

**CITY OF FRESNO
CATEGORICAL EXEMPTION
ENVIRONMENTAL ASSESSMENT FOR EA NO. P18-02491**

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

APPLICANT(S): Sarah and Wayne Flores

PROJECT LOCATION: The southern dead end of W Devlan Ave and a portion of N Weber Ave north of the Southern Pacific Railroad

PROJECT DESCRIPTION: Vacation of a portion of W Devlan Ave and a portion of N Weber Ave north of the Southern Pacific Railroad, totaling approximately 9,184 S.F. The right of way is currently vacant in an area with single family residences. The area has historically provided a passage for major storm flows from areas to the north and east of the proposed vacation area.

This project is exempt under Sections 15301/Class, 15303/Class 3 and Section 15332/Class 32 of the California Environmental Quality Act (CEQA) Guidelines as follows:

The City of Fresno, Public Works Department, is proposing to vacate approximately 9,184 square-feet of land, most of which is in between two residential parcels, and some of which is in front of two parcels to the south on N Weber Ave. The area proposed to be vacated would be used for future single family or duplex residences, which is consistent with the existing, surrounding area. The properties to the north and east are single family residential and zoned Multifamily Residential (RM-1). The Union Pacific Railroad is to the south.

A vacation feasibility study conducted by Public Works listed two conditions of vacation:

1. The proposed street vacation area lies within the Fresno Metropolitan Flood Control District's Drainage Area "EH." This portion of Devlan Ave is located in an area that has historically provided a passage for major storm flows from the areas to the north and east of the proposed vacation area. As a condition of the vacation a passageway for the major storm flows must be provided and a drainage channel easement shall be granted to the District. The size and type of drainage channel easement will need to be reviewed and approved by the District prior to implementation. Approximately 131 acres of land contribute to this major storm water flow location. The district will need to review and approve any improvement plans associated with the vacation (i.e. grading plan and street plans), for conformance with the Master Plan drainage patterns prior to implementation.
2. The City of Fresno Street Maintenance Division requires a 6ft wide public utility easement reserved for the street light maintenance.

Staff has performed a preliminary environmental assessment of this project and determined that it falls within the Categorical Exemption set forth in CEQA Guidelines Section 15303/Class 3 which exempts new construction or conversion of small structures. Staff found that those conditions are met:

Section 15301 (Class 1/Existing Facilities) of the CEQA Guidelines exempts from the provisions of CEQA, projects consisting of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination; including but not limited to, alteration of existing highways and streets, sidewalks, gutters, bicycle and pedestrian trails, and similar facilities.

Section 15303/Class 3 exempts projects consisting of the new construction or conversion of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. Examples of this include but are not limited to (a) one single family residence, or a second dwelling unit in a residential zone; in urbanized areas up to three single family residences may be constructed or converted under this exemption, and (b) a duplex or similar multifamily residential structure totaling no more than four dwelling units; in urbanized areas this exemption applies to apartments duplexes and similar structures designed for not more than six dwelling units, and (e) accessory structures including garages, carports, patios, swimming pools and fences.

Staff has performed a preliminary environmental assessment of this project and determined that it falls within the Categorical Exemption set forth in CEQA Guidelines Section 15332/Class 32 which exempts infill development. Staff found that those conditions are met with the vacation conditions set forth by Public Works. The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations. The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses. The project site has no value as habitat for endangered, rare or threatened species. Approval of the project would not result in any significant effects related to traffic, noise, air quality or water quality. The site can be adequately served by all required utilities and public services.

Furthermore, Staff has determined that none of the exceptions to Categorical Exemptions set forth in the CEQA Guidelines, Section 15300.2 apply to this project. Therefore, the proposed project is not expected to have a significant effect on the environment.

Date: March 26, 2019

Prepared by:



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