the field survey or literature review, the resources shall be inventoried and evaluated for significance. If the resources are found to be significant, mitigation measures shall be identified by the qualified paleontologist. Similar to above, appropriate mitigation measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds. In addition, appropriate mitigation for excavation and construction activities in the vicinity of the resources found during the field survey or literature review shall include a paleontological monitor. The monitoring period shall be determined by the qualified paleontologist. If additional paleontological/geological resources are found during excavation and/or construction activities, the procedure identified above for the discovery of unknown resources shall be followed.*

4.7.3 Mitigation Measures

The Project shall implement and incorporate, as applicable, the geology and soils related mitigation measures as identified in this section, and in the **MITIGATION MONITORING AND REPORTING PROGRAM** contained in **SECTION 5**.

MM GEO-1: *Subsequent to a preliminary City review of the project grading plans, if there is evidence that a project will include excavation or construction activities within previously undisturbed soils, a field survey and literature search for unique paleontological/geological resources shall be conducted. The following procedures shall be followed:*

- *If unique paleontological/geological resources are not found during either the field survey or literature search, excavation and/or construction activities can commence. In the event that unique paleontological/geological resources are discovered during excavation and/or construction activities, construction shall stop in the immediate vicinity of the find and a qualified paleontologist shall be consulted to determine whether the resource requires further study. The qualified paleontologist shall make recommendations to the City on the measures that shall be implemented to protect the discovered resources, including but not limited to, excavation of the finds and evaluation of the finds. If the resources are determined to be significant, mitigation measures shall be identified by the monitor and recommended to the Lead Agency. Appropriate mitigation measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds. No further grading shall occur in the area of the discovery until the Lead Agency approves the measures to protect these resources. Any paleontological/geological resources recovered as a result of mitigation shall be provided to a City-approved institution or person who is capable of providing long-term preservation to allow future scientific study.*
- *If unique paleontological/geological resources are found during the field survey or literature review, the resources shall be inventoried and evaluated for significance. If the resources are found to be significant, mitigation measures shall be identified by the qualified paleontologist. Similar to above, appropriate mitigation measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds. In addition,*

appropriate mitigation for excavation and construction activities in the vicinity of the resources found during the field survey or literature review shall include a paleontological monitor. The monitoring period shall be determined by the qualified paleontologist. If additional paleontological/geological resources are found during excavation and/or construction activities, the procedure identified above for the discovery of unknown resources shall be followed.

4.8 GREENHOUSE GAS EMISSIONS

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			X	
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			X	

4.8.1 Environmental Setting

In assessing the significance of impacts from GHG emissions, *Section 15064.4(b)* of the CEQA Guidelines states that a lead agency may consider the following along with other factors:

- The extent to which the project may increase or reduce GHG emissions as compared to the environmental setting;
- Whether the project emissions exceed a threshold of significance that the lead agency determines applies to the project;
- The extent to which the project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of greenhouse gas emissions.

The California Air Resources Board (CARB) 2022 Climate Change Scoping Plan, guidance from the SJVAPCD, and City of Fresno General Plan are discussed below and are utilized as thresholds of significance.

2022 Climate Change Scoping Plan

The CARB 2022 Climate Change Scoping Plan is the adopted statewide plan for reduction and mitigation of GHGs to implement Assembly Bill (AB) 1279. AB 1279 was issued on August 12, 2022, to require California to achieve “net zero greenhouse gas emissions” as soon as possible and to further reduce anthropogenic GHG emissions thereafter. It sets a statewide goal to reduce emissions 85% below 1990 levels no later than 2045.

Consequently, the Scoping Plan involves several measures for cost-effective reduction of GHG emissions, including continuing existing programs such as Renewable Portfolio Standard, Advanced Clean Cars, Low Carbon Fuel Standard, etc., and achieving new mandates to decarbonize several sectors. Along with reducing emissions, environmental justice policies are included to address the ongoing air quality disparities.

Appendix D of the 2022 Scoping Plan include recommendations to build momentum for local government actions to align with State goals, including through CEQA review. The Appendix outlines the priority GHG reduction

strategies for local governments, including transportation electrification, VMT reduction, and building decarbonization.²⁷

SJVAPCD CEQA Air Quality Guidelines

The SJVAPCD's Guidance for Valley Land Use Agencies in Addressing GHG Impacts for New Projects Under CEQA (2009) provides screening criteria for climate change analyses, as well as draft guidance for the determination of significance.^{28,29} These criteria are used to evaluate whether a project would result in a significant climate change impact (see below). Projects that meet one of these criteria would have less than significant impact on the global climate.

- Does the project comply with an adopted statewide, regional, or local plan for reduction or mitigation of GHG emissions? If no, then:
- Does the project achieve 29% GHG reductions by using approved Best Performance Standards (BPS)? If no, then
- Does the project achieve AB 32 targeted 29% GHG emission reductions compared with Business As Usual (BAU)?

Assembly Bill (AB) 32 was enacted by the California State legislature in 2006 with the aim to reduce GHG emissions to levels of 1990 by 2020. Recommended actions to achieve these aims were adopted by the California Air Resources Board (CARB) in 2008 (i.e., the Climate Change Scoping Plan). However, the 29% GHG emission reductions compared to BAU threshold is outdated since it is aimed to meet AB 32's 2020 goals, thus this threshold would not be used for analysis.

San Joaquin Valley Air Pollution Control District

SJVAPCD adopted *Guidance for Valley Land-use Agencies in Addressing GHG Emission Impacts for New Projects under CEQA* and the policy *District Policy—Addressing GHG Emission Impacts for Stationary Source Projects Under CEQA When Serving as the Lead Agency* in 2009. It recognized that project-specific emissions are cumulative and could be considered cumulatively considerable without mitigation. SJVAPCD suggested that the requirement to reduce GHG emissions for all projects is the best method to address this cumulative impact.

The SJVAPCD requires quantification of GHG emissions for all projects which the lead agency has determined that an EIR is required. Although an EIR is not required for the Project, the GHG emissions are quantified below. Short-term construction and long-term operational GHG emissions for project buildout were estimated using CalEEMod™ (version 2022.1.1.26). (See **Appendix A**). CalEEMod is a statewide model designed to provide a uniform platform for government agencies, land use planners, and environmental professionals to quantify GHG emissions from land

²⁷ California Air Resources Board. (2022). 2022 Scoping Plan Appendix D. Accessed on May 29, 2024, <https://ww2.arb.ca.gov/sites/default/files/2022-11/2022-sp-appendix-d-local-actions.pdf>

²⁸ San Joaquin Valley Air Pollution Control District. (2009). Guidance for Valley Land-use Agencies in Addressing GHG Emission Impacts for New Projects under CEQA. Accessed May 29, 2024, <http://www.valleyair.org/Programs/CCAP/12-17-09/3%20CCAP%20-%20FINAL%20LU%20Guidance%20-%20Dec%2017%202009.pdf>.

²⁹ San Joaquin Valley Air Pollution Control District. (2000). Environmental Review Guidelines: Procedures for Implementing the California Environmental Quality Act. Accessed May 29, 2024, http://www.valleyair.org/transportation/CEQA%20Rules/ERG%20Adopted%20_August%202000_.pdf

use projects. The model quantifies direct GHG emissions from construction and operation (including vehicle use), as well as indirect GHG emissions, such as GHG emissions from energy use, solid waste disposal, vegetation planting and/or removal, and water use. Emissions are expressed in annual metric tons of CO₂ equivalent units of measure (i.e., MTCO₂e), based on the global warming potential of the individual pollutants.

City of Fresno Proposed Text Amendment for Ministerial Approval

The City of Fresno's proposed Text Amendment for ministerial approval prohibits ministerial approval of projects which exceed development or impact thresholds. The following language would prohibit ministerial approval of a project that exceeds development or impact thresholds related to greenhouse gas emissions. Projects that exceed these thresholds would be required to obtain a Development Permit. The full Text Amendment is provided in **Appendix E**.

B. Exceptions.

2. Development or Impact Thresholds. A project site that is determined to require additional review or improvements based on a technical study or analysis required pursuant to any of the following, must obtain a Development Permit unless otherwise specified below.

e. If the Project would exceed 224 units for low-rise (1-2 levels), 225 units for mid-rise (3-10 levels), or 340 units for high-rise (10+ levels) apartments, and generate more than 800 average daily one-way trips. If the project exceeds this threshold but a technical assessment for operational and construction emissions determines the project will be below applicable air district thresholds, then the project can be processed as a zone clearance.

Thresholds of Significance

Since the SJVAPCD and the City of Fresno do not have established GHG significance emissions thresholds, the Project is assessed based on its consistency with the CARB's latest adopted Scoping Plan, including the Project's compliance with relevant Scoping Plan measures, in addition to the latest RTP/SCS for the region. Of note, the Scoping Plan is consistent with AB 1276 GHG reduction targets toward achieving carbon neutrality by 2045 and reducing anthropogenic emissions to 85% below 1990 levels by 2045. Therefore, consistency with CARB's Scoping Plan would also demonstrate consistency with carbon neutrality requirements of AB 1279. This analysis provides a qualitative assessment of the Project's compliance with the applicable plans, policies, and regulations for the purpose of reducing GHGs to determine whether the project would have a significant impact on the environment relative to GHGs. The Project's estimated construction and operation-related GHG emissions are provided for the purposes of disclosure

4.8.2 Impact Assessment

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Less than Significant Impact. Although no specific development is proposed, the Project proposes a Text Amendment that would ministerially allow residential development in office, multi-family, and mixed-use zones. Future residential developments resulting from implementation of the Project may contribute to climate change impacts through contribution of GHGs. These developments would generate a variety of GHGs during construction

and operations, including several defined by AB 32, such as CO₂, CH₄, and N₂O from the exhaust of equipment during construction and on-road vehicle trips during construction and operations.

The 2024 CEQA Guidelines do not establish a quantitative threshold of significance for GHG impacts, leaving lead agencies the discretion to establish such thresholds for their respective jurisdictions. The City of Fresno does not have an adopted climate action plan (CAP) that establishes thresholds for GHG emissions. As a result, since the SJVAPCD and the City of Fresno do not have established GHG significance emissions thresholds, the following utilizes qualitative analysis for GHG impacts. Short-term construction and long-term operational GHG emissions for project buildout were estimated using CalEEMod™ (version 2022.1.1.26). See [Section 4.3.2](#) for [CalEEMod Assumptions](#). As such, this is a worse-case scenario. See [Appendix A](#) for output files.

Construction Emissions

Regarding construction, the SJVAPCD does not recommend assessing pollution associated with construction, as pollution-related construction will be temporary. These construction GHG emissions are a one-time release. As such, it can be anticipated that these construction emissions would not generate a significant contribution to global climate change over the lifetime of the Project. The overall construction GHG emissions associated with a one (1)-year buildout of residential units, or 748 units, on office, mixed-use, and multi-family zoned districts, is 2,521 MT CO₂e based on the CalEEMod run. The development of 748 multi-family residential units per year assumes that all vacant/undeveloped land on office, mixed-use, and multi-family zoned districts within the current city limits would be fully developed within 30 years. As such, this is a worse-case scenario.

Operational Emissions

Regarding the long-term operational related GHG emissions, the estimated operational emissions for buildout of the Project incorporates the potential area source and vehicle emissions, and emissions associated with utility and water usage, and wastewater and solid waste generation. The annual operational GHG emissions associated with a one (1)-year buildout of residential units, or 748 units, on office, mixed-use, and multi-family zoned districts, is 4,715 MT CO₂e based on the CalEEMod run.

Further, the Project would not exceed the thresholds of significance for construction or operational emissions as discussed in [Section 4.3](#). Additionally, as discussed in more detail below, the Project would be generally consistent with the applicable goals and policies related to GHG reduction measures, including CARB's 2022 Scoping Plan and SJVAPCD guidelines, and the City of Fresno General Plan goals and policies that aim to reduce air emissions and improve air quality, which reduces GHG emissions as a result. Cumulatively, these emissions would not generate a significant contribution to global climate change over the lifetime of the proposed Project. As such, it can be determined that the Project would not occur at a scale or scope with potential to contribute substantially or cumulatively to the generation of GHG emissions and therefore the impact would be less than significant.

b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Less than Significant Impact. The compatibility of the Project with the 2022 Scoping Plan, Fresno Council of Governments (FCOG) Regional Transportation Plan / Sustainable Communities Strategy (RTP/SCS), and the City of Fresno General Plan is analyzed below.

Consistency with the 2022 Climate Change Scoping Plan

Based on the evaluation shown in **Table 4-10**, the Project is consistent with the reduction measures identified in the 2022 Scoping Plan. The reduction measures are derived from the 2022 Scoping Plan *Table 1 – Priority GHG Reduction Strategies*, which provides three (3) priority areas to assist jurisdictions with developing local climate action plans.

Table 4-10 Scoping Plan Priority GHG Reduction Strategies Consistency Analysis

Priority GHG Reduction Strategies	Consistency/Applicability Determination
Priority Area 1: Transportation Electrification	
Convert local government fleets to ZEVs and provide EV charging at public sites.	Not Applicable. This is a strategy that would be implemented at jurisdiction level and is not proposed as part of the Project.
Create a jurisdiction-specific ZEV ecosystem to support deployment of ZEVs statewide (such as building standards that exceed state building codes, permit streamlining, infrastructure siting, consumer education, preferential parking policies, and ZEV readiness plans).	Not Applicable. This is a strategy that would be implemented at the jurisdiction-level and is not proposed as part of the Project.
Priority Area 2: VMT Reduction	
Reduce or eliminate minimum parking standards.	Not Applicable. This is not proposed as part of the Project; the Text Amendment is specific to residential uses and approval processes for residential uses. Other standards are not addressed by the Project.
Implement Complete Streets policies and investments, consistent with general plan circulation element requirements.	Consistent. All roadway improvements be required by the City to comply with current City of Fresno Standard Drawings. Standard Drawings for local, collector, arterial, boulevard, etc., includes curb, gutter, and sidewalks on both sides of the street. The City of Fresno adopted the Complete Streets Policy on October 10, 2019. ³⁰ Compliance with complete streets would be reviewed during the building permit process.
Increase access to public transit by increasing density of development near transit, improving transit service by increasing service frequency, creating bus priority lanes, reducing or eliminating fares, micro transit, etc.	Consistent. The Project proposes to allow ministerial approval of multi-family residential development in multi-family, mixed use, and office zone districts. 98.5% of these parcels are within 0.5-mile of an existing bus stop. As such, the Project increases access to public transit by encouraging development near transit.
Increase public access to clean mobility options by planning for and investing in electric shuttles, bike share, car share, and walking.	Consistent. Future development resulting from implementation of the Project would require improvements including pedestrian facilities (i.e., sidewalks) within the site and connecting to adjacent properties. As such, future development projects would increase public access to clean mobility options such as walking and biking through the development and connectivity of complete streets. Additionally, 98.5% of the Project parcels are within existing bus stops. Encouraging development in these areas would increase public access to clean mobility option (i.e., bus).

³⁰ City of Fresno. Complete Streets. Accessed July 26, 2024, <https://www.fresno.gov/publicworks/announcements-and-highlights/#complete-streets>

Implement parking pricing or transportation demand management pricing strategies.	Not Applicable. The Project is a Text Amendment the Text Amendment that is specific to residential uses and approval processes for residential uses. Programs are not addressed by the Project.
Amend zoning or development codes to enable mixed-use, walkable, transit-oriented, and compact infill development (such as increasing the allowable density of a neighborhood)	Consistent. The Project proposes a Text Amendment to allow ministerial approval of multi-family residential development in multi-family zone districts within 0.5-mile of an existing bus stop and in mixed use zone districts within the city's Infill Priority Area. As such, the proposed Text Amendment encourages mixed-use, walkable, transit-oriented, and compact infill development within the city.
Preserve natural and working lands by implementing land use policies that guide development toward infill areas and do not convert "greenfield" land to urban uses (e.g., green belts, strategic conservation easements)	Consistent. The Project does not change planned land use that would convert preserved lands into urban uses. While there are some Prime Farmlands within the Project Area, those parcels would not be eligible for ministerial approval under the Text Amendment, and thus is not a part of the Project.
Priority Area 3: Building Decarbonization	
Adopt all-electric new construction reach codes for residential and commercial uses.	Not Applicable. This is a strategy that would be implemented at the jurisdiction-level and is not proposed as part of the Project.
Adopt policies and incentive programs to implement energy efficiency retrofits for existing buildings, such as weatherization, lighting upgrades, and replacing energy-intensive appliances and equipment with more efficient systems (such as Energy Star-rated equipment and equipment controllers).	Not Applicable. This is a strategy that would be implemented at the jurisdiction-level and is not proposed as part of the Project.
Adopt policies and incentive programs to electrify all appliances and equipment in existing buildings such as appliance rebates, existing building reach codes, or time of sale electrification ordinances	Not Applicable. This is a strategy that would be implemented at the jurisdiction-level and is not proposed as part of the Project.
Facilitate deployment of renewable energy production and distribution and energy storage on privately owned land uses (e.g., permit streamlining, information sharing)	Not Applicable. This is not proposed as part of the Project. However, future residential developments would be required to comply with the 2022 Energy Code, which has solar photovoltaic (solar PV) system requirements for all newly constructed multi-family buildings
Deploy renewable energy production and energy storage directly in new public projects and on existing public facilities (e.g., solar photovoltaic systems on rooftops of municipal buildings and on canopies in public parking lots, battery storage systems in municipal buildings)	Not Applicable. The Project does not include public buildings or facilities.

Consistency with the SJVAPCD Climate Change Action Plan

The Climate Change Action Plan (CCAP) suggests different approaches to addressing GHG emission impacts under CEQA. No specific method is identified or mandated. The SJVAPCD's Final Staff Report for the CCAP mentions both quantitative thresholds and qualitative approaches.³¹ Per the Staff Report, *"For development projects, the District*

³¹ San Joaquin Valley Air Pollution Control District. (2009). Final Staff Report – Climate Change Action Plan: Addressing GHG Emissions Impacts Under CEQA. Accessed July 23, 2024, <https://ww2.valleyair.org/media/mdfm0lsd/1-ccap-final-ceqa-ghg-staff-report-dec-17-2009.pdf>

used its Indirect Source Review database of development projects to [establish] baseline GHG emissions for both residential and non-residential development projects.” However, there are no numerical thresholds at the SJVAPCD level. As such, the Project assesses GHG impacts in this section and would not conflict with the CCAP.

Consistency with the FCOG RTP/SCS

The FCOG 2022 RTP/SCS includes a series of goals for the region that would reduce GHG emissions based on the land use consistency and the reduction of vehicle trips through promoting intermodal transportation systems. Most goals and policies are implemented at the regional or city level. Since the proposed Project is an infill development (i.e., within city limits and generally surrounded by existing development), encourages active transportation since 98.5% of Project parcels are within 0.5-mile of an existing bus stop, and would be subject to local regulations, the Project would be generally consistent with goals and policies identified in the RTP/SCS.

Consistency with the City of Fresno General Plan

The City of Fresno General Plan established several policies to reduce air emissions. All air quality and greenhouse gas emissions policies are implemented at the city level. Since the Project is compliant with CalGreen standards, Title 24, and does not propose a use that would generate excessive greenhouse gas emissions, the Project is generally consistent with the General Plan. In conclusion, the Project contains features that would reduce GHG emissions in compliance with CARB 2022 Climate Change Scoping Plan, guidance from the SJVAPCD, SJVAPCD Climate Change Action Plan, FCOG RTP/SCS, and Fresno General Plan. As such, the Project would not conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs, and therefore the impact would be less than significant.

4.8.3 Mitigation Measures

None required.

4.9 HAZARDS AND HAZARDOUS MATERIAL

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?		X		
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?		X		
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?		X		
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?		X		
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?			X	
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			X	
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?			X	

4.9.1 Environmental Setting

California Health and Safety Code Section 25501 defines a hazardous material as follows: “Hazardous material” means any material that, because of its quantity, concentration, or physical, or chemical characteristics, poses a significant present or potential hazard to human health and safety or to the environment if released into the

workplace or the environment. “Hazardous materials” include, but are not limited to, hazardous substances, hazardous waste, and any material which a handler or the administering agency has a reasonable basis for believing that it would be injurious to the health and safety of persons or harmful to the environment if released into the workplace or the environment.

“Hazardous wastes” are defined in California Health and Safety Code Section 25141(b) as wastes that: because of their quantity, concentration, or physical, chemical, or infectious characteristics, [may either] cause, or significantly contribute to an increase in mortality or an increase in serious illness [or] pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transported, disposed of, or otherwise managed.

Regulatory Setting

The California Environmental Protection Agency (CalEPA) was established in 1991 to protect the environment. CalEPA oversees the Unified Program through Certified Unified Program Agencies (CUPAs), which consolidates six (6) environmental programs to ensure the handling of hazardous waste and materials in California. The local CUPA in Fresno County, HazMat Compliance Program, oversees the following six (6) CUPA programs: ³²

- Hazardous Materials Business Plan (HMBP)
- California Accidental Release Program (CalARP)
- Underground Storage Tank Program (UST)
- Aboveground Storage Tank Program (APSA)
- Hazardous Waste Generator Program
- Tiered Permitting Program

The CalEPA Cortese List Data Resources compiles five (5) lists that provide information on hazardous materials facilities or sites meeting the Cortese List requirements.³³ The Cortese List is a database or list of hazardous waste sites in California that is distributed to each city and county. This database identifies hazardous waste facilities in accordance with Government Code *Section 65962.5*. The Cortese List includes:

- List of Hazardous Waste and Substances sites from Department of Toxic Substances Control (DTSC) EnviroStor database.
- List of Leaking Underground Storage Tank Sites from the State Water Board’s GeoTracker database.
- List of solid waste disposal sites identified by Water Board with waste constituents above hazardous waste levels outside the waste management unit.
- List of “active” CDO and CAO from Water Board.
- List of hazardous waste facilities subject to corrective action pursuant to *Section 25187.5* of the Health and Safety Code, identified by DTSC.

³²County of Fresno. HazMat Compliance: The Designated CUPA. Accessed on May 30, 2024, <https://www.fresnocountyca.gov/Departments/Public-Health/Environmental-Health/HazMat-Compliance-The-Designated-CUPA>

³³ California Environmental Protection Agency. (2022). Cortese List Data Resources. Accessed on May 30, 2024, <https://calepa.ca.gov/sitecleanup/corteselist/>

According to the CCR Title 22, soils excavated from a site containing hazardous materials is considered hazardous waste, and remediation actions should be performed accordingly. Cleanup requirements are determined case-by-case by the jurisdiction.

The Department of Toxic Substances Control (DTSC) is another agency in California that regulates hazardous waste, conducts inspections, provides emergency response for hazardous materials-related emergencies, protects water resources from contamination, removing wastes, etc. DTSC acts under the authority of Resource Conservation and Recovery Act (RCRA) and California Health and Safety Code. The DTSC implements the California Code of Regulations (CCR) Title 22 Division 4.5 to manage hazardous waste. Government Code *Section 65962.5* requires that DTSC shall compile and update at least annually a list of:

- (1) All hazardous waste facilities subject to corrective action pursuant to Section 25187.5 of the Health and Safety Code (“HSC”).*
- (2) All land designated as hazardous waste property or border zone property pursuant to Article 11 (commencing with Section 25220) of Chapter 6.5 of Division 20 of the Health and Safety Code.*
- (3) All information received by the Department of Toxic Substances Control pursuant to Section 25242 of the Health and Safety Code on hazardous waste disposals on public land.*
- (4) All sites listed pursuant to Section 25356 of the Health and Safety Code.*
- (5) All sites included in the Abandoned Site Assessment Program.*

Fresno General Plan

The General Plan includes objectives and policies relevant to hazards and hazardous materials in its Noise and Safety Element:

OBJECTIVE NS-4 *Minimize the risk of loss of life, injury, serious illness, and damage to property resulting from the use, transport, treatment, and disposal of hazardous materials and hazardous wastes.*

Policy NS-4-a Processing and Storage. *Require safe processing and storage of hazardous materials, consistent with the California Building Code and the Uniform Fire Code, as adopted by the City.*

Policy NS-4-b Coordination. *Maintain a close liaison with the Fresno County Environmental Health Department, Cal-EPA Division of Toxics, and the State Office of Emergency Services to assist in developing and maintaining hazardous material business plans, inventory statements, risk management prevention plans, and contingency/emergency response action plans.*

Policy NS-4-c Soil and Groundwater Contamination Reports. *Require an investigation of potential soil or groundwater contamination whenever justified by past site uses. Require appropriate mitigation as a condition of project approval in the event soil or groundwater contamination is identified or could be encountered during site development.*

Policy NS-4-e Compliance with County Program. *Require that the production, use, storage, disposal, and transport of hazardous materials conform to the standards and procedures established by the County Division of Environmental Health. Require compliance with the County’s Hazardous Waste Generator Program, including the submittal and implementation of a Hazardous Materials Business Plan, when applicable.*

Policy NS-4-f Hazardous Materials Facilities. Require facilities that handle hazardous materials or hazardous wastes to be designed, constructed, and operated in accordance with applicable hazardous materials and waste management laws and regulations.

OBJECTIVE NS-5 Protect the safety, health, and welfare of persons and property on the ground and in aircraft by minimizing exposure to airport-related hazards.

Policy NS-5-a Land Use and Height. Incorporate and enforce all applicable Airport Land Use Compatibility Plans (ALUCPs) through land use designations, zoning, and development standards to support the continued viability and flight operations of Fresno's airports and to protect public safety, health, and general welfare.

- Limit land uses in airport safety zones to those uses listed in the applicable ALUCPs as compatible uses, and regulate compatibility in terms of location, height, and noise.
- Ensure that development, including public infrastructure projects, within the airport approach and departure zones complies with Part 77 of the Federal Aviation Administration Regulations (Objects Affecting Navigable Airspace), particularly in terms of height.

Policy NS-5-b Airport Safety Hazards. Ensure that new development, including public infrastructure projects, does not create safety hazards such as glare from direct or reflective sources, smoke, electrical interference, hazardous chemicals, fuel storage, or from wildlife, in violation of adopted safety standards.

Policy NS-5-c Avigation Easements. Employ avigation easements in order to secure and protect airspace required for unimpeded operation of publicly owned airports.

Policy NS-5-d Disclosure. As a condition of approval for residential development projects, require sellers to prepare and provide State Department of Real Estate Disclosure statements to property buyers notifying of noise and safety issues related to airport operations.

Policy NS-5-e Planned Expansion. Allow for the orderly expansion and improvement of publicly owned airports, while minimizing adverse environmental impacts associated with these facilities.

- Periodically update airport facility master plans in accordance with FAA regulations.
- Require land use within the boundaries of the Fresno-Yosemite International Airport and Chandler Downtown Airport to conform to designations and policies specified in adopted City of Fresno compatible land use plans.
- Provide local jurisdictions surrounding the City's publicly owned airports with specific guidelines for effectively dealing with the presence and operation of these airports.

OBJECTIVE NS-6 Foster an efficient and coordinated response to emergencies and natural disasters.

Policy NS-6-a County Multi-Jurisdiction Hazard Mitigation Plan. Implement the Fresno County Multi-Jurisdiction Hazard Mitigation Plan and City of Fresno Local Hazard Mitigation Plan Annex.

Policy NS-6-b Disaster Response Coordination. Maintain coordination with other local, State, and Federal agencies to provide coordinated disaster response.

Policy NS-6-c Emergency Operations Plan. Update the City's Emergency Operations Plan periodically, using a whole community approach which integrates considerations for People with access and functional needs in all aspects of planning.

Policy NS-6-d Evacuation Planning. Maintain an emergency evacuation plan in consultation with the Police and Fire Departments and other emergency service providers, which shows potential evacuation routes and a list of emergency shelters to be used in case of catastrophic emergencies.

Policy NS-6-e Critical Use Facilities. Ensure critical use facilities (e.g. City Hall, police and fire stations, schools, hospitals, public assembly facilities, transportation services) and other structures that are important to protecting health and safety in the community remain operational during an emergency.

- Site and design these facilities to minimize their exposure and susceptibility to flooding, seismic and geological effects, fire, and explosions.
- Work with the owners and operators of critical use facilities to ensure they can provide alternate sources of electricity, water, and sewerage in the event that regular utilities are interrupted in a disaster.

Policy NS-6-f Emergency Vehicle Access. Require adequate access for emergency vehicles in all new development, including adequate widths, turning radii, hard standing areas, and vertical clearance.

Policy NS-6-g Emergency Preparedness Public Awareness Programs. Continue to conduct programs to inform the general public, including people with access and functional needs, of the City's emergency preparedness and disaster response procedures.

City of Fresno Proposed Text Amendment for Ministerial Approval

The City of Fresno's proposed Text Amendment for ministerial approval prohibits ministerial approval of projects in "Sensitive Areas" or which exceed development or impact thresholds. The following language would prohibit approval of a project that is located on a parcel that contains any of the following characteristics related to hazards and hazardous materials. Projects that meet these characteristics would be required to obtain a Development Permit. The full Text Amendment is provided in **Appendix E**.

B. Exceptions

1. Sensitive Areas. A project that is located on a parcel that contains any of the following characteristics must obtain a Development Permit.
 - d. Safety Zones 1 (RPZ), 2 (IADZ) or 3 (ITZ) within the Airport Influence Area as designated by the Airport Land Use Commission of Fresno County;
 - e. Hazardous sites (e.g. Cortese List references);
2. Development or Impact Thresholds. A project site that is determined to require additional review or improvements based on a technical study or analysis required pursuant to any of the following, must obtain a Development Permit unless otherwise specified below.
 - a. If after a Phase I ESA is completed, a Phase II ESA is recommended.

4.9.2 Impact Assessment

- a) ***Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?***

Less than Significant Impact with Mitigation Incorporated. Although no specific development is proposed, the Project proposes a Zoning Ordinance Text Amendment that would permit residential development in office, multi-family, and mixed-use zones. These zone districts do not permit manufacturing, processing, or heavy industrial uses that typically involve the use, storage, and transport of hazardous materials. Future, storage, use, and disposal of hazardous materials is typically lessened with residential uses. However, restriction of manufacturing, processing, or heavy industrial uses in these zone districts does not eliminate the potential for upset or accidental conditions that occur during construction or operation of future residential development.

Ground-disturbing activities could expose contaminated soils from aerially deposited lead (e.g., roadsides and medians) or organochlorinated pesticides (e.g., agricultural, weed abatement, or related activities). Building/structure demolition or modifications would expose lead-based paints or products, asbestos containing materials and polychlorinated biphenyl caulk (e.g., buildings or structures built prior to 1978). Or, imported soils to backfill excavated areas could be contaminated and the transport and use of those soils on the development site could create a hazard.

Compliance with local, state, and federal regulations, including but not limited to compliance with EPA's oil spills prevention and preparedness regulations, California Office of Emergency Services implementation of hazardous materials accident prevention, and California Department of Toxic Substance Control permitting, regulations as administered by Fresno County, and Fresno General Plan policies under *Objective NS-4*, in addition to standard equipment operating practices as indicated in operator manuals, would minimize the potential for impacts. To further reduce impacts, the Project shall incorporate **MM HAZ-1** and **MM HAZ-2** as described below. Incorporation of mitigation would reduce impacts to less than significant.

MM HAZ-1: *Prior to the issuance of a grading permit, project applicants for all future development projects within the Project Area that 1) would involve ground-disturbing activities that would expose soils and/or 2) result in the demolition or modification of buildings constructed prior to 1978 shall complete a Phase I ESA (performed in accordance with the current ASTM Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process [E 1527]) for each individual property prior to development or redevelopment to ascertain the presence or absence of Recognized Environmental Conditions (RECs), Historical Recognized Environmental Condition (HRECs), and Potential Environmental Concerns (PECs). The findings and conclusions of the Phase I ESA shall become the basis for potential recommendations for follow-up investigation, including Phase II ESA, site characterization, and/or remedial activities if found to be warranted. Regulatory concurrence shall be provided by a State of California environmental regulatory agency such as California Department of Toxic Substances Control, Regional Water Quality Control Board, Fresno County Environmental Health Department, or a local agency that meets the requirements of Assembly Bill AB 304. Concurrence shall indicate the site is safe for construction and the proposed use.*

MM HAZ-2: *In order to minimize the potential of introducing contaminated fill material onto a site, it is necessary to verify through documentation that the fill source is appropriate and/or to have the fill material analyzed for potential contaminants based on the location and history of the source area. Fill documentation shall include detailed information on the previous use of the land from where the fill is taken, whether an environmental site assessment was performed and its findings, and the results of any testing performed. Any such documentation must be signed by an appropriately licensed (CA-registered) individual. If such documentation is not available or is inadequate, samples of the fill material should be chemically analyzed.*

Analysis of the fill material should be based on the source of the fill and knowledge of the prior land use. Detectable amounts of compounds of concern within the fill material should be evaluated for risk in accordance with the Department of Toxic Substances Control Preliminary Endangerment Assessment (PEA) Guidance Manual, in addition to Regional Water Quality Control Board guidelines for reuse of non-hazardous petroleum hydrocarbon contaminated soil. If metal analyses are performed, only those metals (CAM 17 / Title 22) to which risk levels have been assigned need to be evaluated. The findings and conclusions of the documentation and analysis shall become the basis for potential recommendations for follow-up investigation, including Phase I ESA, II ESA, site characterization, and/or remedial activities if found to be warranted. Regulatory concurrence shall be provided by a State of California environmental regulatory agency such as California Department of Toxic Substances Control, Regional Water Quality Control Board, Fresno County Environmental Health Department, or a local agency that meets the requirements of Assembly Bill AB 304. Concurrence shall indicate the site is safe for construction and the proposed use.

- b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?*

Less than Significant Impact with Mitigation Incorporated. As described under criterion a) above, while it is not anticipated that the types of future residential uses within the Project Area would involve any operations that would require routine transport, use, or disposal of hazardous materials, the potential for upset or accidental conditions is not eliminated. Compliance with local, state, and federal regulations, and standard equipment operating practices would minimize the potential for impacts, which would be further reduced by **MM HAZ-1** and **MM HAZ-2** as described above. With mitigation incorporated, impacts would be less than significant.

- c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?*

Less than Significant Impact with Mitigation Incorporated. There are several schools within one-quarter mile of the Project Area. Although no development is proposed by the Project, it can be anticipated that future development would occur within one-quarter mile of existing or proposed schools. As described under criteria a) and b), potential impacts from hazardous materials would be mitigated through compliance with local, state, and federal regulations in addition to standard equipment operating practices, and **MM HAZ-1** and **MM HAZ-2**. Therefore, the Project would have a less than significant impact with mitigation incorporated

- d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?*

Less than Significant Impact with Mitigation Incorporated. The California Environmental Protection Agency (EPA) Cortese List Data Resources compiles five (5) lists that provide information on hazardous materials facilities or sites meeting the Cortese List requirements.³⁴ This database identifies hazardous waste facilities in accordance with Government Code Section 65962.5. The Cortese List includes:

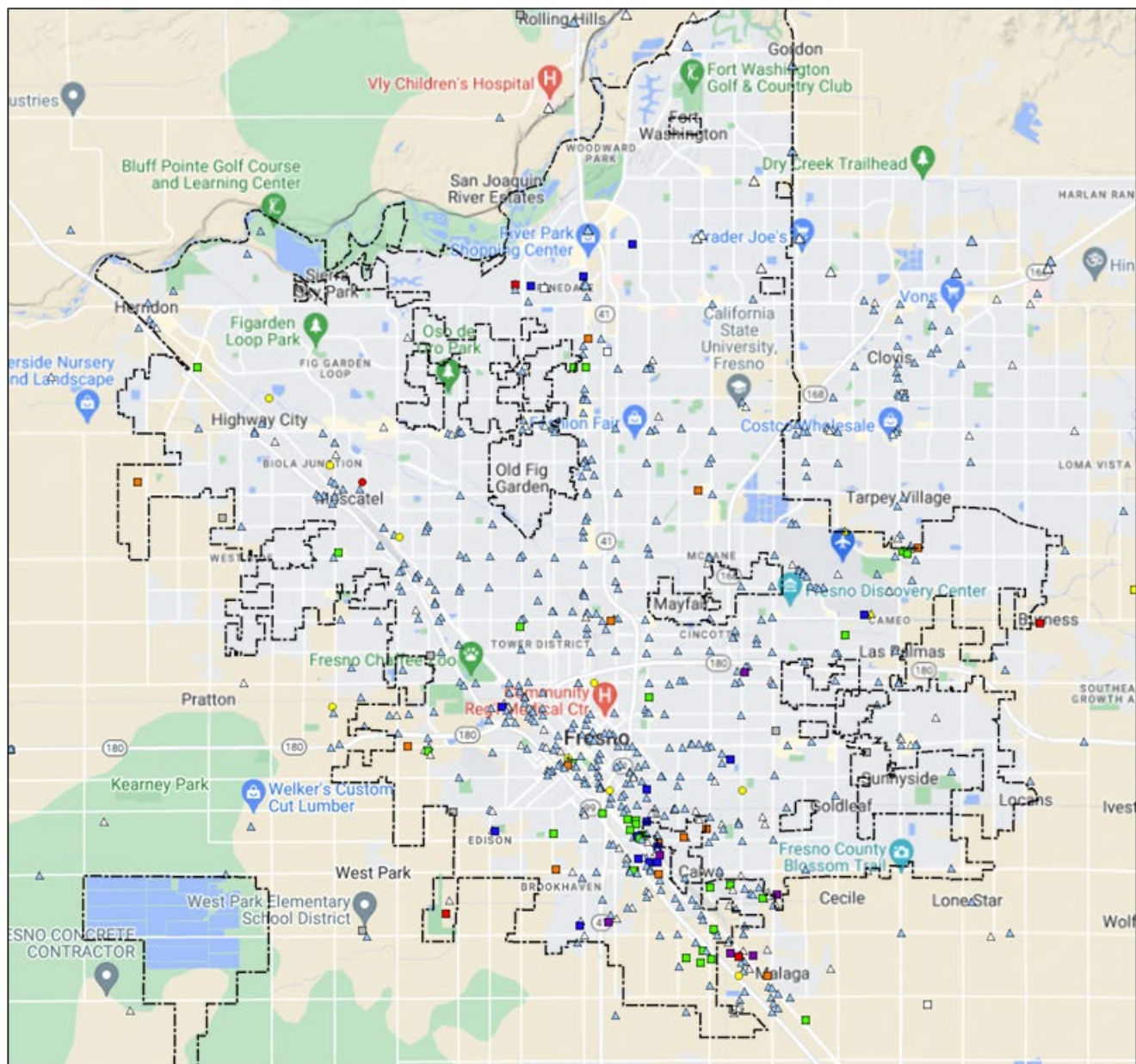
³⁵ California Department of Toxic Substances Control. Envirostor. Accessed May 30, 2024, https://www.envirostor.dtsc.ca.gov/public/map/?global_id=38330005

- List of Hazardous Waste and Substances sites from Department of Toxic Substances Control (DTSC) EnviroStor database.
- List of Leaking Underground Storage Tank Sites from the State Water Board's GeoTracker database.
- List of solid waste disposal sites identified by Water Board with waste constituents above hazardous waste levels outside the waste management unit.
- List of "active" CDO and CAO from Water Board.

List of hazardous waste facilities subject to corrective action pursuant to *Section 25187.5* of the Health and Safety Code, identified by DTSC. There are properties within the Project Area that have known contaminated groundwater, aquifers, and soils. These hazardous sites are mapped in **Figure 4-9** based on data from the EnviroStor and GeoTracker databases.³⁵ The Project includes a Text Amendment that would allow new multi-family residential development on Office-zoned parcels, either ministerially or with a discretionary permit, and allow ministerial approval of multi-family residential development on parcels in multi-family zone districts that are within ½ mile of an existing bus stop. The Text Amendment would prohibit ministerial approval of new multi-family residential development on parcels within the Project Area that are included on a list of hazardous materials sites pursuant to Government Code Section 65962.5.

However, there is potential that future development resulting from Project implementation could develop on a site that is included on the list of hazardous materials sites compiled pursuant to Government Code *Section 65962.5*. Contaminated sites are required by local, state, and federal regulations to be cleaned up. Clean up activities typically include decontamination and remediation, subject to applicable procedures, protocols, and standards as required by the oversight agency. Compliance with these requirements would reduce potential impacts, but not does eliminate the potential where hazardous materials are currently unknown and not listed in databases to be found. Incorporation of **MM HAZ-1** and **MM HAZ-2** as described under criterion a) would require site assessments and remediation activities, which would reduce impacts to less than significant.

³⁵ California Department of Toxic Substances Control. Envirostor. Accessed May 30, 2024, https://www.envirostor.dtsc.ca.gov/public/map/?global_id=38330005



Cleanup Sites

- Federal Superfund
- State Response
- Voluntary Cleanup
- School Cleanup
- Evaluation
- School Investigation
- Military Evaluation
- Tiered Permit
- Corrective Action

Permitted Sites

- Operating
- Post-Closure
- Non-Operating

GeoTracker Sites

- ▲ GeoTracker LUST Cleanup
- ▲ GeoTracker Cleanup Program
- ▲ GeoTracker Military Cleanup

Source: Envirostor
Accessed Date: May 30, 2024

----- City Limits

Figure 4-9 Hazardous Waste Sites

- e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?*

Less than Significant Impact. There are three (3) airports located in Fresno: Fresno-Yosemite International Airport, Fresno Chandler Executive Airport, and Sierra Sky Park (private). The environs of these public use airports in Fresno County are protected by provisions in the state-mandated Airport Land Use Compatibility Plan (ALUCP). The ALUCP is intended to protect and promote the safety and welfare of residents, businesses, and airport users near the public use airports by ensuring that people and facilities are not concentrated in areas susceptible to aircraft accidents, protecting the public from the adverse effects of airport noise, and ensuring that no structures or activities encroach upon, or adversely effect, the use of navigable airspace.

The geographic scope for the ALUCP is demarcated by an Airport Influence Area (AIA) boundary for each airport within the plan. According to the ALUCP, the AIA is “the area in which current and projected future airport-related noise, safety, airspace protection, or overflight factors/layers may significantly affect land use or necessitate restrictions on uses by an ALUC.” Within each AIA is a delineated “safety zone.” Each safety zone has applicable land use compatibility standards to restrict the development of land uses that could pose particular hazards to the public or to vulnerable populations in case of an aircraft accident. The safety zone land use compatibility standards also include intensity criteria, or maximum densities, intensities (persons per acre), and required open space.

There are approximately 15 parcels within the Project Area that are within an AIA boundary and are within an airport safety zone ([Table 4-11](#)). The subject parcels are within Zone 1 – Runway Protection Zone (RPZ), Zone 2 – Inner Approach/Departure Zone (IADZ), or Zone 3 – Inner Turning Zone (ITZ). Of these zones, all structures are prohibited in Zone 1 (RPZ) and residential uses are prohibited in Zone 2 (IADZ) and Zone 3 (ITZ), except for very low density residential (i.e., less than one (1) dwelling unit per 10 acres) and infill in developed areas. According to the ALUCP, a parcel can be considered for infill development if it meets all the following criteria listed below.

- The parcel size is no larger than 10.0 acres.
- At least 65% of the site’s perimeter is bounded (disregarding roads) by existing uses similar to, or more intensive than those proposed. For projects adjacent to an undeveloped parcel, the closest developed lot may be used.
- The proposed project would not extend the perimeter of the area defined by the surrounding, already developed, incompatible uses.
- Further increases in the residential density, nonresidential usage intensity, and/or other incompatible design or usage characteristics (e.g., through use permits, density transfer, addition of second units on the same parcel, height variances, or other strategy) are prohibited.
- The area to be developed cannot previously have been set aside as open land in accordance with policies contained in this compatibility plan unless replacement open land is provided within the same compatibility zone.
- For residential development, the average development density (dwelling units per gross acre) of the project site shall not exceed the average density represented by all existing lots that lie fully or partially within a distance of 300 feet from the boundary of the parcel to be divided.

Table 4-11 Parcels within the Project Area that are in an AIA/Safety Zone

APN	Lot Area (acres)	Zone District	AIA	Safety Zone
458-090-51	0.89	O	Fresno Chandler Executive Airport	Zone 3 (ITZ)
458-090-56	1.08	O	Fresno Chandler Executive Airport	Zone 3 (ITZ)
458-090-66	0.25	O	Fresno Chandler Executive Airport	Zone 3 (ITZ)
458-090-70	8.51	O	Fresno Chandler Executive Airport	Zone 3 (ITZ)
464-040-63	4.76	O	Fresno Chandler Executive Airport	Zone 3 (ITZ)
464-040-86T	2.82	O	Fresno Chandler Executive Airport	Zone 3 (ITZ)
507-030-09	0.17	O	Sierra Sky Park	Zone 3 (ITZ)
507-030-10	0.29	O	Sierra Sky Park	Zone 3 (ITZ)
507-030-13	2.06	O	Sierra Sky Park	Zone 2 (IADZ) Zone 3 (ITZ)
507-030-14	0.29	O	Sierra Sky Park	Zone 2 (IADZ) Zone 3 (ITZ)
507-030-15	2.13	O	Sierra Sky Park	Zone 2 (IADZ) Zone 3 (ITZ)
507-030-16	2.18	O	Sierra Sky Park	Zone 2 (IADZ) Zone 3 (ITZ)
507-030-40	4.19	O	Sierra Sky Park	Zone 2 (IADZ) Zone 3 (ITZ)
507-030-47S	2.58	O/CG/OS	Sierra Sky Park	Zone 1 (RPZ) Zone 2 (IADZ)
507-030-48ST	14.58	O/OS	Sierra Sky Park	Zone 1 (RPZ) Zone 2 (IADZ)

The Project includes a Text Amendment that would allow new multi-family residential development on Office-zoned parcels, either ministerially or with a discretionary permit, and allow ministerial approval of multi-family residential development on parcels in multi-family zone districts that are within ½ mile of an existing bus stop. The Text Amendment would prohibit ministerial approval of new multi-family residential development on parcels within the Project Area that are within an AIA/safety hazard zone as identified in **Table 4-11** and discussed above.

According to the ALUCP, proposed development actions determined to be consistent or conditionally consistent with the ALUCP do not require further review, unless the proposed development is within the AIA and one or more of the following conditions occur (listed below). The purpose of the consistency assessment is to restrict development that could pose hazard to public or vulnerable populations in case of an aircraft accident.

The consistency determination results in one of three (3) findings including 1) consistent with all four (4) compatibility factors in the ALUCP, 2) conditionally consistent with the ALUCP, or 3) not consistent with the ALUCP. If the project is deemed consistent with all four (4) compatibility factors in the ALUCP, the local agency may proceed with its decision. If the project is deemed conditionally consistent with the ALUCP, then conditions that correspond to the policies and standards of the ALUCP would be applied; responsibility to ensure compliance with conditions

would rest with the local agency. If the project is deemed inconsistent with the ALUCP, then the local agency may not approve the proposed project unless it overrules the finding in accordance with State Law.

As such, future development on parcels within an AIA and designated safety zones, including Zone 1 (RPZ), Zone 2 (IADZ), and Zone 3 (ITZ) would be subject to review by the Fresno COG ALUC and/or subject to verification of compliance with the ALUCP by City staff to determine land use compatibility and receive a finding of consistency prior to approval. Therefore, through compliance with the ALUCP, the Project would not result in a safety hazard for people residing or working in the area and impacts would be less than significant.

f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Less than Significant Impact. The City of Fresno's Emergency Operations Plan describes City actions during a response to an emergency, including coordination between the City and other local, state, and federal agencies. The lead departments for local emergency response efforts are the Fresno Police Department and Fresno Fire Department. Implementation of the Project would result in Zoning Ordinance Text Amendments that could facilitate future development within the Project Area. When proposed, future development within the Project Area would be reviewed to ensure that they do not impair infrastructure associated with evacuation, emergency response, and emergency access routes within the City or County. Construction of off-site improvements may require lane closures; however, these activities would be short-term and access through existing roadways would be maintained through standard traffic control plans. Furthermore, future development would be subject to compliance with applicable standards for on-site emergency access including turn radii and fire access pursuant to the City of Fresno Fire Department, Fire Prevention Manual Development Standards. Compliance would be verified through the zone clearance review process. In addition, future development would not impede the implementation of General Plan objective NS-6 policies NS-6-a to NS-6-g. Therefore, through the development review process and General Plan compliance, the Project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan and impacts would be less than significant.

g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?

Less than Significant Impact. According to the Fresno General Plan, wildfire threats to Fresno are minimal because the city is largely urbanized or working agricultural land and lacks steep topography. Although the city is proximate to high and very high fire hazard designated area, the urbanized area is categorized as little or no threat or moderate fire hazard which is attributed to its paved areas. Furthermore, the Project Area is not identified by the California Department of Forestry and Fire Protection (Cal Fire) to be within a Fire Hazard Severity Zone (FHSZ) within the Local Responsibility Area (LRA).³⁶ In addition, the Project Area would be developed with structures that could be occupied by humans; as such, the structures shall be constructed in adherence to the Wildland Urban Interface Codes and Standards of the California Building Code Chapter 7A. Compliance with such regulations would ensure that future development meets standards to help prevent loss, injury, or death involving wildland fires. For these reasons, the Project would have a less than significant impact.

³⁶ California Department of Forestry and Fire Protection. Fire Hazard Severity Zone Viewer Area. Accessed on May 30, 2024, <https://experience.arcgis.com/experience/03beab8511814e79a0e4eabf0d3e7247/>

4.9.3 Mitigation Measures

The Project shall implement and incorporate, as applicable, the hazards and hazardous material related mitigation measures as identified in this section, and in the **MITIGATION MONITORING AND REPORTING PROGRAM** contained in **SECTION 5**.

MM HAZ-1: *Prior to the issuance of a grading permit, project applicants for all future development projects within the Project Area that 1) would involve ground-disturbing activities that would expose soils and/or 2) result in the demolition or modification of buildings constructed prior to 1978 shall complete a Phase I ESA (performed in accordance with the current ASTM Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process [E 1527]) for each individual property prior to development or redevelopment to ascertain the presence or absence of Recognized Environmental Conditions (RECs), Historical Recognized Environmental Condition (HRECs), and Potential Environmental Concerns (PECs). The findings and conclusions of the Phase I ESA shall become the basis for potential recommendations for follow-up investigation, including Phase II ESA, site characterization, and/or remedial activities if found to be warranted. Regulatory concurrence shall be provided by a State of California environmental regulatory agency such as California Department of Toxic Substances Control, Regional Water Quality Control Board, Fresno County Environmental Health Department, or a local agency that meets the requirements of Assembly Bill AB 304. Concurrence shall indicate the site is safe for construction and the proposed use.*

MM HAZ-2: *In order to minimize the potential of introducing contaminated fill material onto a site, it is necessary to verify through documentation that the fill source is appropriate and/or to have the fill material analyzed for potential contaminants based on the location and history of the source area. Fill documentation shall include detailed information on the previous use of the land from where the fill is taken, whether an environmental site assessment was performed and its findings, and the results of any testing performed. Any such documentation must be signed by an appropriately licensed (CA-registered) individual. If such documentation is not available or is inadequate, samples of the fill material should be chemically analyzed. Analysis of the fill material should be based on the source of the fill and knowledge of the prior land use. Detectable amounts of compounds of concern within the fill material should be evaluated for risk in accordance with the Department of Toxic Substances Control Preliminary Endangerment Assessment (PEA) Guidance Manual, in addition to Regional Water Quality Control Board guidelines for reuse of non-hazardous petroleum hydrocarbon contaminated soil. If metal analyses are performed, only those metals (CAM 17 / Title 22) to which risk levels have been assigned need to be evaluated. The findings and conclusions of the documentation and analysis shall become the basis for potential recommendations for follow-up investigation, including Phase I ESA, II ESA, site characterization, and/or remedial activities if found to be warranted. Regulatory concurrence shall be provided by a State of California environmental regulatory agency such as California Department of Toxic Substances Control, Regional Water Quality Control Board, Fresno County Environmental Health Department, or a local agency that meets the requirements of Assembly Bill AB 304. Concurrence shall indicate the site is safe for construction and the proposed use.*

4.10 HYDROLOGY AND WATER QUALITY

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?			X	
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?			X	
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or through the addition of impervious surfaces, in a manner which would:		X		
i. Result in a substantial erosion or siltation on- or off-site;			X	
ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site:			X	
iii. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or		X		
iv. Impede or redirect flood flows?			X	
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?			X	
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?			X	

4.10.1 Environmental Setting

Water

The City of Fresno Water Division manages and operates the City of Fresno's water system. According to the 2020 Urban Water Management Plan, the City's water system consists of about 1,909 miles of distribution and transmission mains, 270 municipal groundwater wells, three surface water treatment plants, five water storage facilities with pump stations, and three booster pump stations. The water system covers approximately 115 square miles and serves a population of about 550,200.

Fresno meets its demand for domestic water from a combination of groundwater, treated surface water, and reclaimed water sources. Groundwater is accessed from the Kings River Sub-basin of the San Joaquin Valley Groundwater Basin, while surface water from the Central Valley Project on the San Joaquin River and Fresno Irrigation District on the Kings River, which are treated at the Northeast Surface Water Treatment Facility, the Southeast Surface Water Treatment Facility, and T-3 Water Storage and Surface Water Treatment Facility. Surface water is also used to replenish the groundwater aquifer through Fresno's recharge program at the City-owned Leaky Acres, Nielsen Recharge Facility, and a cooperative agreement with the Fresno Metropolitan Flood Control District (FMFCD) to utilize over 70 ponding basins across the city.

*2019 Drinking Water Infrastructure Renewal and Replacement (R&R) Plan*³⁷

The water infrastructure assets of the City of Fresno include a supply system that includes 270 active groundwater supply wells, three (3) treatment facilities (Northeast Surface Water Treatment Facility, and Southeast Surface Water Treatment Facility, and T-3 Water Storage and Surface Water Treatment Facility) and a transmission/distribution system with over 1,909 miles of mains, service lines, pumps, and storage tanks. The R&R Plan identifies drinking water infrastructure assets in the city that need renewal or replacement. City pipelines are selected and prioritized for renewal under the risk assessment using five (5) criteria: pipe material failure history, pipe maintenance trend, percent design capacity, maximum pressure, and pipeline age. The Plan identifies the high and extreme risk pipelines and shows the location of pipeline renewal/replacement projects for the 5-year budget planning horizon. Pipelines of higher risk are largely located near the downtown area.

Bakman Water Company

Bakman Water Company is a Class "B" water utility that has served the community since 1948 and currently provides water service to a population of approximately 17,000 – 18,000 people in southeast Fresno. **Figure 4-10** shows Bakman Water Company's service area within the City of Fresno. Bakman Water Company's infrastructure system includes 13 groundwater wells, distribution lines, water tanks, pumping stations, etc. Bakman Water Company is regulated by the California Public Utilities Commission (CPUC) to provide service to all commercial, residential, or industrial customers within its service area. Approximately 3.6% of the Project Area, or 400 parcels totaling approximately 259.3 acres, are within Bakman Water Company's service area.

Pinedale County Water District

Pinedale County Water District provides water, sewer, and solid waste services to approximately 2 square miles within the City of Fresno and an unincorporated County Island surrounded by the city. Pinedale serves a total of

³⁷ AKEL Engineering Group, Inc. (2019). City of Fresno 2019 Drinking Water Infrastructure Renewal and Replacement Plan.

16,736 population, with an infrastructure system that includes five (5) active wells and connection to 273 commercial and 1,847 residential properties. Approximately 2.5% of the Project Area, or 433 parcels totaling approximately 182.2 acres, are within Pinedale County Water District's service area.

Pre-Consultation with the City's Department of Public Utilities (DPU) Water Division was conducted for the proposed Project on April 8, 2024. The City of Fresno – Department of Public Utilities provided no comments.

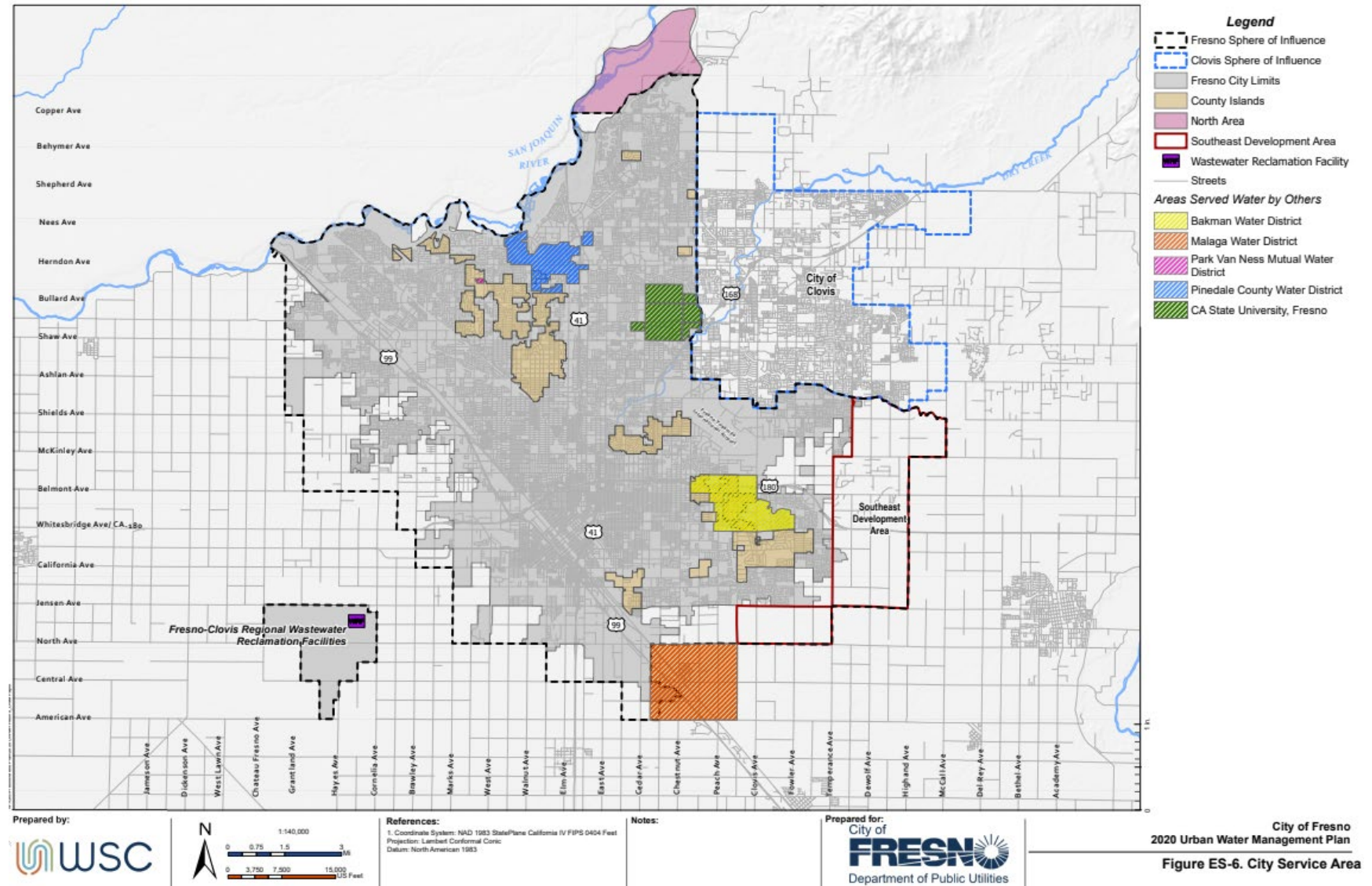


Figure 4-10 City of Fresno Water Service Areas
Source: City of Fresno 2020 Urban Water Management Plan

Stormwater

The Fresno Metropolitan Flood Control District (FMFCD) manages stormwater runoff in Fresno. The major elements of the FMFCD's flood control system include dams, reservoirs, and detention basins. The FMFCD is responsible for reviewing development proposals to assess drainage and flood control impacts and needs, in addition to determining applicable requirements and modifications needed in order to implement the Storm Drainage and Flood Control Master Plan.

4.10.2 Impact Assessment

- a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?*

Less than Significant Impact. Construction and operational activities associated with future development within the Project Area could degrade the quality of stormwater flows, which could potentially degrade surface or ground water quality. Future development resulting from Project implementation would be required to comply with applicable requirements related to water quality, including on-site stormwater detention or retention and materials handling during construction and operation. Compliance with these regulations would reduce the potential for violation of water quality standards or waste discharge requirements other otherwise substantially degrade surface or groundwater quality.

Construction Impacts

Construction activities, such as grading and excavation, associated with future development resulting from Project implementation could degrade water quality through soil erosion which could increase discharge of silt and debris into stormwater runoff. Other potential impacts could result from use of solvents, fuels, and paints, storage of materials that could involve a release of hazardous materials, trash, or sediment.

Future development would be required to comply with local and state water quality laws and regulations. Development that would disturb one (1) or more acre of soil would be required to prepare a Stormwater Pollution Prevention Plan (SWPPP) under the National Pollutant Discharge Elimination System (NPDES) and General Permit Order No. 2012-0006-DWQ. The SWPPP would estimate the sediment risk associated with construction activities and includes Best Management Practices (BMPs) to control erosion. BMPs specific to erosion control generally cover erosion, sediment, tracking, and waste management controls. Implementation of the SWPPP minimizes the potential for future development to result in substantial soil erosion or loss of topsoil. Construction activities would also be required to comply with FMC Chapter 6, Municipal Services and Utilities, Article 7, Urban Storm Water Quality Management and Discharge Control.

These existing provisions requiring erosion and sediment controls and implementation of BMPs to capture, detain, and control runoff minimize the potential for developments to violate any waste discharge requirements or otherwise substantially degrade surface or ground water quality. Impacts would be less than significant.

Operational Impacts

Future development could result in impacts to surface water quality from stormwater runoff. Project implementation could result in new impervious areas such as roadways, driveways, parking lots, and buildings associated with new development. Approximately 94.9% of sites within the Project Area are developed with existing structures and improvements and are surrounded by off-site improvements including curbs, gutters, sidewalks, and

roadways. Therefore, future development would be within mostly developed areas with urban uses, resulting in runoff conditions that would be like current conditions of surrounding uses. However, there are portions of the Project Area (i.e., approximately 5.1% of sites) that are undeveloped and pervious, including vacant lands. Implementation of the Project could result in future development of these undeveloped sites, which would add new impervious surfaces that could increase stormwater runoff. Future development within the Project Area would be regulated by FMFCD's Storm Water Quality Management Plan, approved grading and drainage plans, and General Plan policies and FMC requirements, subject to specific stormwater control requirements. Required compliance would reduce potential impacts related to water quality and waste discharge.

Overall, the Project would not violate water quality standards or waste discharge requirements during construction or operational activities because future development would be required to comply with, FMFCD's Storm Water Quality Management Plan, NPDES Permit, BMPs, approved grading and drainage plans, General Plan policies, and FMC requirements. Through compliance with these regulations and policies, the Project would have a less than significant impact.

b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

Less than Significant Impact. The City is within the Kings Subbasin, which is a high-priority and overdraft basin. The City pumps groundwater from a portion of the Kings subbasin. The Kings Subbasin Groundwater Sustainability Plan (GSP) was adopted in 2023 and contains actions that would bring the subbasin into sustainability by 2040.

The City's long-term water resource planning for existing and future demand is addressed in the City's 2020 Urban Water Management Plan (UWMP).³⁸ According to the UWMP, water demand in the city has decreased over the past two (2) decades and is expected to grow at a slower rate than the anticipated population growth. As stated in the UWMP, "The overall water usage patterns of the City have been greatly reduced due to its conservation measures and metering of all services. Prior to January 2013, nearly all of the City's single-family residential water customers had been billed on a monthly flat rate structure; they were unaware of the water they actually used and had no real incentive to conserve water... Since completion of the project, residential water demands have dramatically decreased."

This trend is captured by the daily per capita water use, measured as gallons per capita per day (GPCD). For 2020, water use averaged 198 GPCD based on 121,993 acre-feet (AF) of water production. Of note, this GPCD is below the 2020 daily per capita water use target of 247 GPCD, which the UWMP attributes to conservation efforts implemented by the City. According to the UWMP, the City's per capita water usage is projected to continue to decline through 2045 due to more water efficiency in future construction and passive conservation pursuant to requirements of the California Plumbing Code (e.g., use of higher efficiency appliances, water efficient landscaping, etc.).

The UWMP addresses the sufficiency of the groundwater supplies for existing and planned future uses. The UWMP uses the General Plan land use designations to analyze future water demand. According to the General Plan, "the

³⁸ City of Fresno (2021). 2020 Urban Water Management Plan. Accessed June 12, 2024 https://www.fresno.gov/publicutilities/wp-content/uploads/sites/16/2021/06/Fresno-2020-UWMP_Public-Draft_2021-06-29.pdf

projected water demand for the City at full build out of the approved General Plan, based on a population of 970,000 and a per capita water demand of 247 gallons per capita per day (gpcd) from the 2015 UWMP, would be 268,375 acre feet(AF)/year ... The 2015 UWMP, assuming treated water supplies, recycled water supplies, and pumped groundwater remain the same, the total supply of water would be 366,200 AF/year. Although the projected water supply may change based on updated agreements with water providers, water supply projected in the UWMP would be more than the buildout demand.” The Project would not result in changes to the General Plan land use designations and future development resulting from Project implementation would be like that included in the General Plan. Impacts would be less than significant.

As discussed under criterion a), future development of vacant parcels resulting from Project implementation could result in new impervious surfaces. The addition of new impervious surfaces has the potential to reduce rainwater infiltration and recharge groundwater. According to FMFCD, rainfall and stormwater runoff in the Fresno area is collected and conveyed through a network of pipelines to 155 stormwater basins where it slowly percolates through the soil to the groundwater aquifer. Future development would be required to comply with FMFCD’s Storm Water Quality Management Plan, NPDES Permit, BMPs, approved grading and drainage plans, General Plan policies, and FMC requirements. Compliance would include detention or retention basins and water quality BMPs to manage, retain, and treat runoff from new impervious surfaces. Therefore, the potential for the Project to interfere substantially with groundwater recharge such that the Project would impede sustainable groundwater management of the subbasin is limited and impacts would be less than significant.

- c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or through the addition of impervious surfaces, in a manner which would:*
 - i. Result in substantial erosion or siltation on- or off-site?*

Less than Significant Impact. Erosion is a natural process in which soil is moved from place to place by wind or from flowing water. The effects of erosion within the Project Area could be accelerated by ground-disturbing activities associated with development. Siltation is the settling of sediment to the bed of a stream or lake which increases the turbidity of water. Turbid water can have harmful effects to aquatic life by clogging fish gills, reducing spawning habitat, and suppressing aquatic vegetation growth.

Approximately 94.9% of sites within the Project Area are developed with existing structures and improvements and are surrounded by off-site improvements including curbs, gutters, sidewalks, and roadways. The remaining 5.1% of the Project area contains undeveloped and vacant sites. None of these sites are adjacent to or in proximity to a stream or river. However, these sites generally include bare soil which would be more susceptible to erosion than urbanized and developed land.

