

AGENDA

ORANGE COVE PLANNING COMMISSION MEETING

TUESDAY, OCTOBER 20, 2020

MEETING AT 6:30 P.M.

TELECONFERENCE

888-204-5987

Access Code: 8166599#

**Coy Weldon, Chairman
Planning Commissioners
Rev. Rick Applegarth,
Vicky Alvarado - Rick E. Alonso - Charles Lopez**

A. Call to Order/Welcome

Planning Commissioner and Staff

B. Confirmation of Agenda

(Materials regarding an item on this agenda submitted to the Planning Commission after distribution of the agenda packet are available for public inspection in the City Clerk's Office at 633 6th Street, Orange Cove, CA 93646 during normal business hours.)

C. Consent Calendar:

1. **Planning Meeting Minutes of April 7, 2020**

D. Administration

2. **SUBJECT: PUBLIC HEARING - Macias Annexation
(Reorganization) Project**

**Recommendation: Planning Commission to approve the
following Resolutions:**

- a. Resolution No. PC 2020-06 for consideration of and recommendation of adoption to the Orange Cove City Council for the Negative Declaration for the Macias Annexation Project

- b. Resolution No. PC 2020-07 for consideration of and recommendation of approval to the Orange Cove City Council for General Plan Amendment (GPA 2020-12) to redesignate the property from 'Medium Density Residential to High Density Residential', and 'Medium Density Residential to General Commercial' and Zoning Amendment (ZA 2020-13) for consideration of and recommendation of approval to the Orange Cove City Council to Pre-Zone the property from 'Fresno County AL-20 District to Orange Cove's R-1-6 Single Family District' and to 'R-3 Multi-Family Residential District' and to 'C-2 Community Shopping Center'.
- c. Resolution No. PC 2020-08 for consideration of and recommendation of approval to the Orange Cove City Council for Tentative Tract Map 6289, subject to conditions, that will create 32 single family residential lots, one (1) multi-family residential lot for 100 apartment units, and 4 commercial lots.
- d. Resolution No. 2020-09 for consideration of and recommendation of approval to the Orange Cove City Council to initiate the annexation process of the Macias property into the City and detachment of the property from Fresno County, the Orange Cove Irrigation District and the Orange Cove Police Protection District.

3. SUBJECT: PUBLIC HEARING: Howard Annexation (Reorganization) Project

Recommendation: Planning Commission to approve the following Resolutions:

- a. Resolution No. PC 2020-02 for consideration of and recommendation for adoption to the Orange Cove City Council for the Negative Declaration for the Howard Annexation Project.
- b. Resolution No. PC 2020-03 for consideration of and recommendation of approval to the Orange Cove City Council for General Plan Amendment (GPA 2020-10) to redesignate the property from 'Medium Density Residential to High Density Residential', and Zoning Amendment (ZA 2020-11) for consideration of and recommendation of approval to the Orange Cove City Council to Pre-Zone the property from Fresno County AL-20 District to Orange Cove's R-1-6 Single Family District' and to 'R-3 Multi-Family Residential District'.
- c. Resolution No. PC 2020-04 for consideration of and recommendation of approval to the Orange Cove City Council for Tentative Tract Map 6288, subject to conditions, that will create 164 single family residential lots, one (1) high density multi-family residential lot for 100 apartment units.
- d. Resolution No. 2020-05 for consideration of and recommendation of approval to the Orange Cove City Council to initiate the annexation process of the Howard property into the City and detachment of the property from Fresno County, the Orange Cove Irrigation District and the Orange Cove Police Protection District.

E. Adjournment

Public Comment: Members of the public shall have an opportunity to address the City Council concerning this matter.

ADA Notice: In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the City Clerk at (559) 626-4488 ext. 214. Notification 48 hours prior to the meeting will enable the City to make arrangements to ensure accessibility to this meeting.

Documents: Any writings or documents provided to a majority of the Planning Commission regarding any item on this agenda will be made available for public inspection at front counter at City Hall and at the Orange Cove Library located at 815 Park Blvd., Orange Cove, CA during normal business hours. In addition, most documents are posted on City's website at cityoforange Cove.com.

NOTICE

If you challenge the nature of the proposed action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the public entity conducting the hearing at, or prior to, the public hearing. (Government Code Section 65009.)

STATEMENT ON RULES OF DECORUM AND ENFORCEMENT

The Brown Act provides that members of the public have a right to attend public meetings, to provide public comment on action items and under the public forum section of the agenda, and to criticize the policies, procedures, or services of the city or of the acts or omissions of the city council. The Brown Act also provides that the Planning Commission has the right to exclude all persons who willfully cause a disruption of a meeting so that it cannot be conducted in an orderly fashion.

During a meeting of the Orange Cove Planning Commission, there is a need for civility and expedition in the carrying out of public business in order to ensure that the public has a full opportunity to be heard and that the Commissioners has an opportunity to conduct business in an orderly manner. The following is provided to place everyone on notice of the rules of decorum and enforcement.

GENERAL RULES OF DECORUM

While any meeting of the Planning Commission is in session, the following rules of decorum shall be observed:

1. All remarks shall be addressed to the Planning Commission as a whole and not to any single member, unless in response to a question from a member of the City Council.
2. A person who addresses the Planning Commission under public comment for a specific agenda item or under the Public Forum section of the agenda may not engage in speech or conduct (i) which is likely to provoke others to violent or riotous behavior, (ii) which disturbs the peace of the meeting by loud and unreasonable noise, (iii) which is irrelevant or repetitive, or (iv) which disrupts, disturbs, or otherwise impedes the orderly conduct of any Planning Commission meeting.
3. A person, other than members of the Planning Commission and the person who has the floor, shall not be permitted to enter into the discussion unless requested by the Chairman to speak.
4. Members of the Planning Commission may not interrupt a person who has the floor and is making public comments. Members of the Planning Commission shall wait until a person completes his or her public comments before asking questions or commenting. The Chairman shall then ask the Planning Commissioners if they have comments or questions.
5. No person in the audience at a Planning Commission meeting shall engage in disorderly or boisterous conduct, including the utterance of loud, threatening or abusive language, whistling, stamping of feet or other acts which disturb, disrupt or otherwise impede the orderly conduct of any Planning meeting.

ENFORCEMENT OF DECORUM RULES

While the Planning Commission is in session, all persons must preserve order and decorum. A person who addresses the Planning Commission under public comment for a specific agenda item or under the Public Forum section of the agenda may not engage in speech or conduct which is likely to provoke others to violent or riotous behavior, which disturbs the peace of the meeting by loud and unreasonable noise, which is irrelevant or repetitive, or which disrupts, disturbs, or otherwise impedes the orderly conduct of any Planning meeting.

The Chairman or other presiding officer shall request that a person who is breaching the rules of decorum cease such conduct. If after receiving such a warning, the person persists in breaching the rules of decorum, the Chairman or other presiding officer may order the person to leave the City Council meeting. If such person does not leave, the Chairman or presiding officer may request any law enforcement officer who is on duty at the meeting as sergeant-at-arms to remove the person from the Council Chambers. In the event there is no one from law enforcement present, the Chairman or presiding officer may direct the City Manager to contact law enforcement.

In accordance with the Point of Order Rule 4.6, the majority of the Planning Commission may overrule the Chairman if the majority of the Planning Commission believes the Chairman or other presiding officer is not applying the rules of decorum appropriately.

MINUTES

ORANGE COVE PLANNING COMMISSION MEETING

TUESDAY, APRIL 7, 2020

MEETING AT 6:30 P.M.

TELECONFERENCE

888-204-5987

Access Code: 8166599#

**Coy Weldon, Chairman
Planning Commissioners**

**Rev. Rick Applegarth,
Vicky Alvarado - Rick E. Alonso - Charles Lopez**

A. Call to Order/Welcome

Present: Weldon, Applegarth, Alonso, Alvarado (call in at 6:46pm)

Absent: Lopez

Staff present: City Clerk June Bracamontes and Interim City Manager Hernandez, Ray Hoak and Greg Collins

B. Confirmation of Agenda

(Materials regarding an item on this agenda submitted to the Planning Commission after distribution of the agenda packet are available for public inspection in the City Clerk's Office at 633 6th Street, Orange Cove, CA 93646 during normal business hours.)

C. Consent Calendar:

1. Planning Meeting Minutes of February 19, 2019

Upon the motion by Member Applegarth and seconded by Member Alonso, the Planning Commissioners approved the Consent Calendar as presented.

Yes: Weldon, Applegarth, Alonso

No: None

Abstain: None

Absent: Alvarado

D. Administration

2. **SUBJECT:** PUBLIC HEARING - Consideration and Discussion regarding the 2019-2023 Orange Cove Housing Element

Recommendation: Staff recommends the Planning Commission to conduct a public hearing to receive testimony and provide recommendation to the City Council regarding the 2019-2023 Orange Cove Housing Element and approve Resolution PC No. 2020-01

Chairman Coy Weldon opened the Public Hearing:

Darcy Brown from from Central California Legal Services is very pleased with the Housing Element.

Chairman Coy Weldon closed the Public Hearing and requested a motion to approve Resolution PC No. 2020-01

Upon the motion by Chairman Weldon and seconded by Member Applegarth, the Planning Commissioners approved to recommend to the City Council regarding the 2019-2023 Orange Cove Housing Element and approve Resolution PC No. 2020-01

E. Adjournment

Chairman Coy Weldon adjourned the Planning Meeting at 7:00 p.m.

