

E202610000004

NOTICE OF EXEMPTION

PLEASE POST FOR 30 DAYS

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

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

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

FILED

JAN 14 2026 TIME 2:20pm
FRESNO COUNTY CLERK
BY _____ DEPUTY

Project Title: Environmental Assessment Application No. P24-04504

Project Location: 3484 West Shields Avenue; Located on the north side of West Shields Avenue between North Selland Avenue and North Valentine Avenue (APN: 433-090-21S)

Project Location – city: City of Fresno

Project Location- county: County of Fresno

Description of Nature, Purpose and Beneficiaries of Project: Conditional Use Permit Application No. P24-04504 proposes to construct a new thirty-six-unit apartment complex on an approximately 2.23-acre vacant property. An affordable housing density bonus is being implemented to increase the unit count by 35%. The project will require the applicant to demonstrate compliance with all required zoning standards and improvements, as well as the construction of public facilities and infrastructure in accordance with the standards, specifications, and policies of the City of Fresno to facilitate the proposed development of the subject property.

Beneficiaries of the project would be:

Alejandro Magallan with AMG Drafting

Name of Public Agency Approving Project:

City of Fresno Planning and Development Department

Name of Person or Agency Carrying Out Project:

Diego St Clair on the behalf of Alejandro Magallan with AMG Drafting

Exempt Status: (check one)

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

Notice of Exemption
Date: January 13, 2026
Page 2

Reasons why project is exempt:

Section 15332/Class 32 (In-Fill Development Projects) of the CEQA Guidelines exempts from the provisions of CEQA, projects characterized as in-fill development, which meet the following conditions:

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

The Fresno General Plan designates the subject site for Multi-Unit Residential planned land use. This project meets all policies and objectives of the Fresno General Plan and objectives related to land use and the urban form:

Goals

Goal 7: Provide for a diversity of districts, neighborhoods, housing types (including affordable housing), residential densities, job opportunities, recreation, open space, and educational venues that appeal to a broad range of people throughout the City.

Goal 8: Develop Complete Neighborhoods and districts with an efficient and diverse mix of residential densities, building types, and affordability which are designed to be healthy, attractive, and centered by schools, parks, and public and commercial services to provide a sense of place and that provide as many services as possible within walking distance.

Objectives

Objective UF-1: Emphasize the opportunity for a diversity of districts, neighborhoods, and housing types.

Objective LU-2: Plan for infill development that includes a range of housing types, building forms, and land uses to meet the needs of both current and future residents.

Objective LU-5: Plan for a diverse housing stock that will support balanced urban growth and make efficient use of resources and public facilities.

Implementing Policies

Policy UF-1-a: Support development projects that provide Fresno with a diversity of urban and suburban neighborhood opportunities.

Policy UF-1-d: Provide for diversity and variation of building types, densities, and scales of development to reinforce the identity of individual neighborhoods, foster a variety of market-based options for living and working to suit a large range of income levels, and further affordable housing opportunities throughout the city.

Notice of Exemption
Date: January 13, 2026
Page 2

Policy LU-2-a: Promote development of vacant, underdeveloped, and re-developable land within the City Limits where urban services are available by considering the establishment and implementation of supportive regulations and programs.

Policy LU-5-d: Promote medium-high density residential uses to optimize the use of available or planned public facilities and services and to provide housing opportunities with convenient access to employment, shopping, services, and transportation.

The proposed development is consistent with the Fresno General Plan, Multi-Unit Residential planned land use and the West Area Community Plan.

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

The proposed project is located within City limits, occurs on a ± 2.23 -acre vacant site, which is less than the five-acre maximum, and is immediately surrounded by urban/residential uses, with single unit housing located to the west of the subject parcel and a mobile home park located to the north and east of the subject parcel. Vacant parcels are also nearby, although not directly next to the project. Therefore, it can be concluded that the site is substantially surrounded by urban uses.

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

The project site is currently vacant and has previously disturbed land. The site has not been identified as a habitat for rare or threatened species. Development that immediately surrounds the subject parcel consists of single and multi-unit residential uses, therefore there is no indication that the subject site contains value as a habitat for endangered, rare, or threatened species.

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

The proposed project was routed to the San Joaquin Air Pollution Control District, the City of Fresno Public Utilities Department-Water Division, and the Fresno Metropolitan Flood Control District. No significant effects were identified relating to traffic, noise, air quality, or water quality.

