



REPORT TO THE PLANNING COMMISSION

AGENDA ITEM NO. VIII-A  
COMMISSION MEETING 9-17-14

APPROVED BY

DEPARTMENT DIRECTOR

September 17, 2014

FROM: MIKE SANCHEZ, Assistant Director  
Development and Resource Management Department

BY: SOPHIA PAGOULATOS, Supervising Planner  
Development Services Division

SUBJECT: CONSIDERATION OF PLAN AMENDMENT APPLICATION NO. A-14-004 AND REZONE APPLICATION NO. R-14-004 FILED BY WILLIAM C MILAM, PERTAINING TO ± 0.34 ACRES OF PROPERTY LOCATED AT 1744 B STREET, ON THE NORTH SIDE OF B STREET BETWEEN AMADOR AND SAN JOAQUIN STREETS

RECOMMENDATION

The appropriateness of the proposed project has been examined with respect to its consistency with goals and policies of the 2025 Fresno General Plan and the Edison Community Plan; its compatibility with surrounding existing uses, and its avoidance or mitigation of potentially significant adverse environmental impacts. These factors have been evaluated as described above and by the accompanying environmental assessment.

Upon consideration of staff evaluation, it can be concluded that proposed Plan Amendment Application No. A-14-004, Rezone Application No. R-14-004, are appropriate for the project site. Therefore, staff recommends the Planning Commission take the following actions:

1. **RECOMMEND APPROVAL (to the City Council)** of the adoption of the Mitigated Negative Declaration prepared for Environmental Assessment No. A-14-004/R-14-004 dated August 8, 2014 for the purpose of the proposed plan amendment and rezone applications.
2. **RECOMMEND APPROVAL (to the City Council)** of Plan Amendment Application No. A-14-004 proposing to amend the 2025 Fresno General Plan Edison Community Plan, and Southwest Fresno General Neighborhood Renewal Area (G.N.R.A.) Plan from the medium-high density residential planned land use designation to the general heavy commercial land use designation.
3. **RECOMMEND APPROVAL (to the City Council)** of Rezone Application No. R-14-004 to reclassify the approximately 0.34 acre property from the from the R-2-A (*Low Density Multiple Family Residential, one story*) to the C-6/cz (*Heavy Commercial/conditions of zoning*) zone district classification.

## EXECUTIVE SUMMARY

William C. Milam has filed Plan Amendment Application No. A-14-004 and Rezone Application No. R-14-004, pertaining to ± 0.34 acres of property located at 1744 B Street, on the north side of B Street between Amador and San Joaquin Streets.

Plan Amendment Application No. A-14-004 proposes to amend the 2025 Fresno General Plan, Edison Community Plan, and Southwest Fresno General Neighborhood Renewal Area (G.N.R.A.) Plan from the medium-high density residential planned land use designation to the general heavy commercial land use designation.

Rezone Application No. R-14-004 proposes to amend the Official Zone Map to reclassify the subject property from the R-2-A (*Low Density Multiple Family Residential, one story*) zone district to the C-6/cz (*Heavy Commercial/conditions of zoning*) zone district classification.

The plan amendment and rezone applications have been filed in order to facilitate the continued commercial use of an existing legal non-conforming property. The specific use of the property is unknown at this time.

Staff supports approval of these applications subject to mitigation measures and conditions of zoning to ensure compatibility with the surrounding neighborhood.

## PROJECT INFORMATION

PROJECT See description above in executive summary

APPLICANT William C Milam

LOCATION Located on the north side of B Street between Amador and San Joaquin Streets  
**(Council District 3, Councilmember Baines)**

SITE SIZE Approximately 0.34 net acres

LAND USE Existing - medium high density residential  
Proposed - general heavy commercial

ZONING Existing - R-2-A (*Low Density Multiple Family Residential, one story*)  
Proposed - C-6/cz (*Heavy Commercial/conditions of zoning*)

**PLAN DESIGNATION AND CONSISTENCY** Pursuant to Table 2 (Planned Land Use and Zone District Consistency Matrix) of the 2025 Fresno General Plan and Section 12-403-B-1 (Zone District Consistency Table) of the Fresno Municipal Code (FMC), the proposed C-6 zone district classification for the subject property and the proposed general heavy commercial planned land use designations for the subject property may be found consistent.

**ENVIRONMENTAL FINDING** Finding of a Mitigated Negative Declaration dated August 8, 2014.

**PLAN COMMITTEE RECOMMENDATION** The District 3 Plan Implementation Committee considered these applications on April 28, 2014 and voted 3-0 to deny the applications.

**STAFF RECOMMENDATION** Recommend that the Planning Commission recommend approval to the City Council of the proposed plan amendment and rezone applications, and environmental finding subject to mitigation measures and conditions of zoning.

**BORDERING PROPERTY INFORMATION**

	<b>Planned Land Use</b>	<b>Existing Zoning</b>	<b>Existing Land Use</b>
<b>North</b>	Medium High Density Residential	<b>R-2-A</b> <i>Low Density Multiple Family Residential, One Story</i>	Commercial Building and Single Family Dwelling
<b>South</b>	Medium High Density Residential	<b>R-2-A</b> <i>Low Density Multiple Family Residential, One Story</i>	Single Family Dwelling
<b>East</b>	Medium High Density Residential	<b>R-2-A</b> <i>Low Density Multiple Family Residential, One Story</i>	Alley & Single Family Dwelling
<b>West</b>	Medium High Density Residential	<b>R-2-A</b> <i>Low Density Multiple Family Residential, One Story</i>	Single Family Dwelling

## **ENVIRONMENTAL FINDING**

An environmental assessment initial study was prepared for this project in accordance with the requirements of the California Environmental Quality Act (CEQA) Guidelines (see Exhibit I). This process included the distribution of requests for comment from other responsible or affected agencies and interested organizations.

Preparation of the environmental assessment necessitated a thorough review of the proposed project and relevant environmental issues and considered previously prepared environmental and technical studies pertinent to the Edison Community Plan area, including the Master Environmental Impact Report (MEIR) No. 10130 for the 2025 Fresno General Plan (SCH#2001071097) and Mitigated Negative Declaration (MND) No. A-09-02 (SCH#2009051016). These environmental and technical studies have examined projected sewage generation rates of planned urban uses, the capacity of existing sanitary sewer collection and treatment facilities, and optimum alternatives for increasing capacities; groundwater aquifer resource conditions; water supply production and distribution system capacities; traffic carrying capacity of the planned major street system; and student generation projections and school facility site location identification.

The proposed amendment of the adopted 2025 Fresno General Plan has been determined to not be fully within the scope of MEIR No. 10130 as provided by the CEQA, as codified in the Public Resources Code (PRC) Section 21157.1(d) and the CEQA Guidelines Section 15177(c). It has been further determined that all applicable mitigation measures of MEIR No. 10130 and MND No. A-09-02 have been applied to the project, together with project specific mitigation measures necessary to assure that the project will not cause significant adverse cumulative impacts, growth inducing impacts and irreversible significant effects beyond those identified by MEIR No. 10130 or MND No. A-09-02 as provided by CEQA Section 15178(a). In addition, pursuant to Public Resources Code, Section 21157.6(b)(1), staff has determined that no substantial changes have occurred with respect to the circumstances under which the MEIR was certified and that no new information, which was not known and could not have been known at the time that the MEIR was certified as complete, has become available. Therefore, it has been determined based upon the evidence in the record that the project will not have a significant impact on the environment and that the filing of a mitigated negative declaration is appropriate in accordance with the provisions of CEQA Section 21157.5(a)(2) and CEQA Guidelines Section 15178(b)(1) and (2).

Based upon the attached environmental assessment and the list of identified mitigation measures, staff has determined that there is no evidence in the record that the project may have a significant effect on the environment and has prepared a draft mitigated negative declaration for this project. A public notice of the attached mitigated negative declaration finding for Environmental Assessment Application No. A-14-004/R-14-004 was published on August 8, 2014 with no comments or appeals received to date.

## **BACKGROUND / ANALYSIS**

### Background

The history described below was important in the formulation of the staff recommendation (see Exhibit F for the Applicant's Statement of Project History and Background). The recommendation is based upon allowing a property right to continue after non-performance by the Redevelopment Agency and the ability to maintain neighborhood compatibility through mitigation measures and conditions of zoning.

The subject property has been owned by the Milam family since 1957, when the existing commercial building on the property was constructed. The property was zoned for commercial use at the time (C-6, *Heavy Commercial District*). Then in 1971, the Fresno Redevelopment Agency rezoned the subject property along with all of the property on both sides of B Street between Amador and Stanislaus to R-4 (*High Density Multiple Family Residential District*) in preparation for developing the area with multifamily housing. The property was again rezoned in 1984 to R-2-A (*Low Density Multiple Family Residential – Single Story District*) -- its current zoning-- for consistency with the Southwest Fresno General Neighborhood Renewal Area Plan (GNRA). These rezones made the commercial use of the property a legal non-conforming use.

In 1973, the City of Fresno granted a 40 year waiver for the continued commercial use of the subject property (consistent with the amortization period of non-conforming uses of this type), based on the expressed opinion of department staff that the property would be acquired by the City for conversion to residential uses in 10 to 12 years. The 40 year waiver was to allow the Milam family's property right to conduct business to continue. However, lenders immediately refused to lend the Milam family money to improve or expand the business. Based on this waiver and perceived imminent acquisition and development of the site by the City, Mr. Milam Sr. dropped objections to the city project. In the meantime, the commercial business continued as it had since 1957 with the building being used for warehousing and commercial purposes (auto parts sales).

In 2013, the 40 year waiver expired and the property remains a legal non-conforming use with lenders unwilling to provide financing for improvements. The city no longer has plans to improve the area with residential housing and the Redevelopment Agency has been dissolved. Therefore the plan amendment and rezone are proposed to allow commercial use to continue on the property with conditions of zoning and mitigation measures to ensure neighborhood compatibility.

Below is staff's analysis of compatibility with the 2025 Fresno General Plan and the Edison Community Plan.

### **2025 Fresno General Plan**

#### Land Use/Commercial

**Policy C-12-a:** *Ensure that all commercial land uses are developed and maintained in a manner complimentary to and compatible with adjacent residential land uses, to minimize*

*interface problems with surrounding environment and to be compatible with public facilities and services.*

Important considerations in evaluating the compatibility between commercial and residential properties are scale, location and use. These are each briefly discussed below:

1. Scale: the proposed property consists of two 50' x 150' residential lots, or 15,000 square feet, which is double the size of the surrounding residential lots. This would allow for a building that would occupy approximately half of the site (the size of one residential lot), with the other half available for parking. Therefore, any new building would not be out of scale with the surrounding residential buildings.

2. Location: the optimal location for small businesses in mixed use neighborhoods is on the corners and not mid-block, in order to maintain the integrity of the residential pattern. Corner locations are also optimal for businesses because of the additional traffic and visibility, and less desirable for residential use for those same reasons. The subject property is adjacent to the commercial corner of B and Amador, and thus functions like an extension of the commercial corner. It is only directly adjacent to residential property to the south along B Street. There is an alley to the rear, which serves as a buffer to the single family dwellings that back onto the alley from C Street. Single family dwellings are also located across the street.

It should be noted that B Street is an arterial, and designated as a truck route in the 2025 Fresno General Plan and Edison Community Plan. It connects to Whitesbridge and industrial areas to the northwest, and to the Fresno Street and the commercial shopping center to the south. B Street is therefore properly sized to accommodate any commercial use that would result from the proposed project.

3. Use: In order for commercial and residential development to be well integrated within a neighborhood, commercial uses need to be compatible with the residential environment, free of potential nuisance issues such as excessive traffic or noise.

The existing commercial business has been in operation since 1957 and has successfully coexisted in the residential neighborhood over the years. In order to ensure continued compatibility with the surrounding neighborhood, mitigation measures and conditions of zoning are proposed to limit the types of uses that would not be compatible with the existing neighborhood.

The conditions of zoning include three general categories of requirements:

1. Use restrictions: Any uses that would generate excessive noise or traffic are proposed to be prohibited. The prohibited uses are specifically listed in Exhibit G, and include such uses as ambulance service, automobile service station, car wash, gymnasium, super drugstore, drive-through uses, and alcohol retail uses.

2. Performance Standards: Objectionable odors beyond the property line are proposed to be prohibited;

3. Operational Restrictions: If the use includes automobile service or repair, several operational restrictions apply that relate to designated parking locations, hours of operation, and noise restrictions.

### Land Use/Activity Center

The neighborhood where the property is located is depicted on Exhibit 6 of the 2025 Fresno General Plan as a potential Activity Center (see Exhibit H). The neighborhood has many of the components of a complete neighborhood: a park, an elementary school, housing and small commercial businesses. General plan policies that further define the city's vision for these activity centers are the following

**Policy C-4-b:** *Activity centers should include commercial areas, employment centers, schools, higher-density residential development, churches, parks and other gathering points where residents may interact, work and obtain goods and services in the same place.*

It should be noted that the scale of the neighborhood is pedestrian-friendly. The park, school, other small businesses, and residences are all within 1/8 of a mile (600 feet) of the project site. A business in the proposed location would provide additional daytime activity and "eyes on the street" in a primarily residential area, thus increasing neighborhood surveillance and safety.

In addition, Fresno Area Express Route 30 services the site and connects to the West/California area and to downtown Fresno.

### Land Use/Infill

**Objective C-15:** *Provide infill opportunities that will revitalize the built-up urban core communities and neighborhoods of Fresno...and improve the overall quality of the urban environment.*

The proposed project would be consistent with this objective. It would facilitate new investment and revitalization in an existing neighborhood by facilitating new small business that is compatible with the neighborhood.

### **Edison Community Plan**

Relevant Plan Objectives:

*To stimulate growth in the Edison Community by improving the quality of the environment and the strategic provision of public facilities and improvements;*

Approval of the project would help facilitate investment in the area;

*To stimulate an increase of income levels throughout the Edison Community through programs of economic and employment development.*

Approval of the project could add jobs to the neighborhood.

### Commercial Services

The original vision of the plan was to encourage the development of local commercial services within modern shopping centers. The plan characterizes the type of business that has historically existed at the subject property as "local commercial." According to the plan, local commercial development is found in neighborhood or community shopping centers or in scattered "freestanding" locations throughout the community. Local commercial services cater to a consistent local trade area and provide for the major portion of a family's need for convenience goods, personal services, variety and general merchandise. According to the plan, there is a need for more local services, with the priority of clustering them into unified shopping centers.

Since the adoption of the Edison Community Plan in 1974, a major unified shopping center was constructed at Fresno and B Streets pursuant to the plan. However, recent trends in urban planning to reduce vehicle miles traveled and create complete neighborhoods support the mixing of compatible commercial and residential uses in order to create places where residents can live, work, shop and play (as evidences by the above-noted policies described in the 2025 Fresno General Plan, adopted in 2002).

### **Council District Plan Implementation Committee**

The District 3 Plan Implementation Committee considered the applications on April 29, 2014 and recommended denial by a 3-0-0 vote. The committee preferred that the residential land use be maintained.

### **Public Notice and Comment**

- August 7, 2014 – Environmental Assessment published in the Fresno Bee
- August 8, 2014 – Environmental Assessment posted at the Fresno County Clerk
- September 5, 2014 - Public Hearing Notice mailed to property owners within 500 feet of subject property. Three phone calls received: one inquiring about purchasing property, two requesting information.

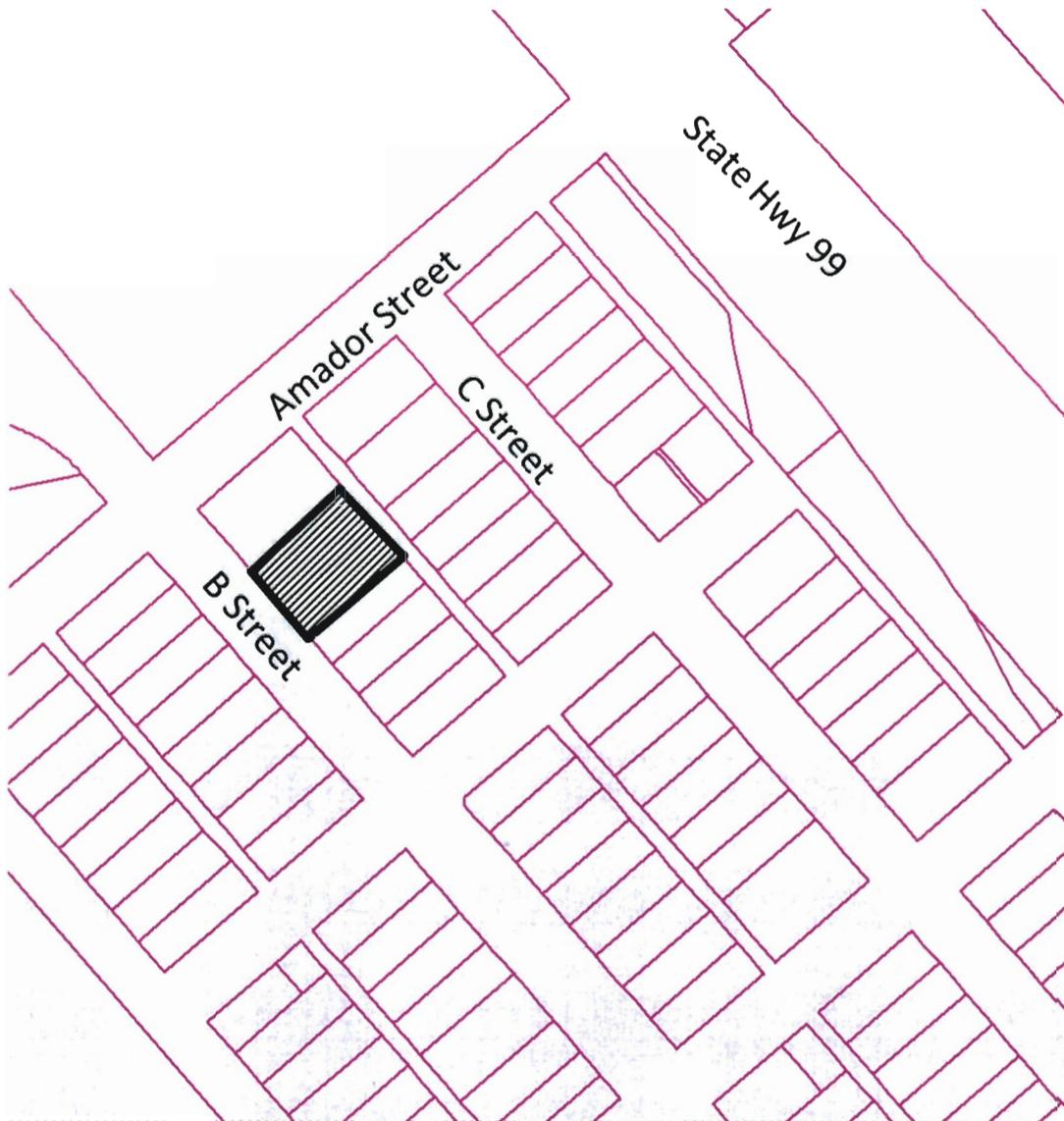
## **CONCLUSION**

The appropriateness of the proposed project has been examined with respect to its consistency with goals and policies of the 2025 Fresno General Plan and the Edison Community Plan; its compatibility with surrounding existing or proposed uses; and its avoidance or mitigation of potentially significant adverse environmental impacts. These factors have been evaluated as described above and by the accompanying environmental assessment. Upon consideration of this evaluation, it can be concluded that Plan Amendment Application No. A-14-004, Rezone Application No. R-14-004, Conditional Use Permit Application No. C-13-092, and are appropriate for the project site.