PRESENT TO PLANNING:

DATE: _____

ACTION: _____

Mayor:
Victor P. Lopez

Mayor Pro Tem
Diana Guerra Silva

City Council Members
Roy Rodriguez
Josie Cervantes
Esperanza Rodriguez



Incorporated January 20, 1948

Rudy Hernandez
Interim City Manager:
(559) 626-4488 ext. 216

Rudy Hernandez:
Financial Consultant
(559) 626-4488 ext. 216

City Clerk:
June V. Bracamontes
(559) 626-4488 ext. 214

CITY OF ORANGE COVE REPORT TO THE PLANNING COMMISSION

To: Orange Cove Planning Commission

From: Ray Hoak, Building & Planning Department

Date: October 20, 2020

Applicant: Bradley Gilton

Owner: Trinidad & Angelica Macias

Subject: Macias Annexation (Reorganization) Project

1. Negative Declaration
2. General Plan Amendment (GPA 2020-12), Zoning Amendment (ZA 2020-13)
3. Tentative Subdivision Tract Map No. 6289
4. Annexation

RECOMMENDATION

Following a public hearing take action on the following items:

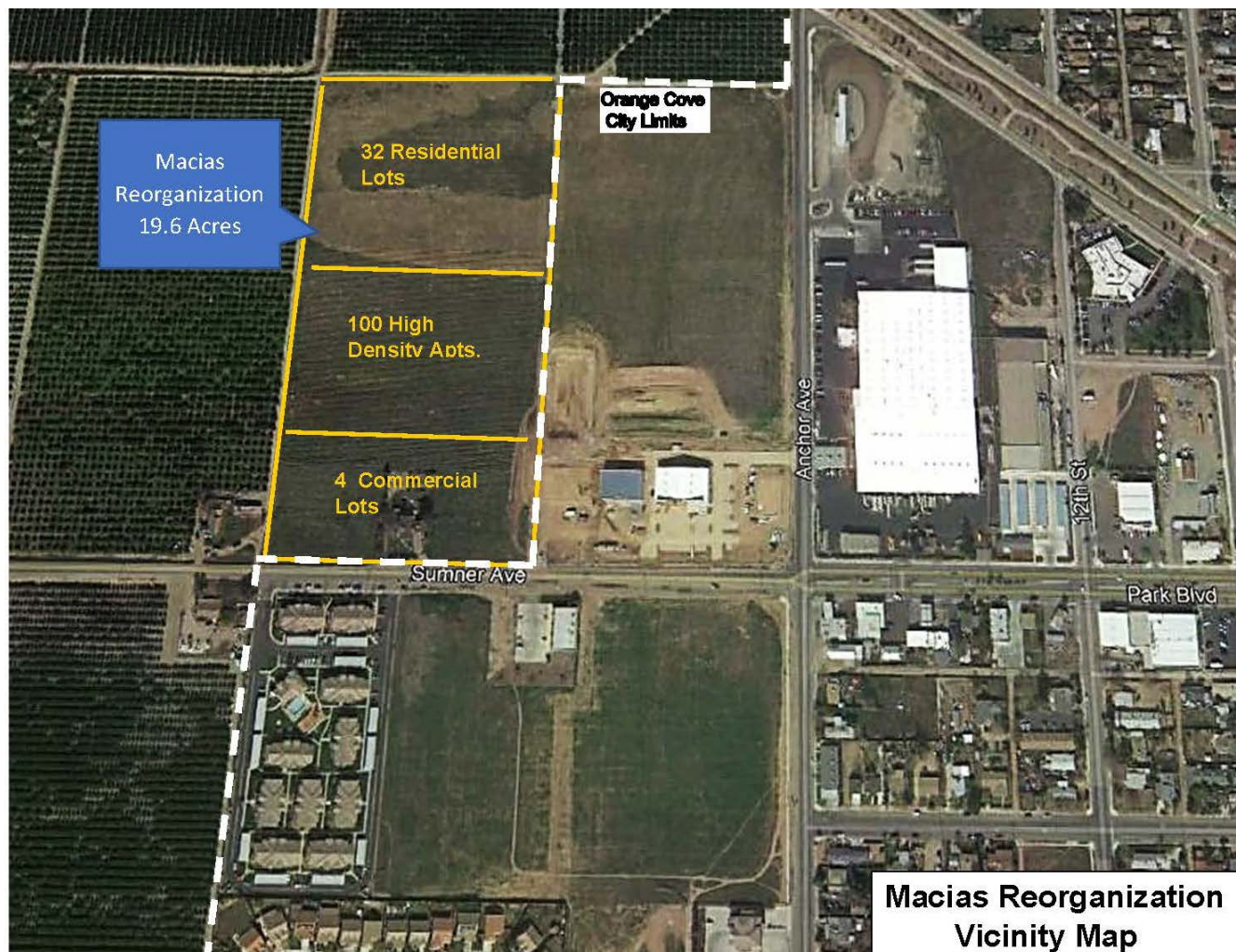
1. Resolution No. PC 2020-06 for consideration of and recommendation of adoption to the Orange Cove City Council for the Negative Declaration for the Macias Annexation Project
2. Resolution No. PC 2020-07 for consideration of and recommendation of approval to the Orange Cove City Council for General Plan Amendment (GPA 2020-12) to redesignate the property from 'Medium Density Residential to High Density Residential', and 'Medium Density Residential to General Commercial' and Zoning Amendment (ZA 2020-13) for consideration of and recommendation of approval to the Orange Cove City Council to Pre-Zone the property from 'Fresno County AL-20 District to Orange Cove's R-1-6 Single Family District' and to 'R-3 Multi-Family Residential District' and to 'C-2 Community Shopping Center'.
3. Resolution No. PC 2020-08 for consideration of and recommendation of approval to the Orange Cove City Council for Tentative Tract Map 6289, subject to conditions, that will create 32 single family residential lots, one (1) multi-family residential lot for 100 apartment units, and 4 commercial lots.
4. Resolution No. 2020-09 for consideration of and recommendation of approval to the Orange Cove City Council to initiate the annexation process of the Macias property into the City and detachment of the property from Fresno County, the Orange Cove Irrigation District and the Orange Cove Police Protection District.

BACKGROUND

The applicant is seeking approval of four planning applications. They include; (1) annexation of 19.6 acres into the City of Orange Cove, (2) General Plan and Pre-Zone Amendment, (3) Tentative Tract Map, (4) Initial Environmental Study and Negative Declaration. The applicant wishes to annex the property into the City and develop the property into 32 single family residential lots, one high density lot for 100 high density apartment units and 4 commercial lots.

The property contains approximately 19.6 acres and is located west of Anchor Ave. and immediately north of Sumner Avenue. The east and south sides of the property are adjacent to the City limits. The east side of the property is adjacent to the General Dollar store and the south side of the property fronts Sumner Avenue and is across the street from the Los Arboles apartments.

The Department of Housing and Community (HCD) recently approved Orange Cove's Housing Element, subject to the City's commitment to rezoning 10 acres of additional land designated as R-3 High Density Residential District. Implementation of the Macias Annexation development will provide the City with 5 plus acres of new land dedicated to high density zoning.



A detailed discussion of the resolutions for each planning application is as follows.

DISCUSSION

(1) Initial Environmental Study & Negative Declaration - Resolution No. PC 2020-06

For the Macias 'project', staff has filed a Negative Declaration on the project, which includes the annexation, general plan and pre-zone amendments and a tentative tract map applications. The four (4) planning requests are considered a 'project' under the Guidelines of the California Environmental Quality Act (CEQA) and accordingly the City has prepared a Negative Declaration and Initial Environmental Study on the 'project' consistent with CEQA Guidelines. The Initial Environmental Study determined that the proposed project will not have a significant impact on the environment and the City has determined that a Negative Declaration is the appropriate environmental document to be prepared on the 'project'. The negative declaration is a finding that the project will have no significant impacts on the environment. The Notice of Intent to adopt a Negative Declaration was filed with the Fresno County Clerk on July 13, 2020. The Notice was mailed to 15 government agencies and other interested parties inviting the agencies to review and/or comment on the Negative Declaration and Initial Study prepared for the Macias project. The Notice of Public Hearing for the project was mailed to property owners within 300 feet of the property and the Notice was published in the Reedley Mid-Valley Times as well as posted on the City website.

Shown below are the comments received from state and local agencies. The Commission should consider the comments and the City's response to those comments.

1) - Valley Air District Comment: Although the construction-related emissions are expected to have a less than significant impact, the District suggests that the City advise project proponents with construction-related exhaust emissions and activities resulting in less than significant impact on air quality to utilize the cleanest reasonably available off-road construction fleets and practices (i.e. eliminating unnecessary idling).

1a) - Valley Air District Comment: There are multiple sensitive receptors in the area, such as, Single family residential 300 feet east of the Project, Senior Apartments 800 feet east the Project, Elementary school 2100 feet southeast of the Project and Single Family Residential at 200 feet south of Project location. The Health Risk Assessment should evaluate the risk associated with sensitive receptors in the area and mitigate any potentially significant risk to help limit emission exposure to sensitive receptors.

A Health Risk Screening/Assessment identifies potential Toxic Air Contaminants (TAC's) impact on surrounding sensitive receptors such as hospitals, daycare centers, schools, work-sites, and residences. TAC's are air pollutants identified by the Office of Environmental Health Hazard Assessment/California Air Resources Board (OEHHA/CARB) that pose a present or potential hazard to human health. A common source of TACs can be attributed to diesel exhaust emitted from both mobile and stationary sources.

1a) i - Valley Air District Comment: The District recommends conducting a screening analysis that includes all sources of emissions. A screening analysis is used to identify projects which may have a significant health impact. A prioritization, using the latest approved California Air

pollution Control Officer's Association (CAPCOA) methodology, is the recommended screening method. A prioritization score of 10 or greater is considered to be significant and refined Health Risk Assessment should be performed.

The District recommends a refined HRA of future development projects that result in a prioritization score of 10 or greater.

1a) ii - Valley Air District Comment: The District recommends a refined HRA for future development projects that result in a prioritization score of 10 or greater. Prior to performing an HRA, it is recommended that the future development project applicants contact the District to review the proposed modeling protocol. A future development project would be considered to have a significant health risk if the HRA demonstrates that the project related health impacts would exceed the District's significance threshold of 20 in a million for carcinogenic risk and 1.0 for the Acute and Chronic Hazard Indices, and would trigger all feasible mitigation measures. The District recommends that future development projects that result in a significant health risk not be approved.

1b) - Valley Air District Comment: An ambient air quality analysis (AAQA) uses air dispersion modeling to determine if emissions increases from a project will cause or contribute to a violation of the ambient air quality standards. For development projects the District recommends that an AAQA be performed for the project if emissions exceed 100 pounds per day of any pollutant. If an AAQA is performed, the analysis should include emissions from both project specific permitted and non-permitted equipment and activities. The District recommends consultation with District staff to determine the appropriate model and input data to use in the analysis.

Response: The Consultant conducted an air quality analysis using the CalEEMod.Version Program. The air quality analysis confirmed that during the construction and operation phases of the project it did not meet the San Joaquin Valley Air District's emission thresholds for various criteria pollutants and therefore the project will not have a significant impact on the air quality environment.

The Air District requested A Health Risk Screening/Assessment to identify potential Toxic Air Contaminants (TAC's) impact on surrounding sensitive receptors such as hospitals, daycare centers, schools, worksites, and residences. The air quality analysis indicated that the types of volumes of emissions generated by the Macias project would not have an adverse impact on surrounding sensitive receptors because it did not meet certain thresholds. Additionally, as the project includes only 134 units, it qualifies for the AAQA small project exclusion.

Most of the emissions that could have an adverse impact on the health of nearby residents will stem from the operation of motor vehicles. The amount of emissions (pollutants) generated by this project over time (buildout of the project will occur over ten years) will depend on the number of trips entering and exiting the project site as well as the types of vehicles and the speed that the vehicles will be driving.

The Consultant has concluded that 1) almost all the vehicles traveling to and from the project site have had smog inspections thereby proving that they are complying with Air District operating regulations; 2) the physical distance between the project site and

surrounding residents is buffered by a wide street – Sumner Ave, reducing the potential for certain emissions to reach surrounding residents; and 3) some persons in the Macias project will utilize different methods of travel – walking, biking and public transportation, again reducing the amount of harmful air emissions generated by the long-term operation of the project.

