

## **NOTICE OF EXEMPTION**

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FROM: City of Fresno Planning and Development Department  
2600 Fresno Street  
Fresno, California 93721-3604

TO: X Fresno County Clerk  
2220 Tulare Street – First Floor Lobby  
Fresno, California 93721

\_\_\_\_\_ Office of Planning & Research  
P.O. Box 3044, Room 212  
Sacramento, California 95812-3044

**Project Title:** Environmental Assessment No. P23-00961

**Project Location:** 2761 South Cherry Avenue; Located on the northeast corner of South Cherry and East Annadale Avenues. (APN: 328-300-21)

**Project Location – city:** City of Fresno **Project Location- county:** County of Fresno

**Description of Nature, Purpose and Beneficiaries of Project:** Development Permit Application No. P23-00961 proposes the development of a truck parking facility (Project) pertaining to one (1) parcel that is approximately 2.32 acres in size. The Project site is currently vacant with off-site improvements along South Cherry Avenue and East Annadale Avenue, including curb, gutter, sidewalk, and streetlights. No vegetation or water features exist on the site.

The Project includes the installation of four (4) 720-square foot mobile office trailers, 37 truck parking stalls, 10 automobile parking spaces, bicycle parking within the buildings, and site landscaping to be installed and constructed in four (4) phases.

- Phase 1 would include one (1) mobile office trailer, 37 truck parking stalls, 10 automobile parking stalls, and site landscaping.
- Phase 2 would include one (1) mobile office trailer.
- Phase 3 would include one (1) mobile office trailer.
- Phase 4 would include one (1) mobile office trailer.

The mobile office trailers constructed in Phase 2 to 4 would be used as leasable space for trucking companies. Bicycle parking is provided within the buildings. Since the Project proposes construction in an area larger than one (1) acre, the Project will establish a Stormwater Pollution Prevention Plan (SWPPP) in compliance with the NPDES stormwater program. The Project also proposes a combination of six (6)-foot high wrought iron fencing along the frontage of the site, chain link fencing along the site's perimeter, and cameras for security purposes. Access to the site would be through the 35-foot-wide wrought iron gate along Annadale Avenue.

**Name of Public Agency Approving Project:**

City of Fresno

**Name of Person or Agency Carrying Out Project:**

Sean Odom of GMA Engineering  
7337 North Effie Street, Suite #110  
Fresno, CA. 93720

**Exempt Status:** (check one)

- ☐ Ministerial - PRC § 21080(b)(1); CEQA Guidelines §15268
- ☐ Declared Emergency - PRC § 21080(b)(3); CEQA Guidelines §15269(a)
- ☐ Emergency Project - PRC § 21080(b)(4); CEQA Guidelines §15269(b) and (c)
- ☒ **Categorical Exemption – CEQA Guidelines §15332/Class 32 (In-Fill)**
- ☐ Statutory Exemption – PRC § \_\_\_\_\_

**Reasons why project is exempt:**

**This project is exempt under Section 15332/Class 32 of the California Environmental Quality Act (CEQA) Guidelines as follows:**

Section 15332/Class 32 consists of projects characterized as in-fill development meeting the conditions described in this section:

- 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.

*According to the Fresno General Plan, the Project site has a planned land use designation of Heavy Industrial. The Heavy Industrial land use designation “accommodates the broadest range of industrial uses including manufacturing, assembly, wholesaling, distribution, and storage activities that are essential to the development of a balanced economic base. Small-scale commercial services and ancillary office uses are also permitted.” The proposed use, mobile office trailers and truck parking for trucking companies, is consistent with this land use designation.*

#### Objectives

Objective LU-7-c: Efficiency of Industrial Uses. Promote industrial land use clusters to maximize the operational efficiency of similar activities.

*The Project site is located in an area primarily surrounded by existing industrial uses, including manufacturing, trucking, and contractor services.*

Objective LU-7-d. Industrial Waste. Establish appropriate development standards and review procedures in the Development Code for industrial waste recycling operations and waste transfer stations.

*While this policy is not project-specific, the proposed Project is subject to compliance with the Development Code for industrial waste recycling operations and waste transfer stations.*

Objective LU-7-e. Shared Parking for Industrial Uses. Promote use of shared surface parking and other arrangements necessary to meet industrial needs with updated parking regulations.

*The Project proposes 10 automobile parking spaces for the proposed office spaces and bicycle parking within the buildings. As such, the Project meets the requirements of the Fresno Municipal Code (FMC) regulations, which requires 9.6 parking spaces for the project (720 square feet \* 4 offices / 300 square feet). The proposed parking spaces will be shared among the four (4) different trucking companies that would be occupying the four (4) mobile office trailers.*

*Therefore, the Project is consistent with the applicable general plan designation and all applicable general plan policies. The Project site is within the IH – Heavy Industrial Zone District. According to Section 15-1301 of the FMC, the IH – Heavy Industrial Zone District is intended to accommodate the broadest range of industrial uses, including manufacturing, assembly, wholesaling, distribution, and storage activities. Small-scale commercial services and ancillary office uses are also permitted.*

*According to use regulations for employment districts, freight/truck terminals and warehouses are permitted in the IH Zone District. Future development would be subject to review and approval by the City during the entitlement review process and shall meet all applicable zoning regulations including but not limited to density, intensity, and massing development standards (FMC Section 15-1303), site design development standards (FMC Section 15-1304), and façade design development standards (FMC Section 15-1305). Since the Project does not propose deviation from zoning requirements, through compliance, it can be determined that the Project is consistent with the zoning designation and associated regulations.*

- b) 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 consists of one (1) parcel that is approximately 2.32 acres in size. The site is located within Fresno city limits, on the northeast corner of South Cherry Avenue and East Annadale Avenue at 2751 South Cherry Avenue, Fresno, CA 93706. The site is designated by the Fresno General Plan for industrial use. Surrounding existing uses and structures include industrial (north, south, west), commercial (west), and a ponding basin (east). Existing uses within the broader Project vicinity (i.e., 0.25-mile radius) comprise a mix of industrial, commercial, and open space uses. Thus, the Project occurs within city limits on a site with an area of work that is no more than five (5) acres and is substantially surrounded by urban uses. Adjacent to the north are developed properties with single family residences. Adjacent to the west are existing commercial uses (Arsenio's Mexican Restaurant, laundromat, and cellular phone store). Adjacent to the east are single family residences. And, adjacent to the south are existing commercial uses (Chinese restaurant and 7-Eleven Store). Thus, the subject property is substantially surrounded by urban uses.*

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

*The Project site is currently vacant with off-site public improvements along South Cherry Avenue and East Annadale Avenue, including curb, gutter, sidewalk, and streetlights. The site has been highly disturbed as it is frequently disked and graded. According to California Natural Diversity Database (CNDDDB), special-status species that have occurred within five (5) miles of the Project site include Swainson's hawk (occurrence date: 1956, 2016), Crotch bumble bee (occurrence date:1899), California jewelflower, California tiger salamander (occurrence date:1936).*

*Table 2 of the associated Categorical Exemption provides an analysis of essential habitats and the potential for the existence of the special-status species to exist on the Project site. There are no existing natural elements on site such as vegetative cover, native trees and plant species, or water features. A technical memorandum prepared by Argonaut Ecological Consulting, Inc., dated October 19, 2023, found no evidence to suggest that the site supports ground burrowing mammal populations. The memo also demonstrates that an existing fenced ponding basin, approximately 350 feet east of the site, is not associated with any natural drainage or pond, thus would not serve aquatic habitat nor mammals.*

*In addition, the site is within an established urban neighborhood and is surrounded by existing industrial and commercial uses. Consequently, the site and surrounding area are highly disturbed and lack cover, vegetation, and water features that would otherwise provide habitat for special status species. Thus, the Project site has no value as a habitat for endangered, rare, or threatened species and no impact would occur as a result of the Project.*

