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Incorporated January 20, 1948

CITY OF ORANGE OF COVE
NOTICE OF AVAILABILTY OF INTIAL STUDY AND
INTENT TO ADOPT NEGATIVE DECLARATRIION

Howard Project

Notice is hereby given that the City of Orange Cove has conducted an Initial Study for the following proposed project:

Initiate an annexation of 40.63 acres immediately north of Sumner Avenue and approximately 650 feet west of Anchor Avenue.

A Tentative Tract Map (TTM 6288) to create 164 Single Family Residential lots and approximately 5.32 acres of High-Density Multi-Family units.

A General Plan Amendment re-designating the subject territory from Medium Residential to High Density Residential.

A Rezone from Fresno County AE-20 District to Orange Cove's R-1-6 and R-3 Districts and establishing development standards for the Howard project.

A draft Negative Declaration has been prepared pursuant to the California Environmental Quality Act in order to address potential environmental impacts. The Draft Negative Declaration and accompanying Initial Study are available for public review and comment at Orange Cove City Hall, 633 6th Street, Orange Cove, CA. 93646 and also available at the City's website: <http://cityoforange Cove.com/> The City will receive written comments on the proposed project and Draft Negative Declaration from July 14, 2020 through August 12, 2020. Please send comments to:

City of Orange Cove
Ray Hoak – Building & Planning Dept.
633 6th Street
Orange Cove, CA 93646

Please contact me at (559)626-4488 if you have any questions or need additional information.

CITY OF ORANGE COVE

NOTICE OF PUBLIC HEARING

Notice is hereby given that the City of Orange Cove has conducted an Initial Study for the following proposed project:

Howard Reorganization

Notice is hereby given that the Orange Cove Planning Commission will hold a public hearing to consider approving the Proposed Project and the Negative Declaration on September 15, 2020 at 6:30 pm Via Teleconference, or as soon thereafter as possible. A second public hearing will be held before the Orange Cove City Council on September 23, 2020 at 6:30 pm 'Via Teleconference', or as soon thereafter as possible.

The project consists of:

Initiate an annexation of 40.63 acres immediately north of Sumner Avenue and approximately 650 feet west of Anchor Avenue.

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City Hall, 633 6th Street, Orange Cove, CA. 93646 and also available at the City's website:

<http://cityoforange Cove.com/>

All interested parties should present their views before or at the public hearing. Before any court challenge of Planning Commission decisions, you are required to appeal the decision to the City Council no later than the time period provided under the City's Municipal Code. In addition, you may be limited to raising only those issues you or somebody else raised at the public hearing described in this notice, or in correspondence delivered to the City Clerk at, or prior to, the public hearing. Staff reports will be available a least three days prior to the hearing at Orange Cove City Hall located at 633 6th Street, Orange Cove, CA. Questions regarding this notice should be directed to June Bracamontes, City Clerk at 559-626-4488 Ext.214.

IMPORTANT NOTICE REGARDING CITY OF ORANGE COVE PUBLIC MEETINGS

Based upon recommendations from the CDC regarding social distancing relative to COVID-19 (coronavirus) and in accordance with the applicable provisions of Executive Orders N-25-20 and N-29-20 issued by Governor Newsom (“EO”), all public meetings will be held via teleconference. The City will have available a free call-in conference call number for those who wish to listen and/or provide public comment during the public comment period of the agenda or on a specific agenda item.

Those wishing to join via call-in conference should call (US): (888) 204-5987 (Access Code: 8166599#). If you are intending to comment, we are asking you to please contact City Clerk June V. Bracamontes in advance of the meeting at jvb@cityoforange Cove.com, or by calling 559-393-3931. We are asking those to pre-register so that we can keep the meeting orderly, given everyone will be non-visible. There will still be time to provide public comment should you not pre-register. We will be asking all those interested to please call in 5 minutes prior to the regular meeting start time and keep their telephones on “mute” unless speaking during the public comment portion of the agenda or speaking on a specific agenda item after the Mayor requests public comment on the specific agenda item. If you would like to comment, please say your name clearly for the record.

If you need any special assistance or have questions please contact City Clerk June V. Bracamontes at jvb@cityoforange Cove.com, or by calling 559-393-3931.

For continual updates regarding COVID-19, visit the city’s website at cityoforange Cove.com.

INITIAL ENVIRONMENTAL STUDY

1.0 PROJECT OVERVIEW

BACKGROUND

**Applicant/
Owner:** Kevin D. Howard/Eric C. Waddell,
3825 East Howard, Visalia, CA. 93292

Surveyor: 4 Creeks, 324 S. Sante Fe Street, Visalia, Ca. 93292

Location:

The subject property is located on the northwest corner of Jacobs and Adams Avenues in the northwest quadrant of the community. The APN for the subject property is 375-030-017, containing 39.66 acres.

Request:

The applicant has applied for a number of planning applications that pertain to APN 375-030-017, containing approximately 40.6 acres. Said applications are as follows:

1. Initiation of annexation of the subject territory containing 40.63 acres.
2. A general plan amendment redesignating 5.32 acres of the subject territory from “Medium” to “High” density residential.
3. Pre-zone the subject territory from Fresno County’s AE-20 district to Orange Cove’s R-1-6 (single-family residential, one unit per 6,000 square feet) and R-3 (multi-family residential, one unit per 1,500 square feet) districts.
4. A tentative subdivision map that will be constructed in three phases – Phase 1, 64 single family residential lots; Phase 2, 92 single family residential lots and Phase 3, 5.32 acres dedicated to high density residential development, providing for a density of approximately 20 units per acre.

Staff has determined that the subject property is within the planning area of the Orange Cove General Plan and it is within Orange Cove’s Sphere of Influence (SOI). Because the site is within Orange Cove’s SOI it is appropriate for annexation so long as the subject territory can be served with city services and infrastructure.

