

# NOTICE OF EXEMPTION

E202410000121

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

**FILED**  
APR 29 2024  
TIME 3:51pm  
By Cyan Edmisten  
FRESNO COUNTY CLERK  
DEPUTY

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

**Project Title:** Development Permit Environmental Assessment No. P23-02377

**Project Location:** 2115 Monterey Street; Located on the northeasterly corner of Monterey and Van Ness Streets in downtown Fresno. APN's: 468-271-09, 10

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

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

**Description of Nature, Purpose and Beneficiaries of Project:** Development Permit Application No. P23-02377 proposes construction of a new three-story building to be utilized as an adult dare care facility on the first floor and a residential care facility for the elderly on the second and third floors with all floors totaling ±26,146 sqft of gross floor area. Additional on and off-site improvements proposed, include but not limited to, parking and service access through the alley, six on-site parking stalls, nine on-street parking spaces, new fencing/gates, trash enclosure, landscaping, roof-top solar, and roadway frontage improvements (curb, gutter, sidewalk, ADA access) along Monterey Street. The subject property is zoned DTN (*Downtown Neighborhood*).

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

**Name of Person or Agency Carrying Out Project:** Vincent Palacios  
Designed Drafting  
5100 N 6th Street, Suite 172  
Fresno, CA 93710

**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 - CEQA Guidelines 15332/Class 32**  
Statutory Exemption – PRC § \_\_\_\_\_

**Reasons why project is exempt:** The proposed project is characterized as in-fill development and is consistent with the conditions of Section 15332/Class 32 exemption, as demonstrated in the attached Categorical Exemption Determination for Development Permit No. P23-02377.

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

**Telephone No.:** (559) 621-8061

**Signature:** *Ralph Kachadourian*

**Date:** 4/22/2024

**Printed Name and Title:** Ralph Kachadourian, Supervising Planner  
City of Fresno Planning and Development Department

E202410000121

P23-02377  
CEQA Notice of Exemption  
April 22, 2024

**Signed by Lead Agency**

**Signed by applicant**

**Attachments:** Exhibit A: Vicinity Map  
Categorical Exemption Determination for P23-02377

**CITY OF FRESNO  
CATEGORICAL EXEMPTION  
ENVIRONMENTAL ASSESSMENT FOR  
DEVELOPMENT PERMIT APPLICATION NO. P23-02377**

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:** Vincent Palacios  
Designed Drafting  
5100 N 6th Street, Suite 172  
Fresno, CA 93710

**PROJECT LOCATION:** 2115 Monterey Street; Located on the northeasterly corner of Monterey and Van Ness Streets in downtown Fresno.

APN's: 468-271-09, 10

**PROJECT DESCRIPTION:** Development Permit Application No. P23-02377 proposes construction of a new three-story building to be utilized as an adult day care facility on the first floor and a residential care facility for the elderly on the second and third floors with all floors totaling  $\pm 26,146$  sqft of gross floor area. Additional on and off-site improvements proposed, include but not limited to, parking and service access through the alley, six on-site parking stalls, nine on street parking spaces, new fencing/gates, trash enclosure, landscaping, roof-top solar, and roadway frontage improvements (curb, gutter, sidewalk, ADA access) along Monterey Street. The subject property is zoned DTN (*Downtown Neighborhood*).

**This project is exempt under Section 15332/Class 32 (In-fill Development Projects) of the California Environmental Quality Act (CEQA) Guidelines as follows:**

Under Section 15332/Class 32, the proposed project is exempt from CEQA requirements when the project is characterized as in-fill development meeting the following conditions:

- a) *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.*

Given the conditions of approval, the proposed project (Adult day care, residential care facility) will meet all the provisions of the Fresno Municipal Code (FMC), including Chapter 15, Article 15 (Downtown Districts) of the FMC. The project is consistent with the Fresno General Plan designation, policies, and zoning. The existing DTN (*Downtown Neighborhood*) zone district is consistent with the Downtown Neighborhood planned land



use designation approved for this site by the Fresno General Plan, Downtown Neighborhood Specific Plan, and the Fresno County Airport Land Use Compatibility Plan.