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

*The proposed project was routed to the San Joaquin Valley Air Pollution Control District, the City of Fresno Public Utilities Department - Water Division, Fresno Metropolitan Flood Control District, the City of Fresno Public Works Department - Traffic Division, and no significant effects were identified relating to traffic, noise, air quality, or water quality, as provided in detail below.*

#### 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, including:*

- The project is within 0.5 mile (mi) of a Transit Priority Area or a High-Quality Transit Area unless the project is inconsistent with the Regional Transportation Plan (RTP)/SCS, has a floor area ratio (FAR) less than 0.75, provides an excessive amount of parking, or reduces the number of affordable residential units.*
- The project involves local-serving retail space of less than 50,000 square feet.*
- The project has a high level of affordable housing units.*
- The project generates a low volume of daily traffic. The City will allow screening out projects if the project would generate less than 500 ADT.*
- The development of institutional/government and public service uses that support community health, safety, and welfare.*

*The proposed Project is eligible to screen out because the Project generates less than 500 average daily trips (ADT). This trip generation analysis uses trip generation rates from ITE 11th edition, Land Use Code 110 – General Light Industrial. A General Light Industrial facility is a free-standing facility devoted to a single use with emphasis on activities other than manufacturing and typically has minimal office space. Since the Project proposes a trucking*

*facility with office space, this land use type is appropriate to estimate the Project's trip generation. Land Use Code 110 has an average 4.87 ADT generation rate per 1,000 square-foot ground floor area (GFA). As such, the Project is anticipated to generate approximately 14 ADT (720 sf. \* 4 buildings / 1,000 \* 4.87 = 14.0256 ADT). Since the Project would generate less than 500 ADT, the Project will result in a less than significant VMT impact and is consistent with CEQA Guidelines Section 15064.3(b).*

### Noise

*The Project site is an infill site located within an urban neighborhood surrounded by existing urban uses including industrial, commercial, and open space/ponding basin uses. As such, there are existing ambient noise levels that are typical of these types of developments including traffic. Development of the site for an industrial use would not generate a new, noise generating source that would not otherwise occur in the Project vicinity (i.e., 0.25-mile radius). In addition, there are no sensitive land uses (i.e., residential, schools, churches, nursing homes, hospitals, and open space/recreation areas) within the vicinity of the Project. The nearest sensitive land uses are single-family residences approximately 0.3 miles northwest of the site and West Fresno Middle School approximately 0.7 miles southwest of the site. While the Project would require construction, construction-related noise impacts would be temporary, short-term, and subject to compliance with FMC Section 10-109, which limits construction hours. Operational uses would not create significant noise impacts since no amplifying system is proposed. While noise would mainly be generated by traffic, traffic generation would be limited, as analyzed above. For these reasons, the Project would not result in any significant effects relating to noise.*

### Air Quality

*The San Joaquin Valley Air Pollution Control District (SJVAPCD) recommends a three-tiered approach to analysis based on project size to allow project screening for significant impacts. The first tier is the Small Project Analysis Level (SPAL), the second tier is a Cursory Analysis Level (CAL) for projects exceeding the SPAL criteria, and the third tier is a Full Analysis Level (FAL), which is the level of analysis that is usually required for an EIR. The SPAL was established by the SJVAPCD on November 13, 2020, and the threshold for the SPAL was performed based on CalEEMod version 2016.3.2. The Project would not have any significant effects relating to air quality pursuant to the SJVAPCD SPAL based on 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. Based on the Project description, the applicable land use types for the proposed Project include the General Light Industry land use type.*

*Altogether, the proposed Project generates under the 550 ADT and 70 HHDT threshold and thus the Project would have a less than significant impact on air quality and is excluded from quantifying criteria pollutant emissions for CEQA purposes.*

## Water Quality

*The Project site is an infill site with existing industrial and commercial development surrounding its north, south, and west. Development of the Project would require connections to existing utilities including water and stormwater systems. Because the site is greater than one (1) acre in size, the Applicant is required to prepare a Stormwater Pollution Prevention Plan (SWPPP) in compliance with the NPDES stormwater program, as shown in the Project Description. 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 for the Project to result in substantial soil erosion or loss of topsoil and impacts would be less than significant.*

*The City of Fresno is under the jurisdiction of the California Regional Water Quality Control Board (RWQCB) Central Valley NPDES Permit and Waste Discharge Requirements General Permit for Discharges from Municipal Separate Storm Sewer Systems (MS4), Order Number R5-2016-0040-014, NPDES Number CA S0085324 ("MS4 Permit"). The MS4 Permit requires compliance with stormwater quality controls as identified in the Fresno Clovis Storm Water Quality Management Construction and Post-Construction Guidelines. Compliance would reduce the potential for discharge of pollutants in violation of water quality standards or waste discharge requirements and impacts would be less than significant.*

*Stormwater infiltration has the potential to affect groundwater quality whereby rainfall and stormwater runoff flow into and through the subsurface soil. A majority of the Project site would be of impervious surface. Runoff from the site would be collected and diverted to the storm drainage system through existing drainage services. Further, runoff resulting from the Project would be managed by the FMFCD in compliance with the Storm Drainage and Flood Control Master Plan in addition to approved grading and drainage plans. Therefore, potential for stormwater infiltration reaching subsurface soils and impacting groundwater quality is limited and impacts would be less than significant.*

*The SWPPP and MS4 Permit are standardized (non-project specific) and pre-existing project features, these features are taken into account prior to making a significance determination. Overall, compliance with SWPPP, MS4 Permit, FMFCD regulations, and approved grading and drainage plans would minimize the potential for the Project to violate any water or waste discharge requirements or otherwise substantially degrade surface or ground water quality and impacts would be less than significant.*

- 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 site has been reviewed and conditioned by the Fresno Metropolitan Flood Control District, Fresno County Environmental Health Division, City of Fresno Public Works Department, City of Fresno Public Utilities Department, Washington Union School District, City of Fresno Police Department, and the City of Fresno Fire Department.*

*In addition, given the surrounding properties and neighborhood have been substantially developed and utilities and public services already exist in the area. The site can be adequately served by all required utilities, including sewer, water, and solid waste, as well as public services.*

None of the exceptions to Categorical Exemptions set forth in the CEQA Guidelines, Section 15300.2 apply to this project. Furthermore, as the subject site is a developed property in an urbanized commercial area, the proposed project is not expected to have a significant effect on the environment. Accordingly, a categorical exemption, as noted above, has been prepared for the project.

**Lead Agency Contact Person:** Erik Young, Supervising Planner  
City of Fresno Planning and Development Department

**Full telephone no.:** (559) 621-8009

**If filed/signed by applicant:**

Attach certified document of exemption finding ☐ (check if attached)

Has a Notice of Exemption been filed by the public agency approving the project? ☐ Yes ☐ No