Zone:

The subject property is zoned AE-20 (exclusive agriculture, 20-acre minimum) by the County of Fresno. The applicant wishes to pre-zone the subject territory to the City's R-1-6 and R-3 districts.

General Plan:

The Orange Cove General Plan designates the property as "Medium Density" residential. The applicant wishes to redesignate approximately 5.32 acres of the subject site from the Medium Density Residential designation to the High-Density Residential designation.

Site:

The subject property is currently vacant. Originally the subject property contained citrus but the trees were removed about three years ago.

Surrounding land uses are as follows:

- North: citrus and irrigation canal
- East: single family and multi-family development
- West: citrus
- South: single-family dwellings

Water:

Water will be provided to the site by (also hydrants) by the City of Orange Cove, consistent with the city's Water Master Plan.

Sewer:

The City of Orange Cove will provide sewer collection and treatment. The developer will be required to install a sewer collection system consistent with the city's Sewer Master Plan.

Storm Drainage:

Storm water management is provided by the City of Orange Cove through a system of curbs and gutters, drop inlets, storm water lines and retention basins. All storm water emanating from the subject property will be diverted to the adjacent curb and gutter system, which will be required to be installed consistent with the direction of the city engineer.

Police and Fire Services:

Police protection and fire suppression will be provided by the City of Orange Cove.

2.0 DISCUSSION OF POTENTIAL ENVIRONMENTAL IMPACTS

This section of the Initial Study analyzes potential impacts of the proposed project. For each topic issue a determination of the magnitude of the impact is made (via checklist) and then the impact is analyzed and discussed. Where appropriate, mitigation measures are identified that will reduce or eliminate an impact.

Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
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I. AESTHETICS -- Would the project:

1. Have a substantial adverse effect on a scenic vista?

Discussion: The project will have an adverse impact on the visual environment because eventually 40 acres of open space will be urbanized, however, this impact was acknowledged in the Final EIR prepared for Orange Cove’s General Plan. The Orange Cove City Council adopted a “Statement of Overriding Consideration” when the Final EIR was certified.

2. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

Discussion: There are not any significant scenic resources on the subject property including trees, rocks or historic buildings.

3. Substantially degrade the existing visual character or quality of the site and its surroundings?

Discussion: The project will be consistent with the visual character of the immediate neighborhoods in that residential development exists to the south and east of the subject property. Given the subject property is within Orange Cove’s SOI, it is very likely that this quadrant of Orange Cove will transition from agriculture to urban uses within the next five years. This transition was discussed in the Final EIR prepared for Orange Cove’s General Plan. Further, Orange Cove’s infrastructure master plans also anticipated this area of the community transitioning to urban uses.

4. Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?

Discussion: The new sources of light that will be introduced into the area will be street lighting that will be installed when the subdivision is constructed and within the parking lots of the proposed multi-family development. Generally, this lighting will only illuminate the ground directly below the light standards. This addition of lighting to this area of the community is very typical of a landscape that is transitioning from agriculture to urban.

II. AGRICULTURE AND FOREST RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state’s inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and the forest carbon measurement methodology provided in the Forest Protocols adopted by the California Air Resources Board. Would the project:

- 1. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

Discussion: The proposed project will urbanize approximately 40 acres of land that was previously used for agriculture. The environmental impact of this urbanization was acknowledged in the EIR prepared for the Orange Cove General Plan. A "Statement of Overriding Consideration" was adopted for this environmental document when the Final EIR was certified by the Orange Cove City Council.

- 2. Conflict with existing zoning for agricultural use, or a Williamson Act contract?

Discussion: The proposed subdivision is not under an agricultural preserve contract nor will it adversely impact existing agricultural operations since land on two sides of the subject territory are currently urbanized. Land north of the subject property is currently under agricultural production however it is separated from the subject site by an irrigation canal, which helps buffer any agricultural nuisances (e.g. dust, noise, spray drift) that residents may have to contend with.

- 3. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)) or timberland (as defined in Public Resources Code section 4526)?

Discussion: The subject property is not zoned for forestry and is not forested.

- 4. Result in the loss of forest land or conversion of forest land to non-forest use?

Discussion: The subject territory is not forested and the project will not impact forest land.

- 5. Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forestland to non-forest use?

Discussion: The project will result in the conversion of farmland to non-farmland uses. The impact of this conversion was discussed in the EIRs prepared on the Orange Cove General Plan. A "Statement of Overriding Consideration" was approved for the EIR, which acknowledged the environmental impact of converting farmland to non-farmland uses.

III. AIR QUALITY -- Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

- 1. Conflict with or obstruct implementation of the applicable air quality plan?

Discussion: The project will have little if any impact on the Air District's Air Quality Plan. The project will not generate enough emissions to cause the Air District to exceed thresholds established by the SJVAPCD for ozone precursors and CO2. The project will generate the following trips:

156 single-family units x 9.55 trips per household = 1,489 trips per day
 100 multi-family units x 6.47 trips per household = 647 trips per day

These trips can be converted to peak morning and evening trips. The single-family residential component of the project will generate 117 trips per peak morning hour and 147 trips per peak evening hour and the multi-family portions of the project will generate 48 trips per peak morning hour and 56 trips per peak evening hour.

Most if not all residential trips will utilize the two collector streets that border the subject site. Traffic wishing to travel east and west (using Adams) can travel to State Highway 63 to the east and Hill Avenue to the west.

Residents wishing to travel north south can access Park Avenue to the south and Clayton Avenue to the north after crossing a local irrigation canal. Given that the peak hour trips will be dispersed among many intersections around the subject site it is very unlikely that any intersection that is near or adjacent to the subject site will be adversely impacted. Further, because the subdivision is in close proximity to the urban core of Orange Cove, local schools and parks, many persons will walk to these destinations rather than drive.

