

**APPENDIX G/INITIAL STUDY FOR A NEGATIVE DECLARATION**

**Environmental Checklist Form for:  
Environmental Assessment No. P24-00589/Plan Amendment and Rezone  
(Application No. P24-00589)**

1.	<b>Project Title:</b> Plan Amendment and Rezone (Application No. P24-00589)
2.	<b>Lead Agency Name and Address:</b> City of Fresno Planning and Development Department 2600 Fresno Street Fresno, CA 93721
3.	<b>Contact Person and Phone Number:</b> Ralph Kachadourian, Supervising Planner City of Fresno Planning and Development Department (559) 621-8172 064
4.	<b>Project Location:</b> The project sites consist of two adjoining parcels (Assessor's Parcel Numbers [APNs]: 494-291-10 and 494-291-05) located at the northeast corner of East McKinley and North Fine Avenues in the central-eastern portion of the City of Fresno, Fresno County, California.
5.	<b>Project Sponsor's Name and Address:</b> Fresno City Council 2600 Fresno Street Fresno, California 93721
6.	<b>General and Community Plan Land Use Designation:</b> General Plan: Employment - Light Industrial Community Plan: McLane Community Plan Area; Light Industries, Vacant
7.	<b>Zoning:</b> Existing: Light Industrial (IL) Proposed: Community Commercial (CC)

8. **Description of Project:**

Plan Amendment and Rezone Application No. P24-00589 pertains to two adjoining parcels totaling 2.26 acres in size located at the northeast corner of East McKinley and North Fine Avenues in the eastern-central portion of the City of Fresno (Figure 1). The parcels are currently planned and zoned for Light Industrial uses. The proposed project would amend the Fresno General Plan Land Use Map and Official Zoning Map to rezone APNs 494-291-10 and 494-291-05 from the IL (*Light Industrial*) zoning designation to the CC (*Community Commercial*) zoning designation.

On September 28, 2023, the Fresno City Council adopted Resolution 2023-264 to initiate the process to amend the Planned Land Use and Zoning of the subject property from IL to CC. Property abutting the project sites to the west is planned and zoned for community commercial uses, and the intent of the resolution is to allow for uses which are more in line with the commercial uses to the west, as opposed to industrial uses to the north and east of the project sites.

The proposed project does not include the removal of existing buildings, new development, or other site improvements that would require construction activities. No new physical improvements would occur. However, it is reasonably foreseeable that the proposed zoning change would allow the area to be developed with uses allowed under the CC zoning designation rather than the uses that would have been allowed under the existing IL zoning designation. The CC zoning designation allows for commercial development that primarily serves local needs such as convenience shopping and small offices. Many of the city's current commercial districts fall into this designation. Specific uses allowed include medium-scale retail, office, civic and entertainment uses, supermarkets, drug stores and supporting uses. The maximum floor to area ratio (FAR) is 1.0. Therefore, reasonably foreseeable future development would allow for the construction of up to approximately 98,445 square feet of commercial uses on the project sites. Future development would be subject to separate environmental review and entitlement approval and entitlement approval.

9. **Surrounding land uses and setting:**

	<b>Planned Land Use</b>	<b>Existing Zoning</b>	<b>Existing Land Use</b>
<b>North</b>	Light Industrial	Light Industrial	Light Industrial
<b>East</b>	Light Industrial and Medium High Density Residential	Light Industrial	Light Industrial and High Density Residential
<b>South</b>	Medium Low Density Residential and Railroad	Residential Single Family, Medium Low Density (RS-4)	Medium Low Density Residential
<b>West</b>	Public Facility and Community Commercial	Community Commercial	Neighborhood Commercial and Open Space/ Recreational Park

10. **Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement):**

N/A

11. **Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code (PRC) Section 21080.3.1? If so, has consultation begun?**

The State of California requires lead agencies to consider the potential effects of proposed projects and consult with California Native American tribes during the local planning process for the purpose of protecting Traditional Tribal Cultural Resources through the California Environmental Quality Act (CEQA) Guidelines. Pursuant to California Public Resources Code (PRC) Section 21080.3.1, before public distribution of the document, the lead agency shall begin consultation with the California Native American tribe that is traditionally and culturally affiliated with the geographical area of the proposed project. Such significant cultural resources are either sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a tribe that is either included in or eligible for inclusion in the California Register of Historic Resources (CRHR) or local historic register, or, the lead agency, at its discretion, and support by substantial evidence, chooses to treat the resources as a Tribal Cultural Resources (PRC Section 21074(a)(1-2)). According to the most recent census data, California is home to 109 currently recognized Indian tribes. Tribes in California currently have nearly 100 separate reservations or Rancherias. Fresno County has a number of Rancherias, including Table Mountain, Millerton, Big Sandy, Cold Springs, and Squaw Valley; these Rancherias are not located within the city limits.

Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review and entitlement approval, identify and address potential adverse impacts to tribal cultural

resources, and reduce the potential for delay and conflict in the environmental review and entitlement approval process (see PRC Section 21083.3.2). Information may also be available from the California Native American Heritage Commission (NAHC) Sacred Lands File (SLF) per PRC Section 5097.96 and the California Historical Resources Information System (CHRIS) administered by the California Office of Historic Preservation (OHP). Please also note that PRC Section 21082.3(c) contains provisions specific to confidentiality.

Pursuant to Senate Bill 18 (SB 18), Native American tribes traditionally and culturally affiliated with the project area were invited to consult regarding the project based on a list of contacts provided by the Native American Heritage Commission (NAHC). This list includes tribes that requested notification pursuant to Assembly Bill 52 (AB 52). The City of Fresno mailed notices of the proposed project to each of these tribes on March 27, 2024, which included the required 90-day time period for tribes to request consultation, which ended on June 24, 2024. All tribes that were contacted declined consultation.



**Figure 1. Project Location Map.**

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

<input type="checkbox"/>	Aesthetics	<input type="checkbox"/>	Agriculture and Forestry Resources
<input type="checkbox"/>	Air Quality	<input type="checkbox"/>	Biological Resources
<input type="checkbox"/>	Cultural Resources	<input type="checkbox"/>	Energy
<input type="checkbox"/>	Geology/Soils	<input type="checkbox"/>	Greenhouse Gas Emissions
<input type="checkbox"/>	Hazards and Hazardous Materials	<input type="checkbox"/>	Hydrology/Water Quality
<input type="checkbox"/>	Land Use/Planning	<input type="checkbox"/>	Mineral Resources
<input type="checkbox"/>	Noise	<input type="checkbox"/>	Population/Housing
<input type="checkbox"/>	Public Services	<input type="checkbox"/>	Recreation
<input type="checkbox"/>	Transportation	<input type="checkbox"/>	Tribal Cultural Resources
<input type="checkbox"/>	Utilities/Service Systems	<input type="checkbox"/>	Wildfire
<input type="checkbox"/>	Mandatory Findings of Significance		

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

<u>  X  </u>	I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
—	I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
—	I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT (EIR) is required.
—	I find that the proposed project MAY have a “potentially significant impact” or “potentially significant unless mitigated” impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An EIR is required, but it must analyze only the effects that remain to be addressed.

	I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.
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*Ralph Kachadourian*

10/25/2024

Ralph Kachadourian, Supervising Planner

Date

1. For purposes of this Initial Study, the following answers have the corresponding meanings:
  - a. "No Impact" means the specific impact category does not apply to the project, or that the record sufficiently demonstrates that project specific factors or general standards applicable to the project will result in no impact for the threshold under consideration.
  - b. "Less Than Significant Impact" means there is an impact related to the threshold under consideration, but that impact is less than significant.
  - c. "Less Than Significant with Mitigation Incorporation" means there is a potentially significant impact related to the threshold under consideration, however, with the mitigation incorporated into the project, the impact is less than significant. For purposes of this Initial Study "mitigation incorporated into the project" means mitigation developed specifically for an individual project.
  - d. "Potentially Significant Impact" means there is substantial evidence that an effect may be significant related to the threshold under consideration.
2. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
3. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

4. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
5. "Negative Declaration: Less Than Significant with Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from, "Earlier Analyses," as described in (6) below, may be cross-referenced).
6. Earlier analyses may be used where, pursuant to the tiering, another CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
  - a. Earlier Analysis Used. Identify and state where they are available for review.
  - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in another earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
  - c. Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
7. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
8. Supporting Information Sources: A source list should be attached, and other sources used, or individuals contacted should be cited in the discussion.
9. The explanation of each issue should identify:
  - a. The significance criteria or threshold, if any, used to evaluate each question; and
  - b. The mitigation measure identified, if any, to reduce the impact to less than significance.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>I. AESTHETICS</b> – Except as provided in PRC Section 21099, would the project:				
a) Have a substantial adverse effect on a scenic vista?				X
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				X
c) In non-urbanized areas, substantially degrade the existing visual character or quality public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?				X
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?				X

**DISCUSSION**

**a) Have a substantial adverse effect on a scenic vista?**

A scenic vista is a viewpoint that provides expansive views of a highly valued landscape for the public’s benefit. The City’s approved General Plan identifies six locations along the San Joaquin River bluffs as designated vista points from which views should be maintained. Scenic vistas within the Planning Area could provide distant views of features such as the San Joaquin River to the north and the foothills of the Sierra Nevada Mountains to the east.

The proposed project sites consist of two adjoining parcels totaling approximately 2.26 acres located at the northeast corner of East McKinley and North Fine Avenues in the eastern-central portion of the City of Fresno. The project sites are surrounded by single- and multi-family residences, a public park, commercial service buildings,

and commercial office buildings, and consist of a commercial office building, parking lot, ornamental landscaping, an undeveloped building pad, and off-site improvements. A man-made canal, locally referred to as Mill Ditch, is located south of the project sites across East McKinley Avenue. The project sites and surrounding area are relatively flat in elevation. The proposed project would include the amendment of the Fresno General Plan Land Use Map and Official Zoning Map to rezone the two project parcels from the IL zoning designation to the CC zoning designation. No new physical improvements would occur as a result of the proposed project. However, it is reasonably foreseeable that the proposed zoning change would allow the area to be developed with uses allowed under the CC zoning designation rather than the uses that would have been allowed under the existing IL zoning designation. Therefore, reasonably foreseeable future development would allow for the construction of up to approximately 98,445 square feet of commercial uses on the project sites; however, specific design plans are currently not known. Any future development would be subject to separate environmental review and entitlement approval. The project sites are not located within any of the scenic vista points identified in the City's General Plan. Furthermore, the proposed project would not significantly affect or block a potentially scenic vista in the city. Therefore, the proposed project would have *no impact*.

**b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?**

According to the California Department of Transportation (Caltrans) State Scenic Highway Mapping System,<sup>1</sup> there are no eligible or officially designated State Scenic Highways within the City of Fresno. Fresno County has three eligible State Scenic Highways; the nearest eligible highways include a portion of State Route 180, located approximately 7 miles east of the City, and a portion of State Route 168, located approximately 5 miles east of City. The nearest officially designated State Scenic Highway is located more than 30 miles northeast of the City within Madera County. Since there are no eligible or officially designated State Scenic Highways in close proximity to the project sites, implementation of the proposed project would not damage scenic resources within a designated state scenic highway. Therefore, the proposed project would have *no impact*.

**c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?**

The project sites are located in a predominantly commercial area that currently consists of commercial office buildings, commercial service buildings, a public park, and single- and multi-family residences. The proposed project would amend the

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<sup>1</sup> California Department of Transportation (Caltrans). 2023. Scenic Highways: California State Scenic Highways. Available at: <https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways>. Accessed January 2024.