**Signature:** Erik Young **Date:** September 27, 2024

**Printed Name and Title:** Erik Young, Supervising Planner  
City of Fresno Planning and Development Department

☒ **Signed by Lead Agency**

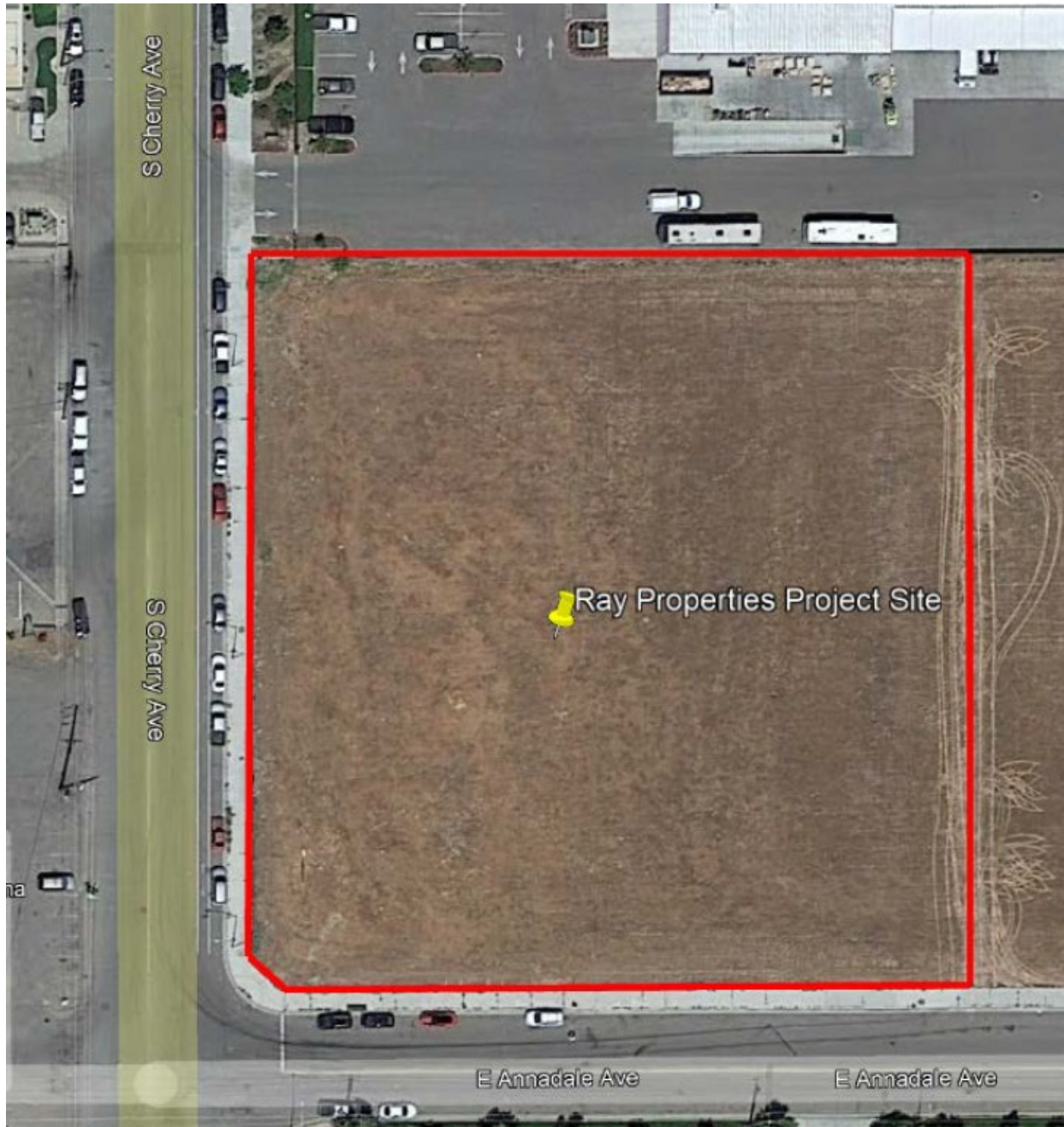
☐ **Signed by applicant**

**Attachments:** Vicinity Map & Categorical Exemption



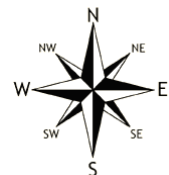
# VICINITY MAP/SITE LOCATION

2761 South Cherry Avenue



## LEGEND

Subject Property 



Planning and Development Department  
2600 Fresno Street, Room 3043 · Fresno, CA 93721 · Phone (559) 621-8277

CITY OF FRESNO  
CATEGORICAL EXEMPTION  
FOR  
DEVELOPMENT PERMIT P23-00961

City of Fresno  
Planning and Development Department  
2600 Fresno Street, 3rd Floor  
Fresno, CA 93721

**CITY OF FRESNO  
CATEGORICAL EXEMPTION  
ENVIRONMENTAL ASSESSMENT FOR  
DEVELOPMENT PERMIT P23-00961**

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<sup>1</sup>

|                                  |   |
|----------------------------------|---|
| <b>PROJECT TITLE:</b>            | Development Permit P23-00961 (“Project” or “proposed Project”)  |
| <b>APPLICANT:</b>                | GMA Engineering<br>7337 North First Street Suite #110<br>Fresno, CA, 93720<br>(559) 435-1411  |
| <b>PROJECT LOCATION:</b>         | The Project site is located in Fresno, California on the northeast corner of South Cherry Avenue and East Annadale Avenue at 2751 South Cherry Avenue, Fresno, CA 93706 ( <b>Figure 1</b> and <b>Figure 2</b> ). The Project site consists of one (1) parcel that is approximately 2.32 acres in size. The site is identified by Fresno County Assessor as Assessor’s Parcel Number (APN) 328-300-21.   |
| <b>GENERAL PLAN DESIGNATION:</b> | The Project site has a planned land use designation of Heavy Industrial ( <b>Figure 3</b> ).  |
| <b>ZONING:</b>                   | The Project site is within the IH – Heavy Industrial Zone District ( <b>Figure 4</b> ).   |
| <b>PROJECT DESCRIPTION:</b>      | <p>The Applicant proposes the development of a truck parking facility (Project) pertaining to the property located on the northeast corner of South Cherry Avenue and East Annadale Avenue at 2751 South Cherry Avenue, Fresno, CA 93706. The Project site consists of one (1) parcel that is approximately 2.32 acres in size. The Project site has a planned land use designation of Heavy Industrial and is within the IH – Heavy Industrial Zone District. The Project site is currently vacant with off-site improvements along South Cherry Avenue and East Annadale Avenue, including curb, gutter, sidewalk, and streetlights. No vegetation or water features exist on site. See <b>Figure 5</b> for the aerial image of the site.</p> <p>The Project includes the installation of four (4) 720-square foot (sf.) mobile office trailers, 37 truck parking stalls, 10 automobile parking</p> |

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<sup>1</sup> Public Resources Code 210000-21189 and California Code of Regulations, Title 14, Division 6, Chapter 3, Sections 15000-15387 available from <http://leginfo.ca.gov> and <http://ccr.oal.ca.gov>

|  |   |
|--|---|
|  | <p>spaces, bicycle parking within the buildings, and site landscaping to be installed and constructed in four (4) phases.</p> <ul style="list-style-type: none"> <li>• Phase 1 would include one (1) mobile office trailer, 37 truck parking stalls, 10 automobile parking stalls, and site landscaping.</li> <li>• Phase 2 would include one (1) mobile office trailer.</li> <li>• Phase 3 would include one (1) mobile office trailer.</li> <li>• Phase 4 would include one (1) mobile office trailer.</li> </ul> <p>The mobile office trailers constructed in Phase 2 to 4 would be used as leasable space for trucking companies. Bicycle parking is provided within the buildings. Since the Project proposes construction in an area larger than one (1) acre, the Project will establish a Stormwater Pollution Prevention Plan (SWPPP) in compliance with the NPDES stormwater program.</p> <p>The Project also proposes a combination of six (6)-foot high wrought iron fencing along the frontage of the site, chain link fencing along the site's perimeter, and cameras for security purposes. Access to the site would be through the 35-foot-wide wrought iron gate along Annadale Avenue. The gate will remain open during the hours of operation, which are Mondays through Fridays from 8:00 am to 5:00 pm, and would be closed in the evenings and on weekends. See <a href="#">Figure 6</a> for the Project site plan.</p> |
|--|---|