While the air emissions generated by the project will add to the Air Basin’s already non-attainment status for certain pollutants (PM-10 and PM-2.5, ozone, and CO) the project is not deemed significant by the Air Quality District because it does not meet certain emission thresholds.

The urbanization of this area of Orange Cove and its impact on air quality were discussed in the Final EIR that was certified by the Orange Cove City Council. The City Council adopted a "Statement of Overriding Consideration" when the Final EIR was certified.

- 1. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?

Discussion: The project will not violate any air quality standards nor will it exceed the Air District’s air emission thresholds causing the project to be deemed significant.

Air emissions will be generated during the construction phase of the project, but the Air District's fugitive dust rules will ensure that the project will not violate the District's standards for dust emissions.

- 2. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?

Discussion: The proposed project will not generate significant criteria pollutants for which the region is non-attainment, nor will emissions exceed thresholds established by the SJVAPCD for ozone precursors. The impact of urban development within the project area on air quality was discussed in the EIRs prepared for the Orange Cove General Plan. A "Statement of Overriding Consideration" was adopted for the Final EIR.

- 3. Expose sensitive receptors substantial pollutant concentrations?

Discussion: Residents that live in the proposed project area will not be exposed to any substantial pollutant concentrations - two sides of the subject territory are occupied by development. West and north of the subject territory land will remain under agricultural production (citrus) but residential uses will be buffered from these uses by a residential street that will separate the residential uses from the agricultural uses.

- 4. Create objectionable odors affecting a substantial number of people?

Discussion: The project is not expected to result in odors that will affect residents on or adjacent to the site. The construction of the subdivisions will not create any odors that will be obnoxious to surrounding residents. In fact, agriculture that recently existed on the sites generated more odors than the proposed residential subdivision.

IV. BIOLOGICAL RESOURCES -- Would the project:

- 1. Has a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

Discussion: The proposed project will not have an adverse impact on special status species - plants or animals. Because the subject property was intensively farmed for over 40 years, the likelihood of any special status species inhabiting the sites is remote especially given the cultural practices associated with farming - spraying, picking, hedging, irrigating and mowing/discing.

- 2. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?

Discussion: There is no riparian woodland that exists within the neither subject territory nor are there any sensitive natural communities within the subject area or nearby. The territory is currently fallow and therefore any native habitat was removed in favor of agricultural crops.

- 3. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

Discussion: The subject property does not contain a wetland as defined by Section 404 of the Clean Water Act. Further, the territory does not contain any soil types that are associated with wetlands, called hydrophytic soils.

- 4. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

Discussion: The proposed project will not impede the migration of fish or wildlife species. The territory is currently fallow and does not contain any watercourses or native habitat.

- 5. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

Discussion: There are no local policies or ordinances in Orange Cove protecting biological resources.

- 6. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?

Discussion: There are no adopted habitat conservation plans that apply to the project area.

V. CULTURAL RESOURCES -- Would the project:

- 1. Cause a substantial adverse change in the significance of a historical resource as defined in '15064.5?

Discussion: There are no historical structures on the site nor has the site been identified by the Southern San Joaquin Valley Archaeological Information Center as a site that contains a historical resource. The subject property has been intensively farmed for over 40 years. Any archaeological artifacts that existed on the property have been discovered and or removed when the property was ripped prior to citrus planting. Further, there are no homes on the site. The proposed project will not have an adverse impact on historical resources according to the EIRs prepared for the Orange Cove General Plan. A "Statement of Overriding Consideration" was adopted for both Final EIRs.

- 2. Cause a substantial adverse change in the significance of an archaeological resource pursuant to '15064.5?

Discussion: Although there are no known archaeological resources located within the subject territory, the proposed project could result in disturbance of subsurface archaeological resources during excavation and/or grading, however, the discovery of this type of resource is unlikely given the fact that the property has been ripped prior to citrus tree planting.

If during the development of the property archaeological and historical resources are uncovered, the developer will comply with the requirements of CEQA that regulate archaeological and historical resources (Public Resources Code Section 21083.2 and 21084.1).

- 3. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Discussion: Although there are no known paleontological resources located in the study area, the proposed project does have the potential to directly or indirectly destroy a paleontological resource. If any cultural or paleontological materials are uncovered during project activities, work in the area shall halt until a professional cultural resource's evaluation and/or data recovery excavation can be planned and implemented.

- 4. Disturb any human remains, including those interred outside of formal cemeteries?

Discussion: Due to past disturbance of the site’s soils it is unlikely that any human remains exist within the subject territory. However, should any human remains be discovered during grading and construction, the Fresno County Coroner must be notified immediately. *(The Coroner has two working days to examine the remains and 24 hours to notify the Native American Heritage Commission [NAHC] if the remains are Native American. The most likely descendants then have 24 hours to recommend proper treatment or disposition of the remains, following the NAHC guidelines).*

VI. GEOLOGY AND SOILS -- Would the project:

Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

- 1. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

Discussion: While Orange Cove is located in an area that is subject to ground shaking from earthquakes, the distance to faults that will be the likely cause of ground motions is sufficient so that potential impacts are reduced. The City requires all new structures built in Orange Cove to be consistent with (SDC) Seismic Design Category D prescriptive requirements of the California Building Code.

- 2. Strong seismic ground shaking?

Discussion: The city requires a Geotechnical Investigation (soils report) for all new construction. Those findings are incorporated into the seismic design for new construction, thereby reducing the potential for significant impacts on residential and commercial development due to seismic ground shaking to be minimal.

- 3. Seismic-related ground failure, including liquefaction?

Discussion: The sandy loam soils located throughout the project area are not subject to liquefaction.

- 4. Landslides?

Discussion: The project area occupies level ground and therefore the potential for landslides is remote.

