

CEQA Consistency Determination - North Fulton Parking Structure (CP00005) - PLAN REVIEW

Structure Type: Parking Structure (Public, Residential)
APN: 46620650T

Cal. Code Regs. Tit. 14, § 15183 - Projects Consistent with a Community Plan, General Plan, or Zoning:

(a) CEQA mandates that projects which are consistent with the development density established by existing zoning, community plan, or general plan policies for which an EIR was certified shall not require additional environmental review, except as might be necessary to examine whether there are project-specific significant effects which are peculiar to the project or its site. This streamlines the review of such projects and reduces the need to prepare repetitive environmental studies.

Local Development Codes:

Municipal Code Section 15-104 states that the code is applicable to "private property", which this property is not and is intended to remain owned/operated by the City after the project has been completed. Based on this premise, municipal and development codes do not apply and are therefore treated as recommendations rather than a basis for approval by the Planning Dept. For a City-owned/operated capital project such as the North Fulton Parking Structure, Building & Safety review would be conducted as usual, however, Planning review would be conducted for reference only, if at all.

Plan	Section	Page	Description	Notes
Fulton Corridor Specific Plan October 20, 2016	Narrative: This Development Plan specifically mentions a parking structure at the location where the proposed project is intended to be built. There are variations of how the structure is configured, but the site intent detailed within the Plan aligns with what is being proposed.			
	5.3.1	5:6	This section describes "a parking garage lined with ground floor retail uses and upper floor residential or office uses" at the site where the proposed North Fulton Parking Structure is to be located. "The new parking structure will accommodate the parking needs for the proposed High-Speed Rail station, the new development, and the mural district."	The proposed project is consistent with this element of the plan.
	5.3.1	5:7	Diagrams illustrate the parking structure with its residential units lining the north, west, and south sides of the structure. Item number 5 in the figure.	The proposed project is substantially consistent with the structure contemplated in the plan. The North Fulton Parking Structure (NFPS) will support a residential building on the northern half of the property.
	5.3.3	5:11	Diagram shows new parking structure at the proposed location servicing the future High Speed Rail station. Item number 6 in the figure.	The proposed project is consistent with this element of the plan.
	Figure 6.2A	6:3	Diagram shows the block for the proposed parking structure being surrounded by Retail Priority B, where, "the ground floor of buildings may consist of retail, dining, and entertainment uses, as well as office and residential uses."	The proposed project is substantially consistent with the structure contemplated in the plan. The NFPS will not have ground floor retail or offices but will be supporting a residential building on the northern half of the property. It would be possible to add retail uses to the site at a later date.
	Table 6.4A	6:11	Definition of DTC (Downtown Core) which is the zoning the NFPS is subject to.	The proposed project is consistent with the current zoning designation.
	Figure 9.4B	9:16	Figure showing proposed public parking structures, which includes the site of the North Fulton Parking Structure.	The proposed project is consistent with this element of the plan.
	Figure 11.7A	11:23	Shows the location of the plan's transportation projects, including the parking structure to be built where the NFPS has been proposed.	The proposed project is consistent with this element of the plan.
	Table 11.7A	11:28	T-P.11 - "Implement the parking strategy for the Fulton Corridor and HSR" "T-P.11.1 Half-block bounded by the alley and Broadway St., Fulton St., and Merced St."	The proposed project is an essential compent of this element of the plan.
Downtown Neighborhoods Community Plan October 20, 2016	Narrative: This Development Plan does not specifically mention the North Fulton Parking Structure, however, its themes align with the intent of the proposed project.			
	Chpt. 2.E - 2.2.5	2:12	"Catalyze Downtown's revival by revitalizing the Fulton District."	The proposed project is consistent with this element of the plan. The Fulton District is in need of public parking to support nearby attractions like Warnor's Theater, future HSR station, Chukchansi Park, etc.
	Chpt. 2.E - 2.4	2:12	"Promote a greater concentration of buildings and people in Downtown Fresno."	The proposed project is consistent with this element of the plan. The project site is currently an underutilized surface parking lot.
	Chpt. 2.E - 2.4.6	2:12	"Support new development in Downtown through investment in public infrastructure."	The proposed project is an essential compent of this element of the plan.
	Chpt. 2.E - 2.4.7	2:12	"Encourage infill of vacant or underutilized land with buildings that are compatible with the existing physical, climatic, cultural, and historical context."	The proposed project is consistent with this element of the plan.
	Chpt. 2.E - 2.5	2:12	"Promote a diverse mix of uses in Downtown Fresno. Intent: To encourage the location of specialty destinations that serve as regional and city-wide attractors (CAP Urb 3-2), and to promote walking as a viable mode of everyday transportation in order to support retail and commercial activity."	The proposed project is consistent with this element of the plan. NFPS conveniently enables Fresnans who reside outside of the downtown area to park and be within walking distance of multiple attractions.
	Chpt. 2.E - 2.6	2:13	"Develop each of Downtown's subareas, as established by the Fulton Corridor Specific Plan, according to its unique character. Intent: To support the unique identity and character of each of Downtown's identified subareas as defined in the Fulton Corridor Specific Plan: the Fulton District, Chinatown, the Mural District, South Stadium, Armenian Town/Convention Center and Divisadero Triangle."	The proposed project is an essential component of this element of the plan as the NFPS is specifically mentioned in the Fulton Corridor Specific Plan.
	Chpt. 2.E - 2.8.2	2:14	"Ensure that property near the proposed High-Speed Rail station develops with high-density transit-oriented projects."	The proposed project is consistent with this element of the plan in that it will service the HSR station.
	Chpt. 2.E - 2.8.5	2:14	"Encourage the creation of a seamless connection between Downtown and the proposed High-Speed Rail station."	The proposed project is consistent with this element of the plan in that it will service the HSR station.