In conclusion, because of the above findings and conditions in the San Joaquin Valley that clearly dominate the air quality in the Valley such as climate-change; topography; air inversions; wild fires; agricultural spraying, discing, pruning, harvesting, land leveling; trucking, etc.; and emissions flowing from the north end of the Valley towards the south, the purpose of requiring a Health Risk Screening/Assessment for this project is unnecessary and unreasonable.

There are situations where such an Assessment would be warranted. Examples would include a land use decision where an agricultural chemical company, fossil fuel refinery, dump site or some type of manufacturing operation that was generating significant volumes of toxic air emissions was being proposed adjacent to residential development, a school or a hospital. This project does not fall into any of these categories. For this reason, the Consultant has concluded that the air quality analysis provides sufficient information to show that the long-term operation of the project will not have an adverse impact on the health or well-being of residents who live nearby.

2) - Valley Air District Comment: The District encourages the following air quality improvement measures to further reduce project related emissions from construction and operation. Such as, (a) Improve Walkability Design, (b) Improve Destination Accessibility, (c) Increase Transit Accessibility and (d) Voluntary Emission Reduction.

Response: Staff believes the Macias development design incorporates accessibility measures to help mitigate air emissions from construction and operation. The Macias project is a mixed-use development that includes 100 apartment units of high-density housing and 36 single family dwellings and four commercial lots. The development design will include minimal street widths, sidewalks and building setbacks that will differentiate pedestrian oriented environments from auto oriented environments. The project is located with high accessibility (less than ¼ mile) to major retail outlets including food and health services. The location of the project increases the potential for pedestrians to walk and bike to these destinations and therefore reduces the (vehicle miles traveled) VMT. The Orange Cove Bus Shelter is located approximately ½ mile from the project. Daily transit service provided by the Fresno County Rural Transit Agency provides round trip destinations to Reedley, Parlier, Sanger and Fresno.

Fr. Co. Public Health Comments: Construction permits for future development should be subject to assurance of sewer capacity of the Regional Wastewater Treatment Facility. Concurrence should be obtained from the California Regional Water Quality Control Board (RWQCB).

Response: The Orange Cove Waste Water Treatment plant has ample capacity to handle the additional wastewater that will be generated by the Macias project. The wastewater will be mostly typical residential wastewater. Presently, the wastewater treatment plant is operating at less than 50 percent of plant capacity. The plant has a

treatment capacity of 2.0 million gallon per day; the plant is currently treating 0.8 million gallons per day. The estimated amount of wastewater that will be generated from the Macias project area upon build out will be approximately 35,000 gallons per day, which is less than four percent of the current flow into the sewer treatment plant.

Notice was mailed to 15 government agencies and other interested parties, including the California Regional Water Quality Control Board inviting the agencies to review and/or comment on the Negative Declaration and Initial Study prepared for the Macias project. No comments were received from the California Regional Water Quality Control Board.

Fr. Co. Public Health Comments: Construction permits for future development should be subject to assurance that the City of Orange Cove community water system has the capacity and quality to serve this project. Concurrence should be obtained from the State Water Resources Control Board, Division of Drinking Water- Southern Branch.

Response: The City has an ample water supply and capacity to accommodate the water needs of the Macias development. Orange Cove contracts with the Bureau of Reclamation and the Lower Tule Irrigation District for the city's water supply. The contracts include 1400-acre feet and 1,000-acre feet respectively. The total contracted annual allotments equal approximately 782,000,000 gallons.

The water treatment plant has the capacity to treat up to 3,000,000 gallons per day with a 2,000,000-gallon storage tank. By assuming 50 percent rate of capacity, the SWTP is capable of producing approximately 547,500,000 gallons of treated water annually. From July 1, 2019 to June 30, 2020 Orange Cove residents, industrial and commercial businesses consumed approximately 312,652,000 gallons of treated water. The average water demand per residential account is approximately 473 gallons per day and 803 gallons per day for commercial accounts. The estimated water demand for the Macias development which includes 32 homes, 100 apartment units and 4 commercial lots, is approximately 22,789,140 gallons per year.

Notice was mailed to 15 government agencies and other interested parties, including the California Water Resources Board, Division of Drinking Water inviting the agencies to review and/or comment on the Negative Declaration and Initial Study prepared for the Macias project. No comments were received from the California Water Resources Board, Division of Drinking Water.

Fr. Co. Public Health Comments: For retail food establishments, prior to issuance of building permits. The applicant(s) shall submit complete food facility plans and specifications to the Fresno County Department of Public Health, Environmental Health Division, for review and approval. Prior to operation, the applicant(s) shall apply for and obtain a permit to operate a food facility from the Fresno County Department of Public Health, Environmental Health Division. A permit, once issued, is nontransferable.

Response: The OC Building Department requires the applicant to submit food facility plans approved by Fresno County along with constructions drawings for building plan checks. Before a certificate of occupancy is issued by the OC Building Department the

applicant is required to submit a food facility permit issue by the Fresno County Health Department.

Fr. Co. Public Health Comments: Prior to operation, future tenants may be required to apply for and obtain a license to sell alcoholic beverages.

Response: The OC Building Department is aware that a license to sell alcoholic beverages is required by the California Alcoholic Beverage Control Board.

Fr. Co. Public Health Comments: The applicant, or any tenant leasing space, should be advised that construction and operating permits may be required by the State of California, Department of Health Services for wholesale food manufacturing.

Response: The OC Building Department will advise the applicant, or any tenant leasing space, that construction and operating permits may be required by the State of California, Department of Health Services for wholesale food manufacturing. No building permits will be issued without a construction or operating permit issued by the State of California, Department of Health Services.

Fr. Co. Public Health Comments: If the applicant(s) propose to use and/or store hazardous materials and/or hazardous wastes, they shall meet the requirements set forth in the California Health and Safety Code (HSC), Division 20, Chapter 6.95, and the California Code of Regulations (CCR), Title 22, Division 4.5. Any business that handles a hazardous material or hazardous waste may be required to submit a Hazardous Materials Business Plan pursuant to the California Health and Safety Code (HSC), Division 20, Chapter 6.95, Section 25507

Response: New commercial development requires site plan review approval. If the business handles a hazardous material or hazardous waste the applicant shall submit a Hazardous Materials Business Plan as a condition of site plan approval.

Fr. Co. Public Health Comments: The proposed construction and future projects have the potential to expose nearby residents to elevated noise levels. Consideration should be given to your City's municipal code and the County Ordinance Code.

Response: Section 12.08 of the Orange Cove Municipal Code addresses construction noise.

Fr. Co. Public Health Comments: As a measure to protect ground water, all water wells and/or septic systems that exist or have been abandoned within the project area should be properly destroyed by an appropriately licensed contractor.

Response: City of Orange Cove 'Standard Construction Drawings' page W-11 contains engineering standards for well abandonment.

Fr. Co. Public Health Comments: Should any underground storage tank(s) be found during the project, the applicant shall apply for and secure an Underground Storage Tank Removal Permit from the Fresno County Department of Public Health, Environmental Health Division.

Response: No underground storage tanks are known to exist on the Macias project property. With previous experience with the removal of an underground storage tank at

the police/fire station, the OC Building Department is aware that a permit is required for the removal of an Underground Storage Tank from Fresno County Department of Public Health, Environmental Health Division.

Fr. Co. Public Health Comments: Should the structures have an active rodent or insect infestation; the infestation should be abated prior to demolition of the structures in order to prevent the spread of vectors to adjacent properties.

Response: There are no structures on the Macias property.

Fr. Co. Public Health Comments: In the process of demolishing the existing structures, the contractor may encounter asbestos containing construction materials and materials coated with lead-based paints.

Fr. Co. Public Health Comments: If asbestos containing materials are encountered, contact the San Joaquin Valley Air Pollution Control District

Response: There are no structures on the Macias property. All demolition projects require the approval of the San Joaquin Valley Air Pollution Control District. Demolition permit release forms are available at the OC Building Department. An approved demolition permit signed by the SJVAPCD is required before issuing an OC Building Department demolition permit.

Fr. Co. Public Health Comments: If the structures were constructed prior to 1979 or if lead-based paint is suspected to have been used in these structures, then prior to demolition and/or remodel work the contractor should contact the following agencies for current regulations and requirements:

California Department of Public Health, Childhood Lead Poisoning Prevention Branch, at (510) 620-5600.

United States Environmental Protection Agency, Region 9, at (415) 947-8000.

State of California, Industrial Relations Department, Division of Occupational Safety and Health, Consultation Service (CAL-OSHA) at (559) 454-5302.

Response: There are no structures on the Macias property. Lead based paint safety Informational booklets are available at the OC Building Department for the demolition or renovations of structures containing lead paint.

Kings Canyon Unified School District Comments: The Initial Study for the project indicates that the project would generate 102 students, based on a generation rate of .75 students per unit... This information is incorrect. The current student generation rates for the District are .935 for single family units and .839 for multiple family units. Based on the District's current student generation rates, it estimated that the residential development within the project area could generate 117 students in grades TK-12; 57 in grades K-5; 25 in grades 6-8 and 35 in grades 9-12.

The potential general commercial development on a 5.4-acres portion to the proposed project site would affect the District by generating employees. The children of employees living in the District will need to be housed in District schools.

The project site is currently within the attendance area of McCord elementary School, Citrus Middle School and Orange Cove High School. McCord Elementary School has a 2019-20 school year enrollment of 435 students and an operation capacity of 340. Citrus Middle School had a 2019-20 school year enrollment of 664 and an operational capacity of 780. Orange Cove High School had a 201-20 school year enrollment of 678 and operational capacity of 900.

The District has acquired a site for a new elementary school on the east side of Monson Avenue, between South Avenue and the Martinez street alignment. The District may build the school within the next five years, but the timing will ultimately be dependent on funding availability.

The District currently levies a school facilities fee of \$4.08 per square foot for residential development and \$0.66 per square foot for commercial development. New development on the subject property will be subject to the fees in place at the time school facilities fees are paid.

Response: City staff estimated approximately 102 new students will be generated from the Macias development. KCUSD estimates approximately 117 students. A receipt of school fees paid is required before a building permit is issued. Revenue to the School District at total build-out of the Macias project is approximately \$240,000.00

Fresno County Development Services Comments: Annexation of the subject 19'63 acre territory to the City of Orange cove requires a Notice of intent (NOI) to be submitted the County of Fresno 30 days prior to the submittal of the annexation application to the Fresno Local Agency Formation commission (LAFCo) for a determination consistency of the proposed annexation with the Standards of Annexations contained in the Memorandum of Understanding between the City of Orange Cove and the County of Fresno.