5. Result in substantial soil erosion or the loss of topsoil?

Discussion: The project area occupies level ground and the project area soils do not contain erosive qualities. Therefore, the potential for soil erosion or loss of topsoil is remote.

6. Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

Discussion: Soils on the project site (San Joaquin loam) are considered to be stable. Further, the project area occupies relatively level ground and therefore the potential for unstable construction conditions are less than significant.

7. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?

Discussion: The project site is not located on expansive soils.

8. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

Discussion: The proposed subdivisions will be required to connect to the city's sewer system when residential construction commences.

VII. GREENHOUSE GAS EMISSIONS:

Would the project:

1. Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Discussion: Greenhouse gas emissions (GHG) are emissions of various types of gases that are believed to be causing an increase in global temperatures, which is affecting the world’s climate patterns. Scientists recognize GHG resulting from human activities, particularly the use of machinery that burns fossil fuels for power. Key greenhouse gases include carbon dioxide, methane, nitrous oxide, and hydro fluorocarbons.

Greenhouse gas emissions will occur primarily during the construction of the project and when motorized vehicles are operated - each mile traveled (VMT) will generate greenhouse gases. Also, the operation of heating and cooling equipment installed in residential uses will also lead to the production of greenhouse gases.

The volume of GHG generated by 40 acres of residential land uses (single-family residential and multi-family residential uses) is insignificant when compared to emissions generated by the City of Orange Cove or the Valley as a whole. Due to energy conservation regulations (Title 24) implemented throughout the State, motorized vehicles becoming more fuel efficient, installation of solar panels on single- and multi-family residential dwellings, and residential development’s move toward all electric homes and away from the use on natural gas and incorporation of pedestrian friendly design features as per the Orange Cove General Plan, residential dwellings of today will generate less GHG than dwellings that were built 10 or 20 years ago. For these reasons, the project will not result in a significant release of greenhouse gases when compared to the balance of Orange Cove or the Valley at-large.

- 2. Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?

Discussion: The Orange Cove General Plan does not have any plans, policies or regulations pertaining to the regulation of greenhouse gas emissions, however, design standards contained in the General Plan do attempt to create a pedestrian-friendly living environment thereby promoting walking and biking and less dependence of motorized vehicles. Further, recent updates to the Uniform Building Code will increase the "R" Factor in the walls of the residential dwellings that will be constructed after January 1, 2017. Finally, all residential units constructed after January 1, 2020, will be required to install solar panels on the residential unit prior to occupancy.

VIII. HAZARDS AND HAZARDOUS

MATERIALS: Would the project:

- 1. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Discussion: The project will not involve the transport, use or disposal of hazardous materials.

2. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

Discussion: The project does not involve the handling, storage or transportation of hazardous materials.

3. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

Discussion: The project does not involve the handling, storage or transportation of hazardous materials. The project site is not included on any list of known hazardous materials sites compiled pursuant to Government Code Section 65962.5.

4. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?

Discussion: The subject area is not adjacent to a public or private airport.

5. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

Discussion: The subject area is not adjacent to a public or private airport.

6. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Discussion: The project will not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. The proposed project is not adjacent to a roadway, highway or freeway that serves as a major route for the movement of emergency vehicles. Should these types of vehicles utilize Jacobs or Adams, traffic exiting the subdivision would be restricted from entering these roadways until emergency vehicles have cleared the intersections along these roadways.

- 7. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

Discussion: There are no wildlands on the project site that might be the source of a fire.

IX. HYDROLOGY AND WATER QUALITY --

Would the project:

- 1. Violate any water quality standards or waste discharge requirements?

Discussion: There will be no discharge of runoff into any surface waters. Storm water runoff will be diverted to drop inlets throughout the subdivision and this runoff will be diverted to nearby storm water basin.

- 2. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?

Discussion: The development will utilize treated water from the Friant-Kern Canal. The city now requires water meters for all new residential development. This metering will serve to reduce water consumption as well as new outside water regulations mandated by the State.

- 3. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on- or off-site?

Discussion: The project area's drainage patterns will not be significantly altered. All the drainage that emanates from the project site will be diverted to Orange Cove's storm drainage system through a series of drop inlets and storm drainage pipes.

- 4. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?

Discussion: Surface runoff will be transported from the site by means of the subdivision's storm water drainage system, which is composed of gutters, drop inlets and storm drainage pipes. Through this system storm water will be diverted to Orange Cove's system of storm drainage ponds.

- 5. Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

Discussion: All storm water runoff will be retained in Orange Cove's storm water retention basins. This basin system has the capacity to accommodate the additional runoff that will be generated by the proposed subdivision project.

- 6. Otherwise substantially degrade water quality.

Discussion: No aspect of the project is expected to degrade water quality. No water from the site will enter any adjacent surface water systems and therefore water quality will not be degraded.

- 7. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

Discussion: A portion of the subject territory is within a 500-year floodplain. This area that is within this zone occupies a narrow strip of land just south of Wooten Creek, an irrigation canal. Any construction inside the floodplain will require the floor elevation to be above the base flood elevation.

- 8. Place within a 100-year flood hazard area structures that would impede or redirect flood flows?

Discussion: None of the subject property is within a 100-year floodplain.

- 9. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?

Discussion: The project site is not located downstream from a major dam and therefore is not at risk of being flooded due to a dam failure.

- 10. Inundation by seiche, tsunami, or mudflow?

Discussion: The project is located about 100 miles inland from the Pacific Ocean, the closest source of a seiche or tsunami. There are no aspects of the project that reasonably present the danger of a mudflow.

X. LAND USE AND PLANNING - Would the project:

- 1. Physically divide an established community.

Discussion: The proposed project will not physically divide the Orange Cove community. The site is located in the northwest quadrant of the community and represents a logical extension of the urbanized part of the city.

