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Incorporated January 20, 1948

CITY OF ORANGE OF COVE
NOTICE OF AVAILABLITLY OF INTIAL STUDY AND
INTENT TO ADOPT NEGATIVE DECLARATRION

Macias Reorganization

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

Initiate an annexation of 19.63 acres immediately north of Sumner Avenue and approximately 650 feet west of Anchor Avenue.

A Tentative Tract Map (TTM 6289) to create 36 Single Family Residential lots, approximately 5 acres of High-Density Multi-Family units and 4 Community Shopping Center parcels and related improvements.

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

A Rezone from Fresno County AL-20 District to Orange Cove's R-1-6, R-3 and C-2 Districts and establishing development standards for the Macias 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:

Macias 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 the annexation of 19.63 acres immediately north of Sumner Avenue and approximately 650 feet west of Anchor Avenue.

A Tentative Tract Map (TTM 6289) to create 36 Single Family Residential lots, approximately 5 acres of High-Density Multi-Family units and 4 Community Shopping Center parcels and related improvements.

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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: Brad Gilton, 4204 S. University Street, Visalia, Ca. 93277

Owner: Trinidad and Angelica Macias, 13301 Avenue 428, Orosi, Ca. 93647

Surveyor: Forester, Weber and Associates, 1620 W. Mineral King, Suite B, Visalia, Ca. 93291

Location:

The subject property is located north of Sumner Avenue, approximately 650 feet west of Anchor Avenue in Orange Cove. 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 375-040-026, containing approximately 19.63 acres. Said applications are as follows:

1. Initiation of annexation of the subject territory containing 19.63 acres.
2. A general plan amendment redesignating 6.4 acres of the subject territory from “medium” to “high” density residential, and 5.4 acres from “medium” density residential to “general” commercial
3. Pre-zone the subject territory from Fresno County’s AL-20 district to Orange Cove’s R-1-6 (single-family residential, one unit per 6,000 square feet), R-3 (multi-family residential, one unit per 1,500 square feet), and C-2 (community shopping center) districts.
4. A tentative subdivision map that will create 36 single family residential lots on 7.0 acres of land, lots averaging 6,500 square feet; a 6.4 acre parcel that will be dedicated for multi-family development and 5.4 acres that will be divided into four commercial lots, which will front onto Sumner Avenue, each lot containing approximately 41,000 square feet.

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 AL-20 (limited 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, R-3 and C-2 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 and general commercial designations.

Site:

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

- North: citrus
- East: commercial development and vacant land
- West: citrus and single-family dwelling
- South: multi-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 Police department and Orange Cove Fire Protection District.

4.0 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 20 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 a large multi-family project (tax credit project) exists on the south side of Sumner Avenue and a strip commercial development is under construction immediately 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 and the commercial uses that will front onto Sumner Avenue. 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 20 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 not under a Williamson Act contract.

- 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:

36 single-family units x 9.55 trips per household = 344 trips per day
 87 multi-family units x 6.47 trips per household = 563 trips per day
 5 acres of retail development contained in four parcels. The city suggests that two of the sites will be occupied by fast food outlets (2,500 square feet each) and the other two parcels by

general retail uses, each occupying 7,000 square feet. The trips for each type of commercial use is as follows:

5,000 square feet of fast food building area = 2,350 trips per day

14,000 square feet of general retail building area = 528.5 trips per day

These trips can be converted to peak morning and evening trips. The single-family residential component of the project will generate 27 trips per peak morning hour and 34 trips per peak evening hour; the multi-family portions of the project will generate 48 trips per peak morning hour and 56 trips per peak evening hour; and the commercial component of the project will generate 54 trips per peak morning hours and 55.5 trips per peak evening hours.

The City estimates that approximately 50 percent of the fast food trips and 15 percent of the retail commercial will be pass-by trips. Using these percentages, the actual trips per day will be 1,175 trips for the fast food uses and 449 trips per day for the retail commercial uses.

Most if not all retail commercial trips will utilize Sumner Avenue to access the four commercial lots. The residential uses will utilize a number of different streets to travel to and from their daily destinations.