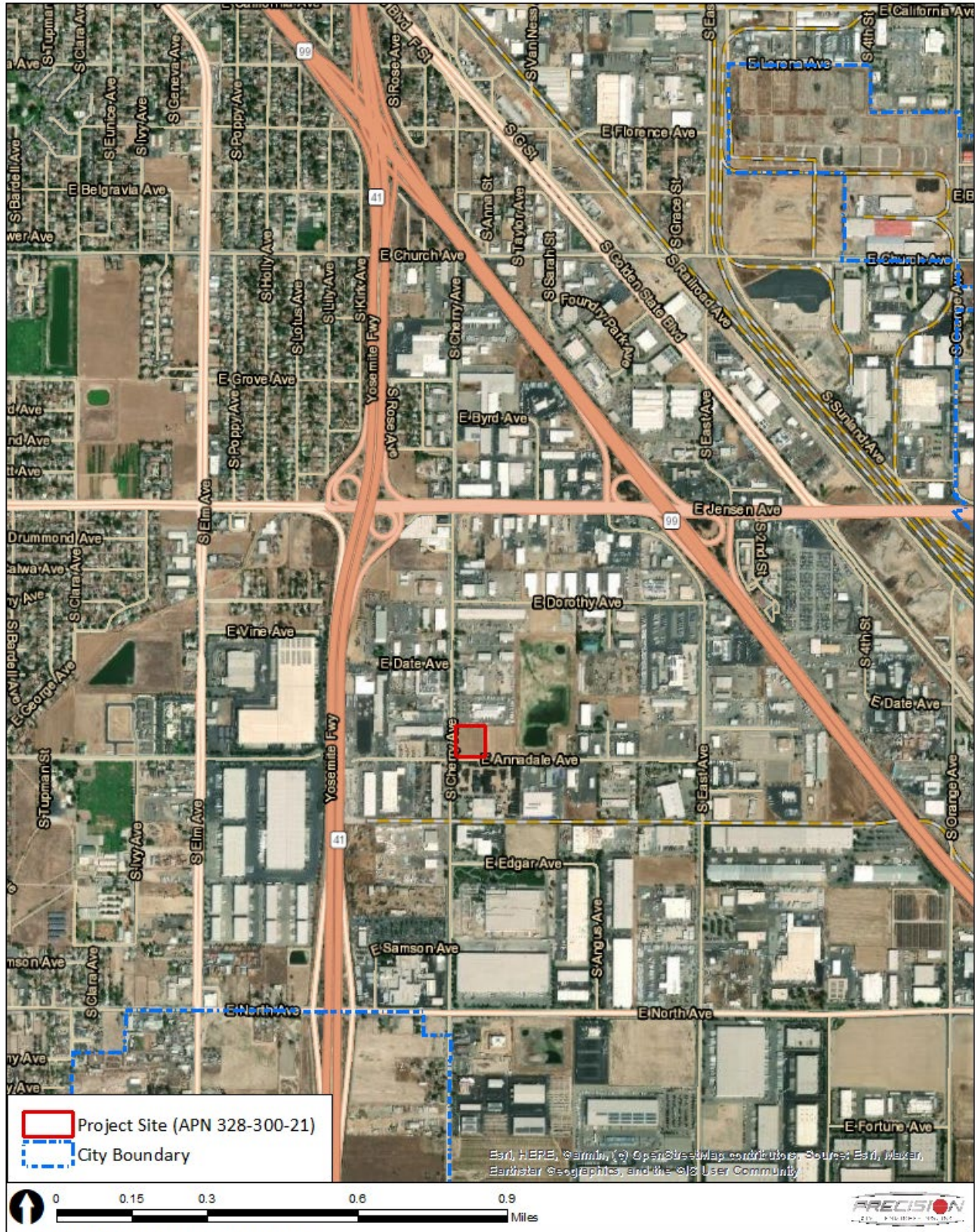
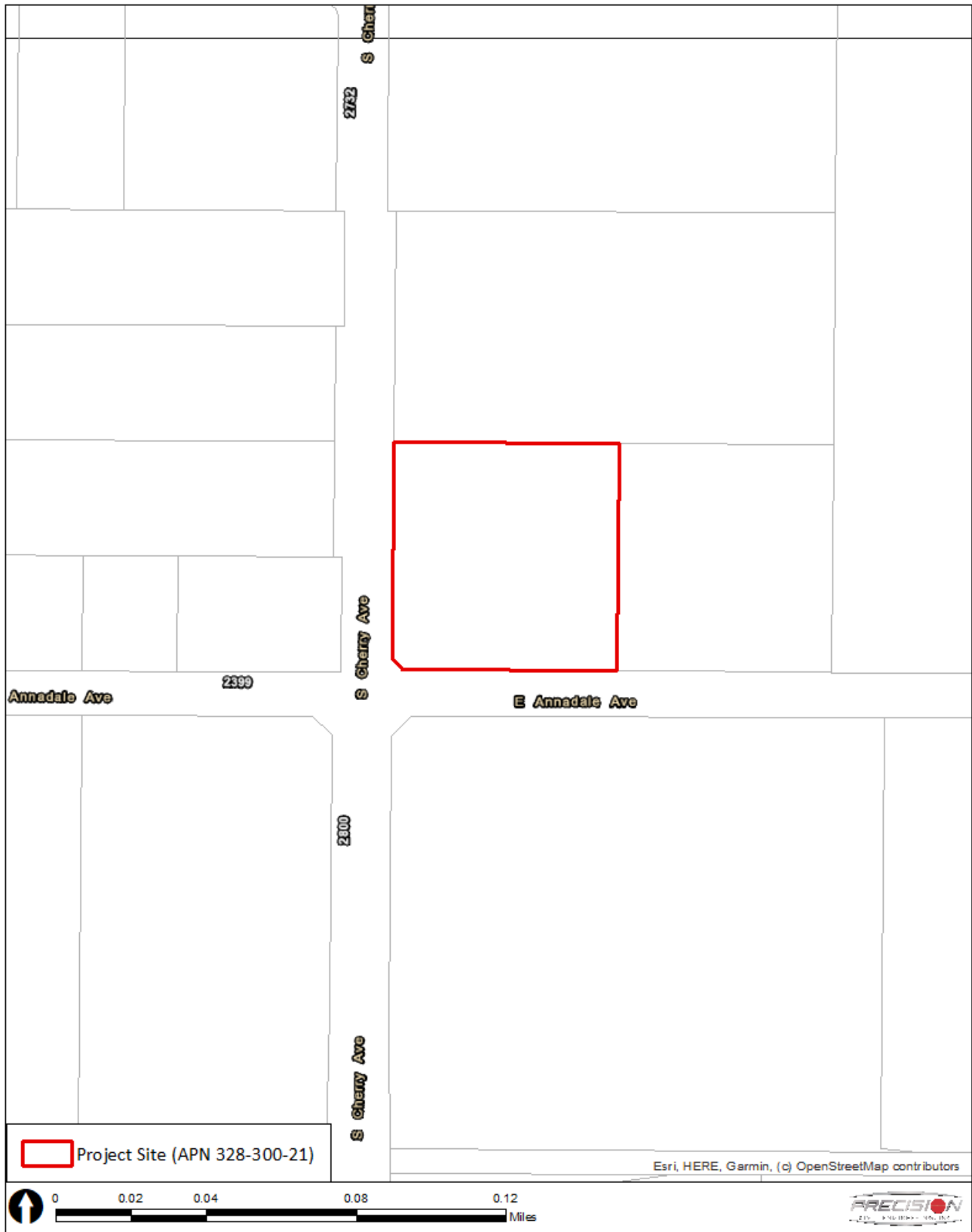


Figure 1. Project Regional Location



CITY OF FRESNO – Development Permit P23-00961

Created 4/27/2023

**Figure 2. Project Vicinity Map**



CITY OF FRESNO – Development Permit P23-00961

**Figure 3. General Plan Land Use Designation Map**



CITY OF FRESNO – Development Permit P23-00961

Created 4/27/2023

**Figure 4. Zoning Map**





CITY OF FRESNO – Development Permit P23-00961

Created 4/27/2023

**Figure 5. Aerial of Project Site**





**This project is exempt under Section 15332/Class 32 of the California Environmental Quality Act (CEQA) Guidelines.**

Under Section 15332/Class 32, the Project is exempt from CEQA requirements. Section 15332/Class 32 consists of projects characterized as in-fill development meeting conditions described below.

- 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.
- b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.
- c) The project 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.
- e) The site can be adequately served by all required utilities and public services.

The following is an analysis of how the Project meets all conditions required to be exempt under Section 15332/Class 32 of the CEQA Guidelines.