- 2. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

Discussion: The project is generally consistent with the Land Use Element of the General Plan except for the applicant’s request to designated the corner of the subject property for high density residential. This segment of the application involves a redesignation from medium density residential to high density residential is an effort by the City to comply with policies in its housing element. Higher residential densities generally translate into more affordable housing.

- 3. Conflict with any applicable habitat conservation plan or natural community conservation plan?

Discussion: The project site is not subject to any habitat or natural community conservation plans.

XI. MINERAL RESOURCES -- Would the project:

- 1. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

Discussion: The site is not known to harbor mineral resources that would be valuable to the region. The site is not adjacent to a river floodplain, which is an area that normally supports sand and gravel resources.

- 2. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

Discussion: The site is not known to harbor mineral resources that would be valuable to the region.

XII. NOISE -- Would the project result in?

- 1. Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Discussion: The proposed project will not generate any excessive noise, nor will it expose persons to excessive noise levels. Because the project site is generally bounded by existing residential and agricultural uses, the likelihood of future residents being exposed to excessive noise levels is remote.

2. Exposure of persons to or generation of excessive ground borne vibration or ground borne noise levels?

Discussion: There is no significant ground borne vibrations in the project area or on surrounding properties.

3. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project.

Discussion: The proposed project will not increase ambient noise levels on lands adjacent to the subject property. The transition of the subject properties from fallow land to single-family development will reduce the level of noise being generated from the sites. Farming practices are generally noisier than single-family subdivisions in that they operate larger equipment.

4. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

Discussion: Construction activities associated with residential development creates very little noise compared to construction associated with commercial or industrial development. As individual homes, roads and infrastructure are being constructed, noise beyond ambient levels will be generated, however, this increase in noise levels will only occur during day-time hours and will only last for the period of time that it takes to complete the subdivision project. When all construction within the development has been completed the project will have a less than significant impact on the noise environment.

5. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people be residing or working in the project area to excessive noise levels?

Discussion: The project site is not within an airport land use plan and therefore will not be subjected to any noise generated by air traffic.

- 6. For a project within the vicinity of a private airstrip, would the project expose people be residing or working in the project area to excessive noise levels?

Discussion: The project site is not located within the vicinity of any private airstrips.

XIII. POPULATION AND HOUSING -- Would the project:

- 1. Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

Discussion: The project is not considered to be growth-inducing but growth-accommodating. Some households will relocate within Orange Cove to take advantage of the newer housing that will be provided by the project while other households that need additional bedrooms will move to these units. The construction of 164 new single-family dwellings and approximately 100 multi-family units, which will support approximately 1,066 persons (164 single family residential units plus 100 multi-family units = 264 residential units x four persons per household = 1066 persons), is deemed an insignificant growth-inducing project when compared to Orange Cove’s population of 9,278 and its housing unit count of 2,247 units.

Further, the project will be constructed in three phases, which could require a 5 to 7 year buildout.

The growth-inducing impacts associated with the adoption of the Orange Cove General Plan was discussed in the EIR prepared for this document. A "Statement of Overriding Considerations" was approved when the EIR was certified by the Orange Cove City Council.

- 2. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

Discussion: There are no dwelling units on the subject property.

- 3. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

Discussion: There are no dwelling units on the subject property.

XIV. PUBLIC SERVICES

Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

Fire protection?

Discussion: The project will receive fire protection services from the Orange Cove Fire District. The District is headquartered in Orange Cove. The project site is located less than five blocks from the fire department, well within the 5-minute response time of the station. Fire hydrants will be installed throughout the project site as a condition of approval. Also, fire sprinklers are required to be installed in all new residential units. The project will have a less than significant impact on fire protection services in Orange Cove. No mitigation measures are required.

Police protection?

Discussion: The project will receive police protection from the Orange Cove Police Department, headquartered in central Orange Cove. The project site is located within five blocks of the police station thereby ensuring that police services can be provided to the site almost immediately. The project will have a less than significant impact on police protection services in Orange Cove. No mitigation measures are required.

Schools?

Discussion: The project is located within the Kings Canyon Unified School District. The project will generate approximately .75 school-aged children per residential unit from the residential portion of the development – 799 school-aged children. The project will have a less than significant impact on schools in

Kings Canyon School District because the development will be required to pay school impact fees, which will assist in the expansion of Orange Cove’s schools and the ADA generated by these students will pay for additional teachers should they be required. No mitigation measures are required.

Parks?

Discussion: The project will not have a significant impact on parks in the community. Each residential unit will be required to pay a park impact fee, which will finance the purchase and construction of parks as needed. No mitigation measures are required.

Other public facilities?

Discussion: The project will not adversely impact other public facilities in the community.

XV. RECREATION --

1. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

Discussion: There might be a slight increase in the number of persons using local parks, however, the proposed subdivision and apartment complex will pay park impact fees, which will mitigate the project's impact on Orange Cove's park system.

2. Does the project include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?

Discussion: The proposed residential project will pay park impact fees. The long-term maintenance of the landscaping within the subdivision will be the responsibility of a landscaping and lighting district.

XV. TRANSPORTATION/TRAFFIC -- Would the project:

1. Exceed the capacity of the existing circulation system, based on an applicable measure of effectiveness (as designated in a general plan policy, ordinance, etc.), taking into account all relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?

Discussion: A less than significant impact is expected. The subject territory, when fully developed, will generate:

164 single-family units x 9.55 trips per household = 1,566 trips per day
100 multi-family units x 6.47 trips per household = 647 trips per day

These trips can be converted to peak morning and evening trips. The single-family residential component of the project will generate 117 trips per peak morning hour and 147 trips per peak evening hour and the multi-family portions of the project will generate 48 trips per peak morning hour and 56 trips per peak evening hour.