Soil erosion and loss of topsoil can be caused by natural factors, such as wind and flowing water, and human activity, such as construction activities. Future development resulting from Project implementation would require typical site preparation activities such as grading and trenching which may result in the potential for short-term soil disturbance or erosion impacts. Soil disturbance during construction is largely caused by using water. Excessive soil erosion could cause damage to existing structures and roadways. During construction activities, and in compliance with the required SWPPP, construction-related erosion controls and BMPs would be implemented to reduce potential impacts related to erosion and siltation. These BMPs would include, but are not limited to, covering and/or binding soil surfaces to prevent soil from being detached and transported by water or wind, and the use of barriers

such as straw bales and sandbags to control sediment. Together, the controls and BMPs are intended to limit soil transportation and erosion.

Future development of vacant sites could also result in an increase in the amount of impervious surface, which could increase the volume of runoff. However, the impervious surface area would significantly reduce the amount of exposed soil which would minimize the potential for erosion and siltation. In addition, future development would be required to maintain the overall site drainage pattern and direct runoff to the proposed drainage system in compliance with FMFCD's Storm Drainage and Flood Control Master Plan and approved grading and drainage plans. Therefore, compliance with requirements would reduce or eliminate the Project's potential to substantially alter the existing drainage pattern to cause substantial erosion or siltation and impacts would be less than significant.

ii. Substantially increase the rate or amount of surface runoff in a manner, which would result in flooding on- or off-site?

Less than Significant Impact. The rate or volume of surface runoff would be affected by new development due to 1) the conversion of pervious surfaces or undisturbed soils to impervious surfaces and 2) the installation, operation, and maintenance of FMFCD approved onsite detention, retention, and drainage systems to collect and convey runoff into existing drainage facilities that are operated and maintained by FMFCD. Surface runoff from future development would be managed in accordance with the Storm Drainage and Flood Control Master Plan and project-specific grading and drainage plans that are subject to review and approved by FMFCD. Compliance with FMFCD approved grading and drainage plans would ensure that the rate or volume of surface runoff would be adequately collected, conveyed, and drained into storm drainage facilities in a manner that would not result in flooding on- or off-site. Impacts would be less than significant.

iii. Create or contribute runoff water, which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

Less than Significant Impact with Mitigation Incorporated. As discussed above, the rate or volume of surface runoff water would be affected by new development due to 1) the conversion of pervious surface or undisturbed soils to impervious surfaces and 2) the installation, operation, and maintenance of FMFCD approved onsite detention, retention, and drainage systems to collect and convey runoff into existing drainage facilities that are operated and maintained by FMFCD.

According to FMFCD's Storm Drainage and Flood Control Master Plan, FMFCD's system for storm water drainage includes 158 drainage areas, each providing service to approximately one (1) to two (2) square miles. All but five (5) of the developed drainage areas are served by a retention or detention facility. Stormwater flows into storm drain inlets, and through a network of pipes to a nearby ponding basin where it is stored to replenish the groundwater aquifer.

Approximately 94.9% of sites within the Project Area are developed with existing structures and improvements and are surrounded by off-site improvements including curbs, gutters, sidewalks, and roadways. The remaining 5.1% of the Project Area contains undeveloped and vacant sites. None of these sites are adjacent to or in proximity to a stream or river. However, these sites generally include bare soil which would be more susceptible to erosion than urbanized and developed land.

Surface runoff from future development would be managed in accordance with the Storm Drainage and Flood Control Master Plan and project-specific grading and drainage plans that are subject to review and approved by FMFCD. Compliance with FMFCD approved grading and drainage plans would ensure that the rate or volume of surface runoff would be adequately collected, conveyed, and drained into storm drainage facilities in a manner that would not result in flooding on- or off-site. However, to ensure impacts would be less than significant, the Project shall incorporate **MM HYD-1**, **MM HYD-2**, **MM HYD-3**, and **MM HYD-4** as described below. With mitigation incorporated, impacts would be less than significant.

MM HYD-1: *The City shall implement the following measures to reduce the impacts on the capacity of existing or planned SDFCMP collection systems:*

- *As development is proposed, implement current SDFCMP to provide stormwater collection systems that have sufficient capacity to convey the peak runoff rates from the areas of increased imperviousness.*
- *Require developments that increase site imperviousness to install, operate, and maintain FMFCD approved on-site detention systems to reduce the peak runoff rates resulting from the increased imperviousness to the peak runoff rates that will not exceed the capacity of the existing stormwater collection systems.*

MM HYD-2: *The City shall implement the following measures to reduce the impacts on the capacity of existing or planned SDFCMP retention basins: Prior to approval of development projects, coordinate with FMFCD to analyze the impacts to existing and planned retention basins to determine remedial measures required to reduce the impact on retention basin capacity to less than significant. Remedial measures would include:*

- *Increase the size of the retention basin through the purchase of more land or deepening the basin or a combination for planned retention basins.*
- *Require developments that increase runoff volume to install, operate, and maintain, Low Impact Development (LID) measures to reduce runoff volume to the runoff volume that will not exceed the capacity of the existing retention basins.*

MM HYD-3: *The City shall implement the following measures to reduce the impacts on the capacity of existing or planned SDFCMP urban detention (stormwater quality) basins:*

- *Prior to approval of development projects, coordinate with FMFCD to determine the impacts to the urban detention basin weir overflow rates and determine remedial measures required to reduce the impact on the detention basin capacity to less than significant. Remedial measures would include:*
- *Modify overflow weir to maintain the suspended solids removal rates adopted by the FMFCD Board of Directors.*
- *Increase the size of the urban detention basin to increase residence time by purchasing more land. The existing detention basins are already at the adopted design depth.*
- *Require developments that increase runoff volume to install, operate, and maintain, Low Impact Development (LID) measures to reduce peak runoff rates and runoff volume to the runoff rates and volumes that will not exceed the weir overflow rates of the existing urban detention basins.*

MM HYD-4: *The City shall implement the following measures to reduce the impacts on the capacity of existing or planned SDFCMP pump disposal systems:*

- *Prior to approval of development projects, coordinate with FMFCD to determine the extent and degree to which the capacity of the existing pump system will be exceeded.*
- *Require new developments to install, operate, and maintain on-site detention facilities, consistent with FMFCD design standards, to reduce peak stormwater runoff rates to existing planned peak runoff rates.*
- *Provide additional pump system capacity to maximum allowed by existing permitting to increase the capacity to match or exceed the peak runoff rates determined by the SDFCMP.*

iv. Impede or redirect flood flows?

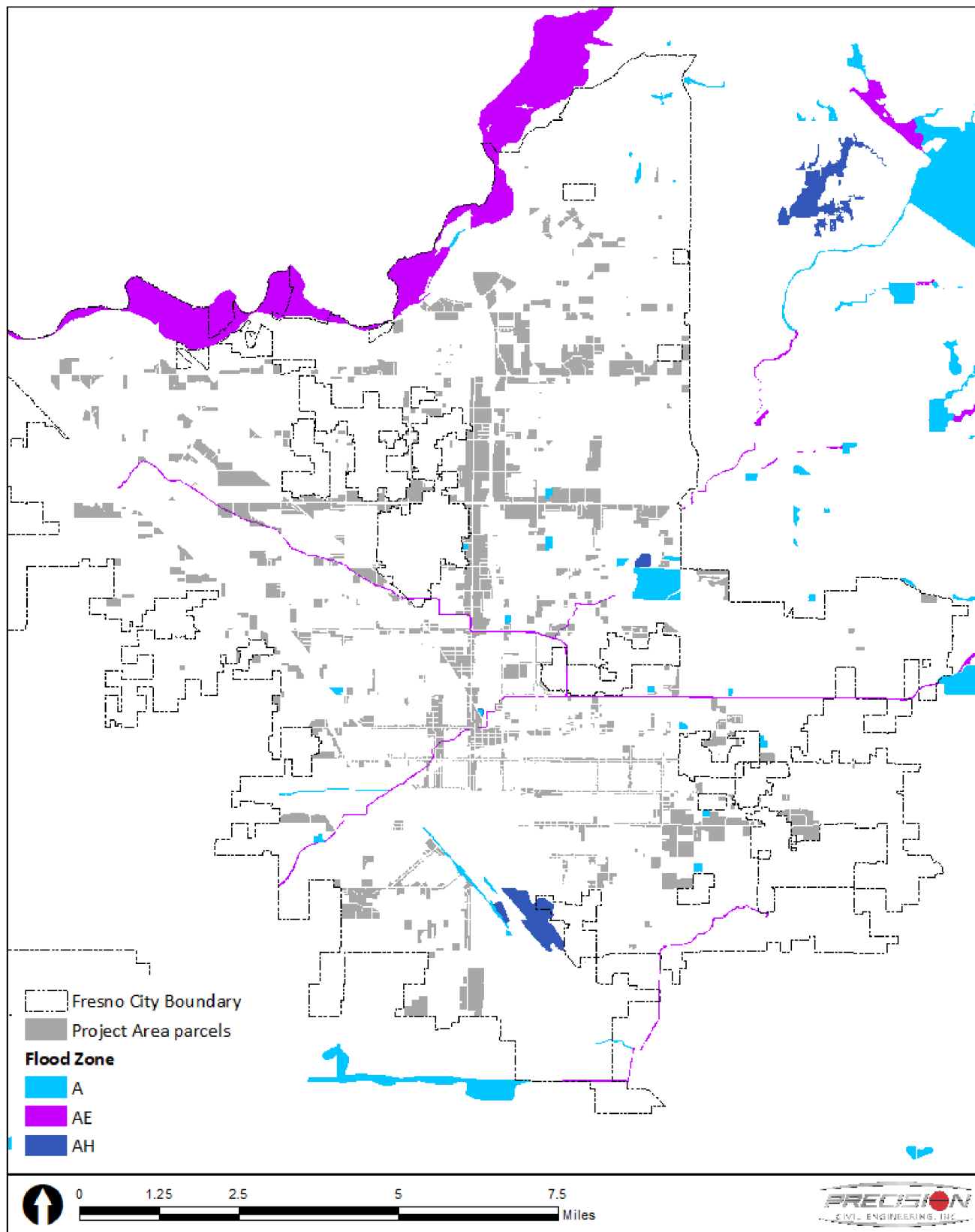
Less than Significant Impact. Future development resulting from Project implementation would be required to submit project-specific grading and drainage plans that would be reviewed and approved by the City and FMFCD. The grading and drainage plan review process would identify plans to alter creeks, streams, or irrigation canals that may affect flood flows. If these water courses would be altered, then additional review, permits, and agreements may be required to mitigate or avoid impacts to flood flows (e.g., U.S. Army Corps of Engineers, U.S. Fish and Wildlife Service, Central Valley Flood Protection Agency, RWQCB, FMCD, FID, etc.). The grading and drainage plan would not be approved without the additional review, permits, and agreements as required. Therefore, through compliance with an approved grading and drainage plan, impacts would be less than significant.

d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

Less than Significant Impact. Most of the Project Area is designated Zone X on the most recent FEMA Flood Insurance Rate Map. Zone X is an area of minimal flood hazards with a 0.2 percent annual chance of flood (i.e., 100-year and 500-year flood). **Figure 4-11** shows the FEMA flood zone map. Future development within the Project Area on sites designated Zone X would not be subject to flood insurance requirements. There are other portions of the Project Area that are within Zone AE or are adjacent to Zone A. Areas designated Zone AE are base floodplains with base flood elevations. Areas designated Zone A have one (1) percent change of flooding in any given year.

The Project includes a Text Amendment that would allow 1) office-to-dwelling conversions on Office-zoned parcels either ministerially or with a discretionary permit, 2) ministerial approval of new multi-family residential development on multi-family-zoned parcels within ½ mile of an existing bus stop, 3) ministerial approval of new multi-family residential development on Mixed Use-zone parcels in the City's Infill Priority Area, and 4) new multi-family residential development on Office-zoned parcels either ministerially or with a discretionary permit. The Project itself would not result in physical development.

The Text Amendment would prohibit ministerial approval on parcels within the Project Area that are within or adjacent to Zone AE or Zone A, or special hazard flood areas. Future development within or adjacent to Zone AE or Zone A, or special hazard floor areas, would be subject to discretionary review and would require compliance with specific floodproofing requirements contained in the City's Flood Plain Ordinance, as well as review by the City, FMFCD, and FEMA for compliance with requirements. Compliance with these requirements, as enforced through review and approval by the governing bodies, would reduce potential for flood hazards. In addition, future development would be required to install, operate, and maintain FMFCD-approved onsite detention, retention, and drainage systems to collect and convey runoff into existing drainage facilities that are operated and maintained by FMFCD. Compliance with regulations and policies described above would further reduce the risk release of pollutants if inundation were to occur. Impacts would be less than significant.



CITY OF FRESNO - Development Code Text Amendment Application No. P24-00794

CREATED: 6/4/2024

Figure 4-11 Flood Zone Map

A tsunami is a series of waves caused by earthquakes or undersea volcanic eruptions. The Project Area is located approximately 110 miles from the Pacific Ocean and is more than 260 feet above mean sea level. Due to the distance from an ocean, there is no potential for tsunami flood hazards within the Project Area. No impacts would occur.

A seiche is a standing wave oscillating in a body of water, generally caused by an earthquake. The Big Dry Creek Reservoir is the nearest water body to the Project Area that could be capable of generating a seiche. The reservoir is not located near or adjacent to the Project Area. In addition, the City inclusive of the Project Area has historically been subject to low to moderate ground shaking and has a relatively low probability of shaking. As such, seiches are unlikely to form due to the low seismic energy produced in the area. Therefore, as a low-risk area, a less than significant impact as it relates to the risk release of pollutants due to project inundations would occur.

e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

Less than Significant Impact. Although no development is proposed, future development resulting from implementation of the Project would be required to comply with the North Kings Groundwater Sustainability Agency Groundwater Sustainability Plan (GSP), approved in March 2023. Future development would be consistent with the GSP through required compliance with regulations and policies including FMFCD's Storm Water Quality Management Plan, Storm Drainage and Flood Control Master Plan, NPDES Permit, BMPs, approved grading and drainage plans, General Plan policies, and FMC requirements. In addition, implementation of the Project would not result in water demand beyond what was analyzed under the UWMP. Therefore, the Project would not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan and impacts would be less than significant.

4.10.3 Mitigation Measures

The Project shall implement and incorporate, as applicable, the hydrology-related mitigation measures as identified in this section, and in the **MITIGATION MONITORING AND REPORTING PROGRAM** contained in **SECTION 5**.

MM HYD-1: *The City shall implement the following measures to reduce the impacts on the capacity of existing or planned SDFCMP collection systems:*

- *As development is proposed, implement current SDFCMP to provide stormwater collection systems that have sufficient capacity to convey the peak runoff rates from the areas of increased imperviousness.*
- *Require developments that increase site imperviousness to install, operate, and maintain FMFCD approved on-site detention systems to reduce the peak runoff rates resulting from the increased imperviousness to the peak runoff rates that will not exceed the capacity of the existing stormwater collection systems.*

MM HYD-2: *The City shall implement the following measures to reduce the impacts on the capacity of existing or planned SDFCMP retention basins: Prior to approval of development projects, coordinate with FMFCD to analyze the impacts to existing and planned retention basins to determine remedial measures required to reduce the impact on retention basin capacity to less than significant. Remedial measures would include:*

- *Increase the size of the retention basin through the purchase of more land or deepening the basin or a combination for planned retention basins.*
- *Require developments that increase runoff volume to install, operate, and maintain, Low Impact Development (LID) measures to reduce runoff volume to the runoff volume that will not exceed the capacity of the existing retention basins.*

MM HYD-3: *The City shall implement the following measures to reduce the impacts on the capacity of existing or planned SDFCMP urban detention (stormwater quality) basins:*

- *Prior to approval of development projects, coordinate with FMFCD to determine the impacts to the urban detention basin weir overflow rates and determine remedial measures required to reduce the impact on the detention basin capacity to less than significant. Remedial measures would include:*
- *Modify overflow weir to maintain the suspended solids removal rates adopted by the FMFCD Board of Directors.*
- *Increase the size of the urban detention basin to increase residence time by purchasing more land. The existing detention basins are already at the adopted design depth.*
- *Require developments that increase runoff volume to install, operate, and maintain, Low Impact Development (LID) measures to reduce peak runoff rates and runoff volume to the runoff rates and volumes that will not exceed the weir overflow rates of the existing urban detention basins.*

MM HYD-4: *The City shall implement the following measures to reduce the impacts on the capacity of existing or planned SDFCMP pump disposal systems:*

- *Prior to approval of development projects, coordinate with FMFCD to determine the extent and degree to which the capacity of the existing pump system will be exceeded.*
- *Require new developments to install, operate, and maintain on-site detention facilities, consistent with FMFCD design standards, to reduce peak stormwater runoff rates to existing planned peak runoff rates.*
- *Provide additional pump system capacity to maximum allowed by existing permitting to increase the capacity to match or exceed the peak runoff rates determined by the SDFCMP.*

4.11 LAND USE PLANNING

Would the project:		Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a)	Physically divide an established community?			X	
b)	Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?			X	

4.11.1 Environmental Setting

The Project Area is within the City Limits of Fresno and is zoned and planned for office, multi-family residential, and mixed-use development. The Project Area is generally characterized by urban development. Most of the Project Area is situated along major transit corridors, throughways, and arterials.

4.11.2 Impact Assessment

a) Physically divide an established community?

Less than Significant Impact. Typically, physical division of an established community would occur if a project introduced new incompatible uses inconsistent with the planned or existing land uses or created a physical barrier that impeded access within the community. Typical examples of physical barriers include the introduction of new, intersecting roadways, roadway closures, and construction of new major utility infrastructure (e.g., transmission lines, storm channels, etc.).

Surrounding Land Uses

Approximately 94.9% of sites within the Project Area are developed and occupied by a mix of existing urban uses; the remaining 5.1% of sites are undeveloped, vacant lands. The Project would not result in changes to land use designations; rather, the Project would facilitate future residential development on parcels in the multi-family, mixed-use, and office zones. While the Project would allow for residential uses in office zones, this addition would not result in incompatible uses inconsistent with the planned or existing land uses.

Future development would be regulated by development standards and zoning regulations, including height, landscaping, setbacks, improvements, right-of-way dedications, open space, and parking, etc. Future development would be consistent and therefore compatible with the existing surrounding uses. Therefore, implementation of the Project would be generally consistent with the existing and planned land uses within the Project Area.

Circulation System

No new streets are proposed that would result in a physical barrier. The Project does not propose construction of new roadways.

Utility Infrastructure

No new major utility infrastructure is proposed that would result in a physical barrier. The Project Area is within city limits and thus future development would be required to connect to water, wastewater, and stormwater services. Natural gas, electricity, telecommunications, and solid waste services are provided by private companies (e.g., PG&E, Mid Valley Disposal). In addition, the proposed Project (Text Amendment) includes the following language: *"If major infrastructure improvements are required beyond what is contained in the conditions below in Section 15-1006-D-2 and E (i.e. a well, an off-site traffic signal, transmission mains beyond the project frontage, etc.) in order to accommodate the proposed development, a Discretionary Permit is required"*. Utility systems are described and analyzed in **Section 4.10** and **Section 4.15**. Based on the analysis, implementation of the Project would not result in the construction of new, major utility infrastructure.

As such, the Project does not represent a significant change in the surrounding area as it could result in future development of residential uses in a manner consistent and compatible with existing surrounding uses. In addition, the Project does not include new roadways or major utility infrastructure. Therefore, the Project would not result in the physical divide of an established community and a less than significant impact would occur.

b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

Less than Significant Impact. Policy conflicts are environmental impacts only when they would result in direct physical impacts or where those conflicts relate to avoiding or mitigating environmental impacts. As such, associated physical environmental impacts are discussed in this document under specific topical sections, such as Biological Resources, Cultural Resources, and Tribal Cultural Resources. The Project does not propose changes to policies included in the General Plan nor does it propose changes to regulations and standards in the FMC that are adopted to avoid or mitigate environmental effects. A less than significant impact would occur.

4.11.3 Mitigation Measures

None Required.

4.12 MINERAL RESOURCES

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X

4.12.1 Environmental Setting

The California Geological Survey (CGS) classifies and designates areas within California that contain or potentially contain significant mineral resources. Lands are classified into Aggregate and Mineral Resource Zones (MRZs), which identify known or inferred significant mineral resources. According to the California Department of Conservation, CGS’s Surface Mining and Reclamation Act (SMARA) Mineral Lands Classification (MLC) data portal, the nearest mineral resource areas to Fresno are in the San Joaquin and Kings River areas which are classified as Mineral Resource Zone (MRZ)-2. As shown in **Figure 4-12**, the Project Area does not contain sites located within the MRZ zone.

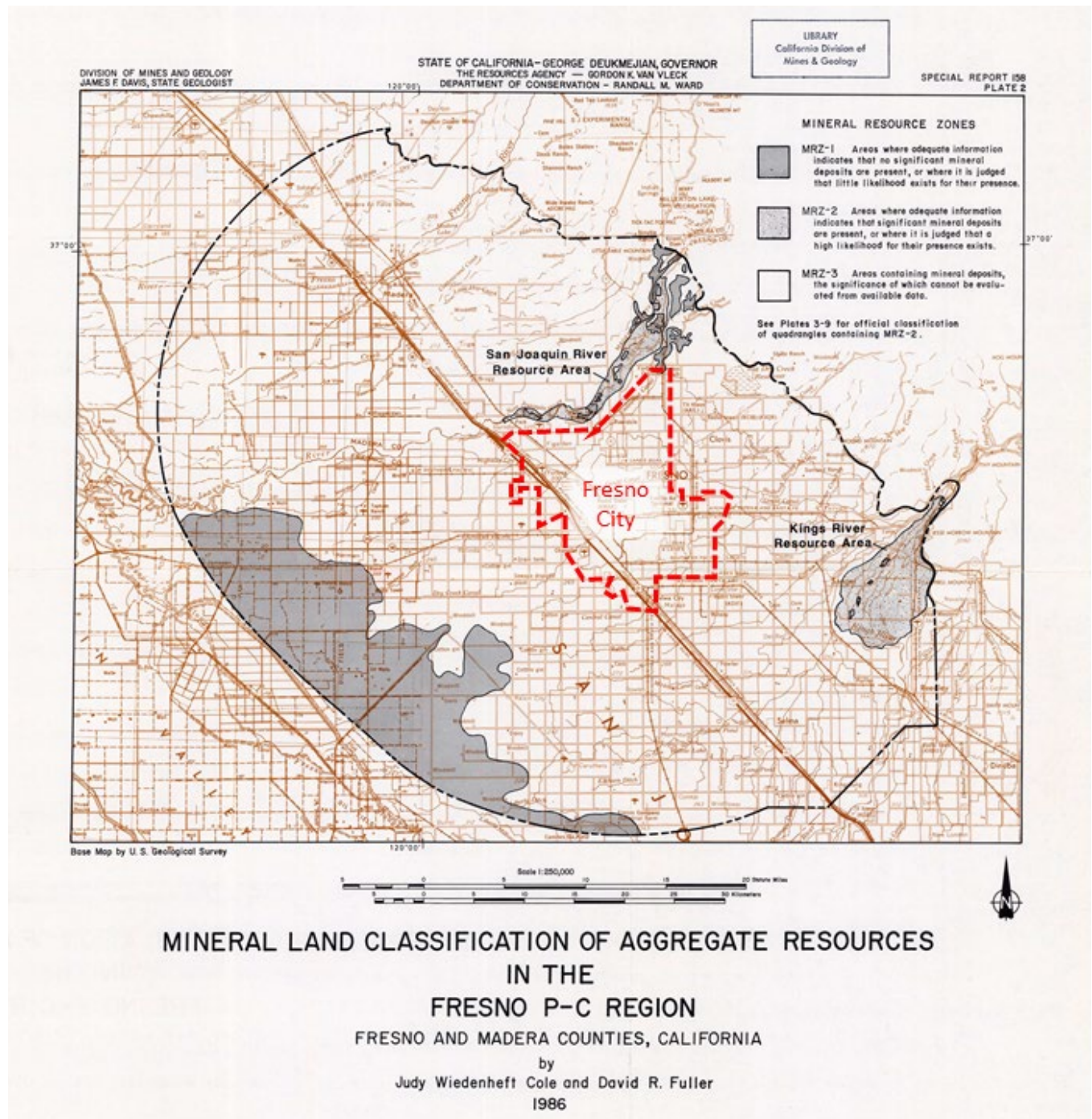


Figure 4-12 Mineral Land Classification Map

4.12.2 Impact Assessment

- a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?*

No Impact. The Project Area is not located in an area designated for mineral resource preservation or recovery. Therefore, the Project would not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state. Therefore, no impact would occur.

- b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?*

No Impact. The Project Area is not located in an area designated for mineral resource preservation or recovery and as a result, the Project would not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state. Further, the Project Area is not delineated in the General Plan, a Specific Plan, or other land use plan as a locally important mineral resource recovery site, thus it would not result in the loss of availability of a locally important mineral resource. Therefore, no impact would occur.

4.12.3 Mitigation Measures

None Required.

4.13 NOISE

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			X	
b) Generation of excessive groundborne vibration or groundborne noise levels?		X		
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?			X	

4.13.1 Environmental Setting

In general, there are two (2) types of noise sources: 1) mobile source and 2) stationary sounds. Mobile source noises are typically associated with transportation including automobiles, trains, and aircraft. Stationary sounds are sources that do not move such as machinery or construction sites. Two (2) noise generating activities of the Project would include construction (short-term, temporary) and operational (long-term) noise.

Sensitive land uses include residential, schools, churches, nursing homes, hospitals, and open space/recreation areas. Commercial, farmland, and industrial areas are not considered noise sensitive and generally have higher tolerances for exterior and interior noise levels.

Fresno General Plan

The City of Fresno General Plan Noise Element provides noise level criteria for land use compatibility for both transportation and non-transportation noise sources. The General Plan sets noise compatibility standards for transportation noise sources in terms of the Day-Night Average Level (L_{dn}). The L_{dn} represents the time-weighted energy average noise level for a 24-hour day, with a 10 dB penalty added to noise levels occurring during the nighttime hours (10:00 p.m.-7:00 a.m.). The L_{dn} represents cumulative exposure to noise over an extended period of time and is therefore calculated based upon *annual average* conditions. **Table 4-12** provides the General Plan noise level standards for transportation noise sources.

Table 4-12 City of Fresno General Plan Noise Level Standards - Transportation (Non-Aircraft) Noise Sources

Noise-Sensitive Land Use	Outdoor Activity Areas ¹	Interior Space	
	L _{dn} /CNEL, dB	L _{dn} /CNEL, dB	L _{eq} dB ²
Residential	65	45	-
Transient Lodging	65	45	-
Hospitals, Nursing Homes	65	45	-
Theaters, Auditoriums, Music Halls	-	-	35
Churches, Meeting Halls	65	-	45
Office Buildings	-	-	45
Schools, Libraries, Museums	-	-	45

¹ Where the location of the outdoor activity areas is unknown or is not applicable, the exterior noise level standard shall be applied to the property line of the receiving land use.

² As determined for a typical worst-case hour during periods of use.

Source: City of Fresno General Plan

The General Plan also establishes implementing policies related to new noise sensitive land uses (NS-1-a), new developments with potential impact due to existing noise-sensitive land uses (NS-1-i), and of significance threshold when determining an increase in noise levels over existing ambient noise levels (NS-1-j).

Implementation Policy NS-1-a Desirable and Generally Acceptable Exterior Noise Environment. Establish 65 dBA L_{dn} or CNEL as the standard for the desirable maximum average exterior noise levels for defined usable exterior areas of residential and noise-sensitive uses for noise, but designate 60 dBA L_{dn} or CNEL (measured at the property line) for noise generated by stationary sources impinging upon residential and noise-sensitive uses. Maintain 65 dBA L_{dn} or CNEL as the maximum average exterior noise levels for non-sensitive commercial land uses, and maintain 70 dBA L_{dn} or CNEL as maximum average exterior noise level for industrial land uses, both to be measured at the property line of parcels where noise is generated which may impinge on neighboring properties.

Implementation Policy NS-1-i Mitigation by New Development. Require an acoustical analysis where new development of industrial, commercial or other noise generating land uses (including transportation facilities such as roadways, railroads, and airports) may result in noise levels that exceed the noise level exposure criteria established by [Table 4-12](#) and [Table 4-13](#) to determine impacts, and require developers to mitigate these impacts in conformance with Tables 9-2 and 9-3 as a condition of permit approval through appropriate means.

Noise mitigation measures may include:

- The screening of noise sources such as parking and loading facilities, outdoor activities, and mechanical equipment;
- Providing increased setbacks for noise sources from adjacent dwellings;
- Installation of walls and landscaping that serve as noise buffers;
- Installation of soundproofing materials and double-glazed windows; and
- Regulating operations, such as hours of operation, including deliveries and trash pickup.

Alternative acoustical designs that achieve the prescribed noise level reduction may be approved by the City, provided a qualified Acoustical Consultant submits information demonstrating that the alternative designs will achieve and maintain the specific targets for outdoor activity areas and interior spaces. As a last resort, developers may propose to construct noise walls along roadways when compatible with aesthetic concerns and neighborhood character. This would be a developer responsibility, with no City funding.

Implementation Policy NS-1-j Significance Threshold. Establish, as a threshold of significance for the City's environmental review process, that a significant increase in ambient noise levels is assumed if the project would increase noise levels in the immediate vicinity by 3 dB L_{dn} or CNEL or more above the ambient noise limits established in this General Plan Update.

When an increase in noise would result in a “significant” impact (increase of three dBA or more) to residents or businesses, then noise mitigation would be required to reduce noise exposure. If the increase in noise is less than three dBA, then the noise impact is considered insignificant and no noise mitigation is needed. By setting a specific threshold of significance in the General Plan, this policy facilitates making a determination of environmental impact, as required by the California Environmental Quality Act. It helps the City determine whether (1) the potential impact of a development project on the noise environment warrants mitigation, or (2) a statement of overriding considerations will be required.

Fresno Municipal Code

Section 15-2506 of the City of Fresno Municipal Code (FMC) establishes hourly acoustical performance standards for non-transportation noise sources, as shown in **Table 4-13**. FMC states that when ambient noise levels exceed or equal the levels the standards, mitigation shall only be required to limit noise to the existing ambient noise levels, with an allowance to exceed by maximum five (5) dB. Section 15-2506 of the Municipal Code is consistent with *Implementing Policy NS-1-i* of the Noise Element of the City of Fresno General Plan.

Table 4-13 Non-Transportation Noise Level Standards, dBA – City of Fresno Municipal Code, Section 15-2506

Daytime (7 a.m. – 10 p.m.)		Nighttime (10 p.m. – 7 a.m.)	
L_{eq}	L_{max}	L_{eq}	L_{max}
50	70	45	60

Source: City of Fresno Municipal Code

Section 10 of the FMC provides existing ambient noise levels to be applied to various districts, further divided into various hours of the day. **Table 4-14** describes the assumed minimum ambient noise levels by district and time. Section 10-102(b) states “For the purpose of this ordinance, ambient noise level is the level obtained when the noise level is averaged over a period of fifteen minutes, without inclusion of the offending noise, at the location and time of day at which a comparison with the offending noise is to be made. Where the ambient noise level is less than that designated in this section, however, the noise level specified herein shall be deemed to be the ambient noise level for that location”.

Table 4-14 Assumed Minimum Ambient Noise Level, dBA - City of Fresno Municipal Code, Section 10-102(B)

District	Time	Sound Level, dB L_{eq}
Residential	10 PM to 7 AM	50
Residential	7 PM to 10 PM	55
Residential	7 AM to 7 PM	60
Commercial	10 PM to 7 AM	60
Commercial	7 PM to 10 PM	65
Industrial	Anytime	70

Source: City of Fresno Municipal Code

For noise sources that are not transportation related, which usually includes commercial or industrial activities and other stationary noise sources (such as amplified music), it is common to assume that a 3-5 dB increase in noise levels represents a substantial increase in ambient noise levels. This is based on laboratory tests that indicate that

a 3 dB increase is the minimum change perceptible to most people, and a 5 dB increase is perceived as a “definitely noticeable change.”

City of Fresno Proposed Text Amendment for Ministerial Approval

The City of Fresno’s proposed Text Amendment for ministerial approval prohibits ministerial approval of projects which exceed development or impact thresholds. The following language would prohibit ministerial approval of a project that exceed development or impact thresholds related to air quality. Projects that exceed these thresholds would be required to obtain a Development Permit. The full Text Amendment is provided in **Appendix E**.

B. Exceptions.

i. A noise study shall be required for any project involving construction activities that are located adjacent to a sensitive receptor(s). The noise study shall assess potential noise impacts from construction activities, including but not limited to demolition, site preparation, grading, excavation, foundation work, building construction, and paving.

i. If the noise study finds that construction activities would be less than 80 dBA, then the application can be processed subject to a zone clearance.

ii. If the noise study finds that construction activities would be greater than 80 dBA, then either 1) a discretionary permit is required or 2) the study may identify noise control measures to bring levels to less than 80 dBA and the project can then be subject to a zone clearance.

Existing Ambient Noise Environment

The Project Area is within City Limits. Most Project parcels are surrounded by urbanized development. As such, the existing noise environment is impacted by various noise sources, including vehicles, residential (i.e. talking, car doors shutting, dogs barking, etc.), commercial/retail (i.e. talking, car doors shutting, loading, etc.), industrial (i.e., machinery, loading, talking, etc.), office (i.e., car doors shutting, etc.), and noise from other uses.

4.13.2 Impact Assessment

- a) *Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or in other applicable local, state, or federal standards?*

Less than Significant Impact. While no development is currently proposed, implementation of the Project could result in future residential development that could have noise generating activities, including short-term construction noises and long-term operational noises. It is not anticipated that future residential development would generate substantial temporary or permanent increase in existing ambient noise levels within the Project Area in excess of standards established in the General Plan or FMC, or in other applicable local, state, or federal standards. Future development would be subject to compliance with all applicable standards.

Construction Noise

The City of Fresno does not have standardized criteria for assessing construction noise impacts in Fresno. Therefore, the following sources are used for comprehensive thresholds to evaluate and mitigate construction noise impacts:

- 80 dBA or higher per the Caltrans Technical Noise Supplement to the Traffic Noise Analysis Protocol (2013)

- 86 dBA at 50 feet from the job site activities from 9 p.m. to 6 a.m. per the Caltrans Traffic Noise Analysis Protocol (2020) ³⁹
- 85 dBA at 50 ft. from the sources per the Federal Transit Administration, Transit Noise and Vibration Impact Assessment Manual (2018)
- 85 dBA or higher per the Environmental Protection Agency Noise Control Act Guidelines
 - 90 dBA for occupational noise exposure over an eight (8)-hour workday, with recommended hearing protection for levels above 85 dBA, per the Occupational Safety and Health Administration (OSHA)

Construction activities would result in short-term noise impacts that vary depending on the nature of the phase of construction (e.g., site preparation, grading and trenching, building construction, etc.). Construction phases may include standard construction activities such as demolition, site preparation, grading/excavation, draining/utilities/trenching, foundations/concrete pour, building construction, and paving. **Table 4-15** provides typical construction-related noise levels at distances of 100 feet, 200 feet, and 300 feet.

Table 4-15 Typical Construction Equipment Maximum Noise Levels, dBA

<u>Type of Equipment</u>	<u>100 ft.</u>	<u>200 ft.</u>	<u>300 ft.</u>
<u>Concrete Saw</u>	<u>84</u>	<u>78</u>	<u>74</u>
<u>Crane</u>	<u>75</u>	<u>68</u>	<u>65</u>
<u>Excavator</u>	<u>75</u>	<u>69</u>	<u>65</u>
<u>Front End Loader</u>	<u>73</u>	<u>67</u>	<u>63</u>
<u>Jackhammer</u>	<u>83</u>	<u>77</u>	<u>73</u>
<u>Paver</u>	<u>71</u>	<u>65</u>	<u>61</u>
<u>Pneumatic Tool</u>	<u>79</u>	<u>73</u>	<u>69</u>
<u>Dozer</u>	<u>76</u>	<u>70</u>	<u>66</u>
<u>Rollers</u>	<u>74</u>	<u>68</u>	<u>64</u>
<u>Trucks</u>	<u>80</u>	<u>72</u>	<u>70</u>
<u>Pumps</u>	<u>74</u>	<u>68</u>	<u>64</u>
<u>Scrapers</u>	<u>81</u>	<u>75</u>	<u>71</u>
<u>Portable Generators</u>	<u>74</u>	<u>68</u>	<u>64</u>
<u>Backhoe</u>	<u>80</u>	<u>74</u>	<u>70</u>
<u>Grader</u>	<u>80</u>	<u>74</u>	<u>70</u>

Source: FHWA, Noise Control for Buildings and Manufacturing Plants, Bolt, Beranek & Newman, 1987

As shown in the table above, several types of equipment could be expected to exceed the thresholds of 80 dBA at varying distances. Noise impacts would be dependent on location, type of equipment, duration, and other relevant factors. Potential impacts could be lessened through adherence to construction noise reduction methods, such as but not limited to placement of equipment away from sensitive receptors, use of noise control devices such as mufflers, lagging, and other enclosures, scheduling of activities to avoid operating all pieces of noise-generating equipment simultaneously, use of electric equipment rather than diesel equipment, and other similar methods. As described in the Text Amendment, a noise study that assesses construction noise levels is required for projects involving construction activities located adjacent to a sensitive receptor. Ministerial approval would be prohibited for projects that generate construction noise greater than 80 dBA. Any discretionary projects resulting from Project

³⁹ Caltrans. 2020. Traffic Noise Protocol. Accessed February 4, 2025, <https://dot.ca.gov/-/media/dot-media/programs/environmental-analysis/documents/env/traffic-noise-protocol-april-2020-a11y.pdf>

implementation would require further environmental review pursuant to CEQA. For these reasons, impacts would be less than significant.

Operational Noise

Noise associated with residential uses is typically minimal compared to other land uses such as commercial, industrial, etc. Noise sources associated with residential land uses would typically include vehicle movements, noise associated with landscaping activities, human voices, etc. None of these sources would be considered a potential significant noise impact at any existing or planned noise-sensitive land uses.

The General Plan evaluation of noise impacts are primarily based on where development would occur. All future development resulting from Project implementation would be limited to sites that have been previously planned for development in the General Plan (i.e., within the General Plan “Planning Area”). The Project would not amend the General Plan land use designations or introduce new uses that were not previously permitted in the underlying zone districts, nor would the Project increase the density and intensity of permitted uses. Impacts would be less than significant.

b) The primary source of on-going noise from the future residential project will be from Generation of excessive groundborne vibration or groundborne noise levels?

Less than Significant with Mitigation Incorporated. Vibration refers to ground borne noise and perceptible motion. Typical sources of ground borne vibration are construction activities, such as blasting, pile driving, and operating heavy-duty earthmoving equipment, steel-wheeled trains, and occasional traffic on rough roads. Impacts from ground borne vibration and noise from these typical sources are usually within approximately 100 feet of the vibration source. Ground borne vibration has the potential to disturb people and damage buildings. Ground borne vibration is usually measured in terms of vibration velocity such as peak particle velocity (PPV).

The City of Fresno does not have regulations that define acceptable levels of vibration. One of the most recent references suggesting vibration guidelines is the California Department of Transportation (Caltrans) Transportation and Construction Vibration Guidance Manual. The Manual provides guidance for determining annoyance potential criteria and damage potential threshold criteria based on categories of structures, including historic buildings that may not be considered extremely fragile. These criteria are provided below in **Table 4-16** and **Table 4-17** and are presented in terms of peak PPV in inches per second (in/sec). The PPV levels reported represent those measured at the potential receiver location.

Table 4-16 Guideline Vibration Annoyance Potential Criteria

Human Response	Maximum PPV (in/sec) at Receiver	
	Transient Sources	Continuous/Frequent Intermittent Sources
Barely Perceptible	0.04	0.01
Distinctly Perceptible	0.25	0.04
Strongly Perceptible	0.9	0.1
Severe	2.0	0.4

Source: Caltrans

Table 4-17 Guideline Vibration Damage Potential Threshold Criteria

Structure and Condition	Maximum PPV (in/sec) at Receiver	
	Transient Sources	Continuous/Frequent

		Intermittent Sources
Extremely fragile, historic buildings, ancient monuments	0.12	0.08
Fragile buildings	0.2	0.1
Historic and some old buildings	0.5	0.25
Older residential structures	0.5	0.3
New residential structures	1.0	0.5
Modern industrial/commercial buildings	2.0	0.5

Source: Caltrans

While no development is currently proposed, implementation of the Project could result in future development that would have noise generating activities. Operations related to future residential development are not likely to include uses or activities that typically generate ground borne vibration or ground borne noise levels in excess. However, temporary ground borne vibration may result from construction, depending on the use of equipment, distance to affected structures, and soil type. Generalized vibration levels associated with typical residential construction activities at distances of 25 feet, 50 feet, 100 feet and 300 feet are summarized by [Table 4-18](#). These levels would not be expected to exceed any significance threshold levels for annoyance or damage, as provided above in [Table 4-16](#) and [Table 4-17](#), except for vibratory rollers which would exceed the thresholds for extremely fragile and fragile buildings. Therefore, to ensure impacts are less than significant, the Project shall incorporate MM NOI-1. With mitigation incorporated, impacts would be less than significant.

MM NOI-1: Construction Vibration. *The use of heavy construction equipment, such as vibratory rollers, within 25 feet of existing fragile and extremely fragile buildings shall be prohibited.*

Table 4-18 Typical Vibration Levels During Construction

Equipment	PPV (in/sec)			
	At 25 ft.	At 50 ft.	At 100 ft.	At 300 ft.
Bulldozer (Large)	0.089	0.042	0.019	0.006
Bulldozer (Small)	0.003	0.001	0.0006	0.0002
Loaded Truck	0.076	0.027	0.017	0.005
Jackhammer	0.035	0.012	0.008	0.002
Vibratory Roller	0.210	0.097	0.046	0.013
Caisson Drilling	0.089	0.042	0.019	0.006

Source: Caltrans and Federal Transit Administration

- c) *For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?*

Less than Significant Impact. As discussed in [Section 4.9. Hazards and Hazardous Material](#), there are three (3) airports located in the city of Fresno: Fresno-Yosemite International Airport, Fresno Chandler Executive Airport, and Sierra Sky Park (private). Approximately 15 parcels within the Project Area are within an AIA boundary and airport safety zone ([Table 4-11](#)). According to the ALUCP, residential uses are not considered compatible above 65 CNEL. Of the 15 parcels, there are only two (2) parcels that are within an airport noise contour area. These parcels include APN 507-030-13 and 507-030-40. Both parcels are within the Sierra Sky Park 60 CNEL noise contour area, which would be compatible for residential uses. Further, as described in Section 4.9, future development on parcels within an AIA boundary and designated safety zones, including Zone 1 (RPZ), Zone 2 (IADZ), and Zone 3 (ITZ) would be subject to review by the Fresno COG ALUC and/or subject to verification of compliance with the ALUCP by City staff

to determine land use compatibility and receive a finding of consistency prior to approval. Therefore, through compliance with the ALUCP, the Project would not result in a safety hazard for people residing or working in the area and impacts would be less than significant.

4.13.3 Mitigation Measures

The Project shall implement and incorporate, as applicable, the noise related mitigation measure as identified above and in the **MITIGATION MONITORING AND REPORTING PROGRAM** contained in **SECTION 5**.

MM NOI-1: Construction Vibration. *The use of heavy construction equipment, such as vibratory rollers, within 25 feet of existing fragile and extremely fragile buildings shall be prohibited.*

4.14 POPULATION AND HOUSING

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?			X	
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?			X	

4.14.1 Environmental Setting

CEQA Guidelines *Section 15126.2(d)* requires that a CEQA document discuss the ways in which the proposed Project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment. The CEQA Guidelines provide an example of a major expansion of a wastewater treatment plant that may allow for more construction within the service area. The CEQA Guidelines also note that the evaluation of growth inducement should consider the characteristics of a project that may encourage or facilitate other activities that could significantly affect the environment. Direct and Indirect Growth Inducement consists of activities that directly facilitate population growth, such as construction of new dwelling units. A key consideration in evaluating growth inducement is whether the activity in question constitutes “planned growth.”

City of Fresno General Plan

The City of Fresno General Plan estimates population under the General Plan Buildout. It estimates approximately 226,000 new residents by 2035 within the Sphere of Influence (SOI), totaling in a population of 771,000, with an average annual growth rate of 1.24. In addition, the Buildout anticipates an additional 425,000 new residents by an unspecified date, totaling an ultimate population of 970,000 within the SOI.

U.S. Census Bureau

According to the U.S. Census Bureau, the current population of the city of Fresno is 542,107 (2020 Decennial Census) with a total of 184,226 housing units. According to the American Community Survey, the City’s average household size is 2.79 for renter-occupied units with a 3.3% vacancy rate. ⁴⁰

⁴⁰ U.S. Census Bureau. "Selected Housing Characteristics." American Community Survey, ACS 1-Year Estimates Data Profiles, Table DP04, 2022. Accessed on March 4, 2024, <https://data.census.gov/table/ACSDP1Y2022.DP04?q=household size&g=160XX00US0627000>

4.14.2 Impact Assessment

- a) *Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?*

Less than Significant Impact. The Project proposes a Zoning Ordinance Text Amendment to ministerially allow office-to-residential conversions in the office zone district and ministerial approval of multi-family residential development in office, multi-family, and mixed-use zone districts. Under the assumptions as described in **Section 2.9 Description of Project**, buildout of the Project site could generate approximately 22,425 housing units. Of the 22,425 units, only 4,868 units (2,692 resulting from office-to-dwelling conversions and 2,176 resulting from new residential development on Office-zoned parcels) of the 22,425 units account for additional capacity beyond what is currently permitted within the Fresno Municipal Code. This anticipated additional residential development would result in approximately 13,134 new residents, thereby increasing the population from 542,107 to 555,241, which would account for an approximately two (2) percent increase in population within the City.⁴¹ However, it is expected that this full buildout will not occur for 30 years.

These additional units resulting from Project implementation are intended to accommodate the citywide population and meet RHNA housing needs as identified in the City's Housing Element. As such, the potential population growth is within the population growth contemplated by the Fresno General Plan, which anticipates population growth of up to 378,950 people by 2056.⁴² Accordingly, implementation of the proposed Zoning Ordinance Text Amendment would not exceed the projected citywide population. Therefore, the additional growth anticipated under Project buildout would be consistent with the General Plan population projection, citywide planning objectives, and RHNA housing allocation. As a result, impacts on population growth associated with potential future development under the proposed Project would be less than significant.

- b) *Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?*

Less than Significant Impact. Implementation of the Project could result in an increase in the total number of dwelling units within the Project Area. While redevelopment of some parcels in the Project Area could cause demolition of existing dwelling units, the development would be subject to SB 330, which ensures that the demolition of housing does not result in a net loss of units. Additionally, since there are ample vacant and underutilized land available to locate new dwelling units within the Project Area, it is anticipated that most new units would not require demolition of existing housing. As a result, development of the Project site would not result in the displacement of a substantial number of existing people or housing and impacts would be less than significant.

4.14.3 Mitigation Measures

None Required.

⁴¹ 4,868 housing units * .967 occupancy rate * 2.79 people per unit = 13,134

⁴² Population growth is calculated using the difference between the estimated population of 921,057 by 2056 and the existing population according to the 2020 decennial census, which is 542,107.

4.15 PUBLIC SERVICES

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
i. Fire protection?			X	
ii. Police protection?			X	
iii. Schools?			X	
iv. Parks?			X	
v. Other public facilities?			X	

4.15.1 Environmental Setting

The Project Area is located within Fresno City Limits and thus, would be subject to fees for the construction, acquisition, and improvements for public services. These services and fees include:

Fire Protection Services

Fire Protection Services in the city are provided by the Fresno Fire Department (FFD). The FFD operates a total of 20 fire stations/companies that serve a 116-square-mile area. To facilitate adequate service ratios, response times, or other performance objectives for fire protection services, all development in the city of Fresno is required to be located within three (3) miles of an existing fire station. To address impacts to fire protection services, the City of Fresno has implemented the Fire Facilities Fee pursuant to Section 12-4.901 of the FMC, which requires developers to pay the “fair share” of construction and acquisition costs for improvements to fire department facilities. Future projects in the Project Area would be subject to the assessment of a Fire Facilities Impact Fee based on the project size.

Table 4-19 Fire Facilities Fee Program

Type	Fee
Single-Family Residential per unit	\$1,893
Multi-Family Residential per unit	\$1,429
Retail per 1,000 sf. of building	\$662
Office per 1,000 sf. of building	\$757

Pre-Consultation with the FFD was conducted for the proposed Project on April 8, 2024. A response was received on April 19, 2024, and no comments were provided.

Fresno General Plan includes policies regarding fire protection in its Public Utilities and Services Element as shown below:

OBJECTIVE PU-2. *Ensure that the Fire Department’s staffing and equipment resources are sufficient to meet all fire and emergency service level objectives and are provided in an efficient and cost effective manner.*

Policy PU-2-a: Unify Fire Protection. *Pursue long-range transfer of fire protection service agreements with adjacent fire districts that, in concert with existing automatic aid agreements, will lead to the eventual unification of fire protection services in the greater Fresno area.*

Policy PU-2-b: Maintain Ability. *Strive to continually maintain the Fire Department’s ability to provide staffing and equipment resources to effectively prevent and mitigate emergencies in existing and new high-rise buildings and in other high-density residential and commercial development throughout the city.*

Policy PU-2-c: Rescue Standards. *Develop appropriate standards, as necessary, for rescue operations, including, but not limited to, confined space, high angle, swift water rescues, and the unique challenges of a high speed train corridor.*

Policy PU-2-d: Station Siting. *Use the General Plan, community plans, Specific Plans, neighborhood plans, and Concept Plans, the City’s Geographic Information Systems (GIS) database, and a fire station location program to achieve optimum siting of future fire stations.*

Policy PU-2-e: Service Standards. *Strive to achieve a community wide risk management plan that include the following service level objectives 90 percent of the time: ...*

OBJECTIVE PU-3. *Enhance the level of fire protection to meet the increasing demand for services from an increasing population.*

Policy PU-3-a: Fire Prevention Inspections. *Develop strategies to enable the performance of annual fire and life safety inspection of all industrial, commercial, institutional, and multi-family residential buildings, in accordance with nationally recognized standards for the level of service necessary for a large Metropolitan Area, including a self-certification program.*

Policy PU-3-b:Reduction Strategies. *Develop community risk reduction strategies that target high service demand areas, vulnerable populations (e.g. young children, older adults, non-English speaking residents, persons with disabilities, etc.), and high life hazard occupancies.*

Policy PU-3-c: Public Education Strategies. *Develop strategies to re-establish and enhance routine public education outreach to all sectors of the community.*

Policy PU-3-d: Review Development Applications. Continue Fire Department review of development applications, provide comments and recommend conditions of approval that will ensure adequate on-site and off-site fire protection systems and features are provided.

Policy PU-3-e: Building Codes. Adopt and enforce amendments to construction and fire codes, as determined appropriate, to systematically reduce the level of risk to life and property from fire, commensurate with the City's fire suppression capabilities.

Policy PU-3-f: Adequate Infrastructure. Continue to pursue the provision of adequate water supplies, hydrants, and appropriate property access to allow for adequate fire suppression throughout the City.

Policy PU-3-g: Cost Recovery. Continue to evaluate appropriate codes, policies, and methods to generate fees or other sources of revenue to offset the ongoing personnel and maintenance costs of providing fire prevention and response services.

Police Protection Services

Police Protection Services in the city are provided by the Fresno Police Department (FPD). The FPD is divided into five (5) policing districts. Currently, the City has 926 authorized police officer positions with 858 filled as of June 2024, allowing up to a service level of 1.57 officer per 1,000 residents and providing 1.45 officer per 1,000 residents. To address impacts to police protection services, the City has implemented the Police Facilities Fee pursuant to Section 12-4.801 of the FMC, which requires developers to pay the "fair share" of construction and acquisition costs for improvements to police protection services and facilities. Future projects in the Project Area would be subject to the assessment of a Police Facilities Impact Fee based on the project size.

Table 4-20 Police Facilities Fee Program

Type	Fee
Single-Family Residential per unit	\$618
Multi-Family Residential per unit	\$466
Retail per 1,000 sf. of building	\$658
Office per 1,000 sf. of building	\$626

Pre-Consultation with the FPD was conducted for the proposed Project on April 8, 2024. No comments were received in the requested timeframe.

The Fresno General Plan includes policies regarding police protection in its Public Utilities and Services Element as shown below:

OBJECTIVE PU-1. Provide the level of law enforcement and crime prevention services necessary to maintain a safe, secure, and stable urban living environment through a Police Department that is dedicated to providing professional, ethical, efficient and innovative service with integrity, consistency and pride.

Policy PU-1-b: Involvement in General Plan. Facilitate Police Department participation in the implementation of General Plan policies, including citizen participation efforts and the application of crime prevention design measures to reduce the exposure of neighborhoods to crime and to promote community security.

- Facilitate Police Department communication with citizen advisory committees.
- Refer appropriate development entitlements to the Police Department for review and comment.

Policy PU-1-c: Safety Considerations in Development Approval. Continue to identify and apply appropriate safety, design and operational measures as conditions of development approval, including, but not limited to, street access control measures, lighting and visibility of access points and common areas, functional and secure on-site recreational and open space improvements within residential developments, and use of State licensed, uniformed security.

Policy PU-1-d: New Police Station Locations. Consideration will be given to co-locating new police station facilities with other public property including, but not limited to, schools, parks, playgrounds, and community centers to create a synergy of participation in the neighborhood with the potential result of less vandalism and promotion of a better sense of security for the citizens using these facilities.

Policy PU-1-e: Communication with Public. Maximize communication and cooperative efforts with residents and businesses in order to identify crime problems and optimize the effectiveness of crime prevention measures and law enforcement programs.

Policy PU-1-g: Plan for Optimum Service. Create and adopt a program to provide targeted police services and establish long-term steps for attaining and maintaining the optimum levels of service - 1.5 unrestricted officers per 1,000 residents.

Schools

Educational services within the Project Area are provided by the following school districts: Central Unified School District, Clovis Unified School District, Fresno Unified School District, and Washington Union Unified School District. **Table 4-21** shows the student generation rates for each school district. Funding for schools and school facilities impacts is outlined in Education Code Section 17620 and Government Code Section 65995 et. seq., which governs the amount of fees that can be levied against new development. These fees are used to construct new or expanded school facilities. Payment of fees authorized by the statute is deemed “full and complete mitigation.” Future projects in the Project Area would be subject to the assessment of a Police Facilities Impact Fee based on the Developer Fee rates in place at the time payment is due.

Table 4-21 Student Generation Rates of each School District

	Central Unified ¹	Clovis Unified ²	Fresno Unified ³	Washington Unified ⁴
Elementary TK-6	0.343	0.1205	0.30795	-
Intermediate School 7-8	0.088	0.0259	0.08214	-
High School 9-12	0.137	0.0538	0.15060	-
Total TK-12	0.568	0.2002	0.54069	0.70

1. Central Unified School District. (2024). School Facility Fee Justification Report. Accessed September 19, 2024, <https://4.files.edl.io/c25c/07/29/24/170429-47a139fc-093c-40ed-a858-d9048fd97fce.pdf>

2. Clovis Unified School District. (2024). Development Fee Study/School Facilities Needs Analysis. Accessed September 19, 2024, <https://www.cusd.com/Downloads/Clovis%20USD%202024%20School%20Fee%20Needs%20Analysis.pdf>

3. Fresno Unified School District. (2024). 2024 Developer Fee Justification Study for Fresno Unified School District. Accessed September 19, 2024, <https://resources.finalsite.net/images/v1722894214/fresnouorg/oaniri8auz9bfdveqwao/FresnoUnifiedDevFeeStudy2024REV.pdf>

4. Washington Unified School District (2022). Developer Fee Justification Document. Accessed September 19, 2024, <https://www.washingtonunified.org/wp-content/uploads/2022/04/WUSD-Level-1-Dev-Fees-Final-.pdf>

Source:

Pre-Consultation was conducted for the proposed Project on April 8, 2024. No comments were received in the requested time frame.

Fresno General Plan includes applicable policies regarding schools in its Parks, Open Space, and Schools Element as shown below:

OBJECTIVE POSS-8 *Work cooperatively with school districts to find appropriate locations for schools to meet the needs of students and neighborhoods.*

Policy POSS-8-b Appropriate School Locations. *Support school locations that facilitate safe and convenient access by pedestrian and bicycle routes, are compatible with surrounding land uses, and contribute to a positive neighborhood identity and Complete Neighborhoods.*

Policy POSS-8-c Park and School Site Coordination. *Pursue the cooperative development and use of school sites with adjacent neighborhood parks for both school activities and non-school related recreational activities.*

Parks and Recreation

Park and Recreation Facilities are overseen by the Fresno Parks, After School, Recreation, and Community Services (PARCS). The General Plan established a service standard for park acreage of five (5) acres per 1,000 residents, with three (3) acres for community, neighborhood, and pocket parks and two (2) acres as regional parks. Similar to other public services, the City had established the Park Facilities Fee which requires developers to pay the “fair share” of construction and acquisition for improvements to park facilities. Future projects in the Project Area would be subject to the assessment of a Park Facilities Impact Fee based on the project size.

Table 4-22 Park Facilities Fee Program

Type	Park Facility Impact Fee	Quimby Parkland Dedication Fee
Single-Family Residential per unit	\$4,027	\$1,153
Multi-Family Residential per unit	\$3,037	\$879

Fresno General Plan includes applicable policies regarding park facilities in its Parks, Open Space, and Schools Element as shown below:

Policy POSS-2-c Review of Development Applications. *Coordinate review of all development applications (i.e., site plans, conditional use permits, and subdivision maps) in order to implement the parks and open space standards of this Plan.*

Policy POSS-2-e Open Space Dedication for Residential Development. *Ensure new residential developments provide adequate land for parks, open space, landscaping, and trails through the dedication of land or otherwise providing for Pocket Parks, planned trails, and other recreational space, maintained by an HOA, CFD, or other such entity.*

Courts

The city of Fresno contains two (2) State courts, Fresno County Superior Court and 5th District Court of Appeals, and one (1) federal court.

Library

The Fresno County Public Library System provides libraries in the city of Fresno. There are 39 libraries throughout the County of Fresno, 11 of which are located in the city of Fresno planning area.

Hospital

There are nine (9) hospitals located within the city of Fresno planning area with a total capacity of 1,603 beds as of 2020.

4.15.2 Impact Assessment

- a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:*

i. Fire protection?

Less than Significant Impact. Although the Project does not propose physical development, implementation of the Project could result in the future development of approximately 22,425 residential dwelling units over the next 30 years. Of the 22,425 units, only 4,868 units (2,692 resulting from office-to-dwelling conversions and 2,176 resulting from new residential development on Office-zoned parcels) account for additional capacity beyond what is currently permitted within the Fresno Municipal Code. Development would occur within the Project Area, within City Limits, and may increase demand for fire protection services that could require the construction of new or expanded facilities to maintain acceptable service ratios, response times, or other performance objectives. Future development would be required to pay the Fire Facilities Fee for construction and acquisition costs related to fire protection services. Future development would also be required to comply with the local and state building and fire code requirements, as verified through the entitlement or building permit process. If new or expanded fire facilities are necessary, the construction of such facilities would be typical of such facilities and would be required to comply with applicable policies and regulations to reduce any adverse environmental effects. Impacts would be less than significant.

ii. Police protection?

Less than Significant Impact. Although the Project does not propose physical development, implementation of the Project could result in the future development of approximately 22,425 residential dwelling units over the next 30 years. Of the 22,425 units, only 4,868 units (2,692 resulting from office-to-dwelling conversions and 2,176 resulting from new residential development on Office-zoned parcels) account for additional capacity beyond what is currently permitted within the Fresno Municipal Code. Development would occur within the Project Area, within City Limits, and may increase demand for police protection services that could require the construction of new or expanded facilities to maintain acceptable service ratios, response times, or other performance objectives. Future development would be required to pay the Police Facilities Fee for construction and acquisition costs related to police protection services. If new or expanded police facilities are necessary, the construction of such facilities would be typical of such facilities and would be required to comply with applicable policies and regulations to reduce any adverse environmental effects. Impacts would be less than significant.

iii. *Schools?*

Less than Significant Impact. The development and management of school sites are the responsibility of school districts and elected governing school boards. The Project Area is within the Fresno Unified, Washington Union Unified, Clovis Unified, and Central Unified school districts, as shown in [Figure 4-13](#). According to student generation rates established by these school districts, the Project Area could generate 971 Fresno Unified students, 406 Washington Union Unified students, 459 Clovis Unified students, and 130 Central Unified students.⁴³ As such, a total number of 1,966 students could be generated from the implementation of the Project, which assumes 20% of existing office uses within the Office District would be converted into residential uses and 20% of the vacant/underutilized Office District parcels would be developed with residential uses.

Table 4-23 Student Generation under Project Implementation

	Fresno Unified	Washington Union	Clovis Unified	Central Unified
Elementary TK-6	553	-	276	79
Intermediate School 7-8	147	-	59	20
High School 9-12	270	-	123	31
Total TK-12	971	406	459	130

Future development resulting from Project implementation would be subject to School Impact Fees to mitigate the effect of the projects on schools. Payment of fees authorized by the statute is deemed “full and complete mitigation.” Thus, to offset any potential impacts, the Project shall be subject to School Impact Fees. As such, the Project will have a less than significant impact.

iv. *Parks?*

Less than Significant Impact. Park and recreational facilities are typically impacted by an increase in use from residential development, due to an increase in population and thereby demand for park and recreational facilities. Although the Project does not propose physical development, implementation of the Project could result in the future development of approximately 22,425 residential dwelling units over the next 30 years. Of these 22,425 residential dwelling units, approximately 4,868 units (2,692 resulting from office-to-dwelling conversions and 2,176 resulting from new residential development on Office-zoned parcels) account for additional capacity beyond what is currently permitted within the Fresno Municipal Code. The 4,868 units could generate approximately 13,134 new residents based on the City of Fresno’s average household size of 2.79 for renter-occupied units and 3.3% vacancy rate^{44 45}, which would increase the population to 555,241. To account for the potential increase of 13,134 new residents, 39.4 acres of parkland is required to meet Quimby and General Plan parkland provision standards. These standards would be met through compliance with *FMC Section 15-1004* and *15-3701* (see [Environmental Setting of Section 4.16 Recreation](#)) as verified through the zone clearance review process.

⁴³ Buildout of the Project would create approximately 1,795 dwelling units in the Fresno Unified District, 580 dwelling units in the Washington Union Unified District, 2,291 dwelling units in the Clovis Unified District, and 229 dwelling units in the Central Unified District.

⁴⁴ 4,868 housing units * .967 occupancy rate * 2.79 people per unit = 13,134

⁴⁵ U.S. Census Bureau. "Selected Housing Characteristics." American Community Survey, ACS 1-Year Estimates Data Profiles, Table DP04, 2022. Accessed on March 4, 2024, <https://data.census.gov/table/ACSDP1Y2022.DP04?q=householdsize&g=160XX00US0627000>

According to feedback from the Project's pre-consultation, the San Joaquin River Conservancy recommends that the safe, public access opportunities to the San Joaquin River Parkway could be provided to accommodate the reasonable buildout of 22,425 units from Project implementation over the next 30 years. Implementation of the Project and buildout of the Project Area will be generally consistent with policies and objectives set forth in the Parks, Open Space Element and Schools Element of the City of Fresno General Plan. Existing and planned trail access points, open space, and bicycle/pedestrian paths (see [Figure 4-1](#)) would not be impacted by the Project. Development within 300 feet of the San Joaquin River bluff would also be subject to compliance with standards set forth in the Bluff Protection (BL) Overlay District to preserve the River and scenic views of the River.

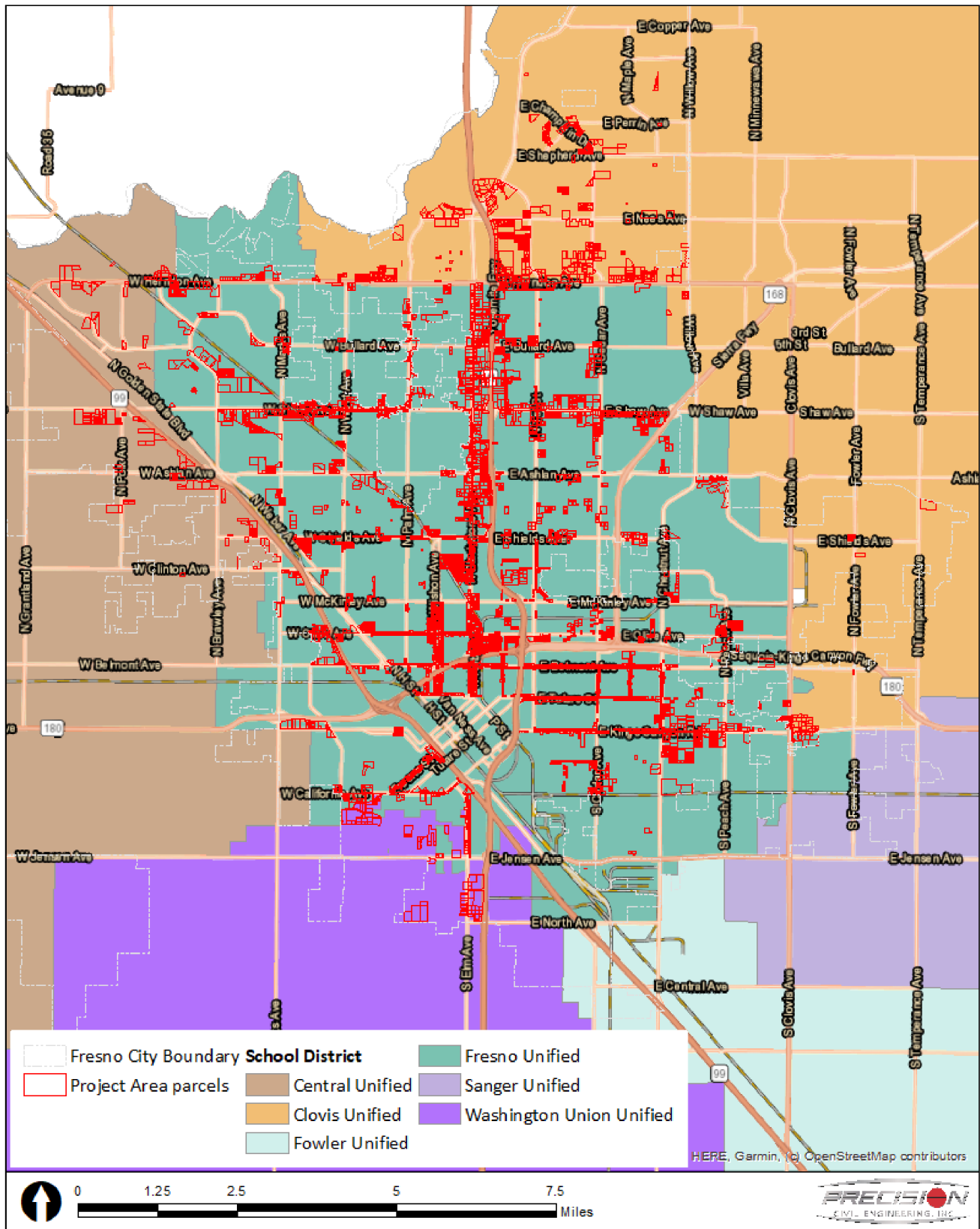
In addition, future residential development will be reviewed to ensure that adequate parks are provided for the anticipated development. Impacts would be less than significant.

v. Other public facilities?

