

NOTICE OF EXEMPTION

To: Fresno County Clerk
2221 Kern Street
Fresno, CA 93721

From: Housing Authority of the City of Fresno, CA
1331 Fulton Street
Fresno, CA 93721

Office of Planning and Research
1400 Tenth Street
Sacramento, California 95814

Project Title: Acquisition of former CVS Property

Project Location – Specific: 1302 Fulton Street, Fresno, CA 93721, identified as Fresno County Assessor’s Parcel Numbers (“APN”) 466-153-14, 466-153-15 and 466-153-18 (the “Property”).

Project Location – City: Fresno **Project Location – County:** Fresno

Description of Nature, Purpose and Beneficiaries of Project:

This project is for the acquisition of a commercial property located in downtown Fresno, California, formerly operated as a CVS pharmacy and associated parking lot. The Housing Authority of the City of Fresno, CA (the “Authority”) has purchased the Property and intends to utilize it as a parking lot for employees and visitors until such time as the Authority develops a future concept for the Property.

Name of Public Agency Approving Project: Housing Authority of the City of Fresno

Name of Person or Agency Carrying Out Project: Housing Authority of the City of Fresno

Exempt Status: (check one)

- Ministerial (Sec. 21080(b)(1); 15268);**
- Declared Emergency (Sec. 21080(b)(3); 15269(a));**
- Emergency Project (Sec. 21080(b)(4); 15269(b)(c));**
- Categorical Exemption. State type and section number:** Common Sense Exemption – Cal. Code Regs., tit. 14, § 15061, subd. (b)(3)
- Statutory Exemption. State code number:**

Reasons why project is exempt:

Common Sense Exemption – The “Common Sense Exemption” applies to this project. The Property currently contains a vacant building and the remainder of the property is being used as a parking lot. The Property is located across the street from the Fresno Housing Authority’s main

offices and adjoins its annex administrative property. The Fresno Housing Authority intends to use the Property as a parking lot for the foreseeable future. Accordingly, the project involves use of the Property in substantially the same nature and extent as the prior existing use. Therefore, there is no possibility the project may have a significant effect on the environment on the Property or in neighboring areas.

While the Authority may, at some point in the future, propose an affordable housing development on the Property, the scope, nature, funding, or indeed even an outline of any such potential future project are unavailable and not yet contemplated by the Authority. Preparing an EIR or a negative declaration pursuant to CEQA at this time would not permit any meaningful information for environmental assessment because there are no parameters for future development. (Cal. Code Regs., tit. 14, § 15004, subd. (b); see also *Save Tara v. City of West Hollywood* (2008) 45 Cal.4th 116.) The Authority is not committed at this point to any future development and there are no agreements contemplating any future development. At the earliest feasible point during consideration of a potential project, the Authority will comply with CEQA to facilitate a meaningful discussion of impacts on the environment from any such future project. Moreover, by resolution, the Board of Commissioners of the Housing Authority of the City of Fresno, California has conditioned future development on CEQA review.

Lead Agency

Contact Person: Michael Duarte

Area Code/Telephone/Ext: (559) 513-5848

If filed by applicant:

1. **Attach certified document of exemption finding.**
2. **Has a Notice of Exemption been filed by the public agency approving the project?** Yes No

Signature: 
Tyrone Roderick Williams

Date: 3-28-2023 **Title:** CEO

- Signed by Lead Agency**
 Signed by Applicant