Most if not all residential trips will utilize the two collector streets that border the subject site. Traffic wishing to travel east and west (using Adams) can travel to State Highway 63 to the east and Hill Avenue to the west. Residents wishing to travel north south can access Park Avenue to the south and Clayton Avenue to the north after crossing a local irrigation canal. Given that the peak hour trips will be dispersed among many intersections around the subject site it is very unlikely that any intersection that is near or adjacent to the subject site will be adversely impacted. Further, because the subdivision is in close proximity to the urban core of Orange Cove, local schools and parks, many persons will walk to these destinations rather than drive.

Adams and Jacob Avenues are currently operating at a LOS of A. The additional traffic from the proposed residential development will not cause a significant impact on these roadways or surrounding roadways to increase beyond a LOS of C.

- 1. Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?

Discussion: Traffic generated by the project is not expected to conflict with Fresno County’s Congestion Management Program because of the amount of traffic that will be added to local streets by the build out of the project area. The County's Management Program generally focuses on major roadways that cross the county not local Orange Cove streets.

- 2. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

Discussion: The project is not expected to affect air traffic patterns.

3. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

Discussion: The project will not have an adverse impact on the level of service (LOS) of Adams and Jacob Avenues, which are currently operating at a LOS of A. The additional traffic from the proposed residential development will not cause a significant impact on these roadways or surrounding roadways to increase beyond a LOS of C.

4. Result in inadequate emergency access?

Discussion: The project area can easily be accessed by emergency vehicles given that two roadways will access the development from Adams and Jacob Avenues.

5. Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

Discussion: The project will not conflict with any policies, plans, or programs supporting alternative transportation.

XVII. UTILITIES AND SERVICE SYSTEMS:

Would the project:

1. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

Discussion: The project will generate approximately one hundred gallons of effluent per day per person. The average population for residential unit is estimated to be approximately four persons per residential unit, or a total population 1,064 persons (164 single family residential units plus 100 multi-family units = 264 residential units x four persons per household = 1066 persons). The project will generate about 106,600 gallons per day of wastewater.

The Orange Cove WWTF (wastewater treatment facility) was originally designed to treat 1.0 million gallons per day (mgd) of waste effluent. Recently, the WWTF was expanded to have a capacity of 3.0 mgd. This increase in capacity will easily accommodate the flow effluent flow generated by the project. The plant’s expansion was in response to a Notice of Violation issued by the California Regional Water Quality Control Board (Order No. 89-064) on December 17, 1998.

In addition to the City increasing the plant’s treatment capacity it also converted the wastewater treatment plant from a tertiary treatment plant to an advanced secondary treatment plant, which reduced the operational complexity and costs for the plant. This conversion required modifications to equipment in the plant (e.g. headworks, pumps, screens, the secondary treatment process and biosolids handling, etc.) and construction of improvements that supported the new or modified equipment.

- 2. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

Discussion: The Orange Cove WWTF (wastewater treatment facility) was originally designed to treat 1.0 million gallons per day (mgd) of waste effluent. Recently, the WWTF was expanded to have a capacity of 3.0 mgd. This increase in capacity will easily accommodate the effluent flow generated by the project (.1024 mgd). The plant’s expansion was in response to a Notice of Violation issued by the California Regional Water Quality Control Board (Order No. 89-064) on December 17, 1998.

- 3. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

Discussion: The proposed subdivision is designed to channel storm water runoff into the subdivision's gutter system, which will be conveyed to a local storm water retention basin. The project will not have an adverse impact on the city's storm drainage system.

- 4. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

Discussion: The proposed project will be connected to the city's water system. The city has ample water and pressure to serve this project. The city receives its water from the Friant-Kern Canal, which is treated to meet State Drinking Water Standards, and then transmitted to residents and businesses in the city.

- 5. Result in a determination by the wastewater treatment provider that serves or may serve the project that it has adequate capacity to serve the project’s projected demand in addition to the provider’s existing commitments?

Discussion: The Orange Cove WWTF (wastewater treatment facility) was originally designed to treat 1.0 million gallons per day (mgd) of waste effluent. Recently, the WWTF was expanded to have a capacity of 3.0 mgd. This increase in capacity will easily accommodate the flow effluent flow generated by the project - .1024 mgd. The plant’s expansion was in response to a Notice of Violation issued by the California Regional Water Quality Control Board (Order No. 89-064) on December 17, 1998.

In addition to the City increasing the plant’s treatment capacity it also converted the wastewater treatment plant from a tertiary treatment plant to an advanced secondary treatment plant, which reduced the operational complexity and costs for the plant. This conversion required modifications to equipment in the plant (e.g. headworks, pumps, screens, the secondary treatment process and biosolids handling, etc.) and construction of improvements that supported the new or modified equipment.

- 6. Be served by a landfill with sufficient permitted capacity to accommodate the project’s solid waste disposal needs?

Discussion: The City of Orange Cove contracts with Pena’s Disposal Service for solid waste collection and recycling services. The proposed project will be integrated into Mid-Valley's pick-up routes, which already include adjoining properties.

- 7. Comply with federal, state, and local statutes and regulations related to solid waste?

Discussion: All construction waste will be recycled and comply with the city’s construction debris recycling ordinance and the California Green Building Code.

XVIII. MANDATORY FINDINGS OF SIGNIFICANCE --

- 1. Does the project 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. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

3. Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?

CHECKLIST PREPARED BY:

Gregory F. Collins, contract city planner
Name

October 15, 2019 and April 3, 2020

Date

CITY OF ORANGE COVE
DRAFT NEGATIVE DECLARATION

ORANGE COVE PLANNING DEPT. 633 SIXTH STREET ORANGE COVE, CA.

Project Title: Howard Project

Lead Agency: City of Orange Cove
Name and Address: 633 Sixth St.
 Orange Cove, California

Contact Name: Greg Collins, Contract City Planner
Phone Number: Collins & Schoettler, Planning Consultants (559) 734-8737

Applicant: Kevin & Joanna Howard / Eric Waddell
 3825 E. Howard Ave.
 Visalia, CA 93292

Owner: Same as applicant.