Fresno General Plan Land Use Map and Official Zoning Map to rezone the two project parcels located at the northeast corner of East McKinley and North Fine Avenues from the IL zoning designation to the CC zoning designation. No new physical improvements would occur as a result of the proposed project; therefore, the proposed project would not change the visual characteristics of the project sites. However, it is reasonably foreseeable that the proposed zoning change would allow the area to be developed with uses allowed under the CC zoning designation rather than the uses that would have been allowed under the existing IL zoning designation. Therefore, reasonably foreseeable future development would allow for the construction of up to approximately 98,445 square feet of commercial uses on the project sites; however, specific design plans are currently not known. Any future development would be subject to separate environmental review and entitlement approval. Therefore, the proposed project would have *no impact*.

**d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?**

The project sites are located in a commercial area subject to preexisting exterior lighting from surrounding developments and existing street lighting. As discussed previously, no new physical improvements would occur as a result of the proposed project. However, it is reasonably foreseeable that the proposed zoning change would allow the area to be developed with uses allowed under the CC zoning designation rather than the uses that would have been allowed under the existing IL zoning designation. Therefore, reasonably foreseeable future development would allow for the construction of up to approximately 98,445 square feet of commercial uses on the project sites; however, specific design plans are currently not known. Future CC uses may result in the installation of additional outdoor lighting within the project area. Outdoor lighting is required to comply with the Municipal Code Section 15-2015 (Outdoor Lighting and Illumination) to avoid creating a new source of substantial light or glare. Further, any future development would be subject to separate environmental review and entitlement approval. The proposed project would not create a new source of light and glare, and therefore the proposed project would have *no impact*.

Mitigation Measures

Mitigation measures are not required.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p><b>II. AGRICULTURE AND FORESTRY RESOURCES</b> – In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state’s inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:</p>				
<p>a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?</p>				X
<p>b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?</p>				X
<p>c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?</p>				X
<p>d) Result in the loss of forest land or conversion of forest land to non-forest use?</p>				X

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?				X

**DISCUSSION**

**a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?**

The entire project sites and surrounding area are underlain by land designated by the California Department of Conservation Farmland Mapping and Monitoring Program (FMMP)<sup>2</sup> as Urban and Built-Up Land. Therefore, implementation of the proposed project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to non-agricultural use, and the proposed project would have *no impact*.

**b) Conflict with existing zoning for agricultural use or a Williamson Act contract?**

The project sites are not within an agricultural zoning designation. The project sites are currently in the City’s Light Industrial zoning designation, which accommodates a diverse range of uses, including limited manufacturing and processing, research and development, fabrication, utility equipment and service yards, wholesaling, warehousing, and distribution activities in addition to small-scale retail and ancillary office uses.<sup>3</sup> The proposed project would rezone the project parcels to the CC zoning designation, which accommodates medium-scale retail, office, civic and entertainment uses, supermarkets, drug stores and supporting uses. The project sites are not subject to a Williamson Act contract. The proposed project would not conflict with existing zoning for agricultural use or a Williamson Act contract. Therefore, the proposed project would have *no impact*.

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<sup>2</sup> California Department of Conservation. 2016. California Important Farmland Finder. Available at: <https://maps.conservation.ca.gov/DLRP/CIFF/>. Accessed January 2024.

<sup>3</sup> City of Fresno. 2014. *Fresno General Plan*. December 18. Available at: [https://www.fresno.gov/wp-content/uploads/2023/03/upload\\_temp\\_Consolidated-GP-10-13-2022\\_compressed.pdf](https://www.fresno.gov/wp-content/uploads/2023/03/upload_temp_Consolidated-GP-10-13-2022_compressed.pdf). Accessed January 2024.

- c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?**

The project sites are located within an existing commercial area and currently located in the City's IL zoning district in the city of Fresno. The proposed project would rezone the project parcels to the CC zoning designation. The proposed project area does not contain forest land, timberland, or timberland zoned as Timberland Production; therefore, it would not conflict with the existing zoning for, or cause rezoning of, forest land or conversion of forest land to non-forest uses. Therefore, the proposed project would have *no impact*.

- d) Result in the loss of forest land or conversion of forest land to non-forest use?**

Please refer to threshold discussion II.c, above. The proposed project would not result in the loss of forest land or conversion of forest land to non-forest uses because the site is not forested nor is it located near a forested area. Therefore, the proposed project would have *no impact*.

- e) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?**

Please refer to threshold discussions II.a and II.c, above. The project sites are located within an existing commercial area and would not result in the conversion of farmland to non-agricultural uses or forest land to non-forest uses. Therefore, the proposed project would have *no impact*.

Mitigation Measures

Mitigation measures are not required.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>III. AIR QUALITY</b> – Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a) Conflict with or obstruct implementation of the applicable air quality plan (e.g., by having potential emissions of regulated criterion pollutants which exceed the San Joaquin Valley Air Pollution Control Districts (SJVAPCD) adopted thresholds for these pollutants)?				X
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?				X
c) Expose sensitive receptors to substantial pollutant concentrations?				X
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?				X

**DISCUSSION**

**a) Conflict with or obstruct implementation of the applicable air quality plan?**

CEQA requires that certain proposed projects be analyzed for consistency with the applicable air quality plan. An air quality plan describes air pollution control strategies to be implemented by a region, county, or city classified as a non-attainment area. The main purpose of the air quality plan is to bring the area into compliance with the requirements of the federal and state air quality standards. To bring the San Joaquin Valley Air Basin (SJVAB) into attainment, the San Joaquin Valley Air Pollution Control Districts (SJVAPCD) adopted the 2022 Plan for the 2015 8-Hour Ozone Standard in

December 2022 to satisfy Clean Air Act requirements and ensure attainment of the 70 parts per billion (ppb) 8-hour ozone standard.

To assure the SJVAB’s continued attainment of the U.S. Environmental Protection Agency (USEPA) respirable particulate matter (particulate matter less than 10 microns in diameter [PM<sub>10</sub>]) standard, the SJVAPCD adopted the 2007 PM<sub>10</sub> Maintenance Plan in September 2007. SJVAPCD Regulation VIII (Fugitive PM<sub>10</sub> Prohibitions) is designed to reduce PM<sub>10</sub> emissions generated by human activity. The SJVAPCD adopted the 2018 plan for the 1997, 2006, and 2012 fine particulate matter (particulate matter less than 2.5 microns in diameter [PM<sub>2.5</sub>]) standard to address the USEPA federal annual PM<sub>2.5</sub> standard of 12 micrograms per cubic meter (µg/m<sup>3</sup>), established in 2012.

The SJVAPCD has established project construction and operational emissions thresholds for criteria pollutants (Table 1).<sup>4</sup> For a project to be consistent with SJVAPCD attainment plans, the pollutants emitted from project operation should not exceed the SJVAPCD daily thresholds, the project should not cause a significant impact on air quality, or the project must already have been included in the attainment plans projection. As discussed below, emissions associated with the construction or operation of the proposed project would not result in the generation of criteria air pollutants that would exceed SJVAPCD thresholds of significance.

**Table 1: SJVAPCD Project Construction and Operational Emission Thresholds**

	CO	NO <sub>x</sub>	ROG	SO <sub>x</sub>	PM <sub>10</sub>	PM <sub>2.5</sub>
Annual Construction Emissions*	100.0	10.0	10.0	27.0	15.0	15.0
Annual Operational Emissions*	100.0	10.0	10.0	27.0	15.0	15.0

Source: SJVAPCD (2015)

Notes: CO = carbon monoxide; NO<sub>x</sub> = nitrogen oxides; ROG = reactive organic gas; SO<sub>x</sub> = sulfur oxides

\*Emission units = Tons per Year (tpy)

The proposed project would include the amendment of the Fresno General Plan Land Use Map and Official Zoning Map to rezone the two project parcels at the northeast corner of East McKinley and North Fine Avenues to the CC zoning designation. No new physical improvements would occur as a result of the proposed project. Since the proposed project would not result in any new construction activities or new development, the proposed project would not generate construction or operational emissions and would not exceed SJVAPCD criteria pollutant thresholds. However, it is reasonably foreseeable that the proposed zoning change would allow the area to be developed with uses allowed under the CC zoning designation rather than the uses that would have been allowed under the existing IL zoning designation. Therefore,

<sup>4</sup> San Joaquin Valley Air Pollution Control District (SJVAPCD). 2015. *Air Quality Thresholds of Significance – Criteria Pollutants*. Available at: <http://www.valleyair.org/transportation/0714-GAMAQI-Criteria-Pollutant-Thresholds-of-Significance.pdf>. Accessed January 2024.

reasonably foreseeable future development would allow for the construction of up to approximately 98,445 square feet of commercial uses on the project sites; however, specific design plans are currently not known. Any future development would be subject to separate environmental review and entitlement approval. The proposed project would not conflict with or obstruct implementation of SJVAPCD air quality plans. Therefore, the proposed project would have *no impact*.

**b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?**

CEQA defines a cumulative impact as two or more individual effects, which, when considered together, are considerable or which compound or increase other environmental impacts. Therefore, if annual emissions of construction- or operational-related criteria air pollutants exceed any applicable threshold established by the SJVAPCD, the proposed project would result in a cumulatively significant impact. As discussed above, the proposed project would not exceed SJVAPCD established significance thresholds for carbon monoxide (CO), nitrogen oxides (NO<sub>x</sub>), reactive organic gases (ROG), sulfur oxides (SO<sub>x</sub>), PM<sub>10</sub>, or PM<sub>2.5</sub> emissions during project construction or operation because no physical improvements are proposed. However, it is reasonably foreseeable that the proposed zoning change would allow the area to be developed with uses allowed under the CC zoning designation rather than the uses that would have been allowed under the existing IL zoning designation. Therefore, reasonably foreseeable future development would allow for the construction of up to approximately 98,445 square feet of commercial uses on the project sites; however, specific design plans are currently not known. It is anticipated that the reasonably foreseeable future construction of CC uses rather than IL uses at the project sites would result in less stationary sources of pollutant emissions. Further, any future development would be subject to separate environmental review and entitlement approval. The proposed project would not result in a cumulatively considerable contribution to a net increase of any criteria pollutant for which the project region is in non-attainment. Therefore, the proposed project would have *no impact*.

**c) Expose sensitive receptors to substantial pollutant concentrations?**

The proposed project would include the amendment of the Fresno General Plan Land Use Map and Official Zoning Map to rezone the two project parcels at the northeast corner of East McKinley and North Fine Avenues. No new physical improvements would occur as a result of the proposed project. The project would not result in construction or operational emissions that could expose surrounding sensitive receptors to airborne particulates, and sensitive receptors would not be exposed to substantial pollutant concentrations as a result of the proposed project. However, it is reasonably foreseeable that the proposed zoning change would allow the area to be developed with uses allowed under the CC zoning designation rather than the uses that would have been allowed under the existing IL zoning designation. Therefore, reasonably foreseeable future development would allow for the construction of up to approximately 98,445 square feet of commercial uses on the project sites; however, specific design plans are currently not known. It is anticipated that the reasonably

foreseeable future construction of CC uses rather than IL uses at the project sites would result in less stationary sources of pollutant emissions near sensitive receptor locations. Further, any future development would be subject to separate environmental review and entitlement approval. Therefore, the proposed project would have *no impact*.

**d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?**

No new physical improvements would occur as a result of the proposed project. However, it is reasonably foreseeable that the proposed zoning change would allow the area to be developed with uses allowed under the CC zoning designation rather than the uses that would have been allowed under the existing IL zoning designation. Therefore, reasonably foreseeable future development would allow for the construction of up to approximately 98,445 square feet of commercial uses on the project sites; however, specific design plans are currently not known. Any future development would be subject to separate environmental review and entitlement approval. In addition, the proposed project is not expected to produce any offensive odors that would result in frequent odor complaints because substantial odor-generating sources are not included as an allowable use in the CC zoning designation, such as land uses including agricultural activities, feedlots, wastewater treatment facilities, landfills, or heavy manufacturing uses. Since the proposed project would not result in any new construction activities or new development, the proposed project would not create objectionable odors affecting a substantial number of people during project construction or operation. Therefore, the proposed project would have *no impact*.