The NOI must include the Resolution of Annexation, and Pre-Zoning of the territory approved by the City Council, and approval of the entitlements by the City (City Council or Planning Commission), and the environmental assessment conducted by the city for the project per the California Environmental Quality Act (CEQA).

Response: The resolutions and CEQA documents will be submitted to Fresno County after City Council approval.

DISCUSSION

(2) General Plan Amendment (GPA 2020-12) & Zoning Amendment (ZA 2020-13)
Resolution No. PC 2020-07

The Macias property is approximately 19.6 acres and its current land use designation is Medium Density Residential. The owners have requested a General Plan Amendment to redesignate approximately 6.67 acres of the property from Medium Density Residential to High Density Residential and 4.89 acres to from Medium Density Residential to General Commercial.

The current zoning designation for the property is Fresno County AL-20. The applicant has requested a Zoning Amendment application to Pre-Zone the property from Fresno County AL-20 district to Orange Cove's 'R-1-6, Single Family Residential District', 'R-3, High Density Multi-Family Residential' and also to Orange Cove's 'C-2, Community Shopping Center District'.

In accordance with the policies of the Fresno County Local Agency Formation Commission (LAFCo), the City of Orange Cove is required to Pre-Zone the property that is requested for annexation.

Orange Cove's inventory of high-density residential zoning is very low. The Department of Housing and Community Development has requested that the City's recently approved Housing Element commit to annexing at least 10 acres of land designated R-3, High Density Residential. The Macias Project will provide approximately 5 acres of new land designated R-3. The General Plan and Zoning amendments are consistent with the Housing Element conditions.

See General Plan and Zoning Amendment details in Exhibits A & B below.

'EXHIBIT A'

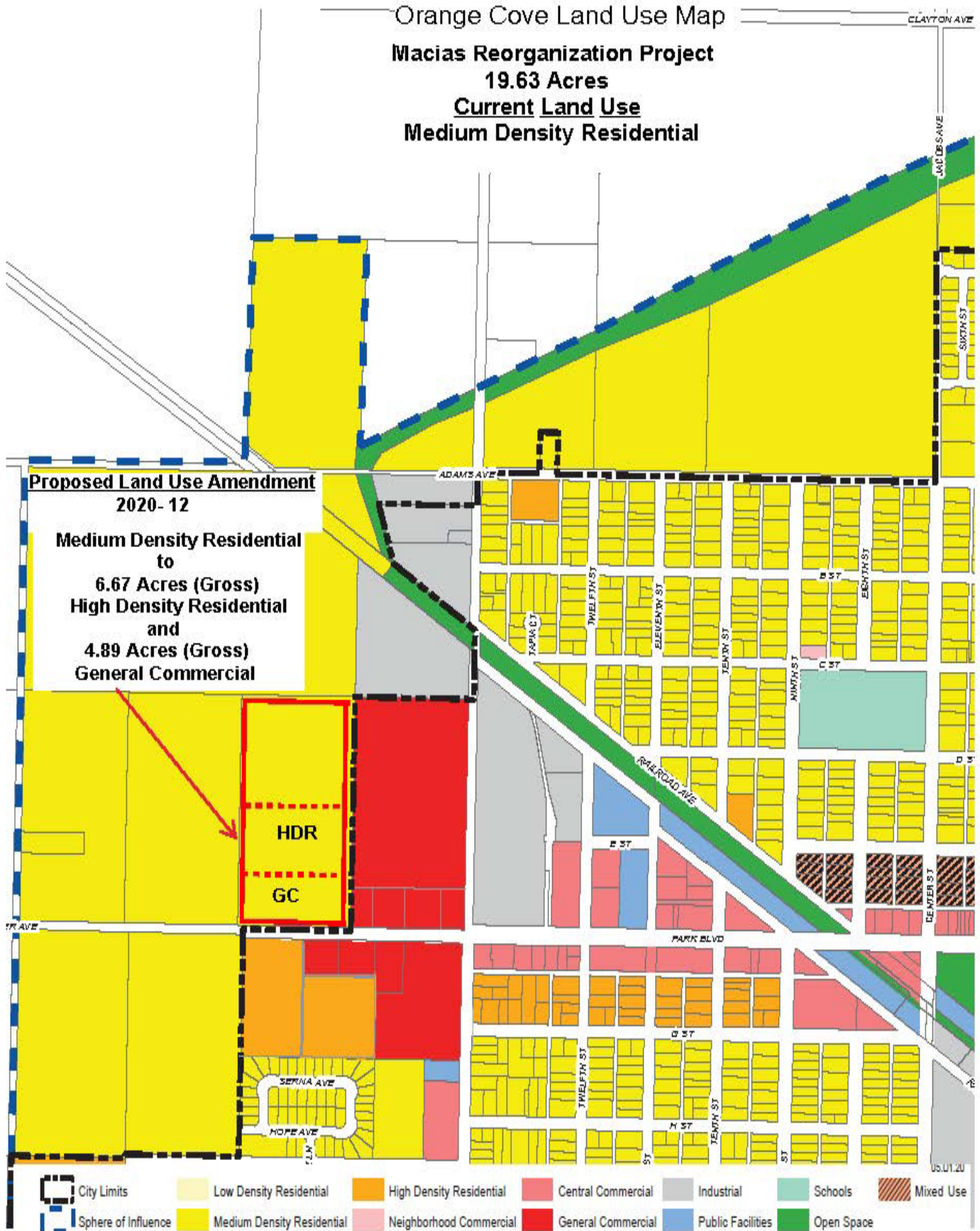
Orange Cove Land Use Map

Macias Reorganization Project

19.63 Acres

Current Land Use

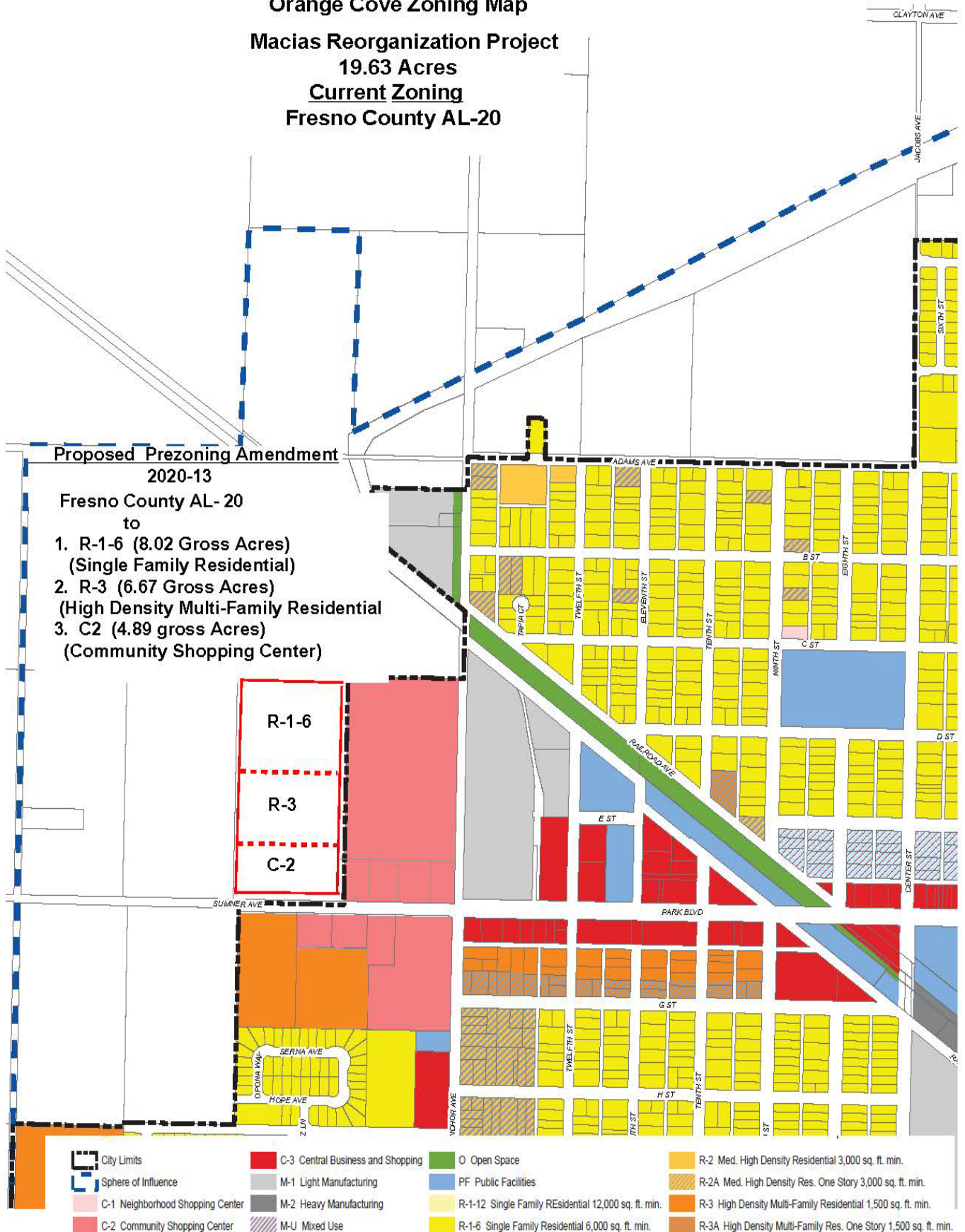
Medium Density Residential



'EXHIBIT B'

Orange Cove Zoning Map

Macias Reorganization Project
19.63 Acres
Current Zoning
Fresno County AL-20



DISCUSSION

(3) Tentative Tract Map No. 6289 - Resolution No. PC 2020-08

The proposed tentative tract map for 32 single-family residential lots, one large lot for 100 high density apartment units and 4 commercial lots is consistent with Orange Cove's Subdivision Ordinance. Lot sizes include for thirty-two (32) single family lots 6,743 square feet with 4 corner lots at 6,914 square feet. One 6.4-acre lot in the middle of the development is designated for 100 high density apartment units. Four (4) commercial lots front Sumner Avenue are approximately 34,000 square feet. Interior streets are 56 feet wide. There are six interior streets with two streets that exit on to Sumner Avenue.

The City's surface water treatment plant (SWTP) will provide water to the subdivision. The City has ample water supply and water capacity to accommodate the water needs of the subdivision.

Orange Cove contracts with the Bureau of Reclamation and the Lower Tule Irrigation District for the city's water supply. The contracts include 1400-acre feet and 1,000-acre feet respectively. The total contracted annual allotments equal approximately 782,000,000 gallons.

The water treatment plant has the capacity to treat up to 3,000,000 gallons per day with a 2,000,000-gallon storage tank. By assuming 50 percent rate of capacity, the SWTP is capable of producing approximately 547,500,000 gallons of treated water annually. From July 1, 2019 to June 30, 2020 Orange Cove residents, industrial and commercial businesses consumed approximately 312,652,000 gallons of treated water. The average water demand per residential account is approximately 473 gallons per day and 803 gallons per day for commercial accounts. The estimated water demand for the Macias development which includes 32 homes, 100 apartment units and 4 commercial lots, is approximately 22,789,140 gallons per year.