Less than Significant Impact. Although no specific development is currently proposed, future development resulting from Project implementation could increase the demand for other public services, such as courts, libraries, hospitals, etc. Increased demand as a result of the continued implementation of the Project could result in development or expansion of public facilities. Typical environmental impacts associated with the development of these facilities include air quality, greenhouse gas emissions, noise, traffic, etc. As new or expanded public facilities become necessary, construction or expansion of such facilities would be subject to environmental review to identify and mitigate any potential environmental impacts. Therefore, the Project would have a less than significant impact.

4.15.3 Mitigation Measures

None required.



CITY OF FRESNO - Development Code Text Amendment Application No. P24-00794

CREATED: 7/25/2024

Figure 4-13 School Districts

4.16 RECREATION

	Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a)	Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?			X	
b)	Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?			X	

4.16.1 Environmental Setting

Park and Recreation Facilities are overseen by the Fresno Parks, After School, Recreation, and Community Services (PARCS).

Fresno General Plan

The Fresno General Plan Parks, Open Space, and Schools Element includes the following objectives and policies related to park and recreational facilities and services:

Objective POSS-1 *Provide an expanded, high quality and diversified park system, allowing for varied recreational opportunities for the entire Fresno community.*

Policy POSS-1-a Parkland standard. *Implement a standard of at least three acres of public parkland per 1,000 residents for Pocket, Neighborhood, and Community parks throughout the city, while striving for five acres per 1,000 residents for all parks throughout the city, subject to identifying additional funding for Regional Parks, Open Space/Natural Areas, and Special Use Parks/Facilities.*

Policy POSS-1-e Criteria for Parks in Development Areas. *Continue to use park size and service area criteria for siting new parks and planning for parks in Development Areas:*

Park Type	Size Range (Acreage)	Population Served	Service Area Radius
Neighborhood	2.01 to 10	10,000-15,000	Up to 1 mile
Community	10.01 to 40	50,000-80,000	Up to 4 miles
Regional	More than 40*	100,000	100,000 residents

*Or when amenities provide regional service.

Objective POSS-2 *Ensure that adequate land, in appropriate locations, is designated and acquired for park and recreation uses in infill and growth areas.*

Policy POSS-2-a *Identify opportunities to site, develop and co-locate Fire and Police stations with needed parks and open space as joint-use facilities.*

Policy POSS-2-b Park and Recreation Priorities. Use the following priorities and guidelines in acquiring and developing parks and recreation facilities:

- *Acquire and develop neighborhood park space in existing developed neighborhoods that are deficient of such space and in areas along BRT corridors that are designated as priorities for encouraging new mixed-use transit-oriented development;*
- *Provide accessible recreation facilities in established neighborhoods with emphasis on those neighborhoods currently underserved by recreation facilities;*
- *Improve established neighborhood parks with emphasis on those neighborhoods with the greatest need;*
- *Acquire and develop neighborhood and community parks in new Development Areas;*
- *Recognize community parks as a special need in areas that lack these facilities or are planned for transit supportive urban densities, and explore all potential sources of revenue to secure and develop appropriate sites including joint use facilities;*
- *Develop new special purpose parks, such as outdoor gym equipment, natural resource based trail parks, equestrian centers, dog parks, and amphitheaters, as well as alternative recreation facilities, such as community recreation centers, passive wildlife observation park, cultural heritage and diversity park, military veterans memorial park, and universal access open space park; and*
- *Acquire and develop park and open space in established neighborhoods and Development Areas, prioritizing existing neighborhoods with the greatest deficiencies, so that all residents have access to park or open space within one-half mile of their residence. Develop these facilities to be fully accessible to individuals with disabilities as required by law.*

Policy POSS-2-c Review of Development Applications. Coordinate review of all development applications (i.e., site plans, conditional use permits, and subdivision maps) in order to implement the parks and open space standards of this Plan.

- *Assure the provision of adequate active and passive open spaces and facilities as appropriate within residential subdivisions through Development Code requirements for mandatory dedication and improvement of land and/or development fees.*
- *Require the provision of appropriate outdoor living areas or private open space in multi-family residential developments not subject to the Subdivision Map Act.*
- *Request open space easements where feasible and warranted to secure appropriate public use of sensitive areas with scenic or recreation values, and for buffering space for sensitive areas.*
- *Require provision of appropriate open space areas in private projects, in the form of trails, enhanced landscaped setbacks, parks, and water features.*
- *Evaluate the merits of establishing a development bonus entitlement program in which development incentives (i.e., bonus densities, bonus floor area square footage) are provided for contributions to public recreational facilities on-site or in the vicinity of the development project.*

Policy POSS-2-e Open Space Dedication for Residential Development. Ensure new residential developments provide adequate land for parks, open space, landscaping, and trails through the dedication of land or otherwise providing for Pocket Parks, planned trails, and other recreational space, maintained by an HOA, CFD, or other such entity.

Objective POSS-3 Ensure that park and recreational facilities make the most efficient use of land; that they are designed and managed to provide for the entire Fresno community; and that they represent positive examples of design and energy conservation.

Policy POSS-3-a Centralized Park Locations. Site parks central and accessible to the population served, while preserving the integrity of the surrounding neighborhood.

Policy POSS-3-b Park Location and Walking Distance. Site Pocket and Neighborhood Parks within a half-mile walking distance of new residential development.

Policy POSS-3-c Link Parks with Walkways. Link public open space to adjacent, schools, and residential uses and Activity Centers through a series of landscaped linear walkways and bikeways that enhance and encourage pedestrian use.

Policy POSS-3-d Sidewalks to Connect Neighborhoods. Sidewalks should be designed for internal neighborhood circulation, and to connect neighborhoods to other residential areas, parks, community trails, shopping, and major streets.

Policy POSS-3-e Minimum Park Size for Active Recreation. Minimize City acquisition or acceptance of dedication of park sites less than two acres in size for active recreational uses, except where maintenance costs are secured through a CFD, HOA, or other such mechanism.

Policy POSS-3-f Park Design Guidelines. Create, maintain, and apply park design guidelines, with provisions for appropriate amenities for each park type, which may include:

- Minimum and maximum shade.
- Protections from shading by adjacent buildings.
- Accessibility to persons with disabilities.
- Street trees and landscaped median strips in adjacent arterial roads.
- Art and points of attraction.
- Landscape and hardscape features.
- Street furniture, signage, and lighting.
- Food sales and entertainment.
- Restroom facilities, play structures, and picnic shelters.
- Landscape design synthesis with input from civil engineers and hydrologists, educators and daycare providers, fitness trainers and coaches, police officers and experts in crime prevention through environmental design, as appropriate.
- Solar panels, new LED lighting, and water efficiency improvements.
- Sports field areas designed to allow periodic changes in field locations to minimize wear areas and provide sufficient fields to host regional, state, or national tournaments.
- Using topography to create interesting and visually appealing spaces and forms.
- Use of waterways as a key design influence, a focus of restoration, and an opportunity to provide for public enjoyment of views.
- Reflecting the agricultural and horticultural heritage of the site or area.
- Connecting with surrounding areas in a way that encourages expanded pedestrian activity.
- Creating individual places within a park that respond to the needs of a broad range of park users, from youth to the elderly.
- Creating places of delight that engage the senses.
- Creating places that engage the mind, by treating park features as opportunities for interpretation and questioning.
- Using sustainable design practices, and highlighting these as opportunities for learning.

Policy POSS-3-g Park Security and Design. Promote safety, attractiveness, and compatibility between parks and adjacent residential areas through design, maintenance, and enforcement of park regulations

- Require the installation of security lighting for parking, points of access, and building areas at all public recreation and park sites.
- Keep neighborhood eyes on parks to increase security.

Policy POSS-3-i Joint Use with Drainage Facilities. Continue to seek joint use agreements for use of FMFCD stormwater drainage facilities.

Objective POSS-4 Pursue sufficient and dedicated funding for parks acquisition, operations, and maintenance.

Policy POSS-4-b Operation and Maintenance Financing. Continue to require new residential development to form lighting and landscaping maintenance districts or community facility districts or ensure other means of financing to pay for park operations and maintenance.

Policy POSS-4-c Improvements in Established Neighborhoods. Seek agreements with formal neighborhood associations and institutions for improvements and ongoing maintenance of parks in established neighborhoods.

Fresno Municipal Code

FMC Section 12-4.702 establishes the Park Facilities Fee to pay for municipally owned park and recreation facilities. Residential development is responsible for a combination of land dedication and payment of in-lieu fees. Multi-family development in particular is subject to on-site open space and in-lieu fee requirements. On-site open space requirements for multi-family residential uses are outlined in FMC Section 15-1004. The minimum amount of on-site open space required is based on the size of the lot and can be met through a combination of private open space, common open space, or public plazas. Quimby Act requirements are outlined in FMC Section 15-3701.

2017 Fresno Parks Master Plan

The City of Fresno adopted the Parks Master Plan update in 2017.⁴⁶ According to the Plan, Fresno needs to increase 1,113 acres of parkland to meet the General Plan goals for the 2017 population, and 1,769 acres of parkland to meet population needs by 2035. The Plan highlights key findings of the existing conditions of Fresno's park space and provides strategies for a complete and functional park system in the city. The Plan assesses the conditions and lack of amenities in the city of Fresno, as presented in **Figure 4-14**. **Figure 4-15** shows the areas of park needs according to existing parks. These areas of need are generally located in the west and southeast portions of the Project Area.

⁴⁶ City of Fresno. (2017). Fresno Parks Master Plan. Accessed on May 26, 2024, https://www.fresno.gov/wp-content/themes/cityoffresno/largefiles/FresnoPMPFinalDocumentwithAppA051818_S.pdf

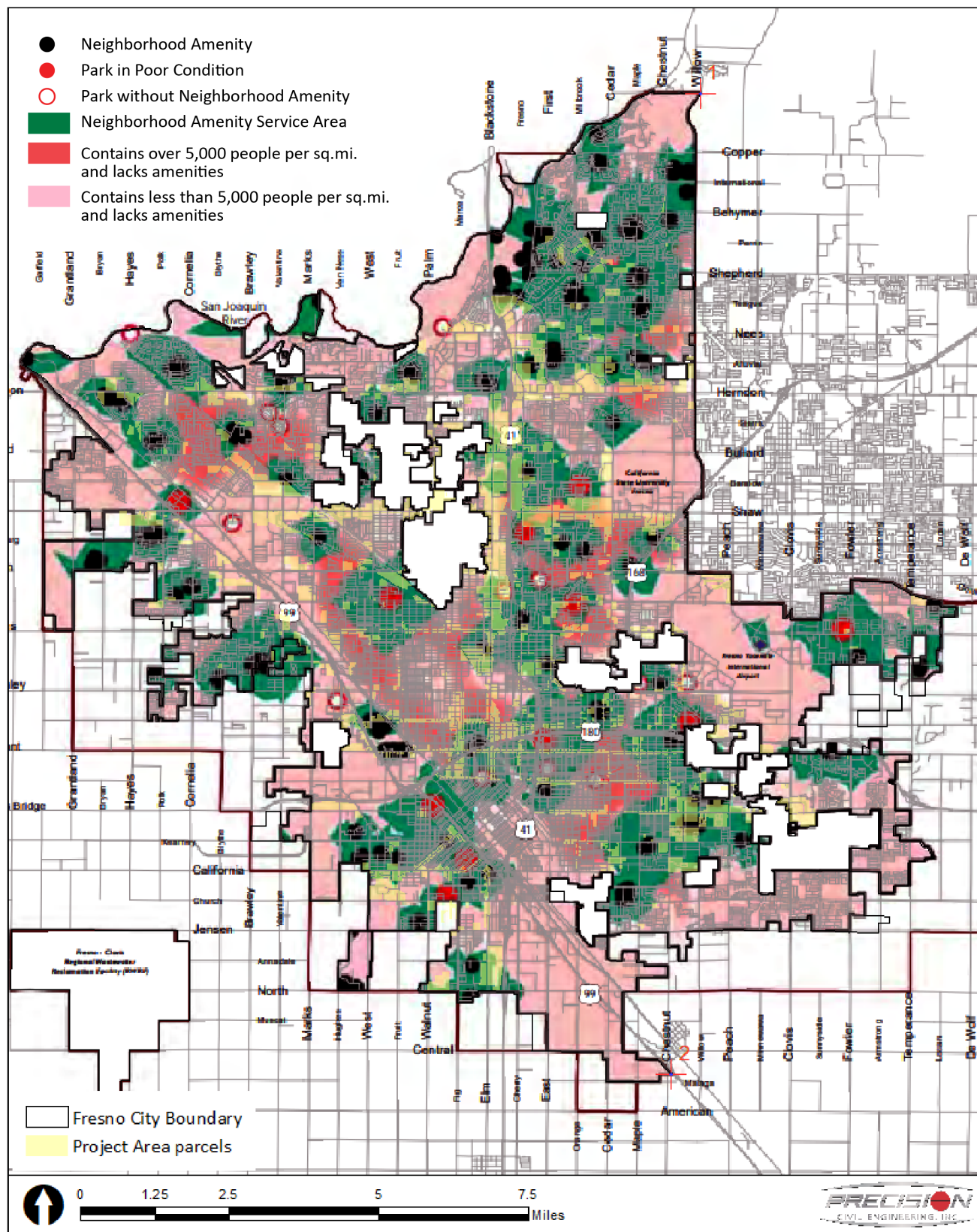
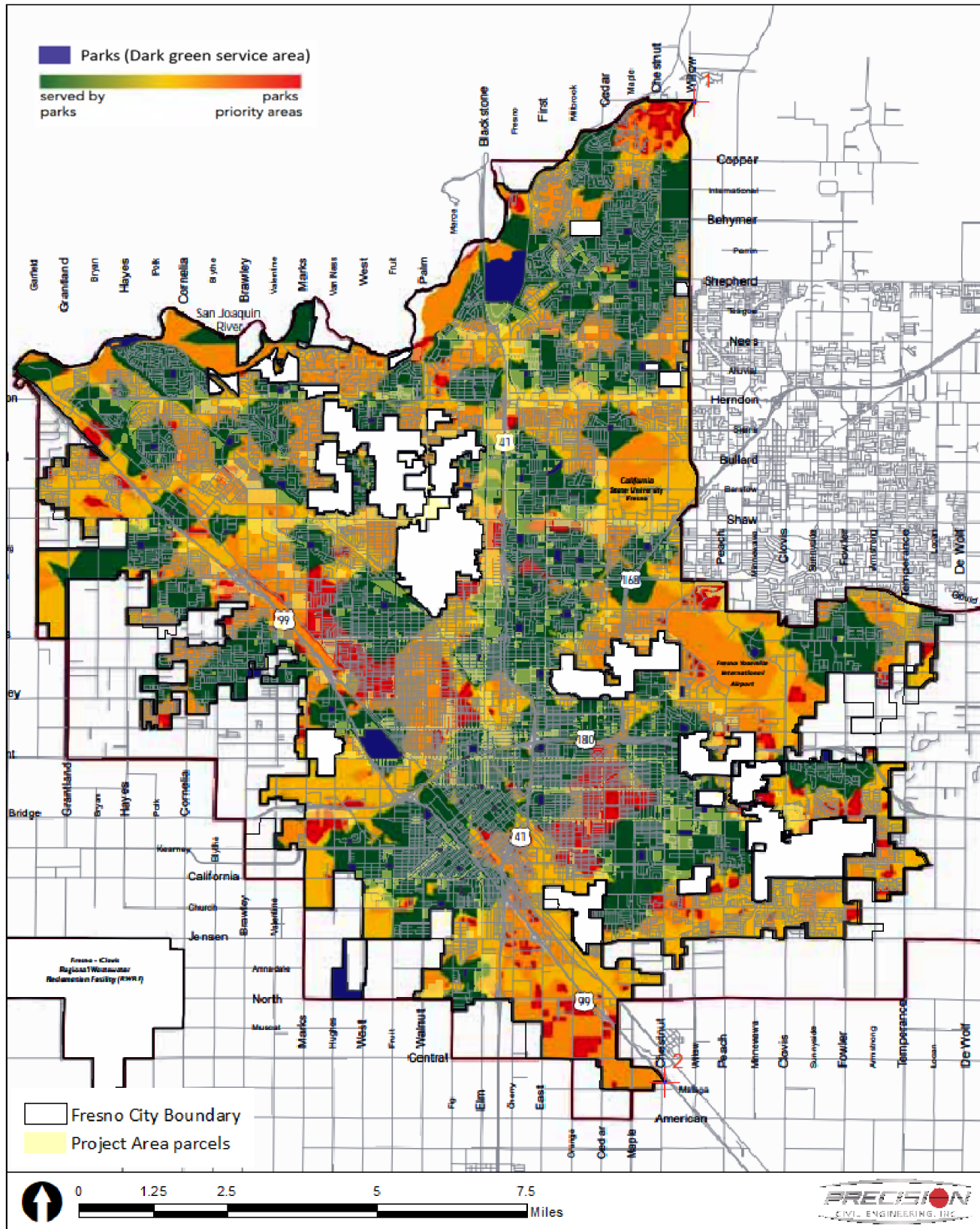


Figure 4-14 Neighborhood Amenities Gap



CITY OF FRESNO - Development Code Text Amendment Application No. P24-00794

CREATED: 7/26/2024

Figure 4-15 Existing Conditions Needs Gradient Map

4.16.2 Impact Assessment

- a) *Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?*

Less than Significant Impact. According to the City of Fresno Parks Master Plan, the City maintains 1,023 acres of parkland. The General Plan establishes a level of service goal to provide five (5) acres of city park space per 1,000 residents, including three (3) acres of community, neighborhood, and pocket parks, and two (2) acres of regional parks, greenways, and trails. Park and recreational facilities are typically impacted by an increase in use from residential development, due to an increase in population and thereby demand for park and recreational facilities. Although the Project does not propose physical development, implementation of the Project could result in the future development of approximately 22,425 residential dwelling units over the next 30 years. Of these 22,425 residential dwelling units, approximately 4,868 units account for additional capacity beyond what is currently permitted within the Fresno Municipal Code. The 4,868 units could generate approximately 13,134 new residents based on the City of Fresno's average household size of 2.79 for renter-occupied units and 3.3% vacancy rate^{47 48}, which would increase the population to 555,241. To account for the potential increase of 13,134 new residents, 39.4 acres of parkland is required to meet Quimby and General Plan parkland provision standards. These standards would be met through compliance with *FMC Section 15-1004* and *15-3701* (see **Environmental Setting**) as verified through the Zone Clearance review process. In addition to the mitigation measure, future residential development within the Project Area would be subject to the Park Facilities Impact Fee. The Park Impact Fee revenues generated give the City the means to acquire land and develop parks. As a result, the Project would have a less than significant impact with mitigation incorporated.

- b) *Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?*

Less than Significant Impact. Future residential development resulting from the Project could include the construction of recreational facilities. In such cases, development projects would be reviewed and conditioned by the City in accordance with the FMC, as verified through the zone clearance process. Impacts would be less than significant.

4.16.3 Mitigation Measures

None Required.

⁴⁷ 4,868 housing units * .967 occupancy rate * 2.79 people per unit = 13,134

⁴⁸ U.S. Census Bureau. "Selected Housing Characteristics." American Community Survey, ACS 1-Year Estimates Data Profiles, Table DP04, 2022. Accessed on March 4, 2024, <https://data.census.gov/table/ACSDP1Y2022.DP04?q=householdsize&g=160XX00US0627000>

4.17 TRANSPORTATION

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?			X	
b) Conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b)?			X	
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			X	
d) Result in inadequate emergency access?			X	

4.17.1 Environmental Setting

The following summarizes plans, policies, and regulations that apply to the Project Area.

Fresno General Plan

The General Plan identifies the following objective and policy related to analyzing transportation impacts.

Objective MT-1. *Create and maintain a transportation system that is safe, efficient, provides access in an equitable manner, and optimizes travel by all modes.*

Policy MT-1b. Circulation Plan Diagram Implementation. *Design and construct planned streets and highways that complement and enhance the existing network, as well as future improvements to the network consistent with the goals, objectives and policies of the General Plan, as shown on the Circulation Diagram (Figure MT-1), to ensure that each new and existing roadway continues to function as intended.*

Policy MT-1-d Integrate Land Use and Transportation Planning. *Plan for and maintain a coordinated and well integrated land use pattern, local circulation network and transportation system that accommodates planned growth, reduces impacts on adjacent land uses, and preserves the integrity of established neighborhoods.*

Policy MT-1-f Match Travel Demand with Transportation Facilities. *Designate the types and intensities of land uses at locations such that related travel demands can be accommodated by a variety of viable transportation modes and support Complete Neighborhoods while avoiding the routing of excessive or incompatible traffic through local residential streets.*

Policy MT-1-k. Multi-Model Level of Service Standards. Develop and use a tiered system of flexible, multi-modal Level of Service standards for streets designated by the Circulation Diagram (Figure MT-1). Strive to accommodate a peak hour vehicle LOS of D or better on street segments and at intersections, except where Policies MT-1-m through MT-1-p provide greater specificity. Establish minimum acceptable service levels for other modes and use them in the development review process.

Policy MT-1-n. Peak Hour Vehicle LOS. For planning purposes and implementation of Capital Improvement Projects, maintain a peak-hour vehicle LOS standard of D or better for all roadway areas outside of identified Activity Center and Bus Rapid Transit Corridor districts, unless the City Traffic Engineer determines that maintaining this LOS would be infeasible and/or conflict with the achievement of other General Plan policies.

Objective MT-2. Make efficient use of the City's existing and proposed transportation system and strive to ensure the planning and provision of adequate resources to operate and maintain it.

Policy MT-2-i. Transportation Impact Studies. Require a Transportation Impact Study (currently named Traffic Impact Study) to assess the impacts of new development projects on existing and planned streets for projects meeting one or more of the following criteria, unless it is determined by the City Traffic Engineer that the project site and surrounding area already has appropriate multi-modal infrastructure improvements.

- When a project includes a General Plan amendment that changes the General Plan Land Use Designation.
- When the project will substantially change the off-site transportation system (auto, transit, bike or pedestrian) or connection to the system, as determined by the City Traffic Engineer.
- Transportation impact criteria are tiered based on a project's location within the City's Sphere of Influence. This is to assist with areas being incentivized for development. The four zones, as defined on Figure MT-4, are listed below. The following criteria apply (**Note:** the Project site is in Traffic Impact Zone III, so the other zones are omitted for brevity):
 - Traffic Impact Zone III (TIZ-III): TIZ-III generally represents areas near or outside the City Limits but within the SOI as of December 31, 2012. Maintain a peak hour LOS standard of D or better for all intersections and roadway segments. A TIS will be required for all development projected to generate 100 or more peak hour new vehicle trips.

Policy MT-2-m. Use VMT Analysis for CEQA. Use VMT Analysis for CEQA. Use Vehicle Miles Traveled (VMT) as the criteria for evaluating transportation impacts under the California Environmental Quality Act (CEQA), pursuant to Senate Bill 743. Level of Service (LOS) may still be used for planning purposes and implementation of Capital Improvement Projects, however VMT shall be used for determining mitigation under CEQA beginning in July of 2020.

Objective MT-4. Establish and maintain a continuous, safe, and easily accessible bikeways system throughout the metropolitan area to reduce vehicle use, improve air quality and the quality of life, and provide public health benefits.

Policy MT-4-a Active Transportation Plan. To the extent consistent with this General Plan, continue to implement and periodically update the Active Transportation Plan to meet State standards and requirements for recommended improvements and funding proposals as determined appropriate and feasible.

Policy MT-4-b Bikeway Improvements. Establish and implement property development standards to assure that projects adjacent to designated bikeways provide adequate right-of-way and that necessary improvements are constructed to implement the planned bikeway system shown on Figure MT-2 to provide for bikeways, to the extent feasible, when existing roadways are reconstructed; and alternative bikeway alignments or routes where inadequate right-of-way is available.

Policy MT-4-h Bicycle Parking Facilities. Promote the installation of bicycle locking racks and bicycle parking facilities at public buildings, transit facilities, public and private parking lots, and recreational facilities. Establish standards for bicycle parking in the Development Code.

City of Fresno Active Transportation Plan

The City of Fresno Active Transportation Plan (ATP) adopted March 2017, updates and supersedes the City of Fresno 2010 Bicycle, Pedestrian, and Trails Master Plan (BMP). The ATP outlines the vision to provide human-powered travel including walking, bicycling, and wheelchair use. The ATP aims to improve the accessibility and connectivity of bicycle and pedestrian network to increase the number of people to travel active transportation. The goals identified in the ATP are:

- Equitably improve the safety and perceived safety of walking and bicycling in Fresno
- Increase walking and bicycling trips in Fresno by creating user-friendly facilities
- Improve the geographic equity of access to walking and bicycling facilities in Fresno
- Fill key gaps in Fresno’s walking and bicycling networks

City of Fresno Complete Streets Policy

The City of Fresno Complete Streets Policy was adopted in October 2019. The intent of the Complete Streets Policy is to guide implementation of complete streets and multimodal objectives and policies within the Fresno General Plan. The Complete Streets policy aids the planning, design, and construction of transportation facilities that balance safety, access, and mobility for users of all abilities and ages. Complete streets designs have been integrated into the City’s policies in accordance with AB 1358.

City of Fresno Proposed Text Amendment for Ministerial Approval

The City of Fresno’s proposed Text Amendment for ministerial approval prohibits ministerial approval of projects which exceed development or impact thresholds. The following language would prohibit ministerial approval of a project that would exceed development or impact thresholds related to transportation. Projects that exceed these thresholds would be required to obtain a Development Permit. The full Text Amendment is provided in **Appendix E**.

B. Exceptions.

2. Development or Impact Thresholds. A project site that is determined to require additional review or improvements based on a technical study or analysis required pursuant to any of the following, must obtain a Development Permit unless otherwise specified below.
 - f. Projects within traffic zones TIZ 1, TIZ 2, and TIZ 4 that would generate more than 200 new peak hour trips, and projects in TIZ 3 that would generate more than 100 new peak hour trips, projects within the Neighborhood Mixed-Use (NMU), Corridor/Center Mixed-Use, (CMU), Regional Mixed-Use (RMU),

Commercial-Main Street (CMS), and Commercial Regional (CR) that generate more than 300 peak hour trips, or projects proposing less than 80% residential development within NMX, CMX, RMX, CMS or CR zone district within the Infill Priority Area. However, if a Traffic Impact Analysis is completed and no off-site improvements beyond standard requirements are recommended, and the project will not exceed LOS thresholds, the application can be processed subject to a zone clearance.

- g. If a project does not meet at least one of the project screening criteria contained in the City of Fresno, CEQA Guidelines for VMT Thresholds (Adopted June 2020) according to the Fresno County VMT Screening Application, a discretionary development permit is required.

Additionally, projects seeking ministerial approval would be required to comply with standards set by the Public Works Department. The following language would prohibit ministerial approval of a project that would be unable to comply with the Public Works standards.

E. The project shall comply with the following standards and all applicable Public Works standards:

1. When a proposed residential development consisting of more than 200 units is in close proximity to a school or activity center (e.g. a mixed-use urban area where there is a concentration of commercial and other land uses), is near a bus stop or pedestrian or bicycle route (existing or planned per the Active Transportation Plan as amended), the following may be required:
 - a. Bicycle and pedestrian facilities such as signalized crossings, traffic signal upgrades, such as left-turn phasing, sidewalks or asphalt paths, and bicycle facilities.
 - b. Construction of improvements in accordance with the City of Fresno's Complete Street Policy (as amended).
2. When LOS reaches E or F on High Frequency Transit Corridors, development projects within the Corridors may be conditioned to provide transit street design treatments and operational strategies, or in-lieu fees, set forth by the City of Fresno, including intersection treatments, dedicated transit lanes, business access and transit (BAT) lanes, Transit Signal Priority (TSP), and/or others.

SB 743 and VMT Analysis

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 car 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 are 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 vehicle miles traveled, 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 vehicle miles traveled and may revise those estimates to reflect professional judgment based on substantial evidence. Any assumptions used to estimate used

to estimate vehicle miles traveled 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.”

In April 2018, the Governor’s Office of Planning and Research (OPR) issued the *Technical Advisory on Evaluating Transportation Impacts in CEQA* (Technical Advisory) (revised December 2018) to provide technical recommendations regarding VMT, thresholds of significance, and mitigation measures for a variety of land use project types. Since no development project is proposed, such thresholds are not applicable for the Project.

On June 25, 2020, the City of Fresno adopted CEQA Guidelines for Vehicle Miles Traveled Thresholds ⁴⁹, pursuant to Senate Bill 743 to be effective 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 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. In particular, 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. However, the City of Fresno VMT Thresholds Section 3.1 regarding Development Projects states that *“if a project constitutes a General Plan Amendment or a Zone Change, none of the screening criteria may apply”*. **Figure 4-16** shows the recommended VMT analysis process for land use development projects. According to the VMT Thresholds, the Fresno COG VMT Screening Tool can also be used to determine whether a development project may be screened from a detailed VMT analysis.

⁴⁹ Fresno Council of Governments. (2020) Fresno County SB 743 Implementation Regional Guidelines

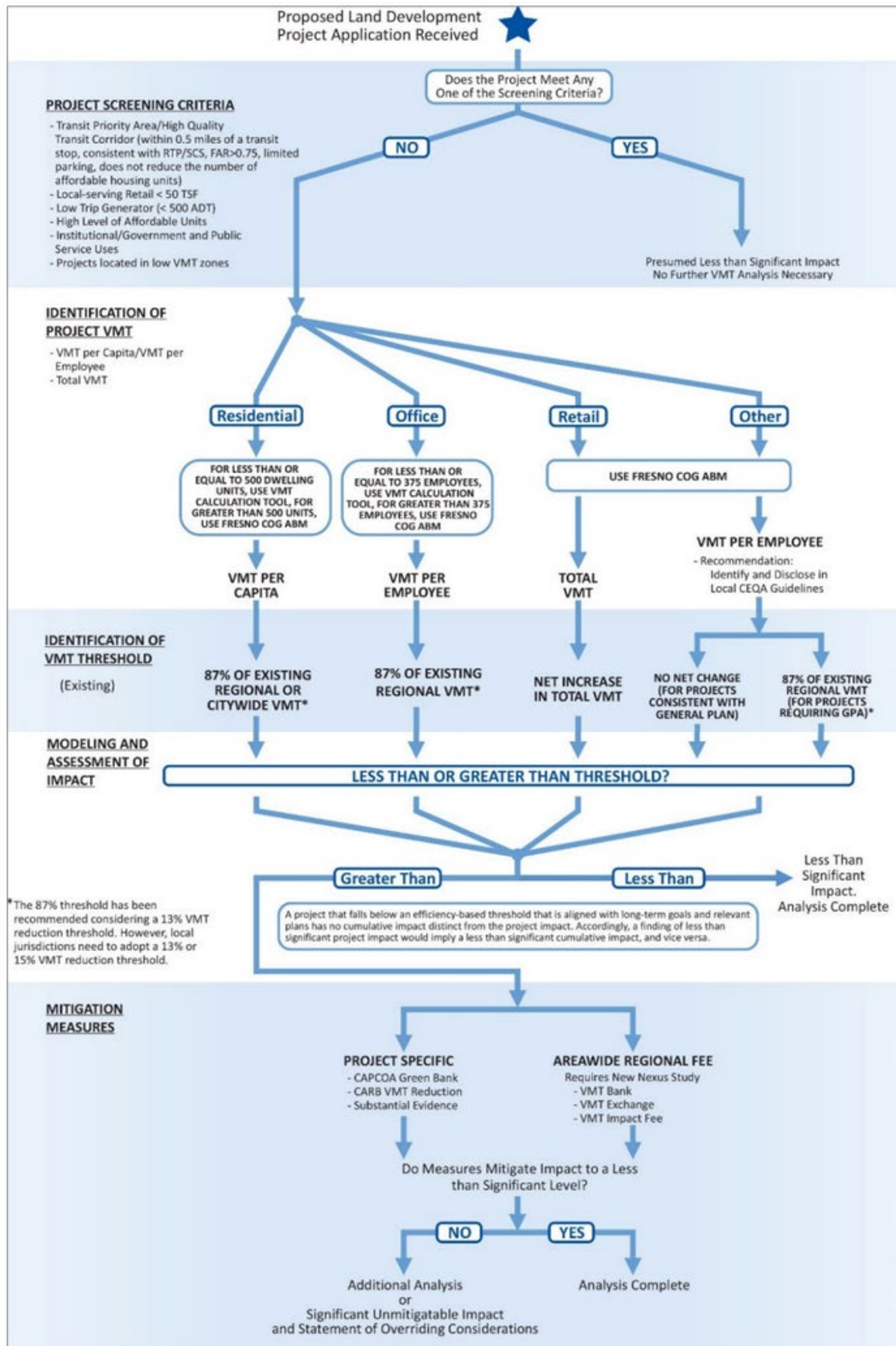


Figure 4-16 VMT Analysis Process for Land Use Development Projects

Citywide Traffic Signal Mitigation Impact (TSMI) Fee Program

The City of Fresno charges TSMI fees to all new developments in the City to mitigate traffic impacts through the funding of traffic signal improvements that serve these new developments. The 2012 Fee Update Report adjusted the TSMI Fee Program after review of new or updated components including new traffic signals, protected left turn phasing, vehicle lanes and LOS standards, improvements, etc. **Table 4-24** provides the TSMI impact fee as of July 1, 2022 for multi-family residential uses.

Table 4-24 Traffic Signal Mitigation Impact Fee for Multi-family Residential Uses

Impact Fee	Current
Multi-Family Residential / per Multi-Family Dwelling Unit	\$595.02

4.17.2 Impact Assessment

- a) *Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?*

Less Than Significant Impact. Future development within the Project Area would be required to comply with all project-level requirements implemented by a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities. Although no development is currently proposed, future development would be required to submit improvement plans, including roadway improvements, for review and approval by the City Engineer to ensure improvements would be consistent with City standards. This would be verified through the building permit process.

Roadway Facilities

While the CEQA Guidelines no longer use motorist delay or LOS to measure transportation impacts, if a city has adopted an LOS standard as part of a program, plan, or policy addressing the circulation system, LOS remains relevant with respect to whether the project will conflict with that program, plan or policy. If the project may conflict with the program, plan, or policy, mitigation may be imposed to ensure consistency. As identified in the **Environmental Setting**, the City of Fresno has adopted several policies related to LOS.

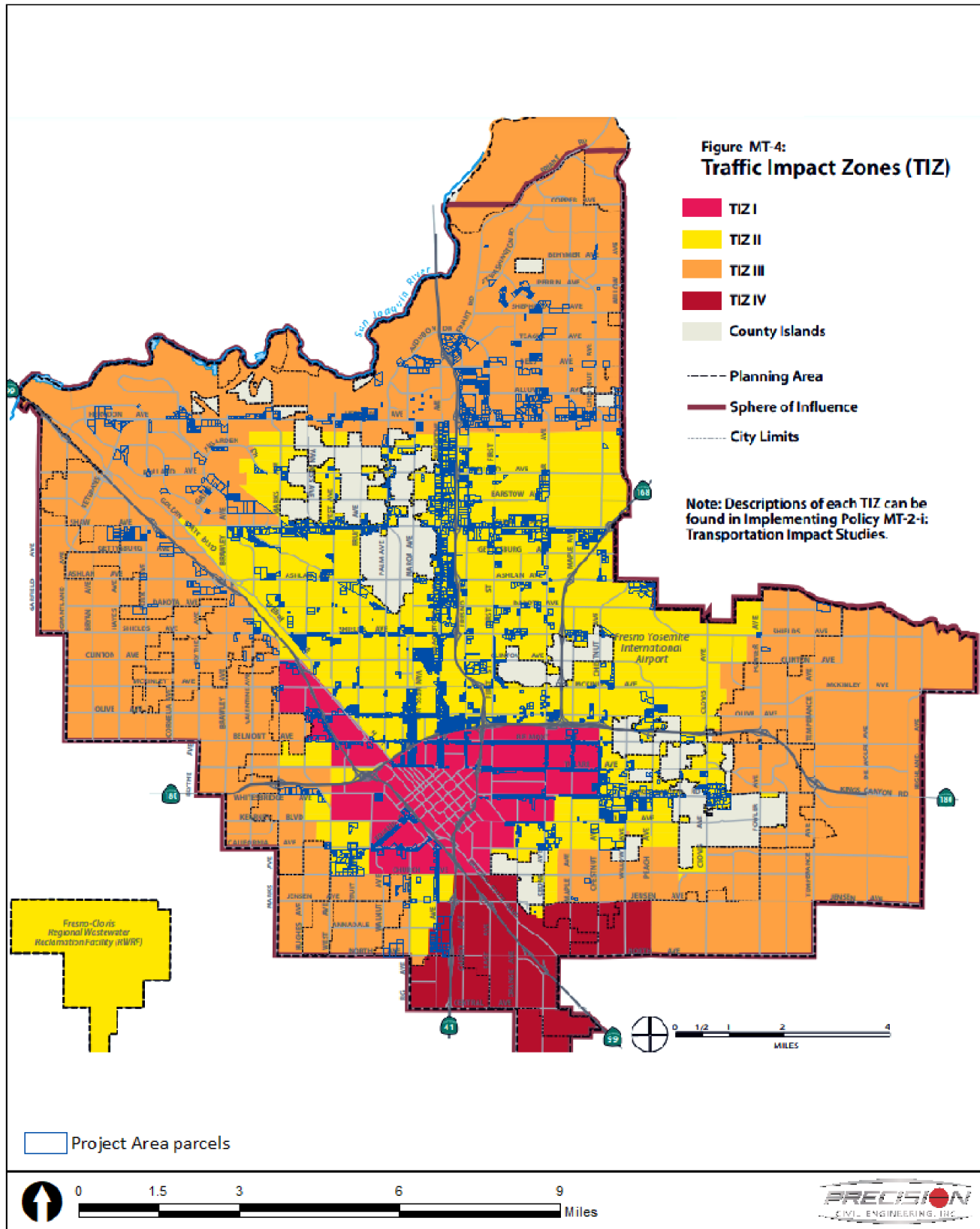
According to *Policy MT-2-i*, the City of Fresno requires a traffic impact study (TIS) for development that generates more than 200 new peak hour vehicle trips in TIZ 1, TIZ 2, and TIZ 4 and a TIS for development that generates more than 100 new peak hour vehicle trips in TIZ 3. As shown in **Figure 4-17**, the Project Area covers all TIZs, including TIZ 1, TIZ 2, TIZ 3, and TIZ 4. Therefore, a TIS would be required for Project Area parcels in TIZ 1, TIZ 2, and TIZ 4 where projects are proposed that generate more than 200 new peak hour vehicle trips, and for projects that would generate more than 100 new peak hour vehicle trips in TIZ 3.

According to *Policy MT-2-m*, LOS F conditions can be accepted in Activity Centers and Bus Rapid Transit Corridors if “provisions are made to improve the overall system and/or promote non-vehicular transportation and transit as part of a development project or a City-initiated project.” The General Plan does not clearly delineate “Activity Centers,” but does show downtown mixed-use areas and the vicinity of Woodward Park, Blackstone Avenue, Kings Canyon Avenue, and Shaw Avenue corridors as Activity Centers in *Figure IM-1, Priority Areas for Development Incentives*. Therefore, it is assumed that the Priority Areas for Development as identified in the General Plan are Activity Centers for the purposes of this analysis. Project Area parcels within the Priority Areas for Development Incentives are shown in **Figure 4-18**.

The Project includes a Text Amendment that would allow new multi-family residential development on Office-zoned parcels, either ministerially or with a discretionary permit, and allow ministerial approval of multi-family residential development on parcels in multi-family zone districts that are within ½ mile of an existing bus stop. The Text Amendment would prohibit ministerial approval of new multi-family residential development on parcels within the Project Area that would trigger a TIS, unless a traffic study confirms no additional major off-site improvements are required and the project would not exceed established LOS thresholds identified in the General Plan. Any discretionary projects resulting from Project implementation could require a TIS and further environmental review pursuant to CEQA. For these reasons, impacts would be less than significant.

Pedestrian and Bicycle Facilities

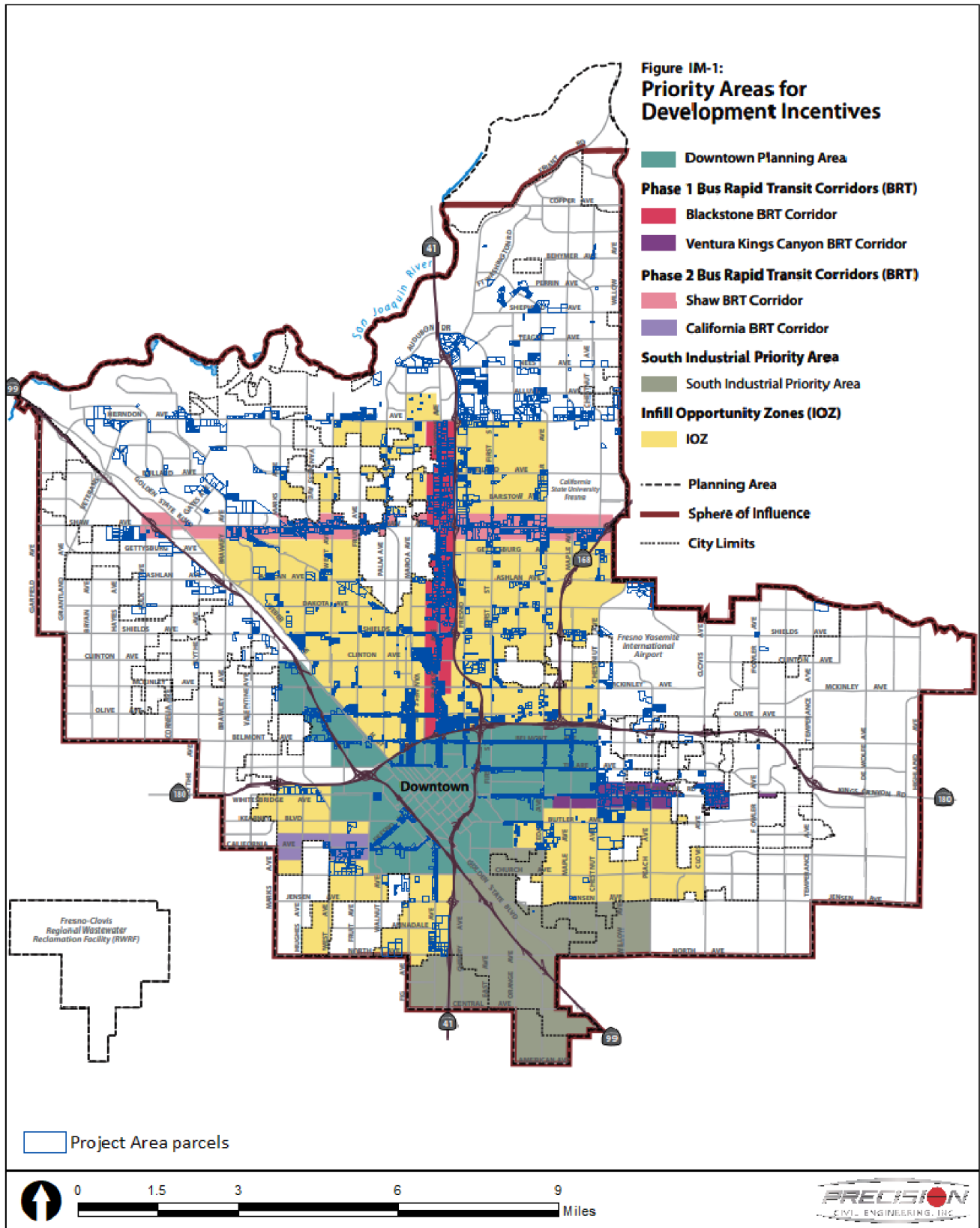
Off-site improvements in accordance with the ATP and Complete Streets Policy would be verified and ensured through the Building Permit process. Provision of the pedestrian and bicycle facilities would be ensured through the Building Permit process. Therefore, the Project would be consistent with the General Plan (*Policy MT-4-a, Policy MT-4-h*) and ATP and thereby would not conflict with a program, plan, ordinance, or policy addressing bicycle and pedestrian facilities. Impacts would be less than significant.



CITY OF FRESNO - Development Code Text Amendment Application No. P24-00794

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Figure 4-17 Traffic Impact Zones



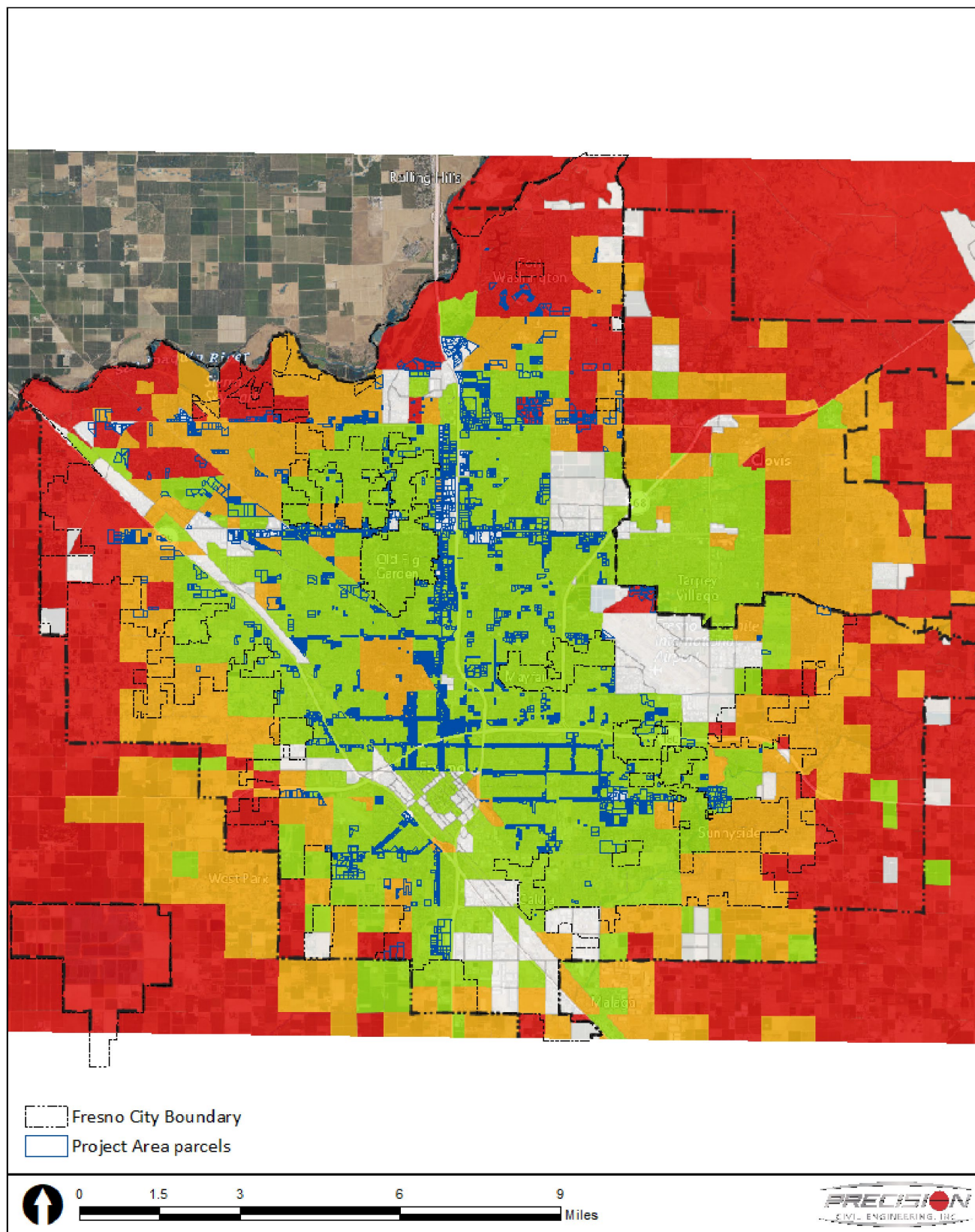
CITY OF FRESNO - Development Code Text Amendment Application No. P24-00794

CREATED: 7/30/2024

Figure 4-18 Priority Areas for Development Incentives

b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?

Less than Significant Impact. Per the City of Fresno VMT Thresholds, a significant impact may occur if the VMT per capita with implementation of the Project is equal to or less than the applicable threshold of significance. For residential uses, the significance threshold is if it exceeds the countywide household VMT per capita minus 13 percent. The residential VMT per capita for the City of Fresno, inclusive of the Project Area, is shown in **Figure 4-19** using the Fresno County VMT Screening Tool. Areas in green indicate a low VMT area, while areas in orange or red exceed the countywide residential VMT per capita. Future development proposed within the Project Area could be eligible to screen out of further VMT analysis using the VMT Screening Tool, or by meeting screening criteria. The Text Amendment prohibits ministerial approval of projects that do not screen out using these criteria. Any discretionary projects resulting from Project implementation (proposed projects that don't screen out) would require further environmental review pursuant to CEQA. In addition to this, most of the Project Area is located along or near bus routes, meaning that future multi-family units will be served by transit, thereby potentially reducing daily trips and vehicle miles traveled. In addition, the text amendment requires projects of a certain size or that generate a certain number of trips, to construct pedestrian amenities. For these reasons, impacts would be less than significant.



CITY OF FRESNO - Development Code Text Amendment Application No. P24-00794

CREATED: 7/30/2024

Figure 4-19 VMT per Capita

c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

Less than Significant Impact. Although no development is currently proposed, future development projects would be reviewed by the City to ensure that project design does not contain any geometric design features that would create hazards. Projects would also be subject to review by the Department of Public Works to ensure that improvements are designed pursuant to applicable federal, state, and local design standards. Compliance with such standards would ensure that any traffic hazards are minimized. Further, the Project does not propose an incompatible use as it is consistent with the existing development in the area and is similar in nature to the surrounding uses. As a result, implementation of the Project would result in a less than significant impact related to hazards due to roadway design features or incompatible uses.

d) Result in inadequate emergency access?

Less than Significant Impact. The Project is a Text Amendment and does not involve a change to any emergency response plan. In addition, although no development is currently proposed, future development projects would be reviewed by the City's Department of Public Works and Fire Department to ensure adequate site access including emergency access. In the case that future construction requires lane closures, access through existing roadways would be maintained through standard traffic control and therefore, potential lane closures would not affect emergency evacuation plans. Thus, a less than significant impact would occur because of the Project.

4.17.3 Mitigation Measures

None Required.

4.18 TRIBAL CULTURAL RESOURCES

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Cause a substantial adverse change in the significance of a tribal cultural resource, defined in PRC section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in PRC section 5020.1(k), or,		X		
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of PRC section 5024.1. In applying the criteria set forth in subdivision (c) of PRC section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.		X		

4.18.1 Environmental Setting

Pursuant to CEQA Guidelines Section 21074:

- 1) *“Tribal Cultural Resources” are either of the following:*
 - a. *Sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe that are either of the following:*
 - i. *Included or determined to be eligible for inclusion in the California Register of Historical Resources.*
 - ii. *Included in a local register of historical resources as defined in subdivision (k) of Section 5020.1.*
- 2) *A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Section 5024.1. In applying the criteria set forth in subdivision (c) of Section 5024.1 for the purposes of this paragraph, the lead agency shall consider the significance of the resource to a California Native American tribe.*
- 3) *A cultural landscape that meets the criteria of subdivision (a) is a tribal cultural resource to the extent that the landscape is geographically defined in terms of the size and scope of the landscape.*

- 4) *A historical resource described in Section 21084.1, a unique archaeological resource as defined in subdivision (g) of Section 21083.2, or a “nonunique archaeological resource” as defined in subdivision (h) of Section 21083.2 may also be a tribal cultural resource if it conforms with the criteria of subdivision (a).*

California Native American Heritage Commission (NAHC)

A consultation list of tribes with traditional lands or cultural places located within Fresno County was requested and received from the California Native American Heritage Commission (NAHC) on April 8, 2024. The listed tribes include Amah Mutsun Tribal Band, Big Sandy Rancheria of Western Mono Indians, Cold Springs Rancheria of Mono Indians of California, Dumna Wo-Wah Tribal Government, King’s River Choinumni Farm Tribe, Kitanemuk & Yowlumne Tejon Indians, Mono Lake Kutzadika Tribe, North Fork Mono Tribe, Northern Valley Yokut/Ohlone Tribe, Picayune Rancheria of the Chukchansi Indians, Santa Rosa Rancheria Tachi Yokut Tribe, Southern Sierra Miwuk Nation, Table Mountain Rancheria, Tule River Indian Tribe, and Wuksache Indian Tribe/Eshom Valley Band. The NAHC also conducted a Sacred Lands File (SLF) search which was positive.

AB 25 Tribal Consultation

In accordance with AB 52 (Chapter 532, Statutes 2014), the City of Fresno sent formal tribal consultation request letters by certified mail to the tribes listed above on April 5, 2024 and April 8, 2024. The City received one response. The response was from the Santa Rosa Rancheria Tachi Yokut Tribe dated May 6, 2024. The responses stated, “due to the location of this project the tribe will be deferring to the more local tribes of the area.” The City did not receive responses from any other tribe.

4.18.2 Impact Assessment

Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

- a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or*

Less than Significant Impact with Mitigation Incorporated. As discussed in [Section 4.5](#), impacts from future development within the Project Area could impact unknown historical resources. Impacts would be reduced to less than significant with implementation of **MM CUL-1**, **MM CUL-2**, **MM CUL-3**, and **MM CUL-4**. With mitigation incorporated impacts would be less than significant.

MM CUL-1: *If previously unknown resources are encountered before or during grading activities, construction shall stop in the immediate vicinity of the find and a qualified historical resources specialist shall be consulted to determine whether the resource requires further study. The qualified historical resources specialist shall make recommendations to the City on the measures that shall be implemented to protect the discovered resources, including but not limited to excavation of the finds and evaluation of the finds in accordance with Section 15064.5 of the CEQA Guidelines and the City’s Historic Preservation Ordinance. If the resources are determined to be unique historical resources as defined under Section 15064.5 of the CEQA Guidelines, measures shall be identified by the monitor and recommended to the*

Lead Agency. Appropriate measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds.

No further grading shall occur in the area of the discovery until the Lead Agency approves the measures to protect these resources. Any historical artifacts recovered as a result of mitigation shall be provided to a City-approved institution or person who is capable of providing long-term preservation to allow future scientific study.

MM CUL-2: *Prior to approval of any discretionary project that could result in an adverse change to a potential historic and/or cultural resource, the City shall require a site-specific evaluation of historic and/or cultural resources by a professional who meets the Secretary of Interior's Qualifications. The evaluation shall provide recommendations to mitigate potential impacts to historic and/or cultural resources and shall be approved by the Director of Planning and Development.*

MM CUL-3: *Subsequent to a preliminary City review of the project grading plans, if there is evidence that a project will include excavation or construction activities within previously undisturbed soils, a field survey and literature search for prehistoric archaeological resources shall be conducted. The following procedures shall be followed.*

- *If prehistoric resources are not found during either the field survey or literature search, excavation and/or construction activities can commence. In the event that buried prehistoric archaeological resources are discovered during excavation and/or construction activities, construction shall stop in the immediate vicinity find and a qualified archaeologist shall be consulted to determine whether the resource requires further study. The qualified archaeologist shall make recommendations to the City on the measures that shall be implemented to protect the discovered resources, including but not limited to excavation of the finds and evaluation of the finds in accordance with Section 15064.5 of the CEQA Guidelines. If the resources are determined to be unique prehistoric archaeological resources as defined under Section 15064.5 of the CEQA Guidelines, mitigation measures shall be identified by the monitor and recommended to the Lead Agency. Appropriate measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds. No further grading shall occur in the area of the discovery until the Lead Agency approves the measures to protect these resources. Any prehistoric archaeological artifacts recovered as a result of mitigation shall be provided to a City-approved institution or person who is capable of providing long-term preservation to allow future scientific study.*
- *If prehistoric resources are found during the field survey or literature review, the resources shall be inventoried using appropriate State record forms and submit the forms to the Southern San Joaquin Valley Information Center. The resources shall be evaluated for significance. If the resources are found to be significant, measures shall be identified by the qualified archaeologist. Similar to above, appropriate mitigation measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds. In addition, appropriate mitigation for excavation and construction activities in the vicinity of the resources found during the field survey or literature review shall include an archaeological monitor. The monitoring period shall be determined by the qualified archaeologist. If additional prehistoric archaeological resources are found during excavation and/or construction activities, the procedure identified above for the discovery of unknown resources shall be followed.*

MM CUL-4: *In the event that human remains are unearthed during excavation and grading activities of any future development project, all activity shall cease immediately. Pursuant to Health and Safety Code (HSC) Section 7050.5, no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to PRC Section 5097.98(a). If the remains are determined to be of Native American descent, the coroner shall within 24 hours notify the Native American Heritage Commission (NAHC). The NAHC shall then contact the most likely descendent of the deceased Native American, who shall then serve as the consultant on how to proceed with the remains. Pursuant to PRC Section 5097.98(b), upon the discovery of Native American remains, the landowner shall ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices, where the Native American human remains are located is not damaged or disturbed by further development activity until the landowner has discussed and conferred with the most likely descendants regarding their recommendations, if applicable, taking into account the possibility of multiple human remains. The landowner shall discuss and confer with the descendants all reasonable options regarding the descendants' preferences.*

- b) *A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.*

Less than Significant Impact with Mitigation Incorporated. As discussed in **Section 4.5**, impacts from future development within the Project Area could impact unknown historical and archeological resources, including tribal cultural resources and human remains. Impacts would be reduced to less than significant with implementation of **MM CUL-1**, **MM CUL-2**, **MM CUL-3**, and **MM CUL-4**. With mitigation incorporated impacts would be less than significant.

4.18.3 Mitigation Measures

The Project shall implement and incorporate, as applicable, the cultural resources related mitigation measures as identified in this section, and in the **MITIGATION MONITORING AND REPORTING PROGRAM** contained in **SECTION 5**.

MM CUL-1: *If previously unknown resources are encountered before or during grading activities, construction shall stop in the immediate vicinity of the find and a qualified historical resources specialist shall be consulted to determine whether the resource requires further study. The qualified historical resources specialist shall make recommendations to the City on the measures that shall be implemented to protect the discovered resources, including but not limited to excavation of the finds and evaluation of the finds in accordance with Section 15064.5 of the CEQA Guidelines and the City's Historic Preservation Ordinance. If the resources are determined to be unique historical resources as defined under Section 15064.5 of the CEQA Guidelines, measures shall be identified by the monitor and recommended to the Lead Agency. Appropriate measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds.*

No further grading shall occur in the area of the discovery until the Lead Agency approves the measures to protect these resources. Any historical artifacts recovered as a result of mitigation shall be provided to

a City-approved institution or person who is capable of providing long-term preservation to allow future scientific study.

MM CUL-2: *Prior to approval of any discretionary project that could result in an adverse change to a potential historic and/or cultural resource, the City shall require a site-specific evaluation of historic and/or cultural resources by a professional who meets the Secretary of Interior's Qualifications. The evaluation shall provide recommendations to mitigate potential impacts to historic and/or cultural resources and shall be approved by the Director of Planning and Development.*

MM CUL-3: *Subsequent to a preliminary City review of the project grading plans, if there is evidence that a project will include excavation or construction activities within previously undisturbed soils, a field survey and literature search for prehistoric archaeological resources shall be conducted. The following procedures shall be followed.*

- *If prehistoric resources are not found during either the field survey or literature search, excavation and/or construction activities can commence. In the event that buried prehistoric archaeological resources are discovered during excavation and/or construction activities, construction shall stop in the immediate vicinity find and a qualified archaeologist shall be consulted to determine whether the resource requires further study. The qualified archaeologist shall make recommendations to the City on the measures that shall be implemented to protect the discovered resources, including but not limited to excavation of the finds and evaluation of the finds in accordance with Section 15064.5 of the CEQA Guidelines. If the resources are determined to be unique prehistoric archaeological resources as defined under Section 15064.5 of the CEQA Guidelines, mitigation measures shall be identified by the monitor and recommended to the Lead Agency. Appropriate measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds. No further grading shall occur in the area of the discovery until the Lead Agency approves the measures to protect these resources. Any prehistoric archaeological artifacts recovered as a result of mitigation shall be provided to a City-approved institution or person who is capable of providing long-term preservation to allow future scientific study.*
- *If prehistoric resources are found during the field survey or literature review, the resources shall be inventoried using appropriate State record forms and submit the forms to the Southern San Joaquin Valley Information Center. The resources shall be evaluated for significance. If the resources are found to be significant, measures shall be identified by the qualified archaeologist. Similar to above, appropriate mitigation measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds. In addition, appropriate mitigation for excavation and construction activities in the vicinity of the resources found during the field survey or literature review shall include an archaeological monitor. The monitoring period shall be determined by the qualified archaeologist. If additional prehistoric archaeological resources are found during excavation and/or construction activities, the procedure identified above for the discovery of unknown resources shall be followed.*

MM CUL-4: *In the event that human remains are unearthed during excavation and grading activities of any future development project, all activity shall cease immediately. Pursuant to Health and Safety Code (HSC) Section 7050.5, no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to PRC Section 5097.98(a). If the remains are determined to be of Native American descent, the coroner shall within 24 hours notify the Native American Heritage*

Commission (NAHC). The NAHC shall then contact the most likely descendent of the deceased Native American, who shall then serve as the consultant on how to proceed with the remains. Pursuant to PRC Section 5097.98(b), upon the discovery of Native American remains, the landowner shall ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices, where the Native American human remains are located is not damaged or disturbed by further development activity until the landowner has discussed and conferred with the most likely descendants regarding their recommendations, if applicable, taking into account the possibility of multiple human remains. The landowner shall discuss and confer with the descendants all reasonable options regarding the descendants' preferences.

4.19 UTILITIES AND SERVICE SYSTEMS

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effect?		X		
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?		X		
c) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?		X		
d) Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?			X	
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?			X	

4.19.1 Environmental Setting

The Project Area is within City Limits and thus, will be required to connect to water, stormwater, and wastewater services pursuant to the FMC. Natural gas, electricity, and telecommunications are provided by private companies. Each utility system is described below.

Water

The City currently receives potable water supply from groundwater and surface sources. The City's 2020 UWMP analyzes current and future water demand in the city, considering water demand associated with future development projects and planning areas within the City's Sphere of Influence through 2045. The water demand projections contained in the UWMP are based on the General Plan land use designations and population projections. The City has various capital improvement projects that are planned to maintain and upgrade the City's existing water supply and distribution facilities to meet the existing and projected water demand. Water infrastructure is further addressed in the Fresno Metropolitan Water Resources Management Plan (Metro Plan).

Of note, the improvements listed in the Metro Pan were from the Phase 2 of the previous Metro Plan, which was published in 2011 before completion of the water metering effort. Based on the dramatic decrease in demands, the improvements were no longer needed by 2025 or General Plan Buildout. Additional legislation by the State of California is pushing the City of Fresno (and other municipalities) to conserve even more. In light of those changes since the previous Metro Plan was developed, the DPU is re-evaluating the water system improvements needed.

Wastewater

The City of Fresno Wastewater Management Division (WMD) is responsible for the collection, conveyance, treatment, and reclamation of wastewater generated in the Fresno-Clovis metropolitan area. Wastewater treatment and disposal is handled through the City-operated Regional Sewer Agency for the Fresno-Clovis Regional Wastewater Reclamation Facility (RWRF) North Fresno Wastewater Reclamation Facility (North Facility) via a wastewater collection system that consists of gravity sewer pipes, manholes, lift stations, junction structures, and force mains. New connection is subject to Sewer Connection Charges pursuant to Fresno Municipal Code *Section 6-304 and 6-305*.

The City's long-term wastewater planning is addressed in the City's Wastewater Collection System Master Plan (Master Plan) 2015 Update. The Master Plan indicates that at build out, which is General Plan build out, the City's wastewater flows are expected to increase substantially. The Master Plan further states that because of this, there are some areas of the existing collection system that cannot convey the build out PWWF (Peak Wet Weather Flow) within the established q/Q ratio (Peak Flow to Pipe Capacity Ratio). The Master Plan identifies, and outlines improvements needed, including pipelines and locations of new trunk sewers to serve future growth. According to the Master Plan, the proposed improvements are sized for General Plan buildout conditions. As the City continues to grow, the Master Plan recommends that the proposed pipeline diameters be constructed so that the facilities have sufficient capacity for buildout conditions.

Solid Waste

Residential solid waste in the City's Department of Public Utilities (DPU) Solid Waste Management Division and commercial solid waste is collected by private contractors, Mid Valley Disposal and Republic Services. The City of Fresno disposes municipal solid waste at the American Avenue Landfill (SWIS Number 10-AA-009). The American Avenue Landfill will continue operation until 2031. It currently has a remaining capacity of 17,459,683 cubic yards, and a maximum permit capacity of 32,700,000 cubic yards.⁵⁰ The Fresno General Plan Public Utilities and Services

⁵⁰ California Department of Resources Recycling and Recovery (2023). "SWIS Facility/Site Search." Accessed on July 30, 2024, <https://www2.calrecycle.ca.gov/SolidWaste/Site/Search>

Element contains policies addressing waste collection and service in compliance with the California Integrated Waste Management Act of 1989 (AB 939), which requires each jurisdiction in California to divert at least 50% of its waste stream away from landfills either through waste reduction, recycling, or other means.

Stormwater

See **Section 4.10**.

Natural Gas and Electricity

PG&E, the natural gas and electric service provider for the area, incrementally expands and updates its service system as needed to serve its users.

Telecommunications

Accordingly, telecommunications providers in the area incrementally expand and update their service systems in response to usage and demand. Upon request for future development projects, the Project Area would be connected to existing broadband infrastructure and subject to applicable connection and service fees.

City of Fresno Proposed Text Amendment for Ministerial Approval

The City of Fresno's proposed Text Amendment for ministerial approval prohibits ministerial approval of projects that exceed development or impact thresholds. The following language would prohibit ministerial development of a project that exceed development or impact thresholds. Projects that exceed these thresholds would be required to obtain a Development Permit. The full text amendment is provided in **Appendix E**.