Mitigation Measures

Mitigation measures are not required.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>IV. BIOLOGICAL RESOURCES</b> – Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				X

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?				X
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				X
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				X

## DISCUSSION

- a) **Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service?**

The project sites are located in a predominantly commercial area that currently consists of commercial office buildings, commercial service buildings, a public park, and single- and multi-family residences. Based on the location and extent of existing development and disturbance, the project sites do not provide suitable habitat for special-status animal species. Common wildlife species that are adapted to urban environments are expected to continue to use the site and vicinity after redevelopment. No new physical improvements would occur as a result of the proposed project, and the proposed project would not result in direct or indirect adverse effects to special-status plants or wildlife. It is reasonably foreseeable that the proposed zoning change would allow the area to be developed with uses allowed under the CC zoning designation rather than the uses that would have been allowed under the existing IL zoning designation. Therefore, reasonably foreseeable future development would allow for the construction of up to approximately 98,445 square feet of commercial uses on the project sites; however, specific design plans are currently not known. Any future development would be subject to separate environmental review and entitlement approval. Therefore, the proposed project would have *no impact*.

- b) **Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service?**

Future development that occurs in the vicinity of the San Joaquin River, its tributaries, any lakes or streams, and/or open grasslands with seasonal wetlands may result in a significant impact to riparian habitat or a special-status natural community. No riparian habitat or other sensitive natural community occurs within the project sites, or within the vicinity of the project sites. Further, no new physical improvements would occur as a result of the proposed project. However, it is reasonably foreseeable that the proposed zoning change would allow the area to be developed with uses allowed under the CC zoning designation rather than the uses that would have been allowed under the existing IL zoning designation. Therefore, reasonably foreseeable future development would allow for the construction of up to approximately 98,445 square feet of commercial uses on the project sites; however, specific design plans are currently not known. Because there is no riparian vegetation or a sensitive natural community within the project sites, future development is not expected to have a substantial adverse effect on riparian habitat or sensitive natural communities. Nevertheless, any future development would be subject to separate environmental review and entitlement approval. Therefore, the proposed project would have *no impact*.

**c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?**

Future development that occurs in the vicinity of the San Joaquin River corridor may result in significant impacts to protected wetlands. No aquatic resources occur within the project sites, or within the vicinity of the project sites. No new physical improvements would occur as a result of the proposed project. However, it is reasonably foreseeable that the proposed zoning change would allow the area to be developed with uses allowed under the CC zoning designation rather than the uses that would have been allowed under the existing IL zoning designation. Therefore, reasonably foreseeable future development would allow for the construction of up to approximately 98,445 square feet of commercial uses on the project sites; however, specific design plans are currently not known. Because there are no wetlands within the project sites, future development is not expected to have a substantial adverse effect on riparian habitat or sensitive natural communities. Nevertheless, any future development would be subject to separate environmental review and entitlement approval and approval. Therefore, the proposed project would have *no impact*.

**d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?**

Open space areas, undeveloped land, and agricultural land are mainly located along the boundaries of the city, particularly near the northern boundary along the San Joaquin River corridor. The San Joaquin River corridor functions as a wildlife movement corridor for a number of terrestrial and aquatic mammals and birds. The San Joaquin River corridor facilitates movement of wildlife species from the city to the Sierra Nevada Mountains to the east and open agricultural land to the west.

There is not a wildlife movement corridor within or adjacent to the project sites; however, migratory birds may use the scattered trees present within the project sites. No new physical improvements would occur as a result of the proposed project. However, it is reasonably foreseeable that the proposed zoning change would allow the area to be developed with uses allowed under the CC zoning designation rather than the uses that would have been allowed under the existing IL zoning designation. Therefore, reasonably foreseeable future development would allow for the construction of up to approximately 98,445 square feet of commercial uses on the project sites; however, specific design plans are currently not known. Because there are no wildlife movement corridors within the project sites, future development is not expected to have a substantial adverse effect on riparian habitat or sensitive natural communities. Nevertheless, any future development would be subject to separate environmental review and entitlement and approval. Therefore, the proposed project would not interfere substantially with the movement of the migratory birds that may temporarily use these trees. Therefore, the proposed project would have *no impact*.

**e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?**

The project would not conflict with any local policies or ordinances protecting biological resources. Though the proposed project is subject to provisions of the City's Municipal Code regarding trees on public property (Article 3 of Section 13 of the City of Fresno Municipal Code), the proposed project would not conflict with any of the existing ordinances because the proposed project does not require the removal of any trees that would require replanting. However, it is reasonably foreseeable that the proposed zoning change would allow the area to be developed with uses allowed under the CC zoning designation rather than the uses that would have been allowed under the existing IL zoning designation. Therefore, reasonably foreseeable future development would allow for the construction of up to approximately 98,445 square feet of commercial uses on the project sites; however, specific design plans are currently not known. Any future development would be subject to the provisions of the City's Municipal Code regarding trees on public property (Article 3 of Section 13 of the City of Fresno Municipal Code) and separate environmental review and entitlement and approval. Therefore, the proposed project would have *no impact*.

**f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?**

The Pacific Gas and Electric (PG&E) San Joaquin Valley Operation and Maintenance (O&M) Habitat Conservation Plan (HCP)<sup>5</sup> was approved in 2007 and covers portions of nine counties, including Fresno County. This HCP covers PG&E activities that occur as a result of ongoing O&M that would have an adverse impact on any of the 65 covered species and provides incidental take coverage from the U.S. Fish and Wildlife Service (USFWS) and California Department of Fish and Wildlife (CDFW). The project sites are not located within the covered area of any HCP, Natural Community Conservation Plan (NCCP), or other adopted local, regional, or state HCP. Therefore, the project and any reasonably foreseeable future development would not conflict with the provisions of the PG&E HCP, and the proposed project would have *no impact*.

Mitigation Measures

Mitigation measures are not required.

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<sup>5</sup> Pacific Gas and Electric (PG&E). 2006. *PG&E San Joaquin Valley Operation & Maintenance Habitat Conservation Plan*. Available at: [https://ecos.fws.gov/docs/plan\\_documents/thcp/thcp\\_838.pdf](https://ecos.fws.gov/docs/plan_documents/thcp/thcp_838.pdf). Accessed January 2024.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>V. CULTURAL RESOURCES – Would the project:</b>				
a) Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?				X
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?				X
c) Disturb any human remains, including those interred outside of formal cemeteries?				X

**DISCUSSION**

**a) Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5?**

A historical resource, as defined by CEQA, includes one or more of the following criteria: 1) the resource is listed, or found eligible for listing in, the CRHR; 2) listed in a local register of historical resources as defined by PRC Section 5020.1(k); 3) identified as significant in a historical resources survey meeting the requirements of PRC Section 5024.1(g); or 4) determined to be a historical resource by the project’s lead agency (PRC Section 21084.1; State CEQA Guidelines Section 15064.(a)). Under CEQA, historical resources include built-environment resources and archaeological sites.

The project sites are currently developed with an existing commercial office building and associated site improvements. The proposed project would be limited to the amendment of the Fresno General Plan Land Use Map and Official Zoning Map to rezone the two project parcels at the northeast corner of East McKinley and North Fine Avenues. No new physical improvements would occur as a result of the proposed project; therefore, the proposed project would not result in removal or disturbance of existing buildings or structures, and the proposed project would not result in potential impacts to known or unknown historical resources. However, it is reasonably foreseeable that the proposed zoning change would allow the area to be developed with uses allowed under the CC zoning designation rather than the uses that would have been allowed under the existing IL zoning designation. Therefore, reasonably foreseeable future development would allow for the construction of up to approximately 98,445 square feet of commercial uses on the project sites; however, specific design plans are currently not known. Any future development would be

subject to separate environmental review and entitlement approval and this zoning would not interfere with any protective measures regarding historical resources. Therefore, the proposed project would have *no impact*.

**b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?**

According to the State CEQA Guidelines, “When a project will impact an archaeological site, a lead agency shall first determine whether the site is an historical resource” (State CEQA Guidelines Section 15064.5(c)(1)). Those archaeological sites that do not qualify as historical resources shall be assessed to determine if these qualify as “unique archaeological resources” (PRC Section 21083.2). The proposed project would be limited to the amendment of the Fresno General Plan Land Use Map and Official Zoning Map to rezone the two project parcels at the northeast corner of East McKinley and North Fine Avenues. No new physical improvements would occur as a result of the proposed project, and the proposed project would not result in direct impacts on known or unknown buried archaeological resources. However, it is reasonably foreseeable that the proposed zoning change would allow the area to be developed with uses allowed under the CC zoning designation rather than the uses that would have been allowed under the existing IL zoning designation. Therefore, reasonably foreseeable future development would allow for the construction of up to approximately 98,445 square feet of commercial uses on the project sites; however, specific design plans are currently not known. Any future development would be subject to separate environmental review and entitlement approval. Therefore, the proposed project would have *no impact*.

**c) Disturb any human remains, including those interred outside of formal cemeteries?**

Disturbance of human remains interred outside of formal cemeteries would result in a significant impact. The proposed project would be limited to the amendment of the Fresno General Plan Land Use Map and Official Zoning Map to rezone the two project parcels at the northeast corner of East McKinley and North Fine Avenues. No new physical improvements would occur as a result of the proposed project, and the proposed project would not disturb human remains. However, it is reasonably foreseeable that the proposed zoning change would allow the area to be developed with uses allowed under the CC zoning designation rather than the uses that would have been allowed under the existing IL zoning designation. Therefore, reasonably foreseeable future development would allow for the construction of up to approximately 98,445 square feet of commercial uses on the project sites; however, specific design plans are currently not known. Any future development would be subject to separate environmental review and entitlement and approval and future development projects would be subject to best practices for avoiding disturbance of human remains as detailed in California Health and Safety Code Section 7050.5. Therefore, the proposed project would have *no impact*.

Mitigation Measures

Mitigation measures are not required.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>VI. ENERGY</b> – Would the project:				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?				X
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?				X

**DISCUSSION**

**a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?**

The proposed project would be limited to the amendment of the Fresno General Plan Land Use Map and Official Zoning Map to rezone the two project parcels at the northeast corner of East McKinley and North Fine Avenues to the CC zoning designation. No new physical improvements would occur as a result of the proposed project, and the proposed project would not result in wasteful, inefficient, or unnecessary consumption of energy resources during construction or operation. However, it is reasonably foreseeable that the proposed zoning change would allow the area to be developed with uses allowed under the CC zoning designation rather than the uses that would have been allowed under the existing IL zoning designation. Therefore, reasonably foreseeable future development would allow for the construction of up to approximately 98,445 square feet of commercial uses on the project sites; however, specific design plans are currently not known. Future development would be required to comply with applicable building and energy codes and would be subject to separate environmental review and entitlement and approval. Therefore, the proposed project would have *no impact*.

**b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?**

The proposed project would be required to comply with the California Green Building Standards Code (CALGreen; California Code of Regulations [CCR] Title 24, Part 11) and California Energy Code (CCR Title 24, Part 6), which include provisions related to insulation and design aimed at minimizing energy consumption. No new physical improvements would occur as a result of the proposed project. However, it is reasonably foreseeable that the proposed zoning change would allow the area to be

developed with uses allowed under the CC zoning designation rather than the uses that would have been allowed under the existing IL zoning designation. Therefore, reasonably foreseeable future development would allow for the construction of up to approximately 98,445 square feet of commercial uses on the project sites; however, specific design plans are currently not known. Future development would be required to comply with applicable energy efficient building design standards and would be subject to separate environmental review and entitlement approval.