The Orange Cove Waste Water Treatment plant has ample capacity to handle the additional wastewater that will be generated by the Macias project. The wastewater will be mostly typical residential wastewater. Presently, the wastewater treatment plant is operating at less than 50 percent of plant capacity. The plant has a treatment capacity of 2.0 million gallon per day; the plant is currently treating 0.8 million gallons per day.

The estimated amount of wastewater that will be generated from the project area upon build out will be approximately 35,000 gallons per day, which is less than four percent of the current flow into the sewer treatment plant.

Storm water runoff will be detained on-site or channeled from the subdivision by means of the subdivision's storm water drainage system (e.g. gutters, drop inlets and storm drainage pipes) to a storm drainage basin located at northwest corner of South and Monson Streets. A grading and drainage plan that will be submitted by developer and approved by the city engineer will determine how and where the storm water will flow and/or be stored.

Conditions of approval have been incorporated into the resolution recommending approval of Tentative Tract Map No. 6289.

IN AND TO) 15 C-1-1-1, SHOWN CON. INCT. NO. 1 AS PER MAP RECORDED IN BOOK PAGE 33 OF RECORD OF SURVEYS F.C.L. SITUATED IN A PORTION OF THE N1/2 OF SEC. 14, T15S, R24E, M.D.B.M. IN THE COUNTY OF MERCED, STATE OF CALIFORNIA.

OWNERS:
TRINIDAD & ANGELICA MACIAS
1301 Ave. 425

1400 1000 1125
Greene, California, 93647

1200 West 142nd
Cree, California, 93547

APPLICANT: **BRAD CILTON**
4204 S. University Bl.

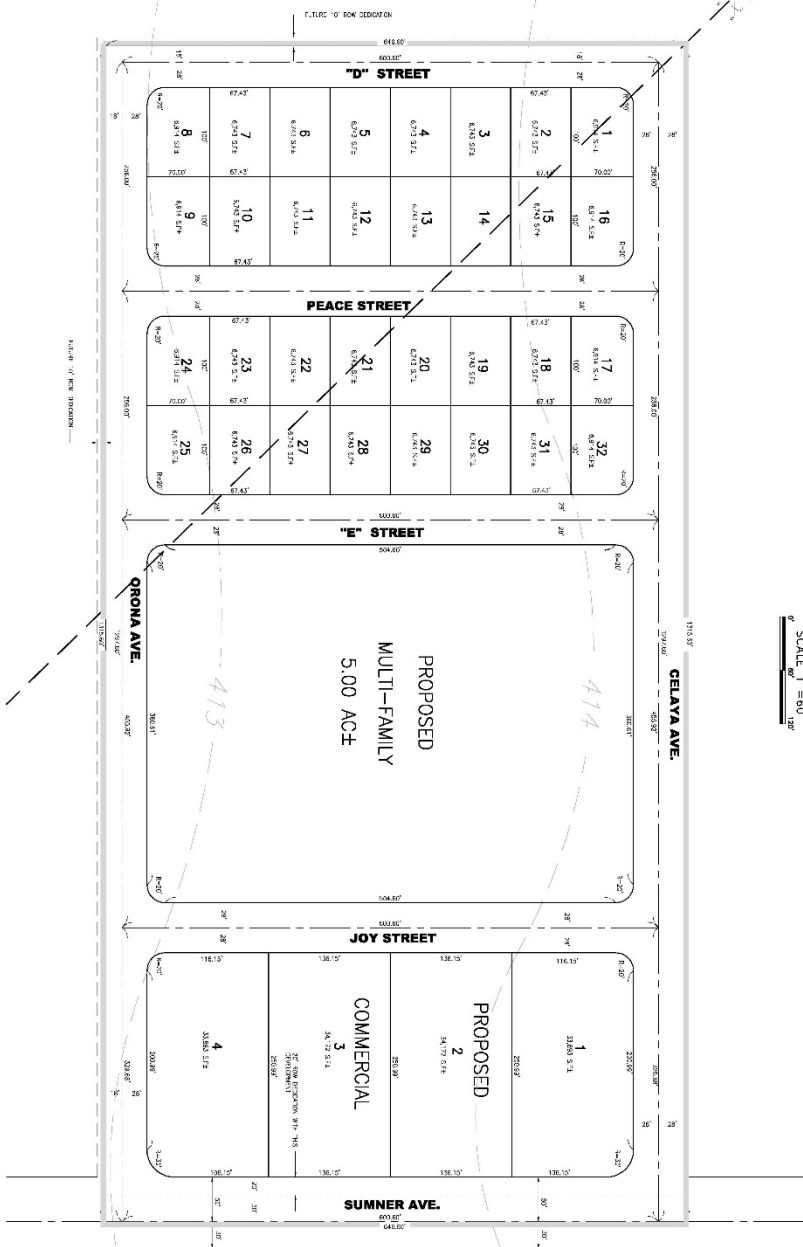
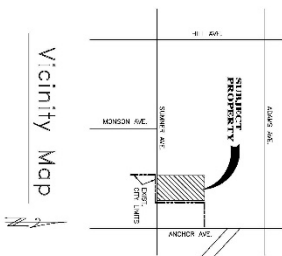
Wheaton, California, 93271.

SURVEYOR: FORESTER, WEBER & ASSOCIATES L.L.C.
4220 N. Meridian CT, Apt. 200, Suite B
Tucson, AZ 85718

Vol. 12, (2006) 1559
(2006) 152-0102
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[illegible]

VOE #: ACRES 11004 / 131425
 WEST: AD/CITRUS - EXISTING 50'S
 SOUTH: HIGH DENSITY APIS.
 EAST: CONVENTS AL/VACANT LAND



SCALE: AS NOTED DATE: 8-27-20 DRAWN BY: JAL CHECKED BY:	NO. REVISION 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100 101 102 103 104 105 106 107 108 109 110 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135 136 137 138 139 140 141 142 143 144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 159 160 161 162 163 164 165 166 167 168 169 170 171 172 173 174 175 176 177 178 179 180 181 182 183 184 185 186 187 188 189 190 191 192 193 194 195 196 197 198 199 200 201 202 203 204 205 206 207 208 209 210 211 212 213 214 215 216 217 218 219 220 221 222 223 224 225 226 227 228 229 230 231 232 233 234 235 236 237 238 239 240 241 242 243 244 245 246 247 248 249 250 251 252 253 254 255 256 257 258 259 260 261 262 263 264 265 266 267 268 269 270 271 272 273 274 275 276 277 278 279 280 281 282 283 284 285 286 287 288 289 290 291 292 293 294 295 296 297 298 299 300 301 302 303 304 305 306 307 308 309 310 311 312 313 314 315 316 317 318 319 320 321 322 323 324 325 326 327 328 329 330 331 332 333 334 335 336 337 338 339 340 341 342 343 344 345 346 347 348 349 350 351 352 353 354 355 356 357 358 359 360 361 362 363 364 365 366 367 368 369 370 371 372 373 374 375 376 377 378 379 380 381 382 383 384 385 386 387 388 389 390 391 392 393 394 395 396 397 398 399 400 401 402 403 404 405 406 407 408 409 410 411 412 413 414 415 416 417 418 419 420 421 422 423 424 425 426 427 428 429 430 431 432 433 434 435 436 437 438 439 440 441 442 443 444 445 446 447 448 449 450 451 452 453 454 455 456 457 458 459 460 461 462 463 464 465 466 467 468 469 470 471 472 473 474 475 476 477 478 479 480 481 482 483 484 485 486 487 488 489 490 491 492 493 494 495 496 497 498 499 500 501 502 503 504 505 506 507 508 509 510 511 512 513 514 515 516 517
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DISCUSSION

(4) Initiate Annexation - Resolution No. PC 2020-09

The owners wish to annex 19.6 acres into the City of Orange Cove. The subject property is adjacent to the city limits on two sides. Residential and commercial developments are adjacent to those sides. The subject territory can be readily served by the City's sewer, water and storm drainage infrastructure, including police, fire and solid waste collection services.

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 establishes procedures for local government annexations to a city.

The Macias annexation is a change of reorganization and requires the approval of the resolution by the City Council to initiate the annexation with the Fresno County Local Agency Formation Commission (LAFCo).

REASON FOR RECOMMENDATION

The Macias annexation will provide the city with an additional 5 acres of new land designated as R-3 High Density Residential as required by the Housing Element. Without Housing Element compliance, the city may not qualify for grants that are beneficial to the city.

FISCAL IMPACT

The project will require additional police services, but property owners will pay property taxes and there will be an increase of sales taxes. Total build-out of the development will provide the City with approximately \$1,929,500 of impact fee revenue, approximately \$200,000 building permit revenue and approximately \$75,000 grading & engineering inspection fees. Total impact fee and general fund revenue from the project is approximately \$2,204,550.

ALTERNATIVES

The Planning Commission may request additional information from staff or the applicant, approve additional conditions or may reject the planning requests.

ACTIONS FOLLOWING APPROVAL

The actions of the Planning Commission will be forwarded to the City Council for their consideration.

CONFLICT OF INTEREST

None.

RESOLUTION No. PC 2020-06

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ORANGE COVE RECOMMENDING APPROVAL OF THE NEGATIVE DECLARATION FOR THE MACIAS PROJECT, WHICH INCLUDES ANNEXATION OF 19.6 ACRES, AMENDMENTS TO THE GENERAL PLAN AND ZONING ORDINANCE AND APPROVAL OF A TENTATIVE SUBDIVISION MAP FOR 36 RESIDENTIAL LOTS, 100 HIGH DENSITY APARTMENT UNITS AND 4 COMMERCIAL LOTS.

WHEREAS, the City of Orange Cove Planning Commission did consider a Negative Declaration prepared for the Macias Project, which includes applications for an annexation of 19.6 acres; amendments to the General Plan and Zoning Ordinance and a Tentative Subdivision Tract Map No. 6289 for 36 single family residential lots, 100 high density apartment units and 4 commercial lots on 19.6 acres located west of Anchor Avenue and immediately north of Park Blvd in Orange Cove, APN 375-040-26; and

WHEREAS, the City of Orange Cove Planning Commission did conduct a duly noticed public hearing accepting written and oral testimony both for and against the Macias Project on October 20, 2020; and

WHEREAS, the planning requests listed above are considered a 'project' under the Guidelines of the California Environmental Quality Act (CEQA) and accordingly the City has prepared a Negative Declaration/Initial Environmental Study on the 'project' consistent with CEQA Guidelines; and

WHEREAS, the Initial Environmental Study determined that the proposed project will not have a significant impact on the environment and the City has determined that a Negative Declaration is the appropriate environmental document to be prepared on the 'project'; and

WHEREAS, a Notice of intent was filed with the Fresno County Clerk's office on July 13, 2020, inviting the public to review and/or comment on the Negative Declaration and Initial Study prepared for the Macias Project; and

WHEREAS, the Negative Declaration/Initial Study was distributed to State and Local agencies for review and comment; and

WHEREAS, the Planning Department has prepared a staff report on the planning applications that make up the "project" under the CEQA Guidelines, and

WHEREAS, the Planning Commission held a public hearing on the planning applications associated with Macias Project and accepted testimony both for and against; and

NOW, THEREFORE BE IT RESOLVED that Planning Commission, after considering all the evidence presented determined the following finding was relevant in evaluating the Negative Declaration/Initial Study prepared for the Macias Project; and

1. The City has prepared a Negative Declaration/Initial Environmental Study (IES) consistent with the requirements of CEQA. The IES determined the project would not have a significant impact on the environment including impacts on matters such as air quality, water consumption, loss of agricultural land, and city services/infrastructure. Accordingly, a Negative Declaration has been prepared for the Macias Project.