Traffic

Senate Bill (SB) 743, signed in 2013, changes the way transportation studies are conducted in California Environmental Quality Act (CEQA) documents. Vehicle miles traveled (VMT) replaces motorist delay and level of service (LOS) as the metric for impact determination. The Office of Planning and Research provides a Technical Advisory (TA) as a guidance document to establish thresholds for this new VMT metric. The TA acknowledges that conditions may exist that would presume that a development project has a less than significant impact. These

Notice of Exemption
Date: January 13, 2026
Page 2

may be size, location, proximity to transit, or trip-making potential. As a result of the final rulemaking surrounding SB 743 and the implementation deadline of July 1, 2020, the City of Fresno adopted new VMT thresholds and guidelines to address the shift from delay-based LOS CEQA traffic analyses to VMT CEQA traffic analyses on June 25, 2020, and became effective on July 1, 2020.

Based upon the City of Fresno's adopted VMT thresholds and guidelines, screening of projects is permitted if a project qualifies as a low trip generator (less than 500 daily trips generated). The average VMT per capita within the subject Traffic Analysis Zone is 12.64, while the average VMT per capita for Fresno County is 17.63. Given the adopted significance threshold criteria of the City of Fresno, staff determined that the proposed project can be screened out from further TIS and VMT impact analysis and therefore would not result in any significant traffic impacts based upon the City of Fresno's adopted thresholds and guidelines for Traffic analysis.

Noise

The project is a multi-unit residential complex. The site is adjacent to other residential uses of varying density and vacant parcels are nearby that may foreseeably be developed into future residential uses. Therefore, the project will not result in a significant amount of noise compared to the other adjacent uses, being compatible with the zone district and all applicable location standards.

Air Quality

The project is subject to comply with any applicable regulations and conditions from the San Joaquin Valley Air Pollution Control District. SJVAPCD has reviewed the project and currently has no comments or concerns.

Water Quality

The project is conditioned to comply with any applicable conditions from Public Works or the Utilities Department to ensure the project will not have an effect on water quality.

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

The project has been reviewed and conditioned by the Fresno Irrigation District, Fresno Metropolitan Flood Control District, Fresno County Public Health, City of Fresno Public Works, City of Fresno Police, City of Fresno Public Utilities, and the City of Fresno Fire Departments. In addition, given the surrounding properties and neighborhoods have been substantially developed and utilities and public services already exist in the area, the site can be adequately served by all required utilities, including sewer, water, and solid waste, as well as public services.

E202610000004

Notice of Exemption
Date: January 13, 2026
Page 2

Lead Agency Contact Person: Diego St Clair

Full telephone no. (559) 621-8060

Signature: Diego St Clair. **Date:** 1/13/2026

Printed Name and Title: Diego St Clair, Planner II

☒ Signed by Lead Agency

☐ Signed by applicant

If filed/signed by applicant:

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

Enclosed: Categorical Exemption

**CITY OF FRESNO
CATEGORICAL EXEMPTION
ENVIRONMENTAL ASSESSMENT FOR
CONDITIONAL USE PERMIT APPLICATION NO. P24-04504**

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

APPLICANT: Alejandro Magallan
(559) 308-8101
AMGDRAFTING@ATT.NET

PROJECT LOCATION: 3484 West Shields Avenue, located on the North side of West Shields Avenue, between North Marty and North Valentine Avenues.
APN: 433-090-21S

PROJECT DESCRIPTION: **Conditional Use Permit Application No. P24-04504** requests authorization to construct a new thirty-six-unit apartment complex on an approximately 2.23-acre vacant property. An affordable housing density bonus is being implemented to increase the unit count by 35%. The project will require the applicant to demonstrate compliance with all required zoning standards and improvements, as well as the construction of public facilities and infrastructure in accordance with the standards, specifications, and policies of the City of Fresno to facilitate the proposed development of the subject property. The property is zoned RS-5 (Single Unit Residential – Medium Density).

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

Section 15332/Class 32 (In-Fill Development Projects) of the CEQA Guidelines exempts from the provisions of CEQA, projects characterized as in-fill development, which meet the following conditions:

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

The Fresno General Plan designates the subject site for Multi-Unit Residential planned land use. This project meets all policies and objectives of the Fresno General Plan and objectives related to land use and the urban form:

Goals

Goal 7: Provide for a diversity of districts, neighborhoods, housing types (including affordable housing), residential densities, job opportunities, recreation, open space, and educational venues that appeal to a broad range of people throughout the City.

Goal 8: Develop Complete Neighborhoods and districts with an efficient and diverse mix of residential densities, building types, and affordability which are designed to be healthy,

attractive, and centered by schools, parks, and public and commercial services to provide a sense of place and that provide as many services as possible within walking distance.

Objectives

Objective UF-1: Emphasize the opportunity for a diversity of districts, neighborhoods, and housing types.

Objective LU-2: Plan for infill development that includes a range of housing types, building forms, and land uses to meet the needs of both current and future residents.