Reasonably foreseeable future development allowed under the proposed zoning designation would be required to comply with relevant energy-efficient policies. However, the proposed project is limited to the amendment of the Fresno General Plan Land Use Map and Official Zoning Map to rezone the two project parcels at the northeast corner of East McKinley and North Fine Avenues to the CC zoning designation. No new physical improvements would occur as a result of the proposed project, and the proposed project would not conflict with or obstruct state and local plans for energy efficiency and renewable energy. Therefore, the proposed project would have *no impact*.

Mitigation Measures

Mitigation measures are not required.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>VII. GEOLOGY AND SOILS</b> – Would the project:				
a) Directly or Indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.				X
ii) Strong seismic ground shaking?				X
iii) Seismic-related ground failure, including liquefaction?				X

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
iv) Landslides?				X
b) Result in substantial soil erosion or the loss of topsoil?				X
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?				X
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?				X
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				X
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				X

## DISCUSSION

**a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:**

**i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.**

Fault ruptures are generally expected to occur along active fault traces that have exhibited signs of recent geological movement (i.e., in the last 11,000 years). Alquist-Priolo Earthquake Fault Zones delineate areas around active faults with potential surface fault rupture hazards that would require specific geological investigations prior to approval of certain kinds of development within the delineated area. The project sites are not located within an Alquist-Priolo

Earthquake Fault Zone. In addition, no known active or potentially active faults or fault traces are located in the project vicinity. The nearest active fault is the Nunez Fault, approximately 50 miles to the southwest of the City of Fresno. No new physical improvements would occur as a result of the proposed project, and the proposed project would not expose people or structures to risk as a result of fault rupture. However, it is reasonably foreseeable that the proposed zoning change would allow the area to be developed with uses allowed under the CC zoning designation rather than the uses that would have been allowed under the existing IL zoning designation. Therefore, reasonably foreseeable future development would allow for the construction of up to approximately 98,445 square feet of commercial uses on the project sites; however, specific design plans are currently not known. Any future development would be required to comply with applicable California Building Code (CBC) requirements and other applicable engineering practices to reduce the risk associated with seismic activity. Further, any future development would be subject to separate environmental review and entitlement approval. Therefore, the proposed project would have *no impact*.

**ii) Strong seismic ground shaking?**

The City of Fresno is located in an area with a historically low to moderate level of seismicity; however, strong ground shaking could occur within the project sites during seismic events, and occurrences have the possibility to result in significant impacts. Major seismic activity along the nearby Great Valley Fault Zone, the Nunez Fault, or other associated faults could affect the project sites through strong seismic ground shaking. No new physical improvements would occur as a result of the proposed project, and the proposed project would not expose people or structures to risk as a result of seismic ground shaking. However, it is reasonably foreseeable that the proposed zoning change would allow the area to be developed with uses allowed under the CC zoning designation rather than the uses that would have been allowed under the existing IL zoning designation. Therefore, reasonably foreseeable future development would allow for the construction of up to approximately 98,445 square feet of commercial uses on the project sites; however, specific design plans are currently not known. Any future development would be required to comply with applicable CBC requirements and other applicable engineering practices to reduce the risk associated with seismic ground shaking. Further, any future development would be subject to separate environmental review and entitlement approval. Therefore, the proposed project would have *no impact*.

**iii) Seismic-related ground failure, including liquefaction?**

The predominant soils within the City of Fresno consist of varying combinations of loose/very soft to very dense/hard silts, clays, sands, and gravels. Groundwater has been encountered near the ground surface in close proximity to water-filled features such as canals, ditches, ponds, and lakes. Based on these characteristics, the potential for soil liquefaction within the city ranges from very low to moderate due to the variable density of the subsurface soils and the presence of shallow groundwater. In addition to liquefaction, the city could be

susceptible to induced settlement of loose unconsolidated soils or lateral spread during seismic shaking events. Based on the nature of the subsurface materials and the relatively low to moderate seismicity of the region, seismic settlement and/or lateral spread are not anticipated to represent a substantial hazard within the city during seismic events.

Based on the nature of the subsurface materials and the relatively low to moderate seismicity of the region, potential for seismic related ground failure is low in Fresno.<sup>6</sup> Additionally, no new physical improvements would occur as a result of the proposed project, and the proposed project would not expose people or structures to risk as a result of seismic-related ground failure or liquefaction. However, it is reasonably foreseeable that the proposed zoning change would allow the area to be developed with uses allowed under the CC zoning designation rather than the uses that would have been allowed under the existing IL zoning designation. Therefore, reasonably foreseeable future development would allow for the construction of up to approximately 98,445 square feet of commercial uses on the project sites; however, specific design plans are currently not known. Any future development would be required to comply with applicable CBC requirements and other applicable engineering practices to reduce the risk associated with liquefaction. Further, any future development would be subject to separate environmental review and entitlement approval. Therefore, the proposed project would have *no impact*.

#### **iv) Landslides?**

A landslide generally occurs on relatively steep slopes and/or on slopes underlain by weak materials. The City of Fresno is located within an area that consists of mostly flat topography within the Central Valley. Accordingly, there is no risk of large landslides in the majority of the city; however, there is the potential for landslides and slumping along the steep banks of rivers, creeks, or drainage basins such as the San Joaquin River bluff and the many unlined basins and canals that trend throughout the city. The project sites are located in a relatively flat area and is not in the vicinity of the San Joaquin River bluff. According to aerial mapping, a man-made canal, locally referred to as Mill Ditch, is located approximately 127 feet south of the property and extends in an east-west direction. No new physical improvements would occur as a result of the proposed project, and the proposed project would not expose people or structures to risk as a result of landslides. However, it is reasonably foreseeable that the proposed zoning change would allow the area to be developed with uses allowed under the CC zoning designation rather than the uses that would have been allowed under the existing IL zoning designation. Therefore, reasonably foreseeable future development would allow for the construction of up to approximately 98,445 square feet of commercial uses on the project sites; however, specific design plans are currently not known. Any future development would be required to comply with

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<sup>6</sup> City of Fresno. 2014. *Fresno General Plan*. Adopted December 18. Available at: <https://www.fresno.gov/wp-content/uploads/2023/03/9-Noise-and-Safety-02-03-21.pdf>. Accessed January 2024.

applicable CBC requirements and other applicable engineering practices to reduce the risk associated with landslides. Further, any future development would be subject to separate environmental review and entitlement approval. Therefore, the proposed project would have *no impact*.

**b) Result in substantial soil erosion or the loss of topsoil?**

The proposed project would include the amendment of the Fresno General Plan Land Use Map and Official Zoning Map to rezone the two project parcels at the northeast corner of East McKinley and North Fine Avenues. No new physical improvements would occur as a result of the proposed project, and the project would not result in soil erosion or the loss of topsoil. However, it is reasonably foreseeable that the proposed zoning change would allow the area to be developed with uses allowed under the CC zoning designation rather than the uses that would have been allowed under the existing IL zoning designation. Therefore, reasonably foreseeable future development would allow for the construction of up to approximately 98,445 square feet of commercial uses on the project sites; however, specific design plans are currently not known. Any future development would be required to comply with applicable Central Valley Regional Water Quality Control Board (RWQCB) and City Municipal Code requirements to reduce the potential to increase erosion and other pollutants at the project sites that could run off into surrounding areas. Further, any future development would be subject to separate environmental review and entitlement and approval. Therefore, the proposed project would have *no impact*.

**c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse?**

As described in threshold discussion VII.a, above, soils on the project sites would not be subject to liquefaction, lateral spreading, or landslides. Additionally, the proposed project would be limited to a zone change and would not result in ground disturbance or unstable soils. However, it is reasonably foreseeable that the proposed zoning change would allow the area to be developed with uses allowed under the CC zoning designation rather than the uses that would have been allowed under the existing IL zoning designation. Therefore, reasonably foreseeable future development would allow for the construction of up to approximately 98,445 square feet of commercial uses on the project sites; however, specific design plans are currently not known. Any future development would be required to comply with applicable CBC requirements and other applicable engineering practices to reduce the risk associated with development on unstable soils. Further, any future development would be subject to separate environmental review and entitlement approval. Therefore, the proposed project would have *no impact*.

**d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994, as updated), creating substantial direct or indirect risks to life or property?**

The surface and near-surface soils observed throughout the city consist of varying combinations of clays, silts, sands, gravels, and cobbles. Expansive soils are

characterized by the potential for shrinking and swelling as the moisture content of the soil decreases and increases, respectively. The clayey soils, which consist of very fine particles, are considered to be slightly to moderately expansive. The project sites contain Atwater sandy loam, which is largely comprised of sandy loam;<sup>7</sup> therefore, all soils have relatively low clay content and low expansion potential. Furthermore, the project would not result in any physical improvements. However, it is reasonably foreseeable that the proposed zoning change would allow the area to be developed with uses allowed under the CC zoning designation rather than the uses that would have been allowed under the existing IL zoning designation. Therefore, reasonably foreseeable future development would allow for the construction of up to approximately 98,445 square feet of commercial uses on the project sites; however, specific design plans are currently not known. Any future development would be required to comply with applicable CBC requirements and other applicable engineering practices to reduce the risk associated with development on expansive soils. Further, any future development would be subject to separate environmental review and entitlement approval. Therefore, the proposed project would have *no impact*.

**e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of waste water?**

The proposed project would amend the Fresno General Plan Land Use Map and Official Zoning Map to rezone the two project parcels at the northeast corner of East McKinley and North Fine Avenues to the CC zoning designation. No new physical improvements would occur as a result of the proposed project. Any reasonably foreseeable future development in the project area would connect to the City's existing sewer system and would not include the construction of new septic tanks or alternative wastewater disposal systems. Therefore, the proposed project would have *no impact*.

**f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?**

The project does not include ground disturbance or other physical improvements that could directly or indirectly destroy a unique paleontological resource or site or unique geologic feature. However, it is reasonably foreseeable that the proposed zoning change would allow the area to be developed with uses allowed under the CC zoning designation rather than the uses that would have been allowed under the existing IL zoning designation. Therefore, reasonably foreseeable future development would allow for the construction of up to approximately 98,445 square feet of commercial uses on the project sites; however, specific design plans are currently not known. Any future development would be subject to separate environmental review and entitlement and approval. Therefore, the proposed project would have *no impact*.

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<sup>7</sup> Natural Resources Conservation Service (NRCS). 2023. Web Soil Survey. Available at: <https://websoilsurvey.sc.egov.usda.gov/App/WebSoilSurvey.aspx>. Accessed January 2024.

Mitigation Measures

Mitigation measures are not required.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>VIII. GREENHOUSE GAS EMISSIONS</b> – Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?				X
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?				X

**DISCUSSION**

**a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?**

State CEQA Guidelines Section 15064.4 states, “A lead agency shall make a good-faith effort, based to the extent possible on scientific and factual data, to describe, calculate or estimate the amount of GHG emissions resulting from a project.” In performing that analysis, the lead agency has discretion to determine whether to use a model or methodology to quantify GHG emissions, or to rely on a qualitative analysis or performance-based standards. In making a determination as to the significance of potential impacts, the lead agency then considers the extent to which the project may increase or reduce GHG emissions as compared to the existing environmental setting, whether the project emissions exceed a threshold of significance that the lead agency determines applies to the project, and the extent to which the project complies with regulations or requirements adopted to implement a statewide, regional, or local plan for the reduction or mitigation of GHG emissions.

Therefore, consistent with State CEQA Guidelines Section 15183.5, if a project is consistent with an adopted qualified Greenhouse Gas Reduction Strategy that meets the standards, it can be presumed that the project would not have significant GHG emission impacts.