Surveyor: 4 Creeks Inc.
 324 S. Santa Fe
 Visalia, CA 93292

Location:

The subject property is located at the northwest corner of Jacobs and Adams Avenue. The APN for the subject property is 375-040-026.

Request:

The applicant has applied for a number of planning applications that pertain to APN 375-040-17, containing approximately 40.63 acres. Said applications are as follows:

1. Initiation of annexation of the subject territory containing 40.63 acres.
2. A General Plan Amendment re-designating approximately 5.3 acres of the subject territory from "Medium" to "High" Density Residential.
3. Pre-zone the subject territory from Fresno County's AE-20 district to Orange Cove's R-1-6 (Single-Family Residential, one unit per 6,500 square feet) and R-3 (Multi-Family Residential, one unit per 1,500 square feet).
4. A Tentative Subdivision Map that will create 164 Single Family Residential lots on approximately 34 acres of land, lots averaging 6,500 square feet; a 5.3-acre parcel that will be dedicated for Multi-Family development which will front Jacobs and Adams Avenue.

Staff has determined that the subject property is within the planning area of the Orange Cove General Plan and it is within Orange Cove's Sphere of Influence (SOI). Because the site is within Orange Cove's SOI it is appropriate for annexation so long as the subject territory can be served with city services and infrastructure.

Zone:

The subject property is zoned AE-20 (20-acre minimum) by the County of Fresno. The applicant wishes to pre-zone the subject territory to the City's R-1-6 and R-3 districts.

General Plan:

The Orange Cove General Plan designates the property as "Medium Density" Residential. The applicant wishes to redesignate the subject property from the Medium Density Residential designation to the High Density Residential.

Site:

The subject property is currently vacant. The parcel has been farmed in the past but it is currently fallow.

FINDINGS OF NO SIGNIFICANCE:

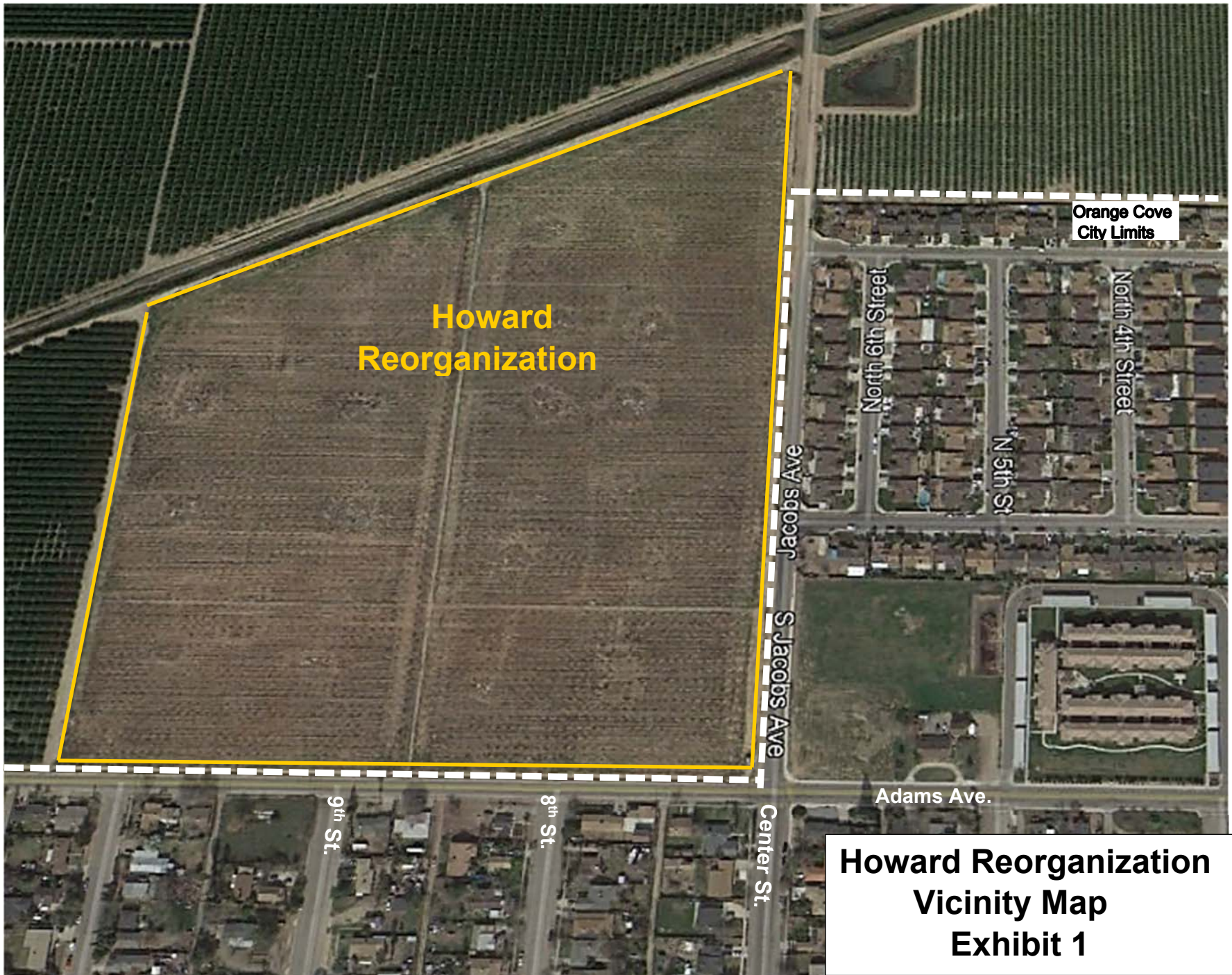
1. The project does not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict 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 that 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 Orange Cove determines that the project will not have a significant impact on the environment.