### Exhibits:

Exhibit A:	Vicinity Map
Exhibit B:	2012 Aerial Photograph
Exhibit C:	Noticing Map
Exhibit D:	2025 Fresno General Plan Planned Land Use Map
Exhibit E:	Proposed zoning map
Exhibit F:	Applicant Statement of Project History and Background
Exhibit G:	Conditions of Zoning
Exhibit H:	Exhibit 6 of Fresno 2025 General Plan
Exhibit I:	Environmental Assessment No. A-14-004/R-14-004

Exhibit A  
Vicinity Map



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## VICINITY MAP

## DEVELOPMENT AND RESOURCE MANAGEMENT DEPARTMENT

Plan Amendment No. A-14-004,  
Rezone No. R-14-004,

PROPERTY ADDRESS

1744 B Street

**APN:** 465-161-12, 13  
**Zone District:** R-2-A to C-6/cz  
**By:** S. Pagoulatos, September 12,  
2014

Exhibit B  
Aerial Photograph

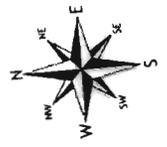


Exhibit C  
Noticing Map



Exhibit D  
2025 Fresno General Plan Land Use Map

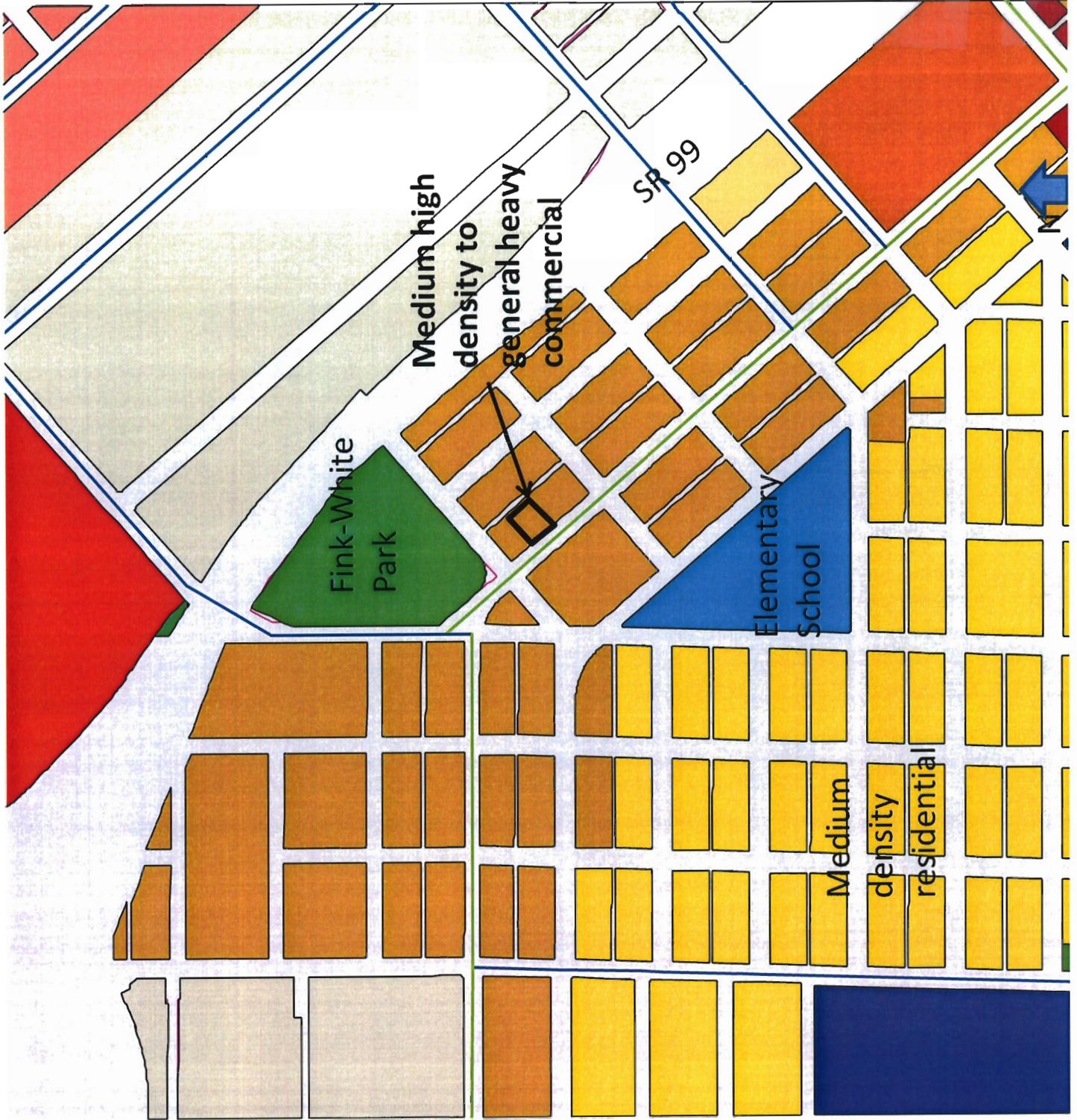
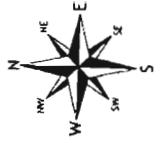


Exhibit E:  
Proposed Zoning Map

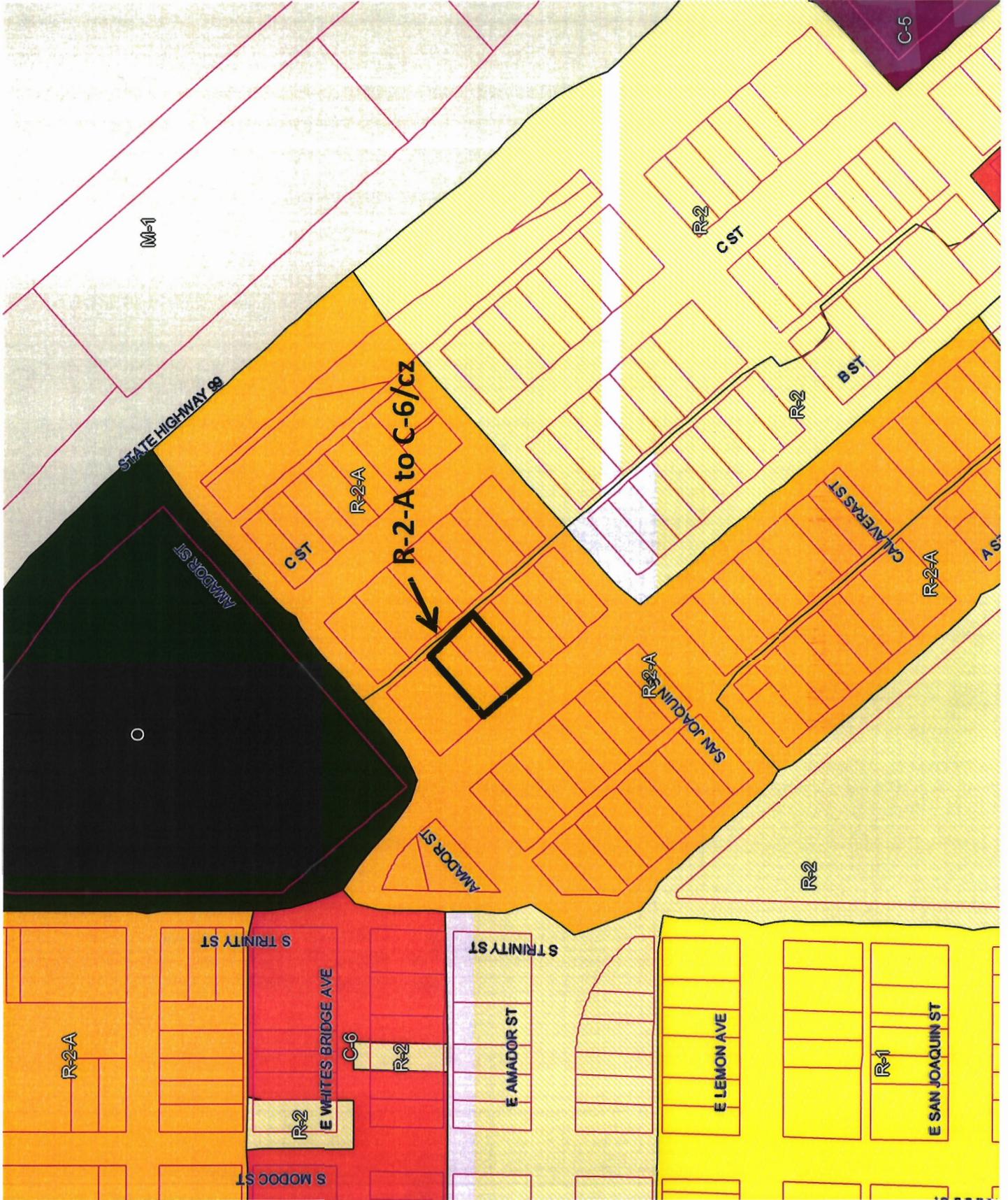


Exhibit F  
Applicant Statement of Project History

## **PROPERTY HISTORY and BACKGROUND**

### **Milam Property 1744 "B" Street**

**September 13, 2013**

The property at 1744 "B" Street was operated as an auto repair/rebuilder business and wholesale/retail auto parts warehouse distribution center since 1946. The property was originally zoned by the Milam family to C-6 at the time the Milam family acquired the site. The current building was constructed in 1957 by the Milam family.

In 1973, over then owner Mr. Bill Milam Sr.'s objections, the property was rezoned to R-4 and then to R-2 as part of the West Fresno Urban Renewal Plan and subsequent City Redevelopment efforts. The purpose of the rezoning was to accommodate a planned multifamily residential project to be developed by the City of Fresno Redevelopment Agency.

In 1973 the City of Fresno Planning Department granted a 40 year waiver for the continued commercial use of the property, based upon the expressed opinion of department staff that the property would be acquired by the City for conversion to residential uses in 10 to 12 years. The 40 year waiver was to allow the Milam family's property right to conduct business to continue. However, lenders immediately refused to lend the Milam family money to improve or expand the business. Based on this waiver and perceived imminent acquisition and development of the site by the city, Mr. Milam Sr. dropped objections to the city project. Nonetheless, the commercial warehousing business continued as it had since 1957 with the building being used for warehousing and commercial purposes. The Declaration of Will C. Milam dated September 13, 2013 attesting to the continued use of the site for warehousing and commercial purposes is attached.

In 2003, the property owner, Bill Milam Jr., contacted the City of Fresno Planning Department Director Nick Yovino about rezoning the property back to C-6cz/BA because the city had failed to develop the site to multifamily purposes as promised. Mr. Yovino supported the property's rezoning back to C-6.

The owner, Bill Milam Jr., would like to now lease or sell the property to another commercial user. The city has told Mr. Milam warehousing and/or commercial uses of the property are incompatible use since the waiver has now expired.

On August 10, 2013, Bill Milam Jr. spoke with Mr. John Quiring past Director of the City of Fresno Redevelopment Agency. Mr. Quiring recalled the pledge made to the Milam family about acquiring and developing the site and that indeed the property should revert back to the C-6 zone. Subsequently, Mr. Milam Jr. met with Mr. Yovino who has also recalled the circumstances consistent with Mr. Milam Jr.'s recollection.

Enclosure

**Declaration of Will C. Milam**

The structure at 1744 "B" St. within the City of Fresno was constructed by my family in 1957. The structure has been in continuous ownership of the Milam family since 1957. I have personal knowledge of the use of the property during that entire period of time.

Since 1957, the property has been used for warehousing of various materials and goods. Specifically, the property was used as a commercial auto parts store from 1957 to 2002. The property was then used for warehousing. The auto parts use began again in 2004 and continued until 2008. During all intervening years, warehousing has continued on the site.

The property has had electrical service, insurance, was properly maintained and provided uninterrupted City of Fresno garbage and water service.

I attest this statement to be true and correct. Signed this 13 day of September 2013, at Fresno California

.....

Will C. Milam, Owner

1744 "B" Street

Fresno, Ca.

Exhibit G  
Conditions of Zoning

**FINAL Conditions of Zoning**  
**R-14-004**  
**1744 B Street**  
**APNs 465-161-12,13**

1. The uses noted below that are allowed in the C-6 zone district are hereby prohibited on the subject property:
  - a. Ambulance service
  - b. Automobile service station
  - c. Café dancing
  - d. Electric distribution substation
  - e. Ice storage
  - f. Indoor electronic tagging game facility
  - g. Drive-In Restaurant
  - h. Car wash
  - i. Drug manufacturer
  - j. Mortuary
  - k. Restaurant with bar or cocktail lounge
  - l. Bookstore, adult
  - m. Bowling alleys
  - n. Carnival promotional
  - o. Gymnasium
  - p. Mattress shop
  - q. Miniature Golf Course
  - r. Skating rinks
  - s. Super drugstore
  - t. Supermarkets
  - u. Tinsmith
  - v. Automobile rental
  - w. Automobile retail sales
  - x. Banquet Hall
  - y. Bars and Cocktail Lounges
  - z. Buildings over 32 feet in height
  - aa. Bus terminals
  - bb. Damaged automobile storage yard
  - cc. Drive-in movies
  - dd. Freestanding electronic variable message board
  - ee. Golf Driving Range
  - ff. Microwave relay structure
  - gg. Motion picture theater, adult
  - hh. Motorcycle retail sales and service
  - ii. Natatorium
  - jj. Pitch and putt golf course
  - kk. Public parking lot and structures
  - ll. Recreational Slide
  - mm. Sports Arenas

nn. Tire recapping, retreading and rebuilding

2. No on-sale or off-sale alcohol use shall be allowed (ie no retail sales, no bars or nightclubs) with the following exception:
  - a. A restaurant serving alcohol (Type 41 Beer & Wine) may be allowed with operations that end no later than 9:00 p.m. Mon-Fri and 10:00 p.m. Sat & Sun.
3. The project shall not create objectionable odors affecting a substantial number of people outside the property boundaries.
4. Should the use include auto repair or vehicle service, the following conditions apply:
  - a. All fluid changes and major repairs of vehicles shall occur inside of the existing structures on-site. Minor repairs, such as windshield wiper replacement, battery replacement, and testing of electrical components may take place outside of the buildings but on-site.
  - b. There shall be no repairs of engine blocks or transmissions on-site although replacement of engines and transmissions would be permissible inside a building.
  - c. Any tire installation shall occur on-site inside a building.
  - d. The use of pneumatic equipment will be limited to inside the building and only during the hours of 8:00 a.m. to 5:00 p.m. during the weekdays and prohibited on Saturdays.
  - e. Storage of vehicles shall be on-site.
  - f. Business hours of operation for the auto repair shop shall not exceed from 7:30 a.m. to 6:00 p.m. and repair hours shall be from 8:00 a.m. to 5:00 p.m. Monday through Friday. Business hours of operation for the auto repair shop shall be from 7:30 a.m. to 1:00 p.m. and repair hours shall be from 8:00 a.m. to 12:00 p.m. on Saturday and will be limited to minor repairs as defined above, although fluid changes shall be permissible provided that they occur within the building. The auto repair shop shall be closed on Sundays.
  - g. Customer vehicles shall be removed within 48 hours upon being repaired or face potential towing from site at the customers expense. No vehicle slated for or under repair will be allowed to be stored on the premises for more than four weeks.
  - h. Any parking areas shall be screened with a 2-foot high wall or hedge.
  - i. The applicant shall obtain any required permits from the San Joaquin Valley Air Pollution Control District.

**FINAL Conditions of Zoning**  
**R-14-004**  
**1744 B Street**  
**APNs 465-161-12,13**

1. The uses noted below that are allowed in the C-6 zone district are hereby prohibited on the subject property:
  - a. Ambulance service
  - b. Automobile service station
  - c. Café dancing
  - d. Electric distribution substation
  - e. Ice storage
  - f. Indoor electronic tagging game facility
  - g. Drive-In Restaurant
  - h. Car wash
  - i. Drug manufacturer
  - j. Mortuary
  - k. Restaurant with bar or cocktail lounge
  - l. Bookstore, adult
  - m. Bowling alleys
  - n. Carnival promotional
  - o. Gymnasium
  - p. Mattress shop
  - q. Miniature Golf Course
  - r. Skating rinks
  - s. Super drugstore
  - t. Supermarkets
  - u. Tinsmith
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  - w. Automobile retail sales
  - x. Banquet Hall
  - y. Bars and Cocktail Lounges
  - z. Buildings over 32 feet in height
  - aa. Bus terminals
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  - ee. Golf Driving Range
  - ff. Microwave relay structure
  - gg. Motion picture theater, adult
  - hh. Motorcycle retail sales and service
  - ii. Natatorium
  - jj. Pitch and putt golf course
  - kk. Public parking lot and structures
  - ll. Recreational Slide
  - mm. Sports Arenas

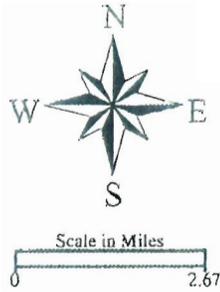
nn. Tire recapping, retreading and rebuilding

2. No on-sale or off-sale alcohol use shall be allowed (ie no retail sales, no bars or nightclubs) with the following exception:
  - a. A restaurant serving alcohol (Type 41 Beer & Wine) may be allowed with operations that end no later than 9:00 p.m. Mon-Fri and 10:00 p.m. Sat & Sun.
3. The project shall not create objectionable odors affecting a substantial number of people outside the property boundaries.
4. Should the use include auto repair or vehicle service, the following conditions apply:
  - a. All fluid changes and major repairs of vehicles shall occur inside of the existing structures on-site. Minor repairs, such as windshield wiper replacement, battery replacement, and testing of electrical components may take place outside of the buildings but on-site.
  - b. There shall be no repairs of engine blocks or transmissions on-site although replacement of engines and transmissions would be permissible inside a building.
  - c. Any tire installation shall occur on-site inside a building.
  - d. The use of pneumatic equipment will be limited to inside the building and only during the hours of 8:00 a.m. to 5:00 p.m. during the weekdays and prohibited on Saturdays.
  - e. Storage of vehicles shall be on-site.
  - f. Business hours of operation for the auto repair shop shall not exceed from 7:30 a.m. to 6:00 p.m. and repair hours shall be from 8:00 a.m. to 5:00 p.m. Monday through Friday. Business hours of operation for the auto repair shop shall be from 7:30 a.m. to 1:00 p.m. and repair hours shall be from 8:00 a.m. to 12:00 p.m. on Saturday and will be limited to minor repairs as defined above, although fluid changes shall be permissible provided that they occur within the building. The auto repair shop shall be closed on Sundays.
  - g. Customer vehicles shall be removed within 48 hours upon being repaired or face potential towing from site at the customers expense. No vehicle slated for or under repair will be allowed to be stored on the premises for more than four weeks.
  - h. Any parking areas shall be screened with a 2-foot high wall or hedge.
  - i. The applicant shall obtain any required permits from the San Joaquin Valley Air Pollution Control District.

Exhibit H  
Exhibit 6 of the 2025 Fresno General Plan

# EXHIBIT 6

## 2025 Fresno General Plan Urban Form Components Map (For Future Study)



### LEGEND

-  2025 Fresno General Plan Urban Boundary and Sphere of Influence Addition
-  Fresno City Sphere of Influence and 1983 Joint Planning Resolution Urban Boundary (as of February 2002)
-  Fresno City Limits (as of February 2002)
-  Centre City
-  Adopted Freeway 41 Mid & High Rise Corridor
-  Potential Activity Centers
-  Potential Linear Intensity Corridors

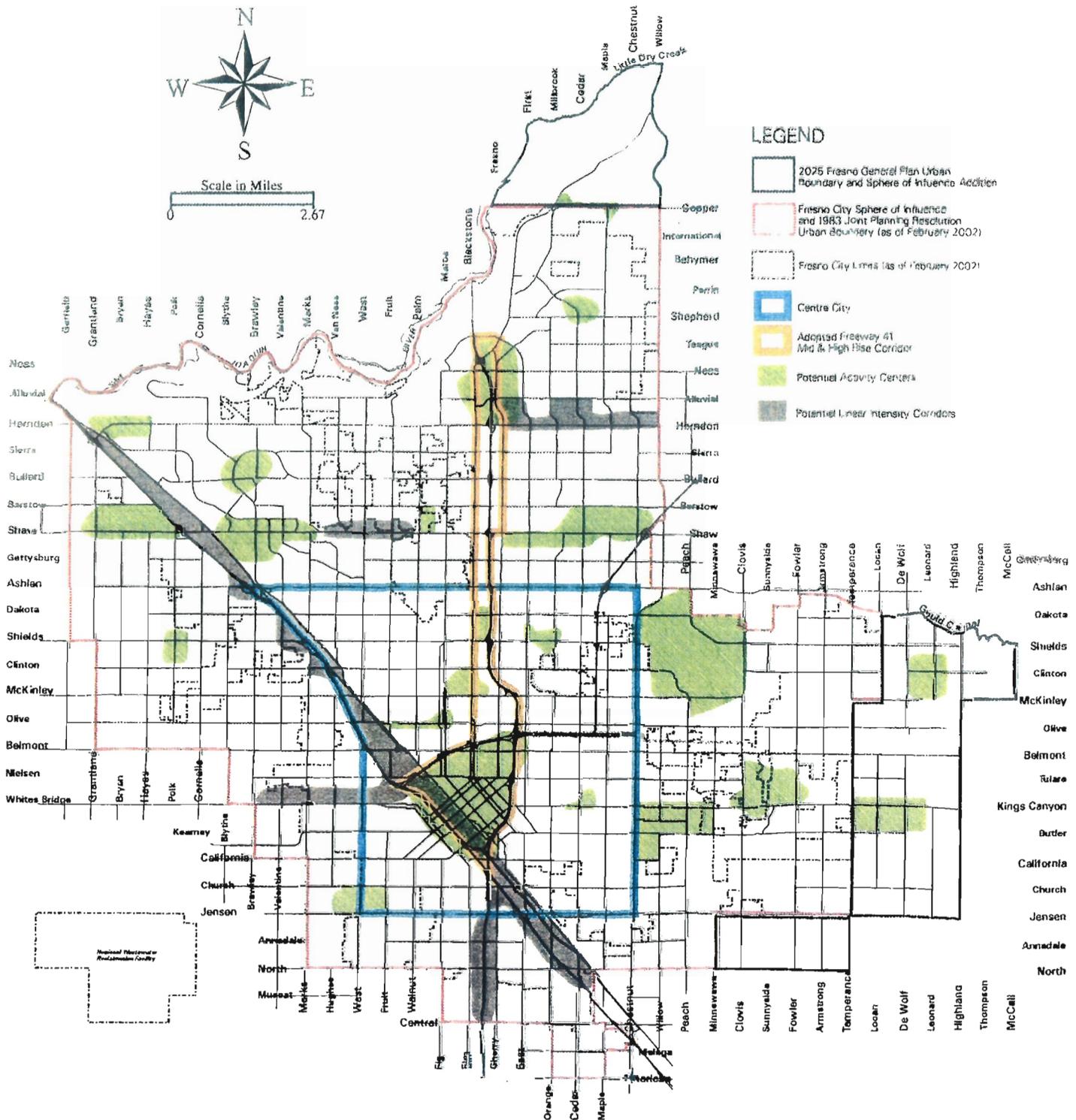


Exhibit I  
Environmental Assessment

**CITY OF FRESNO**

**MITIGATED NEGATIVE DECLARATION**

Notice of Intent was filed with:

The full Initial Study and the Master Environmental Impact Report No. 10130 are on file in the Development and Resource Management Department, Fresno City Hall, 3rd Floor 2600 Fresno Street Fresno, California 93721 (559) 621-8277

ENVIRONMENTAL ASSESSMENT NUMBER:  
**A-14-004, R-14-004**

FRESNO COUNTY CLERK  
2221 Kern Street  
Fresno, California 93721

on

**August 8, 2014**

**APPLICANT:**

William C. Milam  
5668 Romeo Lane  
Fresno, CA 93711

**PROJECT LOCATION:**

0.34± acre of property located on the north side of B Street between Amador and San Joaquin Streets at 1744 B Street, in the City and County of Fresno, California  
Assessor's Parcel Numbers: 465-161-12,13  
36°44'7.3278" N Latitude, - 119°48'25.6098" W Longitude

**Plan Amendment Application No. A-14-004 and Rezone Application No. R-14-004** were filed by property owner Bill Milam, and pertain to 0.17± acre of property located on the north side of B Street between Amador and San Joaquin Streets. **Plan Amendment Application No. A-14-004** proposes to amend the 2025 Fresno General Plan, Edison Community Plan, and Southwest Fresno General Neighborhood Renewal Area (G.N.R.A.) Plan from the medium-high density residential planned land use designation to the general heavy commercial land use designation. **Rezone Application No. R-14-004** proposes to amend the Official Zone Map to reclassify the subject property from the R-2-A (*Low Density Multiple Family Residential, one story*) zone district to the C-6/cz (*Heavy Commercial/conditions of zoning*) zone district classification.