As discussed previously, the proposed project is limited to the amendment of the Fresno General Plan Land Use Map and Official Zoning Map to rezone the two project parcels at the northeast corner of East McKinley and North Fine Avenues from the IL to the CC zoning designation. No new physical improvements would occur as a result of the proposed project, and the proposed project would not result in the generation

of GHGs. However, it is reasonably foreseeable that the proposed zoning change would allow the area to be developed with uses allowed under the CC zoning designation rather than the uses that would have been allowed under the existing IL zoning designation. Therefore, reasonably foreseeable future development would allow for the construction of up to approximately 98,445 square feet of commercial uses on the project sites; however, specific design plans or proposed or anticipated uses are currently not known. Any future development would be subject to separate environmental review and entitlement approval and therefore, the proposed project would have *no impact*.

**b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?**

As described in threshold discussion VIII.a, above, the proposed project would not result in the generation of GHG, and the proposed project would not conflict with plans, policies, or regulations adopted for the purpose of reducing GHG emissions. Therefore, the proposed project would have *no impact*.

Mitigation Measures

Mitigation measures are not required.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>IX. HAZARDS AND HAZARDOUS MATERIALS – Would the project:</b>				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				X
b) 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?				X
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				X
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				X
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?				X

## DISCUSSION

### a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

The proposed project would be limited to the amendment of the Fresno General Plan Land Use Map and Official Zoning Map to rezone the two project parcels at the northeast corner of East McKinley and North Fine Avenues. No construction or operational activities would occur, and the project would not result in impacts related to the routine transport, use, or disposal of hazardous materials. However, it is reasonably foreseeable that the proposed zoning change would allow the area to be developed with uses allowed under the CC zoning designation rather than the uses that would have been allowed under the existing IL zoning designation. Therefore, reasonably foreseeable future development would allow for the construction of up to approximately 98,445 square feet of commercial uses on the project sites; however, specific design plans are currently not known. Any future development would be

subject to applicable state and local laws related to the transport, use, and disposal of hazardous materials. In addition, the project would be subject to separate environmental review and entitlement approval. Therefore, the proposed project would have *no impact*.

**b) 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?**

As described in threshold discussion IX.a, above, the proposed project would not result in a significant hazard to the public or the environment through the transport of hazardous materials. The proposed project would not require construction or operational activities that could 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. However, it is reasonably foreseeable that the proposed zoning change would allow the area to be developed with uses allowed under the CC zoning designation rather than the uses that would have been allowed under the existing IL zoning designation. Therefore, reasonably foreseeable future development would allow for the construction of up to approximately 98,445 square feet of commercial uses on the project sites; however, specific design plans are currently not known. It is anticipated that the reasonably foreseeable future development of CC uses rather than IL uses at the project sites would reduce the potential for storage, use, or handling of hazardous materials at the project sites. Any future development would be subject to applicable state and local laws related to the handling of hazardous materials. In addition, the project would be subject to separate environmental review and entitlement approval. Therefore, the proposed project would have *no impact*.

**c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?**

The closest existing school is Sierra Charter School, located approximately 0.13 miles north of the project sites. As previously stated, the proposed project would not result in the use or emission of substantial quantities of hazardous materials that would pose a human or environmental health risk. Although the proposed project is located within 0.25 miles of an existing school, it would not involve activities that would result in the emission of hazardous materials or acutely hazardous substances. However, it is reasonably foreseeable that the proposed zoning change would allow the area to be developed with uses allowed under the CC zoning designation rather than the uses that would have been allowed under the existing IL zoning designation. Therefore, reasonably foreseeable future development would allow for the construction of up to approximately 98,445 square feet of commercial uses on the project sites; however, specific design plans are currently not known. Any future development would be subject to separate environmental review and entitlement approval. Therefore, the proposed project would have *no impact*.

- d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?**

According to the California Department of Toxic Substances Control (DTSC) EnviroStor database,<sup>8</sup> the project sites are not located on a federal superfund site, state response site, voluntary cleanup site, school cleanup site, evaluation site, school investigation site, military evaluation site, tiered permit site, or corrective action site. Additionally, the project sites are not included on the list of hazardous waste sites compiled pursuant to California Government Code Section 65962.5.<sup>9</sup> As a result, no hazards to the public or environment are anticipated. Therefore, the proposed project would have *no impact*.

- e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?**

The nearest medical center helipad is at the Community Regional Medical Center,<sup>10</sup> located approximately 3.5 miles southwest of the project sites. The nearest airports include the Fresno Yosemite International Airport, located approximately 0.52 miles east of the project sites; Fresno Chandler Executive Airport, located approximately 5.5 miles southwest of the project sites; and Sierra Sky Airport, located approximately 9 miles northwest of the project sites. Each of these airports is considered under the *Fresno County Airport Land Use Compatibility Plan (ALUCP)* which guides local jurisdictions in determining appropriate compatible land uses with detailed findings and policies. The ALUCP includes airport safety zone maps that are based on the likelihood of aircraft accidents adjacent to airports. The project sites are located within the Traffic Pattern Zone where the aircraft accident risk level is considered to be low.<sup>11</sup> Although the project sites are within two miles of a public use airport, the proposed project is located in a low aircraft accident risk area. Further, no new physical improvements would occur as a result of the proposed project, and the project would not result in a safety hazard for people residing or working in the project area. However, it is reasonably foreseeable that the proposed zoning change would allow the area to be developed with uses allowed under the CC zoning designation rather than the uses that would have been allowed under the existing IL zoning designation.

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<sup>8</sup> California Department of Toxic Substances Control (DTSC). 2024. EnviroStor. Available at: <https://www.envirostor.dtsc.ca.gov/public/map/?myaddress=fresno>. Accessed January 2024.

<sup>9</sup> California Environmental Protection Agency (CalEPA). 2018. Government Code Section 65962.5(a) Hazardous Waste and Substances Site List. Available at: <https://calepa.ca.gov/sitecleanup/corteselist/section-65962-5a/>. Accessed January 2024.

<sup>10</sup> California Department of Transportation (Caltrans). 2019. Caltrans HeliPlates. Available at: <https://heliplates.dot.ca.gov/#>. Accessed January 2024.

<sup>11</sup> Fresno Council of Governments. 2021. *Fresno County Airport Land Use Compatibility Plan*. December 2018; Amended December 2021. Available at: <https://fresnocog.wpenginepowered.com/wp-content/uploads/2022/09/Fresno-ALUCP-12-04-17-final-with-Amended-Table.pdf>. Accessed January 2024.

Therefore, reasonably foreseeable future development would allow for the construction of up to approximately 98,445 square feet of commercial uses on the project sites; however, specific design plans are currently not known. Any future development would be subject to separate environmental review and entitlement approval. Therefore, the proposed project would have *no impact*.

**f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?**

The California Emergency Services Act requires cities to prepare and maintain an Emergency Plan for natural, manmade, or war-caused emergencies that result in conditions of disaster or in extreme peril to life. The City's full-time Emergency Preparedness Officer (EPO) is responsible for ensuring that Fresno's emergency response plans are up-to-date and implemented properly. The EPO also facilitates cooperation between City departments and other federal, state, and local agencies that would be involved in emergency response operations. The City of Fresno Emergency Operations Center (EOC) serves as the coordination and communication between the City of Fresno and Fresno County Operational Area EOC. The proposed project would not result in any alterations of existing roadways that would block the circulation of emergency response services or introduce elements that would conflict with the operations of the EOC, and the proposed project would not interfere with emergency evacuation plans in the city. Therefore, the proposed project would have *no impact*.

**g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?**

The project sites are located in an area mapped as Local Responsibility Area (LRA) Unzoned, indicating that the area is urbanized and not susceptible to wildland conflagrations. Additionally, the project is not located within a very high fire hazard severity zone (VHFHSZ).<sup>12</sup> The proposed project would not expose people or structures to a significant loss, injury, or death involving wildland fires. Therefore, the proposed project would have *no impact*.

Mitigation Measures

Mitigation measures are not required.

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<sup>12</sup> California Department of Forestry and Fire Protection (CAL FIRE). 2023. *Fire Hazard Severity Zones in State Responsibility Area*. Available at: <https://calfire-forestry.maps.arcgis.com/apps/webappviewer/index.html?id=988d431a42b242b29d89597ab693d008>. Accessed January 2024.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>X. HYDROLOGY AND WATER QUALITY – Would the project:</b>				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?				X
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?				X
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or through the addition of impervious surfaces, in a manner which would:				
i) Result in a substantial erosion or siltation on- or off-site;				X
ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site:				X
iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or				X
iv) impede or redirect flood flows?				X
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?				X

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?				X

**DISCUSSION**

**a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?**

The State Water Resources Control Board (SWRCB) and nine RWQCBs regulate the water quality of surface water and groundwater bodies throughout California. The proposed project is within the jurisdiction of the Central Valley RWQCB.

The proposed project does not include any construction or operational activities or other ground disturbance that could violate any water quality standards or waste discharge requirements identified by the Central Valley RWQCB or otherwise substantially degrade surface or groundwater quality. However, it is reasonably foreseeable that the proposed zoning change would allow the area to be developed with uses allowed under the CC zoning designation rather than the uses that would have been allowed under the existing IL zoning designation. Therefore, reasonably foreseeable future development would allow for the construction of up to approximately 98,445 square feet of commercial uses on the project sites; however, specific design plans are currently not known. Any future development would be required to comply with applicable Central Valley RWQCB and City Municipal Code requirements to reduce the potential to increase erosion and other pollutants at the project sites that could run off into surrounding areas. Further, any future development would be subject to separate environmental review and entitlement approval. Therefore, the proposed project would have *no impact*.

**b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?**

The proposed project is limited to the amendment of the Fresno General Plan Land Use Map and Official Zoning Map to rezone the two project parcels at the northeast corner of East McKinley and North Fine Avenues. No new physical improvements would occur as a result of the proposed project, and the proposed project would not require groundwater supplies and would not interfere with groundwater recharge. However, it is reasonably foreseeable that the proposed zoning change would allow the area to be developed with uses allowed under the CC zoning designation rather than the uses that would have been allowed under the existing IL zoning designation. Therefore, reasonably foreseeable future development would allow for the construction of up to approximately 98,445 square feet of commercial uses on the

project sites; however, specific design plans are currently not known. Any future development would be subject to separate environmental review and entitlement approval. Therefore, the proposed project would have *no impact*.

**c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or through the addition of impervious surfaces, in a manner which would:**

**i) Result in substantial erosion or siltation on- or off-site?**

The proposed project would be limited to the amendment of the Fresno General Plan Land Use Map and Official Zoning Map to rezone the two project parcels at the northeast corner of East McKinley and North Fine Avenues. No new physical improvements would occur as a result of the proposed project, and the project would not result in ground disturbance that could result in erosion or siltation on- or off-site. However, it is reasonably foreseeable that the proposed zoning change would allow the area to be developed with uses allowed under the CC zoning designation rather than the uses that would have been allowed under the existing IL zoning designation. Therefore, reasonably foreseeable future development would allow for the construction of up to approximately 98,445 square feet of commercial uses on the project sites; however, specific design plans are currently not known. Any future development would be required to comply with applicable Central Valley RWQCB and City Municipal Code requirements to reduce the potential to increase erosion and other pollutants at the project sites that could run off into surrounding areas. Further, any future development would be subject to separate environmental review and entitlement approval. Therefore, the proposed project would have *no impact*.

**ii) Substantially increase the rate or amount of surface runoff in a manner, which would result in flooding on- or off-site?**

The proposed project would be limited to the amendment of the Fresno General Plan Land Use Map and Official Zoning Map to rezone the two project parcels at the northeast corner of East McKinley and North Fine Avenues, and the project would not increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site. However, it is reasonably foreseeable that the proposed zoning change would allow the area to be developed with uses allowed under the CC zoning designation rather than the uses that would have been allowed under the existing IL zoning designation. Therefore, reasonably foreseeable future development would allow for the construction of up to approximately 98,445 square feet of commercial uses on the project sites; however, specific design plans are currently not known. Any future development would be required to comply with applicable Central Valley RWQCB and City Municipal Code requirements to address short- and long-term drainage conditions at the project sites. Further, any future development would be subject to separate environmental review and entitlement approval. Therefore, the proposed project would have *no impact*.