- 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.** According to the Fresno General Plan, the Project site has a planned land use designation of Heavy Industrial. The Heavy Industrial land use designation “accommodates the broadest range of industrial uses including manufacturing, assembly, wholesaling, distribution, and storage activities that are essential to the development of a balanced economic base. Small-scale commercial services and ancillary office uses are also permitted.” The proposed use, mobile office trailers and truck parking for trucking companies, is consistent with this land use designation. In addition, as shown in **Table 1** below, the Project is generally consistent with the applicable General Plan policies for heavy industrial development.

**Table 1. Project Consistency with Applicable General Plan Policies**

| <i>Objective LU-7 Plan and support industrial development to promote job growth.</i>  |  |
|---|--|
| <b>Implementing Policies</b>  | <b>Project Consistency</b>   |
| <b>LU-7-c. Efficiency of Industrial Uses.</b> Promote industrial land use clusters to maximize the operational efficiency of similar activities.  | <b>Consistent.</b> The Project site is located in an area primarily surrounded by existing industrial uses, including manufacturing, trucking, and contractor services.                                      |
| <b>LU-7-d. Industrial Waste.</b> Establish appropriate development standards and review procedures in the Development Code for industrial waste recycling operations and waste transfer stations. | <b>Consistent.</b> While this policy is not project-specific, the proposed Project is subject to compliance with the Development Code for industrial waste recycling operations and waste transfer stations. |
| <b>LU-7-e. Shared Parking for Industrial Uses.</b> Promote use of shared surface parking and other arrangements necessary to meet   | <b>Consistent.</b> The Project proposes 10 automobile parking spaces for the proposed office spaces and bicycling parking within the buildings. As such, the   |

|  |   |
|--|---|
| industrial needs with updated parking regulations. | Project meets the requirements of the Fresno Municipal Code (FMC) regulations, which requires 9.6 parking spaces for the project (720 sf. * 4 offices / 300 sf.). The proposed parking spaces will be shared among the four (4) different trucking companies that would be occupying the four (4) mobile office trailers. |
|--|---|

Therefore, the Project is consistent with the applicable general plan designation and all applicable general plan policies.

The Project site is within the IH – Heavy Industrial Zone District. According to *Section 15-1301* of the FMC, the IH – Heavy Industrial Zone District is intended to accommodate the broadest range of industrial uses, including manufacturing, assembly, wholesaling, distribution, and storage activities. Small-scale commercial services and ancillary office uses are also permitted.

According to use regulations for employment districts, freight/truck terminals and warehouses are permitted in the IH Zone District. Future development would be subject to review and approval by the City during the entitlement review process and shall meet all applicable zoning regulations including but not limited to density, intensity, and massing development standards (FMC *Section 15-1303*), site design development standards (FMC *Section 15-1304*), and façade design development standards (FMC *Section 15-1305*). Since the Project does not propose deviation from zoning requirements, through compliance, it can be determined that the Project is consistent with the zoning designation and associated regulations.

- b) 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 consists of one (1) parcel that is approximately 2.32 acres in size. The site is located within Fresno city limits, on the northeast corner of South Cherry Avenue and East Annadale Avenue at 2751 South Cherry Avenue, Fresno, CA 93706. The site is designated by the Fresno General Plan for industrial use. Surrounding existing uses and structures include industrial (north, south, west), commercial (west), and a ponding basin (east). Existing uses within the broader Project vicinity (i.e., 0.25-mile radius) comprise a mix of industrial, commercial, and open space uses. Thus, the Project occurs within city limits on a site with an area of work that is no more than five (5) acres and is substantially surrounded by urban uses.
- c) The project site has no value as habitat for endangered, rare, or threatened species.** The Project site is currently vacant with off-site public improvements along South Cherry Avenue and East Annadale Avenue, including curb, gutter, sidewalk, and streetlights. The site has been highly disturbed as it is frequently disked and graded.

According to California Natural Diversity Database (CNDDDB), special-status species that have occurred within five (5) miles of the Project site include Swainson's hawk (occurrence

## Appendix A

date: 1956, 2016), Crotch bumble bee (occurrence date:1899), California jewelflower, California tiger salamander (occurrence date:1936). <sup>2</sup>

**Table 2** provides an analysis of essential habitats and the potential for the existence of the special-status species to exist on the Project site. There are no existing natural elements on site such as vegetative cover, native trees and plant species, or water features. A technical memorandum prepared by Argonaut Ecological Consulting, Inc., dated October 19, 2023, finds no evidence to suggest that the site supports ground burrowing mammal populations. The memo also demonstrates that an existing fenced ponding basin, approximately 350 feet east of the site, is not associated with any natural drainage or pond, thus would not serve aquatic habitat nor mammals. The full memo is attached as **Appendix A**.

In addition, the site is within an established urban neighborhood and is surrounded by existing industrial and commercial uses. Consequently, the site and surrounding area are highly disturbed and lack cover, vegetation, and water features that would otherwise provide habitat for special status species. Thus, the Project site has no value as a habitat for endangered, rare, or threatened species and no impact would occur as a result of the Project.

**Table 2. Essential Habitats and Potential Existence of Special-Status Species on Site**

| <b>Special-Status Species</b> | <b>General Habitat</b>   | <b>Micro Habitat</b>  | <b>Assessment</b>  |
|-------------------------------|--|---|--|
| Swainson's hawk               | Breeds in grasslands with scattered trees, juniper-sage flats, riparian areas, savannahs, and agricultural or ranch lands with groves or lines of trees. | Requires adjacent suitable foraging areas such as grasslands, or alfalfa or grain fields supporting rodent populations. | The Project site is vacant with scant vegetation and surrounded by existing industrial development (north, south, west) and graded vacant land (east). The site does not contain any trees, riparian areas, savannahs, or grasslands. As such, the site does not provide suitable habitat. |
| Crotch bumble bee             | Coastal California east to the Sierra-Cascade crest and south into Mexico  | Food plant genera include Antirrhinum, Phacelia, Clarkia, Dendromecon, Eschscholzia, and Eriogonum.                     | The Project site is vacant with scant vegetation and surrounded by existing industrial development (north, south, west) and graded vacant land (east). As such, the site does not provide suitable habitat.  |

<sup>2</sup> Species that are extirpated or possibly extirpated are not included in this list. Extirpated or possibly extirpated occurrences mean that the habitat has been destructed or that the element has been searched but not seen for many years. Species that does not have a federal or state status (endangered, candidate, or threatened) are not included in this list.

|                             |   |  |  |
|-----------------------------|---|--|--|
| California jewelflower      | Chenopod scrub, valley and foothill grassland, pinyon and juniper woodland.   | Sandy soils. 65-1860 m.  | According to the Web Soil Survey, the site consists of 100% Borden loam soils, which includes sandy loam to clay loam soils. 3                         |
| California tiger salamander | Lives in vacant or mammal-occupied burrows throughout most of the year; in grassland, savanna, or open woodland habitats. | Need underground refuges, especially ground squirrel burrows, and vernal pools or other seasonal water sources for breeding. | The site does not provide grassland, savanna, or open woodland habitats. In addition, the site does not provide surface water bodies for its breeding. |

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

- i. **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 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 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 Vehicle Miles Traveled Thresholds*, dated June 25, 2020, 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*

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3 USDA Natural Resources Conservation Service. Web Soil Survey. Accessed October 11, 2023, <https://websoilsurvey.nrcs.usda.gov/app/>

*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.

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, including:

- The project is within 0.5 mile (mi) of a Transit Priority Area or a High-Quality Transit Area unless the project is inconsistent with the Regional Transportation Plan (RTP)/SCS, has a floor area ratio (FAR) less than 0.75, provides an excessive amount of parking, or reduces the number of affordable residential units.
- The project involves local-serving retail space of less than 50,000 square feet (sf).
- The project has a high level of affordable housing units.
- The project generates a low volume of daily traffic. The City will allow screening out projects if the project would generate less than 500 ADT.
- The development of institutional/government and public service uses that support community health, safety and welfare.

