

Exhibit B

**CITY OF FRESNO
ENVIRONMENTAL ASSESSMENT FOR
DEVELOPMENT PERMIT APPLICATION NO. P21-00989**

THE PROJECT DESCRIBED HEREIN IS DETERMINED TO BE STATUTORILY
EXEMPT FROM THE PREPARATION OF ENVIRONMENTAL DOCUMENTS
PURSUANT TO ASSEMBLY BILL (AB) 130.

APPLICANT: Jamie Huelskamp
Park 7, LLC
155 West Shaw Avenue, Suite 307
Fresno, California 93710

PROJECT LOCATION: 7056 North Prospect Avenue; Located on the northeast corner of West Herndon and North Prospect Avenues in the City of Fresno, California

APNs: 500-200-28S, -27S, -29S
(Council District 2)

PROJECT DESCRIPTION: **Development Permit Application No. P21-00989** requests authorization to construct an 82-unit private gated multi-family development. The project proposes on-site and off-site improvements including, but not limited to, three (3) three-story multifamily residential buildings and one (1) four-story building multifamily residential building consisting of 74 two-bedroom/two bathroom dwelling units and eight (8) two-bedroom/one-bathroom dwelling units, one (1) approximately 1,907 square-foot one-story community center building, one (1) swimming pool area, one (1) dog park area, 154 parking spaces (27 single-car garages, 72 covered carport parking spaces, and 55 uncovered parking spaces), and 6 long-term bicycle parking spaces. A Class 1 Trail for bicycle and pedestrian pathway will be constructed along the Herndon Avenue property frontage. Direct access to the development will only be provided from North Prospect Avenue via a private gated entrance. One (1) emergency vehicle access approach is proposed along West Fir Avenue. Three (3) private pedestrian gates will be provided along West Fir Avenue and two (2) private pedestrian gates will be provided along North Prospect Avenue.

This project is exempt from the California Environmental Quality Act (CEQA), pursuant to Assembly Bill (AB) 130 (California Public Resources Code Section 21080.66).

AB 130 (PRC Section 21080.66) statutorily exempts projects from the CEQA which meet the following conditions:

(a) Without limiting any other statutory or categorical exemption, this division does not apply to any aspect of a housing development project, as defined in subdivision (b) of Section 65905.5 of the Government Code, including any permits, approvals, or public improvements required for the housing development project, as may be required by this division, if the housing project meets all of the following conditions:

(1) The project site is not more than 20 acres.

Project Complies: The project site encompasses a total of approximately 3.70 acres. Therefore, the project complies with this requirement.

(2) The project site meets either of the following criteria:

(A) Is located within the boundaries of an incorporated municipality.

(B) Is located within an urban area, as defined by the United States Census Bureau.

Project Complies (A): The project site is located within the incorporated municipality of the City of Fresno, as identified within the Project Location above. Therefore, the project complies with this requirement.

(3) The project site meets any of the following criteria:

(A) Has been previously developed with an urban use.

(B) At least 75 percent of the perimeter of the site adjoins parcels that are developed with urban uses.

(C) At least 75 percent of the area within a one-quarter mile radius of the site is developed with urban uses.

(D) For sites with four sides, at least three out of four sides are developed with urban uses and at least two-thirds of the perimeter of the site adjoins parcels that are developed with urban uses.

Project Complies (B): Pursuant to AB 130, "Urban use" is defined as "Any current or previous residential or commercial development, public institution, or public park that is surrounded by other urban uses, parking lot or structure, transit or transportation passenger facility, or retail use, or any combination of those uses."

The following adjoin to the perimeter of the project site:

- **North:** Orchid Park; separated by West Fir Avenue
- **East:** Single-family residential development
- **South:** Single-family residential development; separated by West Herndon Avenue
- **West:** Vacant land; separated by North Prospect Avenue

This results in at least 75 percent of the perimeter of the site adjoins to parcels that are developed with urban uses. Therefore, the project complies with this requirement.

(4) The project is consistent with the applicable general plan and zoning ordinance, as well as any applicable local coastal program as defined in Section 30108.6.