**iii) Create or contribute runoff water, which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?**

Refer to threshold discussions X.a, X.c)i, and X.c)ii, above. The proposed project would not increase impervious surfaces at the project sites and would not create or contribute runoff water. However, it is reasonably foreseeable that the proposed zoning change would allow the area to be developed with uses allowed under the CC zoning designation rather than the uses that would have been allowed under the existing IL zoning designation. Therefore, reasonably foreseeable future development would allow for the construction of up to approximately 98,445 square feet of commercial uses on the project sites; however, specific design plans are currently not known. Any future development would be required to comply with applicable Central Valley RWQCB and City Municipal Code requirements to address short- and long-term drainage conditions at the project sites. Further, any future development would be subject to separate environmental review and entitlement approval. Therefore, the proposed project would have *no impact*.

**iv) Impede or redirect flood flows?**

Code of Federal Regulations (CFR) Title 40, Part 60 regulations and the City's Floodplain Ordinance require that placement of flood provision structures within a floodplain does not result in a cumulative change in the floodplain water surface that exceeds 1 foot. In addition, the regulations under 40 CFR Part 60 do not allow placement of structures within a regulatory floodway unless that placement would not result in any increase in the floodplain water surface elevation, meaning that there is no displacement or redirection of the floodway. The City's Floodplain Ordinance requires that a Civil Engineer registered in the State of California certify that no displacement of floodwater would result from the flood proofing of a structure within a floodplain or a regulatory floodway.

According to Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) 06019C1590H (effective date 2/18/2009), the proposed project is located within Shaded Zone X (500-year floodplain), an area of 0.2% annual chance of flood hazard and 1% annual chance of flood with average depth less than 1 foot or with drainage areas of less than 1 square mile. The City's Floodplain Ordinance applies to Special Flood Hazard Areas (SFHAs), including Zones A, AO, A1-A30, AE, A99, and AH. The project sites are not located within a SFHA and would not be subject to the City's Floodplain Ordinance.<sup>13</sup> Therefore, the proposed project would have *no impact*.

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<sup>13</sup> Federal Emergency Management Agency (FEMA). 2020. FEMA Flood Map Service Center: Search By Address. Available at: <https://msc.fema.gov/portal/search?AddressQuery#searchresultsanchor>. Accessed January 2024.

**d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?**

The project sites are not located in tsunami or seiche zones, but it is located in a 500-year floodplain as mapped by FEMA. The project is limited to the amendment of the Fresno General Plan Land Use Map and Official Zoning Map to rezone the two project parcels at the northeast corner of East McKinley and North Fine Avenues, and no physical improvements that could risk release of pollutants due to project inundation would occur. Refer to threshold discussion IX.a in Section IX, *Hazards and Hazardous Materials*, regarding the use of hazardous materials within the project sites. However, it is reasonably foreseeable that the proposed zoning change would allow the area to be developed with uses allowed under the CC zoning designation rather than the uses that would have been allowed under the existing IL zoning designation. Therefore, reasonably foreseeable future development would allow for the construction of up to approximately 98,445 square feet of commercial uses on the project sites; however, specific design plans are currently not known. Any future development would be required to comply with applicable Central Valley RWQCB and City Municipal Code requirements to address short- and long-term drainage conditions at the project sites. Additionally, any future development would be subject to separate environmental review and entitlement approval. Therefore, the proposed project would have *no impact*.

**e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?**

The city is located within the Kings Subbasin, which is part of the larger San Joaquin Valley Groundwater Basin. The planning documents regarding water resources for the city include the North Kings Groundwater Sustainability Act (GSA) Groundwater Management Plan, the City of Fresno Urban Water Management Plan, and City of Fresno Metropolitan Water Resources Management Plan. The proposed project is limited to the amendment of the Fresno General Plan Land Use Map and Official Zoning Map to rezone the two project parcels at the northeast corner of East McKinley and North Fine Avenues and would not result in physical improvement that could conflict or obstruct implementation of any water control or groundwater management plans. However, it is reasonably foreseeable that the proposed zoning change would allow the area to be developed with uses allowed under the CC zoning designation rather than the uses that would have been allowed under the existing IL zoning designation. Therefore, reasonably foreseeable future development would allow for the construction of up to approximately 98,445 square feet of commercial uses on the project sites; however, specific design plans are currently not known. Any future development would be subject to separate environmental review and entitlement approval. Therefore, the proposed project would have *no impact*.

Mitigation Measures

Mitigation measures are not required.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XI. LAND USE AND PLANNING</b> – Would the project:				
a) Physically divide an established community?				X
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?				X

**DISCUSSION**

**a) Physically divide an established community?**

The physical division of an established community typically refers to the construction of a physical feature (such as an interstate highway or railroad tracks) or removal of a means of access (such as a local road or bridge) that would impair mobility within an existing community, or between a community and outlying areas. For instance, the construction of an interstate highway through an existing community may constrain travel from one side of the community to another; similarly, such construction may also impair travel to areas outside of the community.

The proposed project sites are limited to the amendment of the Fresno General Plan Land Use Map and Official Zoning Map to rezone the two project parcels at the northeast corner of East McKinley and North Fine Avenues. No new physical improvements would occur as a result of the proposed project, and the proposed project would not physically divide an established community. However, it is reasonably foreseeable that the proposed zoning change would allow the area to be developed with uses allowed under the CC zoning designation rather than the uses that would have been allowed under the existing IL zoning designation. Therefore, reasonably foreseeable future development would allow for the construction of up to approximately 98,445 square feet of commercial uses on the project sites; however, specific design plans are currently not known. Any future development would be limited to two existing parcels and would be subject to separate environmental review and entitlement approval. Therefore, the proposed project would have *no impact*.

**b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?**

The two project parcels are located within Fresno city limits and the City's Sphere of Influence. The project sites are in the city's IL zoning designation and designated IL

in the City’s General Plan. These land use and zoning designations are intended to accommodate a diverse range of uses, including limited manufacturing and processing, research and development, fabrication, utility equipment and service yards, wholesaling, warehousing, and distribution activities in addition to small-scale retail and ancillary office uses.

The project would rezone APNs 494-291-10 and 494-291-05 to CC, which is intended to accommodate medium-scale retail, office, civic and entertainment uses, supermarkets, drug stores and supporting uses. The proposed project does not include new development or site improvements that would require construction activities. No new physical improvements would occur as a result of the proposed project. However, it is reasonably foreseeable that the proposed zoning change would allow the area to be developed with uses allowed under the CC zoning designation rather than the uses that would have been allowed under the existing IL zoning designation. Therefore, reasonably foreseeable future development would allow for the construction of up to approximately 98,445 square feet of commercial uses on the project sites; however, specific design plans are currently not known. Any future development would be subject to separate environmental review and entitlement approval.

The proposed project would require a change to the City's General Plan, Land Use Map, Official Zoning Map, and current zoning. However, as described throughout this Initial Study, rezoning the project parcels from IL to CC would not conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. Therefore, the proposed project would have *no impact*.

Mitigation Measures

Mitigation measures are not required.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XII. MINERAL RESOURCES – Would the project:</b>				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X

**DISCUSSION**

**a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?**

The principal area for mineral resources in the City of Fresno is located along the San Joaquin River Corridor. The California Department of Mines and Geology classifies lands along the San Joaquin River Corridor as Mineral Resource Zone (MRZ)-1, MRZ-2, and MRZ-3. The project sites are not located in the vicinity of the San Joaquin River, is not an MRZ, and does not contain an MRZ. The proposed project would not result in the loss of availability of a known mineral resource of value to the region or residents of the state. Therefore, the proposed project would have *no impact*.

**b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?**

Refer to threshold discussion XII.a, above. The proposed project would not result in the loss of availability of any known locally important mineral resource recovery sites. Therefore, the proposed project would have *no impact*.

Mitigation Measures

Mitigation measures are not required.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XIII. NOISE</b> – Would the project result in:				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?				X
b) Generation of excessive groundborne vibration or groundborne noise levels?				X

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X

**DISCUSSION**

**a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or in other applicable local, state, or federal standards?**

The proposed project is limited to the amendment of the Fresno General Plan Land Use Map and Official Zoning Map to rezone the two project parcels at the northeast corner of East McKinley and North Fine Avenues. No new physical improvements would occur as a result of the proposed project, and the proposed project would not result in the generation of new sources of temporary or permanent increases in ambient noise levels in the vicinity of the project. However, it is reasonably foreseeable that the proposed zoning change would allow the area to be developed with uses allowed under the CC zoning designation rather than the uses that would have been allowed under the existing IL zoning designation. Therefore, reasonably foreseeable future development would allow for the construction of up to approximately 98,445 square feet of commercial uses on the project sites; however, specific design plans are currently not known. Any future development and associated construction activities would be required to comply with the City’s noise standards and would be subject to separate environmental review and entitlement approval. Therefore, the proposed project would have *no impact*.

**b) Generation of excessive ground borne vibration or ground borne noise levels?**

The proposed project would not require construction or operational activities that could result in ground borne vibration or ground borne noise levels. However, it is reasonably foreseeable that the proposed zoning change would allow the area to be developed with uses allowed under the CC zoning designation rather than the uses that would have been allowed under the existing IL zoning designation. Therefore, reasonably foreseeable future development would allow for the construction of up to approximately 98,445 square feet of commercial uses on the project sites; however, specific design plans are currently not known. Any future development and associated

construction activities would be required to comply with the City's noise standards and would be subject to separate environmental review and entitlement approval. Therefore, the proposed project would have *no impact*.

**c) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?**

The nearest medical center helipad to the project sites is at the Community Regional Medical Center,<sup>14</sup> located approximately 3.5 miles southwest of the project sites. The nearest airports include the Fresno Yosemite International Airport, located approximately 0.52 miles east of the project sites; Fresno Chandler Executive Airport, located approximately 5.5 miles southwest of the project sites; and Sierra Sky Airport, located approximately 9 miles northwest of the project sites.

Each of these airports is considered under the *Fresno County Airport Land Use Compatibility Plan (ALUCP)*,<sup>15</sup> which guides local jurisdictions in determining appropriate compatible land uses with detailed findings and policies. The City's General Plan, other City land use plans, and all City land use decisions must be compatible with the adopted ALUCP for Fresno County. The ALUCP includes CNEL noise contours based on projected airport and aircraft operations. The project sites are within 2 miles of the Fresno Yosemite International Airport; however, the project sites are located outside of the CNEL noise contours identified in the ALUCP. Further, no new physical improvements would occur as a result of the proposed project; therefore, the proposed project would not result in the exposure of sensitive receptors to the excessive noise levels from aircraft noise sources. However, it is reasonably foreseeable that the proposed zoning change would allow the area to be developed with uses allowed under the CC zoning designation rather than the uses that would have been allowed under the existing IL zoning designation. Therefore, reasonably foreseeable future development would allow for the construction of up to approximately 98,445 square feet of commercial uses on the project sites; however, specific design plans are currently not known. Any future development would be required to comply with the City's noise standards and would be subject to separate environmental review and entitlement approval. Therefore, the proposed project would have *no impact*.

### Mitigation Measures

Mitigation measures are not required.

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<sup>14</sup> California Department of Transportation (Caltrans). 2019. Caltrans HeliPlates. Available at: <https://heliplates.dot.ca.gov/#>. Accessed January.

