

Exhibit J

**CITY OF FRESNO  
CATEGORICAL EXEMPTION  
ENVIRONMENTAL ASSESSMENT NO. T-6341/P21-03618**

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:** Dale Mell  
2090 N Winery Ave  
Fresno, CA 93703

**PROJECT LOCATION:** Located on the south side of West McKinley Avenue between  
North State Street and North Dante Avenue  
(APN: 312-730-38)

**PROJECT DESCRIPTION:** Dale G. Mell & Associates, on behalf of Manreet and Rajvir  
Ladhar,, has filed Vesting Tentative Tract Map No. 6341,  
pertaining to approximately 2.68 acres of property located on the  
south side of West McKinley Avenue between North State Street  
and North Dante Avenue. Vesting Tentative Map No. 6341 is a  
request to subdivide the subject property into a 19-lot  
conventional single family residential subdivision.

**This project is exempt under Section 15332/Class 32 of the California Environmental Quality Act (CEQA) Guidelines. None of the exceptions to Categorical Exemptions set forth in the CEQA Guidelines, Section 15300.2 apply to the project.**

Under Section 15332/Class 32, the proposed project is exempt from CEQA requirements when the project is characterized as in-fill development meeting the following conditions:

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

*The subject property is planned for Medium Density Residential (5 to 12 dwelling units per acre) planned land uses. Vesting Tentative Tract Map No. 6341 proposes a 19-lot conventional single-family residential subdivision on approximately 2.68 acres at a density of 7.09 dwelling units per acre. Thus, the subject project is consistent with the designated planned land use.*

*As proposed, the project would be consistent with the Fresno General Plan goals and objectives related to residential land use and the urban form, including:*

**Goal 7:** Provide for a diversity of districts, neighborhoods, housing types, residential densities, job opportunities, recreation, open space, and education 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.

- **Policy UF-1-f** promotes diversity and variations of building types, densities, and scales of development to reinforce the identity of individual neighborhoods, and further affordable housing opportunities.

**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.

- **Policy LU-2-a** promotes infill development in areas where urban services are available.

**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 LU-5-c** promotes the development of medium density residential uses to maximize efficient use of residential property through a wide range of densities.

- **Policy LU-5-h** supports housing that offers residents a variety of amenities including public and private open space, landscaping, with direct access to public transit and community gathering spaces.

As such, the proposed project is consistent with general plan objectives and policies and will not conflict with any applicable land use plan, policy or regulation of the City of Fresno.

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

The State of California Governor's Office of Planning and Research states that infill development refers to "building within unused and underutilized lands within existing development patterns, typically but not exclusively in urban areas. The project is located within the city limits on a total of approximately 2.68 vacant acres. Pursuant to CEQA Section 21159.25, "Substantially surrounded" means at least 75 percent of the perimeter of the project site adjoins, or is separated only by an improved public right-of-way from, parcels that are developed with qualified urban uses. The remainder of the perimeter of the site adjoins, or is separated only by an improved public right-of-way from, parcels that

*have been designated for qualified urban uses in a zoning, community plan, or general plan for which an environmental impact report was certified.*

*Adjacent to the east is a rural residential property, to the south and west are single-family residential neighborhoods, and to the north is an improved public right-of-way (West McKinley Avenue). Therefore, the subject property occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.*

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

*Although the project site is currently vacant, immediately north of the subject property is a major street which generates high volumes of traffic, and developed adjacent rural and single-family residential properties to the east, south and west, which are generally prohibited corridors for species migration, and the site habitat has no trees that would attract birds or other species. As previously stated in Finding b, the site is substantially surrounded by commercial development. Therefore, the site has no value as habitat for endangered, rare, or threatened species.*

**(d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.**

*The project proposes a relatively small number of lots (19) and would not result in any significant effects relating to traffic, noise, air quality, or water quality.*

Traffic

*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 automotive 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 is 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 VMT, 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 VMT and may revise those estimates to reflect professional judgement based on substantial evidence. Any assumptions used to estimate VMT 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.”*

*On June 25, 2020, the City of Fresno adopted CEQA Guidelines for VMT Thresholds, pursuant to SB 743 to be effective as 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 City of 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.*

*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. For development projects, conditions may exist that would presume that a development project has a less than significant impact. These may be size, location, proximity to transit, or trip-making potential. For transportation projects, the primary attribute to consider is the potential to increase vehicle travel, sometimes referred to as “induced travel.”*

*The proposed project is eligible to screen out because pursuant to the City of Fresno VMT Thresholds Section 3.0 (Project Screening), the project proposes an average daily trip (ADT) generation of 179 based on the 11<sup>th</sup> edition of the ITE Trip Generation Manual, which is lower than an ADT of 500 which is considered as a measurement to screen out of VMT.*

### Noise

*The project is a residential use adjacent to other residential uses and would not cause a significant amount of noise compared to the other adjacent uses and would be conditioned to comply with any applicable noise standards of the Citywide Development Code.*

### Air Quality

*The project is conditioned to comply with any applicable regulations and conditions from the San Joaquin Valley Air Pollution Control District and the project is subject to review by the agency in regards to air quality during construction and operation. The project, as described, will not occur at a scale or scope with potential to contribute substantially or cumulatively to existing or projected air quality violations or impacts.*

### Water Quality

*The Fresno Metropolitan Flood Control District (FMFCD) memorandum dated June 6, 2023 states that conveyance of storm water should be directed towards West McKinley Avenue. On-site grading will be reviewed by the City of Fresno Building and Safety Services Division and FMFCD for compliance with storm water conveyance and pollution prevention.*

*The applicant is required to comply with all requirements of the City of Fresno Department of Public Utilities memorandum dated June 1, 2023 which will reduce the project's water impacts to less than significant. When Conditional Use Permits are issued, the applicant will be required to pay drainage fees pursuant to the Drainage Fee Ordinance.*

*Therefore, compliance with the conditions of approval will ensure that the proposed project will not result in any significant effects relating to traffic, noise, air quality, and water quality.*

**(e) The site can be adequately served by all required utilities and public services.**

*The project has been routed to various utilities and public service providers which have provided project conditions for development of the project. The City of Fresno Department of Public Utilities, Water Division has reviewed the proposed project and has determined that water service will be available to the proposed project.*

*The project is surrounded by existing streets, sidewalks, gutters,, and similar facilities.*

*As such, the site can be adequately served by all required utilities and public services.*

*None of the exceptions to Categorical Exemptions set forth in the CEQA Guidelines, Section 15300.2 apply to the project. No potential cumulative or significant effects will result from the project. The proposed project will not result in damage to scenic resources. The project is not located on land identified as a hazardous waste site on any list compiled pursuant to Section 65962.5 of the Government Code. There are no historic resources on the subject property for which the project may cause a substantial adverse change in significance.*

*Therefore, the proposed project is not determined to have a significant effect on the environment. A categorical exemption, as noted above, has been prepared for the project and the area is not environmentally sensitive.*

Date: July 21, 2023

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Submitted by:



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