The proposed Project is eligible to screen out because the Project generates less than 500 average daily trips (ADT). This trip generation analysis uses trip generation rates from ITE 11<sup>th</sup> edition, Land Use Code 110 – General Light Industrial. A General Light Industrial facility is a free-standing facility devoted to a single use with emphasis on activities other than manufacturing and typically has minimal office space. Since the Project proposes a trucking facility with office space, this land use type is appropriate to estimate the Project's trip generation. Land Use Code 110 has an average 4.87 ADT generation rate per 1,000 square-foot ground floor area (GFA). As such, the Project is anticipated to generate approximately 14 ADT ( $720 \text{ sf} \cdot 4 \text{ buildings} / 1,000 \cdot 4.87 = 14.0256 \text{ ADT}$ ). The VMT memo is attached as **Appendix B**. Since the Project would generate less than 500 ADT, the Project will result in a less than significant VMT impact and is consistent with CEQA Guidelines *Section 15064.3(b)*.

- ii. **Noise.** The Project site is an infill site located within an urban neighborhood surrounded by existing urban uses including industrial, commercial, and open space/ponding basin uses. As such, there are existing ambient noise levels that are typical of these types of developments including traffic. Development of the site for an industrial use would not generate a new, noise generating source that would not otherwise occur in the Project vicinity (i.e., 0.25-mile radius). In addition, there are no sensitive land uses (i.e., residential, schools, churches, nursing homes, hospitals, and open space/recreation areas) within the vicinity of the Project. The nearest sensitive land uses are single-family residences approximately 0.3 miles northwest of the site

and West Fresno Middle School approximately 0.7 miles southwest of the site. While the Project would require construction, construction-related noise impacts would be temporary, short-term, and subject to compliance with FMC *Section 10-109*, which limits construction hours. Operational uses would not create significant noise impacts since no amplifying system is proposed. While noise would mainly be generated by traffic, traffic generation would be limited, as analyzed above. For these reasons, the Project would not result in any significant effects relating to noise.

- iii. **Air Quality.** The San Joaquin Valley Air Pollution Control District (SJVAPCD) recommends a three-tiered approach to analysis based on project size to allow project screening for significant impacts. The first tier is the Small Project Analysis Level (SPAL), the second tier is a Cursory Analysis Level (CAL) for projects exceeding the SPAL criteria, and the third tier is a Full Analysis Level (FAL), which is the level of analysis that is usually required for an EIR. The SPAL was established by the SJVAPCD on November 13, 2020, and the threshold for the SPAL was performed based on CalEEMod version 2016.3.2.

The Project would not have any significant effects relating to air quality pursuant to the SJVAPCD SPAL based on 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. Based on the Project description, the applicable land use types for the proposed Project include the General Light Industrial land use type. The corresponding thresholds for these land uses are shown in **Table 2** below.

**Table 3. SPAL Thresholds for Applicable Uses**

| Land Use Type:<br>General Light Industrial | Size/Unit   | Average Daily One-Way<br>Trips for all fleet types<br>(except HHDT) | Average Daily One-Way<br>for HHDT Trips only (50<br>mile trip length) |
|--|-------------|---|---|
| <i>SPAL Thresholds</i>                     | 280,000 sf. | 550   | 70  |
| <i>Proposed Project</i>                    | 2,880 sf.   | 14*   | 45**  |
| <b>Below Threshold?</b>                    |             | <b>Yes</b>  | <b>Yes</b>  |

\* ITE Trip Generation Manual 11th Edition is used to estimate the Average Daily Trips (ADTs) for the Proposed Project. General Light Industrial land use category (Land Use Code 110) has an ADT rate of 4.87 vehicle trips per 1,000 square foot ground floor area (GFA). The description of the General Light Industrial land use is: "A light industrial facility is a free-standing facility devoted to a single use. The facility has an emphasis on activities other than manufacturing and typically has minimal office space." Based on the 4.87 ADT rate, the Proposed Project would generate approximately **14 ADT** ( $4.87 * 2.88$  (thousand sf.) = 14.0256).

\*\* It is anticipated that Phase 1 will have approximately three (3) deliveries a day. Using the same rate, it is assumed that the Project will generate 3 trips \* 4 phases = 12 trips a day. However, since there are 37 truck parking stalls, it is assumed that the maximum number of truck trips are 74 ADT if all trucks are utilized. Of the 74 truck trips, 60% are anticipated to be heavy-heavy duty trucks. As such, it is anticipated that the ADT for HHDT trips would be **45** ( $74 \text{ ADT} * 60\% = 44.4 \text{ ADT}$ ).

Altogether, the proposed Project generates under the 550 ADT and 70 HHDT threshold and thus the Project would have a less than significant impact on air quality and is excluded from quantifying criteria pollutant emissions for CEQA purposes.



- iv. **Water Quality.** The Project site is an infill site with existing industrial and commercial development surrounding its north, south, and west. Development of the Project would require connections to existing utilities including water and stormwater systems. Because the site is greater than one (1) acre in size, the Applicant is required to prepare a Stormwater Pollution Prevention Plan (SWPPP) in compliance with the NPDES stormwater program, as shown in the Project Description. 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 for the Project to result in substantial soil erosion or loss of topsoil and impacts would be less than significant.

The City of Fresno is under the jurisdiction of the California Regional Water Quality Control Board (RWQCB) Central Valley NPDES Permit and Waste Discharge Requirements General Permit for Discharges from Municipal Separate Storm Sewer Systems (MS4), Order Number R5-2016-0040-014, NPDES Number CA S0085324 ("MS4 Permit"). The MS4 Permit requires compliance with stormwater quality controls as identified in the Fresno Clovis Storm Water Quality Management Construction and Post-Construction Guidelines. Compliance would reduce the potential for discharge of pollutants in violation of water quality standards or waste discharge requirements and impacts would be less than significant.

Stormwater infiltration has the potential to affect groundwater quality whereby rainfall and stormwater runoff flow into and through the subsurface soil. A majority of the Project site would be of impervious surface. Runoff from the site would be collected and diverted to the storm drainage system through existing drainage services. Further, runoff resulting from the Project would be managed by the FMFCD in compliance with the Storm Drainage and Flood Control Master Plan in addition to approved grading and drainage plans. Therefore, potential for stormwater infiltration reaching subsurface soils and impacting groundwater quality is limited and impacts would be less than significant.

The SWPPP and MS4 Permit are standardized (non-project specific) and pre-existing project features, these features are taken into account prior to making a significance determination. Overall, compliance with SWPPP, MS4 Permit, FMFCD regulations, and approved grading and drainage plans would minimize the potential for the Project to violate any water or waste discharge requirements or otherwise substantially degrade surface or ground water quality and impacts would be less than significant.

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

- i. **Utilities and Service Systems.** The Project site is an infill site within an urban neighborhood surrounded by existing industrial, commercial, and open space/ponding basin uses, there is existing utility infrastructure including water, sewer, stormwater, natural gas, electricity, and telecommunication services to which the Project would

connect. The following lists the city's Department of Public Utilities (DPU) comments on the proposed Project.

- a. Water. The nearest water mains to serve the Project are 12-inch water main located in East Annandale Avenue and a 12-inch water main located in South Cherry Avenue. Water facilities are available to provide service to the site if certain conditions are met, including installation of water services and meter boxes, water capacity fee charges, etc.
- b. Sewer. The nearest sanitary sewer main to serve the proposed Project is a 10-inch sewer main located in East Annadale Avenue. Sanitary sewer facilities are available to provide service to the site if certain conditions are met, including installation of sewer parcel/house branches, manhole connection, sewer connection charges, etc.
- c. Solid Waste. The site location will be serviced by a Commercial Solid Waste Franchisee. Solid waste services to the site if certain requirements are met, including installation of trash enclosures and turning radius, etc.

