**CITY OF FRESNO**

 **RESIDENTIAL INFILL EXEMPTION**

 **ENVIRONMENTAL ASSESSMENT FOR**

**DEVELOPMENT PERMIT APPLICATION NO. P22-00000**

THE PROJECT DESCRIBED HEREIN IS DETERMINED TO BE EXEMPT FROM THE PREPARATION OF ENVIRONMENTAL DOCUMENTS PURSUANT TO ARTICLE 12.5 OF THE STATE CEQA GUIDELINES.

 **APPLICANT:** John Doe

 ABC Development

 1234 North Blackstone Avenue

Fresno, CA 93721

 **PROJECT LOCATION**: 1234 North Blackstone Avenue; Located on the west side of North Blackstone Avenue between West Herndon and West Nees Avenues (APN: XXX-XXX-XX)

 **PROJECT DESCRIPTION:** Development Permit Application No. P20-00000 was filed by John Doe of ABC Development, on behalf of [Property Owner], and pertains to xxx acres of property. The project proposes to [describe project].

**This project is exempt under Section 15195 of the California Environmental Quality Act (CEQA) Guidelines as follows:**

Under Section 15195, the proposed project is exempt from CEQA requirements when the project is characterized as a residential infill development meeting the following conditions:

1. The project meets the threshold criteria set forth in section 15192; provided that with respect to the requirement in section 15192(b) regarding community-level environmental review, such review must be certified or adopted within five years of the date that the lead agency deems the application for the project to be complete pursuant to Section 65943 of the Government Code.
	1. Pursuant to Section 15192(a), the project must be consistent with:
		1. Any applicable general plan, specific plan, or local coastal program, including any mitigation measures required by such plan or program, as that plan or program existed on the date that the application for the project pursuant to Section 65943 of the Government Code was deemed complete; and,

*Provide brief analysis describing how project meets the above condition.*

* + 1. Any applicable zoning ordinance, as that zoning ordinance existed on the date that the application for the project pursuant to Section 65943 of the Government Code was deemed complete, unless the zoning of project property is inconsistent with the general plan because the project property has not been rezoned to conform to the general plan.

*Provide brief analysis describing how project meets the above condition*.

* 1. Pursuant to Section 15192(b), community-level environmental review has been adopted or certified.

*Provide brief analysis describing how project meets the above condition.*

* 1. Pursuant to Section 15192(c), the project and other projects approved prior to the approval of the project can be adequately served by existing utilities, and the project applicant has paid, or has committed to pay, all applicable in-lieu or development fees.

*Provide brief analysis describing how project meets the above condition.*

* 1. Pursuant to Section 15192(d), the site of the project.
		1. Does not contain wetlands, as defined in Section 328.3 of Title 33 of the Code of Federal Regulations.
		2. Does not have any value as an ecological community upon which wild animals, birds, plants, fish, amphibians, and invertebrates depend for their conservation and protection.
		3. Does not harm any species protected by the federal Endangered Species Act of 1973 (16 U.S.C. Sec. 1531 et seq.) or by the Native Plant Protection Act (Chapter 10 (commencing with Section 1900) of Division 2 of the Fish and Game Code), the California Endangered Species Act (Chapter 1.5 (commencing with Section 2050) of Division 3 of the Fish and Game Code.
		4. Does not cause the destruction or removal of any species protected by a local ordinance in effect at the time the application for the project was deemed complete.

*Provide brief analysis describing how project meets all of the above conditions*.

* 1. Pursuant to Section 15192(e), the site of the project is not included on any list of facilities and sites compiled pursuant to Section 65962.5 of the Government Code.

*Provide brief analysis describing how project meets the above condition*.

* 1. Pursuant to Section 15192(f), the site of the project is subject to a preliminary endangerment assessment prepared by a registered environmental assessor to determine the existence of any release of a hazardous substance on the site and to determine the potential for exposure of future occupants to significant health hazards from any nearby property or activity. In addition, the following steps have been taken in response to the results of this assessment:
		1. If a release of a hazardous substance is found to exist on the site, the release shall be removed, or any significant effects of the release shall be mitigated to a level of insignificance in compliance with state and federal requirements.

*Provide brief analysis describing how project meets the above condition.*

* + 1. If a potential for exposure to significant hazards from surrounding properties or activities is found to exist, the effects of the potential exposure shall be mitigated to a level of insignificance in compliance with state and federal requirements.

*Provide brief analysis describing how project meets the above condition.*

* 1. Pursuant to Section 15192(g), the project does not have a significant effect on historical resources pursuant to Section 21084.1 of the Public Resources Code.