Given that the project is an urban infill project, the VMT generated by this project will be significantly less than similar mixed-use projects constructed on the fringe of the community. 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

3. 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.

4. 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.

5. 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/disking.

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 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. If this occurs, the developer will comply with the requirements of CEQA that regulate archaeological and historical resources (Public Resources Code Section 21083.2 and 21084.1), and all local, state and federal regulations that regulate archaeological and historical resources, if during the course of development on the sites archeological or human remains are encountered.

- 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.

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 (Hanford and San Joaquin sandy loams) 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 commercial and residential uses will also lead to the production of greenhouse gases.

The volume of GHG generated by 20 acres of mixed land uses (commercial, 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.

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. Sumner Avenue may periodically be used for the transportation of hazardous materials; however, the likelihood of spills occurring adjacent to the subject site is very remote.

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 Sumner Avenue, traffic exiting the subdivision would be restricted from entering these roadways until emergency vehicles have cleared the intersections along this roadway.

- 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

8. Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

Discussion: Half the subject territory is within a 100-year floodplain. Any construction inside the floodplain will require the floor elevation to be above the base flood elevation.

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

Discussion: Half the subject territory is within a 100-year floodplain and therefore floodwaters will be impeded by some structures built in the project area. Each structure that is inside the 100-year flood zone will be required to raise its ground floor elevation above the base flood elevation.

10. 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.

11. 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

- 3. 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 not consistent with the Land Use Element of the General Plan and for that reason the applicant is requesting a general plan amendment. The segment of the application that involves a designation 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.

The redesignation of the land that fronts onto Sumner Avenue from medium density residential to general commercial makes more sense from a planning perspective because high traffic counts, including truck traffic, along this roadway will generate a significant amount of noise making this area of the subject site less desirable for residential development. Conversely, high traffic counts along a city roadway typically attracts various types of commercial or office development. For example, immediately east of this proposed commercial corridor are four relatively new commercial uses, Auto Zone 6,816 sf., Dollar General 9,995 sf, Burger King 2,866 and O’Reilly’s 7,716 sf. These types of land uses are not as noise sensitive as residential uses.

- 4. 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

3. 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. Further, only one roadway that bounds the subject property has significant traffic levels – Park Avenue. The residential segment of the project site will setback approximately 300 feet from Park Avenue.

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 36 new single-family dwellings and approximately 100 multi-family units 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.

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 – 102 school-aged children. The project will have a less than significant impact on schools in Kings Canyon School District because the residential portion of 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 will pay a 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 approximately 230 trips per day, most of which, will occur during the peak hours of 6 to 9 am and 4 to 6 pm. Approximately 32 trips would be generated during the peak morning hours and 25 trips during the peak evening hours. Sumner Avenue is currently operating at a LOS of B. The additional traffic from the proposed residential development will not cause a significant impact on this roadway or surrounding roadways. Local roadways are operating at a LOS of A. Further, as the frontage of Sumner is developed with commercial uses, each use will be required to widen Sumner so that additional traffic can be accommodated as well as turn lanes into the development.

- 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 minimal 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 Sumner Avenue. Any development along the Sumner frontage will be required to widen the street in order to make room for additional travel and turn lanes. There may be some delays at the intersection of Sumner Avenue and Anchor, which is the nearest major intersection to the project area, however, given the peak AM and PM traffic counts, the delays will be very short.

- 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 Sumner Avenue.

- 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 a residential unit is estimated to be approximately four persons per residential unit, or a total population 644 persons (36 single family residential units plus 100 multi-family units = 136 residential units x 4 persons per household = 644 persons). The project will generate about 64,400 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 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.

- 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

- 6. 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. 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.

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- 7. 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 Pena’s pick-up routes, which already include adjoining properties.

- 8. 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

2. 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

9-23-19 and 4-3-20

Date

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 AL-20 (limited 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, R-3 and C-2 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 and General Commercial designations.