<sup>15</sup> Fresno Council of Governments. 2021. *Fresno County Airport Land Use Compatibility Plan*. December 2018; Amended December 2021. Available at: <https://fresnocog.wpenginepowered.com/wp-content/uploads/2022/09/Fresno-ALUCP-12-04-17-final-with-Amended-Table.pdf>. Accessed January 2024.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XIV. POPULATION AND HOUSING</b> – Would the project:				
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				X
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?				X

**DISCUSSION**

**a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?**

The proposed project would amend the Fresno General Plan Land Use Map and Official Zoning Map to rezone the two project parcels at the northeast corner of East McKinley and North Fine Avenues. The proposed project would rezone APNs 494-291-10 and 494-291-05 from IL to CC. The CC zoning designation allows for uses including medium-scale retail, office, civic and entertainment uses, supermarkets, drug stores and supporting uses. The proposed project does not include new development or site improvements that would require construction activities. No new physical improvements would occur as a result of the proposed project. However, it is reasonably foreseeable that the proposed zoning change would allow the area to be developed with uses allowed under the CC zoning designation rather than the uses that would have been allowed under the existing IL zoning designation. Therefore, reasonably foreseeable future development would allow for the construction of up to approximately 98,445 square feet of commercial uses on the project sites; however, specific design plans are currently not known. Any future development would be subject to separate environmental review and entitlement approval.

The project sites are currently zoned IL and proposed to be zoned CC; therefore, the project sites are not planned for residential uses, and the proposed project would not result in substantial unplanned population growth either directly or indirectly. Therefore, the proposed project would have *no impact*.

**b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?**

The proposed project would not necessitate the displacement or removal of existing housing. Therefore, the proposed project would have *no impact*.

Mitigation Measures

Mitigation measures are not required.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XV. PUBLIC SERVICES – Would the project:</b>				
a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire protection?				X
Police protection?				X
Schools?				X
Parks?				X
Other public facilities?				X

## DISCUSSION

a) **Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:**

**i) Fire protection?**

The City of Fresno Fire Department (FFD) would provide fire protection services to the proposed project. There are 20 FFD fire stations in Fresno, with the closest fire station, Fire Station 1, located approximately 1 mile southwest of the project sites. Planned growth under the City's General Plan would increase calls for fire protection service in the city. The proposed rezone of the project sites does not represent unplanned growth given that the project sites are would not be rezoned for residential uses. No new physical improvements would occur as a result of the proposed project; therefore, the proposed project would not result in an increase in demand for service that could necessitate the provision of new or physically altered fire protection facilities.

It is reasonably foreseeable that the proposed zoning change would allow the area to be developed with uses allowed under the CC zoning designation rather than the uses that would have been allowed under the existing IL zoning designation. Therefore, reasonably foreseeable future development would allow for the construction of up to approximately 98,445 square feet of commercial uses on the project sites; however, specific design plans are currently not known. Any future development would be subject to separate environmental review and entitlement approval. Therefore, the proposed project would have *no impact*.

**ii) Police protection?**

The City of Fresno Police Department (FPD) provides police protection to the project sites. The FPD Patrol Division is divided into five policing districts, with the project sites being within the Northeast District. Planned growth under the City's General Plan would increase calls for police protection service in the city. The proposed rezone of the project sites does not represent unplanned growth given that the project sites are would not be rezoned for residential uses. Therefore, the proposed project would not result in an increase in demand for service that could necessitate the provision of new or physically altered police protection facilities.

It is reasonably foreseeable that the proposed zoning change would allow the area to be developed with uses allowed under the CC zoning designation rather than the uses that would have been allowed under the existing IL zoning designation. Therefore, reasonably foreseeable future development would allow for the construction of up to approximately 98,445 square feet of commercial uses on the project sites; however, specific design plans are currently not known. Any future

development would be subject to separate environmental review and entitlement approval. Therefore, the proposed project would have *no impact*.

**iii) Schools?**

The Fresno Unified School District (FUSD) serves more than 74,000 students and operates 64 elementary schools, 15 middle schools, eight high schools, four alternative schools, and three special education schools. Any urban residential development occurring as a result of the proposed project would result in an impact on the FUSD student capacity. The proposed project would not allow any urban residential development. Therefore, the proposed project would have *no impact*.

**iv) Parks?**

The proposed project would amend the Fresno General Plan Land Use Map and Official Zoning Map to rezone the two project parcels at the northeast corner of East McKinley and North Fine Avenues. The proposed rezone of the project sites does not represent unplanned growth given that the project sites are not being rezoned for residential uses. Since no new residential development would occur under the proposed project, the construction of new park facilities to serve the project would not be required. Therefore, the proposed project would have *no impact*.

**v) Other public facilities?**

The proposed project would not increase demand for other public services, including libraries, community centers, and public health care facilities. The proposed project would not result in significant population growth that would increase the demand for these facilities, such that new facilities would be needed to maintain service standards, as these facilities are not currently overused and have capacity to serve new demand. Therefore, the proposed project would have *no impact*.

Mitigation Measures

Mitigation measures are not required.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XVI. RECREATION</b> – Would the project:				
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				X

**DISCUSSION**

**a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?**

The proposed project is limited to the amendment of the Fresno General Plan Land Use Map and Official Zoning Map to rezone the two project parcels at the northeast corner of East McKinley and North Fine Avenues. No new physical improvements would occur as a result of the proposed project, and the proposed project would not result in an increased use of existing recreational facilities. The proposed rezone of the project sites does not represent unplanned growth given that the project sites are not being rezoned for residential uses. Since no new residential development would occur under the proposed project, the project would not increase the use of any existing recreational facilities, and no substantial physical deterioration of a recreation facility would occur or be accelerated. Therefore, the proposed project would have *no impact*.

**b) Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?**

The proposed project would not include or require the construction or expansion of existing public recreational facilities. Therefore, the proposed project would have *no impact*.

Mitigation Measures

Mitigation measures are not required.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XVII. TRANSPORTATION</b> – Would the project:				
a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?				X
b) Conflict or be inconsistent with CEQA Guidelines § 15064.3, subdivision (b)?				X
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				X
d) Result in inadequate emergency access?				X

**DISCUSSION**

**a) Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?**

The proposed project would be limited to the amendment of the Fresno General Plan Land Use Map and Official Zoning Map to rezone the two project parcels at the northeast corner of East McKinley and North Fine Avenues. The proposed project would rezone APNs 494-291-10 and 494-291-05 from IL to CC. The CC zoning designation allows for uses including medium-scale retail, office, civic and entertainment uses, supermarkets, drug stores and supporting uses. The proposed project does not include new development or site improvements that would require construction activities. No new physical improvements would occur as a result of the proposed project, and the proposed project would not conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, or pedestrian facilities. However, it is reasonably foreseeable that the proposed zoning change would allow the area to be developed with uses allowed under the CC zoning designation rather than the uses that would have been allowed under the existing IL zoning designation. Therefore, reasonably foreseeable future development would allow for the construction of up to approximately 98,445 square feet of commercial uses on the project sites; however, specific design plans are currently not known. Any future development would be subject to separate environmental review and entitlement approval. Therefore, the proposed project would have *no impact*.

**b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?**

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 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 threshold for transportation impacts.

State CEQA Guidelines Section 15064.3(b)(4) states, "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 vehicle miles traveled and any revision to model outputs should be documented and explained in the environmental document that would be prepared for a development project. The standard of adequacy in Section 15151 shall apply to the analysis described in this section."

On June 25, 2020, the City adopted *CEQA Guidelines for Vehicle Miles Traveled Thresholds* (Fresno VMT Thresholds), pursuant to SB 743 to be effective July 1, 2020.<sup>16</sup> The Fresno VMT Thresholds document was prepared and adopted consistent with the requirements of State CEQA Guidelines Sections 15064.3 and 15064.7. The December 2018 *Technical Advisory on Evaluating Transportation Impacts in CEQA* (Technical Advisory) published by the California 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 proposed project would be limited to the amendment of the Fresno General Plan Land Use Map and Official Zoning Map to rezone the two project parcels at the northeast corner of East McKinley and North Fine Avenues. No new physical improvements or operational changes would occur as a result of the proposed project; therefore, the proposed project would not result in an increase in vehicle trips. However, it is reasonably foreseeable that the proposed zoning change would allow the area to be developed with uses allowed under the CC zoning designation rather than the uses that would have been allowed under the existing IL zoning designation. Therefore, reasonably foreseeable future development would allow for the construction of up to approximately 98,445 square feet of commercial uses on the

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<sup>16</sup> City of Fresno. 2020. *CEQA Guidelines for Vehicle Miles Traveled Thresholds*. June 18. Available at: <https://fresno.legistar.com/View.ashx?M=F&ID=8601948&GUID=9AEF1630-3BE3-45BF-9BB8-3D4BB9DB1677>. Accessed January 2024.

project sites; however, specific design plans are currently not known. Typically, the development of new commercial uses in close proximity to existing residential uses would result in a reduction in VMT by reducing the distance to other similar services elsewhere in the city. Further, any future development would be subject to separate environmental review and entitlement approval.

Fresno VMT Thresholds Section 3.0 regarding Project Screening discusses a variety of projects that may be screened out of a VMT analysis including specific development and transportation projects. For development projects, conditions may exist that would presume that a development project has a less-than-significant impact. These may be size, location, proximity to transit, or trip-making potential. For transportation projects, the primary attribute to consider with transportation projects is the potential to increase vehicle travel, sometimes referred to as “induced travel.”

The proposed project is eligible to screen out because the project would not generate new trips associated with construction or operation, and the project is consistent with State CEQA Guidelines Section 15064.3(b). Therefore, the proposed project would have *no impact*.

**c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?**

The project would not alter pedestrian or vehicle access to the project sites or introduce incompatible design features or equipment that would substantially increase the risk of hazards, and the project would not substantially increase hazards due to design features. Therefore, the proposed project would have *no impact*.

**d) Result in inadequate emergency access?**

Emergency vehicles would have access to the project sites via East McKinley and North Fine Avenues, and emergency access would not be modified as a result of the proposed project. Therefore, the proposed project would have *no impact*.

Mitigation Measures

Mitigation measures are not required.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XVII. TRIBAL CULTURAL RESOURCES – Would the project:</b>				
a) Cause a substantial adverse change in the significance of a tribal cultural resource, defined in PRC section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				
i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in PRC section 5020.1(k), or,				X
ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of PRC section 5024.1. In applying the criteria set forth in subdivision (c) of PRC section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.				X

## DISCUSSION

a) **Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:**

i. **Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or**

As previously discussed in Section V, *Cultural Resources*, no new physical improvements would occur as a result of the proposed project, and the proposed project would not result in removal or disturbance of existing buildings or structures. However, it is reasonably foreseeable that the proposed zoning change would allow the area to be developed with uses allowed under the CC zoning designation rather than the uses that would have been allowed under the existing IL zoning designation. Therefore, reasonably foreseeable future development would allow for the construction of up to approximately 98,445 square feet of commercial uses on the project sites; however, specific design plans are currently not known. Any future development would be subject to separate environmental review and entitlement approval and this rezone would not interfere with any protective measures regarding historical resources. Therefore, the proposed project would have *no impact*.

ii. **A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.**

The state requires lead agencies to consider the potential effects of proposed projects and consult with California Native American tribes during the local planning process for the purpose of protecting Traditional Tribal Cultural Resources through the State CEQA Guidelines. Pursuant to PRC Section 21080.3.1, the lead agency shall begin consultation with the California Native American tribe that is traditionally and culturally affiliated with the geographical area of the proposed project. Such significant cultural resources are either sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a tribe that is either included in or eligible for inclusion in the CRHR or local historic register, or, the lead agency, at its discretion, and support by substantial evidence, chooses to treat the resources as a Tribal Cultural Resources (PRC Section 21074(a)(1–2)).

