

PLEASE POST UNTIL CLOSE OF BUSINESS ON MARCH 02, 2020

**NOTICE OF DETERMINATION**

DATE RECEIVED FOR FILING:

E202010000038

FROM: CITY OF FRESNO  
Planning and Development Dept.  
2600 Fresno Street FC034  
Fresno, CA 93721-3604

**FILED**  
JAN 30 2020 TIME 2:50pm  
By [Signature] FRESNO COUNTY CLERK DEPUTY

TO:  Fresno County Clerk  
2220 Tulare Street  
Fresno, CA 93721  
  
 Office of Planning & Research  
1400 Tenth Street  
Sacramento, CA 95814

**SUBJECT:** Filing of Notice of Determination in compliance with §21152 of the Public Resources Code

**PROJECT TITLE:**

City of Fresno Environmental Assessment No. P19-00801/P19-00843/P19-00846/T-6201/T-6235 for Prezone Application No. P19-00801, Annexation Application No. P19-00843 (for the McKinley-Armstrong No. 2 Reorganization), Planned Development Permit Application No. P19-00846, and Vesting Tentative Tract Map Nos. 6201/UGM and 6235/UGM.

<u>State Clearinghouse Number (If subject to Clearinghouse)</u>	<u>Lead Agency Contact Person</u>	<u>Area Code/Telephone No.</u>
N/A	Will Tackett Planning Manager Planning & Development Department	(559) 621-8063

**PROJECT LOCATION:**

1860 North Armstrong Avenue

±125 acres of property located on the east side of North Armstrong Avenue between East Clinton and East Olive Avenues.

Site Latitude: 36.76375  
Site Longitude: -119.67017

Mount Diablo Base & Meridian, Township 13S, Range 21E  
Section 27 & 34 – Clovis, CA Quadrangle

Assessor's Parcel Number(s): 310-010-05 & 29; 310-081-03, 04, 05, 06 & 07; 310-220-30; and, 574-140-01, 02, 03, 04 & 05

E202010000038

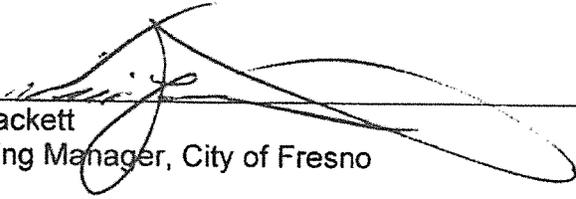
The project will require dedications and/or acquisitions for public street rights-of-way and utility easements as well as the construction of public facilities and infrastructure within and outside the limits of the subdivision boundaries in accordance with the standards, specifications and policies of the City of Fresno and the mitigation measures identified within the associated Mitigated Negative Declaration prepared for Environmental Assessment No. P19-00801/P19-00843/P19-00846/T-6201/T-6235 in order to facilitate future proposed development.

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This is to advise and certify that the Council of the City of Fresno, the Lead Agency, approved the above-described project on January 16, 2020 and has made the following determinations regarding the project:

1. The project ( will  will not) have a significant effect on the environment.
2.  An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.  
 A Mitigated Negative Declaration was prepared for this project pursuant to the provisions of CEQA.  
 A determination of project conformity to the Fresno General Plan Master Environmental Impact Report (City of Fresno MEIR No. SCH No. 2012111015) was made. (Fresno County Clerk File No. E201410000345)
3. Mitigation measures ( were  were not) made a condition of the approval of the project.
4. A statement of Overriding Considerations ( was  was not) adopted for this project.
5. Findings ( were  were not) made pursuant to the provisions of CEQA.

The above-described environmental assessment, with its finding of a Mitigated Negative Declaration, together with the full initial study, comments and responses and record of project approval, is available to the general public at the City of Fresno Planning and Development Department, 2600 Fresno Street, Room 3043, Fresno, California 93721-3604.

  
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Will Tackett  
Planning Manager, City of Fresno

January 30, 2020  
Date

Attachment: Project Vicinity Map

State of California - Department of Fish and Wildlife  
**2020 ENVIRONMENTAL FILING FEE CASH RECEIPT**  
 DFW 753.5a (REV. 12/01/19) Previously DFG 753.5a

RECEIPT NUMBER: <b>E202010000038</b>
STATE CLEARINGHOUSE NUMBER (if applicable)

SEE INSTRUCTIONS ON REVERSE. TYPE OR PRINT CLEARLY.