- b) *The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.*

The project is located within the city limits on a total of  $\pm 0.42$  acres of vacant property and is substantially surrounded by other urban uses including commercial and residential uses.

- c) *The project has no value as habitat for endangered, rare or threatened species.*

Per review of aerial records as of 1992, the project site consists of previously disturbed land; and has no value as habitat for endangered, rare, or threatened species.

- d) *Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.*

#### Traffic

Senate Bill (SB) 743 requires that relevant CEQA analysis of transportation impacts be conducted using a metric known as vehicle miles traveled (VMT) instead of Level of Service (LOS). VMT measures how much actual auto travel (additional miles driven) a proposed project would create on California roads. If the project adds excessive car travel onto our roads, the project may cause a significant transportation impact.

The State CEQA Guidelines were amended to implement SB 743, by adding Section 15064.3. Among its provisions, Section 15064.3 confirms that, except with respect to transportation projects, a project's effect on automobile delay shall not constitute a significant environmental impact. Therefore, LOS measures of impacts on traffic facilities is no longer a relevant CEQA criteria for transportation impacts.

CEQA Guidelines Section 15064.3(b)(4) states that "[a] lead agency has discretion to evaluate a project's vehicle miles traveled, including whether to express the change in absolute terms, per capita, per household or in any other measure. A lead agency may use models to estimate a project's vehicle miles traveled and may revise those estimates to reflect professional judgment based on substantial evidence. Any assumptions used to estimate used to estimate vehicle miles traveled and any revision to model outputs should be documented and explained in the environmental document prepared for the project. The standard of adequacy in Section 15151 shall apply to the analysis described in this section."

On June 25, 2020, the City of Fresno adopted CEQA Guidelines for Vehicle Miles Traveled Thresholds, dated June 25, 2020, pursuant to Senate Bill 743 to be effective of July 1, 2020. The thresholds described therein are referred to herein as the City of Fresno VMT Thresholds. The City of Fresno VMT Thresholds document was prepared and adopted consistent with the requirements of CEQA Guidelines Sections 15064.3 and 15064.7. The

December 2018 Technical Advisory on Evaluating Transportation Impacts in CEQA (Technical Advisory) published by the Governor's Office of Planning and Research (OPR), was utilized as a reference and guidance document in the preparation of the Fresno VMT Thresholds.

The City of Fresno VMT Thresholds adopted a screening standard and criteria that can be used to screen out qualified projects that meet the adopted criteria from needing to prepare a detailed VMT analysis.

The City of Fresno VMT Thresholds Section 3.0 regarding Project Screening discusses a variety of projects that may be screened out of a VMT analysis including specific development and transportation projects. For development projects, conditions may exist that would presume that a development project has a less than significant impact. These may be size, location, proximity to transit, or trip-making potential. For transportation projects, the primary attribute to consider with transportation projects is the potential to increase vehicle travel, sometimes referred to as "induced travel."

The proposed project was eligible to screen out because the project meets the criteria described in the adopted guidelines of including less than 500 Active Daily Trips (ADT). An estimate of potential trip generation for the project will include only 230 ADT. The estimate is based on the closest ITE trip generation classification as a daycare and assisted living facility. Therefore, as per the City's VMT Guidelines, the project will not have a significant VMT impact.

In conclusion, the Project will result in a less than significant VMT impact and is consistent with CEQA Guidelines Section 15064.3(b).

### Noise

The proposed adult daycare and residential care facility uses will be adjacent to existing commercial and residential uses and would not result in a significant amount of noise compared to the other adjacent uses. Furthermore, given the conditions of approval, the project shall comply with any applicable noise standards of the Citywide Development Code.

### Air Quality

The project is conditioned to comply with any applicable regulations and conditions from the San Joaquin Valley Air Pollution Control District and the project is subject to review by the agency in regard to air quality during construction and operation. The project as described will not occur at a scale or scope with potential to contribute substantially or cumulatively to existing or projected air quality violations or impacts.