B. Exceptions.

2. *Development or Impact Thresholds. A project site that is determined to require additional review or improvements based on a technical study or analysis required pursuant to any of the following, must obtain a Development Permit unless otherwise specified below.*

h. It shall be determined that the proposed project can be accommodated within existing infrastructure by the Review Authority in consultation with the Directors of Public Works and Public Utilities. If major infrastructure improvements are required beyond what is contained in the conditions below in Section 15-1006-D-2 and E (i.e. a well, an off-site traffic signal, transmission mains beyond the project frontage, etc.) in order to accommodate the proposed development, a Discretionary Permit is required.

Additionally, the Text Amendment lays out utility infrastructure related standards and requirements ministerial development projects would be required to comply with. The following language would prohibit ministerial development of a project that would be unable to comply with these standards.

- D. *Infrastructure Requirements. The proposed design shall not lead to an overburdening of existing or planned infrastructure capacities, including, but not limited to, capacities for water, runoff, storm water, wastewater, and solid waste systems.*

1. *The project shall comply with the following standards to ensure it can be adequately served by City Public Utility Services:*

- a. Pipelines that are downstream (between the project site and wastewater treatment plant or lift station) from the proposed project shall maintain a sewer flow capacity of 1.15 q/Q ratio. Projects that result in a pipeline exceeding the flow capacity of 1.15 q/Q shall construct upsized replacement pipelines for those found to be deficient per the requirements of the Department of Public Utilities Director.*
- b. On-site retention or storm drainage system modifications are required for projects within Priority Development Areas and the O District that are: 1) proposed at a density exceeding 16 du/ac in CMS, CR, and NMX, 30 du/ac in CMX, and 45 du/ac in RMX and 2) within areas where storm drain facilities are already constructed. Projects proposed outside Priority Development Areas and O Districts shall comply with General Plan EIR mitigation measures related to stormwater.*
- c. The City shall evaluate additional landfill locations at the time discretionary projects are submitted and shall not approve development that could contribute solid waste to a landfill that is at capacity until additional capacity is provided.*
- d. For any project that would cause the existing water system pipelines in the surrounding area to not be able to meet maximum day demand plus the project required fire flow of 2,500 gallons per minute (gpm), the project developer shall construct upsized replacement pipelines, per the requirements of the Department of Public Utilities Director, in the project vicinity to increase flow for the maximum day demand plus fire flow condition.*

4.19.2 Impact Assessment

- a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?*

Less than Significant with Mitigation Incorporated. The Project Area is within City Limits and thus, would be required to connect to water, stormwater, solid waste, and wastewater services when development is proposed. Natural gas, electricity, and telecommunications are provided by private companies. Below is an analysis of each utility.

Water

Approximately 94.9% of sites within the Project Area are developed and occupied by a mix of existing urban uses; the remaining 5.1% of sites within the Project Area are undeveloped, vacant lands. Since a significant majority of parcels in the Project Area are in developed areas, a significant portion of the Project Area contains existing water facilities including booster pump stations, storage facilities, active wells, and water mains.

Although no development is proposed as part of the Project, future development resulting from Project implementation would be required by the City, or water purveyor (e.g., Bakman Water District, Pinedale County Water District, etc.), to connect to existing facilities. This may require an extension or expansion of mains, new wells, or other improvements to be able to serve the development.

The Text Amendment would add a provision to the FMC that requires determination by the Reviewing Authority in consultation with the Directors of Public Works and Public Utilities as to whether the proposed design can be accommodated within existing infrastructure. If the design cannot be accommodated, then ministerial approval is

prohibited, and the project shall be subject to discretionary review and approval. Any discretionary projects resulting from Project implementation would require further environmental review pursuant to CEQA.

To further ensure that future projects resulting from Project implementation do not have a significant impact, the Project shall incorporate ~~MM UTL-1, MM UTL-2, and MM UTL-3~~ as described below. Incorporation of mitigation would reduce impacts to less than significant. For these reasons, impacts would be less than significant.

~~**MM UTL-1:** The City shall evaluate the water conveyance system and, at the time that discretionary projects are submitted for approval by the City, the City shall not approve development that would demand additional water and exceed the capacity of a facility increase water demand beyond existing capacity until additional capacity is provided. Additional capacity may be provided via the construction of additional public water supply wells, 16-inch transmission grid mains, and/or other properly sized conveyance systems, as determined necessary by the Director of Public Utilities. The following capacity improvements shall be evaluated for potential environmental impacts and constructed by the City by approximately 2025.~~

- ~~• Construct 65 new groundwater wells, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update.~~
- ~~• Construct a 2.0 million gallon potable water reservoir (Reservoir T2) near the intersection of Clovis and California Avenues, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update.~~
- ~~• Construct a 4.0 million gallon potable water reservoir (Reservoir T5) near the intersection of Ashlan and Chestnut Avenues, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update.~~
- ~~• Construct a 4.0 million gallon potable water reservoir (Reservoir T6) near the intersection of Ashlan Avenue and Highway 99, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update.~~
- ~~• Construct 50.3 miles of regional water transmission mains ranging in size from 24-inch to 48-inch, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update.~~
- ~~• Construct 95.9 miles of 16-inch transmission grid mains, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update.~~

Prior to initiating construction of any of the capacity improvement projects identified above, the City shall conduct appropriate environmental analyses for each project to determine whether environmental impacts would occur.

~~**MM UTL-2:** The City shall evaluate the water conveyance system at the time discretionary projects are submitted and shall not approve development that would demand additional water and exceed the capacity of a facility until additional capacity is provided. The following capacity improvements shall be evaluated for potential environmental impacts and constructed by the City after approximately the year 2035 and additional water conveyance facilities shall be provided prior to exceedance of capacity within the water conveyance facilities to accommodate full buildout of the approved General Plan.~~

- ~~• Construct a 4.0 million gallon potable water reservoir (SEDA Reservoir 1) within the northern part of the Southeast Development Area.~~
- ~~• Construct a 4.0 million gallon potable water reservoir (SEDA Reservoir 2) within the southern part of the southeast Development Area.~~

~~**MM UTL-3:** The City shall evaluate the water supply system at the time discretionary projects are submitted and shall not approve development that would demand additional water until additional capacity is~~

~~provided. By approximately the year 2025, the following capacity improvements shall be evaluated for potential environmental impacts and constructed by the City.~~

- ~~• Construct an approximately 30 mgd expansion of the existing northeast surface water treatment facility for a total capacity of 60 mgd, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update.~~
- ~~• Construct an approximately 20 mgd surface water treatment facility in the southwest portion of the City, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update.~~
- ~~• Construct a 25,000 AF/year recycled water facility as an expansion to the RWRf in accordance with the January 2014 City of Fresno Metropolitan Water Resources Management Plan. This improvement is required after the year 2025.~~

Wastewater

Approximately 94.9% of sites within the Project Area are developed and occupied by a mix of existing urban uses; the remaining 5.1% of sites within the Project Area are undeveloped, vacant lands. Since a significant majority of parcels in the Project Area are in developed areas, a significant portion of the Project Area contains existing wastewater facilities including sewer mains and conveyance pipes.

Although no development is proposed as part of the Project, future development resulting from Project implementation would be required by the City to connect to existing facilities pursuant to FMC Section 6-303. This may require an extension or expansion of mains or other improvements to be able to serve the development.

The Text Amendment would add a provision to the FMC that requires a determination by the Reviewing Authority in consultation with the Directors of Public Works and Public Utilities as to whether the proposed design can be accommodated within existing infrastructure. If the design cannot be accommodated, then ministerial approval is prohibited, and the project shall be subject to discretionary review and approval. In addition, the proposed Project (Text Amendment) includes the following language: "If major infrastructure improvements are required beyond what is contained in the conditions below in Section 15-1006-D-2 and E (i.e. a well, an off-site traffic signal, transmission mains beyond the project frontage, etc.) in order to accommodate the proposed development, a Discretionary Permit is required." Any discretionary projects resulting from Project implementation would require further environmental review pursuant to CEQA. To further ensure that future projects resulting from Project implementation do not have a significant impact, the Project shall incorporate **MM UTL-24, MM UTL-5, and MM UTL-6** as described below. Incorporation of mitigation would reduce impacts to less than significant. For these reasons, impacts would be less than significant. For these reasons, impacts would be less than significant.

MM UTL-24: ~~The City shall evaluate the wastewater system at the time discretionary projects are submitted and shall not approve development that contributes wastewater to the wastewater treatment facility that could exceed capacity of the treatment facilities until additional capacity is provided. By approximately the year 2025, the City shall evaluate the potential environmental impacts and construct the following improvements.~~

- ~~• Construct an approximately 70 mgd expansion of the Regional Wastewater Treatment Facility prior to flows reaching 80 percent of rated capacity, and obtain revised waste discharge permits as the generation of wastewater is increased.~~
- ~~• Construct an approximately 0.49 mgd expansion of the North Facility and obtain revised waste discharge permits as the generation of wastewater is increased.~~

~~**MM UTL-5:** The City shall evaluate the wastewater system at the time discretionary projects are submitted and shall not approve development that contributes wastewater to the wastewater treatment facility that could exceed capacity until additional capacity is provided. After approximately the year 2025, the City shall evaluate the potential environmental impacts of, and construct the following improvements.~~

- ~~• Construct an approximately 24 mgd Wastewater Treatment Facility within the Southeast Development Area and obtain revised waste discharge permits as the generation of wastewater is increased.~~
- ~~• Construct an approximately 9.6 mgd expansion of the Regional Wastewater Treatment Facility and obtain revised waste discharge permits as the generation of wastewater is increased.~~

MM UTIL-36: Consistent with the Sewer System Management Plan, the City shall evaluate the wastewater collection system at the time discretionary projects are submitted, and shall not approve development that would generate additional wastewater and exceed the capacity of a wastewater collection facility until additional capacity is provided.

Stormwater

Approximately 94.9% of sites within the Project Area are developed with existing structures and improvements and are surrounded by off-site improvements including curbs, gutters, sidewalks, and roadways. Therefore, future development would be within mostly developed areas with urban uses, resulting in runoff conditions that would be like current conditions of surrounding uses.

There are portions of the Project Area (i.e., approximately 5.1% of sites) that are undeveloped and pervious, including vacant lands. Implementation of the Project could result in future development of these undeveloped sites, which would add new impervious surfaces that could increase stormwater runoff.

Future development within the Project Area would be regulated by FMFCD's SWQMP, approved grading and drainage plans, and General Plan policies and FMC requirements, subject to specific stormwater control requirements. Required compliance with the SWQMP would reduce impacts to less than significant.

Natural Gas, Electricity and Telecommunications

PG&E, the natural gas and electric service provider for the area, incrementally expands and updates its service system as needed to serve its users. Likewise, telecommunications providers in the area incrementally expand and update their service systems in response to usage and demand. Construction and operation of utility infrastructure in the Plan Area would be typical of such facilities, and there is no evidence to suggest that it would result in any additional significant effects not evaluated herein. To ensure that buildout under the proposed Project would result in expanded facilities beyond those already anticipated for the Project Area, the Project shall incorporate **MM UTL-47** as described below. With incorporation, impacts would be less than significant.

MM UTL-47: At the time discretionary projects are submitted, the City shall require project-specific environmental evaluations for the expansion or relocation of electric, natural gas, or telecommunication facilities be completed prior to project approval.

- b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

Less than Significant Impact with Mitigation Incorporated. The City's long-term water resource planning is addressed in the City's 2020 UWMP. According to the UWMP, water demand in the city has decreased over the past two (2) decades and is expected to grow at a slower rate than the anticipated population growth. This trend is captured by the daily per capita water use, measured as gallons per capita per day (GPCD). For 2020, water use averaged 198 GPCD based on 121,993 acre-feet (AF) of water production. Of note, this GPCD is below the 2020 daily per capita water use target of 247 GPCD, which the UWMP attributes to conservation efforts implemented by the City.

Regarding water supply availability, the City manages its surface water and groundwater supply by maximizing water for potable use and intentional recharge during wet and normal years and relies on groundwater during dry years. To optimize water supply reliability and resiliency, the City is currently undergoing an update of its Metro Plan which will identify projects and programs. Generally, the City's approach is to maximize local supplies and improve the storage of the groundwater basin through recharge, recycled water usage, and conservation.

The UWMP projects normal water year, single dry water year, and five-year consecutive drought period supplies based on historic water allocations, sustainable yields, and utilization of recycled water. Based on these projections, the UWMP found that groundwater supplies remain reliable in all hydrologic conditions, attributing the stability to intentional recharge. The projections also show that the City will have greater than 100,000 AF available supply in normal years after meeting demands. In a single dry year, surface water supplies will be reduced but the City would still be able to meet all potable demands. Lastly, for five-year consecutive drought periods, the City is projected to meet all demands with its existing supplies with reduced groundwater recharge in year three and four to accommodate reduced surface water allocations. Based on these projections, it can be inferred that future development, i.e., anticipated buildout of General Plan through 2045, will not negatively impact the City's ability to provide water assuming adherence to requirements and recommendations from the City's water resources planning efforts.

The Project includes a Text Amendment that would allow new multi-family residential development on Office-zoned parcels, either ministerially or with a discretionary permit, and allow ministerial approval of multi-family residential development on parcels in multi-family zone districts that are within ½ mile of an existing bus stop. Cumulatively, these text amendments could result in a reasonably foreseeable buildout of 22,425 units over the next 30 years. Of the approximately 22,425 units, approximately 4,868 units or 162 units per year (Office-to-Dwelling Conversions and New Residential Development on Office Parcels) account for additional capacity beyond what is currently permitted within the Fresno Municipal Code.

Potable water demands for the Office-to-Dwelling Conversions and New Residential Development on Office Parcels (i.e., 4,868 units) were estimated using land-use-based unit water demand factors last updated for the City in 2018, for use in the UWMP. The applicable water demand factors are shown in [Table 4-25](#). The applicable General Plan land use designation for the Office-to-Dwelling Conversions and New Residential Development on Office Parcels is the Employment – Office land use designation.

Although the Project would not result in a General Plan Amendment or change in land use designations, the Residential – Medium High and Residential – High Density land use designations were determined to be the most applicable to calculate potable water demands for the anticipated residential uses. As described in [Section 2.9.1. Environmental Analysis Assumptions](#), the assumptions for New Residential Development on Office Parcels applies a reasonable density within the High-Density Residential land use designation/RM-3 zone district. Office-to-

Dwelling Conversions utilize the Residential – Medium High land use designation since assumptions for existing office development would result in a residential density of approximately 22 du/ac after conversion.⁵¹

Table 4-25 Water Demand Factors by Land Use

Land Use	Water Demand Factor (Ac-Ft/Yr/Acre)
Residential	
Residential – Medium High	4.89
Residential – High Density	6.51
Office	
Office	2.65

Source: City of Fresno, 2018 Water Demand Factors

According to the UWMP, these factors were developed using 2018 metered consumption data matched to 72 categories of land use data, then applied to the 2020 land use acreage by category to develop the demand projection beginning in 2020. The demand factors were assumed to slowly reduce over time due to passive conservation, which includes the replacement of older water fixtures and appliances with more efficient types. The UWMP assumes that future residential units are 10% more water efficient due to changes in the plumbing code and increasing new water efficient technology.

As described in **Section 2.9.1. Environmental Analysis Assumptions**, the environmental analysis reasonably assumes that approximately 20% of existing gross floor area of office commercial use (2,692,008 square feet, or 61.8 acres) could be converted to 2,692 multi-family residential units and 20% of vacant parcels in the O zone district, or 64 acres) could be developed with 2,176 multi-family residential units over the next 30 years.

Table 4-26 summarizes the total water demands to be expected under existing conditions without the Project and for buildout under the Project, based on the environmental assumptions. As shown, buildout under existing conditions would utilize approximately 333.37-acre feet per year (AFY) compared to an estimated 718.84 AFY under buildout of the proposed Project. Buildout under the proposed Project would account for an approximately 1.0 percent increase above the City’s 2020 water demand of 121,993 AFY per the UWMP. The minimal increase would not exceed available groundwater supplies during a normal year UWMP estimate of 136,504 AFY potable water supply. Therefore, the Project would be accommodated by existing groundwater supplies and impacts would be less than significant.

Table 4-26 Water Demand by Land Use for Existing Conditions versus Project Conditions

Land Use	Area (ac)	Annual Average (Ac-Ft/Yr/Acre)	Annual Average (AFY)
Buildout under Existing Conditions (without Project)			
Office (Existing)	61.8	2.65	163.77
Office (New)	64	2.65	169.60
Total	125.8	--	333.37
Buildout under Project			

⁵¹ For instance, a one (1)-acre parcel is assumed to be developed with an existing 21,780 square-foot office building (0.5 FAR). Since it is assumed that multi-family units are 1,000 square-foot per unit, The 21,780 square-foot office can be converted to 21.78 units, which is approximately 21.78 du/ac.

Residential – Medium High	61.8	4.89	302.20
Residential – High Density	64	6.51	416.64
Total	125.8	--	718.84

Furthermore, adherence to connection requirements and recommendations pursuant to the City’s water conservation efforts (e.g., compliance with California Plumbing Code, efficient appliances, efficient landscaping, etc.) should not negatively impact water supply or impede water management. In particular, future residential development resulting from Project implementation would be required to be built accordance with all mandatory outdoor water use requirements as outlined in the applicable California Green Building Standards Code, Title 24, Part 11, Section 4.304 – Outdoor Water Use and verified through the building permit process. As multi-family residential development that would contain landscaping pursuant to FMC regulations, future development would be required to comply with the updated Model Water Efficient Landscape Ordinance (MWELO) (California Code of Regulations, Title 23, Chapter 2.7, Division 2), as implemented and enforced through the building permit process. Therefore, through compliance, the potential for the Project to substantially decrease groundwater supplies is limited and impacts would be less than significant.

In addition, development of the Project site would increase impervious surfaces which could increase stormwater runoff and reduce groundwater recharge. According to FMFCD, rainfall and stormwater runoff in the Fresno area is collected and conveyed through a network of pipelines to 155 stormwater basins where it slowly percolates through the soil to the groundwater aquifer. As described in **Section 4.10. Hydrology and Water Quality**, runoff from future development would be collected and stored in compliance with FMFCD’s Storm Drainage and Flood Control Master Plan in addition to approved grading and drainage plans. Therefore, potential for the Project to interfere substantially with groundwater recharge such that the Project would impede sustainable groundwater management of the basin is limited and impacts would be less than significant.

Overall, based on the information collected from the UWMP and the City of Fresno, the proposed Project would not generate significantly greater water demand than would otherwise occur with a higher intensity land use. As a result, it can be presumed that the existing and planned water distribution system and supplies should be adequate to serve buildout under the proposed Project, and the Project would thereby not decrease groundwater supplies, interfere substantially with groundwater recharge, or impede sustainable groundwater management of the basin. In addition, adherence to connection requirements and recommendations pursuant to the City’s water supply planning efforts (i.e., compliance with California Plumbing Code, efficient appliances, efficient landscaping, etc.) should not negatively impact the City’s water provision. However, to further ensure that future projects resulting from Project implementation do not have a significant impact, the Project shall incorporate **~~MM UTL-1, MM UTL-2, and MM UTL-3~~** as described in criterion a). Incorporation of mitigation would reduce Impacts to less than significant.

- c) *Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project’s projected demand in addition to the provider’s existing commitments?*

Less than Significant Impact with Mitigation Incorporated. The City’s long-term wastewater planning is addressed in the City’s Wastewater Collection System Master Plan Update (Master Plan).⁵² Land use types are important to determine projected demand and adequate sizing and capacity for pipes and facilities to maintain effective sanitary sewer system facilities. The land use assumptions in the Master Plan were based on the General Plan and projected future development within the City’s proposed growth boundary. The Master Plan estimates the future quantity of wastewater generated at build out of the collections system. Wastewater flows associated with General Plan buildout are projected to be approximately 129.9 millions of gallons per day (mgd).

Although the Project would not result in a General Plan Amendment or change in land use designations, the Project would introduce residential uses to the Employment – Office land use designation/O zone district, which could generate additional wastewater beyond existing or planned conditions. As shown in Table 5.5 of the Master Plan, the Medium High Density residential land use type is projected to generate 2,800 gallons per day per acre (gpd/ac) and the High Density residential land use type is projected to generate 4,000 gpd/ac, whereas the Office land use designation is projected to generate 1,000 gpd/ac.

Table 4-27 summarizes the total wastewater flows for buildout under existing conditions without the Project compared to buildout under the Project. Buildout under the Project would represent an approximately 2.4% increase in wastewater flows compared to existing conditions.

Table 4-27 Wastewater Flows by Land Use for Existing Conditions versus Project Conditions

Land Use	Area (ac)	Wastewater Flow Coefficient (gpd/ac)	Daily Average (GPD)
Buildout under Existing Conditions (without Project)			
Office (Existing)	61.8	1,000	61,800
Office (New)	64	1,000	64,000
Total	125.8	--	125,800
Buildout under Project			
Residential – Medium High	61.8	2,800	173,040
Residential – High Density	64	4,000	256,000
Total	125.8	--	429,040

According to the Master Plan, the City of Fresno owns and operates two (2) wastewater treatment facilities. They are the Fresno/Clovis Regional Wastewater Reclamation Facility and the North Fresno Wastewater Reclamation Facility (RWRF). The RWRF currently has a capacity of 91.5 mgd. The North Facility has a capacity of 0.71 mgd. The continued implementation of the General Plan is projected to increase demand to require an expansion of the RWRF by 70 mgd to accommodate growth associated with implementation of the approved General Plan. The General Plan includes *Policies PU-6-a and PU-6-b, Objective PU-7 and Policies PU-7-a through PU-7-f* to reduce

⁵² City of Fresno (2015). Wastewater Collection System Master Plan Update. Accessed July 31, 2024, <https://www.fresno.gov/publicutilities/plans-and-reports/#sewer-and-wastewater-management-plans>

water quality impacts that may be associated with wastewater treatment operations and discharges. ~~However, the existing wastewater treatment capacity at the RWRP and North Facility is not adequate to serve the future development anticipated under General Plan buildout. To mitigate impacts, expansion of these facilities is planned for 2025 or later, based on capacity levels.~~ Therefore, to mitigate potential impacts from increased wastewater flows under buildout of the proposed Project, the Project shall incorporate ~~MM UTL-2, MM UTL-5, and MM UTL-6~~ as described in criterion ~~ab~~). Incorporation of mitigation would reduce impacts to less than significant.

d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

Less than Significant Impact.

Construction

CALGreen mandates locally permitted new residential building construction and demolition to recycle and/or salvage for reuse a minimum 65% of the nonhazardous construction and demolition debris generated during a project. Further, the recycling of construction and demolition materials is required for any City-issued building or demolition permit that generates at least eight (8) cubic yards of material by volume. Therefore, future development resulting from Project implementation would be required to implement techniques to reduce and recycle waste during construction activities in accordance with mandatory requirements under CALGreen as implemented through the building permit process. Compliance would be ensured through the building permit process. Therefore, through compliance, solid waste generated through construction activities is not anticipated to generate solid waste in excess of state or local standards, in excess of the capacity of the local infrastructure, or otherwise impair the attainment of solid waste reduction goals. Therefore, impacts would be less than significant.

Operations

As previously discussed, the Project could result in additional residential capacity of approximately 4,868 units (Office-to-Dwelling Conversions and New Residential Development on Office Parcels). This assumption accounts for approximately 20% (or 2,692,008 square feet) of existing floor area of office commercial use and 20% of vacant parcels (approximately 1,393,920 square feet of potential office space with 0.5 FAR) in the O zone district to be converted (2,692 units at buildout) or developed (2,176 units at buildout) with multi-family residential uses over the next 30 years (see **Section 2.9.1. Environmental Analysis Assumptions**).

A typical solid waste generation rate is approximately 6 lbs/1,000 square feet per day for commercial/office/public facility uses and 7 lbs/unit/day for multi-family residential uses. **Table 4-28** summarizes the total estimated waste generation for buildout under existing conditions without the Project compared to buildout under the Project. Buildout under the Project would represent an increase in solid waste generation compared to existing conditions, which could be potentially significant if the solid waste generated is more than the capacity of local infrastructure or would otherwise impair the attainment of solid waste reduction goals of the City of Fresno.

Table 4-28 Estimated Waste Generation for Existing Conditions versus Project Conditions

Land Use	Area	Solid Waste Generation Rate Per Day	Total Lbs per Day
Buildout under Existing Conditions (without Project)			

Office	4,085,928 sf.	6 lbs/1,000 square feet	24,515
Buildout under Project			
Multi-Family Residential	4,868 units	7 lbs/unit	34,076

With an expected closure of American Avenue Landfill in 2031, the landfill would not be available through buildout of the General Plan or under the proposed Project. The City of Fresno is implementing diversion programs with goals to reach Zero Waste by 2025 and reduce landfill contributions in accordance with applicable regulations including AB 341, SB 1374, AB 1826, and SB 1383. As new multi-family development, future development resulting from Project implementation would be subject to AB 341, the state’s mandatory commercial recycling law, and AB 827, the state’s customer access to recycling law. AB 341 requires all businesses that generate four cubic yards or more of solid waste per week and multi-family properties with five or more units to arrange for recycling services. AB 827 requires recycling and organics recycling containers at the “front-of-house” to collect waste generated. These containers are required to be placed adjacent to trash containers and be visible, easily accessible, and clearly marked. Compliance would be ensured through the building permit process. In addition, the Text Amendment would add a provision to the FMC that requires the City to evaluate additional landfill locations at the time discretionary projects are submitted and shall not approve development that could contribute solid waste to a landfill that is at capacity until additional capacity is provided. Compliance would be verified through the entitlement review process. Overall, required compliance with applicable regulations and the City’s evaluation of landfills and capacity would reduce impacts to less than significant.

e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

Less than Significant Impact. As described under criterion d), Project construction and operational activities that generate solid waste would be handled, transported, and disposed of in accordance with AB 939 and CALGreen regulations related to solid waste. Therefore, through compliance, the Project would comply with laws and regulations that would ensure impacts related to solid waste are reduced to less than significant levels.

4.19.3 Mitigation Measures

The Project shall implement and incorporate, as applicable, the utilities related mitigation measures as identified in this section, and in the **MITIGATION MONITORING AND REPORTING PROGRAM** contained in **SECTION 5**.

MM UTL-1: ~~The City shall evaluate the water conveyance system and, at the time that discretionary projects are submitted for approval by the City, the City shall not approve development that would demand additional water and exceed the capacity of a facility increase water demand beyond existing capacity until additional capacity is provided. Additional capacity may be provided via the construction of additional public water supply wells, 16-inch transmission grid mains, and/or other properly sized conveyance systems, as determined necessary by the Director of Public Utilities. The following capacity improvements shall be evaluated for potential environmental impacts and constructed by the City by approximately 2025.~~

- ~~• Construct 65 new groundwater wells, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update.~~
- ~~• Construct a 2.0 million gallon potable water reservoir (Reservoir T2) near the intersection of Clovis and California Avenues, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update.~~
- ~~• Construct a 4.0 million gallon potable water reservoir (Reservoir T5) near the intersection of Ashlan and~~

- ~~Chestnut Avenues, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update.~~
- ~~Construct a 4.0 million gallon potable water reservoir (Reservoir T6) near the intersection of Ashlan Avenue and Highway 99, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update.~~
- ~~Construct 50.3 miles of regional water transmission mains ranging in size from 24-inch to 48-inch, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update.~~
- ~~Construct 95.9 miles of 16-inch transmission grid mains, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update.~~

Prior to initiating construction of any of the capacity improvement projects identified above, the City shall conduct appropriate environmental analyses for each project to determine whether environmental impacts would occur.

~~**MM-UTL-2:** The City shall evaluate the water conveyance system at the time discretionary projects are submitted and shall not approve development that would demand additional water and exceed the capacity of a facility until additional capacity is provided. The following capacity improvements shall be evaluated for potential environmental impacts and constructed by the City after approximately the year 2035 and additional water conveyance facilities shall be provided prior to exceedance of capacity within the water conveyance facilities to accommodate full buildout of the approved General Plan.~~

- ~~Construct a 4.0 million gallon potable water reservoir (SEDA Reservoir 1) within the northern part of the Southeast Development Area.~~
- ~~Construct a 4.0 million gallon potable water reservoir (SEDA Reservoir 2) within the southern part of the southeast Development Area.~~

~~**MM-UTL-3:** The City shall evaluate the water supply system at the time discretionary projects are submitted and shall not approve development that would demand additional water until additional capacity is provided. By approximately the year 2025, the following capacity improvements shall be evaluated for potential environmental impacts and constructed by the City.~~

- ~~Construct an approximately 30 mgd expansion of the existing northeast surface water treatment facility for a total capacity of 60 mgd, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update.~~
- ~~Construct an approximately 20 mgd surface water treatment facility in the southwest portion of the City, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update.~~
- ~~Construct a 25,000 AF/year recycled water facility as an expansion to the RWRf in accordance with the January 2014 City of Fresno Metropolitan Water Resources Management Plan. This improvement is required after the year 2025.~~

~~**MM-UTL-24:** The City shall evaluate the wastewater system at the time discretionary projects are submitted and shall not approve development that contributes wastewater to the wastewater treatment facility that could exceed capacity of the treatment facilities until additional capacity is provided. ~~By approximately the year 2025, the City shall evaluate the potential environmental impacts and construct the following improvements.~~~~

- ~~Construct an approximately 70 mgd expansion of the Regional Wastewater Treatment Facility prior to flows reaching 80 percent of rated capacity, and obtain revised waste discharge permits as the generation of wastewater is increased.~~
- ~~Construct an approximately 0.49 mgd expansion of the North Facility and obtain revised waste~~

~~discharge permits as the generation of wastewater is increased.~~

~~**MM UTL-5:** The City shall evaluate the wastewater system at the time discretionary projects are submitted and shall not approve development that contributes wastewater to the wastewater treatment facility that could exceed capacity until additional capacity is provided. After approximately the year 2025, the City shall evaluate the potential environmental impacts of, and construct the following improvements.~~

- ~~• Construct an approximately 24 mgd Wastewater Treatment Facility within the Southeast Development Area and obtain revised waste discharge permits as the generation of wastewater is increased.~~
- ~~• Construct an approximately 9.6 mgd expansion of the Regional Wastewater Treatment Facility and obtain revised waste discharge permits as the generation of wastewater is increased.~~

MM UTIL-36: Consistent with the Sewer System Management Plan, the City shall evaluate the wastewater collection system at the time discretionary projects are submitted, and shall not approve development that would generate additional wastewater and exceed the capacity of a facility until additional capacity is provided.

MM UTIL-47: At the time discretionary projects are submitted, the City shall require project-specific environmental evaluations for the expansion or relocation of electric, natural gas, or telecommunication facilities be completed prior to project approval.

4.20 WILDFIRE

If located in or near state responsibility or lands classified as very high fire hazard severity zones, Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?			X	
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?			X	
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?			X	
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?			X	

4.20.1 Environmental Setting

In general, Fresno is categorized as having little or no threat or moderate fire hazard, which can be attributed to its impervious and paved surface areas. The area along the San Joaquin River Bluff is an exception, as it is prone to wildfires due to steep terrain and native vegetation. The Project Area comprises relatively flat properties within the City Limits in areas that are planned for and/or developed with urbanized uses. Three (3) parcels within the Project Area are within 300 feet of the San Joaquin River Bluff area. Two (2) of the parcels are developed and one (1) is currently vacant with ruderal vegetation. In addition, Fresno (inclusive of the Project Area) is identified by the California Department of Forestry and Fire Protection (Cal Fire) as an “area of local responsibility” with low fire risk.

⁵³ Thus, the city is not located in a wildland or “Very High Fire Hazard Severity Zone.”

⁵³ Cal Fire, “FHSZ Viewer.” Accessed on June 4, 2024, <https://experience.arcgis.com/experience/03beab8511814e79a0e4eabf0d3e7247/>

4.20.2 Impact Assessment

a) Substantially impair an adopted emergency response plan or emergency evacuation plan?

Less than Significant Impact. The City of Fresno's Emergency Operations Plan describes City actions during a response to an emergency, including coordination between the City and other local, state, and federal agencies. The lead departments for local emergency response efforts are the Fresno Police Department and Fresno Fire Department. Implementation of the Project would result in Zoning Ordinance Text Amendments that could facilitate future development within the Project Area. When proposed, future development within the Project Area would be reviewed to ensure that they do not impair infrastructure associated with evacuation, emergency response, and emergency access routes within the City or County. Construction of off-site improvements may require lane closures; however, these activities would be short-term and access through existing roadways would be maintained through standard traffic control plans. Furthermore, future development would be subject to compliance with applicable standards for on-site emergency access including turn radius and fire access. In addition, future development would not impede the implementation of General Plan objective NS-6 policies NS-6-a to NS-6-g (See Environmental Setting of [Section 4.9. Hazards and Hazardous Materials](#)). Therefore, through the development review process and General Plan compliance, the Project would not impair an adopted emergency response plan or emergency evacuation plan and impacts would be less than significant.

b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?

Less than Significant Impact. The Project Area is located in a relatively flat area with minimal slope ([Section 4.7](#)) that is developed with a mix of urban uses and is not located within a wildland, which precludes the risk of wildfire. As such, the risk of downslope winds and other factors that could exacerbate wildfire risks is limited. For these reasons, Project implementation would not change the degree of exposure to wildfires, and the Project would have a less than significant impact.

c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?

Less than Significant Impact. The Project Area is located within City Limits in areas with existing or planned urban uses. As such, the sites within the Project Area are generally infill sites that are served by existing infrastructure such as roads and utilities. As Project implementation results in future development of these sites, the installation and maintenance of new infrastructure would be reviewed and/or conditioned by the City of Fresno for compliance with applicable standards, specifications, and code. Such infrastructure would be typical for urban uses within urbanized areas and would thereby not exacerbate fire risks or result in temporary or ongoing impacts to the environment. Therefore, a less than significant impact would occur as a result of the Project.

d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

Less than Significant Impact. As described in [Section 4.7](#), the Project Area is not subject to flooding or landslides. Impacts to drainage patterns are addressed in [Section 4.10](#). Based on these analyses, the Project Area is not susceptible to downslope or downstream flooding or landslides. Further, as described above, the Project Area is

not located within or near wildlands or within a Very High Fire Hazard Severity Zone. Therefore, the Project would not expose people or structures to significant risks and impacts would be less than significant.

4.20.3 Mitigation Measures

None Required.

4.21 MANDATORY FINDINGS OF SIGNIFICANCE

Would the project:	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?		X		
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?		X		
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?		X		

4.21.1 Impact Assessment

- a) *Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of an endangered, rare, or threatened species, or eliminate important examples of the major periods of California history or prehistory?*

Less than Significant Impact with Mitigation Incorporated. The analyses of environmental issues contained in this Initial Study indicate that the Project would have potentially significant impacts resulting from the proposed Project. Standard requirements that will be implemented through the entitlement process and the attached mitigation monitoring and reporting program have been incorporated in the project to reduce all potentially significant impacts to less than significant. Mitigation measures, including *MM AIR-1, BIO-1, BIO-2, BIO-3, BIO-4, BIO-5, BIO-6, BIO-7, BIO-8, BIO-9, CUL-1, CUL-2, CUL-3, CUL4, GEO-1, HAZ-1, HAZ-2, NOI-1, UTL-1, UTL-2, UTL-3, UTL-4, UTL-5, UTL-6, UTL-7* are incorporated herein to reduce all potentially significant impacts to less than significant with mitigation incorporated. Therefore, the Project would have a less than significant impact.

- b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)*

Less than Significant Impact with Mitigation Incorporated. CEQA Guidelines Section 15064(i) states that a Lead Agency shall consider whether the cumulative impact of a project is significant and whether the effects of the project are cumulatively considerable. The assessment of the significance of the cumulative effects of a project must, therefore, be conducted in connection with the effects of past projects, other current projects, and probable future projects. Due to the nature of the project and consistency with environmental policies, incremental contributions to impacts are considered less than cumulatively considerable. The Project would not contribute substantially to adverse cumulative conditions, or create any substantial indirect impacts (i.e., increase in population could lead to an increased need for housing, increase in traffic, air pollutants, etc.). The proposed Project (Text Amendment) was funded by a LEAP grant for the purpose of providing additional opportunities for housing and mixed-use development, in line with the goals contained in the General Plan and Housing Element. This indicates that the anticipated growth and impacts from the proposed Project is compliant and previously analyzed within the General Plan and Housing Element. In addition, no development is proposed or mandated as part of the Text Amendment, and there is no guarantee of future development or the timing of when that development could happen. As such, Project impacts are not considered to be cumulatively considerable given the insignificance of project-induced impacts. Standard requirements that will be implemented through the entitlement process and the attached mitigation monitoring and reporting program have been incorporated in the project to reduce all potentially significant impacts to less than significant. Mitigation measures, including *MM AIR-1, BIO-1, BIO-2, BIO-3, BIO-4, BIO-5, BIO-6, BIO-7, BIO-8, BIO-9, CUL-1, CUL-2, CUL-3, CUL4, GEO-1, HAZ-1, HAZ-2, NOI-1, UTL-1, UTL-2, UTL-3, UTL-4, UTL-5, UTL-6, UTL-7* are incorporated herein to reduce all potentially significant impacts to less than significant with mitigation incorporated. The impact is therefore less than significant.

- c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?*

Less than Significant Impact with Mitigation Incorporated. The analyses of environmental issues contained in this Initial Study indicate that the project is not expected to have substantial impact on human beings, either directly or indirectly. Standard requirements that will be implemented through the entitlement process and the attached mitigation monitoring and reporting program have been incorporated in the project to reduce all potentially significant impacts to less than significant. Mitigation measures, including *MM AIR-1, BIO-1, BIO-2, BIO-3, BIO-4, BIO-5, BIO-6, BIO-7, BIO-8, BIO-9, CUL-1, CUL-2, CUL-3, CUL4, GEO-1, HAZ-1, HAZ-2, NOI-1, UTL-1, UTL-2, UTL-3,*

UTL-4, UTL-5, UTL-6, UTL-7 are incorporated herein to reduce all potentially significant impacts to less than significant with mitigation incorporated. Therefore, the Project would have a less than significant impact.

5 MITIGATION MONITORING AND REPORTING PROGRAM

MITIGATION MONITORING AND REPORTING PROGRAM
For Development Code Text Amendment Application No. P24-00794
November 2024

This mitigation measure monitoring and reporting checklist was prepared pursuant to the California Environmental Quality Act (CEQA) Guidelines *Section 15097* and *Section 21081.6* of the Public Resources Code (PRC). The timing of implementing each mitigation measure is identified in the checklist, as well as the entity responsible for verifying that the mitigation measures applied to a Project are performed. Project applicants are responsible for providing evidence that mitigation measures are implemented. As lead agency, the City of Fresno is responsible for verifying that mitigation is performed/completed.

Mitigation Measures	Timing of Verification	Responsible for Verification	Verification of Completion	
			Date	Initials
Aesthetics				
AES-1: Lighting for Street and Parking Areas. Lighting systems for street and parking areas shall include shields to direct light to the roadway surfaces and parking areas. Vertical shields on the light fixtures shall also be used to direct light away from adjacent light sensitive land uses such as residences.	Lighting systems to be confirmed during plan check, prior to issuance of building permits	Public Works Department (PW) and Planning and Development Department		
AES-2: Signage Lighting. Lighting systems for freestanding signs shall not exceed 100 foot-Lamberts (FT-L) when adjacent to streets which have an average light intensity of less than 2.0 horizontal footcandles and shall not exceed 500 FT-L when adjacent to streets which have an average light intensity of 2.0 horizontal footcandles or greater.	Lighting systems to be confirmed during plan check, prior to issuance of building permits	Public Works Department (PW) and Planning and Development Department		
AES-3: Use of Non-Reflective Materials. Materials used on building facades shall be non-reflective.	Lighting systems to be confirmed during plan check, prior to issuance of building permits	Public Works Department (PW) and Planning and Development Department		
Air Quality				

<p>AIR-1: If a residential development project is proposed within the recommended buffer distances identified in the most current version of the CARB Air Quality and Land Use Handbook: A Community Health Perspective (CARB Handbook), the project shall submit a Health Risk Assessment (HRA) to the City. If the HRA shows that the project would exceed the applicable SJVAPCD thresholds, mitigation measures capable of reducing potential impacts to an acceptable level, such as provide enhanced filtration, must be identified and approved by the City.</p>	<p>HRA to be completed during environmental review and prior to approval of project. Project-specific mitigation shall be incorporated into project plans for approval prior to issuance of any grading or construction permits.</p>	<p>Planning and Development Department</p>		
<p>Biological Resources</p>				
<p>BIO-1: Construction of a proposed project shall avoid, where possible, vegetation communities that provide suitable habitat for a special-status species known to occur within the Project Area. If construction within potentially suitable habitat must occur, the presence/absence of any special-status plant or wildlife species must be determined prior to construction, to determine if the habitat supports any special-status species. If a special-status species is determined to occupy any portion of a project site, avoidance and minimization measures shall be incorporated into the construction phase of a project to avoid direct or incidental take of a listed species to the greatest extent feasible. Specific mitigation measures for direct or incidental impacts to special-status species shall be determined on a case-by-case basis through agency consultation during the review process for discretionary projects and shall be consistent with survey protocols and mitigations measures recommended by the agency at the time of consultation.</p>	<p>Biological Resources Assessment to be completed during environmental review and prior to approval of discretionary project. The City shall ensure that project-specific mitigation is incorporated into project plans for approval prior to issuance of any grading or construction permits.</p>	<p>Planning and Development Department</p>		
<p>BIO-2: Direct or incidental take of any state or federally listed species shall be avoided to the greatest extent feasible. If construction of a proposed project will result in the direct or incidental take of a listed species, consultation with the resources agencies and/or additional permitting may be required. Agency consultation through the CDFW 2081 and USFWS Section 7 or Section 10 permitting processes shall take place prior to any action that may result in the</p>	<p>Biological Resources Assessment to be completed during environmental review of project and prior to approval of</p>	<p>Planning and Development Department, California Department of Fish and Wildlife</p>		

<p>direct or incidental take of a listed species. Specific mitigation measures for direct or incidental impacts to special-status species shall be determined on a case-by-case basis through agency consultation during the review process for discretionary projects and shall be consistent with survey protocols and mitigations measures recommended by the agency at the time of consultation.</p>	<p>discretionary project. The City shall ensure that environmental review and agency consultation is completed prior to issuance of any grading or construction permits. Specifications regarding timing of surveys shall be determined by project-specific mitigation measures.</p>	<p>(CDFW), U.S. Fish and Wildlife Service (USFWS)</p>		
<p>BIO-3: Development within the Planning Area shall avoid, where possible, special-status natural communities and vegetation communities that provide suitable habitat for special-status species. If a proposed project will result in the loss of a special-status natural community or suitable habitat for special-status species, compensatory habitat-based mitigation is required under CEQA and CESA. Mitigation shall consist of preserving on-site habitat, restoring similar habitat or purchasing off-site credits from an approved mitigation bank. Compensatory mitigation shall be determined through consultation with the City and/or resource agencies. An appropriate mitigation strategy and ratio shall be agreed upon by the developer and lead agency to reduce project impacts to special-status natural communities to a less than significant level. Agreed-upon mitigation ratios shall depend on the quality of the habitat and presence/absence of a special-status species. Specific mitigation measures for direct or incidental impacts to special-status natural communities and vegetation communities shall be determined on a case- by-case basis through agency consultation during the review process for discretionary projects and shall be consistent with survey protocols and mitigations measures recommended by the agency at the time of consultation.</p>	<p>Biological Resources Assessment to be completed during environmental review of project and prior to approval of discretionary project. The City shall ensure that any required compensatory mitigation is determined prior to project approval.</p>	<p>Planning and Development Department, CDFW</p>		

<p>BIO-4: Proposed projects within the Planning Area should avoid, if possible, construction within the general nesting season of February through August for avian species protected under Fish and Game Code 3500 and the Migratory Bird Treaty Act (MBTA), if it is determined that suitable nesting habitat occurs on a project site. If construction cannot avoid the nesting season, a pre-construction clearance survey shall be conducted by a qualified biologist to determine if any nesting birds or nesting activity is observed on or within 500-feet of a project site. If an active nest is observed during the survey, a biological monitor shall be on site to ensure that no proposed project activities would impact the active nest. A suitable buffer shall be established around the active nest until the nestlings have fledged and the nest is no longer active. Project activities may continue in the vicinity of the nest only at the discretion of the biological monitor. Prior to commencement of grading activities and issuance of any building permits, the Director of the City of Fresno Planning and Development Department, or designee, shall verify that all proposed project grading and construction plans include specific documentation regarding the requirements of the Migratory Bird Treaty Act (MBTA) and California Fish and Game Code Section 3503, that preconstruction surveys have been completed and the results reviewed by staff, and that the appropriate buffers (if needed) are noted on the plans and established in the field. Specific mitigation measures for direct or incidental impacts to avian species protected under Fish and Game Code 3500 and the Migratory Bird Treaty Act (MBTA) shall be determined on a case-by-case basis through agency consultation during the review process for discretionary projects and shall be consistent with survey protocols and mitigations measures recommended by the agency at the time of consultation.</p>	<p>Biological Resources Assessment to be completed during environmental review of project and prior to approval of discretionary project. The City shall ensure that pre-construction surveys are conducted within 3 days prior to construction activities, or within a timeframe recommended by a qualified biologist and consistent with applicable regulatory requirements and/or recommendations.</p>	<p>Planning and Development Department, CDFW</p>		
<p>BIO-5: A pre-construction clearance survey, following current CDFW protocols, shall be conducted by a qualified biologist to determine if a proposed project will result in the removal or impact to any riparian habitat and/or a special-status natural community with potential to occur in the Planning Area, compensatory habitat-based mitigation shall be required to reduce project impacts. Compensatory mitigation must involve the preservation or restoration or the purchase of off-site mitigation credits for impacts to riparian habitat and/or a special-status natural community. Mitigation must be conducted in-kind or within an approved mitigation bank in the region. The specific mitigation ratio for habitat-based mitigation shall be determined through consultation with the</p>	<p>Pre-construction clearance survey to be completed during environmental review of project and prior to approval of discretionary project. The City shall ensure that any required compensatory</p>	<p>Planning and Development Department, CDFW, USFWS</p>		

appropriate agency (i.e., CDFW or USFWS) on a case-by-case basis. The project applicant/developer for a proposed project shall develop and implement appropriate mitigation regarding impacts on their respective jurisdictions.	mitigation is determined prior to project approval.			
BIO-6: A pre-construction clearance survey, following current CDFW protocols, shall be conducted by a qualified biologist to determine if a proposed project will result in significant impacts to streambeds or waterways protected under Section 1600 of Fish and Wildlife Code and Section 404 of the CWA. The project applicant/developer for a proposed project shall consult with partner agencies such as CDFW and/or USACE to develop and implement appropriate mitigation regarding impacts on their respective jurisdictions, determination of mitigation strategy, and regulatory permitting to reduce impacts, as required for projects that remove riparian habitat and/or alter a streambed or waterway. The project applicant/developer shall implement mitigation as directed by the agency with jurisdiction over the particular impact identified.	Pre-construction clearance survey to be completed during environmental review of project and prior to approval of discretionary project. The City shall ensure that project-specific mitigation is incorporated into project plans prior to project approval.	Planning and Development Department, CDFW		
BIO-7: Prior to project approval, a pre-construction clearance survey, following current CDFW protocols, shall be conducted by a qualified biologist to determine if a proposed project will result in project-related impacts to riparian habitat or a special-status natural community or if it may result in direct or incidental impacts to special-status species associated with riparian or wetland habitats. The project applicant/developer for a proposed project shall be obligated to address project-specific impacts to special-status species associated with riparian habitat through agency consultation, development of a mitigation strategy, and/or issuing incidental take permits for the specific special-status species, as determined by the CDFW and/or USFWS.	Pre-construction clearance survey to be completed during environmental review of project and prior to approval of discretionary project. The City shall ensure that project-specific mitigation is incorporated into project plans prior to project approval.	Planning and Development Department, CDFW		
BIO-8: If a proposed project will result in the significant alteration or fill of a federally protected wetland, a formal wetland delineation conducted according to USACE accepted methodology is required for each project to determine the extent of wetlands on a project site. The delineation shall be used to determine if federal permitting and mitigation strategy are required to reduce project	Wetland delineation to be completed during environmental review of project and prior to approval of	Planning and Development Department, CDFW		

impacts. Acquisition of permits from USACE for the fill of wetlands and USACE approval of a wetland mitigation plan would ensure a “no net loss” of wetland habitat within the Project Area. Appropriate wetland mitigation/creation shall be implemented in a ratio according to the size of the impacted wetland.	discretionary project. The City shall ensure that project-specific mitigation is incorporated into project plans prior to project approval.			
BIO-9: In addition to regulatory agency permitting, Best Management Practices identified from a list provided by the USACE shall be incorporated into the design and construction phase of the project to ensure that no pollutants or siltation drain into a federally protected wetland. Project design features such as fencing, appropriate drainage and incorporating detention basins shall assist in ensuring project-related impacts to wetland habitat are minimized to the greatest extent feasible.	Biological Resources Assessment to be completed during environmental review of project and prior to approval of discretionary project. The City shall ensure that project-specific BMPs are incorporated into project plans prior to issuance of any grading or construction permits.	Planning and Development Department, CDFW		
Cultural Resources				
CUL-1: If previously unknown resources are encountered before or during grading activities, construction shall stop in the immediate vicinity of the find and a qualified historical resources specialist shall be consulted to determine whether the resource requires further study. The qualified historical resources specialist shall make recommendations to the City on the measures that shall be implemented to protect the discovered resources, including but not limited to excavation of the finds and evaluation of the finds in accordance with Section 15064.5 of the CEQA Guidelines and the City’s Historic Preservation Ordinance. If the resources are determined to be unique historical resources as defined under Section 15064.5 of the CEQA Guidelines, measures shall be identified by the monitor and recommended to the Lead Agency. Appropriate measures for	Planning and Development Department to review contract specifications to ensure inclusion of provisions included in project-specific mitigation measure. Following discovery of previously unknown resource, a qualified	Planning and Development Department		

<p>significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds.</p> <p>No further grading shall occur in the area of the discovery until the Lead Agency approves the measures to protect these resources. Any historical artifacts recovered as a result of mitigation shall be provided to a City-approved institution or person who is capable of providing long-term preservation to allow future scientific study.</p>	<p>historical resources specialist shall prepare recommendations and submit to the Planning and Development Department. Timing for recommendations shall be established by project-specific mitigation measure.</p>			
<p>CUL-2: Prior to approval of any discretionary project that could result in an adverse change to a potential historic and/or cultural resource, the City shall require a site-specific evaluation of historic and/or cultural resources by a professional who meets the Secretary of Interior’s Qualifications. The evaluation shall provide recommendations to mitigate potential impacts to historic and/or cultural resources and shall be approved by the Director of Planning and Development.</p>	<p>Cultural resources study to be completed during environmental review and prior to approval of discretionary project. The City shall ensure that project-specific mitigation is incorporated into project plans prior to project approval.</p>	<p>Planning and Development Department</p>		
<p>CUL-3: Subsequent to a preliminary City review of the project grading plans, if there is evidence that a project will include excavation or construction activities within previously undisturbed soils, a field survey and literature search for prehistoric archaeological resources shall be conducted. The following procedures shall be followed.</p> <ul style="list-style-type: none"> • If prehistoric resources are not found during either the field survey or literature search, excavation and/or construction activities can commence. In the event that buried prehistoric archaeological resources are discovered during excavation and/or construction activities, construction shall stop in the immediate vicinity find and a qualified archaeologist shall be consulted to determine whether the resource requires further study. The qualified archaeologist shall make recommendations to the City on the measures that shall be implemented to protect the discovered resources, including 	<p>Cultural resources study to be completed during environmental review and prior to approval of discretionary project. The City shall ensure that project-specific mitigation is incorporated into project plans prior to project approval.</p>	<p>Planning and Development Department</p>		

<p>but not limited to excavation of the finds and evaluation of the finds in accordance with Section 15064.5 of the CEQA Guidelines. If the resources are determined to be unique prehistoric archaeological resources as defined under Section 15064.5 of the CEQA Guidelines, mitigation measures shall be identified by the monitor and recommended to the Lead Agency. Appropriate measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds. No further grading shall occur in the area of the discovery until the Lead Agency approves the measures to protect these resources. Any prehistoric archaeological artifacts recovered as a result of mitigation shall be provided to a City-approved institution or person who is capable of providing long-term preservation to allow future scientific study.</p> <ul style="list-style-type: none"> • If prehistoric resources are found during the field survey or literature review, the resources shall be inventoried using appropriate State record forms and submit the forms to the Southern San Joaquin Valley Information Center. The resources shall be evaluated for significance. If the resources are found to be significant, measures shall be identified by the qualified archaeologist. Similar to above, appropriate mitigation measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds. In addition, appropriate mitigation for excavation and construction activities in the vicinity of the resources found during the field survey or literature review shall include an archaeological monitor. The monitoring period shall be determined by the qualified archaeologist. If additional prehistoric archaeological resources are found during excavation and/or construction activities, the procedure identified above for the discovery of unknown resources shall be followed. 				
<p>CUL-4: In the event that human remains are unearthed during excavation and grading activities of any future development project, all activity shall cease immediately. Pursuant to Health and Safety Code (HSC) Section 7050.5, no further disturbance shall occur until the County Coroner has made the necessary findings as to origin and disposition pursuant to PRC Section 5097.98(a). If the remains are determined to be of Native American descent, the coroner shall within 24 hours notify the Native American Heritage Commission (NAHC). The</p>	<p>Planning and Development Department to review construction specifications to ensure inclusion of</p>	<p>Planning and Development Department</p>		

<p>NAHC shall then contact the most likely descendent of the deceased Native American, who shall then serve as the consultant on how to proceed with the remains. Pursuant to PRC Section 5097.98(b), upon the discovery of Native American remains, the landowner shall ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices, where the Native American human remains are located is not damaged or disturbed by further development activity until the landowner has discussed and conferred with the most likely descendants regarding their recommendations, if applicable, taking into account the possibility of multiple human remains. The landowner shall discuss and confer with the descendants all reasonable options regarding the descendants' preferences.</p>	<p>provisions included in mitigation measure.</p>			
<p>Geology and Soils</p>				
<p>GEO-1: Subsequent to a preliminary City review of the project grading plans, if there is evidence that a project will include excavation or construction activities within previously undisturbed soils, a field survey and literature search for unique paleontological/geological resources shall be conducted. The following procedures shall be followed:</p> <ul style="list-style-type: none"> • If unique paleontological/geological resources are not found during either the field survey or literature search, excavation and/or construction activities can commence. In the event that unique paleontological/geological resources are discovered during excavation and/or construction activities, construction shall stop in the immediate vicinity of the find and a qualified paleontologist shall be consulted to determine whether the resource requires further study. The qualified paleontologist shall make recommendations to the City on the measures that shall be implemented to protect the discovered resources, including but not limited to, excavation of the finds and evaluation of the finds. If the resources are determined to be significant, mitigation measures shall be identified by the monitor and recommended to the Lead Agency. Appropriate mitigation measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds. No further grading shall occur in the area of the discovery until the Lead Agency approves the measures to protect these resources. Any paleontological/geological resources recovered as a result of mitigation shall be provided to a City- 	<p>City shall review preliminary grading plans prior to issuance of grading permits. If needed, a field survey or literature review shall occur prior to start of grading activities. Additional monitoring of project site during construction period shall be determined by a qualified paleontologist and consistent with project-specific mitigation measure.</p>	<p>Planning and Development Department</p>		

<p>approved institution or person who is capable of providing long-term preservation to allow future scientific study.</p> <ul style="list-style-type: none"> • If unique paleontological/geological resources are found during the field survey or literature review, the resources shall be inventoried and evaluated for significance. If the resources are found to be significant, mitigation measures shall be identified by the qualified paleontologist. Similar to above, appropriate mitigation measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds. In addition, appropriate mitigation for excavation and construction activities in the vicinity of the resources found during the field survey or literature review shall include a paleontological monitor. The monitoring period shall be determined by the qualified paleontologist. If additional paleontological/geological resources are found during excavation and/or construction activities, the procedure identified above for the discovery of unknown resources shall be followed. 				
Hazards and Hazardous Materials				
<p>HAZ-1: Prior to the issuance of a grading permit, project applicants for all future development projects within the Project Area that 1) would involve ground-disturbing activities that would expose soils and/or 2) result in the demolition or modification of buildings constructed prior to 1978 shall complete a Phase I ESA (performed in accordance with the current ASTM Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process [E 1527]) for each individual property prior to development or redevelopment to ascertain the presence or absence of Recognized Environmental Conditions (RECs), Historical Recognized Environmental Condition (HRECs), and Potential Environmental Concerns (PECs). The findings and conclusions of the Phase I ESA shall become the basis for potential recommendations for follow-up investigation, including Phase II ESA, site characterization, and/or remedial activities if found to be warranted. Regulatory concurrence shall be provided by a State of California environmental regulatory agency such as California Department of Toxic Substances Control, Regional Water Quality Control Board, Fresno County Environmental Health Department, or a local agency that meets the requirements of Assembly Bill AB 304. Concurrence shall indicate the site is safe for construction and the proposed use.</p>	<p>Prior to the issuance of a grading permit.</p>	<p>Planning and Development Department</p>		

<p>HAZ-2: In order to minimize the potential of introducing contaminated fill material onto a site, it is necessary to verify through documentation that the fill source is appropriate and/or to have the fill material analyzed for potential contaminants based on the location and history of the source area. Fill documentation shall include detailed information on the previous use of the land from where the fill is taken, whether an environmental site assessment was performed and its findings, and the results of any testing performed. Any such documentation must be signed by an appropriately licensed (CA-registered) individual. If such documentation is not available or is inadequate, samples of the fill material should be chemically analyzed. Analysis of the fill material should be based on the source of the fill and knowledge of the prior land use. Detectable amounts of compounds of concern within the fill material should be evaluated for risk in accordance with the Department of Toxic Substances Control Preliminary Endangerment Assessment (PEA) Guidance Manual, in addition to Regional Water Quality Control Board guidelines for reuse of non-hazardous petroleum hydrocarbon contaminated soil. If metal analyses are performed, only those metals (CAM 17 / Title 22) to which risk levels have been assigned need to be evaluated. The findings and conclusions of the documentation and analysis shall become the basis for potential recommendations for follow-up investigation, including Phase I ESA, II ESA, site characterization, and/or remedial activities if found to be warranted. Regulatory concurrence shall be provided by a State of California environmental regulatory agency such as California Department of Toxic Substances Control, Regional Water Quality Control Board, Fresno County Environmental Health Department, or a local agency that meets the requirements of Assembly Bill AB 304. Concurrence shall indicate the site is safe for construction and the proposed use.</p>	<p>Fill documentation to be provided prior to the issuance of a grading permit.</p>	<p>Planning and Development Department</p>		
<p>Hydrology and Water Quality</p>				
<p>HYD-1: The City shall implement the following measures to reduce the impacts on the capacity of existing or planned SDFCMP collection systems:</p> <ul style="list-style-type: none"> As development is proposed, implement current SDFCMP to provide stormwater collection systems that have sufficient capacity to convey the peak runoff rates from the areas of increased imperviousness. Require developments that increase site imperviousness to install, operate, and maintain FMFCD approved on-site detention systems to reduce the 	<p>Ongoing. City and partnering agencies to ensure plans are approved consistent with existing Memorandum of Understanding prior to exceedance of</p>	<p>Fresno Metropolitan Flood Control District (FMFCD), Planning and Development Department, and PW</p>		

peak runoff rates resulting from the increased imperviousness to the peak runoff rates that will not exceed the capacity of the existing stormwater collection systems.	capacity of existing stormwater drainage facilities.			
<p>HYD-2: The City shall implement the following measures to reduce the impacts on the capacity of existing or planned SDFCMP retention basins: Prior to approval of development projects, coordinate with FMFCD to analyze the impacts to existing and planned retention basins to determine remedial measures required to reduce the impact on retention basin capacity to less than significant. Remedial measures would include:</p> <ul style="list-style-type: none"> • Increase the size of the retention basin through the purchase of more land or deepening the basin or a combination for planned retention basins. • Require developments that increase runoff volume to install, operate, and maintain, Low Impact Development (LID) measures to reduce runoff volume to the runoff volume that will not exceed the capacity of the existing retention basins. 	Ongoing. City and partnering agencies to ensure plans are approved consistent with existing Memorandum of Understanding prior to exceedance of capacity of existing retention basin facilities.	FMFCD, Planning and Development Department, and PW		
<p>HYD-3: The City shall implement the following measures to reduce the impacts on the capacity of existing or planned SDFCMP urban detention (stormwater quality) basins:</p> <ul style="list-style-type: none"> • Prior to approval of development projects, coordinate with FMFCD to determine the impacts to the urban detention basin weir overflow rates and determine remedial measures required to reduce the impact on the detention basin capacity to less than significant. Remedial measures would include: • Modify overflow weir to maintain the suspended solids removal rates adopted by the FMFCD Board of Directors. • Increase the size of the urban detention basin to increase residence time by purchasing more land. The existing detention basins are already at the adopted design depth. • Require developments that increase runoff volume to install, operate, and maintain, Low Impact Development (LID) measures to reduce peak runoff rates and runoff volume to the runoff rates and volumes that will not exceed the weir overflow rates of the existing urban detention basins. 	Ongoing. City and partnering agencies to ensure plans are approved consistent with existing Memorandum of Understanding prior to exceedance of capacity of existing urban detention basin (stormwater quality) facilities.	FMFCD, Planning and Development Department, and PW		

<p>HYD-4: The City shall implement the following measures to reduce the impacts on the capacity of existing or planned SDFCMP pump disposal systems:</p> <ul style="list-style-type: none"> • Prior to approval of development projects, coordinate with FMFCD to determine the extent and degree to which the capacity of the existing pump system will be exceeded. • Require new developments to install, operate, and maintain on-site detention facilities, consistent with FMFCD design standards, to reduce peak stormwater runoff rates to existing planned peak runoff rates. • Provide additional pump system capacity to maximum allowed by existing permitting to increase the capacity to match or exceed the peak runoff rates determined by the SDFCMP. 	<p>Ongoing. City and partnering agencies to ensure storm drainage plans are approved consistent with existing Memorandum of Understanding prior to exceedance of capacity of existing pump disposal systems.</p>	<p>FMFCD, Planning and Development Department, and PW</p>		
<p>Noise</p>				
<p>NOI-1: Construction Vibration. The use of heavy construction equipment, such as vibratory rollers, within 25 feet of existing fragile and extremely fragile buildings shall be prohibited.</p>	<p>Prior to issuance of any grading or construction permits, the Planning and Development Department shall ensure that project construction specifications prohibit heavy construction within 25 feet of existing structures.</p>	<p>Planning and Development Department</p>		
<p>Tribal Cultural Resources</p>				
<p>See Cultural Resources.</p>				
<p>Utilities and Service Systems</p>				
<p>UTL-1: <i>The City shall evaluate the water conveyance system and, at the time that discretionary projects are submitted for approval by the City, the City shall not approve development that would demand additional water and exceed the capacity of a facility increase water demand beyond existing capacity until additional capacity is provided. Additional capacity may be</i></p>	<p>City to ensure that sufficient capacity exists within the existing water conveyance facilities</p>	<p>Planning and Development Department</p>		

<p>provided via the construction of additional public water supply wells, 16-inch transmission grid mains, and/or other properly sized conveyance systems, as determined necessary by the Director of Public Utilities. The following capacity improvements shall be evaluated for potential environmental impacts and constructed by the City by approximately 2025.</p> <ul style="list-style-type: none"> Construct 65 new groundwater wells, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. Construct a 2.0 million gallon potable water reservoir (Reservoir T2) near the intersection of Clovis and California Avenues, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. Construct a 4.0 million gallon potable water reservoir (Reservoir T5) near the intersection of Ashlan and Chestnut Avenues, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. Construct a 4.0 million gallon potable water reservoir (Reservoir T6) near the intersection of Ashlan Avenue and Highway 99, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. Construct 50.3 miles of regional water transmission mains ranging in size from 24-inch to 48-inch, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. Construct 95.9 miles of 16-inch transmission grid mains, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. <p>Prior to initiating construction of any of the capacity improvement projects identified above, the City shall conduct appropriate environmental analyses for each project to determine whether environmental impacts would occur.</p>	<p>prior to approving discretionary projects.</p>			
<p>UTL-2: The City shall evaluate the water conveyance system at the time discretionary projects are submitted and shall not approve development that would demand additional water and exceed the capacity of a facility until additional capacity is provided. The following capacity improvements shall be evaluated for potential environmental impacts and constructed by the City after approximately the year 2035 and additional water conveyance facilities shall be</p>	<p>City to ensure that sufficient capacity exists within the existing water conveyance facilities</p>	<p>Planning and Development Department</p>		

<p>provided prior to exceedance of capacity within the water conveyance facilities to accommodate full buildout of the approved General Plan.</p> <ul style="list-style-type: none"> Construct a 4.0 million gallon potable water reservoir (SEDA Reservoir 1) within the northern part of the Southeast Development Area. Construct a 4.0 million gallon potable water reservoir (SEDA Reservoir 2) within the southern part of the southeast Development Area. 	<p>prior to approving discretionary projects.</p>			
<p>UTL-3: The City shall evaluate the water supply system at the time discretionary projects are submitted and shall not approve development that would demand additional water until additional capacity is provided. By approximately the year 2025, the following capacity improvements shall be evaluated for potential environmental impacts and constructed by the City.</p> <ul style="list-style-type: none"> Construct an approximately 30 mgd expansion of the existing northeast surface water treatment facility for a total capacity of 60 mgd, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. Construct an approximately 20 mgd surface water treatment facility in the southwest portion of the City, in accordance with Chapter 9 and Figure 9-1 of the 2014 Metro Plan Update. <p>Construct a 25,000 AF/year recycled water facility as an expansion to the RWRF in accordance with the January 2014 City of Fresno Metropolitan Water Resources Management Plan. This improvement is required after the year 2025.</p>	<p>City to ensure that sufficient water supply capacity exists prior to approving discretionary projects.</p>	<p>Planning and Development Department</p>		
<p>UTL-24: The City shall evaluate the wastewater system at the time discretionary projects are submitted and shall not approve development that contributes wastewater to the wastewater treatment facility that could exceed capacity of the treatment facilities until additional capacity is provided. By approximately the year 2025, the City shall evaluate the potential environmental impacts and construct the following improvements:</p> <ul style="list-style-type: none"> Construct an approximately 70 mgd expansion of the Regional Wastewater Treatment Facility prior to flows reaching 80 percent of rated capacity, and obtain revised waste discharge permits as the generation of wastewater is increased. Construct an approximately 0.49 mgd expansion of the North Facility and obtain revised waste discharge permits as the generation of wastewater is increased. 	<p>City to ensure sufficient wastewater treatment capacity exists prior to approving discretionary projects.</p>	<p>Planning and Development Department</p>		