The City of Fresno has conducted an initial study and proposes to adopt a Mitigated Negative Declaration for the above-described project. The environmental analysis contained in the Initial Study and this Mitigated Negative Declaration is tiered from Master Environmental Impact Report No. 10130 (SCH # 2001071097) prepared for the 2025 Fresno General Plan ("MEIR") and Mitigated Negative Declaration No. A-09-02 (SCH # 2009051016) prepared for the 2025 Fresno General Plan ("Air Quality MND"). A copy of the MEIR and Air Quality MND may be reviewed in the City of Fresno Development and Resource Management Department as noted above. The proposed project has been determined to be a subsequent project that is not fully within the scope of the Master Environmental Impact Report No. 10130 ("MEIR) or Mitigated Negative Declaration No. A-09-02 (Air Quality MND) prepared for the 2025 Fresno General Plan. Pursuant to Public Resources Code §21157.1 and California Environmental Quality Act (CEQA) Guidelines §15177, this project has been evaluated with respect to each item on the attached environmental checklist to determine whether this project may cause any additional significant effect on the environment which was not previously examined in the MEIR. After conducting a review of the adequacy of the MEIR pursuant to Public Resources Code, Section 21157.6(b)(1), the Development and Resource Management Department, as lead agency, finds that no substantial changes have occurred with respect to the circumstances under which the MEIR was certified and that no new information, which was not known and could not have been known at the time that the MEIR was certified as complete, has become available.

This completed environmental impact checklist form, its associated narrative, and proposed mitigation measures reflect applicable comments of responsible and trustee agencies and research and analysis conducted to examine the interrelationship between the proposed project and the physical environment. The information contained in the project application and its related environmental assessment application, responses to requests for comment, checklist, initial study narrative, and any attachments thereto, combine to form a record indicating that an initial study has been completed in compliance with the State CEQA Guidelines and the CEQA.

All new development activity and many non-physical projects contribute directly or indirectly toward cumulative impacts on the physical environment. It has been determined that the incremental effect contributed by this project toward cumulative impacts is not considered substantial or significant in itself, and/or that cumulative impacts accruing from this project may be mitigated to less than significant with application of feasible mitigation measures.

Based upon the evaluation guided by the environmental checklist form, it was determined that there are foreseeable impacts from the Project that are additional to those identified in the MEIR, and/or impacts which require mitigation measures not included in the MEIR Mitigation Measure Checklist.

The completed environmental checklist form indicates whether an impact is potentially significant, less than significant with mitigation, or less than significant. For some categories of potential impacts, the checklist may indicate that a specific adverse environmental effect has been identified which is of sufficient magnitude to be of concern. Such an effect may be inherent in the nature and magnitude of the project, or may be related to the design and characteristics of the individual project. Effects so rated are not sufficient in themselves to require the preparation of an Environmental Impact Report, and have been mitigated to the extent feasible. With the project specific mitigation imposed, there is no substantial evidence in the record that this project may have additional significant, direct, indirect or cumulative effects on the environment that are significant and that were not identified and analyzed in the MEIR. Both the MEIR mitigation checklist measures and the project-specific mitigation checklist measures will be imposed on this project.

The initial study has concluded that the proposed project will not result in any adverse effects which fall within the "Mandatory Findings of Significance" contained in Section 15065 of the State CEQA Guidelines. The finding is, therefore, made that the proposed project will not have a significant adverse effect on the environment.

<p>PREPARED BY: Sophia Pagoulatos, Supervising Planner</p>	<p>SUBMITTED BY:  Mike Sanchez, Planning Manager</p>
<p>DATE: August 8, 2014</p>	<p>DEVELOPMENT &amp; RESOURCE MANAGEMENT DEPARTMENT</p>
<p>Attachments:</p>	<ul style="list-style-type: none"><li>-Notice of Intent</li><li>-Initial Study (Appendix G)</li><li>-Master Environmental Impact Report Review Summary</li><li>-Master Environmental Impact Report No. 10130-2025 Fresno General Plan Mitigation Monitoring Checklist dated August 8, 2014</li><li>- Project Specific Mitigation Monitoring Checklist dated August 8, 2014 &amp; Conditions of Zoning</li></ul>

CITY OF FRESNO

NOTICE OF INTENT TO ADOPT A  
MITIGATED NEGATIVE DECLARATION

**EA No. A-14-004, R-14-004 Environmental Assessment  
for a Plan Amendment and Rezone**

**APPLICANT:**

Bill Milam  
5668 Romeo Lane  
Fresno, CA 93711

**PROJECT LOCATION:**

0.17± acre of property located on the north side of B Street  
between Amador and San Joaquin Streets at 1744 B Street,  
in the City and County of Fresno, California

Assessor's Parcel Numbers: 465-161-12,13  
36°44'7.3278" N Latitude, - 119°48'25.6098" W Longitude

Filed with: E201410000205

FILED

AUG 07 2014

FRESNO COUNTY CLERK  
By *Victoria L. Williams* DEPUTY

FRESNO COUNTY CLERK  
2221 Kern Street, Fresno, CA  
93721

**PROJECT DESCRIPTION:**

**Plan Amendment Application No. A-14-004 and Rezone Application No. R-14-004** were filed by property owner Bill Milam, and pertain to 0.17± acre of property located on the north side of B Street between Amador and San Joaquin Streets. **Plan Amendment Application No. A-14-004** proposes to amend the 2025 Fresno General Plan, Edison Community Plan, and Southwest Fresno General Neighborhood Renewal Area (G.N.R.A.) Plan from the medium-high density residential planned land use designation to the general heavy commercial land use designation. **Rezone Application No. R-14-004** proposes to amend the Official Zone Map to reclassify the subject property from the R-2-A (*Low Density Multiple Family Residential, one story*) zone district to the C-6/cz (*Heavy Commercial/conditions of zoning*) zone district classification.

The City of Fresno has conducted an initial study of the above-described project and it has been determined to be a subsequent project that is not fully within the scope of the Master Environmental Impact Report No. 10130 (MEIR) prepared for the 2025 Fresno General Plan (SCH # 2001071097) and Mitigated Negative Declaration prepared for Plan Amendment No. A-09-02 (SCH # 2009051016) (Air Quality MND). Therefore, the Development and Resource Management Department proposes to adopt a Mitigated Negative Declaration for this project.

With the project specific mitigation imposed, there is no substantial evidence in the record that this project may have additional significant, direct, indirect or cumulative effects on the environment that are significant and that were not identified and analyzed in the MEIR or Air Quality MND. After conducting a review of the adequacy of the MEIR and Air Quality MND pursuant to Public Resources

Code, Section 21157.6(b)(1), the Development and Resource Management Department, as lead agency, finds that no substantial changes have occurred with respect to the circumstances under which the MEIR was certified and the Air Quality MND was adopted and that no new information, which was not known and could not have been known at the time that the MEIR was certified as complete and the Air Quality MND was adopted, has become available. The project is not located on a site which is included on any of the lists enumerated under Section 65962.5 of the Government Code including, but not limited to, lists of hazardous waste facilities, land designated as hazardous waste property, hazardous waste disposal sites and others, and the information in the Hazardous Waste and Substances Statement required under subdivision (f) of that Section.

Additional information on the proposed project, including the MEIR/Air Quality MND proposed environmental finding of a mitigated negative declaration and the initial study may be obtained from the Development and Resource Management Department, Fresno City Hall, 2600 Fresno Street, 3rd Floor Fresno, Room 3070, California 93721-3604. Please contact at (559) 621-8062 for more information.

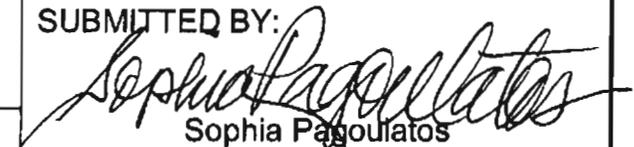
ANY INTERESTED PERSON may comment on the proposed environmental finding. Comments must be in writing and must state (1) the commentor's name and address; (2) the commentor's interest in, or relationship to, the project; (3) the environmental determination being commented upon; and (4) the specific reason(s) why the proposed environmental determination should or should not be made. Any comments may be submitted at any time between the publication date of this notice and close of business on **Monday September 1, 2014 at 5:00 p.m.** Please direct comments to Sophia Pagoulatos, Supervising Planner, City of Fresno Development and Resource Management Department, City Hall, 2600 Fresno Street, Room 3076, Fresno, California, 93721-3604; or by email to [Sophia.Pagoulatos@fresno.gov](mailto:Sophia.Pagoulatos@fresno.gov); or comments can be sent by facsimile to (559) 498-1026.

The applications and environmental finding for the project have been scheduled to be heard by the Planning Commission on September 3, 2014 at 6:00 p.m. or thereafter. The hearing will be held in the Fresno City Council Chambers located at Fresno City Hall, 2<sup>nd</sup> Floor, 2600 Fresno Street, Fresno, California, 93721. Your written and oral comments are welcomed at the hearing and will be considered in the final decision.

INITIAL STUDY PREPARED BY:  
Sophia Pagoulatos, Supervising Planner

DATE: August 8, 2014

SUBMITTED BY:



Sophia Pagoulatos  
Supervising Planner

CITY OF FRESNO DEVELOPMENT  
AND RESOURCE MANAGEMENT  
DEPARTMENT

CAO033010

E201410000205

**APPENDIX G TO ANALYZE  
SUBSEQUENT PROJECT IDENTIFIED IN MEIR NO. 10130 / MND FOR PLAN  
AMENDMENT A-09-02 (AIR QUALITY MND) / INITIAL STUDY**

**Environmental Checklist Form**

**For EA No. A-14-004, R-14-004**

**1. Project title:**

Plan Amendment Application No. A-14-004

Rezone Application No. R-14-004

**2. Lead agency name and address:**

City of Fresno

Development and Resource Management Department

2600 Fresno Street, Room 3076

Fresno, CA 93721

**3. Contact person and phone number:**

Sophia Paqoulatos, Supervising Planner

City of Fresno

Development and Resource Management Department

(559) 621-8062

**4. Project location:**

1744 B Street and adjacent property (APNs 465-161-12, 13) located on the north side of B Street between Amador and San Joaquin Streets in the City and County of Fresno, California

Assessor's Parcel Number(s): 465-161-12, 13

36°44'7.3278" N Latitude, - 119°48'25.6098" W Longitude

Fresno City Block 350

**5. Project sponsor's name and address:**

William C Milam

5668 Romeo Lane

Fresno, CA 93711

6. **General plan designation:**

**Existing:** ± 0.34 acres of medium-high density residential land use

**Proposed:** ± 0.34 acres of heavy commercial land use

7. **Zoning:**

**Existing:** ± 0.34 acres of R-2-A (*Low Density Multiple Family Residential, one story*) zone district

**Proposed:** ±0.34 acres of C-6/cz (*Heavy Commercial/conditions of zoning*) zone district classification.

8. **Description of project:**

**Plan Amendment Application No. A-14-004 and Rezone Application No. R-14-004** were filed by property owner William C. Milam, and pertain to 0.34± acres of property located on the north side of B Street between Amador and San Joaquin Streets. **Plan Amendment Application No. A-14-004** proposes to amend the 2025 Fresno General Plan, Edison Community Plan, and Southwest Fresno General Neighborhood Renewal Area (G.N.R.A.) Plan from the medium-high density residential planned land use designation to the general heavy commercial land use designation. **Rezone Application No. R-14-004** proposes to amend the Official Zone Map to reclassify the subject property from the R-2-A (*Low Density Multiple Family Residential, one story*) zone district to the C-6/cz (*Heavy Commercial/conditions of zoning*) zone district classification.

The purpose of the plan amendment and rezone is to allow the continued use of the property as commercial, consistent with its original commercial zoning in 1957. A specific use is not being proposed at this time, but would be subject to the city's C-6 zoning requirements. Furthermore, since the property is on the edge of a residential neighborhood, conditions of zoning are proposed to prohibit uses that would not be compatible with the neighborhood. The conditions of zoning include three general categories of requirements:

1. Use restrictions: Any uses that would generate excessive noise or traffic are proposed to be prohibited. The prohibited uses are specifically listed in in the conditions of zoning, attached, and include such uses as ambulance service, automobile service station, car wash, gymnasium, super drugstore, drive-through uses, and alcohol retail uses.

2. Performance Standards: Any use that would generate odors beyond the property line is proposed to be prohibited; and
3. Operational Restrictions: If the use includes automobile service or repair, several operational restrictions apply that relate to designated parking locations, hours of operation, and noise restrictions.

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

	<b>Planned Land Use</b>	<b>Existing Zoning</b>	<b>Existing Land Use</b>
<b>North</b>	Medium-High Density Residential	<b>R-2-A</b> <i>(Low Density Multiple Family Residential, one story)</i>	Commercial property
<b>South</b>	Medium-High Density Residential	<b>R-2-A</b> <i>(Low Density Multiple Family Residential, one story)</i>	Single family residence
<b>East</b>	Medium-High Density Residential	<b>R-2-A</b> <i>(Low Density Multiple Family Residential, one story)</i>	Alley and single family residence
<b>West</b>	Medium-High Density Residential	<b>R-2-A</b> <i>(Low Density Multiple Family Residential, one story)</i>	Single family residence

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

City of Fresno (COF) Department of Public Works; COF Department of Public Utilities; Fresno Metropolitan Flood Control District

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

Pursuant to Public Resources Code Section 21157.1(b) and the California Environmental Quality Act (CEQA) Guidelines 15177(b)(2), the purpose of this Master Environmental Impact Report (MEIR) initial study is to analyze whether the subsequent project was described in the MEIR No. 10130 and whether the subsequent project may cause any additional significant effect on the environment, which was not previously examined in MEIR No. 10130 or the Mitigated Negative Declaration prepared for Plan Amendment A-09-02 to amend the Air Quality Element of the 2025 Fresno General Plan (SCH # 2009051016) ("Air Quality MND").

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"/> Geology /Soils
<input type="checkbox"/> Greenhouse Gas Emissions	<input type="checkbox"/> Hazards & 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/Traffic	<input type="checkbox"/> Utilities/Service Systems	<input type="checkbox"/> Mandatory Findings of Significance

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

I find that the proposed project is a subsequent project identified in the MEIR and that it is fully within the scope of the MEIR and Air Quality MND because it would have no additional significant effects that were not examined in the MEIR or the Air Quality MND such that no new additional mitigation measures or alternatives may be required. All applicable mitigation measures contained in the Mitigation Monitoring Checklist shall be imposed upon the proposed project. A FINDING OF CONFORMITY will be prepared.

I find that the proposed project is a subsequent project identified in the MEIR and Air Quality MND but that it is not fully within the scope of the MEIR and Air Quality MND because the proposed project could have a significant effect on the environment that was not examined in the MEIR or Air Quality MND. However, 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. The project specific mitigation measures and all applicable mitigation measures contained in the MEIR Mitigation Monitoring Checklist will be imposed upon the proposed project. A MITIGATED NEGATIVE DECLARATION will be prepared.

I find that the proposed project is a subsequent project identified in the MEIR but that it MAY have a significant effect on the environment that was not examined in the MEIR or Air Quality MND, and an ENVIRONMENTAL IMPACT REPORT is required to analyze the potentially significant effects not

examined in the MEIR or Air Quality MND pursuant to Public Resources Code Section 21157.1(d) and CEQA Guidelines 15178(a).

x   
Sophia Pagoulatos, Supervising Planner

8/8/14  
Date

EVALUATION OF ADDITIONAL ENVIRONMENTAL IMPACTS NOT ASSESSED IN THE MEIR or Air Quality MND:

1. For purposes of this MEIR Initial Study, the following answers have the corresponding meanings:
  - a. "No Impact" means the subsequent project will not cause any additional significant effect related to the threshold under consideration which was not previously examined in the MEIR or Air Quality MND.
  - b. "Less Than Significant Impact" means there is an impact related to the threshold under consideration that was not previously examined in the MEIR or Air Quality MND, 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 that was not previously examined in the MEIR or Air Quality MND, however, with the mitigation incorporated into the project, the impact is less than significant.
  - d. "Potentially Significant Impact" means there is an additional potentially significant effect related to the threshold under consideration that was not previously examined in the MEIR or Air Quality MND.
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. A "Finding of Conformity" is a determination based on an initial study that the proposed project is a subsequent project identified in the MEIR and that it is fully within the scope of the MEIR and Air Quality MND because it would have no additional significant effects that were not examined in the MEIR or the Air Quality MND.
6. "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 Section XVII, "Earlier Analyses," may be cross-referenced).
7. Earlier analyses may be used where, pursuant to the tiering, program EIR or MIER, or other 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 the MEIR or 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.
8. 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.
9. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
10. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

11. 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

<b>ENVIRONMENTAL ISSUES</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
I. AESTHETICS -- 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) Substantially degrade the existing visual character or quality of the site and its surroundings?		X		
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?		X		

The proposed project is a plan amendment and rezone to allow the continuation of commercial use on the property. Any proposed new construction would be required to obtain necessary permits and to comply with all standard codes and conditions of the City of Fresno.

Because the property abuts residential property, interface and screening mitigation measures are required upon new construction (see Section X, LAND USE AND PLANNING), including a requirement that all exterior lighting be shielded to prevent line of sight visibility of the light source from abutting residential property. Other mitigation measures include designation of service locations, buffering property lines in common with residential property, prohibition of outdoor storage, screening and baffling of mechanical equipment, limiting height of new construction, and limiting incompatible uses through conditions of zoning. Therefore, with mitigation incorporated, the project

will have a less than significant impact on aesthetics.

Mitigation Measures

1. The proposed project shall implement and incorporate, as applicable, the aesthetic related mitigation measures as identified in the attached Master Environmental Impact Report No. 10130--2025 Fresno General Plan Mitigation Monitoring Checklist dated August 8, 2014.
2. The proposed project shall implement and incorporate the aesthetics related mitigation measures as identified in the attached Project Specific Monitoring Checklist dated August 8, 2014.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>II. AGRICULTURE AND FORESTRY RESOURCES: 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. -- 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

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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))?				X
d) Result in the loss of forest land or conversion of forest land to non-forest use?				X
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?				X

The subject site is designated as “Urban and Built Up Land” on the 2010 Fresno County Important Farmland Map, and thus has no land considered to be prime farmland, farmland of statewide importance, or unique farmland. The subject sites are not currently under cultivation and have been urbanized (ie with a building and urban infrastructure) since prior to 1963. The land surrounding the sites to the north, south, east and west are designated as “Urban and Built-Up Land” Therefore, the proposed project will not have an impact on prime farmland, farmland of statewide importance, or unique farmland.

The subject sites are not under a Williamson Act contract and are not surrounded by sites under a Williamson Act contract. The proposed applications do not conflict with any forest land or Timberland Production or result in any loss of forest land. The proposed project does not include any changes which will affect the existing environment and result in the conversion of farmland to non-agricultural uses. Therefore, no environmental impacts related to agriculture are anticipated as a result of the proposed project.

Mitigation Measures

1. The proposed project shall implement and incorporate, as applicable, the agriculture and forestry resource related mitigation measures as identified in the attached Master Environmental Impact Report No. 10130--2025 Fresno General Plan Mitigation Monitoring Checklist dated August 8, 2014.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>III. AIR QUALITY AND GLOBAL CLIMATE CHANGE - (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.) --</p> <p>Would the project:</p>				
<p>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 adopted thresholds for these pollutants)?</p>			X	
<p>b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?</p>				X
<p>c) 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)?</p>			X	
<p>d) Expose sensitive receptors to substantial pollutant concentrations?</p>			X	

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Create objectionable odors affecting a substantial number of people?				X

Setting

The subject sites are located in Fresno County and within the San Joaquin Valley Air Basin (SJVAB). This region has had chronic non-attainment of federal and state clean air standards for ozone/oxidants and particulate matter due to a combination of topography and climate.

Regional factors affect the accumulation and dispersion of air pollutants within the SJVAB. The SJVAB is approximately 250 miles long and averages 35 miles wide, and is the second largest air basin in the state. The SJVAB is defined by the Sierra Nevada in the east (8,000 to 14,000 feet in elevation), the Coast Ranges in the west (averaging 3,000 feet in elevation), and the Tehachapi mountains in the south (6,000 to 8,000 feet in elevation). The Valley is basically flat with a slight downward gradient to the northwest. The Valley opens to the sea at the Carquinez Straits where the San Joaquin-Sacramento Delta empties into San Francisco Bay. The Valley, thus, could be considered a "bowl" open only to the north.

During the summer, wind speed and direction data indicate that summer wind usually originates at the north end of the Valley and flows in a south-southeasterly direction through the Valley, through Tehachapi pass, into the Southeast Desert Air Basin. In addition, the Altamont Pass also serves as a funnel for pollutant transport from the San Francisco Bay Area Air Basin into the region.