LEAD AGENCY <b>CITY OF FRESNO</b>	LEAD AGENCY EMAIL	DATE <b>01/30/2020</b>
COUNTY/STATE AGENCY OF FILING <b>FRESNO COUNTY</b>	DOCUMENT NUMBER <b>E202010000038</b>	

PROJECT TITLE  
 C.O.F. ENVIR. ASSESS. NO P19-00801/P19-00843/P19-00846/T-6201/T-6235

PROJECT APPLICANT NAME <b>CITY OF FRESNO</b>	PROJECT APPLICANT EMAIL	PHONE NUMBER <b>(559) 621-8063</b>
PROJECT APPLICANT ADDRESS <b>2600 FRESNO ST, FC034</b>	CITY <b>FRESNO</b>	STATE <b>CA</b>
		ZIP CODE <b>93721-3604</b>

PROJECT APPLICANT (Check appropriate box)

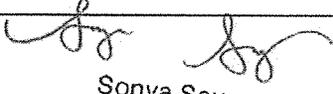
- Local Public Agency  
  School District  
  Other Special District  
  State Agency  
  Private Entity

CHECK APPLICABLE FEES:

<input type="checkbox"/> Environmental Impact Report (EIR)	\$3,343.25	\$	<u>0.00</u>
<input checked="" type="checkbox"/> Mitigated/Negative Declaration (MND)(ND)	\$2,406.75	\$	<u>2,406.75</u>
<input type="checkbox"/> Certified Regulatory Program (CRP) document - payment due directly to CDFW	\$1,043.75	\$	<u>0.00</u>
<input type="checkbox"/> Exempt from fee			
<input type="checkbox"/> Notice of Exemption (attach)			
<input type="checkbox"/> CDFW No Effect Determination (attach)			
<input type="checkbox"/> Fee previously paid (attach previously issued cash receipt copy)			
<hr/>			
<input type="checkbox"/> Water Right Application or Petition Fee (State Water Resources Control Board only)	\$1,136.50	\$	<u>0.00</u>
<input checked="" type="checkbox"/> County documentary handling fee	\$50.00	\$	<u>50.00</u>
<input type="checkbox"/> Other		\$	<u>0.00</u>

PAYMENT METHOD:

- Cash  
  Credit  
  Check  
  Other 1032C-00002175  
 TOTAL RECEIVED \$ 2,456.75

SIGNATURE  <b>X</b> Sonya Soy	AGENCY OF FILING PRINTED NAME AND TITLE <b>Sonya Soy Deputy Clerk</b>
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# Cover Page

Please attach CEQA documents (1 paper and 1 Electronic)

- Initial Study and either ND/MND or Draft and Final EIR
- If EIR resolution(s) certifying EIR and adopting "Statement of Overriding considerations"
- Copy of stamped Notice of Determination or Notice of Exemption
- Copy of paid Fish and Game fee receipt
- Other