Downtown Neighborhoods Community Plan - Continued				
	Chpt. 2.E - 2.8.6	2:14	"Strive to locate shared High-Speed Rail station area parking structures in a manner that encourages station users to also become potential customers for Downtown businesses."	The proposed project is substantially consistent with this element of the plan. The NFPS will allow HSR passengers easy access to attractions like Warnor's Theater, Chuckchansi Park, etc.
General Plan December 18, 2014	Narrative: This Development Plan does not specifically mention the North Fulton Parking Structure, however, its themes align with the intent of the proposed project.			
	Goal 2	1-5	"Support a successful and competitive Downtown. Emphasize infill development and a revitalized central core area as the primary activity center for Fresno and the region by locating substantial growth in the Downtown, and along the corridors leading to the Downtown . . ."	The proposed project is consistent with this element of the plan.
	Goal 9	1-6	"Promote a city of healthy communities and improve quality of life in established neighborhoods. Emphasize supporting established neighborhoods in Fresno with safe, well maintained, and accessible streets, public utilities, education and job training, proximity to jobs, retail services, health care, affordable housing, youth	The proposed project is consistent with this element of the plan in that it will improve the ease of automobile transportation to the downtown area.
	Goal 10	1-7	"Emphasize increased land use intensity and mixed-use development at densities supportive of greater use of transit in Fresno. Greater densities can be achieved through encouragement, infrastructure and incentives for infill and revitalization along major corridors and in Activity Centers."	The proposed project is consistent with this element of the plan.
	Goal 11	1-7	"Emphasize and plan for all modes of travel on local and Major Streets in Fresno. Facilitate travel by walking, biking, transit, and motor vehicle with interconnected and linked neighborhoods, districts, major campuses and public facilities, shopping centers and other service centers, and regional transportation such as air, rail, bus and highways."	The proposed project is consistent with this element of the plan. NFPS promotes bicycle transportation by having dedicated bicycle parking.
	3.3, UF-10	3-15	"Calibrate parking according to the Downtown's parking needs and make it efficient and easy to find."	The proposed project is consistent with this element of the plan.
	3.3, UF-11	3-15	"Revitalize the Fulton Corridor consistent with the reconstruction project."	The proposed project is consistent with this element of the plan.
	3.6, D-1-g	3-61	"Reducing Surface Parking. Consider adopting and implementing incentives to replace existing large surface parking lots in centers with parking structures, and to incorporate them into high-density mixed-use developments. Calibrate parking according to the Downtown's parking needs and make it efficient and easy to find."	The proposed project is an essential compent of this element of the plan.
	4.4	4-16	This section describes the City's attempt to make Fresno more friendly to bicyclists and how that is to be implemented.	The proposed project is consistent with this element of the plan. NFPS promotes bicycle transportation by having dedicated bicycle parking.
	4.4, MT-2-c	4-30	"Reduce VMT through Infill Development. Provide incentives for infill development that would provide jobs and services closer to housing and multi-modal transportations corridors in order to reduce citywide vehicle miles travelled (VMT)."	The proposed project is consistent with this element of the plan. By supplying parking to tenants of the future housing developments and potential fleet parking to neighboring businesses, VMT can be reduced.
	4.4, MT-4-h,i	4-37	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	The proposed project is consistent with this element of the plan. NFPS promotes bicycle transportation by having dedicated bicycle parking.
Fresno Municipal Code	Narrative: It is the intent of the proposed project to conform to these standards, however, due to the applicability of these standards to City projects built on City-owned property, these requirements will be referenced as recommendations only. Please			
	Chpt 15., Pt. II, Art. 15 15-1501.C		"Activity Class B. Streets in Activity Class B are walkable urban corridors with moderate pedestrian activity. As put forth in Table 15-1502, retail, restaurant, and entertainment uses are appropriate in these areas, but ground floor residential or office uses are also appropriate."	The proposed project is consistent with the current code designation.
	Chpt 15., Pt. II, Art. 15 Table 15-1502		"Parking, Public or Private" is designated as a Permitted use.	The proposed project is consistent with the current code requirement.
	Chpt 15., Pt. II, Art. 15 Table 15-1503		"Building and Parking Placement and Building Massing Standards"	The proposed project is intended to be compliant with these code requirements. Review by City Planning Department to confirm upon completion of Construction Drawings.

