

# NOTICE OF EXEMPTION

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**FROM:** City of Fresno  
Planning and Development Department  
2600 Fresno Street, 3<sup>rd</sup> Floor  
Fresno, California 93721-3604

**TO:** X Fresno County Clerk  
2220 Tulare Street  
Fresno, California 93721

**Project Title:** Environmental Assessment No. P24-00886

**Project Location:** 5005 East Dakota Avenue located between North Blattella Lane & North Peach Avenue (See attached Feasibility Study Exhibit A).

**Project Location – City:** City of Fresno

**Project Location - County:** County of Fresno

**Description of Nature, Purpose and Beneficiaries of Project:** Environmental Assessment Application No. P24-00886 was filed by Don Pickett of Don Pickett & Associates, on behalf of Speed Engineering III and pertains to a segment of "5005 E Dakota Avenue" located between North Blattella Lane & North Peach. The project proposes to vacate an area of approximately 200 square feet where an existing sidewalk curves around an existing dead tree stump. This application is associated with Development Permit Application No. P23-01228. Based on the review of the proposed project by other City of Fresno Departments and outside reviewing agencies, the vacation is approved with no conditions as noted in the letter from the City of Fresno Public Works Department, dated February 29, 2024.

**Name of Public Agency Approving Project:** City of Fresno  
Planning and Development Department

**Name of Person or Agency Carrying Out Project:** Don Pickett  
Don Pickett & Associates  
7395 North Palm Bluffs Avenue #101  
Fresno, CA 93711

**Exempt Status:** (check one)

- Ministerial - PRC § 21080(b)(1); CEQA Guidelines §15268  
 Declared Emergency - PRC § 21080(b)(3); CEQA Guidelines §15269(a)  
 Emergency Project - PRC § 21080(b)(4); CEQA Guidelines §15269(b) and (c)  
 **Categorical Exemptions - 15301/ Class 1, 15303/Class 3, and 15332/Class 32**  
 Statutory Exemption – PRC § \_\_\_\_\_

**Reasons why project is exempt:**

The City of Fresno, Public Works Department, is proposing to vacate approximately 200 square-feet of where an existing sidewalk curves around an existing dead tree stump as noted above. The area proposed to be vacated would be used to continue the sidewalk pattern as reviewed and approved under Development Permit Application No. P23-01228. The project was conditioned by Traffic Planning to apply for a Street Vacation.

A vacation feasibility study conducted by Public Works listed no conditions of approval for the

vacation.

Staff has performed an Environmental Assessment of this project and determined that it falls within the following Categorical Exemptions set forth in the CEQA Guideline Sections:

Section 15301/ Class 1 (Existing Facilities) of the CEQA Guidelines exempts from the provisions of CEQA, projects consisting of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination; including but not limited to, alteration of existing highways and streets, sidewalks, gutters, bicycle and pedestrian trails, and similar facilities.

Section 15303/Class 3 (New Construction or Conversion of Small Structures) consists of construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. The numbers of structures described in this section are the maximum allowable on any legal parcel. Examples of this exemption include but are not limited to: (d) Water main, sewage, electrical, gas, and other utility extensions, including street improvements, of reasonable length to serve such construction. Additional examples of this include but are not limited to (a) one single family residence, or a second dwelling unit in a residential zone; in urbanized areas up to three single family residences may be constructed or converted under this exemption, and (b) a duplex or similar multifamily residential structure totaling no more than four dwelling units; in urbanized areas this exemption applies to apartments duplexes and similar structures designed for not more than six dwelling units, and (e) accessory structures including garages, carports, patios, swimming pools and fences.

This project falls within the Categorical Exemption set forth in CEQA Guidelines Section 15332/Class 32 which exempts infill development. Staff found that those conditions are met with the vacation conditions set forth by Public Works. The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations. The proposed development occurs within city limits on a project site of no more than five acres that is substantially surrounded by urban uses. The project site has no value as habitat for endangered, rare or threatened species. Approval of the project would not result in any significant effects related to traffic, noise, air quality or water quality. The site can be adequately served by all required utilities and public services.

Furthermore, Staff has determined that none of the exceptions to Categorical Exemptions set forth in the CEQA Guidelines, Section 15300.2 apply to this project. Therefore, the proposed project is not expected to have a significant effect on the environment. A categorical exemption, as noted above, has been prepared for the project and the area is not environmentally sensitive.