Consequently, development of the Project site would be reviewed and approved by the City and responsible agencies through the entitlement review process with conditions of approval. The entitlement review process would ensure that the development is developed in accordance with applicable regulations including the permitted density, intensity, and massing development standards. Therefore, the Project would be required to comply with the planned land use previously accounted for in the Fresno General Plan and subsequent utility master plans including the 2020 Urban Water Management Plan and 2015 Wastewater Collection System Master Plan. For these reasons, it can be determined that the Project would not require or result in the relocation or construction of new or expanded facilities and thus, can be adequately served by all required utilities and service systems.

- ii. **Public Services.** The Project is located within Fresno city limits and thus, would be subject to fees for the construction, acquisition, and improvements for public services including fire protection, police protection, schools, parks and recreation, and other public facilities such as libraries and post offices, as applicable. The Project would have a less than significant impact on public services for the following reasons:

- a. Fire Protection. The Project site is within the city limits and therefore would be served by the Fresno Fire Department (FFD). There are three (3) fire stations within a three (3)-mile radius of the proposed Project, including Station 3, Station 7, and Station 8. The Project's proximity to existing stations would support adequate service ratios, response times, and other performance objectives for fire protection services. In addition, the Project would be reviewed and conditioned by the FFD for requirements related to water supply, fire hydrants, and fire apparatus access. Lastly, the Project would be subject to the Fire Facilities Fee for construction and acquisition costs for improvements to fire department facilities. For these reasons, it can be determined that the Project would not result in the need for new or altered facilities and as a result, a less than significant impact would occur.
- b. Police Protection. The Project site is within the city limits and therefore would be served by the Fresno Police Department (FPD). The Project site is within the Southwest Policing District and the nearest police station to the proposed Project

is located approximately 2.4 miles northwest of the site. The Project's proximity to an existing station would support adequate service ratios, response times, and other performance objectives for police protection services. In addition, the Project would be reviewed and conditioned by the FPD for requirements related to crime protection. Lastly, future development would be subject to the Police Facilities Fee for construction and acquisition costs for improvements to police department facilities. For these reasons, it can be determined that the Project would not result in the need for new or altered facilities and as a result, a less than significant impact would occur.

- c. Schools. The Project proposes industrial use and would therefore not result in an increase in the area population. Thus, because of the nature of the Project, there would be no increased demand for schools as a result of the Project. Further, the Project is subject to applicable School Impact Fees to mitigate any impacts. For these reasons, it can be determined that the Project would not result in the need for new or altered facilities and as a result, no impact would occur as a result of the Project. r
- d. Parks. Park and recreational facilities are typically impacted by an increase in use from proposed residential development. The Project proposes industrial use and would not result in a net increase in the area population. Thus, because of the nature of the Project, there would be no increased demand for recreational facilities because of the Project that would impact the City's service standard. Therefore, no impact would occur as a result of the Project.

Based on the analysis contained above, none of the exceptions to Categorical Exemptions set forth in the CEQA Guidelines, *Section 15300.2* apply to this Project as analyzed in the following:

- a) *Location. Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located – a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, Class 3 is considered to apply all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.*

Classes 3 (New Construction or Conversion of Small Structures), 4 (Minor Alterations to Land), 5 (Minor Alterations in Land Use Limitations), 6 (Information Collection), and 11 (Accessory Structures) are not applicable to the proposed Project, therefore such location considerations are not applicable.

- b) *Cumulative Impact. All exemptions for this class are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant. ("Cumulative Impact" is defined as the condition under which "two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts," pursuant to CEQA Guidelines Section 15355)*

The Project proposes a use that is consistent with and permitted by the Fresno General Plan and FMC. Adherence to the applicable policies and regulations would ensure that implementation of successive projects of the same type in the same place, over time would not constitute a significant, cumulative impact.

- c) *Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.*

Based on the analysis provided above, the Project is not expected to have a significant effect on the environment due to unusual circumstances. The Project is proposed on an infill site within an urban neighborhood and there are no unusual circumstances with regard to the site, its location, or surroundings. The proposed truck parking facility is a use that is permitted within the planned land use designation and zone district. Since the Project's surrounding area are largely developed and the proposed use is permitted, and is easily accommodated on the site, there is no reasonable possibility that the activity would have a significant effect on the environment due to unusual circumstances.

- d) *Scenic Highways. A categorical exemption shall not be used for a project which may result in damage to scenic resources within a highway officially designated as a state scenic highway.*

According to the California State Scenic Highway System Map, the Project is not located near a State-designated scenic highway and therefore, the Project would not damage scenic resources within a state scenic highway.

- e) *Hazardous Waste Sites. A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code. The Project is not located on a site that is included in any list compiled pursuant to Section 65962.5 of the Government Code.*

A search of the California Department of Toxic Substance Control's EnviroStor database<sup>4</sup> and the State Water Resources Control Board's GeoTracker database<sup>5</sup> reveal no hazardous material release sites on the Project site. Thus, no impact would occur.

- f) *Historical Resources. A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.*

According to the Fresno General Plan, there are no local, state, or federal designated historical resources on the Project site or within the Project Area (i.e., ½-mile radius).

Overall, the Project is consistent with the applicable general plan designation and policies as well as the applicable zoning designation and regulations. It occurs within city limits on a site less than five (5)-acres in size within an urbanized area. The highly disturbed site within an urbanized area has no value as habitat for endangered, rare, or threatened species. Further, the Project would not result in any significant effects relating to traffic, noise, air quality, or water quality and can be adequately served by all required utilities and public services. As such, the proposed Project is not expected to have a significant effect on the environment. Accordingly, a

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4 California Department of Toxic Substances Control. Envirostor. Accessed April 27, 2023, <https://www.envirostor.dtsc.ca.gov/public/>

5 California State Water Resources Control Board. GeoTracker. Accessed April 27, 2023, <https://geotracker.waterboards.ca.gov/>

categorical exemption, as noted above, has been prepared for the Project.

Date: November 7, 2023

Prepared By: Erik Young, City of Fresno

Submitted by:

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Jennifer K. Clark,  
Director of Planning and  
Development Department  
City of Fresno  
(559) 621-8703

Appendix A: Biological Memo  
Appendix B: Traffic/VMT Memo

# Appendix A



## ***Technical Memorandum***

To: City of Fresno

Date: October 19, 2023

### **SUBJECT: Development Permit P23-00961 E. Annadale at S. Cherry Avenue, City of Fresno, Ca – Biological Response to Comments**

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Precision Engineering prepared a draft of a categorical exemption for a 2.32-acre project site in Fresno. The vacant project site is located approximately 350 feet from a ponding basin. The draft categorical exemption included the following information:

*“According to the California Natural Diversity Database (CNDDDB), special-status species that have occurred within five (5) miles of the Project site include Swainson's hawk (occurrence date: 1956, 2016), Crotch bumble bee (occurrence date:1899), California jewelflower, California tiger salamander (occurrence date:1936).*

*... There are no existing natural elements on site, such as vegetative cover, native trees, plant species, or water features. In addition, the site is within an established urban neighborhood and is surrounded by existing industrial and commercial uses. Consequently, the site and surrounding area are highly disturbed and lack cover, vegetation, and water features that would otherwise provide habitat for special-status species. Thus, the Project site has no value as a habitat for endangered, rare, or threatened species, and no impact would occur due to the Project.”*

The City of Fresno provided the following comments:

- 1. The Project is adjacent to a ponding basin. {The} Proponent has not provided data to support this assumption (the assumption that the Project site has no value as habitat for special status species);.*
- 2. This Project is within burrowing owl predicted habitat, Crotch's bumble bee range, and Swainson's hawk predicted habitat. (Source: CDFW BIOS)”*

The draft Categorical exemption correctly characterizes the Project Area as having no “natural elements” and is located within an established urban neighborhood composed of residential, commercial, and industrial uses.

A

The Project site is part of a larger (roughly 10-acre) parcel that underwent development sometime between March 2015 and May 2017, when the northern half of the parcel was converted to a warehouse (Cummins) and parking areas. The southern half of the 10-acre parcel remained undeveloped, but based on a review of a series of recent aerial photographs, the parcel (including the Project Site) has been graded/scraped and routinely plowed between 2016 and 2023. Examination of photographs shows the habitat would be classified as non-native annual grassland/ruderal habitat. As indicated in the draft Exemption, this habitat provides little to no habitat value because of the recurring disturbance and lack of other habitat features (trees, shrubs, etc.).