During the winter, wind speed and direction data indicate that wind occasionally originates from the south end of the Valley and flows in a north-northwesterly direction. Also during the winter months, the Valley generally experiences light, variable winds (less than 10 mph). Low wind speeds, combined with low inversion layers in the winter, create a climate conducive to high carbon monoxide (CO) and particulate matter (PM10 and PM2.5) concentrations. The SJVAB has an "Inland Mediterranean" climate averaging over 260 sunny days per year. The Valley floor is characterized by warm, dry summers and cooler winters. For the entire Valley, high daily temperature readings in summer average 95°F. Temperatures below freezing are unusual. Average high temperatures in the winter are in the 50s, but highs in the 30s and 40s can occur on days with persistent fog and low cloudiness. The average daily low temperature is 45°F.

The vertical dispersion of air pollutants in the Valley is limited by the presence of persistent temperature inversions. Solar energy heats up the Earth's surface, which in turn radiates heat and warms the lower atmosphere. Therefore, as altitude increases, the air temperature usually decreases due to increasing distance from the source of heat. A reversal of this atmospheric state, where the air temperature increases with height, is termed an inversion. Inversions can exist at the surface or at any height above the ground, and tend to act as a lid on the Valley, holding in the pollutants that are generated here.

## Regulations

The San Joaquin Valley Air Pollution Control District (SJVAPCD) is the local regional jurisdictional entity charged with attainment planning, rule making, rule enforcement, and monitoring under Federal and State Clean Air Acts and Clean Air Act Amendments.

The SJVAPCD has developed the San Joaquin Valley 1991 California Clean Air Act Air Quality Attainment Plan (AQAP), which continues to project nonattainment levels for pollutants in the future. This project will be subject to applicable SJVAPCD rules, regulations, and strategies. In addition, the project may be subject to the SJVAPCD Regulation VIII, Fugitive Dust Rules, related to the control of dust and fine particulate matter. This rule mandates the implementation of dust control measures to reduce the potential for dust to the lowest possible level. The plan includes a number of strategies to improve air quality including a transportation control strategy and a vehicle inspection program.

The proposed project is a plan amendment and rezone. Any proposed new construction would be required to obtain any necessary permits and would have to comply with all standard codes and conditions of the City of Fresno in addition to SJVAPCD Rules. The SJVAPCD has established thresholds of significance for criteria pollutant emissions. Using project type and size, the District has pre-quantified emissions and determined a size below which it is reasonable to conclude that a project would not exceed applicable thresholds of significance for criteria pollutants (Small Project Analysis Level or SPAL). A commercial project is considered below the SPAL limits and therefore below the air quality thresholds for criteria pollutants for most types of uses if it is under 9,000 square feet. With parking requirements figured in, the development potential of the site would be less than 9,000 square feet of retail. Since one SF of parking is required for every 1 SF of floor area for new construction in the C-6 zone district, the development potential of each site for new construction would most likely be approximately 1,875 SF (or 3,750 SF for the two sites combined). The only type of project allowed by the conditions of zoning that the SJVAPCD identifies as requiring further analysis would be a fast food restaurant of over 2,000 SF (it should be noted that drive-throughs are prohibited by the conditions of zoning).

In any case, when new construction is proposed, it will be required to comply with all air quality standards and regulations.

Project specific mitigation measures require conditions of zoning that prohibit uses that would generate high traffic volumes including truck traffic and also prohibit any use that would generate odors.

Therefore, with mitigation measure incorporated, there are no air quality or global climate change impacts expected to occur as a result of the proposed project.

Mitigation Measures

1. The proposed project shall implement and incorporate, as applicable, the air quality related mitigation measures as identified in the attached Master Environmental Impact Report No. 10130--2025 Fresno General Plan Mitigation Monitoring Checklist dated August 8, 2014.
2. The proposed project shall implement and incorporate the air quality related mitigation measures as identified in the attached Project Specific Monitoring Checklist dated August 8, 2014.

<b>ENVIRONMENTAL ISSUES</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
IV. BIOLOGICAL RESOURCES -- 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
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 U.S. Fish and Wildlife Service?				X

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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

The subject sites are currently undeveloped with no notable native vegetation. The proposed project would not directly affect any sensitive, special status, or candidate species, nor would it modify any habitat that supports them. There is no riparian habitat or any other sensitive natural community identified in the vicinity of the proposed project by the California Department of Fish and Game or the U.S. Fish and Wildlife Service (Source: Map: Vegetation, CA USDA Forest Service, 2007; Special-Status Species, Natural Diversity Database, CA Dept of Fish & Game, 2005). According to the previously cited map developed by these agencies, the subject property is classified as "Urban" and "Barren." No federally protected wetlands are located on the subject site. Therefore, there would be no impacts to species, riparian habitat or other sensitive communities and wetlands. The proposed project would have no impact on the

movement of migratory fish or wildlife species or on established wildlife corridors or wildlife nursery sites. No local policies regarding biological resources are applicable to the subject site and there would be no impacts with regard to those plans.

No habitat conservation plans or natural community conservation plans in the region pertain to natural resources, which exist on the subject sites or in its immediate vicinity.

Therefore, no actions or activities resulting from the implementation of the proposed project would have the potential to affect floral, or faunal species; or, their habitat. Therefore, there would be no impacts.

Mitigation Measures

1. The proposed project shall implement and incorporate, as applicable, the biological resource related mitigation measures as identified in the attached Master Environmental Impact Report No. 10130--2025 Fresno General Plan Mitigation Monitoring Checklist dated August 8, 2014.

<b>ENVIRONMENTAL ISSUES</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
V. CULTURAL RESOURCES -- Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in '15064.5?				X
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to '15064.5?				X
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				X
d) Disturb any human remains, including those interred outside of formal cemeteries?				X

There are no structures which exist on or within the immediate vicinity of the sites that are listed on, or considered to be eligible to the National or Local Register of Historic Places, and the subject site is not within either a designated or proposed historic district.

There is no evidence that cultural resources of any type (including historical, archaeological, paleontological, or unique geologic features) exist on the subject sites. Past record searches for the region have not revealed the likelihood of cultural resources on the subject property or in its immediate vicinity. Therefore, it is not expected that the proposed project may impact cultural resources.

It should be noted however that lack of surface evidence of historical resources does not preclude the subsurface existence of archaeological resources. Therefore, the measures within the Master Environmental Impact Report No. 10130/SCH No. 2001071097 for the 2025 Fresno General Plan, Mitigation Monitoring Checklist to address archaeological resources, paleontological resources, and human remains will be employed to guarantee that should archaeological and/or animal fossil material be encountered during project excavations, then work shall stop immediately; and, that qualified professionals in the respective field are contacted and consulted in order to insure that the activities of the proposed project will not involve physical demolition, destruction, relocation, or alteration of historic, archaeological, or paleontological resources.

Mitigation Measures

1. The proposed project shall implement and incorporate, as applicable, the cultural resource related mitigation measures as identified in the attached Master Environmental Impact Report No. 10130- 2025 Fresno General Plan Mitigation Monitoring Checklist dated August 8, 2014.

<b>ENVIRONMENTAL ISSUES</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
VI. GEOLOGY AND SOILS -- Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				

<b>ENVIRONMENTAL ISSUES</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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
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

There are no known geologic hazards or unstable soil conditions known to exist on the site. The existing topography is flat with no apparent unique or significant land forms

such as vernal pools. Development of the property requires compliance with grading and drainage standards of the City of Fresno and Fresno Metropolitan Flood Control District Standards. Grade differentials at property lines must be limited to one foot or less, or a cross-drainage covenant must be executed with affected adjoining property owners.

Fresno has no known active earthquake faults, and is not in any Alquist-Priolo Special Studies Zones. The immediate Fresno area has extremely low seismic activity levels, although shaking may be felt from earthquakes whose epicenters lie to the east, west, and south. Known major faults are over 50 miles distant and include the San Andreas Fault, Coalinga area blind thrust fault(s), and the Long Valley, Owens Valley, and White Wolf/Tehachapi fault systems. The most serious threat to Fresno from a major earthquake in the Eastern Sierra would be flooding that could be caused by damage to dams on the upper reaches of the San Joaquin River.

Fresno is classified by the State as being in a moderate seismic risk zone, Category “C” or “D,” depending on the soils underlying the specific location being categorized and that location’s proximity to the nearest known fault lines. All new structures are required to conform to current seismic protection standards in the California Building Code.

Mitigation Measures

1. The proposed project shall implement and incorporate, as applicable, the geology and soils related mitigation measures as identified in the attached Master Environmental Impact Report No. 10130--2025 Fresno General Plan Mitigation Monitoring Checklist dated August 8, 2014.

<b>ENVIRONMENTAL ISSUES</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
VII. GREENHOUSE GAS EMISSIONS -- 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

The proposed project will not occur at a scale or scope with potential to contribute substantially or cumulatively to the generation of greenhouse gas emissions, either directly or indirectly. Under the MEIR and General Plan mitigation measures, project specific mitigation measures, and policies for reducing all forms of air pollution, levels of greenhouse gases will be reduced along with other regulated air pollutants. At this point in time, detailed analyses and conclusions as to the significance of greenhouse gas emissions and strategies for mitigation are still not feasible, because the legislatively-mandated greenhouse gas inventory benchmarking and the environmental analysis policy formulation tasks are not completed.

Mitigation Measures

1. The proposed project shall implement and incorporate, as applicable, the greenhouse gas emission related mitigation measures as identified in the attached Master Environmental Impact Report No. 10130--2025 Fresno General Plan Mitigation Monitoring Checklist dated August 8, 2014.
2. The proposed project shall implement and incorporate the air quality related mitigation measures as identified in the attached Project Specific Monitoring Checklist dated August 8, 2014. These measures will result in the reduction of greenhouse gas emissions as well as criteria pollutants.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
VIII. HAZARDS AND HAZARDOUS MATERIAL -- Would the project:				
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

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	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?				X
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) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				X

Hazardous Materials. The project will not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials, as the project consists of a proposed land use change (plan amendment and rezone applications) to reclassify a 0.34 acre property from residential to commercial to allow commercial use to continue . Any future use would require planning review and all projects would be required to comply with local, state and federal rules for the transport and disposal of hazardous materials. In addition, project specific mitigation measures include conditions of zoning that would limit the allowed uses to those that would be compatible with the surrounding neighborhood. Any allowed use that would utilize a potentially hazardous substance would require a special permit and would be conditioned to prevent any hazards to the public.

Airports. The project site is located within the vicinity of the Fresno-Chandler Downtown Airport, whose environs are governed by the Fresno Chandler Downtown Airport Master and Environs Specific Plan (1999). The project site is located outside of the Airport Safety Zones and noise contours, but is located within the traffic pattern zone. All properties within this zone must comply with FAR Part 77 regulations (Objects Affecting Navigable Airspace imaginary surfaces height requirements). For the subject property, airports staff has calculated the height limitation to be 32 feet. With this limitation imposed as a mitigation measure, the project is considered compatible with the land use surrounding the airport and no risks or hazards would result from constructing the project in the proposed location.

Mitigation Measures

1. The proposed project shall implement and incorporate, as applicable, the hazards and health related mitigation measures as identified in the attached Master Environmental Impact Report No. 10130--2025 Fresno General Plan Mitigation Monitoring Checklist dated August 8, 2014.
2. The proposed project shall implement and incorporate the hazards related mitigation measures as identified in the attached Project Specific Monitoring Checklist dated August 8, 2014. These measures will result in the reduction of greenhouse gas emissions as well as criteria pollutants.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
IX. HYDROLOGY AND WATER QUALITY -- Would the project:				
a) Violate any water quality standards or waste discharge requirements?				X
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?			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, in a manner which would result in substantial erosion or siltation on- or off-site?			X	
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?			X	

<b>ENVIRONMENTAL ISSUES</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
e) 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?			X	
f) Otherwise substantially degrade water quality?			X	
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				X
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				X
j) Inundation by seiche, tsunami, or mudflow?				X

Fresno is one of the largest cities in the United States still relying primarily on groundwater for its public water supply. Surface water treatment and distribution has been implemented in the northeastern part of the City, but the city is still subject to an EPA Sole Source Aquifer designation. While the aquifer underlying Fresno typically exceeds a depth of 300 feet and is capacious enough to provide adequate quantities of safe drinking water to the metropolitan area well into the twenty-first century, groundwater degradation, increasingly stringent water quality regulations, and a historic trend of high consumptive use of water on a per capita basis (some 250 gallons per day per capita), have resulted in a general decline in aquifer levels, increased cost to provide potable water, and localized water supply limitations.

Fresno has attempted to address these issues through metering and revisions to the City's Urban Water Management Plan (UWMP). The Fresno Metropolitan Water Resource Management Plan, which has been adopted and the accompanying Final EIR (SCH #95022029) certified, is also under revision. The purpose of these management plans is to provide safe, adequate, and dependable water supplies in order to meet the future needs of the metropolitan area in an economical manner; protect groundwater quality from further degradation and overdraft; and, provide a plan of reasonably implementable measures and facilities. City water wells, pump stations, recharge facilities, water treatment and distribution systems have been expanded incrementally to mitigate increased water demands and respond to groundwater quality challenges.

The adverse groundwater conditions of limited supply and compromised quality have been well- documented by planning, environmental impact report and technical studies over the past 20 years including the Master Environmental Impact Report No. 10130 (MEIR) for the 2025 Fresno General Plan, Final EIR No.10100, Final EIR No.10117, and Final EIR No. SCH 95022029 (Fresno Metropolitan Water Resource Management Plan), et al. These conditions include water quality degradation due to DBCP, arsenic, iron, and manganese concentrations; low water well yields; limited aquifer storage capacity and recharge capacity; and, intensive urban or semi-urban development occurring upgradient from the Fresno Metropolitan Area.

In accordance with the provisions of the 2025 Fresno General Plan and MEIR No. 10130 mitigation measures, project specific water supply and distribution requirements must assure that an adequate source of water is available to serve the project. The City has indicated that groundwater wells, pump stations, recharge facilities, water treatment and distribution systems shall be expanded incrementally to mitigate increased water demands. According to the City of Fresno UWMP, a water allocation of up to 6.2 af/ac/yr exists for the project site based upon the existing medium high density planned land use designated in the 2025 Fresno General Plan. With approval of Plan Amendment Application No. A-14-004 and Rezone Application No. R-14-004, the proposed project would be limited to a much lower water allocation for commercial planned land use of 1.9 af/ac/yr (UWMP, Table 6-4, 2008). In summary, the water allocation for the site will be reduced by 30% if the proposed plan amendment and rezone are adopted, thereby saving water. Therefore, impacts to water supplies are less than significant.

In addition, any new construction on the undeveloped portion of the site would contribute to the completion of the Fresno Metropolitan Flood Control District's (FMFCD) master planned storm drainage facilities. Stormwater ponding basins provide significant opportunity for recharge groundwater with collected storm water run-off and surface water obtained from the Fresno Irrigation District (FID) and United States Bureau of Reclamation on the northern edge of the current urban limit boundary.

The mitigation measures of MEIR No. 10130 are incorporated herein by reference and are required to be implemented by the attached mitigation monitoring checklist. In summary, these mitigation measures require participation in the development of

groundwater recharge in an amount equal to the project's estimated water consumption. Alternative measures to satisfy this requirement include paying fees established by the city for construction of recharge facilities, the construction of recharge facilities directly by the project, or participation in augmentation/ enhancement/enlargement of the recharge capability of FMFCD storm water ponding basins. While the proposed project may be served by conventional groundwater pumping and distribution systems, full development of the 2025 Fresno General Plan boundaries may necessitate utilization of treated surface water due to inadequate groundwater aquifer recharge capabilities.

The DPU works with the FMFCD to utilize suitable ponding (drainage) basins for the groundwater recharge program, and works with FID to ensure that the City's allotment of surface water is put to the best possible use for recharge. The project is located in FMFCD drainage area "FF," and the District's proposed Master Plan drainage system can accommodate the proposed project (March 26, 2014 memo from R. Lyons to J. Zuniga).

When a project is being proposed and development permits are issued, the subject site will be required to contribute to the completion of the FMFCD's master planned storm drainage facilities, and to preserve the patency of irrigation canals and pipelines for delivering surface water to recharge/percolation basins. Fees to support expansions and service enhancements of the City's water utility, including recharge activities, are also imposed as conditions of approval for special permits.

Occupancy of this site will generate wastewater containing human waste, which is required to be conveyed and treated by the Fresno-Clovis Regional Wastewater Treatment and Reclamation Facility. There will not be any onsite wastewater treatment system. The site is served by City of Fresno sewer and water lines, which are located at the rear of the site in the alley. Any requirements related to sewer or water will be applied upon submittal of special permits.

#### Mitigation Measures

1. The proposed project shall implement and incorporate, as applicable, the hydrology and water quality related mitigation measures as identified in the attached Master Environmental Impact Report No. 10130--2025 Fresno General Plan Mitigation Monitoring Checklist dated August 8, 2014.
2. The proposed project shall implement and incorporate the hydrology and water quality related mitigation measures as identified in the attached Project Specific Monitoring Checklist dated August 8, 2014.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
X. LAND USE AND PLANNING - Would the project:				
a) Physically divide an established community?				X
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?		X		
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?				X

Background

The subject property has been owned by the Milam family since 1957, when the existing commercial building on the property was constructed. The property was zoned for commercial use at the time (C-6, *Heavy Commercial District*). Then in 1971, the Fresno Redevelopment Agency rezoned the subject property along with all of the property on both sides of B Street between Amador and Stanislaus to R-4 (*High Density Multiple Family Residential District*) in preparation for developing the area with multifamily housing. The property was again rezoned in 1984 to R-2-A (*Low Density Multiple Family Residential – Single Story District*) -- its current zoning-- for consistency with the Southwest Fresno General Neighborhood Renewal Area Plan (GNRA). These rezones made the commercial use of the property a legal non-conforming use.

In 1973, the City of Fresno granted a 40 year waiver for the continued commercial use of the subject property (consistent with the amortization period of non-conforming uses of this type), based on the expressed opinion of department staff that the property would be acquired by the City for conversion to residential uses in 10 to 12 years. The 40 year waiver was to allow the Milam family's property right to conduct business to continue. However, lenders immediately refused to lend the Milam family money to improve or expand the business. Based on this waiver and perceived imminent acquisition and

development of the site by the City, Mr. Milam Sr. dropped objections to the city project. In the meantime, the commercial business continued as it had since 1957 with the building being used for warehousing and commercial purposes (auto parts sales).

In 2013, the 40 year waiver expired and the property remains a legal non-conforming use with lenders unwilling to provide financing for improvements. The city no longer has plans to improve the area with residential housing and the Redevelopment Agency has been dissolved. Therefore the plan amendment and rezone are proposed to allow commercial use to continue on the property with conditions of zoning and mitigation measures to ensure neighborhood compatibility.

## **2025 Fresno General Plan**

### Land Use/Commercial

**Policy C-12-a:** *Ensure that all commercial land uses are developed and maintained in a manner complimentary to and compatible with adjacent residential land uses, to minimize interface problems with surrounding environment and to be compatible with public facilities and services.*

Important considerations in evaluating the compatibility between commercial and residential properties are scale, location and use. These are each briefly discussed below:

1. **Scale:** the proposed property consists of two 50' x 150' residential lots, or 15,000 square feet, which is double the size of the surrounding residential lots. This would allow for a building that would occupy approximately half of the site (the size of one residential lot), with the other half available for parking. Therefore, any new building would not be out of scale with the surrounding residential buildings.
2. **Location:** the optimal location for small businesses in mixed use neighborhoods is on the corners and not mid-block, in order to maintain the integrity of the residential pattern. Corner locations are also optimal for businesses because of the additional traffic and visibility, and less desirable for residential use for those same reasons. The subject property is adjacent to the commercial corner of B and Amador, and thus functions like an extension of the commercial corner. It is only directly adjacent to residential property to the south along B Street. There is an alley to the rear, which serves as a buffer to the single family dwellings that back onto the alley from C Street. Single family dwellings are also located across the street.

It should be noted that B Street is an arterial, and designated as a truck route in the 2025 Fresno General Plan and Edison Community Plan. It connects to Whitesbridge and industrial areas to the northwest, and to the Fresno Street and

the commercial shopping center to the south. B Street is therefore properly sized to accommodate any commercial use that would result from the proposed project.

3. Use: In order for commercial and residential development to be well integrated within a neighborhood, commercial uses need to be compatible with the residential environment, free of potential nuisance issues such as excessive traffic or noise.

The existing commercial business has been in operation since 1957 and has successfully coexisted in the residential neighborhood over the years. According to the property owner, the property has been used for auto parts sales and warehousing until 2008, and as an interior design and staging business until February of 2014. In order to ensure continued compatibility with the surrounding neighborhood, mitigation measures and conditions of zoning are proposed to limit the types of uses that would not be compatible with the existing neighborhood.

The conditions of zoning include three general categories of requirements:

4. Use restrictions: Any uses that would generate excessive noise or traffic are proposed to be prohibited. The uses are specifically listed in the attachments, and include such uses as ambulance service, automobile service station, car wash, gymnasium, super drugstore, drive-through uses, and alcohol retail uses.
5. Performance Standards: Any use that would generate odors beyond the property line is proposed to be prohibited;
6. Operational Restrictions: If the use includes automobile service or repair, several operational restrictions apply that relate to designated parking locations, hours of operation, and noise restrictions.

#### Land Use/Activity Center

The neighborhood where the property is located is depicted on Exhibit 6 of the 2025 Fresno General Plan as a potential Activity Center. The neighborhood has many of the components of a complete neighborhood: a park, an elementary school, housing and small commercial businesses. General plan policies that further define the city's vision for these activity centers are the following

**Policy C-4-b:** *Activity centers should include commercial areas, employment centers, schools, higher-density residential development, churches, parks and other gathering points where residents may interact, work and obtain goods and services in the same place.*

It should be noted that the scale of the neighborhood is pedestrian-friendly. The park, school, other small businesses, and residences are all within 1/8 of a mile (600 feet) of the project site. A business in the proposed location would provide additional daytime

activity and “eyes on the street” in a primarily residential area, thus increasing neighborhood surveillance and safety.