Site:

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

FINDINGS OF NO SIGNIFICANCE:

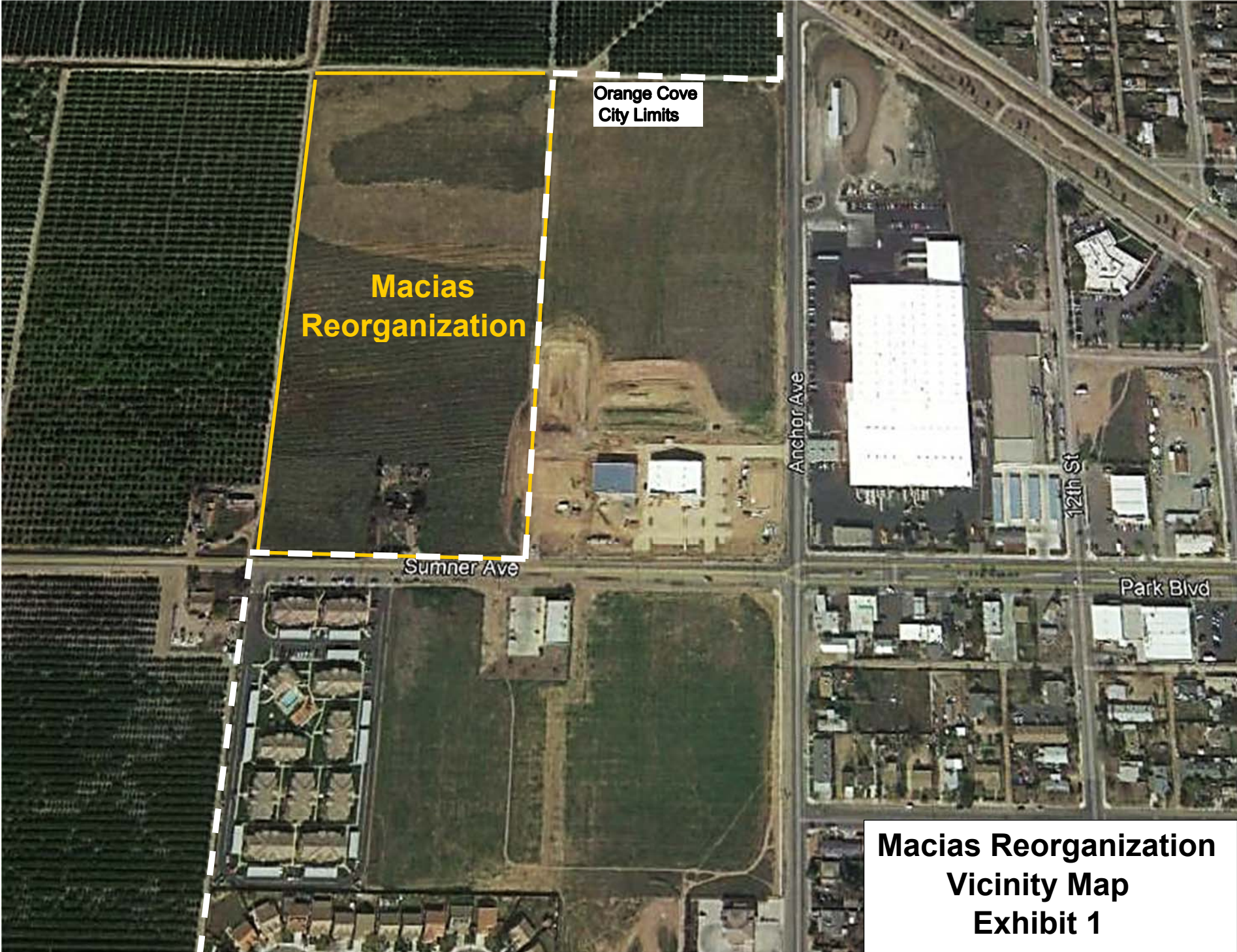
1. The project does not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict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