Even though the Project site is within predicted habitat as defined in the California Natural Diversity Database (CNDDDB), this prediction is based on suitable habitat within the species ranges based on California Wildlife Habitat Relationships (CWHR 2016) and a statewide best-available vegetation. The prediction does not take into account the habitat present within individual parcels. For a species to be present, there needs to be some elements of their habitat needs present.

There is no evidence to suggest that the Project site supports a ground burrowing mammal population (i.e., ground squirrel or other burrowing mammal), thus precluding the site's suitability to support burrowing owl, a State species of concern. The Project site also lacks nesting habitat for Swainson's hawk (mature trees). The Project site could be used by Swainson's hawk and other raptors for foraging, but the Project site represents a small habitat unit that doesn't appear to support a large prey base for hawks.

I also concur with the draft findings that the Project site does not support suitable habitat for California jewel flower or Crotch bumble bee. Crotch bumble bee was once common throughout the Central Valley and Coastal regions but is now scarce in the Central Valley area.<sup>1</sup>

The focus of the City's comments relates to the Project site's proximity to a nearby ponding basin and whether this proximity increases the Project site's habitat value. The ponding basin was built by and is managed by the Fresno Metropolitan Flood Control District (FMFCD) and is designated as "Basin LL" (FMFCD GIS mapping, 2023). The basin was constructed within an upland habitat sometime prior to 1998 and is not associated with any natural drainage or pond. The basin is fenced and managed as a stormwater feature. FMFCD's basin are not designed nor intended to serve as aquatic habitat. Wildlife that may use the flood control basin primarily include wading birds and other aquatic birds. Since the basin is fenced, mammals would unlikely access it.

Concerning California tiger salamander (CTS), an aquatic salamander, the species is not associated with stormwater basins because the hydrologic regime of the basins and the prolonged ponding often results in an invasion of the basins by American bullfrog (*Lithobates*

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<sup>1</sup> Hatfield, R.; Jepsen, S.; Thorp, R.; Richardson, L. & Colla, S. (2015). "Crotch's bumblebee". [IUCN Red List of Threatened Species](https://www.iucn.org/redlist). 2015: e.T44937582A46440211. doi:10.2305/IUCN.UK.2015-2.RLTS.T44937582A46440211.en.

*catesbeianus*), which precludes successful CTS breeding because bullfrogs prey on juveniles CTS (U.S. Fish and Wildlife Service, 2009). The proximity of the Project site to the stormwater basin does not increase the habitat value of the Project site, given the highly disturbed nature of the Project site. There are no seasonal wetlands or other potential breeding habitats for CTS within 1.3 miles of the Project site (1.3 miles is the distance CTS is known to migrate between breeding habitat and upland aestivation habitat). Given the lack of a ground squirrel population, the Project site would also not be suitable upland aestivation habitat for California tiger salamander.

A handwritten signature in black ink, appearing to read "Kathy Kinsland". The signature is fluid and cursive, with the first name "Kathy" being more prominent than the last name "Kinsland".

Kathy Kinsland, CISEC, QSP, QSP-Tor  
Senior Biologist



July 27, 2023

## Appendix B

Mr. Jonney Takhar  
Ray Properties LLC  
710 Van Ness Avenue, Unit #260  
Fresno, CA 93721

**Subject:     *Truck Storage Facility Trip Generation Analysis (JLB Project 004-170)***

Dear Mr. Takhar,

**JLB Traffic Engineering, Inc. (JLB)** has completed a **Trip Generation Analysis (TGA)** for the Truck Storage facility located in the City of Fresno. The Project proposes to develop the northeast corner of Annadale Avenue and Cherry Avenue with a truck storage site (Project). Based on information provided to JLB, the proposed Project is consistent with the City of Fresno General Plan. The purpose of this TGA is to determine if the Project can be screened out of having to prepare a Vehicle Miles Traveled (VMT) analysis.

### ***Project Description***

The Project proposes to develop a 2.31 acreage General Light Industrial facility. The Project includes the installation of four (4) 720 square foot mobile office trailers, 37 truck parking stalls and ten (10) passenger vehicle parking stalls. Of the ten (10) passenger vehicle parking stalls, four (4) will be ADA stalls. The purpose of having four separate small mobile office trailers is so that these could be used by some of the trucking companies that lease parking stalls from the Project. These companies could then use such office space to help minimize and possibly prevent potential complete shutdowns of their trucking operations due to possible Covid outbreaks. An aerial of the Project Vicinity and Project Site Plan are shown in Exhibits A and B, respectively.

### ***Proposed Project Trip Generation***

Trip generation rates for the latest Project site plan were obtained from the 9th Edition of the Trip Generation Manual published by the Institute of Transportation Engineers (ITE). Table I presents the total trip generation for the Project site with trip generation rates for General Light Industrial. Per the ITE Trip Generation Manual, the proposed Project is estimated to generate approximately 120 daily, 17 AM peak hour and 17 PM peak hour driveway trips.

**Table I: Proposed Project Site Trip Generation**

| Land Use (ITE Code)                   | Size | Unit  | Daily  |       | AM (7-9) Peak Hour |    |     |    |     |       | PM (4-6) Peak Hour |    |     |    |     |       |
|---------------------------------------|------|-------|--------|-------|--------------------|----|-----|----|-----|-------|--------------------|----|-----|----|-----|-------|
|                                       |      |       | Rate   | Total | Trip Rate          | In | Out | In | Out | Total | Trip Rate          | In | Out | In | Out | Total |
|                                       |      |       |        |       |                    |    |     |    |     |       |                    |    |     |    |     |       |
|                                       |      |       |        |       |                    | %  |     |    |     |       |                    | %  |     |    |     |       |
| General Light Industrial              | 2.31 | Acres | 51.800 | 120   | 7.510              | 83 | 17  | 15 | 2   | 17    | 7.260              | 20 | 78  | 3  | 14  | 17    |
| Total Proposed Project Driveway Trips |      |       |        | 120   |                    |    |     | 15 | 2   | 17    |                    |    |     | 3  | 14  | 17    |

### City of Fresno VMT Guidelines

On June 25, 2020, the City of Fresno adopted *CEQA Guidelines for Vehicle Miles Traveled Thresholds*, dated June 25, 2020, 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. These criteria may be size, location, proximity to transit, of trip making potential. In general development projects that are consistent with the City's General Plan and Zoning and that that meet one or more of the following criteria can be screened out from a quantitative VMT analysis.

1. Project Located in a Transit Priority Area/High Quality Transit Corridor (within 0.5 miles of a transit stop).
2. Project is Local-serving Retail of less than 50,000 square feet.
3. Project is a Low Trip Generator (Less than 500 average daily trips)
4. Project has a High Level of Affordable Housing Units
5. Project is an institutional/Government and Public Service Uses
6. Project is located in a Low VMT Zone

The proposed Project is consistent with the City of Fresno General Plan and can be screened out should it meet any of the listed criteria. The Project is expected to generate less than 500 daily trips, a maximum of 120 daily trips, and therefore can be screened out as a low trip generator.

### **Conclusions and Recommendations**

Conclusions and recommendations regarding the proposed Project are provided below:

- The proposed Project site is estimated to generate 120 daily, 17 AM peak hour and 17 PM peak hour driveway trips.
- **The proposed Project is consistent with the City of Fresno General Plan.**
- The Project is expected to generate less than 500 daily trips and should be screened out of a VMT Analysis per the City of Fresno VMT Guidelines.

If you have any questions or require additional information, please contact me at (559) 570-8991, or via email at [jbenavides@jlbtraffic.com](mailto:jbenavides@jlbtraffic.com).

Sincerely,



Jose Luis Benavides, P.E., T.E.  
President

## Exhibit A: Project Vicinity