<p>UTL-5: The City shall evaluate the wastewater system at the time discretionary projects are submitted and shall not approve development that contributes wastewater to the wastewater treatment facility that could exceed capacity until additional capacity is provided. After approximately the year 2025, the City shall evaluate the potential environmental impacts of, and construct the following improvements:</p> <ul style="list-style-type: none"> • Construct an approximately 24 mgd Wastewater Treatment Facility within the Southeast Development Area and obtain revised waste discharge permits as the generation of wastewater is increased. • Construct an approximately 9.6 mgd expansion of the Regional Wastewater Treatment Facility and obtain revised waste discharge permits as the generation of wastewater is increased. 	<p>City to ensure sufficient wastewater treatment capacity exists prior to approving discretionary projects.</p>	<p>Planning and Development Department</p>		
<p>UTIL-36: Consistent with the Sewer System Management Plan, the City shall evaluate the wastewater collection system at the time discretionary projects are submitted, and shall not approve development that would generate additional wastewater and exceed the capacity of a facility until additional capacity is provided.</p>	<p>City to ensure sufficient wastewater collection system facilities and capacity exists prior to approving discretionary projects.</p>	<p>Planning and Development Department</p>		
<p>UTL-47: At the time discretionary projects are submitted, the City shall require project-specific environmental evaluations for the expansion or relocation of electric, natural gas, or telecommunication facilities be completed prior to project approval.</p>	<p>Project-specific environmental evaluations to occur prior to approval of discretionary projects.</p>	<p>DPU and Planning and Development Department</p>		

6 REPORT PREPARATION

Names of Persons Who Prepared or Participated in the Initial Study:

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7 APPENDICES

7.1 Appendix A: CalEEMod Output Files (Annual)

Development Code Text Amendment Application No. P24-0079 Custom Report

Table of Contents

- 1. Basic Project Information
 - 1.1. Basic Project Information
 - 1.2. Land Use Types
- 2. Emissions Summary
 - 2.2. Construction Emissions by Year, Unmitigated
 - 2.5. Operations Emissions by Sector, Unmitigated
- 3. Construction Emissions Details
 - 3.1. Site Preparation (2025) - Unmitigated
 - 3.3. Grading (2025) - Unmitigated
 - 3.5. Building Construction (2025) - Unmitigated
 - 3.7. Building Construction (2026) - Unmitigated
 - 3.9. Building Construction (2027) - Unmitigated
 - 3.11. Building Construction (2028) - Unmitigated
 - 3.13. Paving (2028) - Unmitigated

3.15. Architectural Coating (2028) - Unmitigated

4. Operations Emissions Details

4.1. Mobile Emissions by Land Use

4.1.1. Unmitigated

4.2. Energy

4.2.1. Electricity Emissions By Land Use - Unmitigated

4.2.3. Natural Gas Emissions By Land Use - Unmitigated

4.3. Area Emissions by Source

4.3.1. Unmitigated

4.4. Water Emissions by Land Use

4.4.1. Unmitigated

4.5. Waste Emissions by Land Use

4.5.1. Unmitigated

4.6. Refrigerant Emissions by Land Use

4.6.1. Unmitigated

4.7. Offroad Emissions By Equipment Type

4.7.1. Unmitigated

4.8. Stationary Emissions By Equipment Type

4.8.1. Unmitigated

5. Activity Data

5.1. Construction Schedule

5.2. Off-Road Equipment

5.2.1. Unmitigated

5.3. Construction Vehicles

5.3.1. Unmitigated

5.4. Vehicles

5.4.1. Construction Vehicle Control Strategies

5.5. Architectural Coatings

5.6. Dust Mitigation

5.6.1. Construction Earthmoving Activities

5.6.2. Construction Earthmoving Control Strategies

5.7. Construction Paving

5.8. Construction Electricity Consumption and Emissions Factors

5.9. Operational Mobile Sources

5.9.1. Unmitigated

5.10. Operational Area Sources

5.10.1. Hearths

5.10.1.1. Unmitigated

5.10.2. Architectural Coatings

5.10.3. Landscape Equipment

5.11. Operational Energy Consumption

5.11.1. Unmitigated

5.12. Operational Water and Wastewater Consumption

5.12.1. Unmitigated

5.13. Operational Waste Generation

5.13.1. Unmitigated

5.14. Operational Refrigeration and Air Conditioning Equipment

5.14.1. Unmitigated

5.15. Operational Off-Road Equipment

5.15.1. Unmitigated

5.16. Stationary Sources

5.16.1. Emergency Generators and Fire Pumps

5.16.2. Process Boilers

5.18. Vegetation

5.18.1. Land Use Change

5.18.1.1. Unmitigated

5.18.1. Biomass Cover Type

5.18.1.1. Unmitigated

5.18.2. Sequestration

5.18.2.1. Unmitigated

8. User Changes to Default Data

1. Basic Project Information

1.1. Basic Project Information

Data Field	Value
Project Name	Development Code Text Amendment Application No. P24-0079
Construction Start Date	1/1/2025
Operational Year	2028
Lead Agency	City of Fresno
Land Use Scale	Plan/community
Analysis Level for Defaults	County
Windspeed (m/s)	2.70
Precipitation (days)	22.6
Location	36.79558457489047, -119.79376591199207
County	Fresno
City	—
Air District	San Joaquin Valley APCD
Air Basin	San Joaquin Valley
TAZ	2453
EDFZ	5
Electric Utility	Pacific Gas & Electric Company
Gas Utility	Pacific Gas & Electric
App Version	2022.1.1.26

1.2. Land Use Types

Land Use Subtype	Size	Unit	Lot Acreage	Building Area (sq ft)	Landscape Area (sq ft)	Special Landscape Area (sq ft)	Population	Description
Apartments Low Rise	748	Dwelling Unit	46.8	792,880	72,963	0.00	2,394	—

2. Emissions Summary

2.2. Construction Emissions by Year, Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Year	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily - Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
2025	4.02	3.49	31.7	33.8	0.06	1.37	19.8	21.1	1.26	10.1	11.4	—	6,720	6,720	0.27	0.31	15.0	6,829
2026	3.65	3.27	12.6	32.1	0.03	0.39	3.20	3.59	0.36	0.76	1.12	—	6,626	6,626	0.22	0.31	13.5	6,739
2027	3.39	3.11	12.0	30.7	0.03	0.35	3.20	3.55	0.32	0.76	1.08	—	6,538	6,538	0.21	0.29	12.1	6,643
2028	90.8	90.7	11.3	29.5	0.03	0.31	3.20	3.51	0.29	0.76	1.05	—	6,453	6,453	0.21	0.29	10.9	6,557
Daily - Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
2025	4.01	3.38	31.7	30.7	0.05	1.37	19.8	21.1	1.26	10.1	11.4	—	6,349	6,349	0.25	0.31	0.39	6,449
2026	3.32	3.03	13.0	28.7	0.03	0.39	3.20	3.59	0.36	0.76	1.12	—	6,270	6,270	0.24	0.31	0.35	6,369
2027	3.16	2.79	12.3	27.5	0.03	0.35	3.20	3.55	0.32	0.76	1.08	—	6,189	6,189	0.24	0.31	0.32	6,287
2028	90.7	90.7	11.7	26.5	0.03	0.31	3.20	3.51	0.29	0.76	1.05	—	6,112	6,112	0.23	0.31	0.28	6,209
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
2025	2.16	1.87	12.6	17.1	0.03	0.49	4.43	4.92	0.45	1.80	2.25	—	3,653	3,653	0.14	0.10	1.89	3,690
2026	2.46	2.19	9.13	20.6	0.02	0.28	2.25	2.53	0.26	0.54	0.79	—	4,550	4,550	0.16	0.22	4.16	4,625
2027	2.27	2.07	8.68	19.8	0.02	0.25	2.25	2.50	0.23	0.54	0.77	—	4,491	4,491	0.15	0.22	3.74	4,564
2028	14.8	14.6	4.81	10.6	0.01	0.14	1.10	1.24	0.13	0.26	0.39	—	2,313	2,313	0.08	0.10	1.62	2,346
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
2025	0.39	0.34	2.29	3.12	< 0.005	0.09	0.81	0.90	0.08	0.33	0.41	—	605	605	0.02	0.02	0.31	611
2026	0.45	0.40	1.67	3.77	< 0.005	0.05	0.41	0.46	0.05	0.10	0.14	—	753	753	0.03	0.04	0.69	766
2027	0.41	0.38	1.58	3.61	< 0.005	0.05	0.41	0.46	0.04	0.10	0.14	—	744	744	0.03	0.04	0.62	756
2028	2.69	2.67	0.88	1.93	< 0.005	0.03	0.20	0.23	0.02	0.05	0.07	—	383	383	0.01	0.02	0.27	388

2.5. Operations Emissions by Sector, Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Sector	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Mobile	16.8	16.0	10.1	81.2	0.18	0.13	14.8	14.9	0.13	3.74	3.87	—	18,109	18,109	0.95	1.00	50.1	18,481
Area	60.6	41.0	9.36	214	0.59	24.6	—	24.6	23.7	—	23.7	4,065	7,988	12,053	19.2	0.02	—	12,537
Energy	0.61	0.31	5.22	2.22	0.03	0.42	—	0.42	0.42	—	0.42	—	8,683	8,683	0.92	0.05	—	8,721
Water	—	—	—	—	—	—	—	—	—	—	—	57.8	68.0	126	5.93	0.14	—	316
Waste	—	—	—	—	—	—	—	—	—	—	—	298	0.00	298	29.8	0.00	—	1,043
Refrig.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	5.68	5.68
Total	78.0	57.3	24.6	297	0.80	25.2	14.8	39.9	24.3	3.74	28.0	4,421	34,848	39,269	56.8	1.21	55.8	41,104
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Mobile	15.0	14.1	11.4	77.1	0.16	0.14	14.8	14.9	0.13	3.74	3.87	—	16,656	16,656	1.15	1.07	1.30	17,005
Area	56.6	37.3	8.96	171	0.59	24.6	—	24.6	23.7	—	23.7	4,065	7,875	11,940	19.2	0.01	—	12,423
Energy	0.61	0.31	5.22	2.22	0.03	0.42	—	0.42	0.42	—	0.42	—	8,683	8,683	0.92	0.05	—	8,721
Water	—	—	—	—	—	—	—	—	—	—	—	57.8	68.0	126	5.93	0.14	—	316
Waste	—	—	—	—	—	—	—	—	—	—	—	298	0.00	298	29.8	0.00	—	1,043
Refrig.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	5.68	5.68
Total	72.3	51.7	25.6	251	0.79	25.2	14.8	39.9	24.3	3.74	28.0	4,421	33,281	37,702	57.0	1.28	6.98	39,515
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Mobile	13.6	12.8	9.59	66.2	0.15	0.12	13.0	13.1	0.11	3.29	3.41	—	15,229	15,229	0.93	0.92	19.3	15,546
Area	28.9	24.4	2.21	59.5	0.13	5.54	—	5.54	5.33	—	5.33	913	1,825	2,738	4.30	< 0.005	—	2,847
Energy	0.61	0.31	5.22	2.22	0.03	0.42	—	0.42	0.42	—	0.42	—	8,683	8,683	0.92	0.05	—	8,721
Water	—	—	—	—	—	—	—	—	—	—	—	57.8	68.0	126	5.93	0.14	—	316
Waste	—	—	—	—	—	—	—	—	—	—	—	298	0.00	298	29.8	0.00	—	1,043

Refrig.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	5.68	5.68
Total	43.0	37.6	17.0	128	0.32	6.08	13.0	19.1	5.87	3.29	9.16	1,269	25,805	27,074	41.9	1.12	25.0	28,480
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Mobile	2.48	2.34	1.75	12.1	0.03	0.02	2.37	2.39	0.02	0.60	0.62	—	2,521	2,521	0.15	0.15	3.20	2,574
Area	5.27	4.45	0.40	10.9	0.02	1.01	—	1.01	0.97	—	0.97	151	302	453	0.71	< 0.005	—	471
Energy	0.11	0.06	0.95	0.41	0.01	0.08	—	0.08	0.08	—	0.08	—	1,438	1,438	0.15	0.01	—	1,444
Water	—	—	—	—	—	—	—	—	—	—	—	9.56	11.3	20.8	0.98	0.02	—	52.4
Waste	—	—	—	—	—	—	—	—	—	—	—	49.4	0.00	49.4	4.93	0.00	—	173
Refrig.	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	0.94	0.94
Total	7.85	6.85	3.11	23.3	0.06	1.11	2.37	3.48	1.07	0.60	1.67	210	4,272	4,482	6.94	0.19	4.14	4,715

3. Construction Emissions Details

3.1. Site Preparation (2025) - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Location	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Onsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	3.94	3.31	31.6	30.2	0.05	1.37	—	1.37	1.26	—	1.26	—	5,295	5,295	0.21	0.04	—	5,314
Dust From Material Movement	—	—	—	—	—	—	19.7	19.7	—	10.1	10.1	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00

Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	3.94	3.31	31.6	30.2	0.05	1.37	—	1.37	1.26	—	1.26	—	5,295	5,295	0.21	0.04	—	5,314
Dust From Material Movement	—	—	—	—	—	—	19.7	19.7	—	10.1	10.1	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.32	0.27	2.60	2.48	< 0.005	0.11	—	0.11	0.10	—	0.10	—	435	435	0.02	< 0.005	—	437
Dust From Material Movement	—	—	—	—	—	—	1.62	1.62	—	0.83	0.83	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.06	0.05	0.47	0.45	< 0.005	0.02	—	0.02	0.02	—	0.02	—	72.1	72.1	< 0.005	< 0.005	—	72.3
Dust From Material Movement	—	—	—	—	—	—	0.29	0.29	—	0.15	0.15	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Offsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.08	0.08	0.04	0.65	0.00	0.00	0.10	0.10	0.00	0.02	0.02	—	106	106	< 0.005	< 0.005	0.40	108
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.07	0.07	0.05	0.53	0.00	0.00	0.10	0.10	0.00	0.02	0.02	—	94.2	94.2	< 0.005	< 0.005	0.01	95.6
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.01	0.01	< 0.005	0.04	0.00	0.00	0.01	0.01	0.00	< 0.005	< 0.005	—	8.02	8.02	< 0.005	< 0.005	0.01	8.15
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	< 0.005	< 0.005	< 0.005	0.01	0.00	0.00	< 0.005	< 0.005	0.00	< 0.005	< 0.005	—	1.33	1.33	< 0.005	< 0.005	< 0.005	1.35
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00

3.3. Grading (2025) - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Location	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Onsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Off-Road Equipm	3.80	3.20	29.7	28.3	0.06	1.23	—	1.23	1.14	—	1.14	—	6,599	6,599	0.27	0.05	—	6,622
Dust From Material Movement	—	—	—	—	—	—	9.20	9.20	—	3.65	3.65	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.78	0.66	6.10	5.82	0.01	0.25	—	0.25	0.23	—	0.23	—	1,356	1,356	0.06	0.01	—	1,361
Dust From Material Movement	—	—	—	—	—	—	1.89	1.89	—	0.75	0.75	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.14	0.12	1.11	1.06	< 0.005	0.05	—	0.05	0.04	—	0.04	—	224	224	0.01	< 0.005	—	225
Dust From Material Movement	—	—	—	—	—	—	0.35	0.35	—	0.14	0.14	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Offsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.09	0.09	0.05	0.74	0.00	0.00	0.11	0.11	0.00	0.03	0.03	—	121	121	< 0.005	0.01	0.45	123
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.02	0.02	0.01	0.13	0.00	0.00	0.02	0.02	0.00	0.01	0.01	—	22.9	22.9	< 0.005	< 0.005	0.04	23.3
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	< 0.005	< 0.005	< 0.005	0.02	0.00	0.00	< 0.005	< 0.005	0.00	< 0.005	< 0.005	—	3.79	3.79	< 0.005	< 0.005	0.01	3.85
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00

3.5. Building Construction (2025) - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Location	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Onsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	1.35	1.13	10.4	13.0	0.02	0.43	—	0.43	0.40	—	0.40	—	2,398	2,398	0.10	0.02	—	2,406
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00

Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	1.35	1.13	10.4	13.0	0.02	0.43	—	0.43	0.40	—	0.40	—	2,398	2,398	0.10	0.02	—	2,406
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.38	0.32	2.96	3.70	0.01	0.12	—	0.12	0.11	—	0.11	—	680	680	0.03	0.01	—	683
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.07	0.06	0.54	0.68	< 0.005	0.02	—	0.02	0.02	—	0.02	—	113	113	< 0.005	< 0.005	—	113
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Offsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	2.45	2.31	1.23	20.0	0.00	0.00	2.93	2.93	0.00	0.69	0.69	—	3,265	3,265	0.09	0.14	12.2	3,321
Vendor	0.09	0.06	1.69	0.75	0.01	0.01	0.27	0.28	0.01	0.07	0.09	—	1,052	1,052	0.03	0.16	2.73	1,101
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	2.19	2.02	1.48	16.2	0.00	0.00	2.93	2.93	0.00	0.69	0.69	—	2,898	2,898	0.13	0.14	0.32	2,943

Vendor	0.08	0.05	1.80	0.79	0.01	0.01	0.27	0.28	0.01	0.07	0.09	—	1,054	1,054	0.02	0.16	0.07	1,101
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.62	0.58	0.38	4.69	0.00	0.00	0.82	0.82	0.00	0.19	0.19	—	852	852	0.03	0.04	1.50	866
Vendor	0.02	0.02	0.50	0.22	< 0.005	< 0.005	0.08	0.08	< 0.005	0.02	0.02	—	299	299	0.01	0.04	0.33	312
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.11	0.11	0.07	0.86	0.00	0.00	0.15	0.15	0.00	0.04	0.04	—	141	141	0.01	0.01	0.25	143
Vendor	< 0.005	< 0.005	0.09	0.04	< 0.005	< 0.005	0.01	0.01	< 0.005	< 0.005	< 0.005	—	49.5	49.5	< 0.005	0.01	0.06	51.7
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00

3.7. Building Construction (2026) - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Location	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Onsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	1.28	1.07	9.85	13.0	0.02	0.38	—	0.38	0.35	—	0.35	—	2,397	2,397	0.10	0.02	—	2,405
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	1.28	1.07	9.85	13.0	0.02	0.38	—	0.38	0.35	—	0.35	—	2,397	2,397	0.10	0.02	—	2,405

Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipm ent	0.91	0.77	7.04	9.26	0.02	0.27	—	0.27	0.25	—	0.25	—	1,712	1,712	0.07	0.01	—	1,718
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipm ent	0.17	0.14	1.28	1.69	< 0.005	0.05	—	0.05	0.05	—	0.05	—	283	283	0.01	< 0.005	—	284
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Offsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	2.28	2.14	1.11	18.4	0.00	0.00	2.93	2.93	0.00	0.69	0.69	—	3,197	3,197	0.09	0.14	11.1	3,252
Vendor	0.08	0.06	1.64	0.73	0.01	0.01	0.27	0.28	0.01	0.07	0.09	—	1,032	1,032	0.02	0.16	2.41	1,081
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	1.96	1.90	1.37	14.9	0.00	0.00	2.93	2.93	0.00	0.69	0.69	—	2,838	2,838	0.12	0.14	0.29	2,883
Vendor	0.08	0.05	1.75	0.77	0.01	0.01	0.27	0.28	0.01	0.07	0.09	—	1,034	1,034	0.02	0.16	0.06	1,081
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	1.49	1.39	0.88	10.9	0.00	0.00	2.06	2.06	0.00	0.48	0.48	—	2,100	2,100	0.08	0.10	3.42	2,135
Vendor	0.06	0.04	1.21	0.53	0.01	0.01	0.19	0.20	0.01	0.05	0.06	—	738	738	0.02	0.11	0.74	772

Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.27	0.25	0.16	1.98	0.00	0.00	0.38	0.38	0.00	0.09	0.09	—	348	348	0.01	0.02	0.57	353
Vendor	0.01	0.01	0.22	0.10	< 0.005	< 0.005	0.03	0.04	< 0.005	0.01	0.01	—	122	122	< 0.005	0.02	0.12	128
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00

3.9. Building Construction (2027) - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Location	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Onsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	1.23	1.03	9.39	12.9	0.02	0.34	—	0.34	0.31	—	0.31	—	2,397	2,397	0.10	0.02	—	2,405
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	1.23	1.03	9.39	12.9	0.02	0.34	—	0.34	0.31	—	0.31	—	2,397	2,397	0.10	0.02	—	2,405
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.88	0.74	6.71	9.24	0.02	0.24	—	0.24	0.22	—	0.22	—	1,712	1,712	0.07	0.01	—	1,718

Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.16	0.13	1.22	1.69	< 0.005	0.04	—	0.04	0.04	—	0.04	—	283	283	0.01	< 0.005	—	284
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Offsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	2.07	2.02	1.00	17.1	0.00	0.00	2.93	2.93	0.00	0.69	0.69	—	3,130	3,130	0.08	0.13	10.0	3,180
Vendor	0.08	0.06	1.58	0.71	0.01	0.01	0.27	0.28	0.01	0.07	0.09	—	1,010	1,010	0.02	0.15	2.12	1,057
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	1.85	1.71	1.24	13.8	0.00	0.00	2.93	2.93	0.00	0.69	0.69	—	2,780	2,780	0.12	0.14	0.26	2,825
Vendor	0.08	0.05	1.69	0.74	0.01	0.01	0.27	0.28	0.01	0.07	0.09	—	1,012	1,012	0.02	0.15	0.05	1,057
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	1.33	1.30	0.79	10.0	0.00	0.00	2.06	2.06	0.00	0.48	0.48	—	2,057	2,057	0.07	0.10	3.09	2,091
Vendor	0.06	0.04	1.18	0.52	0.01	0.01	0.19	0.20	0.01	0.05	0.06	—	722	722	0.02	0.11	0.65	755
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.24	0.24	0.14	1.83	0.00	0.00	0.38	0.38	0.00	0.09	0.09	—	340	340	0.01	0.02	0.51	346
Vendor	0.01	0.01	0.21	0.09	< 0.005	< 0.005	0.03	0.04	< 0.005	0.01	0.01	—	120	120	< 0.005	0.02	0.11	125
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00

3.11. Building Construction (2028) - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Location	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Onsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	1.18	0.99	8.92	12.9	0.02	0.30	—	0.30	0.28	—	0.28	—	2,397	2,397	0.10	0.02	—	2,406
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	1.18	0.99	8.92	12.9	0.02	0.30	—	0.30	0.28	—	0.28	—	2,397	2,397	0.10	0.02	—	2,406
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.38	0.31	2.83	4.10	0.01	0.10	—	0.10	0.09	—	0.09	—	760	760	0.03	0.01	—	763
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.07	0.06	0.52	0.75	< 0.005	0.02	—	0.02	0.02	—	0.02	—	126	126	0.01	< 0.005	—	126

Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Offsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	1.98	1.85	0.88	15.9	0.00	0.00	2.93	2.93	0.00	0.69	0.69	—	3,070	3,070	0.08	0.13	9.02	3,119
Vendor	0.08	0.05	1.54	0.69	0.01	0.01	0.27	0.28	0.01	0.07	0.09	—	985	985	0.02	0.15	1.87	1,032
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	1.76	1.62	1.12	12.8	0.00	0.00	2.93	2.93	0.00	0.69	0.69	—	2,727	2,727	0.11	0.14	0.23	2,771
Vendor	0.07	0.05	1.63	0.72	0.01	0.01	0.27	0.28	0.01	0.07	0.09	—	987	987	0.02	0.15	0.05	1,032
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.57	0.52	0.32	4.14	0.00	0.00	0.92	0.92	0.00	0.21	0.21	—	895	895	0.03	0.04	1.24	909
Vendor	0.02	0.02	0.51	0.22	< 0.005	< 0.005	0.08	0.09	< 0.005	0.02	0.03	—	313	313	0.01	0.05	0.26	327
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.10	0.10	0.06	0.76	0.00	0.00	0.17	0.17	0.00	0.04	0.04	—	148	148	< 0.005	0.01	0.20	151
Vendor	< 0.005	< 0.005	0.09	0.04	< 0.005	< 0.005	0.02	0.02	< 0.005	< 0.005	0.01	—	51.8	51.8	< 0.005	0.01	0.04	54.2
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00

3.13. Paving (2028) - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Location	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Onsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.82	0.69	6.63	9.91	0.01	0.26	—	0.26	0.24	—	0.24	—	1,511	1,511	0.06	0.01	—	1,516
Paving	0.00	0.00	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.12	0.10	1.00	1.49	< 0.005	0.04	—	0.04	0.04	—	0.04	—	228	228	0.01	< 0.005	—	228
Paving	0.00	0.00	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.02	0.02	0.18	0.27	< 0.005	0.01	—	0.01	0.01	—	0.01	—	37.7	37.7	< 0.005	< 0.005	—	37.8
Paving	0.00	0.00	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Offsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.06	0.05	0.02	0.44	0.00	0.00	0.08	0.08	0.00	0.02	0.02	—	85.5	85.5	< 0.005	< 0.005	0.25	86.9

Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.01	0.01	< 0.005	0.05	0.00	0.00	0.01	0.01	0.00	< 0.005	< 0.005	—	11.9	11.9	< 0.005	< 0.005	0.02	12.0
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	< 0.005	< 0.005	< 0.005	0.01	0.00	0.00	< 0.005	< 0.005	0.00	< 0.005	< 0.005	—	1.96	1.96	< 0.005	< 0.005	< 0.005	1.99
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00

3.15. Architectural Coating (2028) - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Location	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Onsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipm ent	0.13	0.11	0.81	1.12	< 0.005	0.02	—	0.02	0.01	—	0.01	—	134	134	0.01	< 0.005	—	134
Architect ural Coating s	90.2	90.2	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00

Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.13	0.11	0.81	1.12	< 0.005	0.02	—	0.02	0.01	—	0.01	—	134	134	0.01	< 0.005	—	134
Architectural Coatings	90.2	90.2	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	0.02	0.02	0.12	0.17	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	20.1	20.1	< 0.005	< 0.005	—	20.2
Architectural Coatings	13.6	13.6	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Off-Road Equipment	< 0.005	< 0.005	0.02	0.03	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	3.33	3.33	< 0.005	< 0.005	—	3.34
Architectural Coatings	2.48	2.48	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Onsite truck	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Offsite	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.40	0.37	0.18	3.18	0.00	0.00	0.59	0.59	0.00	0.14	0.14	—	614	614	0.02	0.03	1.80	624
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.35	0.32	0.22	2.56	0.00	0.00	0.59	0.59	0.00	0.14	0.14	—	545	545	0.02	0.03	0.05	554
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Average Daily	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.05	0.05	0.03	0.39	0.00	0.00	0.09	0.09	0.00	0.02	0.02	—	85.1	85.1	< 0.005	< 0.005	0.12	86.4
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Worker	0.01	0.01	0.01	0.07	0.00	0.00	0.02	0.02	0.00	< 0.005	< 0.005	—	14.1	14.1	< 0.005	< 0.005	0.02	14.3
Vendor	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00
Hauling	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	—	0.00	0.00	0.00	0.00	0.00	0.00

4. Operations Emissions Details

4.1. Mobile Emissions by Land Use

4.1.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
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Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Apartments Low Rise	16.8	16.0	10.1	81.2	0.18	0.13	14.8	14.9	0.13	3.74	3.87	—	18,109	18,109	0.95	1.00	50.1	18,481
Total	16.8	16.0	10.1	81.2	0.18	0.13	14.8	14.9	0.13	3.74	3.87	—	18,109	18,109	0.95	1.00	50.1	18,481
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Apartments Low Rise	15.0	14.1	11.4	77.1	0.16	0.14	14.8	14.9	0.13	3.74	3.87	—	16,656	16,656	1.15	1.07	1.30	17,005
Total	15.0	14.1	11.4	77.1	0.16	0.14	14.8	14.9	0.13	3.74	3.87	—	16,656	16,656	1.15	1.07	1.30	17,005
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Apartments Low Rise	2.48	2.34	1.75	12.1	0.03	0.02	2.37	2.39	0.02	0.60	0.62	—	2,521	2,521	0.15	0.15	3.20	2,574
Total	2.48	2.34	1.75	12.1	0.03	0.02	2.37	2.39	0.02	0.60	0.62	—	2,521	2,521	0.15	0.15	3.20	2,574

4.2. Energy

4.2.1. Electricity Emissions By Land Use - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Apartments Low Rise	—	—	—	—	—	—	—	—	—	—	—	—	2,055	2,055	0.33	0.04	—	2,075
Total	—	—	—	—	—	—	—	—	—	—	—	—	2,055	2,055	0.33	0.04	—	2,075

Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Apartments Low Rise	—	—	—	—	—	—	—	—	—	—	—	—	2,055	2,055	0.33	0.04	—	2,075
Total	—	—	—	—	—	—	—	—	—	—	—	—	2,055	2,055	0.33	0.04	—	2,075
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Apartments Low Rise	—	—	—	—	—	—	—	—	—	—	—	—	340	340	0.06	0.01	—	344
Total	—	—	—	—	—	—	—	—	—	—	—	—	340	340	0.06	0.01	—	344

4.2.3. Natural Gas Emissions By Land Use - Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Apartments Low Rise	0.61	0.31	5.22	2.22	0.03	0.42	—	0.42	0.42	—	0.42	—	6,628	6,628	0.59	0.01	—	6,647
Total	0.61	0.31	5.22	2.22	0.03	0.42	—	0.42	0.42	—	0.42	—	6,628	6,628	0.59	0.01	—	6,647
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Apartments Low Rise	0.61	0.31	5.22	2.22	0.03	0.42	—	0.42	0.42	—	0.42	—	6,628	6,628	0.59	0.01	—	6,647
Total	0.61	0.31	5.22	2.22	0.03	0.42	—	0.42	0.42	—	0.42	—	6,628	6,628	0.59	0.01	—	6,647
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Apartments Low Rise	0.11	0.06	0.95	0.41	0.01	0.08	—	0.08	0.08	—	0.08	—	1,097	1,097	0.10	< 0.005	—	1,100
Total	0.11	0.06	0.95	0.41	0.01	0.08	—	0.08	0.08	—	0.08	—	1,097	1,097	0.10	< 0.005	—	1,100

4.3. Area Emissions by Source

4.3.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Source	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Hearths	38.3	19.0	8.96	171	0.59	24.6	—	24.6	23.7	—	23.7	4,065	7,875	11,940	19.2	0.01	—	12,423
Consumer Products	17.0	17.0	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Architectural Coatings	1.36	1.36	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Landscape Equipment	3.91	3.70	0.40	42.5	< 0.005	0.02	—	0.02	0.01	—	0.01	—	113	113	< 0.005	< 0.005	—	114
Total	60.6	41.0	9.36	214	0.59	24.6	—	24.6	23.7	—	23.7	4,065	7,988	12,053	19.2	0.02	—	12,537
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Hearths	38.3	19.0	8.96	171	0.59	24.6	—	24.6	23.7	—	23.7	4,065	7,875	11,940	19.2	0.01	—	12,423
Consumer Products	17.0	17.0	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Architect Coatings	1.36	1.36	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	56.6	37.3	8.96	171	0.59	24.6	—	24.6	23.7	—	23.7	4,065	7,875	11,940	19.2	0.01	—	12,423
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Hearths	1.57	0.78	0.37	7.03	0.02	1.01	—	1.01	0.97	—	0.97	151	293	444	0.71	< 0.005	—	462
Consumer Products	3.10	3.10	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Architectural Coatings	0.25	0.25	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Landscape Equipment	0.35	0.33	0.04	3.83	< 0.005	< 0.005	—	< 0.005	< 0.005	—	< 0.005	—	9.26	9.26	< 0.005	< 0.005	—	9.30
Total	5.27	4.45	0.40	10.9	0.02	1.01	—	1.01	0.97	—	0.97	151	302	453	0.71	< 0.005	—	471

4.4. Water Emissions by Land Use

4.4.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Apartments Low Rise	—	—	—	—	—	—	—	—	—	—	—	57.8	68.0	126	5.93	0.14	—	316
Total	—	—	—	—	—	—	—	—	—	—	—	57.8	68.0	126	5.93	0.14	—	316
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

Apartme Low Rise	—	—	—	—	—	—	—	—	—	—	—	57.8	68.0	126	5.93	0.14	—	316
Total	—	—	—	—	—	—	—	—	—	—	—	57.8	68.0	126	5.93	0.14	—	316
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Apartme nts Low Rise	—	—	—	—	—	—	—	—	—	—	—	9.56	11.3	20.8	0.98	0.02	—	52.4
Total	—	—	—	—	—	—	—	—	—	—	—	9.56	11.3	20.8	0.98	0.02	—	52.4

4.5. Waste Emissions by Land Use

4.5.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Apartme nts Low Rise	—	—	—	—	—	—	—	—	—	—	—	298	0.00	298	29.8	0.00	—	1,043
Total	—	—	—	—	—	—	—	—	—	—	—	298	0.00	298	29.8	0.00	—	1,043
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Apartme nts Low Rise	—	—	—	—	—	—	—	—	—	—	—	298	0.00	298	29.8	0.00	—	1,043
Total	—	—	—	—	—	—	—	—	—	—	—	298	0.00	298	29.8	0.00	—	1,043
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Apartme nts Low Rise	—	—	—	—	—	—	—	—	—	—	—	49.4	0.00	49.4	4.93	0.00	—	173

Total	—	—	—	—	—	—	—	—	—	—	—	49.4	0.00	49.4	4.93	0.00	—	173
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4.6. Refrigerant Emissions by Land Use

4.6.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Land Use	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Apartments Low Rise	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	5.68	5.68
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	5.68	5.68
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Apartments Low Rise	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	5.68	5.68
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	5.68	5.68
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Apartments Low Rise	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	0.94	0.94
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	0.94	0.94

4.7. Offroad Emissions By Equipment Type

4.7.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Equipm ent	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

4.8. Stationary Emissions By Equipment Type

4.8.1. Unmitigated

Criteria Pollutants (lb/day for daily, ton/yr for annual) and GHGs (lb/day for daily, MT/yr for annual)

Equipm ent Type	TOG	ROG	NOx	CO	SO2	PM10E	PM10D	PM10T	PM2.5E	PM2.5D	PM2.5T	BCO2	NBCO2	CO2T	CH4	N2O	R	CO2e
Daily, Summer (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Daily, Winter (Max)	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Annual	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Total	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—

5. Activity Data

5.1. Construction Schedule

Phase Name	Phase Type	Start Date	End Date	Days Per Week	Work Days per Phase	Phase Description
Site Preparation	Site Preparation	3/13/2025	4/24/2025	5.00	30.0	—
Grading	Grading	4/25/2025	8/8/2025	5.00	75.0	—
Building Construction	Building Construction	8/9/2025	6/10/2028	5.00	740	—
Paving	Paving	6/11/2028	8/27/2028	5.00	55.0	—
Architectural Coating	Architectural Coating	8/28/2028	11/13/2028	5.00	55.0	—

5.2. Off-Road Equipment

5.2.1. Unmitigated

Phase Name	Equipment Type	Fuel Type	Engine Tier	Number per Day	Hours Per Day	Horsepower	Load Factor
Site Preparation	Rubber Tired Dozers	Diesel	Average	3.00	8.00	367	0.40
Site Preparation	Tractors/Loaders/Back hoes	Diesel	Average	4.00	8.00	84.0	0.37
Grading	Graders	Diesel	Average	1.00	8.00	148	0.41
Grading	Excavators	Diesel	Average	2.00	8.00	36.0	0.38
Grading	Tractors/Loaders/Back hoes	Diesel	Average	2.00	8.00	84.0	0.37
Grading	Scrapers	Diesel	Average	2.00	8.00	423	0.48
Grading	Rubber Tired Dozers	Diesel	Average	1.00	8.00	367	0.40
Building Construction	Forklifts	Diesel	Average	3.00	8.00	82.0	0.20
Building Construction	Generator Sets	Diesel	Average	1.00	8.00	14.0	0.74
Building Construction	Cranes	Diesel	Average	1.00	7.00	367	0.29
Building Construction	Welders	Diesel	Average	1.00	8.00	46.0	0.45
Building Construction	Tractors/Loaders/Back hoes	Diesel	Average	3.00	7.00	84.0	0.37
Paving	Pavers	Diesel	Average	2.00	8.00	81.0	0.42
Paving	Paving Equipment	Diesel	Average	2.00	8.00	89.0	0.36

Paving	Rollers	Diesel	Average	2.00	8.00	36.0	0.38
Architectural Coating	Air Compressors	Diesel	Average	1.00	6.00	37.0	0.48

5.3. Construction Vehicles

5.3.1. Unmitigated

Phase Name	Trip Type	One-Way Trips per Day	Miles per Trip	Vehicle Mix
Site Preparation	—	—	—	—
Site Preparation	Worker	17.5	7.70	LDA,LDT1,LDT2
Site Preparation	Vendor	—	4.00	HHDT,MHDT
Site Preparation	Hauling	0.00	20.0	HHDT
Site Preparation	Onsite truck	—	—	HHDT
Grading	—	—	—	—
Grading	Worker	20.0	7.70	LDA,LDT1,LDT2
Grading	Vendor	—	4.00	HHDT,MHDT
Grading	Hauling	0.00	20.0	HHDT
Grading	Onsite truck	—	—	HHDT
Building Construction	—	—	—	—
Building Construction	Worker	539	7.70	LDA,LDT1,LDT2
Building Construction	Vendor	80.0	4.00	HHDT,MHDT
Building Construction	Hauling	0.00	20.0	HHDT
Building Construction	Onsite truck	—	—	HHDT
Paving	—	—	—	—
Paving	Worker	15.0	7.70	LDA,LDT1,LDT2
Paving	Vendor	—	4.00	HHDT,MHDT
Paving	Hauling	0.00	20.0	HHDT
Paving	Onsite truck	—	—	HHDT
Architectural Coating	—	—	—	—

Architectural Coating	Worker	108	7.70	LDA,LDT1,LDT2
Architectural Coating	Vendor	—	4.00	HHDT,MHDT
Architectural Coating	Hauling	0.00	20.0	HHDT
Architectural Coating	Onsite truck	—	—	HHDT

5.4. Vehicles

5.4.1. Construction Vehicle Control Strategies

Non-applicable. No control strategies activated by user.

5.5. Architectural Coatings

Phase Name	Residential Interior Area Coated (sq ft)	Residential Exterior Area Coated (sq ft)	Non-Residential Interior Area Coated (sq ft)	Non-Residential Exterior Area Coated (sq ft)	Parking Area Coated (sq ft)
Architectural Coating	1,605,582	535,194	0.00	0.00	—

5.6. Dust Mitigation

5.6.1. Construction Earthmoving Activities

Phase Name	Material Imported (cy)	Material Exported (cy)	Acres Graded (acres)	Material Demolished (sq. ft.)	Acres Paved (acres)
Site Preparation	—	—	45.0	0.00	—
Grading	—	—	225	0.00	—
Paving	0.00	0.00	0.00	0.00	—

5.6.2. Construction Earthmoving Control Strategies

Non-applicable. No control strategies activated by user.

5.7. Construction Paving

Land Use	Area Paved (acres)	% Asphalt
Apartments Low Rise	—	0%

5.8. Construction Electricity Consumption and Emissions Factors

kWh per Year and Emission Factor (lb/MWh)

Year	kWh per Year	CO2	CH4	N2O
2025	0.00	204	0.03	< 0.005
2026	0.00	204	0.03	< 0.005
2027	0.00	204	0.03	< 0.005
2028	0.00	204	0.03	< 0.005

5.9. Operational Mobile Sources

5.9.1. Unmitigated

Land Use Type	Trips/Weekday	Trips/Saturday	Trips/Sunday	Trips/Year	VMt/Weekday	VMt/Saturday	VMt/Sunday	VMt/Year
Apartments Low Rise	5,042	3,403	2,887	1,642,410	20,875	14,092	11,955	6,800,650

5.10. Operational Area Sources

5.10.1. Hearths

5.10.1.1. Unmitigated

Hearth Type	Unmitigated (number)
Apartments Low Rise	—
Wood Fireplaces	0
Gas Fireplaces	374
Propane Fireplaces	0
Electric Fireplaces	0
No Fireplaces	374
Conventional Wood Stoves	0

Catalytic Wood Stoves	37
Non-Catalytic Wood Stoves	37
Pellet Wood Stoves	0

5.10.2. Architectural Coatings

Residential Interior Area Coated (sq ft)	Residential Exterior Area Coated (sq ft)	Non-Residential Interior Area Coated (sq ft)	Non-Residential Exterior Area Coated (sq ft)	Parking Area Coated (sq ft)
1605582	535,194	0.00	0.00	—

5.10.3. Landscape Equipment

Season	Unit	Value
Snow Days	day/yr	0.00
Summer Days	day/yr	180

5.11. Operational Energy Consumption

5.11.1. Unmitigated

Electricity (kWh/yr) and CO2 and CH4 and N2O and Natural Gas (kBtu/yr)

Land Use	Electricity (kWh/yr)	CO2	CH4	N2O	Natural Gas (kBtu/yr)
Apartments Low Rise	3,676,342	204	0.0330	0.0040	20,681,809

5.12. Operational Water and Wastewater Consumption

5.12.1. Unmitigated

Land Use	Indoor Water (gal/year)	Outdoor Water (gal/year)
Apartments Low Rise	30,141,408	1,224,151

5.13. Operational Waste Generation

5.13.1. Unmitigated

Land Use	Waste (ton/year)	Cogeneration (kWh/year)
Apartments Low Rise	553	—

5.14. Operational Refrigeration and Air Conditioning Equipment

5.14.1. Unmitigated

Land Use Type	Equipment Type	Refrigerant	GWP	Quantity (kg)	Operations Leak Rate	Service Leak Rate	Times Serviced
Apartments Low Rise	Average room A/C & Other residential A/C and heat pumps	R-410A	2,088	< 0.005	2.50	2.50	10.0
Apartments Low Rise	Household refrigerators and/or freezers	R-134a	1,430	0.12	0.60	0.00	1.00

5.15. Operational Off-Road Equipment

5.15.1. Unmitigated

Equipment Type	Fuel Type	Engine Tier	Number per Day	Hours Per Day	Horsepower	Load Factor
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5.16. Stationary Sources

5.16.1. Emergency Generators and Fire Pumps

Equipment Type	Fuel Type	Number per Day	Hours per Day	Hours per Year	Horsepower	Load Factor
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5.16.2. Process Boilers

Equipment Type	Fuel Type	Number	Boiler Rating (MMBtu/hr)	Daily Heat Input (MMBtu/day)	Annual Heat Input (MMBtu/yr)
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5.18. Vegetation

5.18.1. Land Use Change

5.18.1.1. Unmitigated

Vegetation Land Use Type	Vegetation Soil Type	Initial Acres	Final Acres
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5.18.1. Biomass Cover Type

5.18.1.1. Unmitigated

Biomass Cover Type	Initial Acres	Final Acres
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5.18.2. Sequestration

5.18.2.1. Unmitigated

Tree Type	Number	Electricity Saved (kWh/year)	Natural Gas Saved (btu/year)
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8. User Changes to Default Data

Screen	Justification
Characteristics: Project Details	The Project Area is within the City of Fresno, an urbanized area.
Construction: Construction Phases	Development is assumed to occur on vacant/underutilized parcels or re-use of existing office buildings. As such, demolition is not required.
Operations: Vehicle Data	Trip rate updated based on ITE Trip Generation Manual 11th Edition.

7.2 Appendix B: CNDDDB Occurrence Report



Multiple Occurrences per Page
California Department of Fish and Wildlife
California Natural Diversity Database



Query Criteria: Quad> IS (Herndon (3611978)> OR Kearney Park (3611968)> OR Fresno North (3611977)> OR Fresno South (3611967)> OR Clovis (3611976)> OR Malaga (3611966))

Ambystoma californiense pop. 1					Element Code: AAAAA01181		
California tiger salamander - central California DPS							
Listing Status:	Federal:	Threatened		CNDDDB Element Ranks:	Global:	G2G3T3	
	State:	Threatened			State:	S3	
	Other:	CDFW_WL-Watch List, IUCN_VU-Vulnerable					
Habitat:	General:	LIVES IN VACANT OR MAMMAL-OCCUPIED BURROWS THROUGHOUT MOST OF THE YEAR; IN GRASSLAND, SAVANNA, OR OPEN WOODLAND HABITATS.					
	Micro:	NEED UNDERGROUND REFUGES, ESPECIALLY GROUND SQUIRREL BURROWS, AND VERNAL POOLS OR OTHER SEASONAL WATER SOURCES FOR BREEDING.					
Occurrence No.	478	Map Index:	46277	EO Index:	46277	Element Last Seen:	1936-05-16
Occ. Rank:	None			Presence:	Extirpated	Site Last Seen:	1936-05-16
Occ. Type:	Natural/Native occurrence			Trend:	Unknown	Record Last Updated:	2002-08-20
Quad Summary:	Malaga (3611966), Fresno South (3611967), Clovis (3611976), Fresno North (3611977)						
County Summary:	Fresno						
Lat/Long:	36.77388 / -119.77951			Accuracy:	5 miles		
UTM:	Zone-11 N4073392 E251931			Elevation (ft):	300		
PLSS:	T13S, R20E, Sec. 27 (M)			Acres:	0.0		
Location:	FRESNO.						
Detailed Location:							
Ecological:							
General:	1879 RECORD FROM THE USNM (#11794), NO OTHER INFORMATION GIVEN. CORNELL UNIVERSITY MUSEUM OF VERTEBRATES #3017 (2 SPECIMENS) COLLECTED 16 MAY 1936 BY L.F. HADSELL. JENNINGS CONSIDERS THIS SITE EXTIRPATED.						
Owner/Manager:	UNKNOWN						
Occurrence No.	504	Map Index:	46427	EO Index:	46427	Element Last Seen:	1974-05-03
Occ. Rank:	None			Presence:	Extirpated	Site Last Seen:	1974-05-03
Occ. Type:	Natural/Native occurrence			Trend:	Unknown	Record Last Updated:	2001-11-07
Quad Summary:	Clovis (3611976)						
County Summary:	Fresno						
Lat/Long:	36.85063 / -119.68563			Accuracy:	1 mile		
UTM:	Zone-11 N4081669 E260551			Elevation (ft):	380		
PLSS:	T12S, R21E, Sec. 33 (M)			Acres:	0.0		
Location:	WEST SIDE OF THE FRIANT-KERN CANAL, 1.5 MILES NORTHWEST OF HWY 168. NORTH OF CLOVIS.						
Detailed Location:							
Ecological:	VERNAL POOL.						
General:	OBSERVATION BY L.G. DUNN (DFG) DURING 1-3 MAY 1974 SURVEY. JENNINGS CONSIDERS THIS SITE EXTIRPATED.						
Owner/Manager:	UNKNOWN						



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California Department of Fish and Wildlife
California Natural Diversity Database



Occurrence No.	729	Map Index:	66458	EO Index:	66562	Element Last Seen:	2006-02-26
Occ. Rank:	Good			Presence:	Presumed Extant	Site Last Seen:	2006-02-26
Occ. Type:	Natural/Native occurrence			Trend:	Unknown	Record Last Updated:	2007-02-20
Quad Summary:	Clovis (3611976)						
County Summary:	Fresno						
Lat/Long:	36.87369 / -119.67091				Accuracy:	80 meters	
UTM:	Zone-11 N4084192 E261935				Elevation (ft):	400	
PLSS:	T12S, R21E, Sec. 22, NW (M)				Acres:	0.0	
Location:	NORTH SIDE OF A CONSTRUCTED FLOOD CONTROL CHANNEL, 0.25 MILE DOWNSTREAM OF BIG CREEK DAM, 3.5 MILES NE OF CLOVIS.						
Detailed Location:	THE SWALE THAT CONTAINED THE LARVAE WAS IMMEDIATELY ADJACENT TO A CHANNEL THAT FRESNO METROPOLITAN FLOOD CONTROL DISTRICT CONSTRUCTED AND USES TO RELEASE WATER DOWNSTREAM. SURROUNDING AREA CONTAINS SEASONAL WETLANDS AND VERNAL POOLS.						
Ecological:	HABITAT CONSISTS OF A SWALE CONTAINING ~3" OF WATER; SWALE APPEARS TO BE PART OF THE ORIGINAL CREEK MEANDER THAT WAS CUT OFF WHEN BIG CREEK DAM WAS CONSTRUCTED IN 1948. THE ADJACENT FLOOD CONTROL CHANNEL CONTAINS FISH AND BULLFROGS.						
General:	2 CTS LARVAE OBSERVED ON 26 FEB 2006.						
Owner/Manager:	UNKNOWN						

Occurrence No.	1043	Map Index:	A6431	EO Index:	108190	Element Last Seen:	2017-02-10
Occ. Rank:	Fair			Presence:	Presumed Extant	Site Last Seen:	2017-02-10
Occ. Type:	Natural/Native occurrence			Trend:	Unknown	Record Last Updated:	2017-09-19
Quad Summary:	Fresno North (3611977)						
County Summary:	Fresno						
Lat/Long:	36.79258 / -119.87053				Accuracy:	non-specific area	
UTM:	Zone-11 N4075708 E243869				Elevation (ft):	297	
PLSS:	T13S, R19E, Sec. 23 (M)				Acres:	35.0	
Location:	VICINITY OF N BLYTHE AVE ABOUT 0.2 MI NNW OF THE W AUSTIN WAY JUNCTION, & 0.1 MI SE OF THE W ASHLAN AVE JCT IN FRESNO.						
Detailed Location:	NORTH POLYGON IS APPROXIMATE LOCATION OF DETECTION SITE. SOUTH POLYGON IS APPROXIMATE LOCATION OF RELOCATION SITE.						
Ecological:	FOUND ON GROUNDS OF APARTMENT COMPLEX. RELOCATED TO OPEN SPACE WITH ALFALFA AND GRASS, STANDING WATER IN SPRING, AND MANY BURROWS PRESENT. INDIVIDUAL MAY REPRESENT REMNANT POPULATION THAT HAS LOST TOO MUCH HABITAT TO BE VIABLE.						
General:	1 ADULT FOUND ON GROUNDS OF APARTMENT COMPLEX BY LANDSCAPE MAINTENANCE CREW ON 17 FEB 2017. THE ANIMAL WAS DELIVERED TO A LOCAL BIOLOGIST, WHO RELOCATED IT TO NEARBY OPEN SPACE.						
Owner/Manager:	PVT						



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California Department of Fish and Wildlife
California Natural Diversity Database



Spea hammondi

Element Code: AAABF02020

western spadefoot

Listing Status: **Federal:** Proposed Threatened

CNDDB Element Ranks: **Global:** G2G3

State: None

State: S3S4

Other: BLM_S-Sensitive, CDFW_SSC-Species of Special Concern, IUCN_NT-Near Threatened

Habitat: **General:** OCCURS PRIMARILY IN GRASSLAND HABITATS, BUT CAN BE FOUND IN VALLEY-FOOTHILL HARDWOOD WOODLANDS.

Micro: VERNAL POOLS ARE ESSENTIAL FOR BREEDING AND EGG-LAYING.

Occurrence No.	161	Map Index:	39295	EO Index:	34297	Element Last Seen:	1995-03-03
Occ. Rank:	Fair	Presence:	Presumed Extant	Site Last Seen:		1995-03-03	
Occ. Type:	Natural/Native occurrence	Trend:	Unknown	Record Last Updated:		1998-08-04	

Quad Summary: Fresno North (3611977)

County Summary: Fresno

Lat/Long:	36.86791 / -119.78589	Accuracy:	80 meters
UTM:	Zone-11 N4083843 E251666	Elevation (ft):	355
PLSS:	T12S, R20E, Sec. 21, SE (M)	Acres:	0.0

Location: BETWEEN BLACKSTONE ROAD AND FRIANT (RICE) ROAD, WOODWARD PARK.

Detailed Location: SITE CONSISTS OF AN OVERFLOW POOL ADJACENT TO THE ROAD.

Ecological: HABITAT SURROUNDING OVERFLOW POOL CONSISTS OF NON-NATIVE GRASSLAND; POOL SHADED BY TREES.

General: HUNDREDS OF TADPOLES OBSERVED ON 3 MARCH 1995; ONE TADPOLE CAPTURED AND RAISED TO MATURITY.

Owner/Manager: UNKNOWN

Occurrence No.	1246	Map Index:	B4647	EO Index:	117585	Element Last Seen:	1911-04-08
Occ. Rank:	Unknown	Presence:	Presumed Extant	Site Last Seen:		2019-04-17	
Occ. Type:	Natural/Native occurrence	Trend:	Unknown	Record Last Updated:		2021-05-11	

Quad Summary: Fresno North (3611977), Lanes Bridge (3611987)

County Summary: Fresno, Madera

Lat/Long:	36.8686 / -119.80132	Accuracy:	3/5 mile
UTM:	Zone-11 N4083960 E250293	Elevation (ft):	259
PLSS:	T12S, R20E, Sec. 21, SW (M)	Acres:	776.0

Location: SAN JOAQUIN RIVER, JUST WEST OF HWY 41 CROSSING, FRESNO.

Detailed Location: 1922 LANES BRIDGE 1:62500 USGS TOPO QUAD SHOWS BRIDGE WAS LOCATED AROUND 36.89352, -119.788279. MVZ FIELD NOTES INDICATE THEY WERE CAMPING ALONG SAN JOAQUIN RIVER ON THE FRESNO COUNTY SIDE.

Ecological: AERIAL IMAGERY SHOWS SURROUNDING LAND USE INCLUDES AGRICULTURE AND URBAN DEVELOPMENT.

General: COLLECTED ON 8 APR 1911. WATER AND POOLS WERE PRESENT AT 4 SURVEY LOCATIONS IN THIS AREA SURVEYED ON 17 APR 2019, BUT NO SPADEFOOTS WERE FOUND.

Owner/Manager: UNKNOWN



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California Department of Fish and Wildlife
California Natural Diversity Database



Nannopterum auritum

Element Code: ABNFD01020

double-crested cormorant

Listing Status: **Federal:** None

CNDDDB Element Ranks: **Global:** G5

State: None

State: S4

Other: CDFW_WL-Watch List, IUCN_LC-Least Concern

Habitat: **General:** COLONIAL NESTER ON COASTAL CLIFFS, OFFSHORE ISLANDS, AND ALONG LAKE MARGINS IN THE INTERIOR OF THE STATE.

Micro: NESTS ALONG COAST ON SEQUESTERED ISLETS, USUALLY ON GROUND WITH SLOPING SURFACE, OR IN TALL TREES ALONG LAKE MARGINS.

Occurrence No.	40	Map Index:	A1566	EO Index:	103156	Element Last Seen:	2012-05-11
Occ. Rank:	Unknown	Presence:	Presumed Extant	Site Last Seen:		2012-05-11	
Occ. Type:	Natural/Native occurrence	Trend:	Unknown	Record Last Updated:		2016-08-23	

Quad Summary: Clovis (3611976)

County Summary: Fresno

Lat/Long:	36.79123 / -119.73516	Accuracy:	80 meters
UTM:	Zone-11 N4075204 E255947	Elevation (ft):	332
PLSS:	T13S, R21E, Sec. 19, NW (M)	Acres:	5.0

Location: LEAKY ACRES, ABOUT 0.3 MILES SW OF ASHLAN AVE AT N WINERY AVE IN FRESNO.

Detailed Location: MAPPED TO PROVIDED COORDINATES.

Ecological: NESTS IN WILLOWS IN 26-POND WATER RECHARGE BASIN ON 200 ACRES, OPERATED BY THE CITY OF FRESNO. LEVEES UNDERGOING CONTINUAL MAINTENANCE, BUT NEST SITE IS ISOLATED & BIRDS ARE ACCUSTOMED TO DISTURBANCE. ADJACENT TO AIRPORT, RESIDENTIAL AREAS.

General: COLONY OF 5 ACTIVE NESTS OBSERVED ON 11 MAY 2012.

Owner/Manager: CITY OF FRESNO



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California Department of Fish and Wildlife
California Natural Diversity Database



Ardea alba

Element Code: ABNGA04040

great egret

Listing Status:	Federal:	None	CNDDB Element Ranks:	Global:	G5
	State:	None		State:	S4
	Other:	CDF_S-Sensitive, IUCN_LC-Least Concern			
Habitat:	General:	COLONIAL NESTER IN LARGE TREES.			
	Micro:	ROOKERY SITES LOCATED NEAR MARSHES, TIDE-FLATS, IRRIGATED PASTURES, AND MARGINS OF RIVERS AND LAKES.			

Occurrence No.	37	Map Index:	A1562	EO Index:	103153	Element Last Seen:	2012-05-10
Occ. Rank:	Unknown	Presence:	Presumed Extant	Site Last Seen:			2012-05-10
Occ. Type:	Natural/Native occurrence	Trend:	Unknown	Record Last Updated:			2016-08-24

Quad Summary: Fresno North (3611977)

County Summary: Fresno

Lat/Long:	36.75239 / -119.82552	Accuracy:	80 meters
UTM:	Zone-11 N4071128 E247755	Elevation (ft):	296
PLSS:	T13S, R20E, Sec. 32, SW (M)	Acres:	5.0

Location: ISLAND IN POND IN ROEDING PARK, ON THE E SIDE OF I-99 NORTH OF BELMONT AVE IN FRESNO.

Detailed Location: JUST SOUTHWEST OF STORYLAND. MAPPED TO PROVIDED COORDINATES. EGRET/HERON ROOKERY IS VISIBLE IN GOOGLE EARTH AIR PHOTOS.

Ecological: NESTS AT TOPS OF TALLEST TREES IN DENSE GROVE OF MULBERRIES ON ISLAND IN POND IN CITY PARK. NIGHT HERON ROOKERY ALSO PRESENT.

General: 7 ACTIVE NESTS OBSERVED ON 10 MAY 2012; SOME NESTS CONTAINED HALF-GROWN YOUNG.

Owner/Manager: CITY OF FRESNO



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California Department of Fish and Wildlife
California Natural Diversity Database



Egretta thula

snowy egret

Element Code: ABNGA06030

Listing Status:	Federal: None	CNDDDB Element Ranks:	Global: G5
	State: None		State: S4
	Other: IUCN_LC-Least Concern		
Habitat:	General: COLONIAL NESTER, WITH NEST SITES SITUATED IN PROTECTED BEDS OF DENSE TULE.		
	Micro: ROOKERY SITES SITUATED CLOSE TO FORAGING AREAS: MARSHES, TIDAL-FLATS, STREAMS, WET MEADOWS, AND BORDERS OF LAKES.		

Occurrence No.	16	Map Index: A1562	EO Index: 103155	Element Last Seen:	2012-05-10
Occ. Rank:	Unknown		Presence: Presumed Extant	Site Last Seen:	2012-05-10
Occ. Type:	Natural/Native occurrence		Trend: Unknown	Record Last Updated:	2016-08-24

Quad Summary: Fresno North (3611977)

County Summary: Fresno

Lat/Long:	36.75239 / -119.82552	Accuracy:	80 meters
UTM:	Zone-11 N4071128 E247755	Elevation (ft):	296
PLSS:	T13S, R20E, Sec. 32, SW (M)	Acres:	5.0

Location: ISLAND IN POND IN ROEDING PARK, ON THE E SIDE OF I-99 NORTH OF BELMONT AVE IN FRESNO.

Detailed Location: JUST SOUTHWEST OF STORYLAND. MAPPED TO PROVIDED COORDINATES. EGRET/HERON ROOKERY IS VISIBLE IN GOOGLE EARTH AIR PHOTOS.

Ecological: COLONY OF EGRETS AND NIGHT HERONS IN DENSE GROVE OF MULBERRIES ON ISLAND IN POND IN CITY PARK. THIS SPECIES ACTIVE AROUND COLONY, IN TREES AND ON GROUND, BUT NO NESTS WERE SEEN.

General: ROUGH ESTIMATE OF 5 BREEDING PAIRS NESTING ON 10 MAY 2012.

Owner/Manager: CITY OF FRESNO



Multiple Occurrences per Page
California Department of Fish and Wildlife
California Natural Diversity Database



Nycticorax nycticorax

black-crowned night heron

Element Code: ABNGA11010

Listing Status: **Federal:** None

CNDDDB Element Ranks: **Global:** G5

State: None

State: S4

Other: IUCN_LC-Least Concern

Habitat: **General:** COLONIAL NESTER, USUALLY IN TREES, OCCASIONALLY IN TULE PATCHES.

Micro: ROOKERY SITES LOCATED ADJACENT TO FORAGING AREAS: LAKE MARGINS, MUD-BORDERED BAYS, MARSHY SPOTS.

Occurrence No.	26	Map Index:	A1562	EO Index:	103152	Element Last Seen:	2012-05-10
Occ. Rank:	Unknown	Presence:	Presumed Extant	Site Last Seen:			2012-05-10
Occ. Type:	Natural/Native occurrence	Trend:	Unknown	Record Last Updated:			2016-08-23

Quad Summary: Fresno North (3611977)

County Summary: Fresno

Lat/Long: 36.75239 / -119.82552 **Accuracy:** 80 meters

UTM: Zone-11 N4071128 E247755 **Elevation (ft):** 296

PLSS: T13S, R20E, Sec. 32, SW (M) **Acres:** 5.0

Location: ISLAND IN POND IN ROEDING PARK, ON THE E SIDE OF I-99 NORTH OF BELMONT AVE IN FRESNO.

Detailed Location: JUST SOUTHWEST OF STORYLAND. MAPPED TO PROVIDED COORDINATES. EGRET/HERON ROOKERY IS VISIBLE IN GOOGLE EARTH AIR PHOTOS.

Ecological: NESTS UNDER DENSE CANOPY OF MULBERRY TREES ON ISLAND IN POND IN CITY PARK. EGRET ROOKERIES ALSO PRESENT.

General: 1 ADULT SITTING TIGHT ON NEST, 1 ADULT CARRYING NESTING MATERIAL TO UNSEEN SECOND NEST ON 10 MAY 2012.

Owner/Manager: CITY OF FRESNO



Multiple Occurrences per Page
California Department of Fish and Wildlife
California Natural Diversity Database



Buteo swainsoni

Element Code: ABNKC19070

Swainson's hawk

Listing Status:	Federal: None	CNDDB Element Ranks:	Global: G5
	State: Threatened		State: S4
	Other: BLM_S-Sensitive, IUCN_LC-Least Concern		
Habitat:	General: BREEDS IN GRASSLANDS WITH SCATTERED TREES, JUNIPER-SAGE FLATS, RIPARIAN AREAS, SAVANNAHS, AND AGRICULTURAL OR RANCH LANDS WITH GROVES OR LINES OF TREES.		
	Micro: REQUIRES ADJACENT SUITABLE FORAGING AREAS SUCH AS GRASSLANDS, OR ALFALFA OR GRAIN FIELDS SUPPORTING RODENT POPULATIONS.		

Occurrence No.	2583	Map Index: 46277	EO Index: 91594	Element Last Seen:	1956-05-04
Occ. Rank:	Unknown		Presence: Presumed Extant	Site Last Seen:	1956-05-04
Occ. Type:	Natural/Native occurrence		Trend: Unknown	Record Last Updated:	2013-09-26

Quad Summary: Malaga (3611966), Fresno South (3611967), Clovis (3611976), Fresno North (3611977)

County Summary: Fresno

Lat/Long:	36.77388 / -119.77951	Accuracy:	5 miles
UTM:	Zone-11 N4073392 E251931	Elevation (ft):	300
PLSS:	T13S, R20E, Sec. 27 (M)	Acres:	0.0

Location: FRESNO.

Detailed Location: MAPPED GENERALLY TO GIVEN LOCALITY "NEAR FRESNO," EXACT DETECTION LOCATIONS UNKNOWN.

Ecological:

General: ACTIVE NEST(S) OBSERVED BY MINTURN ON 23 APR 1956 AND 4 MAY 1956, AS REPORTED IN BLOOM (1979).

Owner/Manager: UNKNOWN

Occurrence No.	2720	Map Index: A5139	EO Index: 106840	Element Last Seen:	2016-06-20
Occ. Rank:	Fair		Presence: Presumed Extant	Site Last Seen:	2016-06-20
Occ. Type:	Natural/Native occurrence		Trend: Unknown	Record Last Updated:	2017-06-29

Quad Summary: Malaga (3611966), Fresno South (3611967)

County Summary: Fresno

Lat/Long:	36.67196 / -119.75036	Accuracy:	80 meters
UTM:	Zone-11 N4062008 E254209	Elevation (ft):	288
PLSS:	T14S, R20E, Sec. 36, NW (M)	Acres:	5.0

Location: W SIDE OF RR TRACKS ABOUT 0.25 MI NE OF E MALAGA AVE AT S CEDAR AVE, 0.7 MI SW OF HWY 99 AT E CENTRAL AVE, SOUTH FRESNO.

Detailed Location: MAPPED TO PROVIDED COORDINATES.

Ecological: NEST IN TREE IN NON-NATIVE GRASSLAND WITHIN PASTURE WITH SCATTERED TREES. ADJACENT TO ROAD AND RAILROAD IN AGRICULTURAL AND RURAL RESIDENTIAL AREA.

General: NEST MONITORED IN 2016; ONE YOUNG WAS SUCCESSFULLY FLEDGED.

Owner/Manager: PVT



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California Department of Fish and Wildlife
California Natural Diversity Database



Coccyzus americanus occidentalis

Element Code: ABNRB02022

western yellow-billed cuckoo

Listing Status: **Federal:** Threatened

CNDDB Element Ranks: **Global:** G5T2T3

State: Endangered

State: S1

Other: BLM_S-Sensitive, USFS_S-Sensitive

Habitat: **General:** RIPARIAN FOREST NESTER, ALONG THE BROAD, LOWER FLOOD-BOTTOMS OF LARGER RIVER SYSTEMS.

Micro: NESTS IN RIPARIAN JUNGLES OF WILLOW, OFTEN MIXED WITH COTTONWOODS, WITH LOWER STORY OF BLACKBERRY, NETTLES, OR WILD GRAPE.

Occurrence No.	87	Map Index:	14944	EO Index:	25589	Element Last Seen:	1902-07-10
Occ. Rank:	None	Presence:	Extirpated	Site Last Seen:			1902-07-10
Occ. Type:	Natural/Native occurrence	Trend:	Unknown	Record Last Updated:			1989-08-10

Quad Summary: Sanger (3611965), Malaga (3611966), Round Mountain (3611975), Clovis (3611976)

County Summary: Fresno

Lat/Long:	36.75271 / -119.63986	Accuracy:	1 mile
UTM:	Zone-11 N4070690 E264333	Elevation (ft):	345
PLSS:	T13S, R21E, Sec. 36, SW (M)	Acres:	0.0

Location: FANCHER CREEK, 6 MI NE OF FRESNO.

Detailed Location:

Ecological:

General: REPORTED AS UNCOMMON BUT NESTING BY TYLER (1913).

Owner/Manager: PVT

Athene cunicularia

Element Code: ABNSB10010

burrowing owl

Listing Status: **Federal:** None

CNDDB Element Ranks: **Global:** G4

State: None

State: S2

Other: BLM_S-Sensitive, CDFW_SSC-Species of Special Concern, IUCN_LC-Least Concern, USFWS_BCC-Birds of Conservation Concern

Habitat: **General:** OPEN, DRY ANNUAL OR PERENNIAL GRASSLANDS, DESERTS, AND SCRUBLANDS CHARACTERIZED BY LOW-GROWING VEGETATION.