City Manager

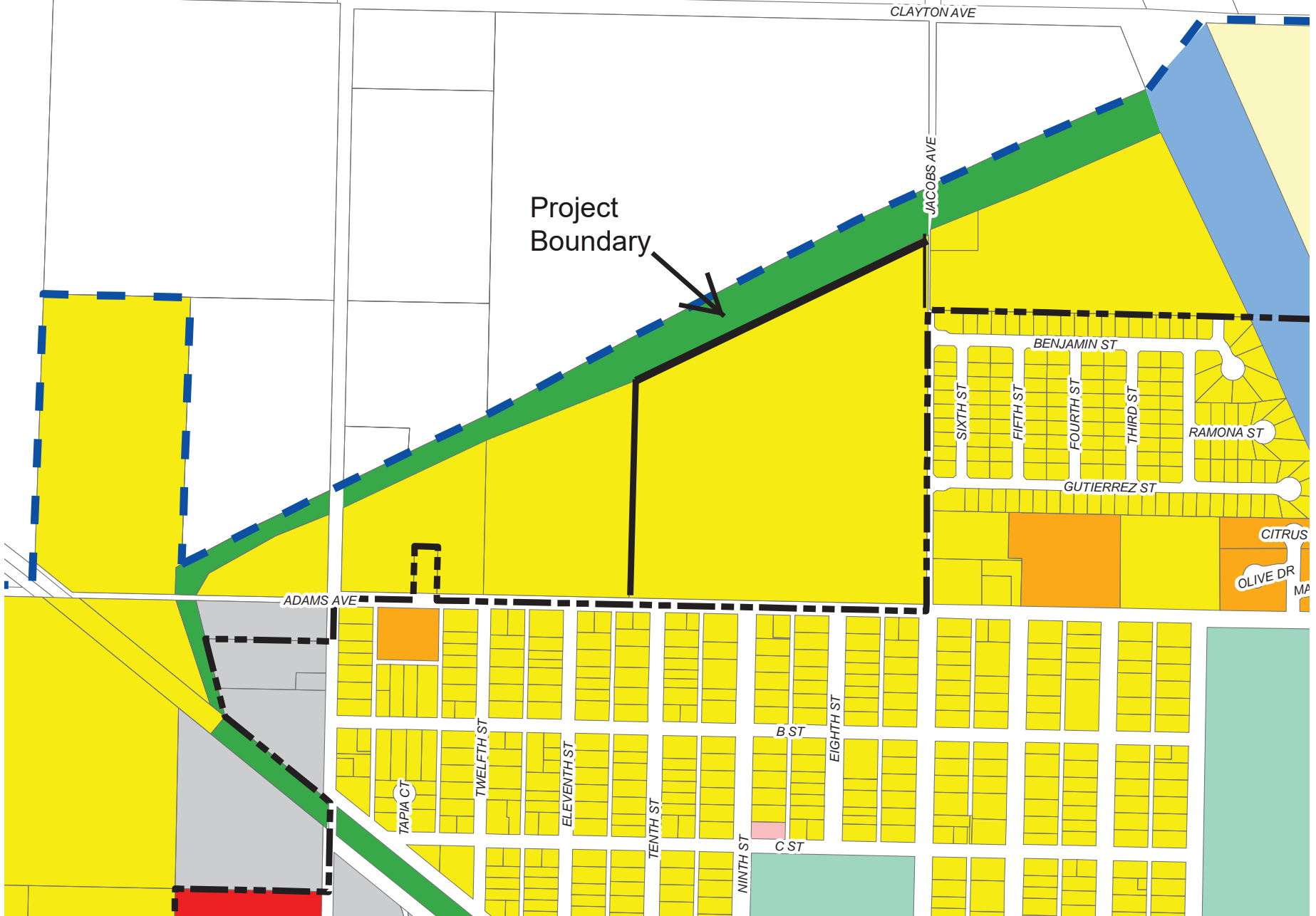
Date Adopted



**Howard
Reorganization**

**Orange Cove
City Limits**

**Howard Reorganization
Vicinity Map
Exhibit 1**



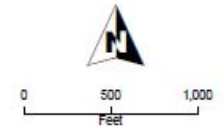
Project Boundary



Howard Reorganization

City of Orange Cove - Land Use

Exhibit 2



Yamabe & Horn Engineering, Inc.

Updated: 09/08/2015

- City Limits
- Low Density Residential
- High Density Residential
- Central Commercial
- Industrial
- Schools
- Public Facilities
- Mixed Use
- Sphere of Influence
- Medium Density Residential
- Neighborhood Commercial
- General Commercial
- Open Space



Project Boundary
&
Prezoning

R-1-6

R-3

Howard Reorganization

City of Orange Cove - Zoning

Exhibit 3



- | | | |
|----------------------------------|-----------------------------------|--|
| City Limits | C-3 Central Business and Shopping | O Open Space |
| Sphere of Influence | M-1 Light Manufacturing | PF Public Facilities |
| C-1 Neighborhood Shopping Center | M-2 Heavy Manufacturing | R-1-12 Single Family Residential 12,000 sq. ft. min. |
| C-2 Community Shopping Center | M-U Mixed Use | R-1-6 Single Family Residential 6,000 sq. ft. min. |
| | | R-2 Med. High Density Residential 3,000 sq. ft. min. |
| | | R-2A Med. High Density Res. One Story 3,000 sq. ft. min. |
| | | R-3 High Density Multi-Family Residential 1,500 sq. ft. min. |
| | | R-3A High Density Multi-Family Res. One Story 1,500 sq. ft. min. |



Yamada & Hara
Engineering, Inc.
Updated: 09/08/2015