CEQA Consistency Determination - North Fulton Parking Structure (CP00005) - EIR REVIEW

Fulton Corridor Specific Plan, Environmental Impact Report (EIR)

July 28, 2016

Applicable Mitigation Measures

The mitigation measures taken from the Fulton Corridor Specific Plan EIR listed below have been found to be applicable, in part or fully, to the proposed project. Please refer to the EIR for the complete description of each mitigation measure as the descriptions communicated below have been paraphrased to maintain the simplicity of this document. Note that if an environmental impact does not require a mitigation measure, it is not listed on this table.

The North Fulton Parking Structure Project does not have any significant impact over what was considered in the Fulton Corridor Specific Plan EIR.

Section	Page	Impact	Mitigation Measure (MM)
5.1-22	Page 194	Impact AES-4: The project would create a new source of substantial light or glare which would adversely affect day or nighttime views in the area.	<i>Project-Specific:</i> AES-4a: 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. AES-4b: Lighting systems for public facilities such as active play areas shall provide adequate illumination for the activity; however, low-intensity light fixtures and shields shall be used to minimize spillover light onto adjacent properties. AES-4c: Lighting systems for non-residential uses, not including public facilities, shall provide shields on the light fixtures and orient the lighting system away from adjacent properties. Low-intensity light fixtures shall also be used if excessive spillover light onto adjacent properties will occur. AES-4d: 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 that have an average light intensity of 2.0 horizontal footcandles or greater. AES-4e: Materials used on building facades shall be non-reflective. <i>Cumulative:</i> Implementation of Mitigation Measures AES-4a through AES-4e is required.
5.4-18	Page 288	Impact BIO-1: Construction within the plan area will be aware of all special-status species of wildlife and plantlife. Please refer to each mitigation	<i>Project Specific:</i> BIO-1a: Before construction begins, developers must avoid disturbing areas that could serve as habitat for special-status species. If avoidance isn't feasible, a qualified biologist must conduct pre-construction surveys to determine if such species are present. BIO-1b: If the project may affect species protected under state or federal law, the developer must consult with the appropriate wildlife agencies (e.g., California Department of Fish and Wildlife or U.S. Fish and Wildlife Service) and obtain necessary permits. Mitigation measures recommended by these agencies must be implemented. BIO-1c: If habitat loss is unavoidable, developers must compensate by preserving, restoring, or enhancing similar habitat. This can be done on-site, off-site, or through the purchase of credits from a mitigation bank, depending on the quality and type of habitat affected. BIO-1d: To protect nesting birds, construction should be scheduled outside the nesting season (typically February through August). If work must occur during this period, a qualified biologist must survey the area beforehand. If active nests are found, a buffer zone must be established, and construction must be delayed near the nest until the young have fledged. <i>Cumulative:</i> Implementation of Mitigation Measures BIO-1a through BIO-1d is required.