Orange Cove
City Limits

**Macias
Reorganization**

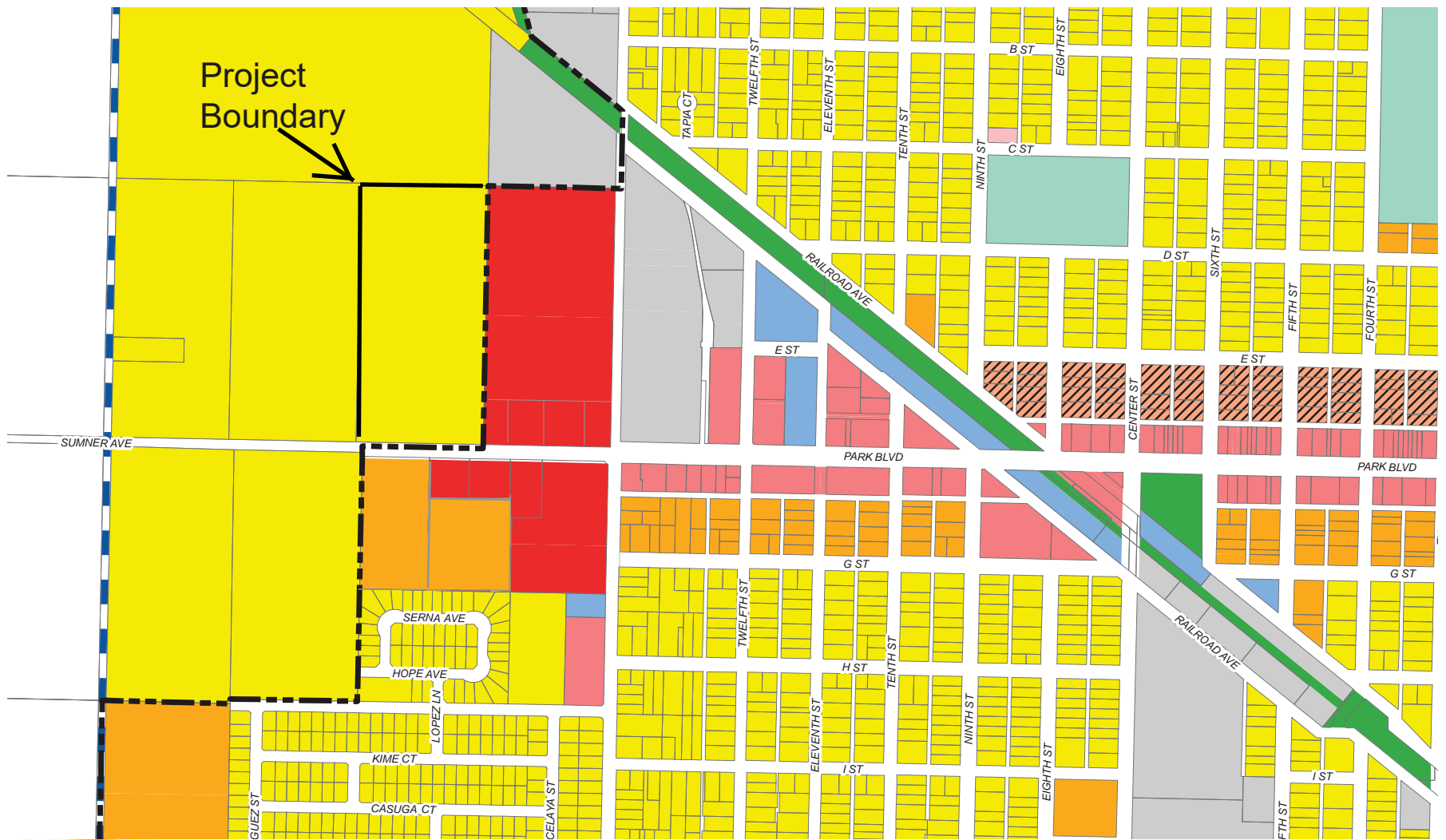
Sumner Ave

Anchor Ave

12th St

Park Blvd

**Macias Reorganization
Vicinity Map
Exhibit 1**



Macias Reorganization

City of Orange Cove - Land Use

Exhibit 2



Yamada & Horn
Engineering, Inc.

Updated: 09/08/2015
05.01.20

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