In addition, Fresno Area Express Route 30 services the site and connects to the West/California area and to downtown Fresno.

### Land Use/Infill

**Objective C-15:** *Provide infill opportunities that will revitalize the built-up urban core communities and neighborhoods of Fresno...and improve the overall quality of the urban environment.*

The proposed project would be consistent with this objective. It would facilitate new investment and revitalization in an existing neighborhood by facilitating new small business that is compatible with the neighborhood.

### **Edison Community Plan**

Relevant Plan Objectives:

*To stimulate growth in the Edison Community by improving the quality of the environment and the strategic provision of public facilities and improvements;*

Approval of the project would help facilitate investment in the area;

*To stimulate an increase of income levels throughout the Edison Community through programs of economic and employment development.*

Approval of the project could add jobs to the neighborhood.

### Commercial Services

The original vision of the plan was to encourage the development of local commercial services within modern shopping centers. The plan characterizes the type of business that has historically existed at the subject property as “local commercial.” According to the plan, local commercial development is found in neighborhood or community shopping centers or in scattered “freestanding” locations throughout the community. Local commercial services cater to a consistent local trade area and provide for the major portion of a family’s need for convenience goods, personal services, variety and general merchandise. According to the plan, there is a need for more local services, with the priority of clustering them into unified shopping centers.

Since the adoption of the Edison Community Plan in 1974, a major unified shopping center was constructed at Fresno and B Streets pursuant to the plan. However, recent trends in urban planning to reduce vehicle miles traveled and create complete

neighborhoods support the mixing of compatible commercial and residential uses in order to create places where residents can live, work, shop and play (as evidences by the above-noted policies described in the 2025 Fresno General Plan, adopted in 2002).

With incorporation of project specific mitigation measures, it is staff’s opinion that the proposed project is consistent with respective general and community plan objectives and policies and will not conflict with any applicable land use plan, policy or regulation of the City of Fresno. Furthermore, the proposed project, including the design and improvement of the subject property, is found; (1) to be consistent with the goals, objectives and policies of the applicable 2025 Fresno General Plan and McLane Community Plan; (2) to be suitable for the type and density of development; (3) to be safe from potential cause or introduction of serious public health problems; and, (4) to not conflict with any public interests in the subject property or adjacent lands.

The project will not conflict with any conservation plans since it is not located within any conservation plan areas.

Mitigation Measures

1. The proposed project shall implement and incorporate, as applicable, the land use related mitigation measures as identified in the attached Master Environmental Impact Report No. 10130--2025 Fresno General Plan Mitigation Monitoring Checklist dated August 8, 2014.
  
2. The proposed project shall implement and incorporate the land use related mitigation measures as identified in the attached Project Specific Monitoring Checklist dated August 8, 2014.

<b>ENVIRONMENTAL ISSUES</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
XI. MINERAL RESOURCES -- Would the project:				
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>ENVIRONMENTAL ISSUES</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
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

The subject sites are not located in an area designated for mineral resource preservation or recovery. Therefore there are no impacts to mineral resources.

<b>ENVIRONMENTAL ISSUES</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
XII. NOISE -- Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			X	
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?			X	
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			X	
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			X	

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	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 expose people residing or working in the project area to excessive noise levels?				X
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X

In developed areas of the community, noise conflicts often occur when a noise sensitive land use is located adjacent to a noise generator. Noise in these situations frequently stems from on-site operations, use of outdoor equipment, uses where large numbers of persons assemble, and vehicular traffic. Some land uses, such as residential dwellings, are considered noise sensitive receptors and involve land uses associated with indoor and/or outdoor activities that may be subject to stress and/or significant interference from noise.

The City of Fresno Noise Element of the 2025 Fresno General Plan sets noise compatibility standards for transportation and stationary noise sources. Traffic on North B Street is considered to be a possible transportation noise source. Noise sources not related to traffic on public roadways, railroads or airports are considered to be stationary noise sources.

For transportation sources, the Noise Element establishes land use compatibility criteria in terms of the Day-Night Average Level (DNL). The exterior noise exposure criterion is 60 dB DNL within outdoor activity areas of residential land uses. Outdoor activity areas generally include back yards of single family residences, individual patios or decks of multi-family developments and common outdoor recreation areas of multiple family residential developments. The intent of the exterior noise level requirement is to provide an acceptable noise environment for outdoor activities and recreation.

The Noise Element also requires that interior noise levels attributable to exterior transportation noise sources not exceed 45 dB DNL. The intent of the interior noise level standard is to provide an acceptable noise environment for indoor communication

and sleep.

For stationary noise sources, the noise element establishes noise compatibility criteria in terms of the exterior hourly equivalent sound level ( $L_{eq}$ ) and maximum sound level ( $L_{max}$ ). The standards are more restrictive during the nighttime hours, defined as 10:00 p.m. to 7:00 a.m. The standards may be adjusted upward (less restrictive) if the existing ambient noise level without the source of interest already exceeds these standards. The Noise Element standards for stationary noise sources are: (1) 50 dBA  $L_{eq}$  for the daytime and 45 dBA  $L_{eq}$  for the nighttime hourly equivalent sound levels; and, (2) 70 dBA  $L_{max}$  for the daytime and 65 dBA  $L_{max}$  for the nighttime maximum sound levels. If the existing ambient noise levels equal or exceed these levels, mitigation is required to limit noise to the ambient noise level plus 5 dB. Since the subject site currently is vacant, the proposed project will result in an increase in temporary and/or periodic ambient noise levels in the project vicinity above existing levels. However, as discussed above, this increase in noise will be mitigated to an acceptable level. Some increases in ambient noise levels will occur during the time of construction, but project construction will be limited to normal business hours (7 a.m. to 7 p.m.) to minimize the impact on the adjacent neighborhood.

Construction activities associated with the development of the proposed project could expose persons or structures to excessive groundborne vibration or noise levels. However, this would only be during the construction phase of the proposed project and thus, this is a less than significant impact.

The project is also located outside of the 60 CNEL noise contour of the Fresno Chandler Downtown Airport Master and Environs Specific Plan (1999).

Therefore, the proposed project will not expose persons to excessive noise levels. Although approval of the project may result in creation of additional activity on the subject property, the project will be required to comply with all noise policies from the 2025 Fresno General Plan and noise ordinance of the Fresno Municipal Code. Therefore with MEIR mitigation measures incorporated, noise impacts are less than significant.

#### Mitigation Measures

1. The proposed project shall implement and incorporate, as applicable, the noise related mitigation measures as identified in the attached Master Environmental Impact Report No. 10130--2025 Fresno General Plan Mitigation Monitoring Checklist dated August 8, 2014.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XIII. POPULATION AND HOUSING -- Would the project:				
a) Induce substantial 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 housing, necessitating the construction of replacement housing elsewhere?				X
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X

No persons or housing would be displaced by this project, and no infrastructure is being constructed that was previously unplanned or that would be growth inducing. Therefore, population and housing impacts would be less than significant.

Mitigation Measures

1. The proposed project shall implement and incorporate, as applicable, the land use related mitigation measures as identified in the attached Master Environmental Impact Report No. 10130--2025 Fresno General Plan Mitigation Monitoring Checklist dated August 8, 2014.

<b>ENVIRONMENTAL ISSUES</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
XIV. PUBLIC SERVICES --				
a) Would the project 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	
Drainage and flood control?			X	
Parks?			X	
Schools?			X	
Other public services?			X	

The Department of Public Utilities has reviewed the proposed project and has determined that adequate sewer, water, and solid waste facilities are available subject to compliance with the conditions submitted by the Department of Public Utilities for this project. City police and fire protection services are also available to serve the proposed project. Finally, the Fresno Metropolitan Flood Control District has indicated that there are adequate facilities to serve the proposed project. If and when new construction is proposed, these departments and agencies will provide conditions that will be required as Conditions of Approval for the subject entitlement applications. These conditions of approval will ensure that the proposed project will have a less than significant impact to urban services. All conditions of approval must be complied with prior to occupancy.

The demand for parks generated by the project is within planned services levels of the City of Fresno Parks and Community Services Department and the applicant will pay any required impact fees at the time building permits are issued.

Any urban commercial development occurring as a result of the proposed project will have an impact on the Fresno Unified School District's student housing capacity. The District, through local funding, is in a position to mitigate its shortage of classrooms to accommodate planned population growth for the foreseeable future. However, the District recognizes that the legislature, as a matter of law, has deemed under Government Code Section 65996, that all school facilities impacts are mitigated as a consequence of SB 50 Level 1, 2 and 3 developer fee legislative provisions. The developer will pay appropriate impact fees at time of any future construction and issuance of building permits.

Therefore, the proposed project will not affect public services beyond what was analyzed in the Master Environmental Impact Report No. 10130/SCH No. 2001071097 for the 2025 Fresno General Plan.

Mitigation Measures

1. The proposed project shall implement and incorporate, as applicable, the public service related mitigation measures as identified in the attached Master Environmental Impact Report No. 10130--2025 Fresno General Plan Mitigation Monitoring Checklist dated August 8, 2014.

<b>ENVIRONMENTAL ISSUES</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
XV. RECREATION --				
a) Would the project 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	
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

The proposed project is a plan amendment and rezone intended to allow reinvestment in a small business in an existing building. Any new construction would require a special

permit. In any case, the project is too small to increase the use of the existing parks. Fink-White park is an approximately 8.5 acre neighborhood park located approximately 300 feet to the north of the project site, across Amador Street. The park offers the following amenities:

Barbecues	5
Baseball/Softball Fields	2
Basketball Courts	2
Childrens Play Area	1
Computer Lab	1
Football/Soccer Field	1
Kitchen	1
Learner Pool	1
Picnic Shelter	1
Picnic Tables	9
Restrooms	2
Social Hall	1
Wading Pool	

The development will not require expansion of existing recreational facilities.

<b>ENVIRONMENTAL ISSUES</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
XVI. TRANSPORTATION/TRAFFIC -- Would the project:				
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths and mass transit?			X	

<b>ENVIRONMENTAL ISSUES</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
b) Conflict with an applicable congestion management program, including but not limited to level of service standards and travel demand measures or other standards established by the county congestion management agency for designated roads or highways?				X
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that result in substantial safety risks?				X
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				X
e) Result in inadequate emergency access?				X
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?			X	

The project is located at 1744 B Street, on B Street between Amador and San Joaquin Streets. The 2025 Fresno General Plan and the Edison Community Plan designate B Street as an arterial while Amador and San Joaquin Streets are classified as local streets. B Street is also a designated truck route.

A trip generation analysis was prepared by the Development Services Department in conjunction with the Traffic Engineering Division of the Public Works Department. Because the project consists of a plan amendment and rezone but no special permit for a new project, a range of commercial uses was assumed. Continuation of past use as an auto parts store would result in 155 Average Daily Trips (ADT). Other possible uses

and their related ADTs are noted below. By comparison, the existing zoning could result in construction of 6 dwelling units on the project site, resulting in 57 average daily trips (ADT). In addition, trip counts taken on B Street have yielded 3,381 and 3,472 ADT in 2011 and 2009, respectively, which is well below the capacity of an arterial.

Use (ITE Code)	Size	ADT	AM Peak Hour			PM Peak Hour		
			IN	OUT	TOTAL	IN	OUT	TOTAL
Auto Parts Store (843)	2,500 sf	155	3	3	6	7	8	15
Fast Food Restaurant w/o Drive Thru (933)	3,703 sf	2,651	97	65	162	49	48	97
High Turnover Restaurant (932)	3,703 sf	471	22	18	40	22	14	36
Grocery Store (850)	3,703 sf	379	8	5	13	18	17	35
Medical/Dental Office (720)	3,703 sf	134	7	2	9	4	9	13
Office (710)	3,703 sf	41	5	1	6	1	5	6
Post Office (732)	3,703 sf	401	30	16	14	21	21	42
Single Family (210)	6 du	57	1	4	5	4	2	6
Apartments (220)	6 du	40	1	2	3	3	1	4

- 3,703 sf based on 0.34 acres with FAR 25%
- 6 dwelling units based on 18 du/acre

The proposed plan amendment and rezone, with the proximity and connectivity of residential, open space, school and commercial land uses, provides for a pattern of development which is consistent with current city plans and policies. In addition, it is served by public transportation (FAX) Route 30. This pattern of development provides opportunities for use of alternative modes of transportation and could result in vehicle trip reduction.

The Development Services Department, with assistance from the Public Works Department, Traffic Engineering Division has reviewed the proposed project and potential traffic related impacts for the plan amendment and rezone applications and has determined that the streets adjacent to and near the subject sites will be able to accommodate the quantity and kind of traffic which may be potentially generated subject to the standard requirements stipulated by the City Engineer upon submittal of a special permit for any future new construction. These requirements generally include: (1) Public street improvements such as accessibility ramps; (2) any dedications required for such ramps or for any necessary easements; and, (3) Payment of applicable impact fees (including, but not limited to, the Traffic Signal Mitigation Impact (TSMI) Fee, Fresno Major Street Impact (FMSI) Fee, and the Regional Transportation Mitigation Fee (RTMF) Fee.

The area street plans are the product of careful planning that projects traffic capacity needs based on the densities and intensities of planned land uses anticipated at build-out of the planned area. These streets will provide adequate access to, and recognize the traffic generating characteristics of, individual properties and, at the same time, afford the community an adequate and efficient circulation system.

Therefore, no substantial increase in transportation or traffic is expected to result with incorporation of mitigation measures.

Mitigation Measures

1. The proposed project shall implement and incorporate, as applicable, the traffic related mitigation measures as identified in the attached Master Environmental Impact Report No. 10130--2025 Fresno General Plan Mitigation Monitoring Checklist dated August 8, 2014.
2. The proposed project shall implement and incorporate the traffic related mitigation measures as identified in the attached Project Specific Monitoring Checklist dated August 8, 2014.
- 3.

<b>ENVIRONMENTAL ISSUES</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
XVII. UTILITIES AND SERVICE SYSTEMS -- Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				X
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X

<b>ENVIRONMENTAL ISSUES</b>	<b>Potentially Significant Impact</b>	<b>Less Than Significant with Mitigation Incorporated</b>	<b>Less Than Significant Impact</b>	<b>No Impact</b>
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?		X		
e) 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
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?				X
g) Comply with federal, state, and local statutes and regulations related to solid waste?				X

The Department of Public Utilities has determined that adequate sanitary sewer and water services will be available to serve the proposed project. Any new construction would be subject to requirements of the Department of Public Utilities. The project site will also be serviced by the Solid Waste Division.

The proposed project is not expected to exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board. The impact to storm drainage facilities will be less than significant.

Mitigation Measures

1. The proposed project shall implement and incorporate, as applicable, the sewer and water related mitigation measures as identified in the attached Master Environmental Impact Report No. 10130--2025 Fresno General Plan Mitigation Monitoring Checklist dated August 8, 2014.

ENVIRONMENTAL ISSUES	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XVIII. MANDATORY FINDINGS OF SIGNIFICANCE --				
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
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

The proposed project is considered to be proposed at a size and scope which is neither a direct or indirect detriment to the quality of the environment through reductions in habitat, populations, or examples of local history (through either individual or cumulative impacts).

The proposed project does not have the potential to degrade the quality of the environment or reduce the habitat of wildlife species and will not threaten plant communities or endanger any floral or faunal species. Furthermore the project has no potential to eliminate important examples of major periods in history.

Therefore, as noted in preceding sections of this Initial Study, there is no evidence in the record to indicate that incremental environmental impacts facilitated by this project would be cumulatively significant. There is also no evidence in the record that the proposed project would have any adverse impacts directly, or indirectly, on human beings.

## **MASTER ENVIRONMENTAL IMPACT REPORT (MEIR) REVIEW SUMMARY**

**Projected Population and Housing.** The City of Fresno experienced a period of notable growth in the construction of single family residences over the first five-year period of the 2025 Fresno General Plan (2003 through 2007). However, this development has occurred within the parameters anticipated by the General Plan and the mitigation measures established by Master Environmental Impact Report (MEIR 10130/SCH 2001071097). The General Plan and its MEIR utilized a projected population growth rate for purposes of land use and resource planning. This projection anticipated an annual average population growth of approximately 1.9 percent over the 23-year planning period. Population estimates provided by the State of California Department of Finance (DOF) indicate a population growth of approximately 60, 000 people between 2002 and 2007 with a growth rate varying from 1.47 to 1.97 percent per year. These estimates are well within the growth projections of the General Plan and MEIR.

As of May 2013, the City has processed 136 plan amendment applications since the adoption of the 2025 Fresno General Plan. These applications have resulted in changes of planned land use that affected approximately 1,586 acres, representing approximately one percent of the land area within the 2025 Fresno General Plan boundary. The impacts of these amendments are minimal and not significant in relation to the balance of the density and intensity of the land uses impacted by the plan amendment applications.

Based upon this, many of the assumptions relied upon for the MEIR to address other impacts, such as traffic, air quality, need for public utilities, services and facilities and water supplies are still valid to the extent that these assumptions relied upon projected population growth during the General Plan planning period. For this reason and the others provided below, the Staff finds that the circumstances have not changed from the time the MEIR was certified and/or new information is not known pursuant to CEQA Guideline Section 15179(b)(1) and the MEIR may still be relied upon.

**Transportation and Circulation.** Subsequent to the certification of the MEIR the City of Fresno has required the preparation of approximately 200 site specific traffic impact studies and had required the provision of street, intersection signalization and transportation improvements in accordance with the adopted mitigation measures of the MEIR. The City's Traffic Engineer reports that through review of these approximately 200 traffic impact studies, the City has not seen traffic counts substantially different than those predicted by the MEIR. Concurrently with these efforts, the City adopted a new program for traffic signal and major street impact fees to pay for planned improvements throughout Fresno (not just in new growth areas, as has been the case with the previous impact fee program). These fees will more comprehensively provide for meeting transportation infrastructure needs and will expedite reimbursement for

developments, which construct improvements that exceed the project's proportionate share of the corresponding traffic or transportation capacity needs.

In addition to the local street system, the City has entered into an agreement with the California Department of Transportation to collect impact fees for state highway facilities which may be impacted by new development projects. The City participates in the Fresno County Transportation Authority, which recently was successful in obtaining voter re-authorization of a half-cent sales tax to be dedicated to a wide range of transportation facilities and programs (including mass transit). The City is also an active participant in ongoing regional transportation planning efforts, such as a freeway deficiency study, a corridor study for one or more additional San Joaquin River crossings, and the State's "Blueprint for the Valley" process. All these studies were commenced after the MEIR was certified, but none of them is yet completed. Therefore, it cannot be concluded that Fresno's environmental setting or the MEIR analysis of traffic and circulation have materially changed since November of 2002.

Therefore, Staff finds that the circumstances have not changed from the time the MEIR was certified and/or new information is not known based upon traffic impacts pursuant to CEQA Guideline Section 15179(b)(1).

**Air Quality and Global Climate Change** Staff has worked closely with the regional San Joaquin Valley Air Pollution Control District (SJVAPCD) since the November 2002 certification of the 2025 Fresno General Plan Master Environmental Impact Report (MEIR). Potential air quality impacts have been analyzed for every environmental assessment initial study done for City development projects. Projects are required to comply with SJVAPCD rules and regulations via conditions of approval and mitigation measures formulated in the MEIR.

Overall, revisitation of these issues leads to the conclusion that, while there have been changes in air quality laws, planning requirements, and rules and regulations since certification of the MEIR, the actual environmental setting has not evidenced degradation of air quality. (Because air quality and global climate change are matters of some public controversy, additional documentation has been supplied on this issue; please refer to the appended full analysis with supporting data.)

In conjunction with SJVAPCD attainment plans and attendant rules and regulations that were adopted prior to the certification of the MEIR, policies in the 2025 Fresno General Plan and MEIR mitigation measures aimed at improving air quality appear to be working. Since 2002, data show that pollutant levels have been steadily decreasing for ozone/oxidants and for particulate matter (10 microns and 2 microns in size). Recent adoption of new air quality attainment plans by SJVAPCD, calling for broader and more stringent rules and regulations to achieve compliance with national and state standards, is expected to accelerate progress toward attainment of clean air act standards.

Analysis of global climate change analysis was not part of the MEIR in 2002, due to lack of scientific consensus on the matter and a lack of analytical tools. However, under the MEIR and General Plan mitigation measures and policies for reducing all forms of air pollution, levels of greenhouse gases have been reduced along with the other regulated air pollutants. At this point in time, detailed analysis and conclusions as to the significance of greenhouse gas emissions and strategies for mitigation are still not feasible, because the legislatively-mandated greenhouse gas inventory benchmarking and the environmental analysis policy formulation tasks of the California Environmental Protection Agency Air Resources Board and the Governor's Office of Planning and research are not completed. The information available does not support any conclusion that Plan Amendment Application Nos. A-13-004 & A-13-005, Rezone Application Nos. R-13-011 & R-13-012, Conditional Use Permit Application No. C-13-098 & C-13-099, and Vesting Tentative Tract Map No. T-6052/UGM & T-6053/UGM or other City projects would have a significantly adverse impact on global climate change. Similarly, there is insufficient information to conclude that global climate change would have a significantly adverse impact upon the City of Fresno or specific development projects.

Staff is not aware of any particular circumstance or information that would make impacts to air quality a reasonably foreseeable impact or more severe impact from that identified in the MEIR. Therefore, Staff finds that the circumstances have not changed from the time the MEIR was certified and/or new information is not known based upon air quality impacts pursuant to CEQA Guideline Section 15179(b)(1).