**Lead Agency Contact Person:** Ralph Kachadourian, Supervising Planner  
City of Fresno Planning and Development Department

**Telephone No.:** (559) 621-8172

**Signature:** \_\_\_\_\_

**RALPHK**  
Digital signed by RALPHK  
DN: cn=Ralph Kachadourian@fresno.gov,  
ou=City of Fresno, ou=Planning and Development,  
ou=Departments, DC=fresno, DC=gov  
Reason: I am approving this document  
Date: 2024.03.25 14:26:43-0700

**Date:** 3-15-2024

P24-00886  
CEQA Notice of Exemption  
March 15, 2024

**Printed Name and Title:** Steven Lieng, Planner II  
City of Fresno Planning and Development Department

**Signed by Lead Agency**

**Signed by applicant**

**Attachments:** Feasibility Study Exhibit A  
Categorical Exemption Determination for P24-00886

**CITY OF FRESNO  
CATEGORICAL EXEMPTION  
ENVIRONMENTAL ASSESSMENT NO. P24-00886**

THE PROJECT DESCRIBED HEREIN IS DETERMINED TO BE CATEGORICALLY  
EXEMPT FROM THE PREPARATION OF ENVIRONMENTAL DOCUMENTS  
PURSUANT TO ARTICLE 19 OF THE STATE CEQA GUIDELINES.

**APPLICANT:** Don Pickett  
Don Pickett & Associates  
7395 North Palm Bluffs Avenue #101  
Fresno, CA 93711

**PROJECT LOCATION:** 5005 East Dakota Avenue located between North Blattella Lane &  
North Peach Avenue  
(See attached Feasibility Study Exhibit A).

**PROJECT DESCRIPTION:** Environmental Assessment No. P24-00886 was filed by Don Pickett of Don Pickett & Associates, on behalf of Speed Engineering III and pertains to a segment of "5005 E Dakota Avenue" located between North Blattella Lane & North Peach. The project proposes to vacate an area of approximately 200 square feet where an existing sidewalk curves around an existing dead tree stump. This application is associated with Development Permit Application No. P23-01228. Based on the review of the proposed project by other City of Fresno Departments and outside reviewing agencies, the vacation is approved with no conditions as noted in the letter from the City of Fresno Public Works Department, dated February 29, 2024.

**This project is exempt under Sections 15301/Class 1, 15303/Class 3, and 15332/Class 32 of the California Environmental Quality Act (CEQA) Guidelines as follows:**

The City of Fresno, Public Works Department, is proposing to vacate approximately 200 square-feet of where an existing sidewalk curves around an existing dead tree stump as noted above. The area proposed to be vacated would be used to continue the sidewalk pattern as reviewed and approved under Development Permit Application No. P23-01228. The project was conditioned by Traffic Planning to apply for a Street Vacation.

A vacation feasibility study conducted by Public Works listed no conditions of approval for the vacation.

Staff has performed an Environmental Assessment of this project and determined that it falls within the following Categorical Exemptions set forth in the CEQA Guideline Sections:

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and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure. The numbers of structures described in this section are the maximum allowable on any legal parcel. Examples of this exemption include but are not limited to: (d) Water main, sewage, electrical, gas, and other utility extensions, including street improvements, of reasonable length to serve such construction. Additional examples of this include but are not limited to (a) one single family residence, or a second dwelling unit in a residential zone; in urbanized areas up to three single family residences may be constructed or converted under this exemption, and (b) a duplex or similar multifamily residential structure totaling no more than four dwelling units; in urbanized areas this exemption applies to apartments duplexes and similar structures designed for not more than six dwelling units, and (e) accessory structures including garages, carports, patios, swimming pools and fences.

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Furthermore, Staff has determined that none of the exceptions to Categorical Exemptions set forth in the CEQA Guidelines, Section 15300.2 apply to this project. Therefore, the proposed project is not expected to have a significant effect on the environment. A categorical exemption, as noted above, has been prepared for the project and the area is not environmentally sensitive.

Date: March 15, 2024

Prepared By: Steven Lieng, Planner II

Submitted By:

RALPHK

Digitally signed by RALPHK  
DN:  
c=US, o=Ralph Kachadourian@fresno.gov,  
ou=Departments, DC=fresno, DC=gov  
Reason: I am approving this document  
Date: 2024.03.25 14:26:22-07'00

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Ralph Kachadourian  
City of Fresno  
Planning and Development  
(559) 621-8172

# EXHIBIT 'A'

## Street Vacation of Pedestrian Easement

All of that easement granted to the City of Fresno per Document No. 86076653, recorded July 9, 1986, Official Records Fresno County, more particularly described as follows:

That portion of Outlot "A" as said Outlot "A" is shown on Parcel Map 84-33 filed in the Office of the County Recorder on October 30, 1984 and recorded in Book 42 of Parcel Maps at Page 57, Fresno County Records and more particularly described as follows:

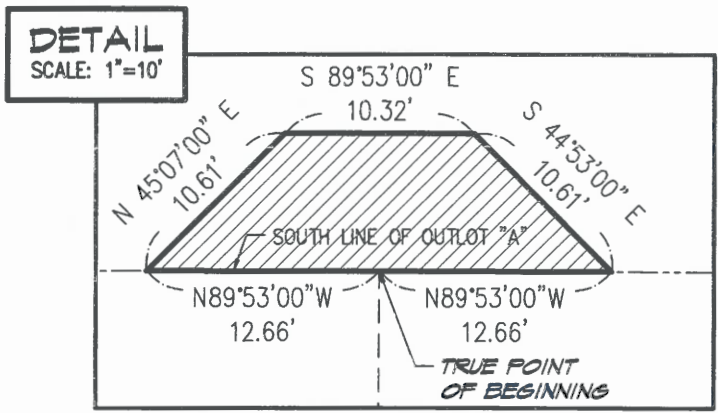
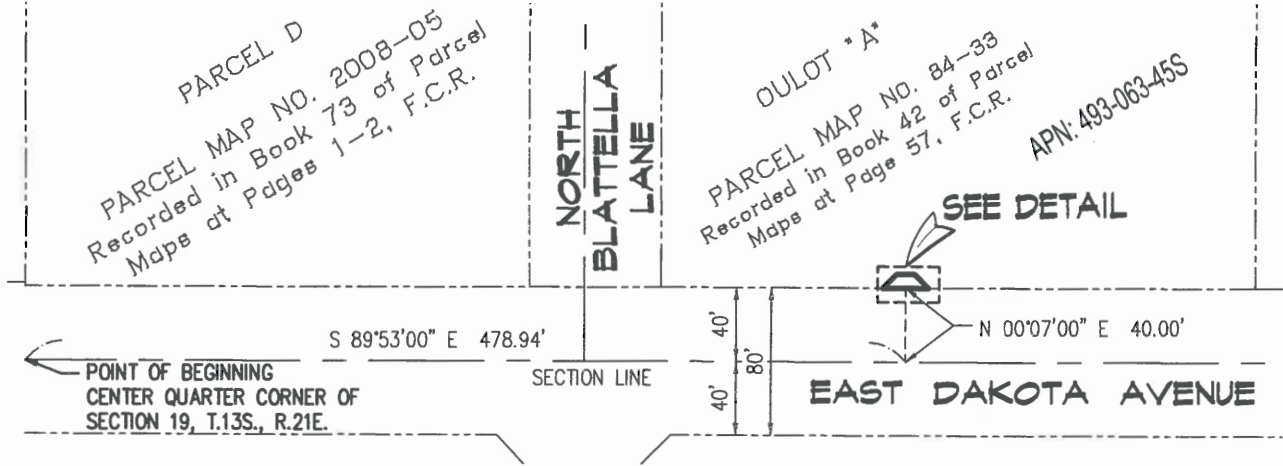
Beginning at the Center 1/4 corner of Section 19, Township 13 South, Range 21 East, Mount Diablo Base and Meridian; thence S89°53'00"E, along the South line of the Northeast quarter of said Section 19, a distance of 478.94 feet; thence N00°07'00"E, a distance of 40.00 feet to the TRUE POINT OF BEGINNING, being also on the South line of said Outlot "A"; thence N89°53'00"W, along the South line of said Outlot "A", a distance of 12.66 feet; thence N45°07'00"E, a distance of 10.61 feet; thence S89°53'00"E, a distance of 10.32 feet; thence S44°53'00"E, a distance of 10.61 feet to the intersection with the South line of Outlot "A"; thence N89°53'00"W, along the South line of said Outlot "A", a distance of 12.66 feet to the TRUE POINT OF BEGINNING.

Contains an area of 133 square feet, more or less.



*Padgett*  
1-17-24

# EXHIBIT "B"



 INDICATES AREA TO BE VACATED  
AREA: 133 S.F.±

**SOURCE OF DATA:**  
PARCEL MAP NO. 84-33 RECORDED IN BOOK  
42 OF PARCELS MAPS AT PAGE 57, F.C.R.

**RECORD OWNER:**  
SNG PROPERTIES, LLC  
4993 E. DAKOTA AVENUE  
FRESNO, CALIFORNIA 93727  
PHONE: (559) 348-0200

**APN:**  
493-063-455

*Handwritten signatures and date:*  
1-17-24

**PROFESSIONAL LAND SURVEYOR**  
KENNETH M. PADGETT  
No. 8165  
STATE OF CALIFORNIA

SCALE: 1" = 100'

|                    |   |   |
|--------------------|---|---|
| REF & REV<br>PLAT: | <b>CITY OF FRESNO</b><br>Department of Public Works | PROJ. ID. : _____ RES TYPE: _____<br>FUND NO. : _____<br>ORG. NO. : _____ |
|                    | STREET VACATION OF PEDESTRIAN EASEMENT              | DRN. BY: JJS<br>CHK. BY: _____<br>DATE : 01/12/2024<br>SCALE : AS NOTED   |
|                    |   | SHEET NO. <u>1</u><br>OF <u>1</u> SHEET                                   |