Micro: SUBTERRANEAN NESTER, DEPENDENT UPON BURROWING MAMMALS, MOST NOTABLY, THE CALIFORNIA GROUND SQUIRREL.



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California Department of Fish and Wildlife
California Natural Diversity Database



Occurrence No.	536	Map Index:	49176	EO Index:	49176	Element Last Seen:	1991-12-XX
Occ. Rank:	Excellent			Presence:	Presumed Extant	Site Last Seen:	1991-12-XX
Occ. Type:	Natural/Native occurrence			Trend:	Unknown	Record Last Updated:	2002-10-29
Quad Summary:	Kearney Park (3611968)						
County Summary:	Fresno						
Lat/Long:	36.63222 / -119.93642			Accuracy:	non-specific area		
UTM:	Zone-11 N4058091 E237442			Elevation (ft):	225		
PLSS:	T15S, R19E, Sec. 18, NE (M)			Acres:	23.3		
Location:	RADIO FACILITY ALONG NE SIDE OF HENDERSON ROAD, 2.5 MILES NW OF RAISIN CITY.						
Detailed Location:							
Ecological:	HABITAT CONSISTS OF VALLEY SINK SCRUB, DOMINATED BY ATRIPLEX AND SUAEDA.						
General:	2 OWLS AND AN ACTIVE BURROW OBSERVED ON 14 JUL 1989. 3 ADULT OWLS AT ACTIVE BURROWS OBSERVED IN DEC 1991.						
Owner/Manager:	UNKNOWN						
Occurrence No.	745	Map Index:	62214	EO Index:	62250	Element Last Seen:	2005-07-29
Occ. Rank:	Poor			Presence:	Presumed Extant	Site Last Seen:	2005-07-29
Occ. Type:	Natural/Native occurrence			Trend:	Unknown	Record Last Updated:	2005-08-05
Quad Summary:	Kearney Park (3611968)						
County Summary:	Fresno						
Lat/Long:	36.66276 / -119.97057			Accuracy:	80 meters		
UTM:	Zone-11 N4061574 E234493			Elevation (ft):	225		
PLSS:	T14S, R18E, Sec. 36, SW (M)			Acres:	0.0		
Location:	OFF DICKENSON AND MCMULLIN, 6 MILES SE OF KERMAN.						
Detailed Location:	SITE CONSISTS OF A SMALL TRIANGLE OF LAND USED AS A TURN-AROUND. BURROWS WERE 4-6 FEET OFF ROAD SHOULDER.						
Ecological:	HABITAT CONSISTS OF MOSTLY BARREN LAND, WITH A FEW TELEGRAPH WEEDS AND DOVEWEED PLANTS; SURROUNDED BY AGRICULTURE (ROW CROPS AND VINEYARDS).						
General:	UP TO 5 BURROWS AND 4 ADULTS WERE OBSERVED ON 29 JUL 2005.						
Owner/Manager:	UNKNOWN						
Occurrence No.	1962	Map Index:	A1556	EO Index:	103145	Element Last Seen:	1990-XX-XX
Occ. Rank:	Unknown			Presence:	Presumed Extant	Site Last Seen:	1990-XX-XX
Occ. Type:	Natural/Native occurrence			Trend:	Unknown	Record Last Updated:	2016-08-23
Quad Summary:	Clovis (3611976)						
County Summary:	Fresno						
Lat/Long:	36.78531 / -119.72842			Accuracy:	1/10 mile		
UTM:	Zone-11 N4074529 E256529			Elevation (ft):	331		
PLSS:	T13S, R21E, Sec. 19, SE (M)			Acres:	18.0		
Location:	NORTHWEST END OF FRESNO AIRPORT, JUST SOUTH DAKOTA AVE, FRESNO.						
Detailed Location:	CENSUS BLOCK 4070-255. MAPPED TO PROVIDED COORDINATES.						
Ecological:							
General:	3 BREEDING PAIRS KNOWN TO HAVE BEEN PRESENT SOMETIME DURING 1981-1990, AND KNOWN OR ASSUMED TO HAVE BEEN PRESENT DURING 1986-1990. NOT OBSERVED DURING 1991-1993 STATEWIDE SURVEY.						
Owner/Manager:	UNKNOWN						



Multiple Occurrences per Page
California Department of Fish and Wildlife
California Natural Diversity Database



Occurrence No.	1963	Map Index:	A1557	EO Index:	103146	Element Last Seen:	1990-XX-XX
Occ. Rank:	Unknown	Presence:	Presumed Extant	Site Last Seen:	1990-XX-XX	Record Last Updated:	2016-08-23
Occ. Type:	Natural/Native occurrence	Trend:	Unknown				
Quad Summary:	Clovis (3611976)						
County Summary:	Fresno						
Lat/Long:	36.77336 / -119.65138			Accuracy:	1/10 mile		
UTM:	Zone-11 N4073010 E263368			Elevation (ft):	351		
PLSS:	T13S, R21E, Sec. 26, SE (M)			Acres:	18.0		
Location:	REDBANK SLOUGH, ABOUT 0.5 MILES SW OF N DEWOLF AVE AT E SHIELDS AVE, SE OF CLOVIS.						
Detailed Location:	CENSUS BLOCK 4070-260. MAPPED TO PROVIDED COORDINATES.						
Ecological:							
General:	2 BREEDING PAIRS KNOWN TO HAVE BEEN PRESENT SOMETIME DURING 1981-1990, AND KNOWN OR ASSUMED TO HAVE BEEN PRESENT DURING 1986-1990. NOT OBSERVED DURING 1991-1993 STATEWIDE SURVEY.						
Owner/Manager:	UNKNOWN						



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California Department of Fish and Wildlife
California Natural Diversity Database



Vireo bellii pusillus

Element Code: ABPBW01114

least Bell's vireo

Listing Status: **Federal:** Endangered

CNDDB Element Ranks: **Global:** G5T2

State: Endangered

State: S3

Other:

Habitat: **General:** SUMMER RESIDENT OF SOUTHERN CALIFORNIA IN LOW RIPARIAN IN VICINITY OF WATER OR IN DRY RIVER BOTTOMS; BELOW 2000 FT.

Micro: NESTS PLACED ALONG MARGINS OF BUSHES OR ON TWIGS PROJECTING INTO PATHWAYS, USUALLY WILLOW, BACCHARIS, MESQUITE.

Occurrence No.	505	Map Index:	91510	EO Index:	92586	Element Last Seen:	1912-05-16
Occ. Rank:	None	Presence:	Possibly Extirpated	Site Last Seen:		1912-05-16	
Occ. Type:	Natural/Native occurrence	Trend:	Unknown	Record Last Updated:		2014-02-10	

Quad Summary: Clovis (3611976)

County Summary: Fresno

Lat/Long:	36.78960 / -119.69871	Accuracy:	1 mile
UTM:	Zone-11 N4074931 E259193	Elevation (ft):	345
PLSS:	T13S, R21E, Sec. 21 (M)	Acres:	0.0

Location: VICINITY OF TARPEY, SOUTH OF CLOVIS, NORTHEAST OF FRESNO.

Detailed Location: MAPPED GENERALLY TO TARPEY. PROVIDED LOCATION DESCRIPTION WAS "TARPEY, GOVED DITCH." GOVED DITCH MAY REFER TO GOULD CANAL, WHICH RUNS ALONG THE WESTERN AND NORTHERN EDGE OF TAPEY (1923 CLOVIS 7.5 MIN TOPO MAP).

Ecological: AREA IS HEAVELY DEVELOPED BASED ON AERIAL IMAGES FROM 1998-2013. GOULD CANAL STILL PRESENT BUT LACKS VEGETATION AND IS SURROUNDED BY RESIDENTIAL AND COMMERCIAL BUILDINGS.

General: EGG SET CONSISTING OF 4 EGGS COLLECTED (WFVZ #33084) BY J. TYLER ON 16 MAY 1912; INCUBATION CONSIDERED "WELL BEGUN." A BIRD WAS ALSO OBSERVED ON THE NEST.

Owner/Manager: UNKNOWN

Occurrence No.	506	Map Index:	91511	EO Index:	92587	Element Last Seen:	1906-05-25
Occ. Rank:	None	Presence:	Possibly Extirpated	Site Last Seen:		1906-05-25	
Occ. Type:	Natural/Native occurrence	Trend:	Unknown	Record Last Updated:		2014-02-10	

Quad Summary: Clovis (3611976)

County Summary: Fresno

Lat/Long:	36.82290 / -119.70690	Accuracy:	1 mile
UTM:	Zone-11 N4078646 E258567	Elevation (ft):	360
PLSS:	T13S, R21E, Sec. 08 (M)	Acres:	0.0

Location: CLOVIS, NORTHEAST OF FRESNO.

Detailed Location: PROVIDED LOCATION DESCRIPTION WAS "CLOVIS." MAPPED GENERALLY TO CLOVIS POST OFFICE. MAY HAVE COME FROM CLOVIS DITCH NEAR NORTH END OF TOWN WHICH APPEARS ON 1947 TOPO.

Ecological: NEST WAS CONSTRUCTED IN A WILLOW TREE. AREA IS HEAVELY DEVELOPED BASED ON AERIAL IMAGES FROM 1998-2013 AND IS SURROUNDED BY RESIDENTIAL AND COMMERCIAL BUILDINGS.

General: EGG SET CONSISTING OF 4 EGGS COLLECTED (WFVZ #33083) BY J. TYLER ON 25 MAY 1906; EGG INCUBATION CLASSIFIED AS BEING "FRESH." A VIREO WAS ALSO OBSERVED PERCHED NEAR NEST.

Owner/Manager: UNKNOWN

Agelaius tricolor

Element Code: ABPBXB0020

tricolored blackbird

Listing Status: **Federal:** None

CNDDB Element Ranks: **Global:** G1G2

State: Threatened

State: S2



Multiple Occurrences per Page
California Department of Fish and Wildlife
California Natural Diversity Database



	Other:	BLM_S-Sensitive, CDFW_SSC-Species of Special Concern, IUCN_EN-Endangered, USFWS_BCC-Birds of Conservation Concern					
Habitat:	General:	HIGHLY COLONIAL SPECIES, MOST NUMEROUS IN CENTRAL VALLEY AND VICINITY. LARGELY ENDEMIC TO CALIFORNIA.					
	Micro:	REQUIRES OPEN WATER, PROTECTED NESTING SUBSTRATE, AND FORAGING AREA WITH INSECT PREY WITHIN A FEW KM OF THE COLONY.					
Occurrence No.	269	Map Index:	24424	EO Index:	6138	Element Last Seen:	1975-07-XX
Occ. Rank:	None			Presence:	Extirpated	Site Last Seen:	1975-07-XX
Occ. Type:	Natural/Native occurrence			Trend:	Unknown	Record Last Updated:	2016-02-24
Quad Summary:	Fresno North (3611977)						
County Summary:	Fresno						
Lat/Long:	36.82490 / -119.75560			Accuracy:	1/10 mile		
UTM:	Zone-11 N4078993 E254229			Elevation (ft):	330		
PLSS:	T13S, R20E, Sec. 02, SE (M)			Acres:	0.0		
Location:	JUST NW OF BULLARD AVENUE & CEDAR AVENUE INTERSECTION, 0.5 MI SE OF SIERRA AVE & MILLBROOK AVE INTERSECTION, FRESNO.						
Detailed Location:	COLONY DATA STORED IN THE UC DAVIS TRICOLORED BLACKBIRD PORTAL; SITE NAME "BULLARD AVE AT CEDAR AVE." LOCATION DESCRIBED AS "NORTHWEST CORNER OF BULLARD AND CEDAR AVENUES IN FRESNO, T13S, R20E, SEC. 2 SE."						
Ecological:	NESTING SUBSTRATE IS A CATTAIL MARSH. SIZE OF COLONY WAS 3-4 ACRES, AND IS LOCATED IN A FLOOD CONTROL BASIN. BEEDY (1991) CLASSIFIED LOCATION AS "DEFINITELY EXTIRPATED; HABITAT ELIMINATED."						
General:	ABOUT 3,000 INDIVIDUAL BIRDS OBSERVED ON JUN-JUL 1975; SEVERAL OBS INDICATED SUCCESSFUL NESTING. COLONY FORAGED & WAS PROBABLY MAINTAINED ON CSUF AG FIELD TO THE EAST. COLONY ABANDONED BECAUSE HABITAT ELIMINATED FOR BASIN MAINTENANCE.						
Owner/Manager:	UNKNOWN						
Occurrence No.	663	Map Index:	97499	EO Index:	98804	Element Last Seen:	1974-05-28
Occ. Rank:	None			Presence:	Possibly Extirpated	Site Last Seen:	1974-05-28
Occ. Type:	Natural/Native occurrence			Trend:	Unknown	Record Last Updated:	2015-12-03
Quad Summary:	Clovis (3611976), Fresno North (3611977)						
County Summary:	Fresno						
Lat/Long:	36.85790 / -119.73890			Accuracy:	1 mile		
UTM:	Zone-11 N4082611 E255823			Elevation (ft):	365		
PLSS:	T12S, R20E, Sec. 25 (M)			Acres:	0.0		
Location:	VICINITY OF TEAGUE DITCH, ABOUT 4.4 MI NE OF HWY 41 & HWY 168 INTERSECTION, NW OF CLOVIS.						
Detailed Location:	COLONY DATA STORED IN UC DAVIS TRICOLORED BLACKBIRD PORTAL; SITE NAME "NORTHWEST CLOVIS." LOCATION DESCRIBED AS "THREE MILES NORTHWEST OF CLOVIS." MAPPED AS BEST GUESS BY CNDDDB TO ~3 MI NW OF CLOVIS USING A 1972 USGS TOPO FOR CLOVIS QUAD.						
Ecological:	BLACKBERRY THICKETS. AERIAL IMAGERY FROM 1998-2014 SHOWS THAT AREA HAS BEEN HEAVILY DEVELOPED, MINIMAL TO NO SUITABLE HABITAT VISIBLE.						
General:	ABOUT 2,300 INDIVIDUAL BIRDS OBSERVED ON 28 MAY 1974; MANY NESTS FOUND DURING VISIT, BOTH ACTIVE AND INACTIVE. SUCCESSFUL NESTING INDICATED BY OBSERVATION OF 200-300 FLEDGED YOUNG.						
Owner/Manager:	UNKNOWN						



Occurrence No.	664	Map Index:	97501	EO Index:	98806	Element Last Seen:	1975-04-09
Occ. Rank:	Unknown			Presence:	Presumed Extant	Site Last Seen:	1975-04-09
Occ. Type:	Natural/Native occurrence			Trend:	Unknown	Record Last Updated:	2015-09-14
Quad Summary:	Clovis (3611976), Fresno North (3611977)						
County Summary:	Fresno						
Lat/Long:	36.81280 / -119.74611			Accuracy:	3/5 mile		
UTM:	Zone-11 N4077625 E255037			Elevation (ft):	340		
PLSS:	T13S, R20E, Sec. 12 (M)			Acres:	0.0		
Location:	ABOUT 0.7 MI WNW OF HWY 168 & SHAW AVE INTERSECTION, 0.9 MI NE OF GETTYSBURG AVE & CEDAR AVE INTERSECTION, CSU FRESNO.						
Detailed Location:	LOCATION DESCRIBED ONLY AS "CALIFORNIA STATE UNIVERSITY, FRESNO CAMPUS." EXACT LOCATION UNKNOWN. MAPPED AS BEST GUESS BY CNDDDB TO CSU FRESNO MAIN CAMPUS. SMALL PONDS AND POSSIBLE NESTING HABITAT OBSERVED TO THE E AND N.						
Ecological:	DATA NOT AVAILABLE FOR HABITAT.						
General:	ABOUT 121 INDIVIDUAL BIRDS OBSERVED ON 9 APR 1975; FLOCK TOOK OVER REDWING COLONY FOR FIRST TIME, MANY SUCCESSFUL NESTS NOTED.						
Owner/Manager:	CSU-FRESNO						
<i>Lasiurus cinereus</i>							
hoary bat						Element Code: AMACC05032	
Listing Status:	Federal:	None	CNDDDB Element Ranks:		Global:	G3G4	
	State:	None			State:	S4	
	Other:	IUCN_LC-Least Concern					
Habitat:	General:	PREFERS OPEN HABITATS OR HABITAT MOSAICS, WITH ACCESS TO TREES FOR COVER AND OPEN AREAS OR HABITAT EDGES FOR FEEDING.					
	Micro:	ROOSTS IN DENSE FOLIAGE OF MEDIUM TO LARGE TREES. FEEDS PRIMARILY ON MOTHS. REQUIRES WATER.					
Occurrence No.	25	Map Index:	68488	EO Index:	68782	Element Last Seen:	1915-04-03
Occ. Rank:	Unknown			Presence:	Presumed Extant	Site Last Seen:	1915-04-03
Occ. Type:	Natural/Native occurrence			Trend:	Unknown	Record Last Updated:	2007-03-15
Quad Summary:	Fresno South (3611967)						
County Summary:	Fresno						
Lat/Long:	36.72100 / -119.85331			Accuracy:	non-specific area		
UTM:	Zone-11 N4067718 E245168			Elevation (ft):	270		
PLSS:	T14S, R19E, Sec. 13 (M)			Acres:	31.0		
Location:	FRESNO, CALIFORNIA AVE NEAR VALENTINE ST.						
Detailed Location:	MAPPED ACCORDING TO LAT/LONG COORDINATES WITH UNCERTAINTY OF 30 M AND LOCATION DESCRIPTION PROVIDED BY MANIS.						
Ecological:							
General:	1 FEMALE SPECIMEN (MVZ #21439) COLLECTED BY ADREY E. BORELL AND WALTER P. TAYLOR ON 3 APR 1915.						
Owner/Manager:	UNKNOWN						



Multiple Occurrences per Page
California Department of Fish and Wildlife
California Natural Diversity Database



Antrozous pallidus

Element Code: AMACC10010

pallid bat

Listing Status: **Federal:** None **CNDDDB Element Ranks:** **Global:** G4
State: None **State:** S3
Other: BLM_S-Sensitive, CDFW_SSC-Species of Special Concern, IUCN_LC-Least Concern, USFS_S-Sensitive
Habitat: **General:** DESERTS, GRASSLANDS, SHRUBLANDS, WOODLANDS AND FORESTS. MOST COMMON IN OPEN, DRY HABITATS WITH ROCKY AREAS FOR ROOSTING.
Micro: ROOSTS MUST PROTECT BATS FROM HIGH TEMPERATURES. VERY SENSITIVE TO DISTURBANCE OF ROOSTING SITES.

Occurrence No. 147 **Map Index:** 66492 **EO Index:** 66606 **Element Last Seen:** 1909-10-06
Occ. Rank: Unknown **Presence:** Presumed Extant **Site Last Seen:** 1909-10-06
Occ. Type: Natural/Native occurrence **Trend:** Unknown **Record Last Updated:** 2006-10-02

Quad Summary: Fresno South (3611967)

County Summary: Fresno

Lat/Long: 36.74789 / -119.77191 **Accuracy:** 1/10 mile
UTM: Zone-11 N4070489 E252526 **Elevation (ft):** 310
PLSS: T14S, R20E, Sec. 02, NW (M) **Acres:** 0.0

Location: FRESNO.

Detailed Location: MAPPED ACCORDING TO LAT/LONG COORDINATES GIVEN BY MANIS, WITH UNCERTAINTY OF 30 M. MAPPED LOCATION IS NEAR 1ST STREET AND GRANT AVE IN FRESNO.

Ecological:

General: 1 UNKNOWN SPECIMEN COLLECTED BY W.N. WEAR ON 6 OCT 1909, MVZ #9440.

Owner/Manager: UNKNOWN

Eumops perotis californicus

Element Code: AMACD02011

western mastiff bat

Listing Status: **Federal:** None **CNDDDB Element Ranks:** **Global:** G4G5T4
State: None **State:** S3S4
Other: BLM_S-Sensitive, CDFW_SSC-Species of Special Concern
Habitat: **General:** MANY OPEN, SEMI-ARID TO ARID HABITATS, INCLUDING CONIFER AND DECIDUOUS WOODLANDS, COASTAL SCRUB, GRASSLANDS, CHAPARRAL, ETC.
Micro: ROOSTS IN CREVICES IN CLIFF FACES, HIGH BUILDINGS, TREES AND TUNNELS.



Multiple Occurrences per Page
California Department of Fish and Wildlife
California Natural Diversity Database



Occurrence No.	46	Map Index:	66289	EO Index:	66373	Element Last Seen:	1991-04-17
Occ. Rank:	Unknown			Presence:	Presumed Extant	Site Last Seen:	1991-04-17
Occ. Type:	Natural/Native occurrence			Trend:	Unknown	Record Last Updated:	2006-11-01
Quad Summary:	Fresno North (3611977)						
County Summary:	Fresno						
Lat/Long:	36.75822 / -119.85940				Accuracy:	1/5 mile	
UTM:	Zone-11 N4071865 E244747				Elevation (ft):	310	
PLSS:	T13S, R19E, Sec. 36 (M)				Acres:	0.0	
Location:	FRESNO, ABOUT 0.6 MI NNE OF INTERSECTION OF BRAWLEY AVE. AND BELMONT AVE.						
Detailed Location:	GENERAL LOCATION "FRESNO" AND SPECIFIC LOCATION "1437 KNOLL, FRESNO" INCLUDED HERE.						
Ecological:							
General:	1 SPECIMEN COLLECTED ON 9 MAR 1905, CAS #6448. 1 FEMALE SPECIMEN COLLECTED BY WILLIAM E. RAINEY ON 17 APR 1991, MVZ #182348.						
Owner/Manager:	UNKNOWN						

Occurrence No.	47	Map Index:	66290	EO Index:	66374	Element Last Seen:	1991-04-17
Occ. Rank:	Unknown			Presence:	Presumed Extant	Site Last Seen:	1991-04-17
Occ. Type:	Natural/Native occurrence			Trend:	Unknown	Record Last Updated:	2006-09-26
Quad Summary:	Fresno South (3611967), Fresno North (3611977)						
County Summary:	Fresno						
Lat/Long:	36.74878 / -119.78150				Accuracy:	1 mile	
UTM:	Zone-11 N4070613 E251672				Elevation (ft):		
PLSS:	T14S, R20E, Sec. 03 (M)				Acres:	0.0	
Location:	FRESNO.						
Detailed Location:	INCLUDES OBSERVATION FROM "FRESNO, WASHINGTON GRAMMAR SCHOOL."						
Ecological:							
General:	SPECIMENS COLLECTED APR 1895 & 20 NOV 1958 AND DEPOSITED AT CAS. 1 MALE SPECIMEN COLLECTED BY ARDREY E. BORELLI ON 6 OCT 1916 AT "WASHINGTON GRAMMAR SCHOOL," MVZ #35082. SPECIMEN COLLECTED 17 APR 1991 AND DEPOSITED AT MVZ.						
Owner/Manager:	UNKNOWN						

Occurrence No.	73	Map Index:	66317	EO Index:	66403	Element Last Seen:	1958-11-20
Occ. Rank:	Unknown			Presence:	Presumed Extant	Site Last Seen:	1958-11-20
Occ. Type:	Natural/Native occurrence			Trend:	Unknown	Record Last Updated:	2006-09-21
Quad Summary:	Fresno North (3611977)						
County Summary:	Fresno						
Lat/Long:	36.79386 / -119.81289				Accuracy:	80 meters	
UTM:	Zone-11 N4075697 E249017				Elevation (ft):	320	
PLSS:	T13S, R20E, Sec. 20, NE (M)				Acres:	0.0	
Location:	FRESNO, AT ASHLAND AND THORNE AVENUES.						
Detailed Location:	BASE OF POWER POLE.						
Ecological:							
General:	1 MALE SPECIMEN COLLECTED BY R. STOLZ ON 20 NOV 1958, CAS #12237.						
Owner/Manager:	UNKNOWN						



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California Department of Fish and Wildlife
California Natural Diversity Database



Occurrence No.	161	Map Index:	66420	EO Index:	66517	Element Last Seen:	1958-XX-XX
Occ. Rank:	Unknown	Presence:	Presumed Extant	Site Last Seen:	1958-XX-XX	Record Last Updated:	2006-09-26
Occ. Type:	Natural/Native occurrence	Trend:	Unknown				
Quad Summary:	Fresno South (3611967)						
County Summary:	Fresno						
Lat/Long:	36.65045 / -119.79075				Accuracy:	3/5 mile	
UTM:	Zone-11 N4059725 E250529				Elevation (ft):		
PLSS:	T15S, R20E, Sec. 04 (M)				Acres:	0.0	
Location:	EASTON.						
Detailed Location:	EXACT LOCATION UNKNOWN. MAPPED ACCORDING TO LAT/LONG COORDINATES PROVIDED IN PIERSON & RAINEY.						
Ecological:							
General:	SPECIMENS COLLECTED IN 1968 AND DEPOSITED AT CSUF.						
Owner/Manager:	UNKNOWN						

Perognathus inornatus				Element Code: AMAFD01060			
San Joaquin pocket mouse							
Listing Status:	Federal:	None		CNDDB Element Ranks:	Global:	G2G3	
	State:	None			State:	S2S3	
	Other:	BLM_S-Sensitive, IUCN_LC-Least Concern					
Habitat:	General:	GRASSLAND, OAK SAVANNA AND ARID SCRUBLAND IN THE SOUTHERN SACRAMENTO VALLEY, SALINAS VALLEY, SAN JOAQUIN VALLEY AND ADJACENT FOOTHILLS, SOUTH TO THE MOJAVE DESERT.					
	Micro:	ASSOCIATED WITH FINE-TEXTURED, SANDY, FRIABLE SOILS.					

Occurrence No.	14	Map Index:	14685	EO Index:	23938	Element Last Seen:	1911-04-07
Occ. Rank:	Unknown	Presence:	Presumed Extant	Site Last Seen:	1911-04-07	Record Last Updated:	1998-08-11
Occ. Type:	Natural/Native occurrence	Trend:	Unknown				
Quad Summary:	Fresno North (3611977), Lanes Bridge (3611987)						
County Summary:	Fresno, Madera						
Lat/Long:	36.87661 / -119.79181				Accuracy:	1/5 mile	
UTM:	Zone-11 N4084824 E251167				Elevation (ft):		
PLSS:	T12S, R20E, Sec. 21, NW (M)				Acres:	0.0	
Location:	LANES BRIDGE 10 MILES NORTH OF FRESNO.						
Detailed Location:							
Ecological:							
General:	2 SPECIMENS COLLECTED MVZ #14488 & 14489.						
Owner/Manager:	UNKNOWN						



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California Department of Fish and Wildlife
California Natural Diversity Database



Occurrence No.	16	Map Index:	14563	EO Index:	23951	Element Last Seen:	1915-11-20
Occ. Rank:	Unknown			Presence:	Presumed Extant	Site Last Seen:	1915-11-20
Occ. Type:	Natural/Native occurrence			Trend:	Unknown	Record Last Updated:	1989-08-10
Quad Summary:	Fresno South (3611967), Fresno North (3611977)						
County Summary:	Fresno						
Lat/Long:	36.73689 / -119.85793				Accuracy:	1 mile	
UTM:	Zone-11 N4069494 E244808				Elevation (ft):		
PLSS:	T14S, R19E, Sec. 01, SW (M)				Acres:	0.0	
Location:	4 MI W FRESNO.						
Detailed Location:							
Ecological:							
General:	MVZ #21989.						
Owner/Manager:	UNKNOWN						
Occurrence No.	17	Map Index:	14364	EO Index:	7329	Element Last Seen:	1924-04-13
Occ. Rank:	None			Presence:	Extirpated	Site Last Seen:	1986-04-29
Occ. Type:	Natural/Native occurrence			Trend:	Unknown	Record Last Updated:	1993-09-23
Quad Summary:	Herndon (3611978)						
County Summary:	Fresno						
Lat/Long:	36.80466 / -119.97710				Accuracy:	1 mile	
UTM:	Zone-11 N4077339 E234399				Elevation (ft):	265	
PLSS:	T13S, R18E, Sec. 14 (M)				Acres:	0.0	
Location:	JUNCTION OF GETTYSBURG & DOWER AVENUES. 4 MI SW HERNDON.						
Detailed Location:							
Ecological:	THE SITE HAS BEEN CONVERTED TO VINEYARDS.						
General:	MVZ #33646.						
Owner/Manager:	PVT						



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California Department of Fish and Wildlife
California Natural Diversity Database



Dipodomys nitratoides exilis

Element Code: AMAFD03151

Fresno kangaroo rat

Listing Status: **Federal:** Endangered

CNDDB Element Ranks: **Global:** G3TH

State: Endangered

State: SH

Other: IUCN_VU-Vulnerable

Habitat: **General:** ALKALI SINK-OPEN GRASSLAND HABITATS IN WESTERN FRESNO COUNTY.

Micro: BARE ALKALINE CLAY-BASED SOILS SUBJECT TO SEASONAL INUNDATION, WITH MORE FRIABLE SOIL MOUNDS AROUND SHRUBS AND GRASSES.

Occurrence No.	10	Map Index:	14436	EO Index:	23967	Element Last Seen:	1972-12-31
Occ. Rank:	None	Presence:	Extirpated	Site Last Seen:		1974-04-XX	
Occ. Type:	Natural/Native occurrence	Trend:	Unknown	Record Last Updated:		2006-07-25	

Quad Summary: Raisin (3611958), Kearney Park (3611968)

County Summary: Fresno

Lat/Long:	36.62577 / -119.93542	Accuracy:	1 mile
UTM:	Zone-11 N4057372 E237510	Elevation (ft):	225
PLSS:	T15S, R19E, Sec. 18 (M)	Acres:	0.0

Location: APPROX 2.5 TO 6.0 MI NW OF RAISIN CITY ALONG HENDERSON RD.

Detailed Location: HISTORIC RECORDS FROM T15S, R18E, SEC 1,2,11,12; K-RATS TRAPPED 12/1972 IN EXTANT HABITAT IN T15S, R19E, SEC 17 & 18. SDNHM #18692-3 COLLECTED 4 JUL & 15 AUG 1942 BY A. E. CULBERTSON FROM "6.5 MI S ROLINDA"

Ecological:

General: AS OF 1974 THESE SECTIONS HAD BEEN CONVERTED TO AGRICULTURE.

Owner/Manager: PVT

Occurrence No.	15	Map Index:	14593	EO Index:	23963	Element Last Seen:	1898-04-23
Occ. Rank:	None	Presence:	Extirpated	Site Last Seen:		1898-04-23	
Occ. Type:	Natural/Native occurrence	Trend:	Unknown	Record Last Updated:		2006-07-25	

Quad Summary: Fresno North (3611977)

County Summary: Fresno

Lat/Long:	36.77910 / -119.84460	Accuracy:	1 mile
UTM:	Zone-11 N4074142 E246138	Elevation (ft):	
PLSS:	T13S, R19E, Sec. 25 (M)	Acres:	0.0

Location: FRESNO; 4 MILES NORTH OF RAILROAD STATION ALONG SOUTHERN PACIFIC RIGHT-OF-WAY.

Detailed Location:

Ecological: AREA COMPLETELY DEVELOPED.

General: TYPE LOCALITY. COLLECTED BY BAILEY 23 SEP 1891; U. S. BIOLOGICAL SURVEY COLLECTIONS (BSC) #34843/43823. ALSO COLLECTED FROM "FRESNO" BY C.P. STREATOR 22-23 APRIL 1898 (MVZ #19064-19067 COMPLETE SKULLS & STUDY SKINS).

Owner/Manager: PVT



Multiple Occurrences per Page
California Department of Fish and Wildlife
California Natural Diversity Database



Vulpes macrotis mutica

Element Code: AMAJA03041

San Joaquin kit fox

Listing Status: **Federal:** Endangered

CNDDDB Element Ranks: **Global:** G4T2

State: Threatened

State: S3

Other:

Habitat: **General:** ANNUAL GRASSLANDS OR GRASSY OPEN STAGES WITH SCATTERED SHRUBBY VEGETATION.

Micro: NEED LOOSE-TEXTURED SANDY SOILS FOR BURROWING, AND SUITABLE PREY BASE.

Occurrence No. 89 **Map Index:** 53873 **EO Index:** 53873 **Element Last Seen:** 1993-05-05

Occ. Rank: Unknown **Presence:** Presumed Extant **Site Last Seen:** 1993-05-05

Occ. Type: Natural/Native occurrence **Trend:** Unknown **Record Last Updated:** 2004-01-09

Quad Summary: Herndon (3611978)

County Summary: Fresno

Lat/Long: 36.82028 / -119.90199 **Accuracy:** non-specific area

UTM: Zone-11 N4078866 E241153 **Elevation (ft):** 302

PLSS: T13S, R19E, Sec. 09, NE (M) **Acres:** 29.5

Location: HERNDON, ABOUT 1 MI SE OF GRANTLAND AVE EXIT ON HIGHWAY 99 (EAST EDGE OF NORTHBOUND LANE).

Detailed Location:

Ecological: FALLOW LAND ADJACENT TO EAST SIDE OF HIGHWAY; LIGHT INDUSTRIAL DEVELOPMENT NEARBY. WEST OF THE HIGHWAY IS LOW DENSITY HOUSING AND IRRIGATED AGRICULTURE.

General: 5/5/1993: ONE ANIMAL DEAD ON THE ROAD.

Owner/Manager: UNKNOWN



Multiple Occurrences per Page
California Department of Fish and Wildlife
California Natural Diversity Database



Taxidea taxus

Element Code: AMAJF04010

American badger

Listing Status: **Federal:** None **CNDDB Element Ranks:** **Global:** G5
State: None **State:** S3
Other: CDFW_SSC-Species of Special Concern, IUCN_LC-Least Concern
Habitat: **General:** MOST ABUNDANT IN DRIER OPEN STAGES OF MOST SHRUB, FOREST, AND HERBACEOUS HABITATS, WITH FRIABLE SOILS.
Micro: NEEDS SUFFICIENT FOOD, FRIABLE SOILS AND OPEN, UNCULTIVATED GROUND. PREYS ON BURROWING RODENTS. DIGS BURROWS.

Occurrence No. 79 **Map Index:** 56599 **EO Index:** 56615 **Element Last Seen:** 1988-04-12
Occ. Rank: Unknown **Presence:** Presumed Extant **Site Last Seen:** 1988-04-12
Occ. Type: Natural/Native occurrence **Trend:** Unknown **Record Last Updated:** 2004-09-07

Quad Summary: Herndon (3611978)

County Summary: Fresno

Lat/Long: 36.83704 / -119.89058 **Accuracy:** non-specific area
UTM: Zone-11 N4080696 E242228 **Elevation (ft):** 315
PLSS: T13S, R19E, Sec. 03, SW (M) **Acres:** 19.6

Location: JUST WEST OF THE INTERSECTION OF HERNDON AVE & THE SANTA FE RAILROAD TRACKS, FRESNO.

Detailed Location: SW 1/4 OF SW 1/4 SECTION 34; MAPPED ALONG ROAD.

Ecological: FIG ORCHARD TO SOUTH AND PERMANENT PASTURE, SMALL MARSH TO THE NORTH.

General: 1 ADULT OBSERVED (ROADKILL) ON 11, 12 APR 1988.

Owner/Manager: UNKNOWN

Occurrence No. 80 **Map Index:** 56600 **EO Index:** 56616 **Element Last Seen:** 1987-08-27
Occ. Rank: Unknown **Presence:** Presumed Extant **Site Last Seen:** 1987-08-27
Occ. Type: Natural/Native occurrence **Trend:** Unknown **Record Last Updated:** 2004-09-02

Quad Summary: Clovis (3611976)

County Summary: Fresno

Lat/Long: 36.78938 / -119.69158 **Accuracy:** 1/5 mile
UTM: Zone-11 N4074888 E259829 **Elevation (ft):** 250
PLSS: T13S, R21E, Sec. 21 (M) **Acres:** 0.0

Location: SUNNYSIDE AVE, TARPEY VILLAGE, SOUTH CLOVIS.

Detailed Location: DENNING IN A HOMEOWNER'S BACKYARD. LOCATION MAPPED ACCORDING TO ADDRESS GIVEN ON FORM.

Ecological:

General: 1 OBSERVED ON 27 AUG 1987.

Owner/Manager: PVT



Multiple Occurrences per Page
California Department of Fish and Wildlife
California Natural Diversity Database



Emys marmorata

Element Code: ARAAD02030

western pond turtle

Listing Status: **Federal:** Proposed Threatened

CNDDB Element Ranks: **Global:** G3G4

State: None

State: S3

Other: BLM_S-Sensitive, CDFW_SSC-Species of Special Concern, IUCN_VU-Vulnerable, USFS_S-Sensitive

Habitat: **General:** A THOROUGHLY AQUATIC TURTLE OF PONDS, MARSHES, RIVERS, STREAMS AND IRRIGATION DITCHES, USUALLY WITH AQUATIC VEGETATION, BELOW 6000 FT ELEVATION.

Micro: NEEDS BASKING SITES AND SUITABLE (SANDY BANKS OR GRASSY OPEN FIELDS) UPLAND HABITAT UP TO 0.5 KM FROM WATER FOR EGG-LAYING.

Occurrence No.	1355	Map Index:	A4512	EO Index:	106203	Element Last Seen:	2016-11-14
Occ. Rank:	Unknown	Presence:	Presumed Extant	Site Last Seen:		2016-11-14	
Occ. Type:	Natural/Native occurrence	Trend:	Unknown	Record Last Updated:		2017-05-02	

Quad Summary: Clovis (3611976)

County Summary: Fresno

Lat/Long: 36.85801 / -119.67324 **Accuracy:** 80 meters

UTM: Zone-11 N4082457 E261680 **Elevation (ft):** 388

PLSS: T12S, R21E, Sec. 27, SW (M) **Acres:** 5.0

Location: ENTERPRISE CANAL, 0.4 MI W OF N TEMPERANCE AVE AT HERITAGE AVE & 0.5 MI NNE OF NEES AVE AT N ARMSTRONG AVE, CLOVIS.

Detailed Location: MAPPED TO PROVIDED COORDINATES.

Ecological: SHALLOW WATER IN EARTHEN IRRIGATION CANAL WITH FLOOD CONTROL BASIN TO EAST, RURAL RESIDENTIAL TO WEST. PORTIONS OF THE SAME CANAL WERE BEING DREDGED AND CEMENTED IN NOV 2016.

General: 1 ADULT OBSERVED ON 14 NOV 2016.

Owner/Manager: UNKNOWN



Multiple Occurrences per Page
California Department of Fish and Wildlife
California Natural Diversity Database



Anniella pulchra

Element Code: ARACC01020

Northern California legless lizard

Listing Status: **Federal:** None

CNDDDB Element Ranks: **Global:** G3

State: None

State: S2S3

Other: CDFW_SSC-Species of Special Concern, USFS_S-Sensitive

Habitat: **General:** SANDY OR LOOSE LOAMY SOILS UNDER SPARSE VEGETATION.

Micro: SOIL MOISTURE IS ESSENTIAL. THEY PREFER SOILS WITH A HIGH MOISTURE CONTENT.

Occurrence No. 116 **Map Index:** 46277 **EO Index:** 107017 **Element Last Seen:** 188X-XX-XX

Occ. Rank: Unknown **Presence:** Presumed Extant **Site Last Seen:** 188X-XX-XX

Occ. Type: Natural/Native occurrence **Trend:** Unknown **Record Last Updated:** 2017-07-12

Quad Summary: Malaga (3611966), Fresno South (3611967), Clovis (3611976), Fresno North (3611977)

County Summary: Fresno

Lat/Long: 36.77388 / -119.77951 **Accuracy:** 5 miles

UTM: Zone-11 N4073392 E251931 **Elevation (ft):** 300

PLSS: T13S, R20E, Sec. 27 (M) **Acres:** 0.0

Location: FRESNO.

Detailed Location: HISTORIC COLLECTION NEEDING MORE REFINED FIELD RESEARCH.

Ecological:

General: TWO COLLECTED IN THE LATE 1800S, MOST LIKELY 1880S. IT'S NOT ENTIRELY CERTAIN WHAT NEWLY DESCRIBED ANNIELLA CONCEPT IS IN THIS AREA, BUT PAPENFUSS & PARHAM (2013) IMPLY THESE WOULD BE A. PULCHRA.

Owner/Manager: UNKNOWN



Multiple Occurrences per Page
California Department of Fish and Wildlife
California Natural Diversity Database



<i>Phrynosoma blainvillii</i>				Element Code: ARACF12100	
coast horned lizard					
Listing Status:	Federal:	None	CNDDB Element Ranks:		Global: G4
	State:	None			State: S4
	Other:	BLM_S-Sensitive, CDFW_SSC-Species of Special Concern, IUCN_LC-Least Concern			
Habitat:	General:	FREQUENTS A WIDE VARIETY OF HABITATS, MOST COMMON IN LOWLANDS ALONG SANDY WASHES WITH SCATTERED LOW BUSHES.			
	Micro:	OPEN AREAS FOR SUNNING, BUSHES FOR COVER, PATCHES OF LOOSE SOIL FOR BURIAL, AND ABUNDANT SUPPLY OF ANTS AND OTHER INSECTS.			
Occurrence No.	863	Map Index: 46277	EO Index:	103150	Element Last Seen: 1893-07-07
Occ. Rank:	None		Presence:	Possibly Extirpated	Site Last Seen: 1893-07-07
Occ. Type:	Natural/Native occurrence		Trend:	Unknown	Record Last Updated: 2016-08-23
Quad Summary:	Malaga (3611966), Fresno South (3611967), Clovis (3611976), Fresno North (3611977)				
County Summary:	Fresno				
Lat/Long:	36.77388 / -119.77951			Accuracy:	5 miles
UTM:	Zone-11 N4073392 E251931			Elevation (ft):	300
PLSS:	T13S, R20E, Sec. 27 (M)			Acres:	0.0
Location:	FRESNO.				
Detailed Location:	COLLECTION LOCALITIES GIVEN ONLY AS "FRESNO."				
Ecological:					
General:	4 COLLECTED ON UNKNOWN DATES BY ANONYMOUS COLLECTORS. 4 COLLECTED IN 1879. 3 COLLECTED ON 23 SEP 1891. 1 COLLECTED ON 7 JUL 1893. 1 COLLECTED ON UNKNOWN DATE PRIOR TO 1906.				
Owner/Manager:	UNKNOWN				



Multiple Occurrences per Page
California Department of Fish and Wildlife
California Natural Diversity Database



Arizona elegans occidentalis

Element Code: ARADB01017

California glossy snake

Listing Status: **Federal:** None

CNDDDB Element Ranks: **Global:** G5T2

State: None

State: S2

Other: CDFW_SSC-Species of Special Concern

Habitat: **General:** PATCHILY DISTRIBUTED FROM THE EASTERN PORTION OF SAN FRANCISCO BAY, SOUTHERN SAN JOAQUIN VALLEY, AND THE COAST, TRANSVERSE, AND PENINSULAR RANGES, SOUTH TO BAJA CALIFORNIA.

Micro: GENERALIST REPORTED FROM A RANGE OF SCRUB AND GRASSLAND HABITATS, OFTEN WITH LOOSE OR SANDY SOILS.

Occurrence No.	1	Map Index:	46277	EO Index:	104841	Element Last Seen:	1893-07-04
Occ. Rank:	Unknown	Presence:	Presumed Extant	Site Last Seen:	1893-07-04		
Occ. Type:	Natural/Native occurrence	Trend:	Unknown	Record Last Updated:	2017-03-02		

Quad Summary: Malaga (3611966), Fresno South (3611967), Clovis (3611976), Fresno North (3611977)

County Summary: Fresno

Lat/Long:	36.77388 / -119.77951	Accuracy:	5 miles
UTM:	Zone-11 N4073392 E251931	Elevation (ft):	300
PLSS:	T13S, R20E, Sec. 27 (M)	Acres:	0.0

Location: FRESNO.

Detailed Location: EXACT LOCATION UNKNOWN, MAPPED TO CENTER OF FRESNO.

Ecological:

General: 1 MALE (A PARATYPE) WAS COLLECTED IN THIS VICINITY ON 4 JUL 1893.

Owner/Manager: UNKNOWN



Multiple Occurrences per Page
California Department of Fish and Wildlife
California Natural Diversity Database



Northern Claypan Vernal Pool

Element Code: CTT44120CA

Northern Claypan Vernal Pool

Listing Status: **Federal:** None

CNDDDB Element Ranks: **Global:** G1

State: None

State: S1.1

Other:

Habitat: **General:** ☐

Micro: ☐

Occurrence No. 6 **Map Index:** 14687 **EO Index:** 26474 **Element Last Seen:** 1980-01-XX

Occ. Rank: Unknown **Presence:** Presumed Extant **Site Last Seen:** 1980-01-XX

Occ. Type: Natural/Native occurrence **Trend:** Unknown **Record Last Updated:** 1998-07-15

Quad Summary: Fresno North (3611977), Lanes Bridge (3611987)

County Summary: Fresno, Madera

Lat/Long: 36.86226 / -119.79161 **Accuracy:** 1 mile

UTM: Zone-11 N4083231 E251138 **Elevation (ft):** 350

PLSS: T12S, R20E, Sec. 28, SW (M) **Acres:** 0.0

Location: NORTH OF PINEDALE. EAST SIDE BOUNDED BY FRIANT ROAD. WEST SIDE BOUNDED BY RIVER BLUFF.

Detailed Location: ABOUT 700 ACRES.

Ecological: SERIES OF MIMA MOUNDS W/INTERSPERSED POOLS. ENDANGERED ORTHOCARPUS SUCCULENTUS, ORCUTTIA CALIFORNICA VAR. INAEQUALIS HERE. GRASSLAND W/ HIGH % EXOTICS.

General: UNABLE TO CONVERT TO FLORISTIC CLASSIFICATION, LACKS SPP. INFO. SEE [HTTPS://WILDLIFE.CA.GOV/DATA/VEGCAMP/NATURAL-COMMUNITIES](https://wildlife.ca.gov/Data/VEGCAMP/NATURAL-COMMUNITIES) TO INTERPRET AND ADDRESS THE PRESENCE OF RARE COMMUNITIES.

Owner/Manager: UNKNOWN



Multiple Occurrences per Page
California Department of Fish and Wildlife
California Natural Diversity Database



Branchinecta lynchi

Element Code: ICBRA03030

vernal pool fairy shrimp

Listing Status: **Federal:** Threatened

CNDDB Element Ranks: **Global:** G3

State: None

State: S3

Other: IUCN_VU-Vulnerable

Habitat: **General:** ENDEMIC TO THE GRASSLANDS OF THE CENTRAL VALLEY, CENTRAL COAST MOUNTAINS, AND SOUTH COAST MOUNTAINS, IN ASTATIC RAIN-FILLED POOLS.

Micro: INHABIT SMALL, CLEAR-WATER SANDSTONE-DEPRESSION POOLS AND GRASSED SWALE, EARTH SLUMP, OR BASALT-FLOW DEPRESSION POOLS.

Occurrence No.	148	Map Index:	33666	EO Index:	30639	Element Last Seen:	1993-03-12
Occ. Rank:	Unknown	Presence:	Presumed Extant	Site Last Seen:		1993-03-12	
Occ. Type:	Natural/Native occurrence	Trend:	Unknown	Record Last Updated:		1997-03-17	

Quad Summary: Round Mountain (3611975), Clovis (3611976)

County Summary: Fresno

Lat/Long:	36.81407 / -119.63591	Accuracy:	3/5 mile
UTM:	Zone-11 N4077489 E264873	Elevation (ft):	385
PLSS:	T13S, R21E, Sec. 12 (M)	Acres:	0.0

Location: EAST OF DE WOLF AVE AND SOUTH OF BULLARD AVE, EAST OF CLOVIS.

Detailed Location: 1 FEATURE INSPECTED SOMEWHERE IN SECTION 12. BRANCHINECTA LYNCHI OBSERVED. NO LEPIDURUS PACKARDI OBSERVED.

Ecological: NATURAL VERNAL POOL.

General: SUGNET RECORD NUMBER 98.

Owner/Manager: UNKNOWN

Occurrence No.	404	Map Index:	64752	EO Index:	64831	Element Last Seen:	2006-02-03
Occ. Rank:	Poor	Presence:	Presumed Extant	Site Last Seen:		2006-02-03	
Occ. Type:	Natural/Native occurrence	Trend:	Unknown	Record Last Updated:		2015-01-07	

Quad Summary: Clovis (3611976)

County Summary: Fresno

Lat/Long:	36.83107 / -119.63998	Accuracy:	1/10 mile
UTM:	Zone-11 N4079385 E264562	Elevation (ft):	395
PLSS:	T13S, R21E, Sec. 01, NW (M)	Acres:	0.0

Location: EAST SIDE OF ENTERPRISE CANAL, 0.3 MILE EAST OF DE WOLF AVENUE AND 0.4 MILE SOUTH OF HERNDON AVENUE, ENE OF CLOVIS.

Detailed Location: COORDINATES GIVEN FOR SPECIMEN COLLECTED IN 2003 AND LOCATION PROVIDED ON 2006 FIELD SURVEY FORM FALL WITHIN RESIDENTIAL LOT; THOUGH LOCATION DESCRIPTIONS INDICATE THE DETECTIONS WERE TO THE WEST, WITHIN THE CANAL EASEMENT.

Ecological: 2006: 2X10 FOOT (1-2 INCH DEPTH) PUDDLE; LIKELY A REMNANT OF VERNAL POOLS THAT ONCE WERE FOUND AT THIS SITE; PUDDLE CONTAINED A MUD SUBSTRATE AND WAS SLIGHTLY MURKY.

General: 3 COLLECTED ON 3 FEB 2003. 3 ADULTS OBSERVED ON 3 FEB 2006.

Owner/Manager: PVT, FRESNO FLOOD CONTROL DIST



Multiple Occurrences per Page
California Department of Fish and Wildlife
California Natural Diversity Database



Linderiella occidentalis				Element Code: ICBRA06010	
California linderiella					
Listing Status:	Federal:	None	CNDDB Element Ranks:	Global:	G2G3
	State:	None		State:	S2S3
	Other:	IUCN_NT-Near Threatened			
Habitat:	General:	SEASONAL POOLS IN UNPLOWED GRASSLANDS WITH OLD ALLUVIAL SOILS UNDERLAIN BY HARDPAN OR IN SANDSTONE DEPRESSIONS.			
	Micro:	WATER IN THE POOLS HAS VERY LOW ALKALINITY, CONDUCTIVITY, AND TOTAL DISSOLVED SOLIDS.			
Occurrence No.	34	Map Index:	33054	EO Index:	3693
Occ. Rank:	Unknown			Element Last Seen:	1994-03-29
Occ. Type:	Natural/Native occurrence			Site Last Seen:	1994-03-29
		Trend:	Unknown	Record Last Updated:	2016-08-23
Quad Summary:	Round Mountain (3611975), Clovis (3611976)				
County Summary:	Fresno				
Lat/Long:	36.83561 / -119.62808			Accuracy:	1/5 mile
UTM:	Zone-11 N4079860 E265637			Elevation (ft):	400
PLSS:	T13S, R21E, Sec. 01, NE (M)			Acres:	0.0
Location:	JUST SOUTH OF THE INTERSECTION ON HERNDON AVENUE AND HIGHLAND AVENUE, 3 MILES ENE OF CLOVIS.				
Detailed Location:	#MW-94-04 COLLECTED AT THE SW CORNER OF HERNDON AVENUE AND HIGHLAND AVENUE; #MW-94-05 COLLECTED AT THE SE CORNER.				
Ecological:	TURBID SEASONAL POOL IN GRAZED AREA DOMINATED BY JUNCUS. TREE FROG, WESTERN TOAD, AND BULLFROG ALSO FOUND DURING (NEGATIVE) SURVEYS FOR CALIFORNIA TIGER SALAMANDER.				
General:	COLLECTION #MW-94-04 AND #MW-94-05, DEPOSITED AT DFG-IFD.				
Owner/Manager:	UNKNOWN				



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California Department of Fish and Wildlife
California Natural Diversity Database



Desmocerus californicus dimorphus

Element Code: IICOL48011

valley elderberry longhorn beetle

Listing Status: **Federal:** Threatened

CNDDB Element Ranks: **Global:** G3T3

State: None

State: S3

Other:

Habitat: **General:** OCCURS ONLY IN THE CENTRAL VALLEY OF CALIFORNIA, IN ASSOCIATION WITH BLUE ELDERBERRY (SAMBUCUS MEXICANA).

Micro: PREFERS TO LAY EGGS IN ELDERBERRIES 2-8 INCHES IN DIAMETER; SOME PREFERENCE SHOWN FOR "STRESSED" ELDERBERRIES.

Occurrence No.	134	Map Index:	39385	EO Index:	34387	Element Last Seen:	1989-05-25
Occ. Rank:	Unknown	Presence:	Presumed Extant	Site Last Seen:		1989-05-25	
Occ. Type:	Natural/Native occurrence	Trend:	Unknown	Record Last Updated:		1998-08-11	

Quad Summary: Herndon (3611978)

County Summary: Fresno

Lat/Long: 36.84800 / -119.90599 **Accuracy:** 1/10 mile

UTM: Zone-11 N4081953 E240891 **Elevation (ft):** 225

PLSS: T12S, R19E, Sec. 33, NW (M) **Acres:** 0.0

Location: SAN JOAQUIN RIVER MILE 245, 1 MILE NE OF HERNDON, DOWNSTREAM OF THE ATCHISON TOPEKA AND SANTA FE RAILROAD CROSSING.

Detailed Location: RIPARIAN STRIP BETWEEN SAN JOAQUIN RIVER AND RIVERSIDE GOLF COURSE. (1970 RECORD ADDED FOR SITE IS DESCRIBED SOLELY AS HERNDON).

Ecological: ELDERBERRY HABITAT PRESENT.

General: 14 OF 20 ELDERBERRY TREES HAD MANY EMERGENCE HOLES, NO ADULTS OBSERVED. 1970: COLLECTED 1 MALE BEETLE (MUSEUM SPECIMEN, CSUF). GNIS MAP #1484.

Owner/Manager: UNKNOWN



Multiple Occurrences per Page
California Department of Fish and Wildlife
California Natural Diversity Database



Lytta molesta

Element Code: IICOL4C030

molestan blister beetle

Listing Status: **Federal:** None

CNDDDB Element Ranks: **Global:** G2

State: None

State: S2

Other:

Habitat: **General:** INHABITS THE CENTRAL VALLEY OF CALIFORNIA, FROM CONTRA COSTA TO KERN AND TULARE COUNTIES.

Micro: ☐

Occurrence No. 7 **Map Index:** 14685 **EO Index:** 22651 **Element Last Seen:** 19XX-XX-XX

Occ. Rank: Unknown **Presence:** Presumed Extant **Site Last Seen:** 19XX-XX-XX

Occ. Type: Natural/Native occurrence **Trend:** Unknown **Record Last Updated:** 2006-03-30

Quad Summary: Fresno North (3611977), Lanes Bridge (3611987)

County Summary: Fresno, Madera

Lat/Long: 36.87661 / -119.79181 **Accuracy:** 1/5 mile

UTM: Zone-11 N4084824 E251167 **Elevation (ft):** 275

PLSS: T12S, R20E, Sec. 21, NE (M) **Acres:** 0.0

Location: LANES BRIDGE, 10 MILES NORTH OF FRESNO.

Detailed Location:

Ecological:

General: SEASONAL DISTRIBUTION: APRIL 3 TO JULY 1. 3 COLLECTED IN APRIL; YEAR OF COLLECTION UNKNOWN.

Owner/Manager: UNKNOWN

Occurrence No. 13 **Map Index:** 46277 **EO Index:** 64456 **Element Last Seen:** 19XX-XX-XX

Occ. Rank: Unknown **Presence:** Possibly Extirpated **Site Last Seen:** 19XX-XX-XX

Occ. Type: Natural/Native occurrence **Trend:** Unknown **Record Last Updated:** 2006-03-30

Quad Summary: Malaga (3611966), Fresno South (3611967), Clovis (3611976), Fresno North (3611977)

County Summary: Fresno

Lat/Long: 36.77388 / -119.77951 **Accuracy:** 5 miles

UTM: Zone-11 N4073392 E251931 **Elevation (ft):** 360

PLSS: T13S, R20E, Sec. 27 (M) **Acres:** 0.0

Location: FRESNO.

Detailed Location:

Ecological:

General: LOCALITY FROM CALIFORNIA BEETLE PROJECT ONLINE DATABASE; COLLECTION INFORMATION NOT GIVEN.
HISTORICAL RECORD; EXACT LOCATION UNKNOWN.

Owner/Manager: UNKNOWN



Multiple Occurrences per Page
California Department of Fish and Wildlife
California Natural Diversity Database



Efferia antiochi

Element Code: IIDIP07010

Antioch efferian robberfly

Listing Status: **Federal:** None

CNDDDB Element Ranks: **Global:** G1G2

State: None

State: S1S2

Other:

Habitat: **General:** KNOWN ONLY FROM CONTRA COSTA AND FRESNO COUNTIES.

Micro: ☐

Occurrence No.	2	Map Index:	46277	EO Index:	63436	Element Last Seen:	1954-12-15
Occ. Rank:	Unknown	Presence:	Presumed Extant	Site Last Seen:		1954-12-15	
Occ. Type:	Natural/Native occurrence	Trend:	Unknown	Record Last Updated:		2005-12-08	

Quad Summary: Malaga (3611966), Fresno South (3611967), Clovis (3611976), Fresno North (3611977)

County Summary: Fresno

Lat/Long:	36.77388 / -119.77951	Accuracy:	5 miles
UTM:	Zone-11 N4073392 E251931	Elevation (ft):	300
PLSS:	T13S, R20E, Sec. 27 (M)	Acres:	0.0

Location: FRESNO.

Detailed Location:

Ecological:

General: COLLECTED BY CHRIS THOMPSON; ALSO COLLECTED 24 OCT 1954 BY G. FRYMIRE. IN COLLECTION AT CSU FRESNO. PARATYPES.

Owner/Manager: UNKNOWN

Occurrence No.	3	Map Index:	63347	EO Index:	63439	Element Last Seen:	1935-10-10
Occ. Rank:	Unknown	Presence:	Presumed Extant	Site Last Seen:		1935-10-10	
Occ. Type:	Natural/Native occurrence	Trend:	Unknown	Record Last Updated:		2005-12-08	

Quad Summary: Fresno North (3611977)

County Summary: Fresno, Madera

Lat/Long:	36.85747 / -119.84374	Accuracy:	2/5 mile
UTM:	Zone-11 N4082837 E246473	Elevation (ft):	260
PLSS:	T12S, R19E, Sec. 25 (M)	Acres:	0.0

Location: SCOUT ISLAND, SAN JOAQUIN RIVER.

Detailed Location:

Ecological:

General: COLLECTED BY G. WILSON 10 OCT 1935, IN COLLECTION AT CSU FRESNO. PARATYPES.

Owner/Manager: UNKNOWN



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California Department of Fish and Wildlife
California Natural Diversity Database



Metapogon hurdi

Element Code: IIDIP08010

Hurd's metapogon robberfly

Listing Status: **Federal:** None

CNDDDB Element Ranks: **Global:** G1G2

State: None

State: S1S2

Other:

Habitat: **General:** KNOWN ONLY FROM ANTIOCH (DUNES?) AND FRESNO.

Micro: ☐

Occurrence No. 2 **Map Index:** 46277 **EO Index:** 60267 **Element Last Seen:** 1922-11-29

Occ. Rank: Unknown **Presence:** Possibly Extirpated **Site Last Seen:** 1922-11-29

Occ. Type: Natural/Native occurrence **Trend:** Unknown **Record Last Updated:** 2005-02-25

Quad Summary: Malaga (3611966), Fresno South (3611967), Clovis (3611976), Fresno North (3611977)

County Summary: Fresno

Lat/Long: 36.77388 / -119.77951 **Accuracy:** 5 miles

UTM: Zone-11 N4073392 E251931 **Elevation (ft):** 325

PLSS: T13S, R20E, Sec. 27 (M) **Acres:** 0.0

Location: FRESNO.

Detailed Location: NO OTHER COLLECTION INFORMATION GIVEN.

Ecological:

General: HISTORICAL SPECIMENS. 4 MALE AND 6 FEMALE PARATYPES.

Owner/Manager: UNKNOWN

Bombus pensylvanicus

Element Code: IIHYM24260

American bumble bee

Listing Status: **Federal:** None

CNDDDB Element Ranks: **Global:** G3G4

State: None

State: S2

Other: IUCN_VU-Vulnerable

Habitat: **General:** ☐

Micro: LONG-TONGUED; FORAGES ON A WIDE VARIETY OF FLOWERS INCLUDING VETCHES (VICIA), CLOVERS (TRIFOLIUM), THISTLES (CIRSIIUM), SUNFLOWERS (HELIANTHUS), ETC. NESTS ABOVE GROUND UNDER LONG GRASS OR UNDERGROUND. QUEENS OVERWINTER IN ROTTEN WOOD OR UNDERGROUND.

Occurrence No. 121 **Map Index:** 46277 **EO Index:** 124253 **Element Last Seen:** 1957-04-04

Occ. Rank: Unknown **Presence:** Presumed Extant **Site Last Seen:** 1957-04-04

Occ. Type: Natural/Native occurrence **Trend:** Unknown **Record Last Updated:** 2023-06-28

Quad Summary: Malaga (3611966), Fresno South (3611967), Clovis (3611976), Fresno North (3611977)

County Summary: Fresno

Lat/Long: 36.77388 / -119.77951 **Accuracy:** 5 miles

UTM: Zone-11 N4073392 E251931 **Elevation (ft):** 300

PLSS: T13S, R20E, Sec. 27 (M) **Acres:** 0.0

Location: FRESNO.

Detailed Location: EXACT LOCATION UNKNOWN. MAPPED NON-SPECIFICALLY TO THE CITY OF FRESNO.

Ecological:

General: 1 ADULT MALE COLLECTED BY J. BALCH ON 18 AUG 1951 (EMEC #550200). 1 ADULT COLLECTED ON 4 APR 1957 (LACMENT #1783).

Owner/Manager: UNKNOWN



Multiple Occurrences per Page
California Department of Fish and Wildlife
California Natural Diversity Database



Bombus crotchii

Element Code: IIHYM24480

Crotch's bumble bee

Listing Status:	Federal: None	CNDDDB Element Ranks:	Global: G2
	State: Candidate Endangered		State: S2
	Other: IUCN_EN-Endangered		
Habitat:	General: COASTAL CALIFORNIA EAST TO THE SIERRA-CASCADE CREST AND SOUTH INTO MEXICO.		
	Micro: FOOD PLANT GENERA INCLUDE ANTIRRHINUM, PHACELIA, CLARKIA, DENDROMECON, ESCHSCHOLZIA, AND ERIOGONUM.		

Occurrence No.	53	Map Index:	46277	EO Index:	98701	Element Last Seen:	1899-04-29
Occ. Rank:	Unknown	Presence:	Presumed Extant	Site Last Seen:			1899-04-29
Occ. Type:	Natural/Native occurrence	Trend:	Unknown	Record Last Updated:			2015-09-09

Quad Summary: Malaga (3611966), Fresno South (3611967), Clovis (3611976), Fresno North (3611977)

County Summary: Fresno

Lat/Long:	36.77388 / -119.77951	Accuracy:	5 miles
UTM:	Zone-11 N4073392 E251931	Elevation (ft):	300
PLSS:	T13S, R20E, Sec. 27 (M)	Acres:	0.0

Location: FRESNO.

Detailed Location: EXACT LOCATION UNKNOWN. MAPPED BY CNDDDB IN THE GENERAL VICINITY OF FRESNO.

Ecological:

General: COLLECTED 29 APR 1899.

Owner/Manager: UNKNOWN

Caulanthus californicus

Element Code: PDBRA31010

California jewelflower

Listing Status:	Federal: Endangered	CNDDDB Element Ranks:	Global: G1
	State: Endangered		State: S1
	Other: Rare Plant Rank - 1B.1, SB_CalBG/RSABG-California/Rancho Santa Ana Botanic Garden, SB_SBBG-Santa Barbara Botanic Garden, SB_UCBG-UC Botanical Garden at Berkeley		
Habitat:	General: CHENOPOD SCRUB, VALLEY AND FOOTHILL GRASSLAND, PINYON AND JUNIPER WOODLAND.		
	Micro: SANDY SOILS. 65-1860 M.		

Occurrence No.	38	Map Index:	46277	EO Index:	63230	Element Last Seen:	XXXX-XX-XX
Occ. Rank:	None	Presence:	Extirpated	Site Last Seen:			1986-XX-XX
Occ. Type:	Natural/Native occurrence	Trend:	Unknown	Record Last Updated:			2016-04-18

Quad Summary: Malaga (3611966), Fresno South (3611967), Clovis (3611976), Fresno North (3611977)

County Summary: Fresno

Lat/Long:	36.77388 / -119.77951	Accuracy:	5 miles
UTM:	Zone-11 N4073392 E251931	Elevation (ft):	
PLSS:	T13S, R20E, Sec. 27 (M)	Acres:	0.0

Location: FRESNO.

Detailed Location: EXACT LOCATION UNKNOWN, MAPPED IN THE GENERAL VICINITY OF FRESNO.

Ecological:

General: SITE IS BASED ON AN UNDATED DAVIDSON COLLECTION, POSSIBLY MADE IN THE LATE 1890'S OR EARLY 1900'S. NO HABITAT REMAINS IN VICINITY OF FRESNO ACCORDING TO TAYLOR (1986).

Owner/Manager: UNKNOWN



Multiple Occurrences per Page
California Department of Fish and Wildlife
California Natural Diversity Database



Leptosiphon serrulatus

Element Code: PDPLM09130

Madera leptosiphon

Listing Status: **Federal:** None **CNDDB Element Ranks:** **Global:** G3
State: None **State:** S3
Other: Rare Plant Rank - 1B.2, BLM_S-Sensitive, SB_SBBG-Santa Barbara Botanic Garden, USFS_S-Sensitive
Habitat: **General:** CISMONTANE WOODLAND, LOWER MONTANE CONIFEROUS FOREST.
Micro: DRY SLOPES; OFTEN ON DECOMPOSED GRANITE IN WOODLAND. 80-1645 M.

Occurrence No. 23 **Map Index:** 46277 **EO Index:** 75591 **Element Last Seen:** 1922-05-XX
Occ. Rank: Unknown **Presence:** Presumed Extant **Site Last Seen:** 1922-05-XX
Occ. Type: Natural/Native occurrence **Trend:** Unknown **Record Last Updated:** 2009-04-20

Quad Summary: Malaga (3611966), Fresno South (3611967), Clovis (3611976), Fresno North (3611977)

County Summary: Fresno

Lat/Long: 36.77388 / -119.77951 **Accuracy:** 5 miles
UTM: Zone-11 N4073392 E251931 **Elevation (ft):**
PLSS: T13S, R20E, Sec. 27 (M) **Acres:** 0.0

Location: NEAR FRESNO.
Detailed Location: EXACT LOCATION UNKNOWN. MAPPED BY CNDDB AS BEST GUESS AROUND FRESNO.
Ecological: FOOTHILLS.
General: ONLY SOURCE OF INFORMATION FOR THIS SITE IS A 1922 MINTHORN COLLECTION. NEEDS FIELDWORK.
Owner/Manager: UNKNOWN

Castilleja campestris var. succulenta

Element Code: PDSCR0D3Z1

succulent owl's-clover

Listing Status: **Federal:** Threatened **CNDDB Element Ranks:** **Global:** G4?T2T3
State: Endangered **State:** S2S3
Other: Rare Plant Rank - 1B.2
Habitat: **General:** VERNAL POOLS.
Micro: MOIST PLACES, OFTEN IN ACIDIC SOILS. 20-705 M.

