

2020020224

Notice of Determination

Appendix D

To: [X] Office of Planning and Research
U.S. Mail: P.O. Box 3044
Sacramento, CA 95812-3044
Street Address: 1400 Tenth St., Rm 113
Sacramento, CA 95814

From: Public Agency: City of Firebaugh
Address: 1133 P Street
Firebaugh, CA 93622
Contact: Rita Lozano, Deputy City Clerk
Phone: 559 659-2043

County Clerk
County of: Fresno
Address: 2281 Tulare Ave.
Fresno, CA 93721

Lead Agency (if different from above):
Address:
Contact:
Phone:

SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

State Clearinghouse Number (if submitted to State Clearinghouse):
Project Title: Cen Cal Builders project
Project Applicant: Cen Cal Builders
Project Location (include county): City of Firebaugh, Fresno County

Project Description:
Development of a 42 lot single family residential subdivision and a 56 unit multi family residential complex. Permits included a General Plan Amendment, zone change, a Tentative Subdivision Map and Site Plan Review

This is to advise that the City of Firebaugh has approved the above
[X] Lead Agency or [ ] Responsible Agency
described project on 2/18/2019 and has made the following determinations regarding the above
(date)
described project.

- 1. The project [ ] will [X] 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.
[X] A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures [X] were [ ] were not made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan [X] was [ ] was not adopted for this project.
5. A statement of Overriding Considerations [ ] was [X] was not adopted for this project.
6. Findings [X] were [ ] were not made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval, or the negative Declaration, is available to the General Public at:
Firebaugh City Hall, 1133 P Street, Firebaugh, CA 93622

Signature (Public Agency): [Signature] Title: City Manager Governor's Office of Planning & Research

Date: 2-21-19 Date Received for filing at OPR: FEB 10 2020

**RESOLUTION NO. 19-10**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FIREBAUGH  
ADOPTING A MITIGATED NEGATIVE DECLARATION FOR THE  
CEN CAL BUILDERS PROJECT (DEL RIO PLACE).**

**WHEREAS**, an application for a General Plan Amendment, Zone Change, Tentative Subdivision Map and Site Plan Review was submitted by Cen Cal Builders, 3497 E. International Avenue, Clovis, CA 93619 with the ultimate result being a 42-lot tentative subdivision map and a 56-unit multiple family residential development, on a four parcels located on the east side of State Highway 33, on both sides of the Lyon Avenue alignment. The Assessor Parcel Numbers of the site are 007-040-003, 007-040-006, 007-050-004 and 007-050-005, and

**WHEREAS**, the applicant's specific requests include:

1. An amendment of the General Plan's Land Use Map designation from "Neighborhood Commercial" to a combination of "Medium Density Residential" and "High Density Residential";
2. A zone change to change the zoning of the site from C-1 (Neighborhood Commercial) to a combination of R-1-5 (Single Family Residential (5,000 square foot minimum lot size) and R-3 (High Density Multiple Family Residential);
3. A Tentative Subdivision Map for the creation of 42 single family residential lots;
3. A Site Plan Review permit to develop a 56-unit multiple family residential complex and associated improvements, including parking, landscaping, lighting, trash enclosures, utility connections and street improvements, and

**WHEREAS**, the planning requests are considered a "project" under the Guidelines of the California Environmental Quality Act (CEQA) and accordingly the City has prepared an Initial Environmental Study consistent with CEQA, and

**WHEREAS**, the Initial Environmental Study determined that the proposed project would not result in significant impacts to the environment provided that mitigation measures are incorporated into the project design and operation, and

**WHEREAS**, the City advertised and circulated the Initial Environmental Study for public review and comment, with a closing date of December 17, 2018 for comments to be submitted, and

**WHEREAS**, by the end of the comment period two comment letters were received by the City, including:

- County of Fresno Department of Public Health
- San Joaquin Valley Air Pollution Control District

Neither of these letters challenged the findings of the environmental study or required changes to the project design, and

**WHEREAS**, the Firebaugh Planning Commission conducted a public hearing to consider the project on January 14, 2019 and voted unanimously to recommend adoption of the Mitigated Negative Declaration, and

**WHEREAS**, the Planning Department has prepared a staff report on the project.

**NOW, THEREFORE, BE IT RESOLVED** that the City Council, after considering all the evidence presented, determined the following findings were relevant in evaluating this action:

1. The proposed project is consistent with the goals, objectives and policies of the 2030 Firebaugh General Plan and the Firebaugh Zoning Ordinance.

2. The City has prepared an Initial Environmental Study, consistent with the requirements of CEQA. The study determined the project will not have significant impacts on the environment provided that mitigation measures are incorporated into the project construction and operation. Accordingly, a Mitigated Negative Declaration (Attachment "A") has been prepared.

3. The proposed action will not have an adverse impact on the health, safety and welfare of residents in the neighborhood or community

**NOW, THEREFORE BE IT RESOLVED THAT** the Initial Environmental Study prepared for the project and the Mitigated Negative Declaration as shown in Attachment "A", are hereby adopted by the Firebaugh City Council.