<b>CITY OF FRESNO</b>  <b>MITIGATED NEGATIVE DECLARATION</b>		Notice of Intent was filed with:  <b>FRESNO COUNTY CLERK</b> 2221 Kern Street Fresno, California 93721  on  <b>December 23, 2019</b>  <b>As Document No. E201910000464</b>
The full Initial Study and the Fresno General Plan Master Environmental Impact Report are on file in the Planning and Development Department, Fresno City Hall, 3rd Floor Room 3043 2600 Fresno Street Fresno, California 93721 (559) 621-8277	<b>ENVIRONMENTAL ASSESSMENT NUMBER:</b>  <u><b>EA No. P19-00801 / P19-00843 / P19-00846 / T-6201 / T-6235</b></u>	
<b>APPLICANT:</b> Tri-Wilson L.P. 7550 North Palm Avenue, Suite 102 Fresno, CA 93711	<b>PROJECT LOCATION:</b> East side of North Armstrong Avenue between East Clinton Avenue and East Olive Avenues, in the County of Fresno, Fresno, California  Site Latitude: 36.76375 Site Longitude: -119.67017  Assessor's Parcel Number(s): 310-010-05 & 29; 310-081-03, 04, 05, 06 & 07; 310-220-30; and, 574-140-01, 02, 03, 04 & 05	
<b>PROJECT DESCRIPTION:</b> <p>Harbour &amp; Associates, on behalf of Tri-Wilson L.P., has filed Rezone Application No. P19-00801, Annexation Application No. P19-00843, Planned Development Permit Application No. P19-00846, and Vesting Tentative Tract Map Nos. 6201/UGM and 6235/UGM pertaining to a total ±125 acres of property located on the east side of North Armstrong Avenue between East Clinton and East Olive Avenues.</p> <p>Rezone Application No. P19-00801 proposes to amend the Official Zoning Map of the City of Fresno to pre-zone the ±125 acre subject property from the Fresno County AE-20 (<i>Exclusive 20-acre Agricultural District</i>) to the City of Fresno RS-3/UGM/ANX (<i>Residential Single Family, Low Density / Urban Growth Management / Annexed Rural Residential Transitional Overlay</i>) &amp; RS-5/UGM/ANX (<i>Residential Single Family, Medium Density / Urban Growth Management / Annexed Rural Residential Transitional Overlay</i>) zone districts in accordance with the Fresno General Plan.</p> <p>Annexation Application No. P19-00843 has been filed requesting authorization to initiate annexation proceedings for the McKinley-Armstrong No. 2 Reorganization, which proposes incorporation of the ±125 acre subject property within the City of Fresno; and, detachment from the Kings River Conservation District and Fresno County Fire Protection District. These actions are under the jurisdiction of the Fresno Local Area Formation Commission [LAFCO].</p> <p>Rezone Application No. P19-00801 and Annexation Application No. P19-00843 have been filed to facilitate subdivision and development of a ±58.41 net acre portion of the subject property pursuant to</p>		

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: Will Tackett, Supervising Planner</p>	<p>SUBMITTED BY:</p> 
<p>DATE: December 23, 2019</p>	<p>Will Tackett, Supervising Planner PLANNING AND DEVELOPMENT DEPARTMENT</p>
<p>Attachments:</p>	<ul style="list-style-type: none"> <li>-Notice of Intent</li> <li>-Initial Study Impact Checklist and Initial Study (Appendix G); including, Project Specific Mitigation Monitoring Checklist</li> <li>-City of Fresno General Plan and Development Code Update Mitigation and Monitoring Reporting Program dated December 20, 2019</li> </ul>

E201910000464

Rezone Application No. P19-00801 and Annexation Application No. P19-00843 have been filed to facilitate subdivision and development of a ±58.41 net acre portion of the subject property pursuant to Vesting Tentative Tract Map Nos. 6201/UGM & 6235/UGM and Planned Development Permit Application No. P19-00846.

Vesting Tentative Tract Map Nos. 6201/UGM proposes to subdivide a ±39.51 net acre portion of the subject property located on the east side of North Armstrong Avenue between the East McKinley Avenue alignment and East Floradora Avenue for purposes of creating 257 single family residential lots.

Vesting Tentative Tract Map Nos. 6235/UGM proposes to subdivide a ±18.90 net acre portion of the subject property located on the east side of North Armstrong Avenue between East Floradora and East Olive Avenues for purposes of creating 122 single family residential lots.

Planned Development Permit Application No. P19-00846 has been filed for purposes of authorizing the establishment of custom development standards which include modifications to minimum lot size and dimension requirements, reductions to building setback requirements, and increases in lot coverage allowances within the subdivision boundaries of Vesting Tentative Tract Map Nos. 6201 and 6235. The planned development also proposes a density transfer between lands within the boundaries of the two tentative maps in accordance with Section 15-310-C of the Fresno Municipal Code; resulting in an overall density of approximately 6.50 dwelling units per acre.

The project will require dedications and/or acquisitions for public street rights-of-way and utility easements as well as the construction of public facilities and infrastructure within and outside the limits of the subdivision boundaries in accordance with the standards, specifications and policies of the City of Fresno and the mitigation measures identified within the associated Mitigated Negative Declaration prepared for Environmental Assessment No. P19-00801/P19-00843/P19-00846/T-6201/T-6235 in order to facilitate future proposed development.

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 (MEIR) prepared for the Fresno General Plan (SCH # 2012111015). Therefore, the Planning and Development 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. 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. 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