**Water Supply, Quality and Hydrology.** The City of Fresno has initiated, continued and completed numerous projects addressing general plan and MEIR provisions relating maintaining an adequate supply of safe drinking water to serve present and future projected needs. A water meter retrofit program to meter service to all consumers by the end of the year 2012 is underway, in compliance with State law that predated the MEIR and with new regulations affecting the U.S. Bureau of Reclamation Central Valley Project. (While the federal regulation has trumped a voter-approved City charter amendment that specifically prohibited using meters for residential development, the City's plans and policies have always contained measures calling for water conservation and for seeking ways to reduce average consumption of households. Metering is recognized as the best implementation measure for this, and does not constitute a change in the City's environmental setting or the analysis and mitigation in the 2025 Fresno General Plan MEIR.) After certification of the MEIR, the City commenced operation of its northeast area surface water treatment facility; initiated and began construction of additional groundwater wells with granular activated carbon filtration systems as necessary to remediate groundwater contamination that was discussed in the MEIR and its mitigation measures; provided for additional groundwater recharge areas; and expanded its network of water transmission main pipeline improvements allowing for improved distribution of water supply.

As called for in 2025 General Plan policies and MEIR mitigation measures, the City has implemented several programs for preventing water pollution: In conjunction with Fresno Metropolitan Flood Control District and the Regional Water Quality Control

Board (RWQCB) City inspectors assist in enforcing the National Pollutant Discharge Elimination System Stormwater Pollution Prevention regulations, The Planning and Development Department also consults with RWQCB on specific development projects which may require on-site wastewater treatment, and provides project-specific conditions and even supplemental environmental analysis for such projects, with specific mitigation measures. The City's Department of Public Utilities has enhanced its industrial pretreatment permitting program for industrial wastewater generators who discharge to the Fresno-Clovis Wastewater Treatment and Reclamation Facility.

Staff is not aware of any particular circumstance or information that would make impacts to water supply, quality and hydrology a reasonably foreseeable impact or more severe impact from that identified in the MEIR. The Director of Public Utilities finds that the circumstances have not changed from the time the MEIR was certified and/or new information is not known based upon traffic impacts pursuant to CEQA Guideline Section 15179(b)(1).

**Agricultural Resources.** The implementation of applicable policies since adoption of the 2025 Fresno General Plan has encouraged the development of urban uses in a more systematic pattern that avoids discontinuity and the creation of vacant by-passed properties. These efforts, together with the requirement to record "right-to-farm" covenants, facilitate the continuation of existing agricultural uses within the city's planned urban growth boundary during the interim period preceding orderly development of the property as anticipated by the General Plan. Staff is not aware of any particular circumstance or information that would make impacts from loss of agricultural resources a reasonably foreseeable impact or more severe impact from that identified in the MEIR. Staff finds that the circumstances have not changed from the time the MEIR was certified and/or new information is not known related to loss of agricultural resources pursuant to CEQA Guideline Section 15179(b)(1).

**Demand for Utilities and Service Systems.** The City of Fresno has continued to provide for utilities and service systems commensurate with the demands of increased population and employment within its service area, implementing policies of the 2025 Fresno General Plan and conforming to MEIR mitigation measures. Programmatic measures have been continued, expanded or initiated to increase the efficiencies of providing services in a manner that will reduce potential impacts upon the natural and human environment. These improvements have included bringing the City's first surface water treatment plant on-line to distribute treated surface water, thereby preventing a worsening of groundwater overdraft in northeast Fresno; converting a substantial portion of the City's service vehicle fleet to alternative fuels; and expanding recycling and conservation measures (including contracting with a major material sorting and recycling facility and a green waste processor to comply with AB 939 solid waste reduction mandates) to more judiciously use resources and minimize adverse impacts the environment. Adoption of City-wide police and fire facility development impact fees and a contract to consolidate fire service with an adjacent fire prevention

district have been accomplished to assure the provision of adequate firefighting capacity to serve a broader geographic extend of urban development and more intensive and mixed-use development throughout the metropolitan area.

Because these changes were anticipated in, or provided for by, the 2025 Fresno General Plan and its MEIR mitigation measures, they do not constitute a significant or adverse alteration of Fresno's environmental setting. Staff is not aware of any particular circumstance or information that would make impacts from increased demand for utilities and service systems and public facilities a reasonably foreseeable impact or more severe impact from that identified in the MEIR. Staff finds that the circumstances have not changed from the time the MEIR was certified and/or new information is not known related to increased demand for utilities, service systems, and public facilities pursuant to CEQA Guideline Section 15179(b)(1).

**Demand for Recreational Facilities.** The City of Fresno has adopted and City-wide parks facility and Quimby Act fee which provides for the acquisition of new open space and recreation facilities as well as improvements to existing facilities and programs to provide a broader range of recreation opportunities. Staff is not aware of any particular circumstance or information that would make impacts from increased demand for recreational facilities a reasonably foreseeable impact or more severe impact from that identified in the MEIR. Staff finds that the circumstances have not changed from the time the MEIR was certified and/or new information is not known related to increased demand for utilities, service systems, and public facilities pursuant to CEQA Guideline Section 15179(b)(1).

**Biological Resources.** The City continues to evaluate all development proposals for potential impacts upon natural habitats and associated species dependent upon these habitats. The City supports continuing efforts to acquire the most prominent habitats where appropriate, such as portions of the San Joaquin River environs. When development or public works projects have been proposed in this area, they have been subject to site-specific evaluation through supplemental environmental analyses, and appropriate mitigation measures and conditions applied as derived from consultation with the U.S. Fish and Wildlife Service and the California Department of Fish and Game. The City has imposed MEIR mitigation measures related to Biological Resources on projects that identified potential impacts to biological resources. Staff finds that this has adequately addressed any potential impact to biological resources. Staff is not aware of any particular circumstance or information that would make impacts from loss of biological resources a reasonably foreseeable impact or more severe impact from that identified in the MEIR. Staff finds that the circumstances have not changed from the time the MEIR was certified and/or new information is not known related to loss of biological resources pursuant to CEQA Guideline Section 15179(b)(1).

**Potential Disturbance of Cultural Resources.** The City of Fresno has implemented numerous efforts to identify historic and cultural resources, and provide thorough consideration as to their value and contributions to understanding or historic and cultural heritage.

Additionally, staff follows the MEIR mitigation measures for potential cultural resources. Staff is not aware of any particular circumstance or information that would make impacts to cultural resources a reasonably foreseeable impact that was not identified in the MEIR. Staff finds that the circumstances have not changed from the time the MEIR was certified and/or new information is not known related to loss of cultural resources pursuant to CEQA Guideline Section 15179(b)(1).

Within the last five years, the City has lost two lawsuits (Valley Advocates v. COF and Heritage Fresno v. RDA, City of Fresno) related to historical resources that related to six particular buildings at two different particular sites. The CEQA projects at issue were reviewed under independent CEQA documents, not under the MEIR as subsequent projects (*i.e.*, one under a separate EIR and one under a categorical exemption). These projects are site specific and are not reasonably expected to create additional impacts to cultural resources that would affect a finding under Section 15179. These particular projects may be properly assessed under the MEIR focused EIR procedures or mitigated negative declaration procedures under Section 15178 and not affect the overall MEIR findings.

**Generation of Noise.** The City of Fresno continues to implement mitigation measures and applicable plan policies to reduce the level of noise to which sensitive noise receptors are exposed. These efforts include identification of high noise exposure areas, limiting the development of new noise sensitive uses within these identified areas and conducting noise exposure studies and requiring implementation of appropriate design measures to reduce noise exposure. Staff finds that these efforts have adequately addressed any potential impacts that may have arisen related to noise and is not aware of any facts or circumstance that would make noise impacts have a more severe impact than that identified in the MEIR. Additionally, staff is not aware of any information or data that was not known at the time that the MEIR was certified that would be able to mitigate noise impacts beyond that identified and contemplated by the MEIR. Staff finds that the circumstances have not changed from the time the MEIR was certified and/or new information is not known related to noise impacts pursuant to CEQA Guideline Section 15179(b)(1).

**Geology and Soils.** The City of Fresno has a predominantly flat terrain with few geologic or soil quality constraints. The City continues to apply applicable local and state construction codes and standards and continues to adopt new standards as appropriate to insure the safety of residents and protection of property improvements. Staff finds that these codes and standards have adequately addressed any potential impacts that may have arisen related to geology and soils and is not aware of any facts

or circumstance that would make impacts related to geology and soils a reasonably foreseeable impact not addressed in the MEIR. Staff finds that the circumstances have not changed from the time the MEIR was certified and/or new information is not known regarding impacts related to geology and soils pursuant to CEQA Guideline Section 15179(b)(1).

**Hazards and Potential Generation of Hazardous Materials** The City continues to implement General Plan policies and assure compliance with MEIR mitigation measures as new development is planned and constructed, and as Code Enforcement activities are conducted, in order to prevent flood damage, structural failures due to soil and geologic instability, and wildfire losses. Development in the vicinity of airports has been reviewed and appropriately conditioned with regard to adopted and updated airport safety and noise policies. In consultation with Fresno County Environmental Health and the California Environmental Protection Agency Department of Toxic Substances Control, industrial and commercial facilities that use, handle, or store potentially hazardous materials are appropriately sited, conditioned, and inspected periodically by the Fresno Fire Department to prevent adverse occurrences. Homeland Security regulations have been taken into consideration when reviewing food production, processing and storage facilities, and the City has conducted and participated in multiple emergency response exercises to develop response plans that would protect life, health, and safety in the event of railroad accidents and other potential hazards.

Staff finds that these procedures, as outlined in the 2025 Fresno General Plan and its MEIR (as well as in related regulations and codes pertaining to hazards and hazardous materials) have adequately addressed potential impacts that may have arisen related to hazards. Staff is not aware of any facts or circumstance that would make impacts related to hazards and hazardous materials reasonably foreseeable impacts not addressed in the MEIR. Staff finds that the circumstances have not materially changed from the time the MEIR was certified and/or new information is not known related to impacts from hazards and hazardous materials pursuant to CEQA Guideline Section 15179(b)(1).

**Demand for Energy.** The City of Fresno has taken a number of steps to reduce energy consumption, both “in house” to set an example, and in the policy arena. The most notable “in-house” actions are the following:

- Construction of solar panel generator facilities at the Municipal Services Center (MSC) and at Fresno-Yosemite International Airport. The MSC facility, completed\_ in 2004, generates 3.05 GWh of energy (equivalent to operation of 286 homes per year) and has resulted in reduction of 966 tons of CO<sub>2</sub> emissions (equivalent to 2,414,877 vehicular miles not driven).
- Replacement of a significant number of vehicles in the municipal fleet with clean air vehicles (please refer to the following table).

**CURRENT CITY OF FRESNO "CLEAN AIR" FLEET**

50	CNG Transit Buses
4	CNG Trolleys
6	CNG Handi-Ride Buses
59	Retrofitted Diesel Powered Buses with REV (reduced emission vehicle) engines and diesel particulate traps
2	Hybrid (gasoline-electric) Transit Buses
2	Hybrid (diesel-electric) Transit Buses
12	Compressed Natural Gas (CNG) Pickups, Vans and Sedans
7	Flex Fuel Pickups, Vans and Sedans (CNG/Unleaded Fuel)
3	Compressed Natural Gas (CNG) Street Sweepers
52	Hybrid (gasoline-electric) Sedans and Trucks
34	Electric Vehicles
5	Propane Powered Vehicles
103	LNG Powered Refuse Trucks
59	Retrofitted Diesel Powered Refuse Trucks with combination lean NOx catalyst and diesel particulate filters
9	Retrofitted Diesel Powered Street Sweepers with combination lean NOx catalyst and diesel particulate filters
1	Plug-In CNG/Electric Hybrid Refuse Truck
56	Heavy duty diesel trucks and construction equipment equipped with exhaust after-treatment devices
9	Off Road Equipment with exhaust after-treatment devices
<b>473</b>	<b>Total "Clean Air" Vehicles in the City of Fresno fleet</b>

In the development standards policy arena, the City is taking numerous steps to increase residential densities and connectivity between residential and commercial land uses, thus facilitating more walking, biking and transit ridership (which has increased 22% in recent months) and saving energy:

- Amended the zoning code to allow development of mixed use projects in all commercial zone districts citywide, and in the C-M and M-1 zone districts within the Central Area.
- Amended the zoning code to allow density bonuses for affordable housing projects. Such bonuses permit density increases of approximately 30%.
- Amended zoning code to eliminate the “drop down” provision, which permitted development at one density range less than that shown on the adopted land use map.
- Amended the zoning code to increase heights in various residential and commercial zone districts and reduce the minimum lot size in the R-1 zone district from 6,000 to 5,000 square feet.
- Initiated the Activity Center Study, which is defining the potential Activity Centers located in Exhibit 6 of the 2025 Fresno General Plan and proposing design classifications and increased density ranges for these centers and corresponding transportation corridors.

Staff is not aware of any facts or circumstance that would make impacts related to energy demands reasonably foreseeable impacts that were not addressed in the MEIR. Staff finds that the circumstances have not materially changed from the time the MEIR was certified and/or new information is not known related to energy demand impacts pursuant to CEQA Guideline Section 15179(b)(1).

**Mineral Resources.** The City of Fresno has adopted plan policies and City ordinance provisions consistent with requirements of the State of California necessary to preserve access to areas of identified resources and for restoration of land after resource recovery (surface mining) activities. Staff finds that these policies and Fresno Municipal Code provisions have adequately addressed any potential impacts that may have arisen related to mineral resources and is not aware of any facts or circumstance that would make loss of mineral resources a reasonably foreseeable impact not addressed in the MEIR. Staff finds that the circumstances have not changed from the time the MEIR was certified and/or new information is not known related to loss of mineral resources pursuant to CEQA Guideline Section 15179(b)(1).

**School Facilities.** The City of Fresno continues to consult with affected school districts and participate in school site planning efforts to assure the identification of appropriate location alternatives for planned school facilities. Staff is not aware of any information from the school districts or otherwise to demonstrate that adequate school facilities are not being accommodated under the current General Plan and/or that the need for school facilities is expected to cause impacts not identified in the MEIR. Staff finds that the circumstances have not changed from the time the MEIR was certified and/or new information is not known related to need for school facilities pursuant to CEQA Guideline Section 15179(b)(1).

**Potential Aesthetic Impacts.** Design Guidelines were appended to the 2025 Fresno General Plan through the plan adoption process conducted concurrently with MEIR analysis. As noted previously, General Plan policies encourage and promote infill development, and the City of Fresno Planning and Development Department has implemented design guidelines for reviewing infill housing development proposals. The Department has prepared detailed design guidelines for the Tower District Specific Plan area and the Fulton-Lowell Specific Plan area, both of which contain enclaves of unique structures. The City has adopted policies promoting incorporation of public art within private development projects, which will contribute to a more appealing visual environment, benefitting users of the private property as well as the surrounding community. In addition, the City of Fresno and the City of Fresno Redevelopment Agency have funded public improvements which improve the general aesthetic. Staff is not aware of any situation or circumstances where there are reasonably foreseeable aesthetic impacts not identified and assessed in the MEIR. Staff finds that the circumstances have not changed from the time the MEIR was certified and/or new information is not known related aesthetic impacts pursuant to CEQA Guideline Section 15179(b)(1).

Appendix: Status of MEIR Analysis With Regard to Air Quality and Climate Change

## **APPENDIX**

### **STATUS OF MEIR ANALYSIS WITH REGARD TO AIR QUALITY AND CLIMATE CHANGE**

#### **EXECUTIVE SUMMARY**

Planning staff has worked closely with the regional San Joaquin Valley Air Pollution Control District (SJVAPCD) since the November 2002 certification of the 2025 Fresno General Plan Master Environmental Impact Report (MEIR). Potential air quality impacts have been analyzed for every environmental assessment initial study done for City development projects. Projects are required to comply with SJVAPCD rules and regulations via conditions of approval and mitigation measures formulated in the MEIR.

Overall, revisitation of these issues leads to the conclusion that, while there have been changes in air quality laws, planning requirements, and rules and regulations since certification of the MEIR, the actual environmental setting has not evidenced degradation of air quality. In conjunction with SJVAPCD attainment plans and attendant rules and regulations that were adopted prior to the certification of the MEIR, policies in the 2025 Fresno General Plan and MEIR mitigation measures aimed at improving air quality appear to be working. Since 2002, data show that pollutant levels have been steadily decreasing for ozone/oxidants and for particulate matter (10 microns and 2 microns in size). Recent adoption of new air quality attainment plans by SJVAPCD, calling for broader and more stringent rules and regulations to achieve compliance with national and state standards, is expected to accelerate progress toward attainment of clean air act standards.

Analysis of global climate change analysis was not part of the MEIR in 2002, due to lack of scientific consensus on the matter and a lack of analytical tools. However, under the MEIR and General Plan mitigation measures and policies for reducing all forms of air pollution, levels of greenhouse gases have been reduced along with the other regulated air pollutants. At this point in time, detailed analysis and conclusions as to the significance of greenhouse gas emissions and strategies for mitigation are still not feasible, because the legislatively-mandated greenhouse gas inventory benchmarking and the environmental analysis policy formulation tasks of the California Environmental Protection Agency Air Resources Board and the Governor's Office of Planning and research are not completed. The information available does not support any conclusion that Plan Amendment Application No. A-13-004 & A-13-005, Rezone Application Nos. R-13-011 & R-13-012, Conditional Use Permit Application No. C-13-098 & C-13-099, and Vesting Tentative Tract Map No. T-6052/UGM & T-6053/UGM, or other City projects would have a significantly adverse impact on global climate change. Similarly, there is insufficient information to conclude that global climate change would have a significantly adverse impact upon the City of Fresno or specific development projects.

## **SUPPORTING DATA AND ANALYSIS**

While there have been changes in air quality regulations since the November 2002 certification of the 2025 Fresno General Plan MEIR, the actual environmental setting has not evidenced degradation of air quality.

The adverse air quality impacts associated with the myriad of human activities potentiated by the long range general plan for the Fresno metropolitan area can be expected to remain significant and unavoidable, and cannot be completely mitigated through the General Plan or through project-level mitigation measures. In order to provide a suitable living environment within the metropolitan area, the General Plan and its MEIR included numerous air pollution reduction measures.

The 2025 Fresno General Plan and its MEIR gave emphasis to pursuing cleaner air as an over-arching goal. The urban form element of the General Plan was designed to foster efficient transportation and to support mass transit and subdivision design standards are being implemented to support pedestrian travel. Strong policy direction in the Public Facilities and Resource Conservation elements require that air pollution improvement be a primary consideration for all land development proposals, that development and public facility projects conform to the 2025 Fresno General Plan and its EIR mitigation measures, and that the City work conjunctively with other agencies toward the goal of improving air quality.

The MEIR mitigation checklist sketched out a series of actions for the City to pursue with regard to its own operations, and City departments are pursuing these objectives. The Fresno Area Express (FAX) bus fleet and the Department of Public Utilities solid waste collection truck fleet are being converted to cleaner fuels. Lighter-duty vehicle fleets are also incorporating alternative fuels and “hybrid” vehicles. Mass transit system improvements are supporting increased ridership. Construction of sidewalks, paseos, bicycle lanes and bike paths is being required for new development projects, and are being incorporated into already-built segments of City rights-of-way with financing from grants, gas tax, and other road construction revenues. Traffic signal synchronization is being implemented. The Planning and Development Department amended the Fresno Municipal Code to ban all types of residential woodburning appliances, thereby removing the most prominent source of particulate matter pollution from new construction.

Pursuant to a specific MEIR mitigation measure, all proposed development projects are evaluated with the “Urbemis” air quality impact model that evaluates potential generation of a range of air pollutants and pollutant precursors from project construction, project-related traffic, and from various area-wide non-point air pollution sources (*e.g.*, combustion appliances, yard maintenance activities, etc.). The results of this “Urbemis” model evaluation are used to determine the significance of development projects’ air quality impacts as well as the basis for any project-specific air quality mitigation measures.

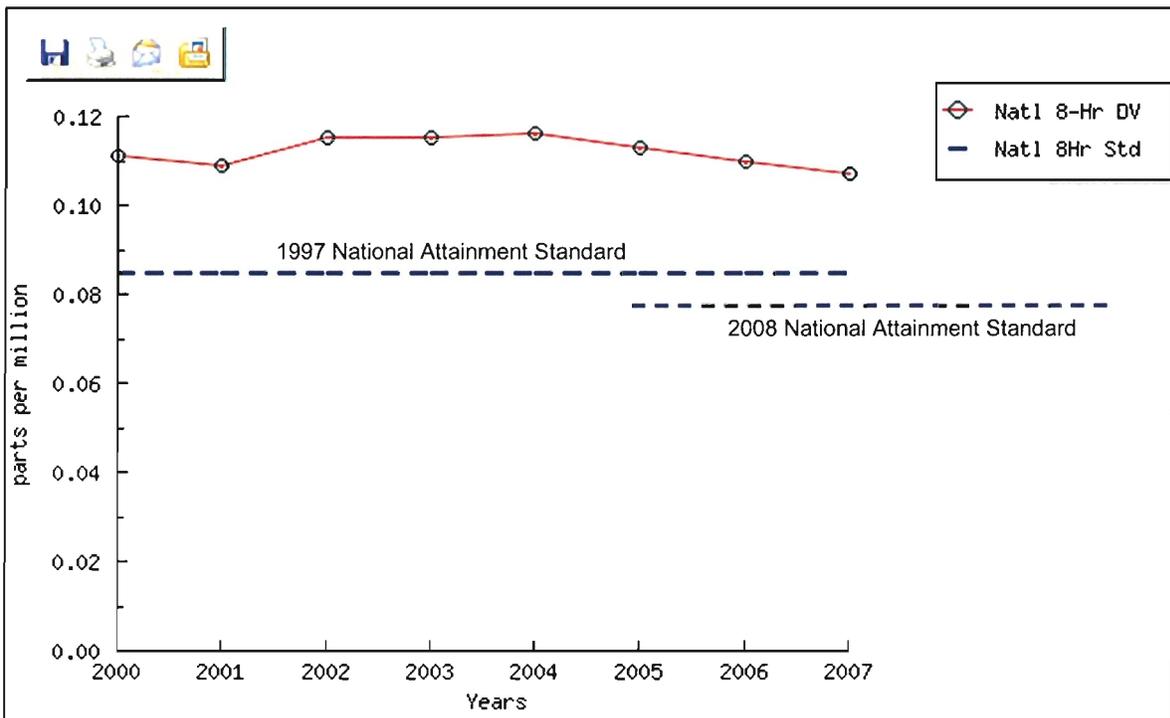
There are no new (*i.e.*, unforeseen in the MEIR) reasonable mitigation measures which have become available since late 2002 that would assure the reduction of cumulative (city-wide) air quality impacts to a less than significant level at project buildout, even with full compliance with attainment plans and rules promulgated by the California Air Resources Board and the San Joaquin Valley Air Pollution Control District.