Additional information may also be available from the NAHC SLF per PRC Section 5097.96 and the CHRIS administered by the OHP. Please also note that PRC Section 21082.3(c) contains provisions specific to confidentiality.

Pursuant to SB 18, Native American tribes traditionally and culturally affiliated with the project area were invited to consult regarding the project based on a list of contacts provided by the NAHC. This list includes tribes that requested notification pursuant to AB 52. The City of Fresno mailed notices of the proposed project to each of these tribes on March 27, 2024, which included the required 90-day time period for tribes to request consultation, which ended on June 24, 2024. All tribes that were contacted declined consultation.

If any artifacts are inadvertently discovered during ground-disturbing activities, existing federal, state, and local laws and regulations would require construction activities to cease until such artifacts are properly examined and determined not to be of significance by a qualified cultural resource professional. The proposed project does not include any ground disturbing activities, and no new physical improvements will occur. However, it is reasonably foreseeable that the proposed zoning change would allow the area to be developed with uses allowed under the CC zoning designation rather than the uses that would have been allowed under the existing IL zoning designation. Therefore, reasonably foreseeable future development would allow for the construction of up to approximately 98,445 square feet of commercial uses on the project sites; however, specific design plans are currently not known. Any future development would be subject to separate environmental review and entitlement approval. Therefore, the proposed project would have *no impact*.

Mitigation Measures

Mitigation measures are not required.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XIX. UTILITIES AND SERVICE SYSTEMS – Would the project:</b>				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effect?				X

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?				X
c) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				X
d) Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?				X
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?				X

**DISCUSSION**

**a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?**

The proposed project would amend the Fresno General Plan Land Use Map and Official Zoning Map to rezone the two project parcels at the northeast corner of East McKinley and North Fine Avenues. The proposed project does not include new development or site improvements that would require construction activities; therefore, the proposed project would not result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electrical power, natural gas, or telecommunications facilities. However, it is reasonably foreseeable that the proposed zoning change would allow the area to be developed with uses allowed under the CC zoning designation rather than the uses that would have been allowed under the existing IL zoning designation. Therefore, reasonably

foreseeable future development would allow for the construction of up to approximately 98,445 square feet of commercial uses and associated utility infrastructure on the project sites; however, specific design plans are currently not known. Any future development would be subject to separate environmental review and entitlement approval. Therefore, the proposed project would have *no impact*.

**b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?**

The project sites are located entirely within Fresno City Limits and the City's SOI; therefore, the proposed project would be consistent with the City's planned buildout scenario. Further, the project sites are currently zoned for IL land uses and would be rezoned for CC uses under the proposed project; therefore, the project sites are not planned for residential uses, and the proposed project would not result in substantial unplanned population growth either directly or indirectly. Because the proposed project would be consistent with the City's planned buildout scenario, any future development associated with the project would not result in unplanned growth that could deplete the City's water supply. Therefore, the proposed project would have *no impact*.

**c) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?**

The project sites are located entirely within Fresno City Limits and the City's SOI; therefore, the proposed project would be consistent with the City's planned buildout scenario. Further, the project sites are currently zoned for IL land uses and would be rezoned for CC uses under the proposed project; therefore, the project sites are not planned for residential uses, and the proposed project would not result in substantial unplanned population growth either directly or indirectly. Because the proposed project would be consistent with the City's planned buildout scenario, any future development associated with the proposed project would not result in unplanned growth that could generate wastewater in exceedance of existing infrastructure. Therefore, the proposed project would have *no impact*.

**d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?**

Garbage disposed in the City of Fresno is taken to the Cedar Avenue Recycling and Transfer Station. Once trash has been off-loaded at the transfer station, it is sorted, and non-recyclable solid waste is loaded onto large trucks and taken to the American Avenue Landfill located approximately 6 miles southwest of Kerman.

The American Avenue Landfill (i.e., American Avenue Disposal Site 10-AA-0009) has a maximum permitted capacity of 32,700,000 cubic yards and a remaining capacity of

29,358,535 cubic yards, with an estimated closure date of August 31, 2031. The maximum permitted throughput is 2,200 tons per day.<sup>17</sup>

Other landfills within Fresno County include the Clovis Landfill (City of Clovis Landfill 10-AA-0004) with a maximum remaining permitted capacity of 7,740,000 cubic yards, a maximum permitted throughput of 2,000 tons per day, and an estimated closure date of 2047.<sup>18</sup>

The project sites are located entirely within Fresno City Limits and the City's SOI; therefore, the proposed project would be consistent with the City's planned buildout scenario. Further, the project sites are currently zoned for IL land uses and would be rezoned for CC uses under the proposed project; therefore, the project sites are not planned for residential uses, and the proposed project would not result in substantial unplanned population growth either directly or indirectly. Because the proposed project would be consistent with the City's planned buildout scenario, any future development associated with the proposed project would not result in unplanned growth that could generate solid waste in exceedance of the capacity of local landfills. Therefore, the proposed project would have *no impact*.

**e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?**

The project sites are currently zoned for IL land uses and would be rezoned for CC uses under the proposed project; therefore, the project sites are not planned for residential uses, and the proposed project would not result in substantial unplanned population growth either directly or indirectly. Because the proposed project would be consistent with the City's planned buildout scenario, any future development associated with the proposed project would not result in unplanned growth that could generate solid waste in exceedance of the capacity of local landfills. Therefore, the proposed project does not include construction or operational activities that would generate solid waste that could interfere with solid waste reduction statutes and regulations, including, but not limited to, policies identified in the City's General Plan *Public Utilities and Services Element*. Therefore, the proposed project would have *no impact*.

Mitigation Measures

Mitigation measures are not required.

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<sup>17</sup> California Department of Resources Recycling and Recovery (CalRecycle). 2023. SWIS Facility/Site Summary: American Avenue Disposal Site (10-AA-0009). Available at: <https://www2.calrecycle.ca.gov/SolidWaste/Site/Summary/352>. Accessed January 2024.

<sup>18</sup> CalRecycle. 2023. SWIS Facility/Site Summary: City Of Clovis Landfill (10-AA-0004). Available at: <https://www2.calrecycle.ca.gov/SolidWaste/Site/Summary/347>. Accessed January 2024.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XX. WILDFIRE</b> – If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?				X
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?				X
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?				X
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?				X

**DISCUSSION**

**a) Substantially impair an adopted emergency response plan or emergency evacuation plan?**

The project sites are in an urban area and not located within a VHFHSZ.<sup>19</sup> The proposed project would not require the alteration of any existing roadways that could interfere with any emergency evacuation routes within the City of Fresno or an

<sup>19</sup> California Department of Forestry and Fire Protection (CAL FIRE). 2023. *Fire Hazard Severity Zones in State Responsibility Area*. Available at: <https://calfire-forestry.maps.arcgis.com/apps/webappviewer/index.html?id=988d431a42b242b29d89597ab693d008>. Accessed January 2024.

adopted emergency response plan. Therefore, the proposed project would be consistent with the City's General Plan *Noise and Safety Element* and the County's *Multi-Jurisdictional Hazard Mitigation Plan*, and the proposed project would have *no impact*.

**b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?**

The project sites are in an urban area and not located within a VHFHSZ.<sup>20</sup> The project sites are located in a highly developed area and do not consist of densely vegetated areas or other physical characteristics that would exacerbate wildfire risks. The proposed project is limited to the amendment of the Fresno General Plan Land Use Map and Official Zoning Map to rezone the two project parcels at the northeast corner of East McKinley and North Fine Avenues and does not include any physical improvements to the project sites. However, it is reasonably foreseeable that the proposed zoning change would allow the area to be developed with uses allowed under the CC zoning designation rather than the uses that would have been allowed under the existing IL zoning designation. Therefore, reasonably foreseeable future development would allow for the construction of up to approximately 98,445 square feet of commercial uses on the project sites; however, specific design plans are currently not known. Any future development would be required to comply with the California Fire Code (CFC) requirements and would also be subject to separate environmental review and entitlement approval and approval. Therefore, the proposed project would not exacerbate wildfire risks and potentially expose project occupants to pollutants from a wildfire. Therefore, the proposed project would have *no impact*.

**c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?**

The proposed project is limited to the amendment of the Fresno General Plan Land Use Map and Official Zoning Map to rezone the two project parcels at the northeast corner of East McKinley and North Fine Avenues and would not require the installation or maintenance of infrastructure that would increase the risk of fire or result in temporary or ongoing environmental impacts, outside of what is already implemented according to city plans. However, it is reasonably foreseeable that the proposed zoning change would allow the area to be developed with uses allowed under the CC zoning designation rather than the uses that would have been allowed under the existing IL zoning designation. Therefore, reasonably foreseeable future development would allow for the construction of up to approximately 98,445 square feet of commercial uses on the project sites; however, specific design plans are currently not

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<sup>20</sup> California Department of Forestry and Fire Protection (CAL FIRE). 2023. *Fire Hazard Severity Zones in State Responsibility Area*. Available at: <https://calfire-forestry.maps.arcgis.com/apps/webappviewer/index.html?id=988d431a42b242b29d89597ab693d008>. Accessed January 2024.

known. Any future development would be required to comply with CFC requirements and would also be subject to separate environmental review and entitlement approval. Therefore, the proposed project would have *no impact*.

**d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?**

The project sites are located in a relatively flat area and would not be susceptible to downslope flooding or landslides. As previously identified, the project sites are located in a 500-year floodplain. However, no new physical improvements would occur as a result of the proposed project, and the project would not increase the risk associated with post-fire slope instability or drainage changes. However, it is reasonably foreseeable that the proposed zoning change would allow the area to be developed with uses allowed under the CC zoning designation rather than the uses that would have been allowed under the existing IL zoning designation. Therefore, reasonably foreseeable future development would allow for the construction of up to approximately 98,445 square feet of commercial uses on the project sites; however, specific design plans are currently not known. Any future development would be required to comply with applicable CFC and CBC requirements and would also be subject to separate environmental review and entitlement approval. Therefore, the proposed project would have *no impact*.

Mitigation Measures

Mitigation measures are not required.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XIX. MANDATORY FINDINGS OF SIGNIFICANCE</b>				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?				X

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?				X
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?				X

**DISCUSSION**

**a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of an endangered, rare, or threatened species, or eliminate important examples of the major periods of California history or prehistory?**

No new ground disturbance or other physical improvements would occur as a result of the proposed project. However, it is reasonably foreseeable that the proposed zoning change would allow the area to be developed with uses allowed under the CC zoning designation rather than the uses that would have been allowed under the existing IL zoning designation. Therefore, reasonably foreseeable future development would allow for the construction of up to approximately 98,445 square feet of commercial uses on the project sites; however, specific design plans are currently not known. Any future development would be subject to separate environmental review and entitlement approval. Therefore, the proposed project would have *no impacts* related to biological and historical resources.

- b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)**

The proposed project impacts would be individually limited and not cumulatively considerable due to the site-specific nature of the potential impacts. Because the proposed project would result in no impact, the project would not substantially contribute to any potential cumulative impacts. However, it is reasonably foreseeable that the proposed zoning change would allow the area to be developed with uses allowed under the CC zoning designation rather than the uses that would have been allowed under the existing IL zoning designation. Therefore, reasonably foreseeable future development would allow for the construction of up to approximately 98,445 square feet of commercial uses on the project sites; however, specific design plans are currently not known. Any future development would be subject to separate environmental review and entitlement approval. All project-specific environmental impacts that could occur as a result of the proposed project would have no impact as discussed throughout this document; therefore, *no cumulatively considerable impacts* would occur.

- c) Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?**

The proposed project’s potential to result in environmental effects that could directly or indirectly impact human beings have been evaluated in this Initial Study. As described herein, the proposed project would have *no impact* related to environmental effects that could adversely affect human beings. Any future development would be subject to separate environmental review and entitlement approval.