### Water Quality



City water service is available, and it is anticipated that the city will provide potable water and fire service and sewer service to the site. Therefore, the project won't have an effect on water quality.

e) *The site can be adequately served by all required utilities and public services.*

The site has been reviewed and conditioned by the Fresno Irrigation District, Fresno Metropolitan Flood Control District, Fresno County Public Health, City of Fresno Public Works, City of Fresno Police, City of Fresno Public Utilities, and the City of Fresno Fire Departments. In addition, given the surrounding properties have been previously developed and utilities and public services already exist in the area for adjacent properties, the site can be adequately served by all required utilities, including sewer, water, and solid waste, as well as public services.

None of the exceptions to Categorical Exemptions set forth in the CEQA Guidelines, Section 15300.2 apply to the project. Furthermore, the proposed project is not expected to have a significant or cumulative effect on the environment. The project is not located on a hazardous waste site, a historical resource, or adjacent to a scenic highway. A categorical exemption, as noted above, has been prepared for the project and the area is not environmentally sensitive.

Date: April 22, 2024

Prepared By: Thomas Veatch, Planner

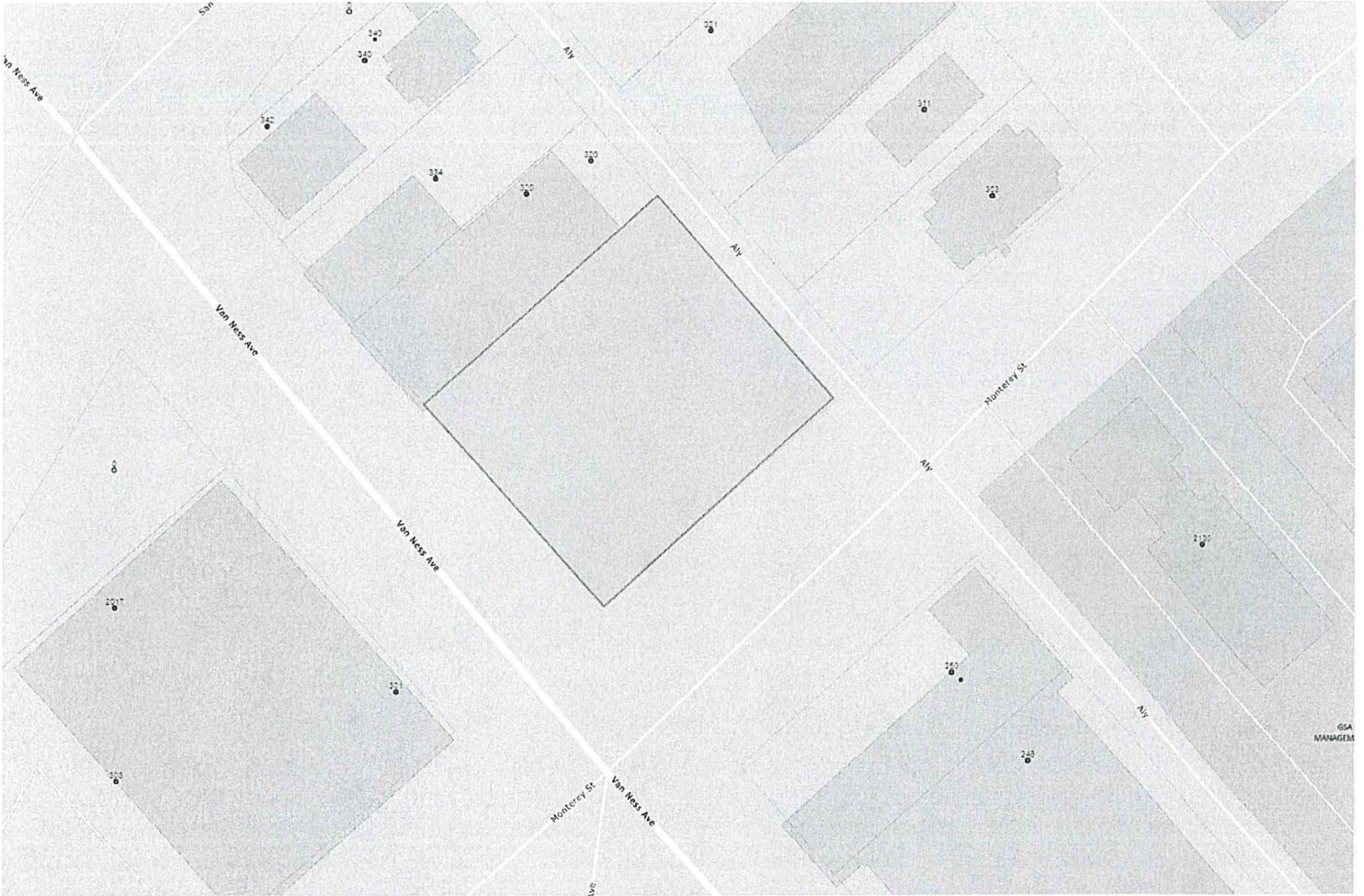
Submitted by: *Ralph Kachadourian*

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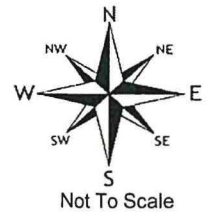
Ralph Kachadourian  
Supervising Planner  
City of Fresno  
Planning & Development  
Department  
(559) 621-8277

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# Site Location & Vicinity Map