BE IT FURTHER RESOVED that the Initial Environmental Study/Negative Declaration prepared for the Macias Annexation project has been reviewed by the City of Orange Cove Planning Commission prior to their consideration of the Macias Annexation project and that the Planning Commission recommends to the City of Orange Cove City Council that the Negative Declaration (Exhibit A) be approved for the Macias Project.

PASSED and ADOPTED at a regular meeting of the Planning Commission of the City of Orange Cove duly called and held on the 20th day of October, 2020, by the following vote:

AYES: Commission Member(s)

NOES: Commission Member(s)

ABSTAIN: Commission Member(s)

ABSENT: Commission Member(s)

The foregoing resolution is hereby approved.

ATTEST: _____
June Bracamontes, City Clerk

*Mayor:
Victor P. Lopez*

*Mayor Pro Tem
Diana Guerra Silva*

*City Council Members
Roy Rodriguez
Josie Cervantes
Esperanza Rodriguez*



Incorporated January 20, 1948

*Rudy Hernandez
Interim City Manager:
(559) 626-4488 ext. 216*

*Rudy Hernandez:
Financial Consultant
(559) 626-4488 ext. 216*

*City Clerk:
June V. Bracamontes
(559) 626-4488 ext. 214*

CITY OF ORANGE COVE

EXHIBIT A

NEGATIVE DECLARATION

Project Title: Macias Project

Lead Agency: City of Orange Cove

Address: 633 Sixth St.
Orange Cove, California
559-626-4488
ray@cityoforange Cove.com

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

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 immediately 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 375-040-26, 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 re-designating approximately 6.67 acres of the subject territory from “medium” to “high” density residential, and approximately 4.89 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 tract map that will create 36 single family residential lots on approximately 7.8 acres of land, lots averaging 6,700 square feet; an approximately 6.67-acre parcel that will be dedicated for multi-family development and approximately 4.89 acres that will be divided into four commercial lots, which will front Sumner Avenue, each lot containing approximately 34,000 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.

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 of Orange Cove
Interim City Manager – Rudy Hernandez

Date Adopted

RESOLUTION NO. 2020-07

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ORANGE
COVE RECOMMENDING APPROVAL OF GENERAL PLAN AMENDMENT 2020-12
AND ZONING ORDINANCE AMENDMENT 2020-13 TO THE ORANGE COVE CITY
COUNCIL ON PROPERTY LOCATED NORTH OF SUMNER AVENUE
APPROXIMATELY 650 FEET WEST OF ANCHOR AVENUE IN ORANGE COVE,
MACIAS PROJECT**

WHEREAS, the Orange Cove Planning Commission did conduct a duly noticed public hearing on General Plan Amendment 2020-12 and Zoning Ordinance Amendment 2020-13, accepting written and oral testimony both for and against, 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, containing 19.63 acres, and

WHEREAS, the applicant, Brad Gilton, 4204 S. University, Visalia, Ca. has requested a general plan amendment to redesignate approximately 6.67 acres of the subject property from “medium” to “high” density residential, and approximately 4.89 acres from “medium” density residential to “general commercial”, and

WHEREAS, the applicant has also requested a zoning ordinance amendment to pre-zone the subject property 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, and

WHEREAS, the subject property is currently vacant; the parcel has been farmed in the past but it is currently fallow, and

WHEREAS, the subject property is surrounded on two sides by land that has been developed with residential and commercial uses and are located inside the city limits of Orange Cove, and

WHEREAS, the applicant wishes to develop the subject property consistent with the proposed general plan and zoning ordinance amendments, which will provide for a tentative subdivision tract map that will create 36 single-family residential lots on approximately 8.02 acres of land, lots averaging 6,700 square feet; an approximately 6.67 acre parcel that will be dedicated for multi-family development and approximately 4.89 acres that will be divided into four commercial lots that will front onto Sumner Avenue; and

WHEREAS, property owners within 300 feet of the subject territory were notified of the meeting and a public hearing notice twenty (20) days prior to the Planning Commission’s meeting of October 20, 2020, and

WHEREAS, the Planning Commission held a public hearing on the proposed general plan and zoning ordinance amendments, reviewed the staff report and Negative Declaration, and accepted public testimony both for and against, and

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission, after considering all the evidence presented, determined the following findings were relevant in evaluating the proposed amendments:

1. The subject territory is inside Orange Cove's sphere of influence (SOI).
2. A Negative Declaration has been prepared on said amendments indicating that any impacts associated with this "project" have been appropriately analyzed in the Final EIR prepared on the Orange Cove General Plan. Further, a "Statement of Overriding Consideration" was filed with the certified Final EIR prepared on the General Plan.
3. The proposed amendments are consistent with the recently adopted Orange Cove Housing Element, which contains policies promoting high density residential development and affordable single-family dwelling.
4. The project will not have an adverse impact on the public's health, safety or welfare.

BE IT FURTHER RESOLVED that the Planning Commission hereby recommends approval to the Orange Cove City Council General Plan Amendment 2020-12 to redesignate approximately 6.67 acres of the subject property from "medium" to "high" density residential, and approximately 4.89 acres from "medium" density residential to "general commercial"; and Zoning Amendment No. 2013 to reclassify the subject property 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, as shown on Exhibit A (general plan amendment map) and Exhibit B (zoning ordinance amendment map).

I, hereby certify that the foregoing resolution was duly passed and adopted at a regular meeting of the Orange Cove Planning Commission held on the 20th day of October, 2020, by the following vote:

Ayes:	Commissioners:
Noes:	Commissioners:
Absent:	Commissioners:
Abstain:	Commissioners:

The foregoing resolution is hereby approved.

ATTEST:

June Bracamontes, City Clerk

'EXHIBIT A'