EIR Review Continued			
Section	Page	Impact	Mitigation Measure (MM)
5.5-33	Page 333	Impact CUL-1: The project could cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5.	<i>Project Specific:</i> CUL-1: All development projects within the DNCP, FCSP, and Downtown Development Code (DDC) areas must undergo a cultural resources assessment. This includes a records search, historical research, field surveys, and evaluation of any historic or prehistoric resources. Findings must be documented and submitted to the City and relevant databases. CUL-2: Efforts should be made to preserve, rehabilitate, and reuse historic structures, even if they are not formally designated as historic. This aligns with the City's General Plan and DNCP policies. CUL-3: If a project involves ground disturbance in areas with moderate to high archaeological sensitivity, a qualified archaeologist must monitor the work. The archaeologist must also train construction crews on how to recognize and respond to potential archaeological finds. CUL-4: If previously unknown cultural resources are encountered during grading activities, construction shall stop in the immediate vicinity of the find and an archaeologist shall be consulted to determine whether the resource requires further study. <i>Cumulative:</i> Implementation of Mitigation Measure CUL-1 through CUL-4 is required.
5.5-42	Page 342	Impact CUL-2: The project could cause a substantial adverse change in the significance of a prehistoric archaeological resource pursuant to Section 15064.5.	<i>Project Specific:</i> CUL-5: Monitoring by an archaeologist shall be conducted during ground disturbing activities within 300' of Fresno Chinatown Block 51, Fresno Block 354, and Block 1052 isolate as these have been identified as archaeological sites within the FCSP/DNCP areas. CUL-6: If future archaeological sites are identified, a qualified archaeologist and a Native American representative must monitor any ground-disturbing activities in those areas. A monitoring plan must be developed, and if any new cultural resources are found, work must stop within 100 feet of the discovery until the find is evaluated and appropriate mitigation is implemented. <i>Cumulative:</i> Implementation of Mitigation Measure CUL-1, as well as Mitigation Measures CUL-4, CUL-5, and CUL-6 are required.
5.5-44	Page 344	Impact CUL-3: The project could directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.	<i>Project Specific:</i> CUL-7: If a project involves excavation in previously undisturbed soils, a qualified paleontologist must conduct a field survey and literature review to assess the potential for paleontological or unique geological resources. If such resources are found, appropriate mitigation—such as avoidance, preservation, or data recovery—must be implemented. If no resources are found, construction may proceed, but if discoveries occur during excavation, work must stop and the resources must be evaluated and treated accordingly. <i>Cumulative:</i> Implementation of Mitigation Measure CUL-3 is required.
5.5-46	Page 346	Impact CUL-4: The project would not disturb any human remains, including those interred outside of formal cemeteries.	<i>Project Specific:</i> CUL-8: If human remains are discovered during construction, all work must stop immediately in the area of the find. The County Coroner must be notified to determine the origin of the remains. If the remains are determined to be of Native American origin, the Native American Heritage Commission must be contacted, and consultation with the most likely descendant must occur to determine appropriate treatment and disposition. <i>Cumulative:</i> Implementation of Mitigation Measure CUL-4 is required.
5.7-46	Page 406	Impact GHG-1: The project would generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.	<i>Project Specific:</i> No mitigation measures beyond implementation of General Plan policies are feasible. <i>Cumulative:</i> No mitigation measures beyond implementation of General Plan policies are feasible.

EIR Review Continued			
Section	Page	Impact	Mitigation Measure (MM)
5.8-25	Page 443	Impact HAZ-1: The project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.	<i>Project Specific:</i> HAZ-1a: Before grading permits are issued, a Phase I Environmental Site Assessment (ESA) must be conducted for each property to identify any recognized environmental conditions (RECs), historical RECs, or potential environmental concerns (PECs). HAZ-1b: If the Phase I ESA identifies RECs or PECs, a Phase II ESA must be performed. This may include soil, groundwater, or vapor sampling, and geophysical surveys to detect underground tanks or other subsurface features. HAZ-1c: If contamination is confirmed, further site characterization must be conducted to determine the extent of contamination. This will inform the development of a remedial action plan or risk assessment. HAZ-1d: If contamination exceeds regulatory thresholds, remediation must be completed under the oversight of appropriate agencies (e.g., DTSC, RWQCB, or Fresno County Environmental Health). This may involve soil or water treatment or removal. HAZ-1e: If demolition or renovation is planned, surveys for asbestos-containing materials and lead-based paint must be conducted. If present, materials must be managed in accordance with applicable air quality and safety regulations, including notification to the local air district. <i>Cumulative:</i> Implementation of Mitigation Measures HAZ-1a through HAZ-1e would reduce potential cumulative impacts to less than significant. Thus, no additional mitigation measures are required.
5.8-29	Page 447	Impact HAZ-2: The project would not 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.	<i>Project Specific:</i> The following project-specific mitigation measures (listed earlier in this section regarding hazardous materials) are anticipated to reduce potential impacts regarding the creation of a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving release of hazardous materials into the environment: Mitigation Measures HAZ-1a, HAZ-1b, HAZ-1c, HAZ-1d and HAZ-1e. <i>Cumulative:</i> No additional mitigation measures have been identified for cumulative impacts beyond the projectspecific mitigation required and identified above.
5.9-30	Page 448	Impact HAZ-3: The project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.	<i>Project Specific:</i> HAZ-3a: Businesses that handle hazardous materials in quantities above regulatory thresholds must submit a Business Plan. If they exceed threshold quantities of regulated substances, they must also prepare a Risk Management Plan in compliance with federal and state requirements. HAZ-3b: If unknown soil contamination is discovered during grading, the site must be characterized through a Phase II Environmental Site Assessment (ESA) to determine the source and extent of contamination. HAZ-3c: If contamination is confirmed above regulatory thresholds, the site must be remediated under the oversight of appropriate agencies (e.g., DTSC, RWQCB, or Fresno County Environmental Health). This may involve removal or treatment of contaminated soil or water. <i>Cumulative:</i> No additional mitigation measures are required for cumulative impacts regarding emission of hazardous emissions or handling of hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school.
5.9-21	Page 481	Impact HYD-2: The project would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted).	<i>Project Specific:</i> HYD-2a: The City shall develop and implement water conservation measures to continue to reduce the per capita water use to 247 gallons per capita per day by General Plan Buildout. HYD-2b: The City shall continue to be an active participant in the Kings Water Authority and the implementation of the Kings Basin Integrated Regional Water Management Plan. <i>Cumulative:</i> Implementation of Mitigation Measures HYD-1, and HYD-2 is required.