Occurrence No. 7 **Map Index:** 14708 **EO Index:** 17658 **Element Last Seen:** 1938-05-17
Occ. Rank: None **Presence:** Possibly Extirpated **Site Last Seen:** 1981-06-02
Occ. Type: Natural/Native occurrence **Trend:** Unknown **Record Last Updated:** 2003-08-05

Quad Summary: Fresno North (3611977)

County Summary: Fresno

Lat/Long: 36.86577 / -119.78070 **Accuracy:** 1/5 mile
UTM: Zone-11 N4083592 E252122 **Elevation (ft):** 350
PLSS: T12S, R20E, Sec. 27, NW (M) **Acres:** 0.0

Location: FRIANT RD NORTH OF SP RR TRACKS, APPROXIMATELY 1.2 MILES NORTH OF JUNCTION FRIANT RD & BLACKSTONE, HWY 41.
Detailed Location:
Ecological:
General: COLLECTED ON ROAD TO FRIANT, NEAR PINDALE BY HOOVER IN 1938. SITE COMPLETELY DISKED IN 1981.
Owner/Manager: UNKNOWN



Multiple Occurrences per Page
California Department of Fish and Wildlife
California Natural Diversity Database



Sagittaria sanfordii

Element Code: PMALI040Q0

Sanford's arrowhead

Listing Status: **Federal:** None

CNDDB Element Ranks: **Global:** G3

State: None

State: S3

Other: Rare Plant Rank - 1B.2, BLM_S-Sensitive

Habitat: **General:** MARSHES AND SWAMPS.

Micro: IN STANDING OR SLOW-MOVING FRESHWATER PONDS, MARSHES, AND DITCHES. 0-605 M.

Occurrence No.	3	Map Index:	24423	EO Index:	7075	Element Last Seen:	2018-11-04
Occ. Rank:	Good	Presence:	Presumed Extant	Site Last Seen:		2018-11-04	
Occ. Type:	Natural/Native occurrence	Trend:	Unknown	Record Last Updated:		2022-03-02	

Quad Summary: Clovis (3611976)

County Summary: Fresno

Lat/Long: 36.82498 / -119.73285 **Accuracy:** specific area

UTM: Zone-11 N4078942 E256260 **Elevation (ft):** 349

PLSS: T13S, R21E, Sec. 6, SW (M) **Acres:** 6.0

Location: HELM CANAL JUST NORTH OF BULLARD AVE, BETWEEN CHESTNUT AVE AND WILLOW AVE, CLOVIS.

Detailed Location: MAPPED ACCORDING TO 2018 SINGLE COORDINATES, IN THE SOUTH 1/2 OF THE SW 1/4 OF SECTION 6.

Ecological: IN A SLOWLY FLOWING DITCH. VERY FEW OTHER PLANTS IN THE DITCH.

General: >1000 PLANTS SEEN BETWEEN THIS EO AND EO #139 IN 2018. PLANTS PREVIOUSLY SEEN IN THE VICINITY OF HELM CANAL AT BULLARD AVE ACCORDING TO A 1986 CLARK LETTER; DITCH ALONG BULLARD AVE HAS SINCE BEEN REMOVED.

Owner/Manager: CSU-FRESNO

Occurrence No.	4	Map Index:	24425	EO Index:	7071	Element Last Seen:	1954-05-23
Occ. Rank:	Unknown	Presence:	Presumed Extant	Site Last Seen:		1980-XX-XX	
Occ. Type:	Natural/Native occurrence	Trend:	Unknown	Record Last Updated:		2013-06-06	

Quad Summary: Fresno North (3611977)

County Summary: Fresno

Lat/Long: 36.86067 / -119.78267 **Accuracy:** 2/5 mile

UTM: Zone-11 N4083031 E251930 **Elevation (ft):** 360

PLSS: T12S, R20E, Sec. 27, NW (M) **Acres:** 0.0

Location: FRIANT ROAD SOUTH OF SHEPHERD AVE, NORTHWEST OF PINEDALE.

Detailed Location: EXACT LOCATION UNKNOWN, COLLECTION LABEL GIVES: "RD TO FRIANT DAM AND FORT WASHINGTON BEFORE CURVE AT SHEPHERD AVE."

Ecological:

General: OCCURRENCE IS BASED ON A QUIBELL COLLECTION FROM 1953 AND TWO SIMONIAN COLLECTIONS FROM 1953 AND 1954. AREA SEARCHED BY TURNER IN 1980 BUT NO PLANTS WERE FOUND.

Owner/Manager: UNKNOWN



Multiple Occurrences per Page
California Department of Fish and Wildlife
California Natural Diversity Database



Occurrence No.	5	Map Index:	24426	EO Index:	7068	Element Last Seen:	1958-10-09
Occ. Rank:	Unknown			Presence:	Presumed Extant	Site Last Seen:	1980-XX-XX
Occ. Type:	Natural/Native occurrence			Trend:	Unknown	Record Last Updated:	2011-07-27
Quad Summary:	Fresno North (3611977)						
County Summary:	Fresno						
Lat/Long:	36.79405 / -119.79838				Accuracy:	80 meters	
UTM:	Zone-11 N4075679 E250313				Elevation (ft):	310	
PLSS:	T13S, R20E, Sec. 16, SE (M)				Acres:	0.0	
Location:	IN DRAINAGE DITCH ON N SIDE OF ASHLAN AVE 100 YDS EAST OF MOROA, FRESNO.						
Detailed Location:	MAPPED AS BEST GUESS BY CNDDDB ON THE NORTH SIDE OF ASHLAN AVE 100 YDS EAST OF N MAROA AVE.						
Ecological:	GROWING IN 1 1/2' OF STANDING WATER - GUMMY LOAM ON BOTTOM. HELIANTHUS ON DITCH BANKS.						
General:	ONLY SOURCE OF INFORMATION FOR THIS SITE IS A 1958 BROCK COLLECTION, PLANTS NOTED AS "PLENTIFUL." AREA SEARCHED BY C. TURNER IN 1980 BUT NO PLANTS WERE FOUND.						
Owner/Manager:	UNKNOWN						

Occurrence No.	6	Map Index:	24428	EO Index:	7070	Element Last Seen:	1953-09-09
Occ. Rank:	Unknown			Presence:	Presumed Extant	Site Last Seen:	1980-XX-XX
Occ. Type:	Natural/Native occurrence			Trend:	Unknown	Record Last Updated:	2013-06-06
Quad Summary:	Fresno North (3611977)						
County Summary:	Fresno						
Lat/Long:	36.83710 / -119.86242				Accuracy:	1/5 mile	
UTM:	Zone-11 N4080626 E244740				Elevation (ft):	320	
PLSS:	T13S, R19E, Sec. 02, SE (M)				Acres:	0.0	
Location:	BULLARD CANAL, E-W SECTION ALONG HERNDON AVE AT BRALEY AVE, ABOUT 3 MI WEST OF PINEDALE.						
Detailed Location:	EXACT LOCATION UNKNOWN, MAPPED BY CNDDDB AS A BEST GUESS.						
Ecological:	FEEDER CANAL.						
General:	ONLY SOURCE OF INFORMATION FOR THIS SITE IS A 1953 COLLECTION BY SIMONIAN, PLANTS NOTED AS "ABUNDANT ON BOTTOM OF CANAL." AREA SEARCHED BY TURNER IN 1980 BUT NO PLANTS WERE FOUND.						
Owner/Manager:	UNKNOWN						

Occurrence No.	7	Map Index:	24427	EO Index:	7069	Element Last Seen:	1953-06-02
Occ. Rank:	Unknown			Presence:	Presumed Extant	Site Last Seen:	1980-XX-XX
Occ. Type:	Natural/Native occurrence			Trend:	Unknown	Record Last Updated:	2007-09-26
Quad Summary:	Fresno North (3611977)						
County Summary:	Fresno						
Lat/Long:	36.80818 / -119.84118				Accuracy:	1/5 mile	
UTM:	Zone-11 N4077360 E246539				Elevation (ft):	310	
PLSS:	T13S, R20E, Sec. 07, SW (M)				Acres:	0.0	
Location:	DITCH UNDER SANTA FE RAILROAD AT SHAW AVE, FRESNO.						
Detailed Location:	LOCATED IN DITCH SIPHON.						
Ecological:	GROWING IN A DITCH.						
General:	AREA SEARCHED BY C. TURNER IN 1980 BUT NO PLANTS WERE FOUND. SITE KNOWN FROM SINGLE COLLECTION BY C. QUIBELL ON JUNE 2, 1953 (FSC 8117).						
Owner/Manager:	UNKNOWN						



Multiple Occurrences per Page
California Department of Fish and Wildlife
California Natural Diversity Database



Occurrence No.	38	Map Index:	30074	EO Index:	18565	Element Last Seen:	1993-09-23
Occ. Rank:	Fair			Presence:	Presumed Extant	Site Last Seen:	1993-09-23
Occ. Type:	Natural/Native occurrence			Trend:	Unknown	Record Last Updated:	1994-08-03
Quad Summary:	Clovis (3611976)						
County Summary:	Fresno						
Lat/Long:	36.79330 / -119.74407				Accuracy:	80 meters	
UTM:	Zone-11 N4075456 E255157				Elevation (ft):	325	
PLSS:	T13S, R20E, Sec. 24, NE (M)				Acres:	0.0	
Location:	LEAKY ACRES GROUNDWATER RECHARGE BASIN, SOUTH OF ASHLAN AVE & WEST OF SIERRA VISTA AVE, FRESNO.						
Detailed Location:	BASIN IS ABOUT 2 MILES NORTHWEST OF THE FRESNO AIR TERMINAL BUILDING. PLANTS FOUND IN NW CORNER OF PONDING BASIN 5A. WITHIN THE NW 1/4 OF THE NE 1/4 OF SECTION 24.						
Ecological:	GROWING IN A LARGE, SHALLOW FRESHWATER POND IN ABOUT 6" OF WATER. SAGITTARIA LATIFOLIA OCCURS NEARBY.						
General:	MORE THAN 100 PLANTS OBSERVED IN 1993. EMERGENT VEGETATION IS SCARCE AT THIS SITE.						
Owner/Manager:	CITY OF FRESNO						

Occurrence No.	139	Map Index:	B8066	EO Index:	121179	Element Last Seen:	2018-11-04
Occ. Rank:	Good			Presence:	Presumed Extant	Site Last Seen:	2018-11-04
Occ. Type:	Natural/Native occurrence			Trend:	Unknown	Record Last Updated:	2022-03-02
Quad Summary:	Clovis (3611976)						
County Summary:	Fresno						
Lat/Long:	36.82203 / -119.72703				Accuracy:	specific area	
UTM:	Zone-11 N4078601 E256769				Elevation (ft):	353	
PLSS:	T13S, R21E, Sec. 7, N (M)				Acres:	3.0	
Location:	HELM CANAL JUST SOUTH OF BULLARD AVE, BETWEEN WILLOW AVE AND CA-168, CLOVIS.						
Detailed Location:	MAPPED ACCORDING TO 2018 SINGLE COORDINATES, IN THE NORTH 1/2 OF SECTION 7.						
Ecological:	IN A SLOWLY FLOWING DITCH. VERY FEW OTHER PLANTS IN THE DITCH.						
General:	>1000 PLANTS SEEN BETWEEN THIS EO AND EO #3 IN 2018. PLANTS PREVIOUSLY SEEN IN THE VICINITY OF HELM CANAL AT BULLARD AVE ACCORDING TO A 1986 CLARK LETTER; DITCH ALONG BULLARD AVE HAS SINCE BEEN REMOVED.						
Owner/Manager:	CSU-FRESNO						



Multiple Occurrences per Page
California Department of Fish and Wildlife
California Natural Diversity Database



Occurrence No.	140	Map Index:	B8067	EO Index:	121180	Element Last Seen:	1980-09-11
Occ. Rank:	Unknown	Presence:	Presumed Extant	Site Last Seen:	1980-09-11		
Occ. Type:	Natural/Native occurrence	Trend:	Unknown	Record Last Updated:	2022-03-02		
Quad Summary:	Clovis (3611976)						
County Summary:	Fresno						
Lat/Long:	36.81285 / -119.73777			Accuracy:	1/5 mile		
UTM:	Zone-11 N4077610 E255782			Elevation (ft):	342		
PLSS:	T13S, R20E, Sec. 12, SE (M)			Acres:	70.0		
Location:	DIRECTLY EAST OF THE CSU FRESNO RODEO GROUNDS, FRESNO.						
Detailed Location:	BASED ON 2 COLLECTIONS FROM THE SAME DATE: "FROM A CSUF DITCH DIRECTLY E OF THE RODEO GROUNDS" & "FROM A CSUF POND DIRECTLY S OF THE PLANT MAINTENANCE YARD." UNABLE TO LOCATE PLANT MAINT YARD, BUT THERE ARE 2 PONDS JUST E OF RODEO GROUNDS.						
Ecological:	COLLECTED FROM A DITCH AND A POND. MOIST SANDY SOIL. VALLEY GRASSLAND TYPE COMMUNITY. ASSOCIATED WITH NUPHAR, TYPHA, JUNCUS, AND MARSILEA.						
General:	TWO POPULATIONS OF 15-20 PLANTS AND 30-40 PLANTS OBSERVED IN 1980. NEEDS FIELDWORK.						
Owner/Manager:	CSU-FRESNO						

Occurrence No.	141	Map Index:	B8068	EO Index:	121181	Element Last Seen:	2020-08-26
Occ. Rank:	Unknown	Presence:	Presumed Extant	Site Last Seen:	2020-08-26		
Occ. Type:	Natural/Native occurrence	Trend:	Unknown	Record Last Updated:	2022-03-02		
Quad Summary:	Herndon (3611978)						
County Summary:	Fresno						
Lat/Long:	36.80264 / -119.91283			Accuracy:	80 meters		
UTM:	Zone-11 N4076938 E240128			Elevation (ft):	295		
PLSS:	T13S, R19E, Sec. 16, NW (M)			Acres:	5.0		
Location:	IN SILVIA NO 47 CANAL, 350 METERS UPSTREAM FROM GRANTLAND AVENUE, SOUTHWEST OF HIGHWAY CITY.						
Detailed Location:	MAPPED ACCORDING TO 2020 LEDESMA COORDINATES, IN THE SW 1/4 OF THE NW 1/4 OF SECTION 16.						
Ecological:							
General:	PLANTS INITIALLY FOUND HERE IN 2018. FEWER THAN 10 PLANTS OBSERVED IN 2020.						
Owner/Manager:	UNKNOWN						



Multiple Occurrences per Page
California Department of Fish and Wildlife
California Natural Diversity Database



Imperata brevifolia

Element Code: PMPOA3D020

California satintail

Listing Status: **Federal:** None **CNDDB Element Ranks:** **Global:** G3
State: None **State:** S3
Other: Rare Plant Rank - 2B.1, SB_CalBG/RSABG-California/Rancho Santa Ana Botanic Garden, SB_SBBG-Santa Barbara Botanic Garden, USFS_S-Sensitive
Habitat: **General:** COASTAL SCRUB, CHAPARRAL, RIPARIAN SCRUB, MOJAVEAN DESERT SCRUB, MEADOWS AND SEEPS (ALKALI), RIPARIAN SCRUB.
Micro: MESIC SITES, ALKALI SEEPS, RIPARIAN AREAS. 3-1495 M.

Occurrence No. 22 **Map Index:** 46277 **EO Index:** 69854 **Element Last Seen:** 1893-07-31
Occ. Rank: Unknown **Presence:** Presumed Extant **Site Last Seen:** 1893-07-31
Occ. Type: Natural/Native occurrence **Trend:** Unknown **Record Last Updated:** 2007-04-26

Quad Summary: Malaga (3611966), Fresno South (3611967), Clovis (3611976), Fresno North (3611977)

County Summary: Fresno

Lat/Long: 36.77388 / -119.77951 **Accuracy:** 5 miles
UTM: Zone-11 N4073392 E251931 **Elevation (ft):** 300
PLSS: T13S, R20E, Sec. 27 (M) **Acres:** 0.0

Location: FRESNO.

Detailed Location: EXACT LOCATION UNKNOWN. MAPPED BY CNDDB AS A BEST GUESS AROUND FRESNO.

Ecological:

General: ONLY SOURCE OF INFORMATION FOR THIS OCCURRENCE IS AN 1893 COLLECTION BY WILSON, ET AL. NEEDS FIELDWORK.

Owner/Manager: UNKNOWN



Multiple Occurrences per Page
California Department of Fish and Wildlife
California Natural Diversity Database



Orcuttia pilosa

Element Code: PMPOA4G040

hairy Orcutt grass

Listing Status: **Federal:** Endangered

CNDDDB Element Ranks: **Global:** G1

State: Endangered

State: S1

Other: Rare Plant Rank - 1B.1, SB_CalBG/RSABG-California/Rancho Santa Ana Botanic Garden

Habitat: **General:** VERNAL POOLS.

Micro: 25-125 M.

Occurrence No. 28 **Map Index:** 14519 **EO Index:** 2301 **Element Last Seen:** 1986-08-10

Occ. Rank: None **Presence:** Possibly Extirpated **Site Last Seen:** 1986-08-10

Occ. Type: Natural/Native occurrence **Trend:** Unknown **Record Last Updated:** 2013-04-25

Quad Summary: Herndon (3611978)

County Summary: Madera

Lat/Long: 36.87040 / -119.88708 **Accuracy:** specific area

UTM: Zone-11 N4084387 E242653 **Elevation (ft):** 310

PLSS: T12S, R19E, Sec. 22, SW (M) **Acres:** 9.6

Location: VERNAL POOL NORTHEAST OF INTERSECTION OF AVENUE 8 AND ROAD 36, APPROXIMATELY 3 AIR MILES NORTHEAST OF HERNDON.

Detailed Location: MAPPED IN THE NE 1/4 OF THE SW 1/4 OF SECTION 22.

Ecological: VERNAL POOL WITH ASSOCIATES ERYNGIUM VASEYI, TRICHOSTEMA LANCEOLATUM, AND DOWNINGIA SP. SURROUNDED BY ANNUAL GRASSLAND.

General: 200 PLANTS OBSERVED IN 1986; OWNER WILL ALLOW ACCESS FOR FUTURE STUDIES. POSSIBLY EXTIRPATED ACCORDING TO WITHAM (2013); AERIAL PHOTOGRAPHY SHOWS VARIOUS PLOWING OVER THE YEARS, AND THE "POND" SIGNATURE SEEMS TO MOVE AROUND IN AERIALS.

Owner/Manager: PVT



Multiple Occurrences per Page
California Department of Fish and Wildlife
California Natural Diversity Database



Orcuttia inaequalis

Element Code: PMPOA4G060

San Joaquin Valley Orcutt grass

Listing Status: **Federal:** Threatened
State: Endangered
Other: Rare Plant Rank - 1B.1
Habitat: **General:** VERNAL POOLS.
Micro: 10-755 M.

CNDDDB Element Ranks: **Global:** G1
State: S1

Occurrence No. 21 **Map Index:** 14687 **EO Index:** 22388 **Element Last Seen:** 1927-05-27
Occ. Rank: None **Presence:** Extirpated **Site Last Seen:** 1987-06-01
Occ. Type: Natural/Native occurrence **Trend:** Unknown **Record Last Updated:** 2008-06-26

Quad Summary: Fresno North (3611977), Lanes Bridge (3611987)

County Summary: Fresno, Madera

Lat/Long: 36.86226 / -119.79161 **Accuracy:** 1 mile
UTM: Zone-11 N4083231 E251138 **Elevation (ft):** 300
PLSS: T12S, R20E, Sec. 28 (M) **Acres:** 0.0

Location: NEAR LANES BRIDGE NEAR FRIANT.

Detailed Location:

Ecological:

General: THIS REGION HAS BEEN LEVELED AND IS NOW BEING DEVELOPED FOR RESIDENTIAL AND COMMERCIAL USES AS WELL AS RECREATION ACCORDING TO STEBBINS (1987).

Owner/Manager: UNKNOWN



Multiple Occurrences per Page
California Department of Fish and Wildlife
California Natural Diversity Database



Tuctoria greenei

Element Code: PMPOA6N010

Greene's tuctoria

Listing Status: **Federal:** Endangered

CNDDDB Element Ranks: **Global:** G1

State: Rare

State: S1

Other: Rare Plant Rank - 1B.1

Habitat: **General:** VERNAL POOLS.

Micro: VERNAL POOLS IN OPEN GRASSLANDS. 25-1325 M.

Occurrence No. 22 **Map Index:** 14941 **EO Index:** 22344 **Element Last Seen:** 1937-05-27

Occ. Rank: None **Presence:** Extirpated **Site Last Seen:** 1987-06-01

Occ. Type: Natural/Native occurrence **Trend:** Unknown **Record Last Updated:** 1995-07-19

Quad Summary: Clovis (3611976)

County Summary: Fresno

Lat/Long: 36.85300 / -119.64264 **Accuracy:** 1/5 mile

UTM: Zone-11 N4081825 E264392 **Elevation (ft):** 405

PLSS: T12S, R21E, Sec. 26, SE (M) **Acres:** 0.0

Location: 5 MILES NORTHEAST OF CLOVIS.

Detailed Location: EXACT LOCATION UNKNOWN, MAPPED IN THE VICINITY OF TOLLHOUSE ROAD AND NEES AVENUE.

Ecological:

General: SITE KNOWN FROM 1937 COLLECTION BY HOOVER. AREA SEARCHED IN 1981 AND 1987 BUT NO PLANTS SEEN. ACC TO BIOSYSTEMS ANALYSIS, 1988, NO VERNAL POOL HABITAT REMAINS IN THIS AREA; HABITAT ELIMINATED, SITE EXTIRPATED.

Owner/Manager: PVT

7.3 Appendix C: Pre-consultation letters



Fresno Metropolitan Flood Control District

Capturing Stormwater since 1956

File 400.21

April 18, 2024

Ms. Adrienne Asadoorian-Gilbert, Supervising Planner
City of Fresno
Planning and Development Department
2600 Fresno Street
Fresno, CA 93721

Dear Adrienne,

**Fresno Metropolitan Flood Control District
Comments on the Text Amendment (Early Consultation for CEQA)
Development Code Text Amendment No. P24-00794**

The Fresno Metropolitan Flood Control District (District) has reviewed the information provided regarding the Text Amendment (Early Consultation for CEQA) to amend the Fresno Municipal Code (FMC) to allow ministerial approval within four (4) land use classifications and nine (9) land use designations within the City of Fresno and has the following comments.

The District's drainage system can be revised to accommodate density changes in areas where no drainage facilities have been constructed. However, proposed changes that increase the density from the land use used to design an existing Master Plan storm drainage system create additional runoff that could adversely affect existing storm drainage system facilities and may even potentially produce flooding. Any proposal to increase densities where facilities are already constructed would most likely require mitigation for any increase in the site storm water runoff and may necessitate the need for CEQA review. Such mitigation shall be in the form of on-site retention or, possibly, storm drainage system modifications. All mitigation systems shall be reviewed and approved by the District. All proposals for increasing density in such drainage systems must be reviewed and approved by the District on a case by case basis to determine the ability to accommodate the proposal.

Drainage fees shall be collected pursuant to the Drainage Fee Ordinance prior to approval of final maps and/or issuance of building permits at the rates in effect at the time of such approval. Instances when the proposed density is reduced and the District's Master Plan facilities have been constructed will be subject to the higher rate anticipated to be collected when the facilities were installed. Should land use densities of existing areas be increased, the property would be subject to drainage fees commensurate to the higher density and paid to offset the effects of the increased land use. Please contact the District for a final fee obligation prior to issuance of any construction permits.

k:\letters\city of fresno general plan\city of fresno text amendment (early consultation)p24-00794.docx

Ms. Adrienne Asadoorian-Gilbert, Supervising Planner
City of Fresno
Fresno Metropolitan Flood Control District
Comments on the Text Amendment (Early Consultation for CEQA)
Development Code Text Amendment No. P24-00794
April 18, 2024
Page 2

Thank you for the opportunity to comment. Please keep our office informed on the development of this project. If you have any questions or concerns regarding our comments, please feel free to contact me at (559) 456-3292.

Sincerely,



Denise Wade
Master Plan Special Projects Manager

DW/lrl

c: Debbie Campbell, Fresno Metropolitan Flood Control District

From: [Angela Reis](#)
To: [Adrienne Asadoorian](#)
Subject: Code text Amendment P24-00794 Public Works
Date: Thursday, April 18, 2024 11:02:47 AM

Good Morning,

Public Works has no comments on the proposed text amendment for P24-00794.

Thank You,

Angela Reis

Chief Engineering Technician

Land Planning & Subdivision Inspection Section, Public Works Department

2600 Fresno Street

Fresno, CA 93721-3623

Direct: (559) 621-8684

Main: (559) 621-8800

www.fresno.gov

Building a Better Fresno





STATE OF CALIFORNIA
**SAN JOAQUIN RIVER
CONSERVANCY**

GOVERNING BOARD

Robert Macaulay, Chairperson
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Madera County Board of Supervisors*

Kacey Auston, Vice-Chairperson
*Director Fresno Metropolitan Flood
Control District*

Mike Karbassi,
Councilmember, City of Fresno

Steve Brandau, *Supervisor
Fresno County Board of Supervisors*

Anita Evans
Councilmember, City of Madera

Julie Vance, *Regional Manager
Department of Fish and Wildlife*

Kent Gresham, *Sector Superintendent
Department of Parks and Recreation*

Jennifer Norris, *Executive Director
Wildlife Conservation Board*

Andrea Scharffer, *Deputy Assistant
Secretary Natural Resources Agency*

Jennifer Lucchesi, *Executive Officer
State Lands Commission*

Matt Almy, *Program Budget Manager
Department of Finance*

Citizen Representatives
Bryn Forhan, *City of Fresno*

Daniel O'Connell, *Fresno County*

Jose Eduardo Chavez, *Madera*

County Vacant, Tribal

Vacant, Youth

Kari Daniska
Executive Officer

5469 E. Olive Avenue Fresno,
California 93727
Telephone (559) 253-7324
Fax (559) 456-3194
www.sjrc.ca.gov

April 18, 2024

Adrienne Asadoorian-Gilbert
City of Fresno
Planning and Development Department
2600 Fresno Street, Room 3043
Fresno, CA 93721-3604
Adrienne.Asadoorian@fresno.gov

**Subject: Early Consultation, City of Fresno Development Code Text
Amendment No. P2400794**

Dear Adrienne Asadoorian-Gilbert:

The San Joaquin River Conservancy (Conservancy) has reviewed the Early Consultation provided for the City of Fresno Development Code Text Amendment No. P2400794 (Project) located in the City of Fresno, Fresno County.

The San Joaquin River Conservancy is a regionally governed agency created to develop and manage the San Joaquin River Parkway (Parkway), a planned 22-mile natural and recreational area in the floodplain extending from Friant Dam to Highway 99. The Conservancy's mission includes acquiring approximately 5,900 acres from willing sellers; developing, operating, and managing those lands for public access and recreation; and protecting, enhancing, and restoring riparian and floodplain habitat.

Project Location and Description

The Project is in the jurisdiction of the City of Fresno, Fresno County, California and contains approximately 13,560 parcels that altogether total approximately 6,440 acres in the RM-1, RM-2, RM-3, O, NMX, CMX, RMX, CMS, and CR zoned parcels through the City of Fresno.

The City of Fresno, Planning and Development Department proposes Development Code Text Amendment No. P24-00794 that would amend the Fresno Municipal Code (FMC) to:

1. Allow ministerial approval of the proposed "office-to-dwelling conversion" residential use classification in the O zone district ("Office-to-Dwelling Conversions") within existing buildings;
2. Allow ministerial approval of multi-unit residential development in the RM-1, RM-2, and RM-3 zone districts on parcels that are within ½ mile of an existing bus stop ("Housing Near Bus Stops");
3. Allow ministerial approval of "multi-unit residential" uses in NMX, CMX, RMX, CMS, and CR zone districts on parcels within the City's Infill Priority Area ("Infill Residential Development in Mixed Use Zones");
4. Allow ministerial approval of new standalone multi-unit residential development in the O zone district ("New Residential Development on Office Parcels")

No Development is currently proposed with this text amendment.

Adrienne Asadoorian-Gilbert
City of Fresno
4/18/2024
Page 2 of 2

General Comments

The Conservancy is concerned with balancing the effects of urban development with providing safe and adequate public access to the Parkway.

The Conservancy recommends that the Draft Environmental Document discuss additional potential safe, public access opportunities to the Parkway to accommodate the reasonable foreseeable buildout of 22,425 units over the next 30 years. Increasing safe, public access to the Parkway will also meet policies and objectives that are set forth in the Open Space and Recreation Element of the City of Fresno General Plan.

Additionally, the Conservancy recommends that the City of Fresno consider passing an ordinance requiring developers to set aside land, donate conservation easements, or pay for park improvements and that the Conservancy be consulted for potential opportunities. Setting lands aside for conservation and recreation will also support the 30x30 California and Outdoors for All Initiatives.

If you have any questions, please contact me by email at Kari.Daniska@SJRC.ca.gov.

Sincerely,

Kari Daniska

Kari Daniska
Executive Officer

From: [Peter Maraccini](#)
To: [Adrienne Asadoorian](#)
Cc: [Sophia Pagoulatos](#); [Yamilex Nava](#)
Subject: RE: City of Fresno Early Consultation - Text Amendment - Comments Requested
Date: Friday, April 12, 2024 4:46:53 PM

Hi Adrienne,

I read through the text amendment and don't have any comments.

Best Regards,
Peter

From: Adrienne Asadoorian <Adrienne.Asadoorian@fresno.gov>
Sent: Monday, April 8, 2024 3:59 PM
To: Adrienne Asadoorian <Adrienne.Asadoorian@fresno.gov>
Cc: Sophia Pagoulatos <Sophia.Pagoulatos@fresno.gov>; Yamilex Nava <Yamilex.Nava@fresno.gov>
Subject: City of Fresno Early Consultation - Text Amendment - Comments Requested

Good Afternoon,

As part of the Early Consultation process through the California Environmental Quality Act (CEQA), the City of Fresno Planning and Development Department is requesting your comments on a Text Amendment to the Citywide Development Code to allow ministerial approval of four new development scenarios, as noted in the attached routing package.

Please provide written comments, if any, on the attached by **April 19th** so that they may be included in the analysis for the CEQA document for this Project. As always, please feel free to reach out should you have any questions.

Thank you,

Adrienne Asadoorian-Gilbert | Supervising Planner
Long Range Planning | Planning & Development
[City of Fresno | 2600 Fresno St | Fresno CA 93721](#)
559.621.8339
Adrienne.Asadoorian@Fresno.gov



Resources: [Long Range Plans](#) | [GIS Data Hub](#)
[Citywide Development Code](#) | [Plans & Projects Under Review](#)

From: [Theodore Semonious](#)
To: [Adrienne Asadoorian](#)
Cc: [Sophia Pagoulatos](#); [Yamilex Nava](#)
Subject: RE: City of Fresno Early Consultation - Text Amendment - Comments Requested
Date: Friday, April 19, 2024 2:36:02 PM
Attachments: [image002.png](#)

The Fire Department has no comments for this document.

Thank you.

Ted Semonious
Deputy Chief
Fire Prevention Division
[Fresno Fire Department](#)
[559 690 0859 cell](#)
559 621 4101 office

Proudly Serving



From: Adrienne Asadoorian <Adrienne.Asadoorian@fresno.gov>
Sent: Monday, April 8, 2024 3:59 PM
To: Adrienne Asadoorian <Adrienne.Asadoorian@fresno.gov>
Cc: Sophia Pagoulatos <Sophia.Pagoulatos@fresno.gov>; Yamilex Nava <Yamilex.Nava@fresno.gov>
Subject: City of Fresno Early Consultation - Text Amendment - Comments Requested

Good Afternoon,

As part of the Early Consultation process through the California Environmental Quality Act (CEQA), the City of Fresno Planning and Development Department is requesting your comments on a Text Amendment to the Citywide Development Code to allow ministerial approval of four new development scenarios, as noted in the attached routing package.

Please provide written comments, if any, on the attached by **April 19th** so that they may be included in the analysis for the CEQA document for this Project. As always, please feel free to reach out should you have any questions.

Thank you,

Adrienne Asadoorian-Gilbert | Supervising Planner
Long Range Planning | Planning & Development
[City of Fresno | 2600 Fresno St | Fresno CA 93721](#)
559.621.8339
Adrienne.Asadoorian@Fresno.gov



Resources: [Long Range Plans](#) | [GIS Data Hub](#)
[Citywide Development Code](#) | [Plans & Projects Under Review](#)

7.4 Appendix D: NAHC CORRESPONDENCE

**NATIVE AMERICAN HERITAGE COMMISSION**

April 8, 2024

Shin Tu
Precision Civil EngineeringVia Email to: stu@precisioneng.net**Re: City of Fresno Development Code Text Amendment Application No. P24-0079 Project,
Fresno County**

Dear Mr. Tu:

A record search of the Native American Heritage Commission (NAHC) Sacred Lands File (SLF) was completed for the information submitted for the above referenced project. The results were positive. Please contact the Tribes on the attached list for information. Please note that tribes do not always record their sacred sites in the SLF, nor are they required to do so. A SLF search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with a project's geographic area. Other sources of cultural resources should also be contacted for information regarding known and recorded sites, such as the appropriate regional California Historical Research Information System (CHRIS) archaeological Information Center for the presence of recorded archaeological sites.

Attached is a list of Native American tribes who may also have knowledge of cultural resources in the project area. This list should provide a starting place in locating areas of potential adverse impact within the proposed project area. Please contact all of those listed; if they cannot supply information, they may recommend others with specific knowledge. By contacting all those listed, your organization will be better able to respond to claims of failure to consult with the appropriate tribe. If a response has not been received within two weeks of notification, the Commission requests that you follow-up with a telephone call or email to ensure that the project information has been received.

If you receive notification of change of addresses and phone numbers from tribes, please notify the NAHC. With your assistance, we can assure that our lists contain current information.

If you have any questions or need additional information, please contact me at my email address: Cameron.vela@nahc.ca.gov.

Sincerely,

*Cameron Vela*Cameron Vela
Cultural Resources Analyst

Attachment

CHAIRPERSON
Reginald Pagaling
ChumashVICE-CHAIRPERSON
Buffy McQuillen
Yokayo Pomo, Yuki,
NomlakiSECRETARY
Sara Dutschke
MiwokPARLIAMENTARIAN
Wayne Nelson
LuiseñoCOMMISSIONER
Isaac Bojorquez
Ohlone-CostanoanCOMMISSIONER
Stanley Rodriguez
KumeyaayCOMMISSIONER
Laurena Bolden
SerranoCOMMISSIONER
Reid Milanovich
CahuillaCOMMISSIONER
VacantEXECUTIVE SECRETARY
**Raymond C.
Hitchcock**
Miwok, Nisenan**NAHC HEADQUARTERS**
1550 Harbor Boulevard
Suite 100
West Sacramento,
California 95691
(916) 373-3710
nahc@nahc.ca.gov
NAHC.ca.gov

7.5 Appendix E: Public Review Draft Development Code Text Amendment Application No. P24-00794

SEC. 15-1106. ADDITIONAL STANDARDS.

- A. ~~Projects shall incorporate all relevant mitigation measures required pursuant to applicable environmental assessments prepared pursuant to CEQA that encompass the project area. "Applicable Environmental Assessments" shall include, but may not be limited to the following:~~
- ~~1. An EIR prepared for the General Plan in effect at the time of project approval.~~
 - ~~2. A Program or Project EIR prepared for either a Community Plan or Specific Plan that includes the project area, in effect at the time of project approval.~~
 - ~~3. An Environmental Assessment reviewing the removal of density limits in Mixed-Use areas.~~
- B. ~~The proposed design shall not lead to an overburdening of existing or planned infrastructure capacities, including, but not limited to, capacities for water, runoff, storm water, wastewater, and solid waste systems. The determination of whether or not the proposed design can be accommodated within existing infrastructure shall be made by the Review Authority in consultation with the Directors of Public Works and Public Utilities.~~
- C. ~~The project shall comply with the following standards to ensure it can be adequately served by City Public Utility Services:~~
- ~~1. Pipelines that are downstream (between the project site and wastewater treatment plant or lift station) from the proposed project shall maintain a sewer flow capacity of 1.15 q/Q ratio. Projects that result in a pipeline exceeding the flow capacity of 1.15 q/Q shall construct upsized replacement pipelines for those found to be deficient per the requirements of the Department of Public Utilities Director.~~
 - ~~2. On-site retention or storm drainage system modifications are required for projects within Priority Development Areas that are: 1) proposed at a density exceeding the maximum density currently permitted in the mixed-use district (16 du/ac in CMS, CR, and NMX, 30 du/ac in CMX, and 45 du/ac in RMX) and 2) within areas where storm drain facilities are already constructed. Projects proposed outside the Priority Development Areas shall comply with General Plan PEIR mitigation measures related to stormwater.~~
 - ~~3. The City shall evaluate additional landfill locations at the time discretionary projects are submitted and shall not approve development that could contribute solid waste to a landfill that is at capacity until additional capacity is provided.~~
 - ~~4. For any project that results in the existing water system pipelines in the area of the project from not being able to meet maximum day demand plus the project required fire flow of 2,500 gallons per minute (gpm), the project developer shall construct upsized replacement pipelines, per the requirements of the Department of Public Utilities Director, in the project vicinity to increase flow for the maximum day demand plus fire flow condition.~~
- D. ~~The project shall comply with the following standards and all applicable Public Works standards:~~
- ~~1. To maintain a peak hour LOS standard of F or better for all intersections and roadway segments, a traffic impact study (TIS) is required for all development projected to generate 300 or more peak hour new vehicle trips within the Project Area, unless not required by the City Traffic Engineer. The following is also exempt:~~
 - ~~i. Development within Infill Priority Areas within the Project Area proposing 80% residential development do not require a traffic impact study.~~

-
- ~~2. When a proposed residential development consisting of more than 200 units is in close proximity to a school or activity center, is near a transit stop or pedestrian or bicycle route, bicycle and pedestrian facilities such as signalized crossings, traffic signal upgrades, such as left turn phasing, sidewalks or asphalt paths, and bicycle facilities may be required.~~
 - ~~3. When LOS reaches E or F on High Frequency Transit Corridors, development projects within the Corridors may be conditioned to provide transit street design treatments and operational strategies, or in-lieu fees, set forth by the City of Fresno, including intersection treatments, dedicated transit lanes, business access and transit (BAT) lanes, Transit Signal Priority (TSP), and/or others.~~
 - ~~4. When a proposed residential development consisting of more than 200 units is in close proximity to a school or activity center, is near a transit stop or pedestrian or bicycle route, the project may be required to construct improvements in accordance with the City of Fresno's Complete Street Policy dated September 26, 2019 (as amended).~~

~~(Added Ord. 2022-029, § 4, eff. 11-19-22).~~

SEC. 15-1302. USE REGULATIONS.

- A. Table 15-1302 below prescribes the proposed land use regulations for Employment Districts. The regulations for the district are established by letter designations listed below. These designations apply strictly to the permissibility of land uses; applications for buildings or structures may require discretionary review.

"P" designates permitted uses.

"C" designates uses that are permitted after review and approval of a Conditional Use Permit.

"(#)" numbers in parentheses refer to specific limitations listed at the end of the table.

"-" designates uses that are not permitted.

- B. Land uses are defined in Article 67, Use Classifications.
- C. In cases where a specific land use or activity is not defined, the Director shall assign the land use or activity to a classification that is substantially similar in character per Section 15-5020, Director's Determination.
- D. All permitted uses are allowed either alone or in combination with other permitted uses unless otherwise stated in this Code.
- E. Use classifications and subclassifications not listed in the table or not found to be substantially similar to the uses below are not permitted.
- F. The table also notes additional regulations that apply to various uses. Section numbers in the right hand column refer to other sections of this Code.

TABLE 15-1302: LAND USE REGULATIONS—EMPLOYMENT DISTRICTS						
Use Classifications	O	BP	RBP	IL	IH	Additional Regulations
Residential Use Classifications						
Caretaker Residence	-	-	-	P(2)	P(2)	
Lodging-to-Dwelling Conversion	C	C	C	C	C	§ 15-2737.5 Lodging-to-Dwelling Conversion Requirements
<u>Multi-Unit Residential</u>	<u>P(17)(18)</u>	-	-	-	-	<u>§ 15-2742.5 Office-to-Dwelling Conversion</u>
Public and Semi-Public Use Classifications						
Colleges and Trade Schools, Public or Private	P(3)	P(3)	P(3)	P	P	
Community and Religious Assembly (less than 2,000 square feet)	P	P	P	P	-	§ 15-2719, Community and Religious Assembly Facilities
Community and Religious Assembly (2,000 square feet or more)	P	P(14)	P(14)	P(14)	-	
Community Garden	P	P	P	P	P	§ 15-2720, Community Gardens/Urban Farms
Conference/Convention Facility	C	C	C	-	-	
Cultural Institutions	P	P	P	-	-	

Day Care Centers	P	P	P	P (15)		§ 15-2725, Day Care Centers and Family Child Care Homes
Emergency Shelter	-	-	P	P	-	§ 15-2729, Emergency Shelters
Government Offices	P	P	P	P	P	
Hospitals and Clinics						
Hospital	C(11)	C(11)	C(11)	C(11)	C(11)	
Clinic	P	P	P	C	-	
Substance Abuse Treatment Clinic	C(13)	C(13)	C(13)	C(13)	-	
Instructional Services	P	P	P	P	P	
Park and Recreation Facilities, Public	P	P	P	P	P	
Parking, Public or Private	P	P	P	P	P	
Public Safety Facilities	P	P	P	P	P	
Schools, Public or Private	P	P	P	P	-	
Social Service Facilities	C	C	C	C	-	
Commercial Use Classifications						
Adult-Oriented Business	-	-	-	C	C	§ 15-2705, Adult-Oriented Businesses; § 9-2001, Picture and Live Arcades
Aircraft Sales, Services, and Storage	-	P	P	P	P	
Animal Care, Sales and Services						
Kennels	-	P	P	P	P	
Veterinary Services	C	P	P	P	P	
Artist's Studio	P	P	-	P	-	
Automobile/Vehicle Sales and Services						
Automobile Rentals	P	P	P	P	P	§ 15-2709, Automobile and Motorcycle Retail Sales and Leasing
Automobile/Vehicle Sales and Leasing	-	P	P	P	-	§ 15-2709, Automobile and Motorcycle Retail Sales and Leasing
Automobile/Vehicle Repair, Major	P	P	P	P	P	§ 15-2710, Automobile/Vehicle Service and Repair, Major and Minor
Automobile/Vehicle Service and Repair, Minor	P	P	P	P	P	

Large Vehicle and Equipment Sales, Service and Rental	P	P	P	P	P	
Service Station	P	P	P	P	P	§ 15-2755, Service Stations
Towing and Impound	-	-	-	C	C	§ 15-2765, Vehicle Impound Yard (Tow Yard) and Transit Storage
Washing	P	P	P	P	P	§ 15-2711, Automobile/Vehicle Washing
Banks and Financial Institutions						
Banks and Credit Unions	P	P	P	P	-	
Check Cashing Businesses and Payday Lenders	-	-	-	-	-	§ 15-2715, Check Cashing Businesses, Payday Lenders, and Similar Financial Services
Business Services	P	P	P(6)	P	P	
Banquet Hall	C	C	C	C	-	§ 15-2712, Banquet Hall
Eating and Drinking Establishments						
Restaurant with Alcohol Sales	C	C	C	C	C	§ 15-2751, Restaurants with Alcohol Sales, Bars, Nightclubs, and Lounges; § 15-2744, Outdoor Dining and Patio Areas
Restaurant without Alcohol Sales	P	P	P	P	P	
Entertainment and Recreation						
Motorcycle/Riding Club	-	-	-	P	P	§ 15-2742, Motorcycle/Riding Clubs
Shooting/Archery Range	-	-	-	P	P	§ 15-2756, Shooting Ranges/Archery Ranges
Small-Scale	-	C	C	C	-	§ 15-2708, Arcades, Video Games, and Family Entertainment Centers, § 9-1801, Billiard Rooms
Food and Beverage Sales						
Farmer's Market	P	P	P	P	-	
General Market	P	P	P	P	-	§ 15-2744, Outdoor Dining and Patio Areas; § 15-2745, Outdoor Retail Sales
Healthy Food Grocer	-	P	P	P	-	
Food Preparation	-	P	P	P	P	
Funeral Parlors and Internment Services	-	P	P	P	-	§ 15-2714, Body Preparation and Funeral Services
Live/Work	-	-	-	P	-	
Lodging						

Hotels and Motels	P	P	P	P	-	
Maintenance and Repair Services	-	P	P	P	P	
Offices						
Business and Professional	P	P	P	P	P	
Medical and Dental	P	P	P	P	-	
Walk-In Clientele	P	P	P	P	-	
Personal Services						
General Personal Services	P	P	P	P	-	
Tattoo or Body Modification Parlor	-	-	-	P	-	§ 15-2758, Tattoo or Body Modification Parlor
Retail Sales						
Building Materials and Services	-	-	-	P	P	§ 15-2745, Outdoor Retail Sales
Convenience Retail	P(4)	P(4)	P(4)	P(4)	P(4)	§ 15-2745, Outdoor Retail Sales; 15-2761 Tobacco and Vapor Shops
General Retail	P(4)	P(4)	P(4)	P(4)	P(4)	§ 15-2733, Hobby Stores; § 15-2745, Outdoor Retail Sales
Large-Format Retail	-	P(8)	P(8)	P(8)	P(8)	§ 15-2737, Large-Format Retail; § 15-2745, Outdoor Retail Sales
Nurseries and Garden Centers	-	-	-	C	-	§ 15-2745, Outdoor Retail Sales
Swap Meet/Flea Market	-	-	-	C	-	§ 15-2731, Flea Markets
Industrial Use Classifications						
Construction and Material Yards	-	P(16)	P(16)	P(16)	P(16)	§ 15-2721, Concrete Batch Plants, Storage Yards, and Similar Uses
Custom Manufacturing	-	P(8)	P(8)	P	P	
Limited Industrial	-	P(8)	P(8)	P	P	
General Industrial	-	C	C	P	P	
Intensive Industrial	-	-	-	-	C	§ 15-2732, Hazardous Waste Management Facilities
Recycling Facility						
Reverse Vending Machine	P	P	P	P	P	§ 15-2750, Recycling Facilities
CRV Recycling Center	-	-	-	C	C	
Recycling Processing Facility	-	-	-	C	C	
Research and Development	P	P	P	P	P	
Salvage and Wrecking	-	-	-	-	C	§ 15-2768, Wrecking Yards and Auto Dismantling
Warehousing, Storage, and Distribution						

Chemical and Mineral Storage	-	-	-	C	C	§ 15-2732, Hazardous Waste Management Facilities
Indoor Warehousing and Storage	-	P	P	P	P	
Outdoor Storage	-	P(8) (16)	P(8) (16)	P(16)	P(16)	§ 15-2721, Concrete Batch Plants, Storage Yards, and Similar Uses
Personal Storage	C	P	P	P	P	§ 15-2747, Personal (Mini) Storage
Wholesaling and Distribution	-	P	P	P	P	
Transportation, Communication, and Utilities Use Classifications						
Airports and Heliports	-	C(9)	C(9)	C	C	
Communication Facilities						
Antenna and Transmission Towers						§ 15-2759, Telecommunications and Wireless Facilities
Facilities within Buildings	P	P	P	P	P	
Freight/Truck Terminals and Warehouses	-	P	P	P	P	
Light Fleet-Based Services	C	P	P	P	P	
Utilities, Major	-	-	C	P	P	
Utilities, Minor	P	P	P	P	P	
Waste Transfer Facility	-	-	-	C	C	§ 15-2732, Hazardous Waste Management Facilities
Agricultural and Extractive Use Classifications						
Agricultural Processing	-	C	C	P	P	§ 15-2732, Hazardous Waste Management Facilities
Agricultural Support Services	-	C	P	P	P	
Animal Raising	-	-	-	-	-	
Crop Cultivation	-	-	-	P	P	§ 15-2716, Crop Cultivation
Dairy	-	-	-	-	-	
Mining and Quarrying	-	-	-	-	C	
Produce Stand	-	-	-	P	P	§ 15-2752, Roadside Fruit Stands/Grower Stands
Rendering	-	-	-	-	C	
Sales Lot, Feed Lot, Stockyard	-	-	-	C	P	
Slaughterhouse	-	-	-	-	C	
Tasting Room	-	C	C	C	C	
Urban Farm	-	-	-	P	P	§ 15-2720, Community Gardens/Urban Farms
Other Applicable Types						
Accessory Uses and Structures						§ 15-2703, Accessory Uses
Home Gardens						§ 15-2734, Home Gardens and Edible Landscaping

Animal Keeping	§ 15-2707, Animal Keeping					
Drive-In and Drive-Through Facilities	C	C	C	C	C	§ 15-2728, Drive-In and Drive-Through Facilities
Walk-Up Facilities	§ 15-2766, Walk-Up Facilities					
Non-Conforming Use	Article 4, Non-Conforming Uses, Structures, Site Features, and Lots					
Temporary Use	§ 15-2760, Temporary Uses					
Specific Limitations:						
1. Permitted if existing, no new units are allowed.						
2. One caretaker dwelling is allowed where having a caretaker living on the site is necessary for the conduct of the on-site business.						
3. Not to include industrial training such as welding or automotive repair involving the use of tools and materials appropriate to an industrial use area.						
4. Limited to establishments with a gross floor area of 6,000 square feet or less.						
5. Not allowed on the ground floor.						
6. Permitted only as an accessory use that supports business and office parks, corporate offices, and industrial uses.						
7. Limited to membership club retailers and located on an arterial or higher classifications street.						
8. Outdoor storage shall be incidental to a primary use and screened from public view.						
9. Limited to heliports used as accessory to a hospital.						
10. Limited to upper stories unless at least 50 percent of ground floor street frontage is occupied by food service use.						
11. Building heights for hospitals shall not exceed 150 ft. There is no maximum Floor Area Ratio for hospitals.						
12. Must be closed between the hours of 10 p.m. and 6 a.m.						
13. Must include an indoor waiting area.						
14. When located within 300 of an Intensive Industrial use a Conditional Use Permit shall be required.						
15. Shall be required to comply with Master Environmental Impact Report mitigation measures MM AIR-2, MM AIR-3, and MM AIR-4 if applicable.						
16. A courtesy notice will be provided to all properties within 1,000 feet of these uses when approved.						
<u>17. Permitted in conversions of existing office building(s).</u>						
<u>18. Permitted for the construction of new residential uses on vacant or underutilized parcels. Housing projects shall meet the requirements of the RM-3 District, §15-1003 and §15-5102.</u>						

(Added Ord. 2015-39, § 1, eff. 1-9-16; Am. Ord. 2016-32, § 14, eff. 10-21-16; Am. Ord. 2018-66, § 11, eff. 1-18-19; Am. Ord. 2020-031, § 4, 9-1-20).

Sec. 15-4907. SUMMARY OF PRIMARY PLANNING PERMITS AND ACTIONS.

The following table shows, for ease of reference, a brief summary of the permits and actions that are administered under this Code. The table is not regulatory. For complete regulations, procedures, and requirements, see Articles 49 through 66.

TABLE 15-4907: PLANNING PERMITS AND ACTIONS		
Proposed Activity	Permit or Action Required	Type of Decision
Use-Only Proposals		
Establishment of a (P) Permitted use, not associated with development of property	Zone Clearance	Ministerial
Establishment of a (C) Conditional use	Conditional Use Permit	Discretionary Quasi-Judicial
Establishment of a Temporary use	Temporary Use Permit	Discretionary Quasi-Judicial
Establishment of use which is not listed in this Code	Director's Determination	Ministerial
Development Proposals		
Development of one single-family home, duplex, or qualifying Downtown housing which complies with all provisions of this Code	Zone Clearance	Ministerial
Development of property to a greater extent than is covered by a Zone Clearance	Development Permit (Formerly Site Plan Review)	Discretionary Quasi-Judicial
Request for relief from property development standards due to unique conditions in conjunction w/a Development Permit	Variance	Discretionary Quasi-Judicial
Request for relief from property development standards of 10% or less in conjunction with a Development Permit	Minor Deviation	Discretionary Quasi-Judicial
Innovative development proposal which does not comply with the provisions of any zone district within this Code	Planned Development Permit	Discretionary Quasi-Judicial
<u>Development of new multi-unit residential or Office-to-Dwelling conversions in the O District</u>	<u>Zone Clearance</u>	<u>Ministerial</u>
<u>Development of a multi-unit residential project in Multi-Family Districts within half a mile of an existing bus stop</u>	<u>Zone Clearance</u>	<u>Ministerial</u>
<u>Development of housing in Mixed-Use Districts within the City's Infill Priority Area</u>	<u>Zone Clearance</u>	<u>Ministerial</u>
Other Proposals or Actions		
Formal interpretation of this Code, verifications of prior permits, or confirmation of zoning district	Zoning Inquiry	Ministerial

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Minor changes to approved plans, consistent with original findings and conditions	Minor Modification	Ministerial
Change to discretionary permit or change to approved plans that would affect findings or conditions	Major Modification	Discretionary Quasi-Judicial
Violation of conditions or terms of permit	Revocation of Permit	Discretionary Quasi-Judicial
Modifications of or exceptions from regulations to ensure equal access to housing for individuals with disabilities	Reasonable Accommodation for Housing	Discretionary Quasi-Judicial
Proposals to change a regulation within this Code	Development Code Text Amendment	Discretionary Legislative
Proposal for development which complies to regulations of an existing district, but not the one currently applied to the site	Rezone	Discretionary Legislative
Change of the General Plan land use designation for a site	Plan Amendment	Discretionary Legislative
Large, multi-phase project which needs certainty regarding regulations over time in exchange for public benefits	Development Agreement	Discretionary Legislative

NOTE: This table is not regulatory, and is provided only as an overview of permits and actions for ease of reference. For complete regulations, procedures, and requirements, see Articles 49 through 66.
PC = Planning Commission and CC= City Council

TABLE 15-4907: PLANNING PERMITS AND ACTIONS (CONTINUED)						
Permit or Action	Advisory Body	Review Authority	Appeal Body	Public Notice?	Public Hearing?	Article
Use-Only Proposals						
Zone Clearance	-	Director	PC	No	No	51
Conditional Use Permit	-	Director (PC on referral)	PC (CC if referred)	Yes	No (Yes w/PC referral)	53
Temporary Use Permit	-	Director	PC	No	No	54
Director's Determination	-	Director	PC	No	No	50
Development Proposals						
Zone Clearance	-	Director	PC	No	No	51
Development Permit (Formerly Site Plan Review)	-	Director (PC on referral)	PC (CC if referred)	No	No (Yes w/PC referral)	52

Variance	-	Director (PC on referral)	PC (CC if referred)	Yes	No (Yes w/PC referral)	55
Minor Deviation	-	Director	PC	No	No	56
Planned Development Permit	-	Director (PC on referral)	PC (CC if referred)	Yes	No (Yes w/PC referral)	59
Other Proposals or Actions						
Zoning Inquiry	-	Director	PC	No	No	50
Minor Modification	-	Director	PC	No	No	50
Major Modification	Director	Review Authority of Original Permit	PC or CC	Yes	Same as Original Permit	50
Revocation of Permit	See Section 15-5016					
Reasonable Accommodation for Housing	-	Director	PC	No	No	57
Development Code Text Amendment	PC	CC	None	Yes	Yes	58
Rezone	PC	CC	None	Yes	Yes	58
Plan Amendment	PC	CC	None	Yes	Yes	58
Development Agreement	PC	CC	None	Yes	Yes	60

(Added Ord. 2015-39, § 1, eff. 1-9-16; Am. Ord. 2016-43, § 13, eff. 12-9-16).

Sec. 15-5102. APPLICABILITY.

- A. **Establishment of a Permitted Use.** A Zone Clearance is required to confirm that the establishment of a new use is permitted as a matter of right and that no Conditional Use Permit or other entitlements are required prior to securing a tax certificate and commencing operations.
- B. **Development of One Single-Family Home or One Duplex.** A Zone Clearance is required to confirm that the construction of one single-family house or one duplex is permitted as a matter of right and that such a project is being proposed in a manner which is compliant with, and without any deviations from, all applicable development standards prior to securing a building permit. If a proposed development project does not meet the threshold for a Zone Clearance it shall be required to secure a Development Permit.
- C. **Signs.** Unless a Master Sign Program is required per Section 15-2612, a Zone Clearance is required to confirm that proposals for new signage are consistent with all applicable regulations of this Code.
- D. **Downtown Housing.**
 - 1. Downtown projects which meet all of the following criteria shall require a Zone Clearance to confirm that their construction is permitted as a matter of right and that such a project is being proposed in a manner which is compliant with, and without any deviations from, all applicable development standards prior to securing a Building Permit:
 - a. Located within a DT District;
 - b. A minimum of 16 total dwelling units in the project;
 - c. A residential density of no less than 20 du/ac;
 - d. Residential uses must occupy 50% or more of the total floor area; and
 - e. No historic resources or potential historic resources are located on the site.
 - 2. Downtown projects which do not meet the threshold for a Zone Clearance shall be required to secure a Development Permit.

E. Additional Housing Streamlining.

- 1. **Permitted Uses.** The following types of projects shall be permitted with a Zone Clearance if the additional standards within this section are met:
 - a. Office-to-Dwelling Conversions (also see §15-2742.5)
 - b. New standalone multi-unit residential development in the O District
 - c. Multi-unit residential development in the RM-1, RM-2, and RM-3 Districts on parcels that are within ½ mile of an existing bus stop
 - d. Multi-unit residential uses in NMX, CMX, RMX, CMS, and CR Districts on parcels within the City's Infill Priority Area.
- 2. **Exceptions.**
 - a. Sensitive Areas. A project that is located on a parcel that contains any of the following characteristics must obtain a Development Permit.
 - i. Important Farmland (Prime Farmland, Unique Farmland, or Farmland of Statewide Importance), as designated by the State Department of Conservation;
 - ii. Williamson Act contract(s);

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- iii. Special flood hazard area (A, AE, etc.) as designated by the Federal Emergency Management Agency;
 - iv. Safety Zones 1 (RPZ), 2 (IADZ) or 3 (ITZ) within the Airport Influence Areas as designated by the Airport Land Use Commission of Fresno County;
 - v. Hazardous sites (e.g. Cortese List references);
 - vi. The Project would involve the modification or demolition of a designated Historic Resource.
- b. New residential development is prohibited on vacant or underutilized parcels located in the Office Zone District within 500 feet of a school.
3. **Development or Impact Thresholds.** A project site that is determined to require additional review or improvements based on a technical study or analysis required pursuant to any of the following, must obtain a Development Permit unless otherwise specified below.
- a. If after a Phase I ESA is completed, a Phase II ESA is recommended.
 - b. If the project is located on land where no urban development has ever occurred, or on a site that could provide suitable habitat for special-status species (trees, natural habitat, etc.), a technical study (biological assessment) is required. If it is determined that the property could not provide suitable habitat for special-status species, then the project can be processed as a zone clearance.
 - c. If the Project involves the demolition or change to the exterior building elevations of a building over 50 years old, a Historic Resource evaluation is required. If the building is determined to be a potentially significant historic resource, a discretionary development permit is required.
 - d. If a project involves changes on previously undisturbed land, a CHRIS record search is required. If no additional recommendations are provided in this letter that would trigger a cultural resource study, then the project can be processed as a zone clearance.
 - e. If the Project would exceed 224 units for low-rise (1-2 levels), 225 units for mid-rise (3-10 levels), or 340 units for high-rise (10+ levels) apartments, and generate more than 800 average daily one-way trips. If the project exceeds this threshold but a technical assessment for operational and construction emissions determines the project will be below applicable air district thresholds, then the project can be processed as a zone clearance.
 - f. If the Project proposes construction on a parcel adjacent to sensitive receptors, a Health Risk Assessment (HRA) for Toxic Air Contaminants (TACs) related to construction will be required. If this HRA determines the project will be below applicable air district thresholds (with or without construction conditions including requiring Tier 4 equipment, limiting idle time, limiting construction time, etc.), then the project can be processed as a zone clearance. Otherwise, a discretionary development permit will be required.
 - g. Projects within traffic zones TIZ 1, TIZ 2, and TIZ 4 that would generate more than 200 new peak hour trips, projects in TIZ 3 that would generate more than 100 new peak hour trips, projects within the Neighborhood Mixed-Use (NMX), Corridor/Center Mixed-Use, (CMX), Regional Mixed-Use (RMX), Commercial-Main Street (CMS), and Commercial Regional (CR) that generate more than 300 peak hour trips, or projects proposing less than 80% residential development within NMX, CMX, RMX, CMS or CR zone district within the Infill Priority Area. However, if a Traffic Impact Analysis is completed and no off-site improvements beyond standard requirements are

recommended, and the project will not exceed LOS thresholds, the application can be processed subject to a zone clearance.

- h. If a project does not meet at least one of the project screening criteria contained in the City of Fresno, CEQA Guidelines for VMT Thresholds (Adopted June 2020) according to the Fresno County VMT Screening Application, a discretionary development permit is required.
 - i. It shall be determined that the proposed project can be accommodated within existing infrastructure by the Review Authority in consultation with the Directors of Public Works and Public Utilities. If major infrastructure improvements are required beyond what is contained in the conditions below in Section 15-1006-D-2 and E (i.e. a well, an off-site traffic signal, transmission mains beyond the project frontage, etc.) in order to accommodate the proposed development, a Discretionary Permit is required.
 - j. A noise study shall be required for any project involving construction activities that are located adjacent to a sensitive receptor(s). The noise study shall assess potential noise impacts from construction activities, including but not limited to demolition, site preparation, grading, excavation, foundation work, building construction, and paving.
 - i. If the noise study finds that construction activities would be less than 80 dBA, then the application can be processed subject to a zone clearance.
 - ii. If the noise study finds that construction activities would be greater than 80 dBA, then either 1) a discretionary permit is required or 2) the study may identify noise control measures to bring levels to less than 80 dBA and the project can then be subject to a zone clearance.
4. **Compliance with Environmental Assessments.** Projects shall incorporate all relevant mitigation measures in the following documents as environmental design features:
- a. An EIR prepared for the General Plan, in effect at the time of project approval.
 - b. An EIR prepared for either a Community Plan or Specific Plan that includes the project area, in effect at the time of project approval.
 - c. An environmental assessment reviewing the removal of density limits in mixed use zone districts.
 - d. An environmental assessment prepared for projects subject to ministerial approval as noted in Subsection A of this Section. General Plan mitigation measures identified in this environment document that reference "Discretionary Projects" shall also apply to these ministerial Zone Clearance applications.
5. **Infrastructure Requirements.** The proposed design shall not lead to an overburdening of existing or planned infrastructure capacities, including, but not limited to, capacities for water, runoff, storm water, wastewater, and solid waste systems.
- a. The project shall comply with the following standards to ensure it can be adequately served by City Public Utility Services:
 - i. Pipelines that are downstream (between the project site and wastewater treatment plant or lift station) from the proposed project shall maintain a sewer flow capacity of 1.15 q/Q ratio. Projects that result in a pipeline exceeding the flow capacity of 1.15 q/Q shall

construct upsized replacement pipelines for those found to be deficient per the requirements of the Department of Public Utilities Director.

- ii. On-site retention or storm drainage system modifications are required for projects within Priority Development Areas and the O District that are: 1) proposed at a density exceeding 16 du/ac in CMS, CR, and NMX, 30 du/ac in CMX, and 45 du/ac in RMX and 2) within areas where storm drain facilities are already constructed. Projects proposed outside Priority Development Areas and O Districts shall comply with General Plan EIR mitigation measures related to stormwater.
- iii. The City shall evaluate additional landfill locations at the time discretionary projects are submitted and shall not approve development that could contribute solid waste to a landfill that is at capacity until additional capacity is provided.
- iv. For any project that would cause the existing water system pipelines in the surrounding area to not be able to meet maximum day demand plus the project required fire flow of 2,500 gallons per minute (gpm), the project developer shall construct upsized replacement pipelines, per the requirements of the Department of Public Utilities Director, in the project vicinity to increase flow for the maximum day demand plus fire flow condition.

6. The project shall comply with the following standards and all applicable Public Works standards as referenced in §13-208:

- a. When a proposed residential development consisting of more than 200 units is in close proximity to a school or activity center (e.g. a mixed-use urban area where there is a concentration of commercial and other land uses), is near a bus stop or pedestrian or bicycle route (existing or planned per the Active Transportation Plan as amended), the following may be required:
 - i. Bicycle and pedestrian facilities such as signalized crossings, traffic signal upgrades, such as left-turn phasing, sidewalks or asphalt paths, and bicycle facilities.
 - ii. Construction of improvements in accordance with the City of Fresno's Complete Street Policy (as amended).
- b. When LOS reaches E or F on High Frequency Transit Corridors, development projects within the Corridors may be conditioned to provide transit street design treatments and operational strategies, or in-lieu fees, set forth by the City of Fresno, including intersection treatments, dedicated transit lanes, business access and transit (BAT) lanes, Transit Signal Priority (TSP), and/or others.

F. Other Activities. A Zone Clearance shall be required for any other activity for which a Zone Clearance is specifically required elsewhere in this Code.

G. Streamlined Development as defined in Section 65913.4 of the California Government Code.

H. Exceptions.

- 1. No Zone Clearance shall be required for the continuation of previously approved or permitted uses and structures, or uses and structures that are not subject to any Building Code or Development Code regulations.
- 2. A change in building use that complies with this Code shall require a Building Permit if the use is in a different Building Code occupancy group class, such as conversion of a retail building to public assembly or residential use.

(Added Ord. 2015-39, § 1, eff. 1-9-16; Am. Ord. 2016-43, § 14, eff. 12-9-16; Am. Ord. 2018-66, § 70, eff. 1-18-19).

SEC. 15-6702. RESIDENTIAL USE CLASSIFICATIONS.

Residential Housing Types.

Single-Unit Dwelling, Detached. A dwelling unit designed for occupancy by one household, and located on a separate lot from any other unit (except second living units, where permitted). This classification includes individual manufactured housing units installed on a foundation system pursuant to Section 18551 of the California Health and Safety Code.

Single-Unit Dwelling, Attached. A dwelling unit designed for occupancy by one household, located on a single lot and typically grouped together in a row of similar units. They may be attached through common vertical party wall(s) to one or more dwellings on abutting lots, or may appear to be attached, but are structurally independent.