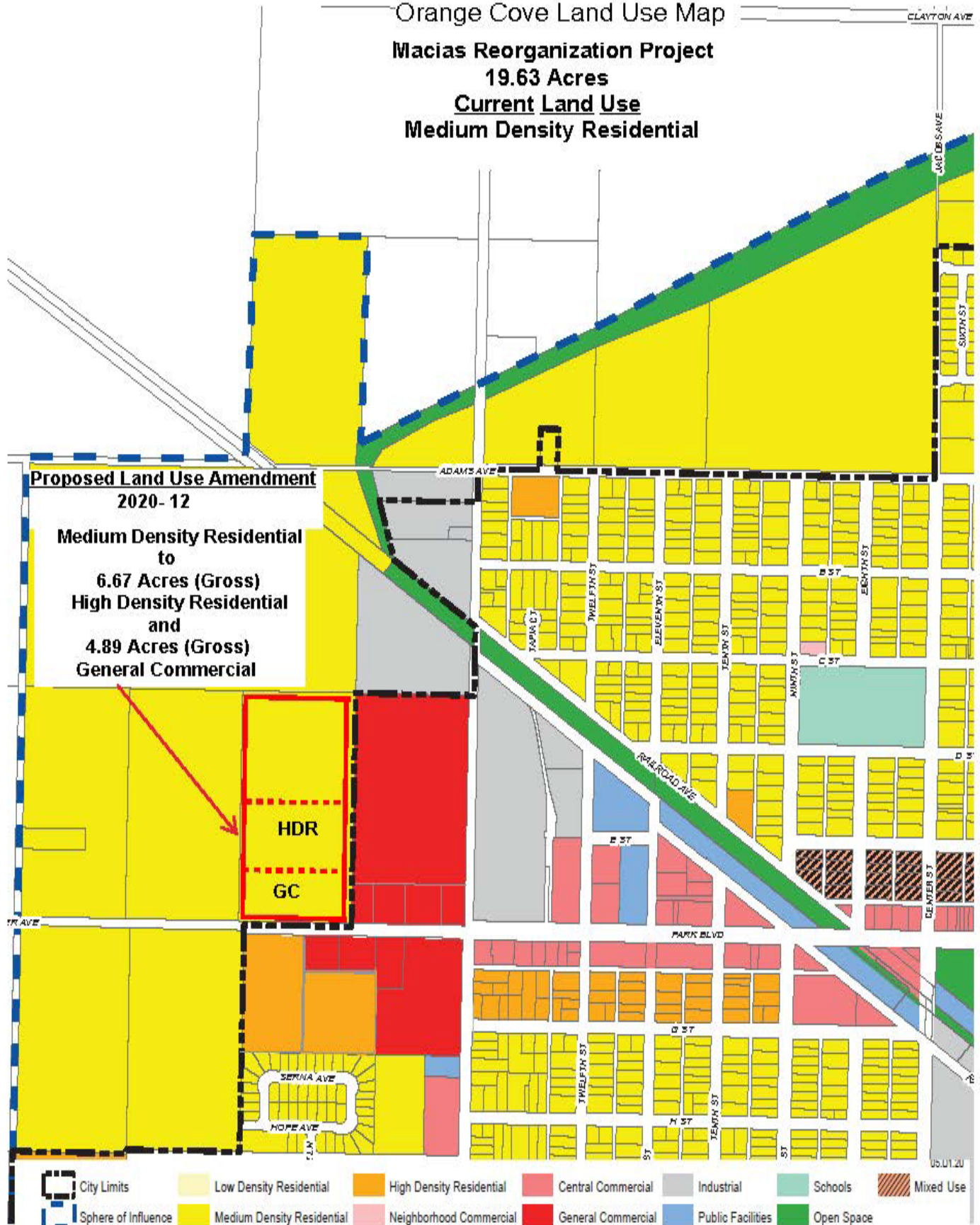
Orange Cove Land Use Map

Macias Reorganization Project

19.63 Acres

Current Land Use

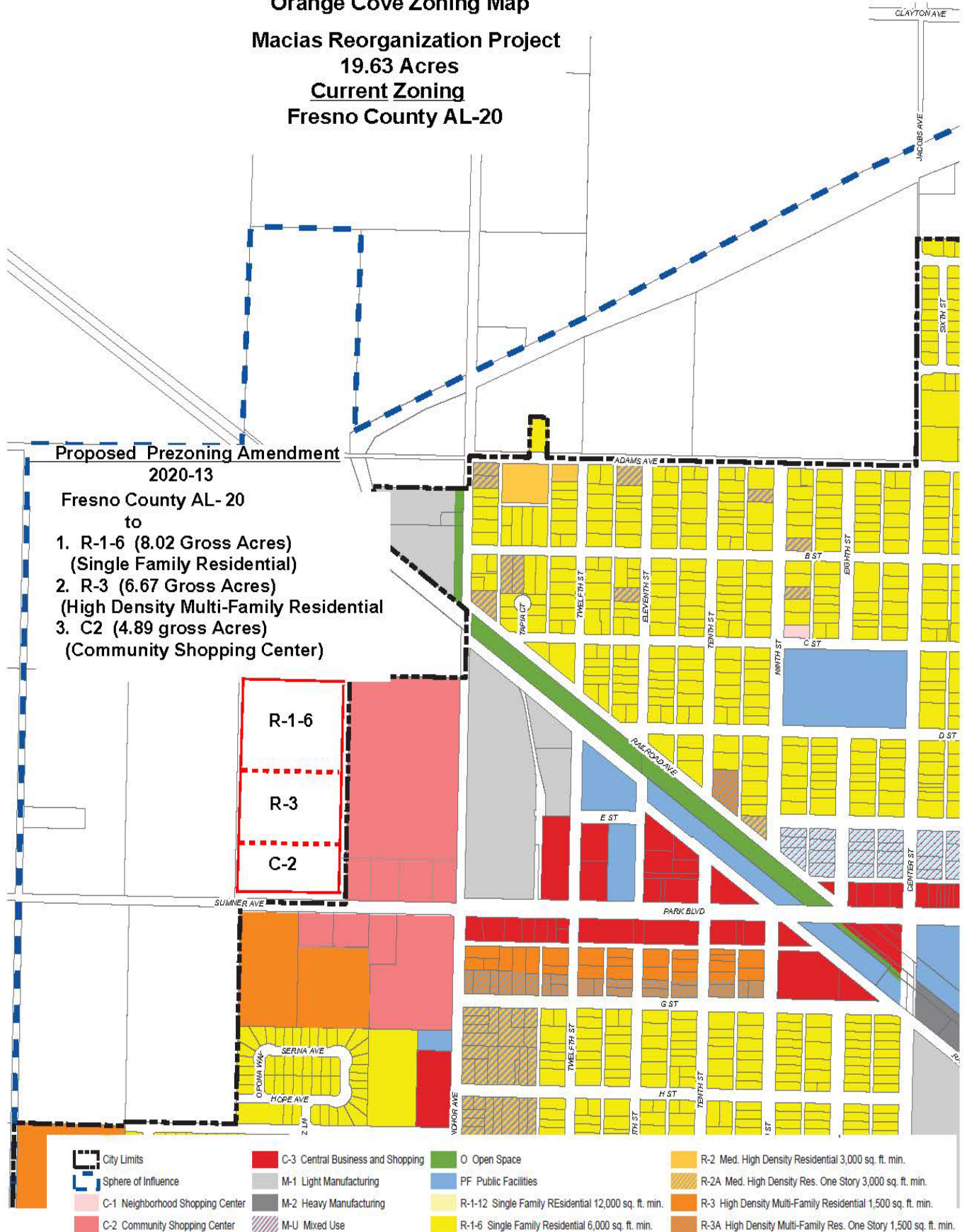
Medium Density Residential



'EXHIBIT B'

Orange Cove Zoning Map

Macias Reorganization Project
19.63 Acres
Current Zoning
Fresno County AL-20



RESOLUTION NO. PC 2020-08

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ORANGE COVE RECOMMENDING APPROVAL OF THE MACIAS TENTATIVE SUBDIVISION TRACT MAP NO. 6289 TO THE ORANGE COVE CITY COUNCIL, SUBJECT TO CONDITIONS, FOR PROPERTY LOCATED NORTH OF SUMNER AVENUE APPROXIMATELY 650 WEST OF ACHOR AVENUE IN ORANGE COVE.

WHEREAS, the Orange Cove Planning Commission did conduct a duly noticed public hearing for Tentative Subdivision Tract Map No. 6289, accepting written and oral testimony both for and against, for 19.63 acres located north of Sumner Avenue, approximately 650 feet west of Anchor Avenue in Orange Cove, and

WHEREAS, the applicant, Brad Gilton, 4204 S. University, Visalia, Ca., has requested a Tentative Subdivision Map on 19.63 acres that will create 36 Single-Family Residential lots on approximately 8.02 acres of land, an approximately five-acre parcel that will be dedicated for Multi-Family Development and four commercial lots that will front Sumner Avenue, and

WHEREAS, the subject property is contained in APN 375-040-26 (19.63 acres), and

WHEREAS, the tentative map is consistent with the Orange Cove General Plan, which designates the subject property for Medium and High Density Residential, and General Commercial, and

WHEREAS, the tentative map is consistent with the Orange Cove Zoning Ordinance, which classifies the property 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), and

WHEREAS, the subject property is currently vacant; the parcel has been farmed in the past but it is currently fallow, and

WHEREAS, the subject property is surrounded on two sides by land that has been developed with commercial and residential uses and are located inside the city limits of Orange Cove, and

WHEREAS, the applicant wishes to subdivide the subject property consistent with the Orange Cove General Plan and Zoning Ordinance, and

WHEREAS, property owners within 300 feet of the subject territory were notified of the meeting and a public hearing notice twenty (20) days prior to the Planning Commission's meeting of October 20, 2020, and

WHEREAS, the Planning Commission held a public hearing on the proposed tentative subdivision tract map, reviewed the staff report and Negative Declaration, and accepted public testimony both for and against.

WHEREAS, The Orange Cove Planning Commission finds that the proposed tentative subdivision map, subject to conditions, is in accordance with and satisfies the requirements of the Subdivision Ordinance of the City of Orange Cove; and

WHEREAS, the Planning Commission also finds that the conditions for Tentative Subdivision Tract Map No. 6289 will protect and preserve the public health, safety and welfare of the surrounding neighborhood and the community as a whole; and

WHEREAS, the Orange Cove Planning Commission has determined that the project will not have an adverse impact on the environment and a negative declaration has been prepared consistent with the California Environmental Quality Act.

NOW THEREFORE, BE IT RESOLVED that the Orange Cove Planning Commission makes the following findings:

1. The subject property is within the Orange Cove's Sphere of Influence and therefore is appropriate for annexation to the city and subsequent subdivision into residential and commercial lots.
2. The subject property is designated High and Medium Density and General Commercial by the Orange Cove General Plan.
3. The subject property is zoned 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) by the Orange Cove Zoning Ordinance.
4. The proposed tentative subdivision map will not have an adverse impact on the public health, safety or welfare.
5. A negative declaration has been prepared for the Macias project consistent with the California Environmental Quality Act.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Orange Cove Planning Commission recommends approval to the Orange Cove City Council Tentative Subdivision Tract Map No. 6289 subject to the following Conditions of Approval hereto attached as Exhibit "A":

I, hereby certify that the foregoing resolution was duly passed and adopted at a regular meeting of the Orange Cove Planning Commission held on the 20th day of October, 2020, by the following vote:

Ayes:	Commissioners:
Noes:	Commissioners:
Absent:	Commissioners:
Abstain:	Commissioners:

The foregoing resolution is hereby approved.

ATTEST:

June Bracamontes, City Clerk

EXHIBIT "A"

CONDITIONS OF APPROVAL

Macias Tentative Tract Map 6288

Building and Planning

1. The subdivider is responsible for the purchase and installation of water meters in accordance with the City of Orange Cove standards and specifications.
- 2.. Applicant shall pay all applicable development impact fees at the rate in effect at the time of payment. Residential fees are collected on the date of final inspection. Commercial fees are collected at the issuance of Building Permits.
3. Subdivider shall install a water sampling station per city Standard Drawings at a location approved by the City Engineer.
4. No water service connection shall be made to the City of Orange Cove water system until a bacteriological report has been accepted by the City Engineer.
5. The subdivider, as a portion of the required tract improvements, shall provide landscaping and irrigation plans as required herein. The landscaping and irrigation shall be installed in public right-of-way and the area reserved for landscaping. Plans for the required landscaping and irrigation systems shall be prepared by an appropriately qualified professional and conform to the City of Orange Cove Standard Drawings Requirements.
6. All existing on-site agricultural irrigation systems shall be identified. Their disposition shall be in accordance with the requirements of the City Engineer. The subdivider shall provide details of all existing irrigation systems to the City Engineer for specifications of abandonment or relocation. The subdivider shall consult with the Orange Cove Irrigation District for any additional requirements for lines to be abandoned. The subdivider shall provide waivers from all users.
7. The subdivider shall comply with all requirements of the Orange Cove Irrigation District (OCID). Plans for these requirements shall be included in the previously required set of construction plans, and shall be submitted to and approved by OCID prior to the release of any development permits or recording of the final tract map.
8. The subdivider shall indicate on construction drawings the depth, location and type of material of any existing Orange Cove Irrigation District irrigation lines along the proposed or existing street rights-of-way or onsite. Any existing canals shall be piped. The material of the existing pipe shall be upgraded to the proper class of rubber gasket pipe at all locations unless otherwise approved by the City Engineer.
9. Landscaping and Lighting District. The owner shall request formation of a Landscaping and Lighting District in conformance with Section 22500, et seq of the Streets and Highway Code. The owner/developer shall notify all potential lot buyers before they purchase a lot that this tract is a part of a Landscaping and Lighting District and the amount of the annual assessment. Said notification shall be in a manner approved by

the City. The owner/developer shall supply all necessary assessment diagrams and other pertinent materials for the Landscaping and Lighting District. Subdivider shall consent to the formation of the District and to the first-year assessment.

10. Right to Farm. The owner/developer shall notify all potential lot buyers before they purchase a lot that this tract is adjacent to property that is zoned for agricultural use. Residents of property in or near agricultural districts should be prepared to accept the inconveniences and discomfort associated with normal farm activities. Said notice shall be in a manner approved by the City. California Civil Code 3482.5 (right-to-farm law) provides that an agricultural pursuit, as defined, maintained for commercial uses shall not be or become a nuisance due to a changed condition in a locality after such agricultural pursuit has been in operation for three years.
11. Indirect Source Review (ISR). Developer shall submit an Indirect Source Review (ISR) application to the San Joaquin Valley Air Pollution Control District. No construction related activities can occur prior to receiving an approved Air Impact Assessment (AIA) from the District and, if applicable, paying the off-site fees. No building permits shall be issued without an approval letter from the district.