Project Area to be developed ( $\pm 0.42$  acres)



## PLANNING AND DEVELOPMENT DEPARTMENT

Environmental Assessment  
No. P23-02377 prepared for  
Development Permit  
Application No. P23-02377

PROPERTY ADDRESS  
2115 Monterey Street

**Zone District:** DTN (*Downtown Neighborhood*)

**By:** T. Veatch  
April 22, 2024





State of California - Department of Fish and Wildlife  
**2024 ENVIRONMENTAL DOCUMENT FILING FEE**  
**CASH RECEIPT**  
 DFW 753.5a (REV. 01/01/24) Previously DFG 753.5a

RECEIPT NUMBER: <b>E202410000121</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>04/29/2024</b>
COUNTY/STATE AGENCY OF FILING <b>FRESNO COUNTY</b>		DOCUMENT NUMBER <b>E202410000121</b>

PROJECT TITLE  
**DEVELOPMENT PERMIT ENVIRONMENTAL ASSESSMENT NO. P23-02377**

PROJECT APPLICANT NAME <b>CITY OF FRESNO</b>	PROJECT APPLICANT EMAIL	PHONE NUMBER <b>(559) 621-8061</b>
PROJECT APPLICANT ADDRESS <b>2600 FRESNO STREET, 3RD FLOOR</b>	CITY <b>FRESNO</b>	STATE <b>CA</b>
		ZIP CODE <b>93721</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)	\$4,051.25	\$	<u>0.00</u>
<input type="checkbox"/> Mitigated/Negative Declaration (MND)(ND)	\$2,916.75	\$	<u>0.00</u>
<input type="checkbox"/> Certified Regulatory Program (CRP) document - payment due directly to CDFW	\$1,377.25	\$	<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)	\$850.00	\$	<u>0.00</u>
<input checked="" type="checkbox"/> County documentary handling fee	\$50.00	\$	<u>50.00</u>
<input checked="" type="checkbox"/> Other CATEGORICAL EXEMPTION		\$	<u>0.00</u>

PAYMENT METHOD:

Cash    
  Credit    
  Check    
  Other

TOTAL RECEIVED \$ 50.00

SIGNATURE  <b>X</b> <i>Cyan Edmisten</i> Cyan Edmisten	AGENCY OF FILING PRINTED NAME AND TITLE  Cyan Edmisten Deputy Clerk
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