Project Complies: The project was deemed consistent, compliant, and in conformity with the applicable City of Fresno General Plan and Zoning Ordinance as of May 26, 2021, pursuant to California Government Code Section 65589.5(j)(2)(A) & (B). Additionally, the Project is not subject to a local coastal program as the City is not located in or near a coastal region. The Fresno General Plan designation for the project site is Urban Neighborhood Residential,

which allows for a density range of 16 to 30 dwelling units per acre (du/ac). The project proposes 82 dwelling units on approximately 3.7 acres resulting in a density of 22.16 du/ac, which complies with the Urban Neighborhood Residential density range of 16 to 30 du/ac. The project is consistent with the following applicable general plan policies:

Goal 7: Provide for a diversity of districts, neighborhoods, housing types, 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.

Objective UF-1: Emphasize the opportunity for a diversity of districts, neighborhoods, and housing types.

Objective LU-2: Plan for infill development that includes a range of housing types, building forms, and land uses to meet the needs of both current and future residents.

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

Policy UF-1-d: Provide for diversity and variation of building types, densities, and scales of development in order to reinforce the identity of individual neighborhoods, foster a variety of market-based options for living and working to suit a large range of income levels, and further affordable housing opportunities throughout the city.

Policy LU-5-e: Promote urban neighborhood residential uses to support compact communities and Complete Neighborhoods that include community facilities, walkable access to parkland and commercial services, and transit stops.

The proposed project is providing for a diverse housing type (multi-family) in an area that is predominately developed with single-family residential housing. Additionally, the project site and proposed multi-family development is located directly across the street from a park, within walking distance from an elementary school (approximately 1,600 feet) and from a public transit stop (approximately 280 feet), and is adjacent to a public pedestrian trail that provides direct access to commercial services to the east (approximately 0.34 miles). Therefore, the project complies with this requirement.

(5) The project will be at least one-half of the applicable density specified in subparagraph (B) of paragraph (3) of subdivision (c) of Section 65583.2 of the Government Code.

Project Complies: The applicable density, in this case, is for a jurisdiction in a metropolitan county (Fresno County), which are sites allowing at least 30 units per acre. One-half of this applicable density is 15 units per acre. The project must provide a minimum density of 15 units per acre. The project proposes a density of 22.16 units per acre. Therefore, the project complies with this requirement.

(6) The project satisfies the requirements specified in paragraph (6) of subdivision (a) of Section 65913.4 of the Government Code.

Project Complies: Based on the information provided below, the project complies with this requirement.

Government Code Section 65913.4(a)(6): The development is not located on a site that is any of the following:

(A) An area of, or parcel within, the coastal zone.

Project Complies: The project site is not located within a coastal zone as the City of Fresno is not located within or near a coastal zone. Therefore, this project complies with this requirement.

(B) Either prime farmland or farmland of statewide importance, as defined pursuant to the United States Department of Agriculture land inventory and monitoring criteria, as modified for California, and designated on the maps prepared by the Farmland Mapping and Monitoring Program of the Department of Conservation, or land zoned or designated for agricultural protection or preservation by a local ballot measure that was approved by the voters of that jurisdiction.

Project Complies: The project site is located within land designated as “Urban and Built Up Land” on the Farmland Mapping and Monitoring Program of the Department of Conservation. The land is zoned for multi-family residential uses. Therefore, this project complies with this requirement.

(C) Wetlands, as defined in the United States Fish and Wildlife (USFW) Service Manual, Part 660 FW 2 (June 21, 1993).

Project Complies: According to the Wetlands Classification System Definition 2.5(A), as provided in the USFW Service Manual, Part 660 FW 2, “Wetlands are lands transitional between terrestrial and aquatic systems where the water table is usually at or near the surface or the land is covered by shallow water. For purposes of this classification, wetlands must have one or more of the following three attributes: (1) at least periodically, the land supports predominantly hydrophytes (plants specifically adapted to live in wetlands); (2) the substrate is predominantly undrained hydric (wetland) soil; and (3) the substrate is nonsoil and is saturated with water or covered by shallow water at some time during the growing season of each year.” The Project site is located within the City of Fresno, an arid region of the State, and is located approximately 1 mile south of the nearest body of water, the San Joaquin River. The Project is vacant and does not support hydrophytes and is not saturated with water or covered by water. Therefore, this project complies with this requirement.