EIR Review Continued			
Section	Page	Impact	Mitigation Measure (MM)
5.14-105	Page 723	Impact TRANS-2: The addition of project traffic to the roadway network results in unacceptable intersection operations at City of Fresno intersections outside the Downtown Planning Area.	<i>Project Specific:</i> No mitigation measures are required. <i>Cumulative:</i> TRANS-2a: The City of Fresno must monitor AM and PM peak-hour traffic operations at impacted intersections at least every 3 years. Once any intersection reaches Level of Service (LOS) E, a Transportation Management Association (TMA) must be formed and funded. The TMA will implement Transportation Demand Management (TDM) strategies such as discounted transit passes, ridesharing programs, shuttle services, and flexible work schedules to reduce peak-hour vehicle trips. TRANS-2b: If monitoring shows that a project causes an intersection to operate at an unacceptable LOS (E or F), or adds more than 5 seconds of delay to an already failing intersection, the City must implement feasible mitigation. This may include TDM strategies or physical improvements like new signals, turn lanes, or roundabouts to restore acceptable traffic operations.
5.14-108	Page 726	Impact TRANS-3: The addition of project traffic to the roadway network results in unacceptable intersection operations at Caltrans study intersections.	<i>Project Specific and Cumulative:</i> TRANS-3a: The City of Fresno must monitor traffic operations at Caltrans-controlled intersections every 3 years. If any intersection reaches Level of Service (LOS) D or worse, a Transportation Management Association (TMA) must be established and funded. The TMA will implement Transportation Demand Management (TDM) strategies such as discounted transit passes, ridesharing, shuttle services, and flexible work schedules to reduce peak-hour vehicle trips. TRANS-3b: The City must implement General Plan Policies MT-2j and MT-2l, which focus on securing funding and partnerships to support a multimodal transportation system and address regional traffic impacts. This includes coordination with Caltrans and other agencies to mitigate congestion at state-controlled intersections.
5.14-123	Page 741	Impact TRANS-4: The addition of project traffic to the roadway network results in unacceptable freeway operations.	<i>Project Specific and Cumulative:</i> TRANS-4a: The City of Fresno must monitor AM and PM peak-hour traffic operations at impacted freeway segments every 3 years. If LOS D or worse is reached, a Transportation Management Association (TMA) must be formed and funded to implement Transportation Demand Management (TDM) strategies (e.g., discounted transit passes, ridesharing, shuttle services, flexible work schedules). TRANS-4b: Implement General Plan Policy MT-2-j and MT-2-l pursuant to Fresno General Plan MEIR impact TRANS-1 to seek funding for a multimodal transportation system and funding mechanism to address region-wide traffic impacts.
5.14-127	Page 745	Impact TRANS-5: The addition of project traffic to the roadway network results in unacceptable queuing at freeway off-ramps.	<i>Project Specific and Cumulative:</i> TRANS-5a: The City of Fresno must monitor AM and PM peak-hour traffic queuing at impacted freeway off-ramps every 3 years. If queues extend into the deceleration zone (as defined by Caltrans Highway Design Manual), a Transportation Management Association (TMA) must be formed and funded to implement Transportation Demand Management (TDM) strategies. These may include discounted transit passes, ridesharing programs, shuttle services, and flexible work schedules to reduce peak-hour vehicle trips. TRANS-5b: Implement General Plan Policy MT-2-j and MT-2-l pursuant to Fresno General Plan MEIR impact TRANS-1 to seek funding for a multimodal transportation system and funding mechanism to address region-wide traffic impacts.