*Provide brief analysis describing how project meets the above condition.*

* 1. Pursuant to Section 15192(h), the project site is not subject to wildland fire hazard, as determined by the Department of Forestry and Fire Protection, unless the applicable general plan or zoning ordinance contains provisions to mitigate the risk of a wildland fire hazard.

*Provide brief analysis describing how project meets the above condition.*

* 1. Pursuant to Section 15192(i), the project site does not have an unusually high risk of fire or explosion from materials stored or used on nearby properties.

*Provide brief analysis describing how project meets the above condition.*

* 1. Pursuant to Section 15192(j), the project site does not present a risk of a public health exposure at a level that would exceed the standards established by any state or federal agency.

*Provide brief analysis describing how project meets the above condition.*

* 1. Pursuant to Section 15192(k), either the project site is not within a delineated earthquake fault zone or a seismic hazard zone, as determined pursuant to Section 2622 and 2696 of the Public Resources Code respectively, or the applicable general plan or zoning ordinance contains provisions to mitigate the risk of an earthquake or seismic hazard.

*Provide brief analysis describing how project meets the above condition.*

* 1. Pursuant to Section 15192(l), either the project site does not present a landslide hazard, flood plain, flood way, or restriction zone, or the applicable general plan or zoning ordinance contains provisions to mitigate the risk of a landslide or flood.

*Provide brief analysis describing how project meets the above condition.*

* 1. Pursuant to Section 15192(m), the project site is not located on developed open space.

*Provide brief analysis describing how project meets the above condition.*

* 1. Pursuant to Section 15192(n), the project site is not located within the boundaries of a state conservancy.

*Provide brief analysis describing how project meets the above condition.*

* 1. Pursuant to Section 15192(o), the project has not been divided into smaller projects to qualify for one or more of the exemptions set forth in sections 15193 to 15195.

*Provide brief analysis describing how project meets the above condition.*

1. The project meets both of the following size criteria.
	1. The site of the project is not more than four acres in total area/
	2. The project does not include any single level building that exceeds 100,000 square feet.

*Provide brief analysis describing how project meets all of the above conditions.*

1. The project meets both of the following requirements regarding location:
	1. The project is a residential project on an infill site.
	2. The project is within one-half mile of a major transit stop.

*Provide brief analysis describing how project meets all of the above conditions.*

1. The project meets both of the following requirements regarding number of units:
	1. The project does not contain more than 100 residential units.
	2. The project promotes higher density infill housing. The lead agency may establish its own criteria for determining whether the project promotes higher density infill housing except in either of the following two circumstances:
		1. A project with a density of at least 20 units per acre is conclusively presumed to promote higher density infill housing.
		2. A project with a density of at least 10 units per acre and a density greater than the average density of the residential properties within 1,500 feet shall be presumed to promote higher density infill housing unless the preponderance of the evidence demonstrates otherwise.

*Provide brief analysis describing how project meets all of the above conditions.*

1. The project meets the following requirements regarding availability of affordable housing: The project would result in housing units being made available to moderate, low or very low income families as set forth below:
	1. The project meets one of the following criteria, and the project developer provides sufficient legal commitments to the appropriate local agency to ensure the continued availability and use of the housing units as set forth below at monthly housing costs determined pursuant to paragraph (3) of subdivision (h) of Section 65589.5 of the Government Code.
		1. At least 10 percent of the housing is sold to families of moderate income, or
		2. Not less than 10 percent of the housing is rented to families of low income, or
		3. Not less than 5 percent of the housing is rented to families of very low income.
	2. If the project does not result in housing units being available as set forth above, then the project developer has paid or will pay in-lieu fees pursuant to a local ordinance in an amount sufficient to result in the development of an equivalent number of units that would otherwise be required.

*Provide brief analysis describing how project meets all of the above conditions.*

A project that otherwise meets the criteria set forth in section (a) above, is not exempt from CEQA if any of the following occur:

1. There is a reasonable possibility that the project will have a project-specific, significant effect on the environment due to unusual circumstances.
2. Substantial changes with respect to the circumstances under which the project is being undertaken that are related to the project have occurred since community-level environmental review was certified or adopted.
3. New information becomes available regarding the circumstances under which the project is being undertaken and that is related to the project that was not known, and could not have been known at the time that community-level environmental review was certified or adopted.

*Provide brief analysis describing how project does not meet the above criteria.*

 Date: July 1, 2022

 Prepared By: Planner Name, Planner Title

 Submitted by:

 Supervisor Name

 Supervising Planner

 City of Fresno

Planning & Development Department

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