

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

Project Title: Environmental Assessment Application No. P24-04502

Project Location: 108 West Lemon Avenue, located on the northwest corner of West Lemon and South Thorne Avenues. (APN: 464-113-18)

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. P24-04502 proposes to construct a new apartment complex consisting of six 3-bedroom units across 3 two-story buildings on vacant property. The project proposes onsite improvements, including onsite parking, on-site private, and common open space. Off-site improvements will include, but are not limited to, sidewalk, drive approach, curb, and gutter.

Beneficiaries of the project would be:

Vincent Palacios with Designed Drafting

Name of Public Agency Approving Project:

City of Fresno

Name of Person or Agency Carrying Out Project:

Vincent Palacios with Designed 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 – CEQA Guidelines 15303/Class 3 & 15332/Class 32
- Statutory Exemption – PRC § _____
- Other _____

Reasons why project is exempt:

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Under Section 15303/Class 3, the proposed project is exempt from CEQA requirements when the project consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. This includes a duplex or similar multi-family residential structure, totaling no more than four dwelling units. In urbanized areas, this exemption applies to apartments, duplexes and similar structures designed for not more than six dwelling units.

The Class 3 guidelines allow new construction of up to 6 dwelling units within an urbanized area. The project proposes to construct 6 dwelling units and is located in an urbanized area surrounded by existing single unit residential houses. Existing water, sewer, electrical, and other utilities are available to service the project site. Therefore, the proposed project meets the requirements of the Class 3 exemption.

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 Residential - Medium Density 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 Downtown Neighborhoods Community Plan.

- (b) The proposed development occurs within city limits on a project site of no more than 5 acres substantially surrounded by urban uses.

The proposed project is located within City limits, occurs on a ±0.51-acre vacant site, which is less than the five-acre maximum, and is immediately surrounded by urban/residential uses, with single unit housing surrounding the site in all directions. Vacant parcels are also nearby, although not directly adjacent to the project. The subject property is also located within the Downtown Neighborhoods Community Plan. Therefore, it can be concluded that the site is substantially surrounded by urban uses.

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

The project site is currently vacant 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 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

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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 7.89, 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.

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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.

Lead Agency Contact Person: Matthew Woodward **Full telephone no.** (559) 621-8067

Signature: Matthew Woodward **Date:** 2/24/2026

Printed Name and Title: Matthew Woodward, 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. P24-04502**

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: Vincent Palacios
(559) 903-4238
vincentpalacios49ers@yahoo.com

PROJECT LOCATION: 108 West Lemon Avenue, located on the northwest corner of West Lemon and South Thorne Avenues. (APN: 464-113-18)

PROJECT DESCRIPTION: **Conditional Use Permit Application No. P24-04502** proposes to construct a new apartment complex consisting of six 3-bedroom units across 3 two-story buildings on vacant property. The project proposes onsite improvements, including onsite parking, private and common open space, and landscaping. Off-site improvements will be, but not limited to sidewalk, drive approach, curb, and gutter. 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/NR (Single Unit Residential – Medium Density/Neighborhood Revitalization Overlay).

This project is exempt under Section 15303/Class 3 & Section 15332/Class 32 of the California Environmental Quality Act (CEQA) Guidelines as follows:

Under Section 15303/Class 3, the proposed project is exempt from CEQA requirements when the project consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. This includes a duplex or similar multi-family residential structure, totaling no more than four dwelling units. In urbanized areas, this exemption applies to apartments, duplexes and similar structures designed for not more than six dwelling units.

The Class 3 guidelines allow new construction of up to 6 dwelling units within an urbanized area. The project proposes to construct 6 dwelling units and is located in an urbanized area surrounded by existing single unit residential houses. Existing water, sewer, electrical, and other utilities are available to service the project site. Therefore, the proposed project meets the requirements of the Class 3 exemption.

Under Section 15332/Class 32, the proposed project is exempt from CEQA requirements, when it is an infill project subject to the following

(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 the Medium Density 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.

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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 Downtown Neighborhoods Community Plan.

(b) The proposed development occurs within city limits on a project site of no more than 5 acres

substantially surrounded by urban uses.

The proposed project is located within City limits, occurs on a ±0.51-acre vacant site, which is less than the five-acre maximum, and is immediately surrounded by urban/residential uses, with single unit housing surrounding the site in all directions. Vacant parcels are also nearby, although not directly adjacent to the project. The subject property is also located within the Downtown Neighborhoods Community Plan. Therefore, it can be concluded that the site is substantially surrounded by urban uses.

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

The project site is currently vacant 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 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.

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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

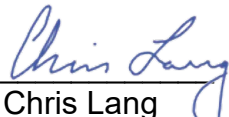
The project is conditioned to comply with any applicable conditions from Public Works or the Utilities Department to ensure the project will not have an effect on water quality.

(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: January 9, 2026
Prepared By: Matthew Woodward, Planner II

Submitted by: 
Chris Lang
Supervising Planner
City of Fresno
Planning & Development Department
(559) 621-8172