(D) Within a very high fire hazard severity zone, as determined by the Department of Forestry and Fire Protection pursuant to Section 51178, or within the state responsibility area, as defined in Section 4102 of the Public Resources Code.

Project Complies: The project site is not located within a very high fire hazard severity zone, as determined by the Department of Forestry and Fire Protection or within the state responsibility area, according to the most recently issued CalFire Maps as of March 2025. Therefore, this project complies with this requirement.

- (E) A hazardous waste site that is listed pursuant to Section 65962.5 or a hazardous waste site designated by the Department of Toxic Substances Control pursuant to Section 25356 of the Health and Safety Code.**

Project Complies: The project site is not located on a hazardous waste site that is listed pursuant to Section 65962.5 or designated by the Department of Toxic Substances Control, according to the most recent lists published on Envirostor. Therefore, this project complies with this requirement.

- (F) Within a delineated earthquake fault zone as determined by the State Geologist in any official maps published by the State Geologist, unless the development complies with applicable seismic protection building code standards adopted by the California Building Standards Commission under the California Building Standards Law (Part 2.5 (commencing with Section 18901) of Division 13 of the Health and Safety Code), and by any local building department under Chapter 12.2 (commencing with Section 8875) of Division 1 of Title 2.**

Project Complies: The project site is not located within a delineated earthquake fault zone as determined by the State Geologist in any official maps. Therefore, this project complies with this requirement.

- (G) Within a special flood hazard area subject to inundation by the 1 percent annual chance flood (100-year flood) as determined by the Federal Emergency Management Agency in any official maps published by the Federal Emergency Management Agency.**

Project Complies: Pursuant to the official map published by the Federal Emergency Management Agency, the project site is located within Zone X, which is defined as “Area of Minimal Flood Hazard.” This is not subject to inundation by the 1 percent annual chance flood. Therefore, this project complies with this requirement.

- (H) Within a regulatory floodway as determined by the Federal Emergency Management Agency in any official maps published by the Federal Emergency Management Agency, unless the development has received a no-rise certification in accordance with Section 60.3(d)(3) of Title 44 of the Code of Federal Regulations.**

Project Complies: Pursuant to the official map published by the Federal Emergency Management Agency, the project site is located within Zone X, which is defined as “Area of Minimal Flood Hazard.” This is not within a regulatory floodway. Therefore, this project complies with this requirement.

- (I) Lands identified for conservation in an adopted natural community conservation plan pursuant to the Natural Community Conservation Planning Act (Chapter 10 (commencing with Section 2800) of Division 3 of the Fish and Game Code), habitat conservation plan pursuant to the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), or other adopted natural resource protection plan.**

Project Complies: The project site is not identified for conservation in any adopted natural community conservation plan pursuant to the Natural Community Conservation Planning Act as shown on the California Department of Fish and Wildlife’s map dated August 2023, habitat conservation plan pursuant to the federal Endangered Species Act of 1973, or other adopted natural resource protection plan. Therefore, this project complies with this

requirement.

- (J) Habitat for protected species identified as candidate, sensitive, or species of special status by state or federal agencies, fully protected species, or species protected by the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.), the California Endangered Species Act (Chapter 1.5 (commencing with Section 2050) of Division 3 of the Fish and Game Code), or the Native Plant Protection Act (Chapter 10 (commencing with Section 1900) of Division 2 of the Fish and Game Code).**

Project Complies: The project site does not serve as habitat for protected species identified as candidate, sensitive, or species of special status by state or federal agencies, fully protected species, or species protected by the federal Endangered Species Act of 1973, or the Native Plant Protection Act. The project site is surrounded by urban uses, including a park to the north, single-family residential neighborhoods to the east, west and south, and an expressway (Herndon Avenue) adjacent to the south providing for vehicular speeds up to 50 miles per hour (mph). The subject property is a relatively small parcel of flatland with no existing trees. Therefore, this project complies with this requirement.