Through implementation of regional air quality attainment plans by the San Joaquin Valley Unified Air Pollution Control District (SJVAPCD), as supported by implementation of 2025 Fresno General Plan policies and MEIR mitigation measures, air pollution indices have shown improvement. Progress is being made toward attainment of federal and state ambient air quality standards.

Ozone/oxidant levels have shown gradual improvement, as depicted in the following graphs and charts from the California Air Resources Board (graphics with an aqua background) and from the San Joaquin Valley Air Pollution Control District (those with no background color):



Ozone Trends Summary: **San Joaquin Valley Air Basin**



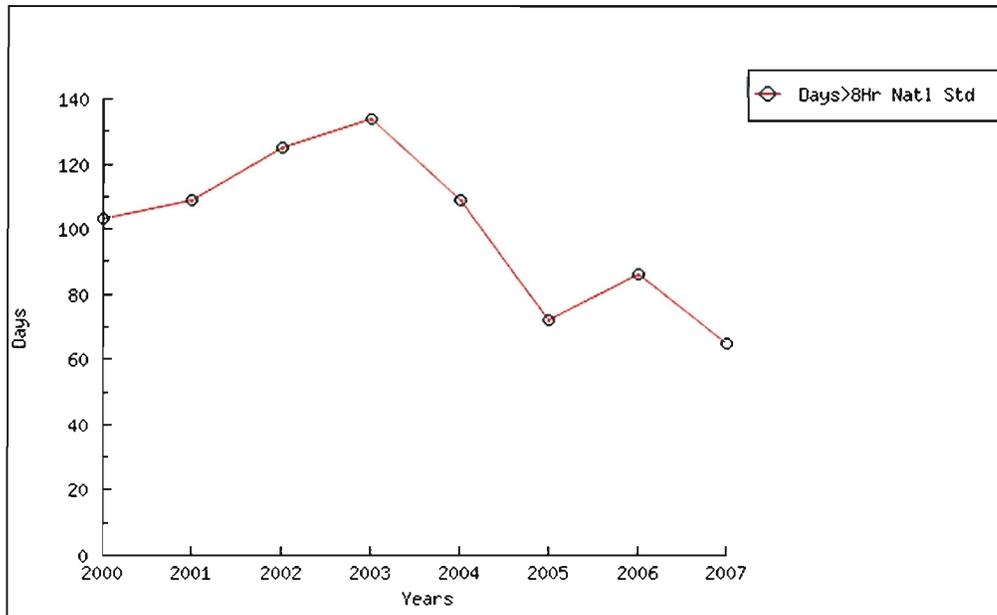
GRAPH NOTES: The "National 1997 8-Hour Ozone Design Value" is a three-year running average of the fourth-highest 8-hour ozone measurement averages in each of the three years (computed according to the method specified in Title 40, Code of Federal Regulations, Part 50, Appendix I).

Under the 1997 standard, in effect through the end of 2007, "Attainment" would be achieved if the three-year average were less than, or equal to, 84 parts per billion (ppb), or 0.084 parts per million (ppm). In 2008, a new National 8-Hour Ozone Attainment standard went into effect: a three year average of 75 ppb (0.075 ppm). Data and attainment status for 2008 is expected to become available in 2009.

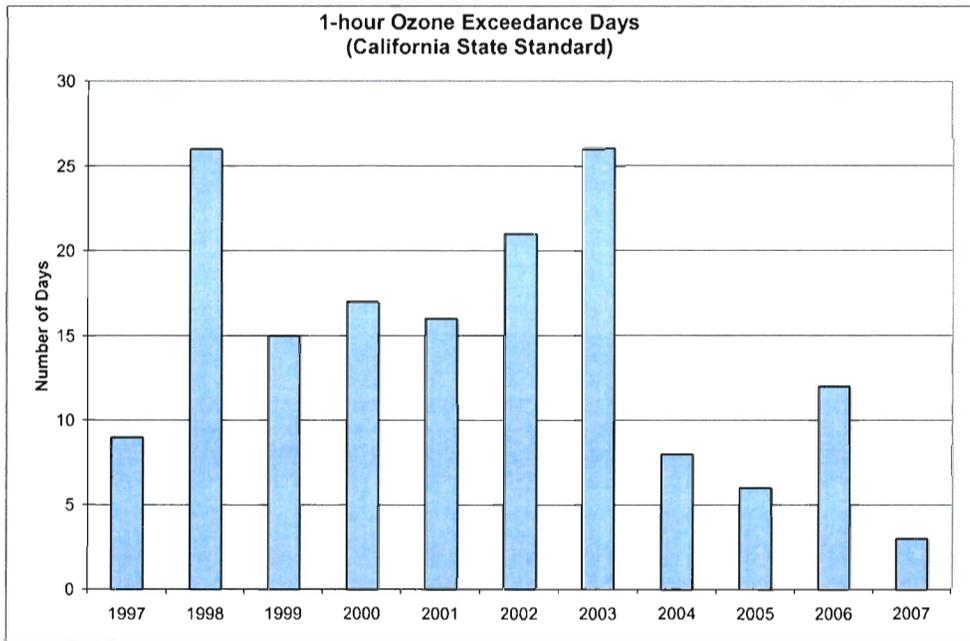
The California Clean Air Act has a different calculation method for its 8-hr oxidant [ozone] standard design value, and an attainment standard that is lower (0.070 ppm). The ozone improvement trend under the state Clean Air Act 8-hour ozone standard parallels the trend for the national 8-hour standard.

Correspondingly, the number of days per year in which the National 8-hour Ozone Standard has been exceeded have also decreased since the end of 2002:

Ozone Trends Summary: **San Joaquin Valley Air Basin**



In 1997, the Federal Clean Air Act repealed the former National 1-hour Ozone standard. However, the California Clean Air Act retains this air pollution parameter. The days per year in which the State of California 1-hour ozone standard has been exceeded have also shown a generally decreasing trend in the time since the 2025 Fresno General Plan MEIR was certified:

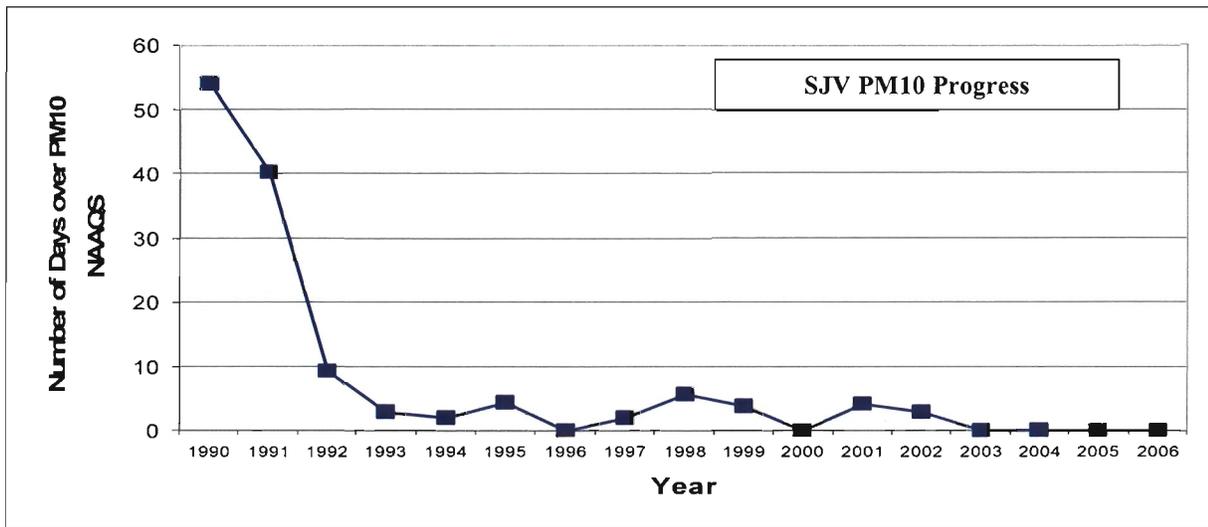


The current ozone attainment plan for the San Joaquin Valley Air Basin, in place when the MEIR for the 2025 Fresno General Plan was certified, is linked to a federal designation of “Serious Nonattainment.” While ozone/oxidant air quality conditions are showing a trend toward improvement, the rate of progress toward full attainment is not sufficient to reach the national ambient air quality standards by the target date established by the attainment plan. Mobile sources (vehicle engines) are the primary source for ozone precursors, and the regulation of mobile sources occurs at the national and state levels and is beyond the direct regulatory reach of the regional air pollution control agency. As noted in the 2025 Fresno General Plan MEIR and reflected in the Statement of Overriding Considerations made when the MEIR was certified, potentially significant and unavoidable adverse air quality impacts are inherent in population growth and construction in the City of Fresno, given the Valley’s climatology and the limitations on regulatory control of air pollutant precursors.

In 2004, the San Joaquin Valley Air Pollution Control District, in conjunction with the California Air Resources Board, approved a re-designation for the San Joaquin Valley Air Basin to “Extreme Nonattainment” status for ozone, approving a successor air quality attainment plan that projects San Joaquin Valley attainment of the national 8-hour ozone standard by year 2023. This designation and its accompanying attainment plan were submitted to the U.S. Environmental Protection Agency (USEPA) in November of 2004. To date, no formal action has been taken by USEPA to date on the proposed designation or the attainment plan; the Valley remains in “Severe Non-attainment” as of this writing.

The change from “Severe” to “Extreme” ozone Nonattainment would represent an extension of the deadline for attainment, but since the regional air basin would not have achieved attainment by the original deadline, this does not materially affect environmental conditions for the City of Fresno as they were analyzed in the MEIR for the 2025 Fresno General Plan. The proposed revised ozone attainment plan includes not only all the measures in the preceding ozone attainment plan, but additional measures for regulating a wider range of activities to attain ambient air quality standards.

The Valley’s progress toward attaining national and state standards for PM-10 (particulate matter less than 10 microns in diameter) has been greater since certification of the MEIR:



As the preceding chart reveals, levels of PM-10 air pollution have decreased since 2002. When the MEIR was certified, the San Joaquin Valley Air Basin was designated in “Serious Nonattainment” for national standards. As of 2007, the number of days where standards were exceeded has decreased to the extent that the Valley has been deemed to be in Attainment. Under Federal Clean Air Act Section 107(d)(3), PM-10 attainment plans and associated rules and regulations remain in place to maintain this level of air quality. New and expanded regulations proposed to combat “Extreme” ozone pollution and PM-2.5 (discussed below) would be expected to provide even more improvement in PM-10 pollution situation.

The 2025 Fresno General Plan provided policy direction in support of “indirect source review” as a method for controlling mobile source pollution. Although vehicle engines and fuels are outside the purview of local and regional jurisdictions in California, approaching mobile source pollution indirectly, through regulation and mitigation of land uses which generate traffic, is an alternative approach.

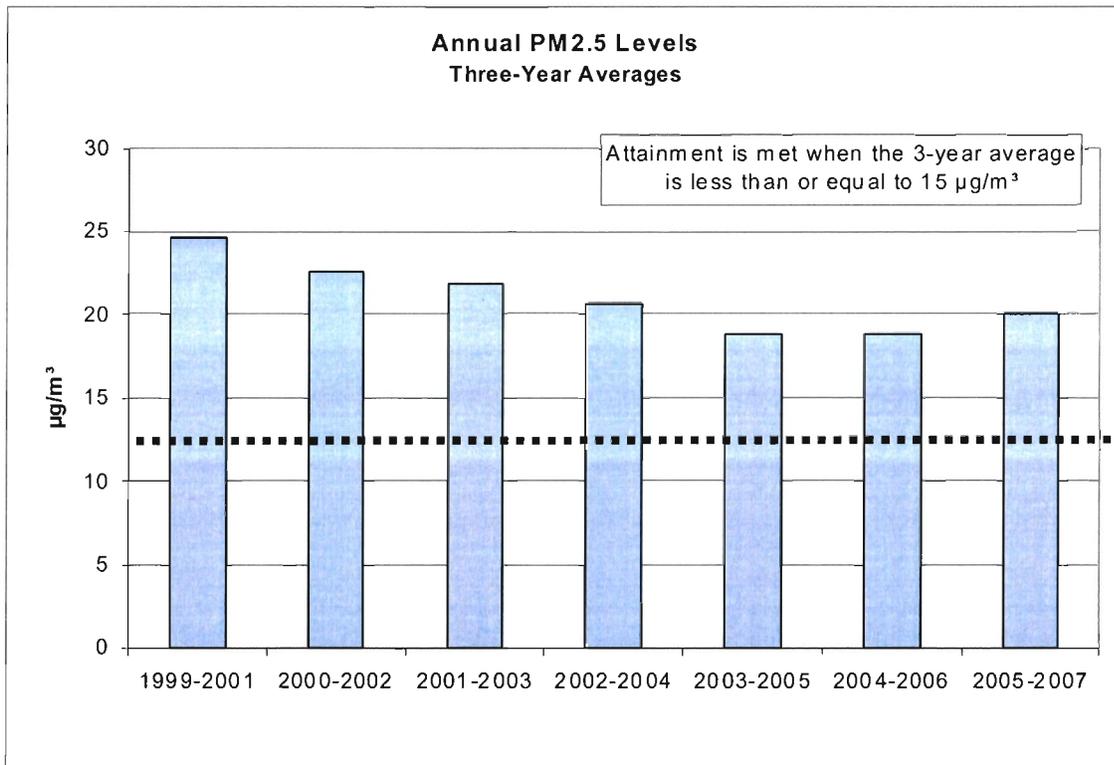
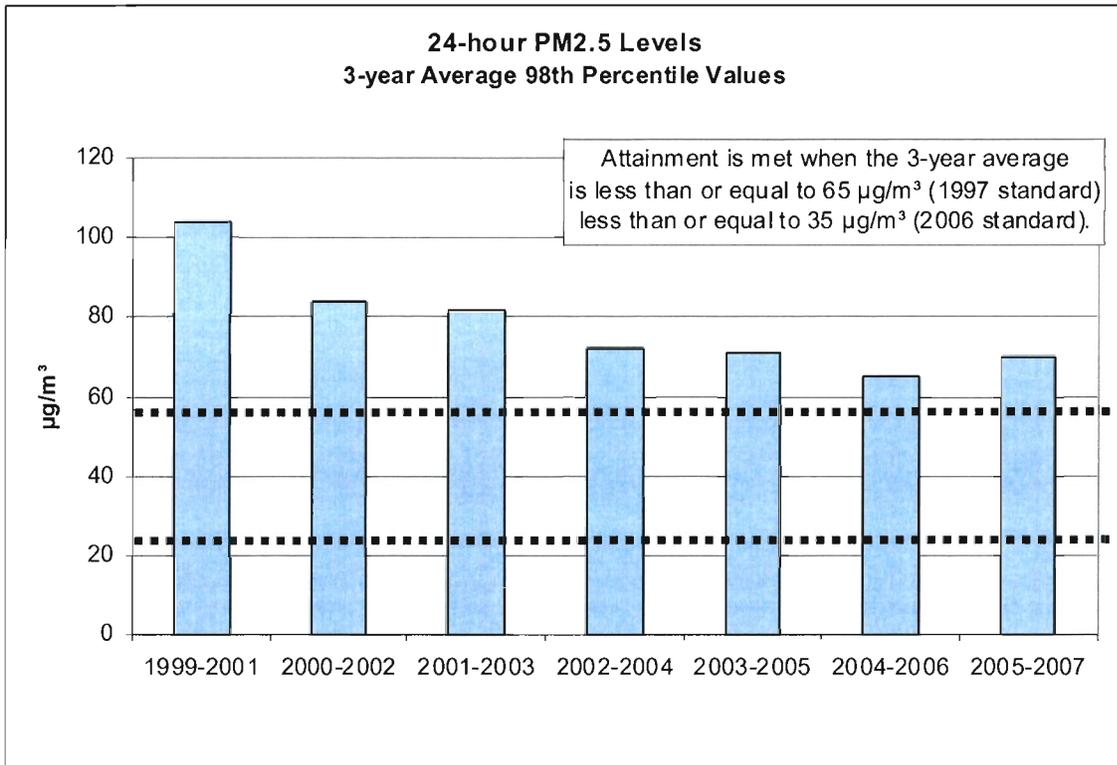
In March of 2006, the San Joaquin Valley Air Pollution Control District adopted Rule 9510, its Indirect Source Review Rule. Full implementation of this Rule has been delayed due to litigation (mitigation fees are being collected and retained in holding accounts), but projects are already being evaluated under Rule 9510 and are implementing many aspects of the Rule, such as clean air design (pedestrian and bike facilities; proximal siting of residential and commercial land uses; low-pollution construction equipment; dust control measures; cleaner-burning combustion appliances, etc.).

It is anticipated that full implementation (release of mitigation impact fees for various clean air projects throughout the San Joaquin Valley) and subsequent augmentation of the Indirect Source Review Rule will accelerate progress toward attainment of federal and state ozone standards, and will be an important component of the attainment plan for PM-2.5 (very fine particulate matter) and for greenhouse gas reductions to combat global climate change.

PM-2.5 is a newly-designated category of air pollutant, the component of PM-10 comprised of particles 2.5 microns in diameter or smaller. The 1997 Clean Air Act Amendments directed that this pollutant be brought under regulatory control, but federal and state standards/designations had not been finalized when the 2025 Fresno General Plan MEIR was drafted and certified. In the intervening time, the San Joaquin Valley Air Basin has been classified as being in "Nonattainment" for the 1997 federal PM-2.5 standard and for the State PM-2.5 standard.

An attainment demonstration plan for the federal 1997 PM-2.5 standard has been adopted by the SJVAPCD and approved by the California Air Resources Board, and forwarded to the EPA for approval (status as of mid-2008). The attainment plan would achieve compliance with the 1997 federal Clean Air Act PM-2.5 standard by year 2014, in conjunction with California Air Resources Board (and US EPA) action to improve diesel engine emissions. The San Joaquin Valley Air Basin has not yet been classified under the more stringent revised federal 2006 PM-2.5 standard; this classification is expected by 2009.

As with ozone and PM-10 pollution, levels of PM-2.5 have already been reduced by already-existing air quality improvement planning policies, mitigation measures, and regulations. The following charts depict historic PM-2.5 monitoring data for the regional air basin. Once the expected SJVAPCD attainment plan is implemented measures specific to PM-2.5 control, the rate of progress toward attainment of federal and state PM-2.5 standards will accelerate.



When the 2025 Fresno General Plan and its MEIR were approved in late 2002, the planning and environmental documents did not directly or separately analyze potential global warming and climate change impacts. However, the general policy direction for consideration of air quality parameters in development project evaluations and for reducing those air pollutants which are already under regulation would operate to control these potential adverse impacts.

“Global warming” is the term coined to describe a widespread climate change characterized by a rising trend in the Earth’s ambient average temperatures with concomitant disturbances in weather patterns and resulting alteration of oceanic and terrestrial environs and biota. When sunlight strikes the Earth’s surface, some of it is reflected back into space as infrared radiation. When the net amount of solar energy reaching Earth’s surface is about the same as the amount of energy radiated back into space, the average ambient temperature of the Earth’s surface would remain more or less constant. Greenhouse gases potentially disturb this equilibrium by absorbing and retaining infrared energy, trapping heat in the atmosphere—the “greenhouse gas effect.”

The predominant current opinion within the scientific community is that global warming is occurring, and that it is being caused and/or accelerated via generation of excess “greenhouse gases” [GHGs], that natural carbon cycle processes (such as photosynthesis) are unable to absorb sufficient quantities of GHG and cannot keep the level of these gases or their warming effect under control. It is believed that a combination of factors related to human activities, such as deforestation and an increased emission of GHG into the atmosphere from combustion and chemical emissions, is a primary cause of global climate change.

The predominant types of anthropogenic greenhouse gases (those caused by human activity), are described as follows. It should be noted that the starred GHGs are regulated by existing air quality policies and rules pursuant to their roles in ozone and particulate matter formation and/or as potential toxic air contaminants.

- carbon dioxide (CO<sub>2</sub>), largely generated by combustion activities such as coal and wood burning and fossil fuel use in vehicles but also a byproduct of respiration and volcanic activity;
- \*methane (CH<sub>4</sub>), known commonly as “natural gas,” is present in geologic deposits and is also evolved by anaerobic decay processes and animal digestion. On a ton-for-ton basis, CH<sub>4</sub> exerts about 20 times the greenhouse gas effect of CO<sub>2</sub>;
- \*nitrous oxide (N<sub>2</sub>O), produced in large part by soil microbes and enhanced through application of fertilizers. N<sub>2</sub>O is also a byproduct of fossil fuel burning; atmospheric nitrogen, an inert gas that makes up a large proportion of the atmosphere, is oxidized when air is exposed to high-temperature combustion. N<sub>2</sub>O

is used in some industrial processes, as a fuel for rocket and racing engines, as a propellant, and as an anesthetic. N<sub>2</sub>O is one component of "oxides of nitrogen" (NOX), long recognized as precursors of smog-causing atmospheric oxidants.