Second Dwelling Unit. A dwelling unit providing complete independent living facilities for one or more persons that is located on a lot with another primary, single-unit dwelling. A second unit may be within the same structure as the primary unit, in an attached structure, or in a separate structure on the same lot.

Duplex. A single building on a lot that contains two dwelling units or two single-unit dwellings on a single lot. This use is distinguished from a Second Dwelling Unit, which is an accessory residential unit as defined by State law and this Ordinance.

Multi-Unit Residential. Three or more dwelling units on a site or lot. Types of multiple unit dwellings include townhouses, garden apartments, senior housing developments, and multi-story apartment buildings. This use includes multi-unit development in which individual units are occupied exclusively by one or more persons 62 years of age or older.

Cottage Housing Development. A group of single-family homes, typically smaller than 1,200 square feet, that are arranged in common relation to one another, usually surrounding a shared landscaped area. Also known as a "pocket neighborhood."

Cottage Housing Development. A group of single-family homes, typically smaller than 1,200 square feet, that are arranged in common relation to one another, usually surrounding a shared landscaped area. Also known as a "pocket neighborhood."

Accessory Living Quarters. Living quarters of permanent construction without kitchen or cooking facilities, which may be attached, detached, or located within the living areas of the primary dwelling unit on the lot.

Adult Family Day Care. A day-care facility licensed by the State of California that is located in a single-unit residence or other dwelling unit where a resident of the dwelling provides care and supervision for adults over the age of 18 for periods of less than 24 hours a day.

Small. A facility that provides care for six or fewer adults.

Large. A facility that provides care for seven to 12 adults.

Caretaker Residence. A dwelling unit occupied by employees or caretakers of the primary use on the site.

Domestic Violence Shelter. A facility providing sleeping accommodations for a maximum of eight persons, inclusive of any children or support staff using sleeping accommodations, located in a single-unit residence or other dwelling unit where survivors of domestic violence or sexual abuse are provided temporary housing, food, and other specialized services in compliance with California Welfare and Institutions Code Section 18290 et seq., and which may also be occupied by professional support staff provided by a sponsoring agent.

Elderly and Long-Term Care. Establishments that provide 24-hour medical, convalescent, or chronic care to individuals who, by reason of advanced age, chronic illness, or infirmity, are unable to care for themselves, and is

licensed as a skilled nursing facility by the State of California, including, but not limited to, rest homes and convalescent hospitals, but not Residential Care, Hospitals, or Clinics.

Family Day Care. A day-care facility licensed by the State of California that is located in a single-unit residence or other dwelling unit where a resident of the dwelling provides care and supervision for children under the age of 18 for periods of less than 24 hours a day.

Small. A facility that provides care for eight or fewer children, including children who reside at the home and are under the age of 10.

Large. A facility that provides care for nine to 14 children, including children who reside at the home and are under the age of 10.

Group Residential. Shared living quarters without separate kitchen or bathroom facilities for each room or unit, offered for rent for permanent or semi-transient residents on a weekly or longer basis. This classification includes clean and sober facilities, other types of organizational housing, private residential clubs, and farmworker housing, but excludes Hotels and Motels, Residential Care Facilities, and Re-Entry Facilities.

Small. A facility that houses six or fewer persons.

Large. A facility that houses seven or more persons.

Lodging-to-Dwelling Conversions. The conversion of existing hotels or motels from a commercial lodging use to a residential use which will provide housing to non-transient residents and facilitate bringing such hotel or motel buildings into safe and habitable condition as required by State and local law.

Mobile Home Parks. A development designed and occupied by mobile homes including development with facilities and amenities used in common by occupants who rent, lease, or own spaces for mobile homes through a subdivision, cooperative, condominium, or other form of resident ownership.

Re-Entry Facility. A facility used for the rehabilitation and overnight accommodations of 25 or more individuals, including staff, who are (a) under the jurisdiction of a court, but not under confinement, or (b) individuals recently released from the jurisdiction of a court. Such facility shall be operated by the City, the State, the federal government, or a private party under contract with the City, the State, or the federal government for the purpose of providing treatment or rehabilitation intended to assist such individuals with their re-entry into the community.

Office-To-Dwelling. The conversion of existing office building(s) from an office use to a multi-unit residential use which will provide housing to residents and facilitate compliance of said structures into safe and habitable condition as required by State and local law.

Residential Care Facilities. Facilities that are licensed by the State of California to provide permanent living accommodations and 24-hour primarily non-medical care and supervision for persons in need of personal services, supervision, protection, or assistance for sustaining the activities of daily living. Living accommodations are shared living quarters with or without separate kitchen or bathroom facilities for each room or unit. This classification includes facilities that are operated for profit as well as those operated by public or not-for-profit institutions, including hospices, nursing homes, convalescent facilities, and group homes for minors, persons with disabilities, and people in recovery from alcohol or drug addictions. This use classification excludes Transitional Housing and Social Service Facilities.

Residential Care, General. A facility providing care for more than six persons.

Residential Care, Limited. A facility providing care for six or fewer persons.

Residential Care, Senior. A housing arrangement chosen voluntarily by the resident, the resident's guardian, conservator, or other responsible person; where residents are 60 years of age or older and where varying levels of care and supervision are provided as agreed to at the time of admission or as determined necessary

at subsequent times of reappraisal. This classification includes continuing-care retirement communities and life care communities licensed for residential care by the State of California.

Single Room Occupancy. A residential facility containing housing units that may have kitchen and/or bathroom facilities and are guest rooms or efficiency units as defined by the State Health and Safety Code. Each housing unit is occupied by no more than two adults and is offered on a monthly rental basis or longer. This definition includes Single Room Occupancy Hotels, Boarding Homes, and extended stay hotels that offer rooms intended for long-term occupancy (30 days or more).

Supportive Housing. Dwelling units with no limit on the length of stay, that are occupied by the target population as defined in Section 50675.14 of the California Health and Safety Code, and that are linked to on-site or off-site services that assist the supportive housing resident in retaining the housing, improving their health status, and maximizing their ability to live and, where possible, work in the community.

Transitional Housing. Dwelling units configured as rental housing developments, but operated under program requirements that call for the termination of assistance and recirculation of the assisted unit to another eligible program recipient at some predetermined future point in time, which shall be no less than six months.

Sec. 15-6802. DEFINITIONS.

In any case of conflicting definitions, the Director shall determine which shall be applied.

Abandoned, Abandonment. When, for a period of over one year, a non-conforming use is either vacated, the business license lapses, the lease is terminated, and/or utilities are terminated.

Abutting, Adjoining, or Adjacent. Having a common property or district line, or separated only by an alley, path, private street, or easement.

Access. The place or way through which pedestrians and/or vehicles shall have safe, adequate, and usable ingress and egress to a property or use as required by this Code.

Accessory Building. See Building, Accessory.

Accessory Structure. See Structure, Accessory.

Accessory Use. See Use, Accessory.

Act of Nature. A natural occurrence such as an earthquake, flood, tidal wave, hurricane or tornado which causes substantial damage to buildings or property.

Alley. A public way permanently reserved for access to the rear or side of properties otherwise abutting on a street.

Alteration. Any change, addition, or modification that changes the exterior architectural appearance or materials of a structure or object. Alteration includes changes in exterior surfaces, changes in materials, additions, remodels, demolitions, and relocation of buildings or structures, but excludes ordinary maintenance and repairs.

Animal Keeping. The keeping of animals.

Arcade. A public passageway or colonnade open along at least one side, except for structural supports, usually covered by a canopy or permanent roofing.

Awning. An architectural projection that provides weather protection, identity, or decoration and is wholly supported by the building to which it is attached. An awning is typically constructed of non-rigid materials on a supporting framework which projects from and is supported by the exterior wall of a building.

Balcony. A platform that projects from the wall of a building 30 inches or more above grade that is accessible from the building's interior, is not accessible from the ground and is not enclosed by walls on more than two sides. See also Deck.

Base District. See Zoning District.

Bathroom. A room containing a sink, a toilet, and a shower and/or bathtub.

Bay Window. An angular or curved window that projects from the building surface.

Bedroom. Any habitable space in a dwelling unit or accessory structure other than a kitchen or living room that is intended for or capable of being used for sleeping and is at least 70 square feet in area.

Block. Property bounded on all sides by a public right-of-way.

Blockface. All property between two intersections that fronts upon a street or abuts a public right-of-way.

Building. Any structure having a roof supported by columns or walls and intended for the shelter, housing, or enclosure of any individual, animal, process, equipment, goods, or materials.

Building, Accessory. A detached building located on the same parcel as the principal building, which is incidental and subordinate to the principal building in terms of both size and use. A building will be

considered part of the principal building if located less than six feet from the principal building or if connected to it by fully enclosed space.

Building, Principal. A building in which the principal use of the parcel on which it is located is conducted.

Building Code. Any ordinance of the City governing the type and method of construction of buildings, signs, and sign structures and any amendments thereto and any substitute therefore including, but not limited to, the California Building Code, other State-adopted uniform codes and the Minimum Building Security Standards Ordinance.

Building Face. The general outer surface of the structure or walls of a building. Where bay windows or pillars project beyond the walls, the outer surface of the windows or pillars shall be considered to be the face of the building.

Building Envelope. The aggregate of building mass and building bulk permitted on a parcel which is defined by height regulations, setbacks, and other property development standards.

Building Footprint. See Footprint.

Building Height. See Height.

Building Site. A parcel or parcel of land occupied, or to be occupied, by a main building and accessory buildings together with such open spaces as are required by the terms of this title and having its principal frontage on a street, road, highway, or waterway.

Buffer, Buffering. An area on a parcel which is designed to separate structures and uses from the general public and/or adjacent properties to reduce negative impacts. It may include landscaping, fences, and walls.

California Department of Alcoholic Beverage Control (ABC). The California State agency that regulates the permitting of alcoholic beverage sales, including the sale of beer, wine, and distilled spirits.

California Environmental Quality Act (CEQA). Public Resources Code Section 21000 et seq. or any successor statute and associated guidelines (California Code of Regulations Section 15000 et seq.) that require public agencies to document and consider the environmental effects of a proposed action before a decision.

Canopy. A roofed shelter projecting over a sidewalk, driveway, entry, window, or similar area that may be wholly supported by a building or may be wholly or partially supported by columns, poles, or braces extending from the ground.

Carport. A permanently roofed structure providing space for parking or temporary storage of vehicles enclosed on not more than two sides.

Change of Use. A discontinuance of an existing use and the substitution therefore of a use such that the new use represents a different use group or is otherwise differently regulated by the zoning code compared to the prior use. A change of ownership alone does not constitute a change of use.

Change of Occupancy. A discontinuance of an existing building use and substitution of a new use that changes the Building Code occupancy group classification and requires a building permit and new Certificate of Occupancy as determined by the Building Official.

City. The City of Fresno.

City Council. The City Council of the City of Fresno.

Clear. Measured depth of frontage elements such as porches, arcades, galleries are free of encroachments other than allowed signs, light fixtures, sidewalk dining and allowed furnishings, and outdoor display of merchandise.

Conditionally Permitted. Permitted subject to approval of a Conditional Use Permit.

Construction. Construction, erection, enlargement, alteration, conversion, or movement of any building, structures, or land together with any scientific surveys associated therewith.

County. The County of Fresno.

Courtyard. An unroofed area that is completely or mostly enclosed by walls of a building.

Craft beer. A beer or malt beverage manufactured by a brewer with an annual production of six million barrels of beer or less, where less than 25 percent of the craft brewery is owned or controlled by an alcohol industry member, and where a majority of total beverage alcohol volume is beer that derives flavor from traditional or innovative brewing ingredients and their fermentation.

Curb Cut. A break in a curb allowing vehicle access from the roadway to a legal parking area within the parcel.

Deck. A platform, either freestanding or attached to a building that is used for outdoor space. It typically extends from the façade of a building and is supported by pillars or posts but may be located on a flat portion of a building, such as a roof or setback. It is distinct from a Patio. See also Balcony.

Demolition. The destruction, dismantling, or removal of a building or structure, or substantial portion of a building or structure so that it constitutes demolition pursuant to the provisions of this Code.

Density. See 15-310, Determining Residential Density.

Development. Any manmade change to improved or unimproved real estate, including, but not limited to, the division of a parcel of land into two or more parcels; the construction, reconstruction, conversion, structural alteration, relocation, expansion, or enlargement of any structure; any mining, excavation, landfill, or land disturbance; and any use or extension of the use of land.

Development Agreement. An agreement between the City and any person having a legal or equitable interest in real property for the development of such property and which complies with the applicable provisions of the Government Code and local law for such development agreements.

Director. The Director of the Development and Resource Management Department of the City of Fresno or their designee.

Discretionary Permit. A Minor Deviation, Development Permit, Major Permit Modification, Variance, Temporary Use Permit, Planned Development Permit, or Conditional Use Permit, or any other appealable permit that requires findings to be made.

District. See Zoning District.

Drive-In and Drive-Through Facilities. A facility designed to provide service to clients in a manner that does not require them to leave their vehicle.

Driveway. An accessway that provides vehicular access between a street and the parking or loading facilities located on an adjacent property.

Dwelling. A structure or portion thereof that is used principally for residential occupancy.

Dwelling Unit. One or more rooms designed, occupied, or intended for occupancy as separate living quarters, with full cooking, sleeping, and bathroom facilities for the exclusive use of a single household.

Easement. A portion of land created by grant or agreement for specific purpose; an easement is the right, privilege, or interest which one party has in the land of another.

Effective Date. The date on which a permit or other approval becomes enforceable or otherwise takes effect, rather than the date it was signed or circulated.

Emergency. A sudden unexpected occurrence demanding immediate action to prevent or mitigate loss or damage to life, health, property, or essential public services.

Enclosed. Completely surrounded by walls.

Entitlement. Formal permission from the Planning Division to use or develop land, including Zone Clearances, Development Permits, and Conditional Use Permits, but not including legislative actions such as Rezones and Plan Amendments. An individual entitlement may be sufficient for a project to proceed, or may need to be used in conjunction with another entitlement.

Entrance. An opening, such as a door, passage, or gate, that allows access to a place.

Environmental Review. An evaluation process pursuant to CEQA to determine whether a proposed project may have a significant impact on the environment.

Environmental Impact Report (EIR). An Environmental Impact Report as required under the California Environmental Quality Act.

Erect. To build, construct, attach, hang, place, suspend, or affix to or upon any surface.

Excavation. The removal of soils or other materials below grade.

Expressway. A roadway for through traffic with full control of access and generally with signalized intersections.

Façade. The face of the exterior wall of a building exposed to public view or that wall viewed by persons not within the building. The portion of any exterior elevation of a building extending vertically from the grade to the top of a parapet wall or eave, and horizontally across the entire width of the building elevation.

Façade, Street-Facing. Any building façade whose exterior wall faces or is within 45 degrees of parallel to an adjacent street, right-of-way, or public park, plaza, or open space.

Feasible. Capable of being accomplished in a successful manner within a reasonable period of time, taking into account economic, environmental, social, and technological factors.

Fee. A payment to the City for the processing of a permit, license, or appeal application by a City agency or department.

Fence. An artificially-constructed barrier of any material or combination of materials erected to enclose or screen an area of land. Fences may also be walls, hedges, and screen planting.

Fire Code. An ordinance of the City adopting and amending the California Fire Code governing fire and life safety protection for new and existing buildings and facilities.

Flood or Flooding. Any general inundation of normally dry land from the overflow of tidal waters or from the unusual and rapid accumulation of runoff of surface waters from any source.

Floor Area. The total gross horizontal area of all the floors below the roof and within the outer surface of the walls of a building or structure, including basements, mezzanines, interior balconies, and upper stories or levels in a multi-story building unless otherwise stipulated. See Section 15-304, Measuring Distances, for rules for calculating floor area.

Floor Area Ratio. The ratio of the total floor area of all buildings on a parcel to the total area of the parcel. See Section 15-309, Determining Floor Area Ratio for rules on calculating floor area ratio.

Footprint. The horizontal area, as seen in plain view, of a building or structure, measured from the outside of exterior walls and supporting columns, and excluding eaves.

Freeway. A highway for through traffic with full control of access and grade-separated interchanges.

Garage. A building or portion thereof, containing accessible and usable enclosed space designed, constructed and maintained for the parking or storage of one or more motor vehicles.

Garage Sales. The sale or offering for sale to the general public of over five items of personal property on a portion of a parcel in a residentially zoned district, whether inside or outside any building.

General Plan. The City of Fresno General Plan.

Glare. The effect produced by a light source within the visual field that is sufficiently brighter than the level to which the eyes are adapted, such as to cause annoyance, discomfort, or loss of visual performance and ability, and which may also cause damage to property.

Government Code. The Government Code of the State of California.

Grade. The location of the ground surface.

Average Grade. A horizontal line approximating the ground elevation through each building on a site used for calculating the exterior volume of a building. Average grade is calculated separately for each building.

Existing Grade. The elevation of the ground at any point on a parcel as shown on the required survey submitted in conjunction with an application for a building permit or grading permit. Existing grade also may be referred to as natural grade.

Ground Floor. The lowest floor of a building other than a basement that is closest to finished grade.

Ground-Floor Street Frontage. The first level of a building, other than a basement, that borders a public street.

Habitable Space. As defined in Section 202 of the California Building Code.

Habitation. Regular and exclusive use of a space or structure for shelter and other residential purposes in a manner that is private and separate from another residence on the same parcel.

Hazardous Materials. Any material, including any substance, waste, or combination thereof, which because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause, or significantly contribute to, a substantial present or potential hazard to human health, safety, property, or the environment when improperly treated, stored, transported, disposed of, or otherwise managed.

Height. The vertical distance from a point on the ground below a structure to a point directly above. See also Section 15-305, Measuring Height.

Historic Preservation Commission. The Historic Preservation Commission of the City of Fresno.

Home Occupation. A commercial use conducted on residential property by the inhabitants of the subject residence, which is incidental and secondary to the residential use of the dwelling.

Household. One or more persons living together in a single dwelling unit, with common access to, and common use of, all living and eating areas and all areas and facilities for the preparation and storage of food; who share living expenses, including rent or mortgage payments, food costs and utilities; and who maintain a single mortgage, lease, or rental agreement for all members of the household.

Illegal Non-Conforming Use, Structure, or Site Feature. A use, structure, site feature, or lot shall be designated as having Illegal Non-Conforming status if it was not lawfully established under the regulations of the jurisdiction in which it was located at the time of its establishment or has not continuously remained in compliance with all terms and conditions imposed upon the use, structure, or site feature upon its establishment or imposed upon it any time thereafter.

Intensity of Use. The extent to which a particular use or the use in combination with other uses affects the natural and built environment in which it is located, the demand for services, and persons who live, work, and visit

the area. Measures of intensity include, but are not limited to, requirements for water, gas, electricity, or public services; number of automobile trips generated by a use; parking demand; number of employees on a site; hours of operation; the amount of noise, light, or glare generated; the number of persons attracted to the site, or, in eating establishments, the number of seats.

Intersection, Street. The area common to two or more intersecting streets.

Kitchen. A room or space within a building with appliances used for cooking or preparing food.

Land Division-Related Definitions. The following terms are related to Part IV: Land Divisions.

Arterial. A street designated by the circulation element of the General Plan to serve high-volume inter- and intra-city traffic, and to act as a distributor between freeways, other arterials, and major traffic generators.

Block. An area of land within a subdivision entirely bounded by any streets (other than alleys), freeways, railroad rights-of-way, natural barriers, or the exterior boundaries of the subdivision.

Collector Street. A street designated by the circulation element of the General Plan to collect and distribute traffic between local streets and arterials.

Community Apartment. An undivided interest in common in the land coupled with the right of exclusive occupancy of an apartment unit which is part of a community apartment project.

Community Apartment Project. As defined by Section 11004 of the California Business and Professions Code.

Condominium. As defined by Section 783 of the California Civil Code.

Condominium Project. A development consisting of condominiums.

Conversion. The creation of separate ownership of existing real property together with a separate interest in space of a building.

Comparable Replacement Housing. Available rental housing located within a reasonable proximity to the proposed condominium conversion project, and to public and commercial facilities, with units which are decent, safe, and sanitary, and which are generally similar in size and price to those of the proposed project.

Cul-de-sac. A street which terminates in a permanent turn-around and which by design is not intended to continue beyond its terminal point.

Dead-End Street. A street which is terminated at the boundary line of the subdivision but which will be required to be extended at a later date to provide access to abutting land.

Expressway. A roadway for through traffic with full control of access and generally with signalized intersections.

Final Map. A map showing a subdivision of five or more lots, prepared for filing with the Fresno County Recorder in accordance with the provisions of the Subdivision Map Act and Part IV: Land Divisions, if deemed in substantial compliance with a previously approved tentative subdivision map and with any conditions to such approval.

Frontage. That portion of a parcel of property which abuts on a public street.

Frontage Road. A street adjacent and auxiliary to a Major Street, and separated by a divider strip, which street provides access to abutting property.

Handicapped. As defined by Section 50072 of the California Health and Safety Code.

Improvements. Any street work and utilities to be installed, or agreed to be installed, by the subdivider on the land to be used for public or private streets, highways, ways, and easements, as are necessary for the

general use of the lot owners in the subdivision and local neighborhood traffic and drainage needs as a condition precedent to the approval and acceptance of the Final Map thereof. Improvements also refers to any other specific improvements or types of improvements, the installation of which, either by the subdivider, by public agencies, by private utilities, by any other entity approval by the local agency, or by a combination thereof, is necessary to ensure consistency with, or implementation of, the General Plan or any applicable specific plan.

Improvement Plans. The plans, profiles, cross-sections, and specifications of all proposed improvements.

Local Collector Street. A local street also serving as a collector street for several local streets.

Local Street. Any public street that is used or is intended to be used for the principal purpose of serving as access to abutting property.

Lot Line Adjustment. A shift or rotation of an existing lot line or other adjustment where a greater or lesser number of parcels than originally existed is not created.

Map Act. The Subdivision Map Act of the State of California Government Code.

Merger. The joining of two or more contiguous parcels of land under one ownership into one parcel.

Outlot. A lot designated alphabetically on the subdivision map for specific use or nonuse.

Parcel. A single unit of land separated from other units of land by legal description, the boundaries of which are shown on a parcel map or final map, described in a deed, or for which a certificate of compliance has been issued pursuant to the Subdivision Map Act. Parcel shall also include two or more parcels where the owner(s) have recorded a covenant with the Office of the County Recorder that states the intention of the owner(s) to combine and use the parcels as a single unit of land in compliance with City regulations. Also referred to as "lot."

Parcel Map. A map prepared in accordance with the provisions of this Subdivision Ordinance, designed to be placed on record in the office of the Fresno County Recorder, and providing for the division of land which meets the exceptions set forth in Section 66426 of the Map Act.

Private Street. Any street, roadway, accessway or similar, lying in whole or in part within a subdivision which is privately owned and maintained and provides access to a development.

Public Improvement. Street work, utilities, and other facilities proposed or required to be installed within the subdivision for the general use of all the subdivision lot owners and for local neighborhood or community needs.

Remainder. That portion of an existing parcel which is not designated on the required map as part of the subdivision. The remainder shall not be considered as part of the subdivision but shall be shown on the required map as part of the area surrounding the subdivision.

Restricted Access Strip. A strip of land not less than one foot in width for the purpose of regulating access to part-width and dead-end streets until such time as such roads may be completed or extended.

Standard Specifications. The Standard Specifications of the Department of Public Works of the City as may be amended from time to time.

Stock Cooperative. The same as defined by Section 11003.2 of the California Business and Professions Code.

Subdivider. A person, firm, corporation, partnership, or association who proposes to divide, divides, or causes to be divided real property into a subdivision for their self or for others.

Subdivision. The division, by any subdivider, of any unit or units of improved or unimproved land, or any portion thereof, shown on the latest equalized County assessment roll as a unit or as contiguous units, for the purpose of sale, lease, or financing, whether immediate or future. Property shall be considered contiguous units, even if it is separated by roads, streets, utility easement, or railroad rights-of-way. This definition shall specifically include Condominiums, Community Apartment Projects, or Stock Cooperative conversions.

Temporary Turn-Around. A paved area for turning vehicles at the end of a dead-end street, which is constructed either within the dedicated right-of-way or upon a temporary easement, to be obliterated when such street is extended.

Tentative Map. A map made for the purpose of showing the design and improvements of a proposed subdivision and the existing conditions in and around it.

Tentative Parcel Map. A map made for the purpose of showing the design and improvements of a proposed subdivision creating four or fewer parcels or more than four parcels as provided for in the State Subdivision Map Act and Part IV: Land Divisions, and the existing conditions in and around it.

Tract. A subdivision of real property into lots and rights-of-way.

Vesting Tentative Map. A Tentative Map for a subdivision that shall have printed conspicuously on its face the words "Vesting Tentative Map" at the time it is filed in accordance with Part IV: Land Divisions.

Landscape-Related Definitions. The following terms are related to Article 23, Landscape.

Automatic Irrigation System. An irrigation system that utilizes an automatic timing device (automatic controller) to remotely control valves for operation of water supply to landscapes.

California Building Code. A California Code (California Code of Regulations, Title 24, Part 2, California Building Code) adopted by the City of Fresno and incorporated into the Municipal Code Chapter 11.

California Green Building Standards Code. A California Code (California Code of Regulations, Title 24, Part 11, California Green Building Standards Code) adopted by the City of Fresno and incorporated into the Municipal Code Chapter 11.

California Model Water Efficient Landscape Ordinance. A California legislation that took effect in the City of Fresno on January 1, 2010. See California Code of Regulations, Title 23. Waters, Division 2. Department of Water Resources, Chapter 2.7 Model Water Efficient Landscape Ordinance.

California Plumbing Code. A California Code (California Code of Regulations, Title 24, Part 5, California Plumbing Code) adopted by the City of Fresno and incorporated into the Municipal Code Chapter 11.

Drought-Tolerant Plant. A plant that is adapted to arid or drought conditions. The use of drought-tolerant plants is essential to a successful xeriscape, which ideally requires no supplemental irrigation.

Hedge. Any group of shrubs planted in line or in groups so that the branches of any one plant are intermingled or form contact with the branches of any other plant in the line.

Heritage Tree. An indigenous tree whose size, as measured at 48 inches above natural grade, is defined below:

- Quercus lobata (Valley oak) is more than 30 inches in circumference.
- Fraxinus latifolia (Oregon ash) is more than 25 inches in circumference.
- Cephalanthus occidentalis (Buttonbush or Button-willow) is more than 36 inches in circumference.
- Community of trees;
- Founders tree;

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- **Tree so designated by the City Council, based upon findings that the particular tree is unique and of importance to the public due to its unusual age, appearance, location, or other factors.**

Hydrozone. A portion of the landscaped area having plants with similar water needs.

Landscape Mound. Any location on a lot or parcel of land where dirt, soil, top soil, or pile of earth is placed, or otherwise elevated, above the grade of surrounding land for any decorative or functional landscape architectural purpose.

Landscaping. The planting, configuration, and maintenance of trees, ground cover, shrubbery, and other plant material, decorative natural and structural features (walls, fences, hedges, trellises, fountains, sculptures), earth patterning and bedding materials, and other similar site improvements that serve an aesthetic or functional purpose.

"Private landscaping" means any landscaping located within the boundaries of privately owned property, and includes any landscaping located within any unimproved right-of-way abutting a private property and in any park strip other than the City-maintained park strip.

"Public landscaping" means any landscaping located within any street median, City park or other parcel of publicly owned property, including any landscaping located in a City-maintained park strip.

Mulch. Any organic material such as leaves, bark, straw, compost, or inorganic mineral materials such as rocks, gravel, and decomposed granite left loose and applied to the soil surface for the beneficial purposes of reducing evaporation, suppressing weeds, moderating soil temperature, and preventing soil erosion.

Park Strip. The area of the public street located between the face of the curb and closest edge of the sidewalk.

Passive Solar-Oriented Tree. A deciduous tree which drops its leaves in fall and regains them in the spring, located in the south, southwest, or west yard and planted within 15 feet of a building.

Plant. Any turf, ground cover, shrub, vine, and tree suitable for planting.

Private Tree. Any tree located within the boundaries of privately owned property.

Pruning. The removal of more than one-third of the crown or existing foliage of the tree or more than one-third of the root system.

Remove. Cutting to the ground; extraction; killing by spraying, girdling, or any other means; or pruning done without a permit or which does not conform to the provisions of a permit.

Retention Basin. An impoundment created by a dam or an excavation for the purpose of storing and settling sediment and other pollutants from surface water. A retention basin is designed to hold a specific amount of water until the water can evaporate or infiltrate. Usually the basin is designed to have overflows drain to a receiving conveyance system when the water level exceeds the basin capacity.

Shrub. A bush, hedge, or any woody plant of relatively low height, having several stems arising from the base and lacking a single trunk.

Trim. The cutting or removal of a portion of a tree which removes less than one-third of the crown or existing foliage of a tree, removes less than one-third of the root system, and does not kill the tree.

Turf. The upper stratum of soil bound by grass and plant roots into a thick mat or an artificial substitute thereof.

Water-Wise, Climate-Appropriate Plant. A plant that can survive periods of limited water availability and other environmental factors in the region that it is being planted.

Wind Buffer-Oriented Tree. An evergreen tree which keeps its leaves all year round and is located in a northwest or west yard to protect a building from Fresno's prevailing winds blowing from the northwest direction.

Legal Non-Conforming Use, Structure, or Site Feature. A use, structure, or site feature shall be designated as having Legal Non-Conforming status if it was lawfully established under the regulations of the jurisdiction in which it was located at the time of its establishment and has continuously remained in compliance with all terms and conditions imposed upon the use, structure, or site feature upon its establishment or imposed upon it any time thereafter, based on evidence provided by the property owner, tenant, or applicant. Legal Non-Conforming status shall also be assigned if non-conformities were created by a public improvement, such as a street widening project.

Light Fixture. The assembly that holds a lamp and may include an assembly housing, a mounting bracket or pole socket, a lamp holder, a ballast, a reflector or mirrors, and a refractor or lens.

Loading Space. An off-street space or berth on the same parcel with a building for the temporary parking of a vehicle while loading or unloading of goods.

Loft. See Mezzanine.

Lot. A parcel, tract, or area of land whose boundaries have been established by a legal instrument such as a deed or map recorded with the County of Fresno, and which is recognized as a separate legal entity for purposed of transfer or title, except public easements or rights-of-way.

Corner Lot. A parcel of land abutting two or more streets at their intersection, or upon two parts of the same street forming an interior angle of less than 135 degrees.

Flag Lot. A parcel not fronting on or abutting a public road and where access is from a public road by a narrow right-of-way or driveway.

Key Lot. The first interior parcel to the rear of a reversed corner parcel and not separated therefrom by an alley.

Reverse Corner Lot. A corner parcel, the side street line of which is substantially a continuation of the front parcel line of the first parcel to its rear.

Through Lot. A parcel which fronts on two parallel streets or which fronts upon two streets which do not intersect at the boundaries of the parcel.

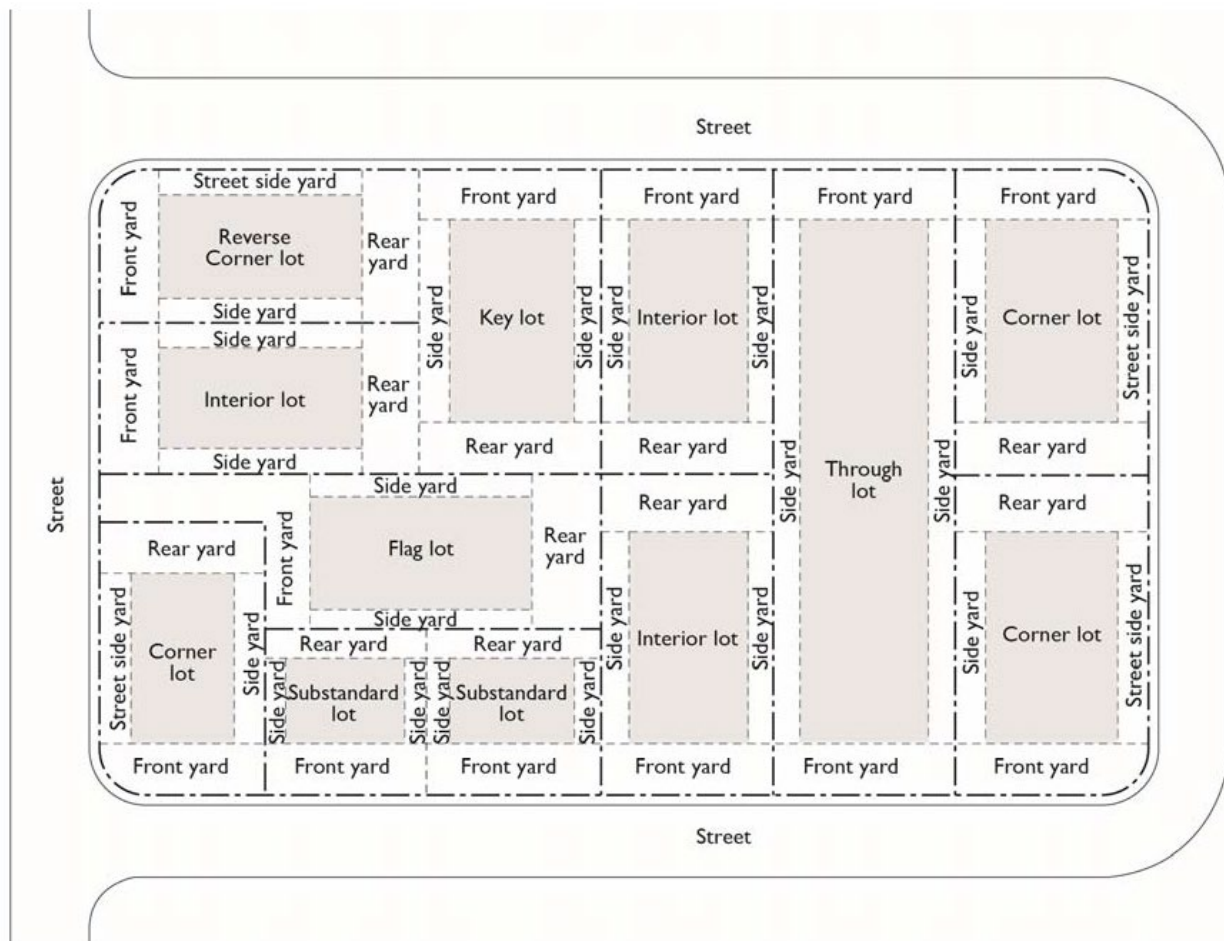


FIGURE 15-6802-1: LOT AND YARD TYPES

Lot Area. The total area within the property lines of a parcel, excluding any street or alley right-of-way.

Lot Depth. The average distance from the front lot line to the rear lot line measured in the general direction of the side lines. See also Section 15-306, Measuring Lot Width and Depth.

Lot Frontage. The width of the front parcel line measured at the street right-of-way.

Lot Line. A line of record bounding a parcel that divides one parcel from another parcel or from a public or private street or any other public space.

Front Lot Line. The parcel line separating a parcel from a street right-of-way. In the case of a corner parcel, the line separating the narrowest street frontage of the parcel from the street shall be considered the front.

Rear Lot Line. The parcel line opposite and most distant from the front parcel line; or in the case of triangular or otherwise irregularly shaped parcel, a line ten feet in length entirely within the parcel, parallel to, and at a maximum distance from the front parcel line.

Side Lot Line. Any parcel line other than a front or rear parcel line.

Street Side Lot Line. A side lot line of a corner lot that is adjacent to a street.

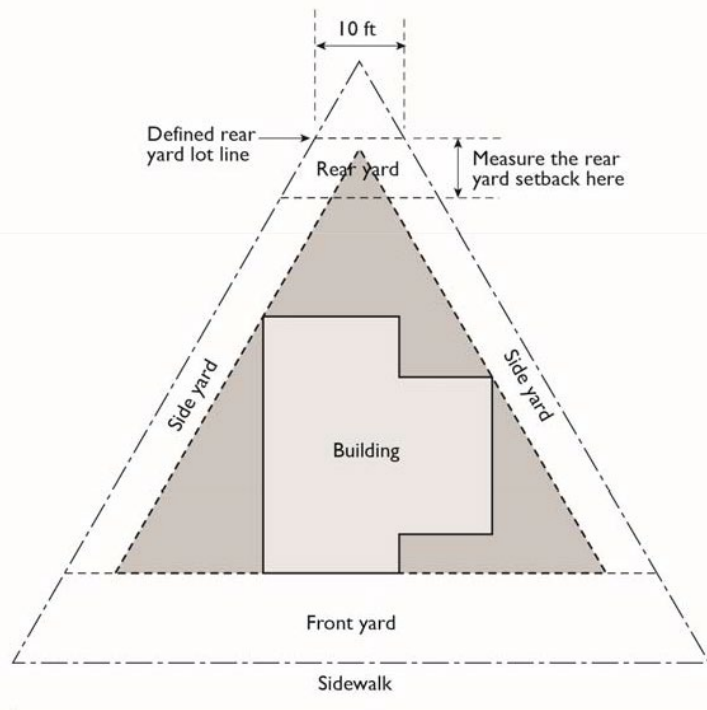


FIGURE 15-6802-2: REAR LOT LINE FOR PURPOSES OF DETERMINING SETBACKS

Lot Width. The horizontal distance between the side lines of a parcel measured at right angles to its depth along a straight line parallel to the front parcel line at the street or public right-of-way that is identified as the parcel's address.

Main Structure. See Structure, Main.

Maintenance and Repair. The repair or replacement of nonbearing walls, fixtures, wiring, roof, or plumbing that restores the character, scope, size, or design of a structure to its previously existing, authorized, and undamaged condition.

Mezzanine. An intermediate floor within a building interior without walls, partitions, closets, screens, or other complete enclosing interior walls or partitions that is open to the floor below and has a floor area that is no greater than one-third of the total floor area of the floor below. When the total floor area of a mezzanine exceeds one-third of the total floor area of the floor below it constitutes an additional story. In some instances, mezzanine may be defined differently by the Building Code.

Mixed-Use Development. The development of a parcel or building with two or more different land uses such as, but not limited to, a combination of residential, office, manufacturing, retail, public, or entertainment in a single or physically integrated group of structures.

Mobile Vendor. Any person that sells, or causes or allows another, whether as an employee or as an independent contractor leasing or renting equipment, to sell any food, drinks, or merchandise by means of a motorized or non-motorized vehicle, such as a wagon, pushcart, handcart, bicycle, motorized cart, or food truck.

Muntin. A bar or rigid supporting strip between adjacent panes of glass.

Noise-Related Definitions.

Community Noise Equivalent Level (CNEL). The average equivalent A-weighted sound level during a 24-hour day, obtained after addition of five decibels to sound levels in the evening from 7 p.m. to 10 p.m. and after addition of 10 decibels to sound levels in the night from 10 p.m. to 7 a.m.

Day-Night Average Sound Level (Ldn). The A-weighted average sound level for a given area (measured in decibels) during a 24-hour period with a 10 dB weighting applied to night-time sound levels (after 10 p.m. and before 7 a.m.). The Ldn is approximately numerically equal to the CNEL for most environmental settings.

Decibel (dB). A unit of measurement used to express the relative intensity of sound as heard by the human ear describing the amplitude of sound, equal to 20 times the logarithm to the base 10 of the ratio of the pressure of the sound measured to the reference pressure, which is 20 micropascals (20 micronewtons per square meter).

Decibel, A-weighted (dBA). The "A-weighted" scale for measuring sound in decibels; weights or reduces the effects of low and high frequencies in order to stimulate human hearing. Every increase of 10 dBA doubles the perceived loudness though the noise is actually ten times more intense.

Equivalent Sound Level (Leq). A single-number representation of the fluctuating sound level in decibels over a specified period of time. It is a sound-energy average of the fluctuating level.

Maximum Noise Level (Lmax). The highest value measured by the sound level meter over a given period of time, based on the time-weighted sound level in dB, using either the Fast or Slow time constant.

Non-Conforming Building. See Non-Conforming Structure.

Non-Conforming Lot. A legally-created lot of land having less area, frontage, or dimensions than the existing Code requires in the Zoning District in which it is located.

Non-Conforming Use, Structure, or Site Feature. See Legal Non-Conforming Use, Structure, or Site Feature.

Occupancy Group. The Building Code use category for determining requirements for building construction elements and life safety system requirements.

Office-To-Dwelling. The conversion of existing office building(s) from an office use to a multi-unit residential use which will provide housing to residents and facilitate compliance of said structures into safe and habitable condition as required by State and local law.

On-Site. Located on the lot that is the subject of discussion.

Open Space Types.

Open Space, Common. Any outdoor area, not dedicated for public use, which is designed and intended for the common use and enjoyment of the residents and guests of more than one dwelling unit.

Open Space, Private. Open areas for outdoor living and recreation that are adjacent and directly accessible to a single dwelling unit, reserved for the exclusive use of residents of the dwelling unit and their guests.

Open Space, Usable. Outdoor areas that provide for outdoor living and/or recreation for the use of residents.

Outdoor Sales, Temporary and Seasonal. The sale or offering for sale to the general public of merchandise outside of a permanent structure on property owned or leased by the person, firm, or corporation. These sales are of a limited duration and conducted on an occasional basis, and are secondary or incidental to the principal permitted use or structure existing on the property.

Outdoor Storage. The keeping, in an unroofed area, of any goods, junk, material, merchandise or vehicles in the same place for more than 72 hours except for the keeping of building materials reasonably required for construction work on the premises pursuant to a valid and current Building Permit issued by the City.

Overlay District. A zoning designation specifically delineated on the Zoning Map establishing land use requirements that govern in addition to the standards set forth in the underlying zoning district.

Parapet. A low wall or railing extending above the roof and along its perimeter.

Parcel. See Land Division-Related Definitions.

Parking Facility. An area of a parcel, structure, or any other area, including driveways, which is designed for and the primary purpose of which is to provide for the temporary storage of operable motor vehicles.

Accessory Parking. An area of a parcel, structure, or any other area, which is designed, reserved for, and the primary purpose of which is to provide off-street parking to serve a building or use that is the primary or main use of the parcel.

Long-Term Parking. An area designed for employee parking, when a vehicle is not normally moved during the period of an employee's work shift, as opposed to customer or visitor parking.

Parking, Bicycle. A covered or uncovered area equipped with a rack or other device designed and useable for the secure, temporary storage of bicycles.

Long-Term. Bicycle parking that is designed to serve employees, students, residents, commuters, and others who generally stay at a site for two hours or longer.

Short-Term. Bicycle parking that is designed to serve shoppers, customers, messengers, guests, and other visitors to a site who generally stay for a period of less than two hours.

Parking Space, Off-Street. An area, covered or uncovered, designed and usable for the temporary storage of a vehicle, which is paved and accessible by an automobile without permanent obstruction.

Parking Structure. A structure used for parking and storage of vehicles.

Patio. An outdoor area, often paved, adjoining a building that is used for outdoor open space. It is not enclosed by walls and typically is located at grade or supported by minimal footings.

Paving. A type of material used over areas of a parcel such as driveways, parking spaces and areas, pathways, patios, and front setbacks used for access by vehicles and pedestrians.

Permit. Any Conditional Use Permit, Temporary Use Permit, Building Permit, license, certificate, approval, or other entitlement for development and/or use of property as required by any public agency.

Permitted Use. Any use or structure that is allowed in a Zoning District without a requirement for approval of a Use Permit, but subject to any restrictions applicable to that Zoning District.

Person. Any individual, firm, association, organization, partnership, business trust, company, or corporation.

Person with Disabilities. Under the Americans With Disabilities Act, an individual with a disability is a person who: (1) has a physical or mental impairment that substantially limits one or more major life activities; or (2) has a record of such an impairment; or (3) is regarded as having such an impairment.

Planning Commission. The Planning Commission of the City of Fresno.

Plaza. An outdoor space set aside for gathering or congregating and commercial activities, typically surrounded by building frontages.

Pocket Park. A park of one-half to two acres in size that intended to serve the needs of a smaller, specific neighborhood located within a half-mile radius of the pocket park.

Podium. A continuous raised platform supporting a building or a large block of two or three stories beneath a multi-story block of smaller area.

Porte Cochere. A roofed structure through which a vehicle can pass, extending from the entrance of a building over an adjacent driveway, the purpose of which is to shelter persons entering and exiting a building.

Pre-Existing. In existence prior to the effective date of this Code.

Primary Use. See Use, Primary.

Project. Any proposal for a new or changed use or for new construction, alteration, or enlargement of any structure, that is subject to the provisions of this ordinance. This term includes, but is not limited to, any action that qualifies as a "project" as defined by the California Environmental Quality Act.

Public Land. Any government-owned land, including, but not limited to, public parks, beaches, playgrounds, trails, paths, schools, public buildings, and other recreational areas or public open spaces.

Public Resources Code. The Public Resources Code of the State of California.

Qualified Applicant. The property owner, the owner's agent, or any person or other legal entity that has a legal or equitable title to land that is the subject of a development proposal or is the holder of an option or contract to purchase such land or otherwise has an enforceable proprietary interest in such land.

Ramp. An access driveway leading from one parking level to another, or an access driveway from an entrance leading to parking at a different level.

Recreational Vehicle (RV). A mobile, temporary lodging space, usually housed in a motor vehicle or trailer, generally for the purposes of travelling.

Residential Use. One or more rooms designed, occupied, or intended for occupancy as primary living quarters in a building or portion thereof.

Review Authority. Body responsible for making decisions on zoning and related applications.

Right-of-Way. A strip of land acquired by reservation, dedication, forced dedication, prescription, or condemnation and intended to be occupied or occupied by a road, railroad, electric transmission lines, oil or gas pipeline, water line, sanitary storm sewer, or other similar use.

Roof. That portion of a building or structure above walls or columns that shelters the floor area or the structure below.

Screening. Buffering of a building or activity from neighboring areas or from the street with a wall, fence, hedge, informal planting, or berm.

Security Grate or Grilles. A metal grate that rolls up over, or slides across, a window or door to provide protection against unwanted entry. It also can be a fixed metal fixture over window openings.

Service Areas. Portions of a building which are utilitarian in nature and are not typically frequented by the general public or occupants of the building, such as utility equipment rooms, freight loading areas, trash/recycling rooms, and emergency exit stairways/hallways.

Setback. The distance between the parcel line and a building, not including permitted projections, that must be kept clear or open. See also Section 15-304, Measuring Distances, and Section 15-313, Determining Setbacks (Yards).

Shielded Light Fixture. Outdoor light fixtures shielded or constructed so that light rays emitted by the lamp are projected below the horizontal plane passing through the lowest point on the fixture from which light is emitted.

Sidewalk. A paved, surfaced, or leveled area, paralleling and usually separated from the street, used as a pedestrian walkway.

Sidewalk Café. Any outdoor dining area located in or adjacent to any public sidewalk or right-of-way which is associated with a restaurant or other eating and drinking establishment on a contiguous adjacent parcel.

Sign-Related Definitions. The following terms are related to Article 26, Signs.

Animated Sign. A sign with messages that visually change, or images that move or appear to move, more frequently than once every 24 hours, regardless of the method by which the visual change is affected. This definition does not include traditional barber poles, hand-held signs, personally attended signs, commercial mascots, scoreboards, or signs which merely display time or temperature. Animated signs include electronic message signs, sometimes called electronic reader boards. A sign that displays a series of still images which change more frequently than once per 24 hours, whether by digital, LED, or functionally equivalent method, is within this definition.

Awning. Any structure made of flexible fabric or similar material covering a metal frame attached to a building, whether or not the same is so erected as to permit its being raised to a position flat against the building when not in use.

Awning or Canopy Sign. Sign copy placed on an awning or any other projecting structure made of flexible fabric or similar material covering a metal frame supported by the ground or sidewalk.

Banner. Any sign of lightweight fabric or similar material that is mounted to a pole or a building at one or more edges. Flags are not within this definition.

Billboard. See Outdoor Advertising Display.

Changeable Copy Sign. A sign constructed or designed to allow for periodic changes of copy, and for which the copy is changed not more than once each 24 hour period. Examples include signs for an auditorium, theater, church, meeting hall, or similar uses characterized by public assembly and changing programs or events, or gas station prices. This definition does not include animated signs or electronic reader board signs.

Commercial Message. A message on a sign, or portion of a sign, that promotes, informs, or proposes an economic transaction, primarily concerns the economic interests of the sign sponsor and/or audience, or is intended to further discussion in the marketplace of goods and services.

Construction Sign. A temporary sign displayed on the site of a construction, remodeling, or major landscaping project during the period of time of actual construction activity.

Copy. Any letters, numerals, or symbols displayed on a sign face conveying a message to the public.

Directional Sign. Any sign, other than a highway marker or any sign erected and maintained by public authority, or a public utility which is designed, erected, and maintained for the purpose of directing persons to a place, structure, or activity.

Exempt Sign. A sign which may be legally displayed, erected or maintained, but is not subject to a sign permit requirement. See Section 15-2604, Exempt Signs.

Face. That portion of a sign upon which the copy is mounted or displayed.

Flag. Any fabric or banner containing distinctive colors, patterns, or design that displays the symbol(s) of a nation, state, local government, company, organization, belief system, idea, or other meaning.

Freestanding Sign. A permanent sign that is self-supporting in a fixed location and not attached to a building. Freestanding signs are of two types: monument and pole. Monument signs are connected or attached to a sign structure, fence, or wall that is not an integral part of a building. Pole signs are mounted on a pole(s) or other support(s) that are placed on and anchored in the ground or on a base and that is independent from any building or other structure. Flag poles are not within this definition.

Graffiti. Marks, such as inscriptions, drawings, or designs, which are placed, scratched, etched, painted, or sprayed on public or private property without the owner's consent.

Illuminated Sign. A sign with an artificial light source incorporated internally or externally for the purpose of illuminating the sign. This includes signs made from neon or other gas tube(s) that are bent to form letters, symbols, or other shapes. Ambient lighting, by itself, does not make a sign "illuminated."

Master Sign Program. A coordinated sign plan which includes details of all signs (not including exempt or temporary signs) which are or will be placed on a site, including master identification, individual business, and directory signs.

Mobile Billboard. Any vehicle, or wheeled conveyance which carries, conveys, pulls, displays, or transports any sign or billboard for the primary purpose of advertising a commercial or noncommercial message, or other general advertising for hire.

Monument Sign. See Freestanding Sign.

Name Plate. A sign that identifies an occupant and/or address.

Non-Conforming Sign. A sign lawfully erected and legally existing prior to the effective date of this Code, or of amendments thereto, but which does not conform to the provisions of this Code.

Non-Commercial Message. A message or image on a sign, or portion of a sign, which displays noncommercial speech, e.g., commentary or advocacy on topics of public debate and concern. This definition shall be construed and interpreted in light of relevant court decisions. Noncommercial messages do not have a location factor, such as on-site or off-site.

Non-Communicative Aspects. Those aspects of a sign that are not directly communicative, such as physical structure, mounting device, size and height, setback, illumination, spacing, and scale relative to other structures.

Off-Site or Off-Premise Sign. A sign that identifies, advertises, or attracts attention to a business, product, service, event, or activity sold, existing, or offered at a different location. The off-site/on-site distinction applies only to commercial messages.

On-Site or On-Premise Sign. Any sign or portion thereof that identifies, advertises, or attracts attention to a business, product, service, event, or activity sold, existing, or offered upon the same property or land use as the sign. The off-site/on-site distinction applies only to commercial messages.

Outdoor Advertising Signs. Billboards and any other outdoor advertising signs which convey an off-site commercial message as their primary purpose.

Pennant. Any lightweight plastic, fabric, or other material, whether or not containing a message of any kind, attached to a rope, wire, or string, usually in a series, designed to move in the wind and attract attention. Flags and banners are not within this definition.

Pole Sign. See Freestanding Sign.

Projecting Sign. Any sign that is perpendicular to the face of a building and projects more than 18 inches from the face. This category includes awning and under canopy signs.

Primary Building Face. The wall of a building which contains the principal entrance(s) to the building. If there are principal entrances in more than one wall, the longest of the walls in which principal entrances are located shall be the primary building face. "Primary building face" shall include not only the wall itself but all doors, windows, or other openings therein and projections therefrom.

Real Estate Sign. Any sign, temporary in nature, with copy which concerns a proposed sale, rent, lease, or exchange of real property. This definition does not include occupancy signs at establishments offering transient occupancy, such as hotels, motels, and "bed and breakfast" facilities.

Roofline. The top edge of a roof or building parapet, whichever is higher, excluding any cupolas, pylons, chimneys, or minor projections.

Roof Sign. Any sign located on a roof of a building or having its major structural supports attached to a roof.

Sign. Any identification, description, illustration, or device illuminated or non-illuminated, which is visible to the general public from any exterior public right-of-way, and directs attention to a product, service, place, activity, person, institution, business, or solicitation, including any permanently installed or situated merchandise; or any emblem, painting, banner, pennant, or placard designed to advertise, identify, or convey information. A display, device, or thing need not contain lettering to be a sign. Notwithstanding the generality of the foregoing, the following are not within this definition:

Architectural features. Decorative or architectural features of buildings (not including lettering, trademarks, or moving parts), that do not perform a communicative function;

Fireworks, etc. The legal use of fireworks, candles, and artificial lighting not otherwise regulated by this Code;

Foundation stones, cornerstones;

Grave markers, grave stones, headstones, mausoleums, shrines, and other markers of the deceased;

Personal appearance. Items or devices of personal apparel, decoration, or appearance, including tattoos, makeup, wigs, costumes, and masks, but not including commercial mascots or hand-held signs; and

Symbols embedded in architecture. Symbols of non-commercial organizations or concepts including, but not limited to, religious or political symbols, when such are permanently integrated into the structure of a permanent building, including stained glass windows on churches, carved or bas relief doors or walls, bells, and religious statuary.

Sign Area. The area contained within a single continuous perimeter enclosing all parts of such sign copy, excluding any structural elements outside the limits of the sign required to support the sign.

Temporary Sign. A structure or device used for the public display of visual messages or images, which is typically made of lightweight or flimsy materials which is not intended for or suitable for long term or permanent display.

Wall Sign. Any sign attached to, erected against, or painted upon the wall of a building or structure, the face of which is in a single plane parallel to the plane of the wall. Wall signs also include signs on a false or mansard roof.

Window Sign. Any sign painted, etched, or otherwise affixed to an exterior window of a building, or in the interior of the building, within three feet of a window, intended to be viewed from the exterior of such building. On-site advisory signs are not considered window signs.

Site. A parcel, or group of contiguous parcels, that is proposed for development in accordance with the provisions of this Ordinance and is in a single ownership or under unified control.

Story. That portion of a building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the upper surface of the roof above. A mezzanine with a floor area that exceeds one third of the total floor area of the floor or level below constitutes a story. In some instances, story may be defined differently by the Building Code.

Street. A public or private thoroughfare which affords the access to a block and to abutting property. "Street" includes avenue, place, way, drive, boulevard, highway, road, and any other thoroughfare, except an alley as defined herein.

Street Tree. A tree fronting private property within the street right-of-way.

Streetwall. A wall or portion of a wall of a building facing a street.

Structural Alterations. Any physical change to or the removal of the supporting members of a structure or building, such as bearing walls, columns, beams, or girders including the creation, enlargement, or removal of doors or windows and changes to a roofline or roof shape.

Structure. Anything constructed or erected, which requires a fixed location on the ground, or is attached to a building or other structure having a fixed location on the ground.

Structure, Accessory. A detached subordinate structure, used only as incidental to the main structure on the same parcel.

Structure, Main. A structure housing the principal use of a site or functioning as the principal use.

Structure, Temporary. A structure without any foundation or footings and which is intended to be removed when the designated time period, activity, or use for which the temporary structure was erected has ceased.

Swimming Pool. A pool, pond, or open tank capable of containing a large and deep enough body of water for people to use to swim.

Telecommunication-Related Definitions. The following terms are related to Section 15-2759, Telecommunication and Wireless Facilities.

Alternative Tower Structure. Artificial trees, clock towers, bell steeples, light poles, and similar alternative-design mounting structures that camouflage or conceal the presence of antennas or towers.

Antenna. Any system of poles, panels, rods, reflecting discs, wires, or similar devices used for the transmission or reception of electromagnetic signals, including, but not limited to, radio waves and microwaves. An antenna does not include the support structure the antenna(s) is mounted upon.

Antenna, Amateur Radio. A ground-, building-, or tower-mounted antenna operated by a federally licensed amateur radio operator that is used for the purpose of transmitting and receiving radio signals as part of the Amateur Radio Service as designated by the Federal Communications Commission (FCC).

Antenna, Building- or Structure-Mounted. An antenna mounted to a building, rooftop equipment screen, or structure that transmits or receives electromagnetic signals.

Antenna, Ground-Mounted. Any antenna that is not mounted on a pole, a structure, or the roof or wall of a building.

Antenna, Satellite Earth Station. An antenna designed and used to receive and/or transmit radio frequency signals directly to and/or from orbiting communications satellites.

Antenna, Whip. An antenna consisting of a single, slender, rod-like element, less than one wave length long, which is supported only at or near its base.

Antenna Structure. An antenna array and its associated support structure, such as a mast or tower (not including a suspended simple wire antenna), that is used for the purpose of transmitting and/or receiving electromagnetic signals, including, but not limited to, radio waves and microwaves.

Antenna Structure, Freestanding. An antenna structure or mast that is not attached to any part of a building, fence, or other such structure. Freestanding antenna structures include communications

towers, wooden utility poles, and concrete and steel monopoles. If the total height of the structure, including the antenna, is at least 17 feet high, it shall be treated as a monopole.

Antenna Structure, Monopole. An antenna structure, often tubular in shape, usually made of metal, reinforced concrete, or wood, which is at least 17 feet in height. A monopole may also be an alternative antenna structure that is designed to replicate a tree or other natural feature.

Slim Line Monopole. A continuous, smooth, round cross section monopole with no cut-outs or exterior attachments such as climbing pegs.

Co-Location. The location of two or more wireless communications facilities owned or used by more than one public or private entity on a single support structure or otherwise sharing a common location. Co-location shall also include the location of wireless communications facilities with other facilities such as buildings, water tanks, light standards, and other utility facilities and structures.

Distributed Antenna System. A system of small antennas installed on existing infrastructure such as telephone poles and streetlights throughout an area, which are interconnected by fiber optic cable to a central hub location, and are generally designed to support multiple wireless carriers.

Equipment Cabinet or Enclosure. A cabinet or structure used to house equipment associated with a wireless communications facility.

Feasible. Feasible means in light of technical feasibility, radio signal transmitting and receiving requirements, aesthetics, electromagnetic fields, costs, landowner permission, facility owner permission, and all necessary approvals under this Code and the California Building Code, as well as the common meaning of the term.

Mast. A pole of wood or metal or a tower fabricated of metal that is used to support an antenna and maintain it at the proper elevation.

Microcell Facility. A wireless communication facility serving a single carrier and consisting of an antenna no larger than four feet in height or, if tubular, no more than six feet long and four inches in diameter comprised of a networked set of antennas that are connected with each other and to a wireless service source, such that a one or more high-power antennas that serve a given area are replaced by a group of lower-power antennas to serve the same geographic area.

Readily Visible. An object that can be identified as a wireless telecommunications facility when viewed with the naked eye.

Related Equipment. All equipment ancillary to the transmission and reception of voice and data via radio frequencies. Such equipment may include, but is not limited to, cable, conduit, and connectors.

Service Provider. Any authorized provider of wireless communications services.

Telestyles. Architecturally blended cell towers, the result of cooperation with designers and architects.

Tower. Any structure that is designed or constructed primarily for the purpose of supporting one or more antennas, including self-supporting lattice towers, guy towers, or monopole towers. The term includes, but is not limited to, radio and television transmission towers, microwave towers, common-carrier towers, cellular telephone towers, alternative tower structures and the like.

Wireless Communications Facility. Personal wireless service facilities as defined by the federal Telecommunications Act of 1996 including, but not limited to, facilities that transmit and/or receive electromagnetic signals for cellular radio telephone service, personal communications services, enhanced specialized mobile services, paging systems, and related technologies. Such facilities include antennas, microwave dishes, parabolic antennas, and all other types of equipment used in the transmission or reception of such signals; telecommunication towers or similar structures supporting said equipment; associated equipment cabinets and/or buildings; and all other accessory development used for the provision

of personal wireless services. These facilities do not include radio towers, television towers, and government-operated public safety networks.

Temporary Structure. See Structure, Temporary.

Temporary Use. A use that is intended to be of a limited duration of time and that will not permanently alter the character or physical facilities of the property where it occurs.

Tenant. A person who rents, leases, or subleases, through either a written or oral agreement, real property from another.

Tiny House. A structure intended for separate, independent living quarters for one household that meets these six conditions:

1. Is licensed and registered with the California Department of Motor Vehicles and meets ANSI 119.2 or 119.5 requirements;
2. Is towable by a bumper hitch, frame-towing hitch, or fifth-wheel connection. Cannot (and is designed not to) move under its own power. When sited on a parcel per requirements of this Code, the wheels and undercarriage shall be skirted;
3. Is no larger than allowed by California State Law for movement on public highways;
4. Has at least 100 square feet of first floor interior living space;
5. Is a detached self-contained unit which includes basic functional areas that support normal daily routines such as cooking, sleeping, and toiletry; and
6. Is designed and built to look like a conventional building structure.

Trailer. A vehicle without motor power, designed to be drawn by a motor vehicle and to be used for human habitation or for carrying persons or property, including a mobile home, trailer coach or house trailer.

Trash Screen/Enclosure. A permanent, immobile structure, designed for the storage of a mobile resource recovery, recycling, or compost bin or container.

Unit. See Dwelling Unit.

Use. The purpose for which land or the premises of a building, structure, or facility thereon is designed, arranged, or intended, or for which it is or may be occupied or maintained.

Use, Accessory. A use that is customarily associated with, and is incidental and subordinate to, the primary use and located on the same parcel as the primary use.

Use, Primary. A primary, principal, or dominant use established, or proposed to be established, on a parcel.

Use Classification. A system of classifying uses into a limited number of use types on the basis of common functional, product, or compatibility characteristics. All use types are grouped into the following categories: residential; public and semi-public; commercial; industrial; transportation, communication, and utilities; and agricultural and extractive.

Use Permit. A discretionary permit, such as a Conditional Use Permit, which may be granted by the appropriate City authority to provide for the accommodation of land uses with special site or design requirements, operating characteristics, or potential adverse effects on surroundings, which are not permitted as of right, but which may be approved upon completion of a review process and, where necessary, the imposition of special conditions of approval by the permit granting authority.

Use Type. A category which classifies similar uses based on common functional, product, or compatibility characteristics.

Utilities. Equipment and associated features related to the mechanical functions of a building(s) and services such as water, electrical, telecommunications, and waste.

Variance. A discretionary grant of permission to depart from the specific requirements of this Code that is warranted when, due to special circumstances regarding the physical characteristics of the property, the strict application of standards would deprive the property of privileges available to other property in the same zoning district. See Article 55, Variances.

Vehicle. Any vehicle, as vehicle is defined by the California Vehicle Code, including any automobile, camper, camp trailer, trailer, trailer coach, motorcycle, house car, boat, or similar conveyance.

Vibration. A periodic motion of the particles of an elastic body or medium in alternately opposite directions from the position of equilibrium.

Visible. Capable of being seen (whether or not legible) by a person of normal height and visual acuity walking or driving on a public road.

Walk-Up Facility. A facility designed to provide service to pedestrian clients, where clients typically are queued on the outside of the main structure or room. Typical facility types include, but are not limited to, automatic teller machines (ATMs) and food-service windows.

Wall. Any exterior surface of building or any part thereof, including windows.

Watercourse. A strip of land over which water flows, having a definite bed, bank, and channel, wherein the water need not flow continually, but usually flows in a particular direction.

Window. An opening in a wall of a building that is filled with glass in a frame. They typically allow light and air into the interior of a building, but also serve as mediums for viewing merchandise in commercial properties.

Yard. See Setback.

Yard Sales. See Garage Sales.

Zoning District. A specifically delineated area or district in the city within which regulations and requirements uniformly govern the use, placement, spacing, and size of land and buildings.

(Added Ord. 2015-39, § 1, eff. 1-9-16; Am. Ord. 2016-43, § 16, eff. 12-9-16; Am. Ord. 2017-33, § 32, eff. 7-30-17; Am. Ord. 2020-045, § 3, eff. 11-15-20).

SEC. 15-2742.5 OFFICE-TO-DWELLING CONVERSION.

- A. **Purpose.** The purpose of this section is to allow for the conversion of an existing office building(s) from an office use to a multi-unit residential use which will provide housing to residents and facilitate compliance of said structures into safe and habitable condition as required by State and local law.
- B. **Applicability.** Office-to-Dwelling Conversions shall be permitted in locations where an Eligible Office may exist.
- C. **Permit Required.** An application for an Office-to-Dwelling Conversion shall require a Zone Clearance per §15-5102.
- D. **Definitions.**
1. **"Eligible Office"** shall be defined as an existing office building(s) located in the O District.
- E. **Compliance with Existing Regulations.** The following requirements shall apply to all Office-to-Dwelling Conversions:
1. **An Eligible Office shall bring the subject office building(s) into full compliance with the most recently adopted California Building Code(s), as may be amended and any local amendments thereto.**
 2. **An Eligible Office shall be subject to the occupancy classifications and change of occupancy requirements in the California Building Code(s) based upon the classification most similar to the primary use of the facility, as determined by the Building Official.**
 3. **An Eligible Office shall not operate if the building(s) or any portion of the building(s) exists with any of the conditions necessary to be declared a substandard building within the meaning of California Health and Safety Code Section 17920.3, as may be amended.**
 4. **In the event an Eligible Office is declared a substandard building(s) or otherwise exists with any of the conditions necessary to be declared a substandard building(s), the Eligible Office shall be subject to the provisions of Fresno Municipal Code Sections 11-324 et. seq.**
- F. **Maximum Density.** There is no maximum density, rather, the number of allowable units shall be determined by compliance with the California Building Code(s) for minimum dwelling unit square footage requirements.
- G. **Other Capacity Inspections.** Office-to-Dwelling Conversions shall complete plumbing, structural, and mechanical, and any other improvements sufficient to accommodating residents, and as deemed necessary by the Building Official to preserve the public health and safety. These improvements are subject to review, inspection, and approval of the Building Official.
- H. **Legal Non-Conforming Uses, Structures, and Site Features.** The provisions of Sections 15-404 and 15-405 shall apply to any legal non-conforming uses, structures, and site features of an Eligible Office that are not subject or related to an Office-to-Dwelling Conversion. Should an Eligible Office choose to additionally alter any use, structure, or site feature not associated with an Office-to-Dwelling Conversion, such alterations shall be done in compliance with all applicable State and local codes.
1. **The construction of ancillary structures required for the conversion of office to residential uses is permitted. Construction of these structures must comply with the RM-3 District standards for new development, as identified in Section 15-1003.**