Objective LU-5: Plan for a diverse housing stock that will support balanced urban growth and make efficient use of resources and public facilities.

Implementing Policies

Policy UF-1-a: Support development projects that provide Fresno with a diversity of urban and suburban neighborhood opportunities.

Policy UF-1-d: Provide for diversity and variation of building types, densities, and scales of development to reinforce the identity of individual neighborhoods, foster a variety of market-based options for living and working to suit a large range of income levels, and further affordable housing opportunities throughout the city.

Policy LU-2-a: Promote development of vacant, underdeveloped, and re-developable land within the City Limits where urban services are available by considering the establishment and implementation of supportive regulations and programs.

Policy LU-5-d: Promote medium-high density residential uses to optimize the use of available or planned public facilities and services and to provide housing opportunities with convenient access to employment, shopping, services, and transportation.

The proposed development is consistent with the Fresno General Plan, Multi-Unit Residential planned land use and the West Area Community Plan.

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

The proposed project is located within City limits, occurs on a ±2.23-acre vacant site, which is less than the five-acre maximum, and is immediately surrounded by urban/residential uses, with single unit housing located to the west of the subject parcel and a mobile home park located to the north and east of the subject parcel. Vacant parcels are also nearby, although not directly next to the project. Therefore, it can be concluded that the site is substantially surrounded by urban uses.

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

The project site is currently vacant and has previously disturbed land. The site has not been identified as a habitat for rare or threatened species. Development that immediately surrounds the subject parcel consists of single and multi-unit residential uses, therefore there is no indication that the subject site contains value as a habitat for endangered, rare, or threatened species.

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

The proposed project was routed to the San Joaquin Air Pollution Control District, the City of Fresno Public Utilities Department-Water Division, and the Fresno Metropolitan Flood Control District. No significant effects were identified relating to traffic, noise, air quality, or water quality.

Traffic

Senate Bill (SB) 743, signed in 2013, changes the way transportation studies are conducted in California Environmental Quality Act (CEQA) documents. Vehicle miles traveled (VMT) replaces motorist delay and level of service (LOS) as the metric for impact determination. The Office of Planning and Research provides a Technical Advisory (TA) as a guidance document to establish thresholds for this new VMT metric. The TA acknowledges that 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. As a result of the final rulemaking surrounding SB 743 and the implementation deadline of July 1, 2020, the City of Fresno adopted new VMT thresholds and guidelines to address the shift from delay-based LOS CEQA traffic analyses to VMT CEQA traffic analyses on June 25, 2020, and became effective on July 1, 2020.

Based upon the City of Fresno's adopted VMT thresholds and guidelines, screening of projects is permitted if a project qualifies as a low trip generator (less than 500 daily trips generated). The average VMT per capita within the subject Traffic Analysis Zone is 12.64, while the average VMT per capita for Fresno County is 17.63. Given the adopted significance threshold criteria of the City of Fresno, staff determined that the proposed project can be screened out from further TIS and VMT impact analysis and therefore would not result in any significant traffic impacts based upon the City of Fresno's adopted thresholds and guidelines for Traffic analysis.

Noise

The project is a multi-unit residential complex. The site is adjacent to other residential uses of varying density and vacant parcels are nearby that may foreseeably be developed into future residential uses. Therefore, the project will not result in a significant amount of noise compared to the other adjacent uses, being compatible with the zone district and all applicable location standards.

Air Quality

The project is subject to comply with any applicable regulations and conditions from the San Joaquin Valley Air Pollution Control District. SJVAPCD has reviewed the project and currently has no comments or concerns.

Water Quality

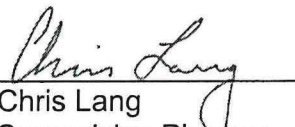
The project is conditioned to comply with any applicable conditions from Public Works or the Utilities Department to ensure the project will not have an effect on water quality.

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

The project has been reviewed and conditioned by the Fresno Irrigation District, Fresno Metropolitan Flood Control District, Fresno County Public Health, City of Fresno Public Works, City of Fresno Police, City of Fresno Public Utilities, and the City of Fresno Fire Departments. In addition, given the surrounding properties and neighborhoods have been substantially developed and utilities and public services already exist in the area, the site can be adequately served by all required utilities, including sewer, water, and solid waste, as well as public services.

None of the exceptions to Categorical Exemptions set forth in the CEQA Guidelines, Section 15300.2 apply to the project. Furthermore, the proposed project is not expected to have a significant effect on the environment. A categorical exemption, as noted above, has been prepared for the project and the area is not environmentally sensitive.

Date: October 22, 2025
Prepared By: Diego St Clair, Planner

Submitted by: 
Chris Lang
Supervising Planner
City of Fresno
Planning & Development Department
(559) 621-8023