- (K) Lands under conservation easement.**

Project Complies: The project site is not land that is under any conservation easement, as shown in the Title Report for the parcel. Therefore, this project complies with this requirement.

- (7) The project does not require the demolition of a historic structure that was placed on a national, state, or local historic register before the date a preliminary application was submitted for the project pursuant to Section 65941.1 of the Government Code.**

Project Complies: The project site is currently and historically vacant and does not require the demolition of any structures. Therefore, this project complies with this requirement.

- (8) For a project that was deemed complete pursuant to paragraph (5) of subdivision (h) of Section 65589.5 of the Government Code on or after January 1, 2025, no portion of the project is designated for use as a hotel, motel, bed and breakfast inn, or other transient lodging.**

Project Complies: The project was deemed complete on May 26, 2021. Additionally, this Project is for multi-family housing and does not include any form of transient lodging. Therefore, this project complies with this requirement.

- (b) (1) A local government shall provide formal notification via certified mail and email to each California Native American tribe that is traditionally and culturally affiliated with the project site as an invitation to consult on the proposed location, its location, and the project's potential effects on tribal cultural resources pursuant one of the following deadlines:**

- (i) Within 14 days of the application for the project being deemed complete pursuant to paragraph (5) of subdivision (h) of Section 65589.5 of the Government Code.**
- (ii) For projects whose applications were deemed complete pursuant to paragraph (5) of subdivision (h) of Section 65589.5 of the Government Code before July 1, 2026, within 14 days of notifying the local government that the project is eligible to be exempt from this division pursuant to this section.**

Project Complies (ii): The local government was notified that the project is eligible to be exempt from CEQA on July 25, 2025. The local government provided formal notification via certified mail and email to each California Native American tribe on July 30, 2025 (within 14 days). Therefore, this project complies with this requirement.

(2) (A) Each California Native American tribe has 60 days to notify the local government that it accepts the invitation to consult.

(B) If a California Native American tribe chooses not to accept the invitation to consult, or does not notify the local government of its decision within 60 days, the consultation shall be considered to have concluded.

Project Complies: Only two tribes responded not requesting consultation, with the remaining tribes not responding within 60 days (September 29, 2025). Therefore, this project complies with this requirement.

(c) (1) The local government shall, as a condition of approval for the development, require the development proponent to complete a phase I environmental assessment, as defined in Section 78090 of the Health and Safety Code.

Project Complies: The conditions of approval for the project require the development proponent to complete a phase I environmental assessment. Therefore, this project complies with this requirement.

(2) For any housing on the site located within 500 feet of a freeway, all of the following shall apply:

(A) The building shall have a centralized heating, ventilation, and air-conditioning system.

(B) The outdoor air intakes for the heating, ventilation, and air-conditioning system shall face away from the freeway.

(C) The building shall provide air filtration media for outside and return air that provides a minimum efficiency reporting value of 16.

(D) The air filtration media shall be replaced at the manufacturer's designated interval.

(E) The building shall not have any balconies facing the freeway.

Project Complies: The project site is located approximately 15,600 feet from the nearest freeway (State Route 99). Therefore, this project complies with this requirement.


(d) Notwithstanding any other law, all construction workers employed in the execution of a housing development project exempt from this division pursuant to this section where 100 percent of the units within the development project are dedicated to lower income households, as defined by Section 50079.5 of the Health and Safety Code, shall be paid at least the general prevailing rate of per diem wages for the type of work and geographic area, as determined by the Director of Industrial Relations pursuant to Sections 1773 and 1773.9 of the Labor Code, except that apprentices registered in programs approved by the Chief of the Division of Apprenticeship Standards may be paid at least the applicable apprentice prevailing rate, regardless of whether the housing development project is a public work.

Project Complies: The project does not propose any lower-income household units, and is planned for market-rate housing. Therefore, this project complies with this requirement.

The proposed project is not expected to have a significant effect on the environment. A statutory exemption, as noted above, has been prepared for the project and the area is not environmentally sensitive.

Date: October 16, 2025

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