The foregoing resolution was adopted upon a motion of Council Member Lopez, second by Council Member Perez, at a regular meeting of the Firebaugh City Council on the 4th day of February, 2019, by the following roll call vote:

**AYES:** Lopez, Perez, Jenkins, Valdez, Sablan  
**NOES:**  
**ABSTAIN:**  
**ABSENT:**

**APPROVED:**

  
\_\_\_\_\_  
Marcia Sablan, Mayor  
Firebaugh City Council

**ATTEST:**

  
\_\_\_\_\_  
Rita Lozano, Deputy City Clerk  
City of Firebaugh

ATTACHMENT A

**CITY OF FIREBAUGH  
PROPOSED MITIGATED NEGATIVE DECLARATION**

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FIREBAUGH PLANNING DEPARTMENT      1133 "P" STREET      FIREBAUGH, CA 93622      (559) 659-2043

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**APPLICANT:**      Cen Cal Builders  
3497 E. International Avenue,  
Clovis, CA 93619

**PROJECT TITLE:**      Cen Cal Builders Project (Del Rio Place)

**PROJECT LOCATION:**      The project includes four parcels containing approximately 14.7 acres located on the east side of N Street (State Highway 33) on both sides of the Lyon Avenue alignment in the City of Firebaugh.

**PROJECT**

**DESCRIPTION:**      The applicant is proposing a General Plan Amendment to designate the site "Medium Density Residential" and "High Density Residential" and zone the site R-1-5 (Single Family Residential (5,000 square foot minimum lot size) and R-3 (High Density Multiple Family Residential). The applicant is also requesting approval of a Tentative Subdivision Map for a 42-lot single family residential subdivision, and a Site Plan Review to construct and operate a 64-unit multiple family residential complex.

**FINDINGS OF NO SIGNIFICANCE:**

1. The project does not 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.
2. The project does not have the potential to achieve short-term economic gain, to the disadvantage of long-term environmental goals.
3. The project does not have the potential to have impacts which are individually limited but cumulatively considerable.
4. The project will not cause substantial adverse effects on people, either directly or indirectly.

**DETERMINATION:**

On the basis of an initial environmental assessment and the findings mentioned above, the City of Firebaugh determines that the project will not have a significant impact on the environment.

  
City Planner

  
Date Adopted by City Council

## MITIGATION MEASURES AND MITIGATION MONITORING PROGRAM

### 1. Greenhouse Gas Emissions

The project shall demonstrate compliance with the applicable BPS (Best Practical Solutions) strategies to the Planning Division prior to the issuance of a building permit. The following PBS strategies are considered to be applicable, feasible, and effective in reducing greenhouse gas emissions generated by development on the site:

- a. The project applicant shall provide a pedestrian access network that internally links all residential units and connects to the existing surrounding external streets and pedestrian facilities.
- b. The project applicant shall ensure site design and building placement minimize barriers to pedestrian access and interconnectivity. Physical barriers such as wells, berms, landscaping, and slopes between residential uses that impede bicycle or pedestrian circulation shall be eliminated. In addition, barriers to pedestrian access of neighboring facilities and sites shall be minimized.
- c. Any transit stops associated with the project shall be provided with safe and convenient bicycle/pedestrian access and provide essential transit stop improvements (i.e., shelters, route information, benches, and lighting).
- d. The project applicant shall install energy efficient roofing materials.
- e. The project applicant shall incorporate bike lanes and routes into the street system.
- f. The project applicant shall plant trees to provide shade.
- g. The project applicant shall install only natural gas or electric stoves in residences. The project applicant shall install energy efficient heating and cooling systems, appliances and equipment, and control systems.
- h. Require truck idling to be restricted during construction and operational phases of the project. During construction, the site shall be posted with signs that restrict truck idling to fifteen minutes or less.
- i. Reuse and recycle construction and demolition waste;
- j. Use low or zero-emission vehicles where practical, including construction vehicles;
- k. Conservative use of both potable and non-potable water to the maximum extent practicable;
- l. Use graywater where practical. (Graywater is untreated household waste water from bathtubs, showers, bathroom wash facilities, and water from washing machines).

Time Frame: Prior to and during construction

Responsible Party: Project contractor, Building Official and City Planner

**2. Hydrology and Water Quality**

- a. Water hoses used during construction shall be equipped with automatic shut-off (e.g. spray gun),
- b. Landscaping shall feature drought-tolerant species, and irrigation shall be a low-flow drip (or equivalent) automatic system with soil moisture and rain shut-off sensors. Landscaping and irrigation plans shall be submitted for review and approval by the City Planner, prior to installation.

Time Frame: Prior to construction

Responsible Party: Project Contractor and Building Official

**3. Noise**

- a. Noise-generating construction activities at the site shall be limited to daylight hours, Monday through Saturdays.
- b. The applicant shall incorporate noise-reducing materials within dwellings to mitigate noise generated by traffic on Highway 33, railroad traffic, as well as aircraft operations at Firebaugh Municipal Airport.

Time Frame: During construction

Responsible Party: Project Contractor and Building Official

**4. Transportation/Traffic**

- a. The project will comply with Caltrans requirements for improvements along the project frontage along State Highway 33, including payment of fair share costs for impacts on State Highway facilities.

Time Frame: During Construction

Responsible Party: Project contractor and Caltrans