- \*chlorofluorocarbons (CFCs), synthetic chemicals developed in the late 1920s for use as improved refrigerants (e.g., "Freon™"). It was recognized over two decades ago that this class of chemicals exerted powerful and persistent greenhouse gas effects. In 1987, the Montreal Protocol halted production of CFCs.
- \*hydrofluorocarbons (HFCs), another class of synthetic refrigerants developed to replace CFCs;
- \*perfluorocarbons (PFCs), used in aluminum and semiconductor manufacturing, have an extremely stable molecular structure, with biological half-lives tens of thousands of years, leading to ongoing atmospheric accumulation of these GHGs.
- \*sulfur hexafluoride (SF<sub>6</sub>) is used for insulation in electric equipment, semiconductor manufacturing, magnesium refining and as a tracer gas for leak detection. Of any gas evaluated, SF<sub>6</sub> exerts the most powerful greenhouse gas effect, almost 24,000 times as powerful as that of CO<sub>2</sub> on a ton-for-ton basis.
- water vapor, the most predominant GHG, and a natural occurrence: approximately 85% of the water vapor in the atmosphere is created by evaporation from the oceans.

In an effort to address the perceived causes of global warming by reducing the amount of anthropogenic greenhouse gases generated in California, the state enacted the Global Warming Solutions Act of 2006 (Codified as Health & Safety Code Section 38501 *et seq.*). Key provisions include the following:

- ▲ Codification of the state's goal by requiring that California's GHG emissions be reduced to 1990 "baseline" levels by 2020.
- ▲ Set deadlines for establishing an enforcement mechanism to reduce GHG emissions:
  - By June 30, 2007, the California Air Resources Board ("CARB") was required to publish "discrete early action" GHG emission reduction measures. Discrete early actions are regulations to reduce greenhouse gas emissions to be adopted by the CARB and enforceable by January 1, 2010;
  - By January 1, 2008, CARB was required to identify what the state's GHG emissions were in 1990 (set the "baseline") and approve a statewide emissions limit for the year 2020 that is equivalent to 1990 levels. (These statewide baseline emissions have not yet been allocated to regions, counties, or smaller

political jurisdictions.) By this same date, CARB was required to adopt regulations to require the reporting and verification of statewide greenhouse gas emissions.

- By January 1, 2011, CARB must adopt emission limits and emission reduction measures to take effect by January 1, 2012.

As support for this legislation, the Act contains factual statements regarding the potential significant impacts on California's physical environment that could be caused by global warming. These include, an increase in the intensity and duration of heat waves, the exacerbation of air quality problems, a reduction in the quality and supply of water to the state from the Sierra snow pack, a rise in sea levels resulting in the displacement of thousands of coastal businesses and residences, damage to marine ecosystems and the natural environment, and an increase in the incidences of infectious diseases, asthma, and other human health-related problems.

On August 24, 2007, California also enacted legislation (Public Resources Code §§ 21083.05 and 21097) requiring the state Resources Agency to adopt guidelines for addressing climate change in environmental analysis pursuant to the California Environmental Quality Act. By July 1, 2009, the Governor's Office of Planning and Research (OPR) is required to prepare guidelines for the mitigation of greenhouse gas emissions, and transmit those draft regulations to the Resources Agency. The Resources Agency must then certify and adopt the guidelines by January 1, 2010.

The recently-released update of the Urbemis computer model (used by the City of Fresno Planning and Development Department for environmental assessments, pursuant to a specific MEIR mitigation measure) does provide data on the amounts of CO<sub>2</sub> and oxides of nitrogen (NOX) potentially generated by development projects. However, at this point in time, neither CARB nor the SJVAPCD has determined what the 1997 baseline or current "inventory" of GHGs is for the entire state nor for any region or jurisdiction within the state. No agency has adopted GHG emission limits and emission reduction measures, and because CEQA guidelines have not been established for the evaluation and mitigation of greenhouse gas emissions (there is an absence of regulatory guidance). Therefore, the City is unable to productively interpret the results of the Urbemis model with regard to GHGs, and there is currently no way to determine the significance of a project's potential impact upon global warming.

The 2025 Fresno General Plan provides an integrated combination of residential, commercial, industrial, and public facility uses allowing for proximate location of living, work, educational, recreational, and shopping activities within Fresno metropolitan area. This combination of uses has been identified as a potential mitigation measure to address global warming impacts in a document published by the California Attorney General's Office entitled, *The California Environmental Quality Act Mitigation of Global Warming Impacts* (updated January 7, 2008).

Specifically, this document describes this mitigation measure as follows, "Incorporate mixed-use, infill and higher density development to reduce vehicle trips, promote

alternatives to individual vehicle travel, and promote efficient delivery of services and goods"—echoing objectives and policies of the 2025 Fresno General Plan adopted in late 2002.

The General Plan contains a mix of land uses would be expected to generate fewer vehicle miles traveled per capita, leading to reduced emissions of greenhouse gases from engine emissions. It provides for overall denser development with high-intensity enclaves, associated with increased public transit use. The plan fosters mixed use and infill development (being implemented by mixed-use zoning ordinances added to the Fresno Municipal Code, as directed by 2025 Fresno General Plan) policies. The urban form element distributes neighborhood-level and larger commercial development, public facilities such as schools, and recreational sites throughout the metropolitan area, reducing vehicle trips.

Any manufacturing activities that would generate SF<sub>6</sub>, HFCs, or PFCs would be subject to subsequent environmental review at the project-specific level, as would any uses which would generate methane on site. The City of Fresno has adopted an ordinance prohibiting installation of any woodburning fireplaces or woodburning appliances in new homes, which would reduce CO<sub>2</sub> and N<sub>2</sub>O from wood combustion.

Through updates in the California Building Code and statewide regulation of appliance standards, City development projects conform to state-of-the art energy-efficient building, lighting, and appliance standards as advocated in the California Environmental Protection Agency's publication *Climate Action Team / Proposed Early Actions to Mitigate Climate Change in California* (April 2007) and in CARB's *Proposed Early Actions to Mitigate Climate Change in California* (April 2007). The City has further incentivized "green" building projects by providing subsidies for solar photovoltaic equipment for single-family residential construction, by reducing development standards (including reductions in required parking spaces, which further reduces air pollutant and GHG emissions), and by improving its landscape and shading standards (a topic included in the Design Guidelines adopted with the 2025 Fresno General Plan).

Updated engine and tire efficiency standards would apply to residents' vehicles, as well as the statewide initiatives applicable to air conditioning and refrigeration equipment, regional transportation improvements, power generation and use of solar energy, water supply and water conservation, landfill methane capture, changes in cement manufacturing processes, manure management (methane digester protocols), recycling program enhancements, and "carbon capture" (also known as "carbon sequestration," technologies for capturing and converting CO<sub>2</sub>, removing it from the atmosphere).

Due to the lack of data or regulatory guidance that would indicate the 2025 Fresno General Plan had a significant adverse impact upon global climate change, the relatively small size of the Fresno Metropolitan Area in conjunction with the worldwide scope of GHG emissions, and the emphasis in the 2025 Fresno General Plan upon integrated urban design and air pollution control measures, it could not be concluded in

2002 nor at present that the 2025 Fresno General Plan would have a significant adverse impact on global climate change.

As to potential impacts of global warming upon the 2025 Fresno General Plan: the city is located in the Central Valley, in an urbanized area on flat terrain distant from the Pacific coast and from rivers and streams. It is outside of identified flood prone areas. Based on its location we conclude that Fresno is not likely to be significantly affected by the potential impacts of global climate change such as increased sea level and river/stream channel flooding; nor is it subject to wildfire hazards. While Fresno does contain areas with natural habitat (the San Joaquin Bluffs and Riverbottom), a change in these areas' biota induced by global warming would not leave them bereft of all habitat value—it would simply mean a change in the species which would be encountered in these areas. The 2025 Fresno General Plan preserves this habitat open space area for multiple objectives (protection from soil instability and flood inundation; conservation of designated high-quality mineral resources), so any natural resource species changes in those areas would not constitute a significant adverse impact to the city or a loss of resource area.

Fresno has historically had high ambient summer temperatures and an historic heat mortality level that is among the highest in the state (5 heat-related deaths annually per 100,000 population). Due to the prevalence of air conditioning in dwellings and commercial buildings, an increase in extreme heat days from global warming is not expected by the California Air Resources Board Research Division to significantly increase heat-related deaths in Fresno, as opposed to possible effects in cooler portions of the state such as Sacramento or Los Angeles areas (reference: *Projections of Public Health Impacts of Climate Change in California: Scenario Analysis*, by Dr. Deborah Dreschler, Air Resources Board, April 9, 2008). Increased summertime temperatures which may be caused by global warming will be mitigated by the City's landscaping standards to provide shade trees, by statewide energy efficiency standards which insulate dwellings from heat and cold, and by urban design standards which require east-west orientation of streets and buildings to facilitate solar gain. Fresno has a heat emergency response plan and provides cooling centers and free transportation to persons who do not have access to air conditioning.

Secondary health effects of global warming could include increases in respiratory and cardiac illnesses attributable to poor air quality. The San Joaquin Valley Air Pollution Control District provides daily advisories and warnings in times of high ozone levels to help senior citizens and other sensitive populations avoid exposure. The SJVAPCD has committed to attainment of fine particulate matter (PM2.5) standards by Year 2014 and to attainment of oxidant/ozone standards by Year 2023, and would adopt additional Rules and emission controls as necessary to decrease emissions inventories by those target dates. There is insufficient information to indicate that global climate change would prevent attainment of air quality parameters affecting health.

Pursuant to 2025 Fresno General Plan policy and MEIR mitigation measures, the City's Department of Public Utilities and Fire Department are required to affirm that adequate

water service can be provided to all development projects for potable and fire suppression uses. The City derives much of its water supply from groundwater, using its surface water entitlements from the Kings and San Joaquin Rivers primarily to recharge the aquifer. A high percentage of Fresno's annual precipitation is captured and percolated in ponding basins operated by Fresno Metropolitan Flood Control District. If global climate change leads to a longer rainy season and/or more storm events throughout the year, groundwater supplies could be improved by additional percolation.

The City of Fresno currently treats and distributes only some 20% of its 150,000 acre-foot/year (AFY) surface water entitlement for the municipal water system, directing another 50,000 to 70,000 AFY to recharge activities via ponding basins. Presently, the City is unable to recharge the full balance of its annual entitlement in average and wet years, and releases any unused surface water supplies to area irrigation districts for agricultural use in the metropolitan area, (which further augments groundwater recharge through percolation of irrigated water).

Future surface water plant construction projects envisioned by the 2025 Fresno General Plan would account for less than 120,000 acre-feet per year of the surface supply. The General Plan direction for future Metropolitan Water Resource Management Plans includes exploring the use of recycled treated wastewater for non-potable uses such as landscape irrigation, which would further effectively extending the City's water supply.

If the global climate change were to cause a serious and persistent decrease in Sierra snowpack, some of Fresno's water supply could be affected. However, historic records show that the very long-term prevailing climatic pattern for Central California has included droughts of long (often, multi-year) duration, interspersed with years of excess precipitation. Decades before global climate change was considered as a threat to California's water system, state and local agencies recognized a need to augment water storage capacity for excess precipitation occurring in wet years, to carry the state through the intervening dry years.

The potential for episodic and long-term drought is considered in the city's Metropolitan Water Resource Plan and in its the Urban Water Management Plan Drought Contingency component, to accommodate reductions in available water supplies. In times of extended severe regional or statewide drought, a reprioritization of water deliveries and reallocation for critical urban supplies vs. agricultural use is possible, but it is too speculative at this time to determine what the statewide reprioritization response elements would be (the various responses of statewide and regional water agencies to these situations are not fully formulated and cannot be predicted with certainty). Because the true long term consequences of climate change on California's and Fresno's water system cannot be predicted, and, it is too speculative at this time to conclude that there could be a significant adverse impact on water supply for the 2025 Fresno General Plan due to global climate change.

As noted above, it is theorized that global warming could lead to more energy in the atmosphere and to increased intensity or frequency of storm events. Fresno's long-term weather pattern is that rainfall occurs during episodic and fairly high-intensity events. The Fresno Metropolitan Flood Control District (FMFCD) drainage and flood control Master Plan, which sets policies for drainage infrastructure and grading in the entire Fresno-Clovis area, is already predicated on this type of weather pattern. FMFCD sizes its facilities (which development potentiated by the 2025 Fresno General Plan will help to complete) for "two-year storm events," storms of an intensity expected in approximately 50 percent of average years; however, the urban drainage system design has additional capacity built into the street system so that excess runoff from more intense precipitation events is directed to the street system. The City's Flood Plan Ordinance and grading standards require that finished floor heights be above the crowns of streets and above any elevated ditchbanks of irrigation canals. FMFCD project conditions also preserve "breakover" historic surface drainage routes for runoff from major storms. Ultimately, drain inlets and FMFCD basin dewatering pumps direct severe storm runoff into the network of Fresno Irrigation District canals and pipelines still extant in the metropolitan area, with outfalls beyond the western edge of the metropolitan area.

Scientific information, analytical tools, and standards for environmental significance of global warming and green house gases were not available to the Planning and Development Department in 2002 when the 2025 Fresno General Plan and its MEIR were formulated and approved--and at this point, there is still insufficient data available to draw any conclusions as to the potential impacts, or significance of impacts, related to global climate change for the 2025 Fresno General Plan. Similarly, there is insufficient information to conclude that global warming may have a potentially significant adverse impact upon the 2025 Fresno General Plan. In a situation when it would be highly speculative to estimate impacts or to make conclusions as to the degree of adversity and significance of those impacts, the California Environmental Quality Act allows agencies to terminate the analysis. In that regard, there is no material change in status from the degree of environmental review on this topic contained in the 2025 Fresno General Plan MEIR.

**PROJECT-SPECIFIC MITIGATION MONITORING CHECKLIST**  
**For Plan Amendment Application No. A-14-004, Rezone Application No. R-14-004**

This monitoring checklist for the above noted environmental assessment is being prepared in accordance with the requirements of the California Environmental Quality Act (CEQA), as required under Assembly Bill 3180, and is intended to establish a project-specific reporting/monitoring program for Plan Amendment Application No. A-14-004 and Rezone Application No. R-14-004. Verification of implementation of these mitigation measures, in addition to the applicable measures specified for this project per the Mitigation Monitoring Checklist prepared for this project pursuant to Master Environmental Impact Report No. 10130 - 2025 Fresno General Plan, will be required upon, special permits, or grading on the project site for new construction. The captions below refer to corresponding sections of the Initial Study checklist for this project, using the Appendix G format from the CEQA Guidelines.

**MITIGATION MEASURES FOR ENVIRONMENTAL ASSESSMENT NO. A-14-004 and R-14-004**

MITIGATION MEASURE	IMPLEMENTED BY	WHEN IMPLEMENTED	VERIFIED BY
<b>I. AESTHETICS</b> I-1. Any new construction on the project site shall be required to incorporate the residential interface/buffering standards noted below in the <b>LAND USE AND PLANNING SECTION</b> (Section X).	Applicant	Required items shall be depicted on plans prior to approval of special permit for development of commercial site.	DARM
<b>III. AIR QUALITY AND GLOBAL CLIMATE CHANGE and VII. GREENHOUSE GAS EMISSIONS</b>			
III-b: In accordance with dust control regulations, no portion of the site may be used for parking until it is paved, striped, lit and landscaped to city standards.	Applicant	Prior to approval for any use that requires additional parking.	DARM
III-e: Project shall not emit any objectionable odors that could be perceived outside of the property boundaries.	Applicant	Prior to approval of special permit	City of Fresno and SJVAPCD

<p><b>VIII. HAZARDS AND HAZARDOUS MATERIAL</b></p>			
<p><b>VIII-e:</b> Project is within an airport land use plan area and project height shall be limited to 32 feet maximum in order to comply with FAR Part 77 regulations.</p>	<p>Applicant</p>	<p>Prior to approval of special permit</p>	<p>City of Fresno DARM</p>
<p><b>IX. HYDROLOGY AND WATER QUALITY</b></p>			
<p>IX-1. Project shall comply with all of the requirements stipulated within the attached memoranda from the Department of Public Utilities- dated March 24 and 25<sup>th</sup>, 2014, respectively for any new construction.</p>	<p>Applicant</p>	<p>Prior to issuance of building permits</p>	<p>DARM and Department of Public Utilities (DPU)</p>
<p>IX-4. Project shall comply with all of the requirements stipulated by the Fresno Metropolitan Flood Control District (FMFCD) for any new construction.</p>	<p>Applicant</p>	<p>Prior to issuance of building permits</p>	<p>DARM and FMFCD</p>
<p><b>X. LAND USE AND PLANNING</b></p>			
<p>X-1. Future development (new construction) on the subject property shall be designed with appropriate layouts that provide sufficient areas for all proposed activities, support functions, and for efficient and safe</p>	<p>Applicant</p>	<p>Prior to issuance of building permits</p>	<p>DARM</p>

<p>vehicular, bicycle and pedestrian access.</p> <p>a. Sufficient space and access shall be provided for support functions (e.g., storage, loading, parking, waste disposal/recycling, recreation, etc.)</p> <p>b. Areas for truck access, loading zones and waste storage/recycling areas shall be located so as to be screened from view and to allow the maximum practical distance from residences and living quarters. These functions should be located at the rear of the sites and be accessed from the alley.</p> <p>c. All storage shall be within an enclosed structure. Outdoor storage is expressly prohibited.</p> <p>d. Exterior lighting for parking areas, access drives, loading areas and/or docks associated with commercial buildings, shall be shielded to prevent line of sight visibility of the light source from abutting property zoned or planned for residential use.</p> <p>e. Roof mounted and detached mechanical equipment shall be screened from view and acoustically baffled to prevent the noise level rating for the equipment from</p>			
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<p>exceeding 55 Ldn, measured at the nearest property line.</p> <p>f. Conditions of zoning as outlined in attachment A shall be adopted to ensure compatibility with the surrounding neighborhood.</p>			
<p><b>XVI. TRANSPORTATION/TRAFFIC</b></p>			
<p>XV-1. Project shall comply with all of the city's traffic requirements and standards as follows:</p> <ul style="list-style-type: none"> <li>a. Any new construction that requires additional parking shall provide the parking pursuant to the city's parking manual and P-standards and landscaping requirements, and shall make any required ADA improvements;</li> <li>b. Any new construction that is 50% or more of the value of the existing improvements shall provide any required off-site improvements.</li> </ul>	<p>Applicant</p>	<p>Prior to issuance of special permit or building permits</p>	<p>City of Fresno                  Development &amp;                  Resource Management                  Department;                  City of Fresno, Public                  Works Department,                  Traffic Engineering                  Division</p>

**FINAL Conditions of Zoning**  
**R-14-004**  
**1744 B Street**  
**APNs 465-161-12,13**

1. The uses noted below that are allowed in the C-6 zone district are hereby prohibited on the subject property:
  - a. Ambulance service
  - b. Automobile service station
  - c. Café dancing
  - d. Electric distribution substation
  - e. Ice storage
  - f. Indoor electronic tagging game facility
  - g. Drive-In Restaurant
  - h. Car wash
  - i. Drug manufacturer
  - j. Mortuary
  - k. Restaurant with bar or cocktail lounge
  - l. Bookstore, adult
  - m. Bowling alleys
  - n. Carnival promotional
  - o. Gymnasium
  - p. Mattress shop
  - q. Miniature Golf Course
  - r. Skating rinks
  - s. Super drugstore
  - t. Supermarkets
  - u. Tinsmith
  - v. Automobile rental
  - w. Automobile retail sales
  - x. Banquet Hall
  - y. Bars and Cocktail Lounges
  - z. Buildings over 32 feet in height
  - aa. Bus terminals
  - bb. Damaged automobile storage yard
  - cc. Drive-in movies
  - dd. Freestanding electronic variable message board
  - ee. Golf Driving Range
  - ff. Microwave relay structure
  - gg. Motion picture theater, adult
  - hh. Motorcycle retail sales and service
  - ii. Natatorium
  - jj. Pitch and putt golf course
  - kk. Public parking lot and structures
  - ll. Recreational Slide
  - mm. Sports Arenas

nn. Tire recapping, retreading and rebuilding

2. No on-sale or off-sale alcohol use shall be allowed (ie no retail sales, no bars or nightclubs) with the following exception:
  - a. A restaurant serving alcohol (Type 41 Beer & Wine) may be allowed with operations that end no later than 9:00 p.m. Mon-Fri and 10:00 p.m. Sat & Sun.
3. The project shall not create objectionable odors affecting a substantial number of people outside the property boundaries.
4. Should the use include auto repair or vehicle service, the following conditions apply:
  - a. All fluid changes and major repairs of vehicles shall occur inside of the existing structures on-site. Minor repairs, such as windshield wiper replacement, battery replacement, and testing of electrical components may take place outside of the buildings but on-site.
  - b. There shall be no repairs of engine blocks or transmissions on-site although replacement of engines and transmissions would be permissible inside a building.
  - c. Any tire installation shall occur on-site inside a building.
  - d. The use of pneumatic equipment will be limited to inside the building and only during the hours of 8:00 a.m. to 5:00 p.m. during the weekdays and prohibited on Saturdays.
  - e. Storage of vehicles shall be on-site.
  - f. Business hours of operation for the auto repair shop shall not exceed from 7:30 a.m. to 6:00 p.m. and repair hours shall be from 8:00 a.m. to 5:00 p.m. Monday through Friday. Business hours of operation for the auto repair shop shall be from 7:30 a.m. to 1:00 p.m. and repair hours shall be from 8:00 a.m. to 12:00 p.m. on Saturday and will be limited to minor repairs as defined above, although fluid changes shall be permissible provided that they occur within the building. The auto repair shop shall be closed on Sundays.
  - g. Customer vehicles shall be removed within 48 hours upon being repaired or face potential towing from site at the customers expense. No vehicle slated for or under repair will be allowed to be stored on the premises for more than four weeks.
  - h. Any parking areas shall be screened with a 2-foot high wall or hedge.
  - i. The applicant shall obtain any required permits from the San Joaquin Valley Air Pollution Control District.