Engineering

Final Map

1. A Final Parcel Map prepared by a Land Surveyor or Civil Engineer licensed to practice surveying shall be submitted to the City Engineer for review and approval.
2. The Final Parcel Map shall be prepared, in the form prescribed by the Subdivision Map Act and City of Orange Cove Municipal Code.
3. The following information shall be submitted to the City Engineer for review and approval:
 - a. Two prints of the Final Map and one electronic copy in AutoCAD format.
 - b. One copy of the preliminary title report.
 - c. One set of the computer closures.
 - d. One legible copy of the latest recorded deed for the property being subdivided.
 - e. One legible copy of the recorded deeds for each of the adjacent properties unless those properties are part of a recorded map which has been recorded within the last seven years; and
 - f. One legible copy of the Recorded Final map, Parcel Map, or Record of Survey used to prepare this Parcel Map.
4. Final parcel maps shall be in substantial conformance to the approved tentative parcel map. Maps shall be prepared, wet signed and sealed by a civil engineer or land surveyor, registered in the State of California and licensed to prepare final maps.
5. The applicant shall post with the City, prior to approval of the final map, a separate labor and material bond, performance bond and maintenance bond for the full value of all

subdivision improvements. This bond shall be in a standard form approved by the City Attorney and shall be in an amount satisfactory to the City Engineer.

6. Prior to approval of the Final Map, the applicant developer shall comply with all applicable conditions of outside agencies having jurisdiction.
7. Failure to record a final map within twenty-four months from the date of approval or conditional approval of the tentative map or within any extension of time thereof granted by the city council, shall terminate all proceedings. Before a final map may thereafter be recorded, a new tentative map shall be submitted.

Dedications

1. Any dedications, open offers of dedication, or grants of easements to the city may be dedicated and accepted on the face of the map. Agreement or other required items shall be recorded as separate documents concurrently after recordation of the Final Map.
2. All streets and alleys shall be irrevocably offered for dedication and improved to City standards. Street names shall be reflected on the final map and shall be approved by the Planning Department.

Utilities

1. Install sewer services for all parcels.
2. Install water services for all parcels.
3. All underground utilities shall be installed in conformance with current City standards.
4. Meters, hydrants, poles, etc. shall be located clear of the sidewalk and driveways or as determined by the City Engineer. Final locations and the number of such facilities shall be determined at the time the improvement plans are reviewed.
5. Show proposed method of sewage disposal and elevation of existing sewer lines at points of proposed connection.
6. The source of water supply and the point of connection.

Drainage

1. Any portion of the drainage system that conveys runoff from public streets shall be installed within a dedicated drainage easement or public street.
2. The design of the rough and precise grading plans shall be such that all pads are above the adjacent street grade. All lots must drain to the street frontage of the individual lot, unless otherwise approved by the City Engineer. Design of any retaining walls shall be detailed on the grading plan including top of footing and top of wall elevations. Residential lot drainage to the street shall be by side yard swales independent of adjacent lots. Individual lot drainage for double frontage lots shall be approved by the City Engineer.
3. Prior to the issuance of a Grading Permit for the onsite areas, a Grading Plan, including Rough Grading or Precise Grading, prepared by a recognized professional Civil Engineer shall be submitted, and the corresponding fees shall be paid to the City prior

to any grading activity. The Rough and Precise Grading Plans shall be reviewed and approved by the City Engineer prior to issuance of grading permits. The Applicant is responsible for all fees incurred by the City.

4. A final drainage report, prepared by a registered Civil Engineer, shall be prepared to determine the flows exiting the site under current undeveloped conditions compared to the incrementally larger flows due to the development of the site.
5. The final drainage report shall provide curb and gutter calculations for the 1year, 5year and 10year, 24- hour peak flows to verify existing curb and gutter capacity at the point of collection (existing drainage inlets) under developed conditions, do not exceed the peak flows under existing conditions.
6. Map shall show the proposed surface water drainage flow.
7. The subdivision engineer shall prepare as part of the improvement plans a Storm Water Pollution Prevention Plan (SWPPP) (as defined by the Regional Water Quality Control Board) and submit to the City Engineer for approval.

Miscellaneous

1. Map shall include the widths and approximate locations of all existing or proposed easements or rights- of-way within the subdivision or along its boundaries, whether public or private, for roads, railroads, drainage, storm water, irrigation canals, sewers or public utility purposes.
2. Approximate location of all areas subject to inundation or storm water overflow and the locations, widths and direction of flow of all watercourses.

General

1. Pay Development Impact in accordance with the City of Orange Cove Development Impact Schedule in effect at the time fees are paid.
2. All improvements, public and private, shall be designed and constructed in accordance with the most recent edition of the Standard Plans and Specifications and the Engineering Procedures Manual of the City of Orange Cove and all applicable state and local ordinances, standards and requirements. Should a conflict arise, the governing specification shall be determined by the City Engineer.
3. The conditions of project approval set forth herein include certain fees, dedication requirements, reservation requirements and other exactions. Pursuant to Section 66020(d) of the Government Code, these conditions constitute written notice of the amount of such fees, and a description of the dedications, reservations and other exactions. The applicant is hereby notified that the 90-day protest period, commencing from the date of approval of the project, has begun. If the applicant fails to file a protest regarding any of the fees, dedication requirements, reservation requirements or other exactions contained in this notice, complying with all the requirements of Section 66020, the applicant will be legally barred from later challenging such exactions.
4. No on-site or off-site work shall commence without obtaining the appropriate permits for the work required by the City and the appropriate utilities. The approved permits shall

be readily available on the job site for inspection by City personnel.

5. All improvements shall be inspected by the City as appropriate. Any work completed without proper inspection may be subject to removal and replacement under proper inspection.
6. The Proposed multi-family site shall be assigned a lot number if part of the subdivision.
7. The proposed commercial lots shall be numbered consecutively to the rest of the lots. No duplicate lot numbers are allowed.

OCTOBER, 2002

Crest, California, 93643

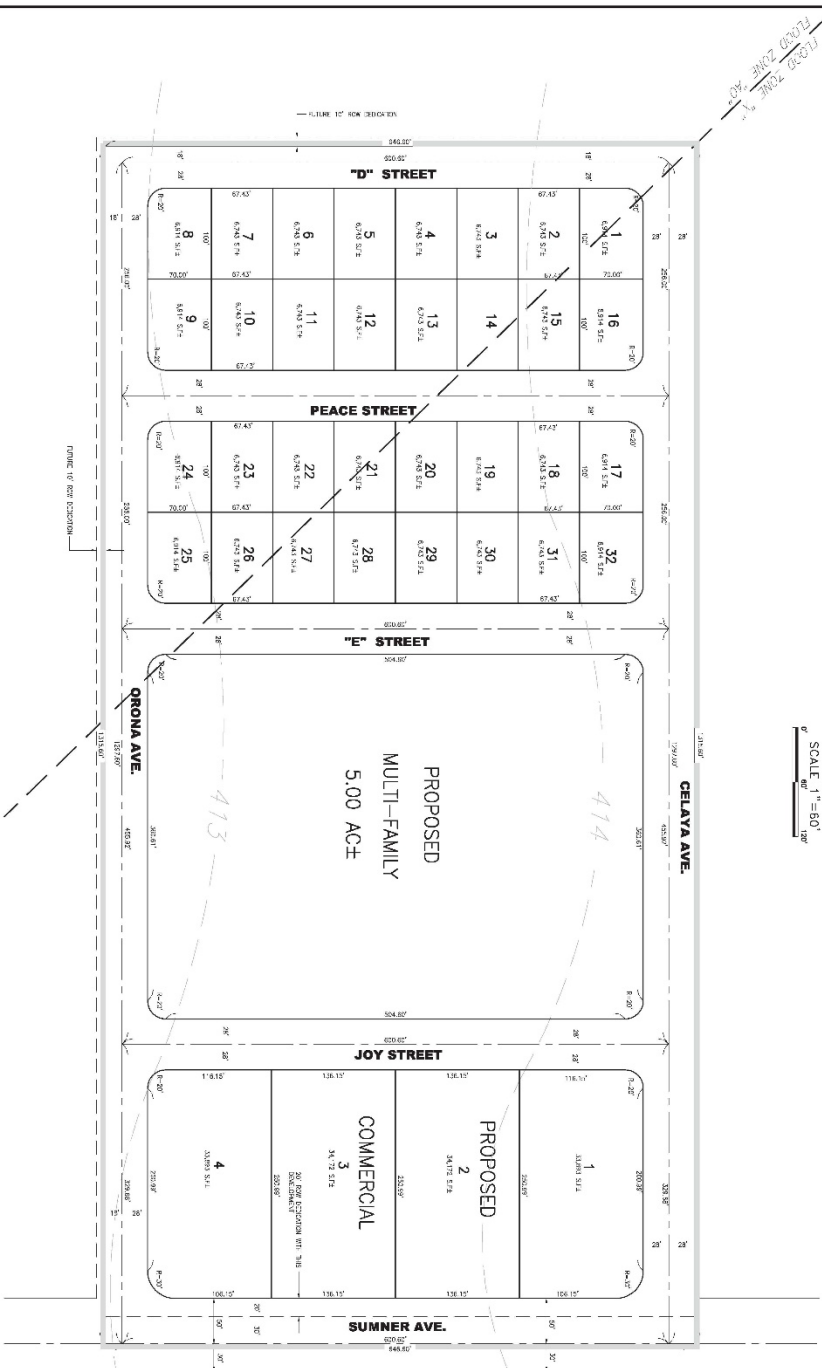
BRAD GILTON
4024 S. University St.
Tucson, AZ 85724


Westfield, California, 93227

SURVEYOR: FORESTER, WEBER & ASSOCIATES L.L.C.
10225 N. University Blvd., Suite 110
Scottsdale, Arizona 85258

[illegible]

NORTH: APPROX. 7/24/ CITRUS
WEST: AC/ CITRUS EX. ETRNO. S.F.
SOUTH: HIGH DENSITY APTS.
EAST: COMMERCIAL/VACANT LAND



SCALE: AS NOTED	NO.	REVISION
DRAWN BY: BW		
CHECKED BY:		
<p>FORESTER, WEBER & SLOAN, L.L.C. CIVIL ENGINEERS • LAND SURVEYORS 1600 N.E. MURRAY AVE. SUITE 1000, PORTLAND, OREGON 97214 (503) 779-0100 or 779-1726</p>		
APPROVED BY:	DATE	
APPROVED BY:	DATE	
		
PROJECT:	SHEET TITLE:	
TRINIDAD MACIAS NEW SUBDIVISION FOR COMMERCIAL & RESIDENTIAL USE ORANGE COUNTY, CALIFORNIA	MACIAS DEVELOPMENT TENTATIVE SUBDIVISION MAP	
OF 1 SHEETS	SHEET 1	
JOB NUMBER	139.13	

RESOLUTION NO. PC 2020-09

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ORANGE COVE
RECOMMENDING TO THE ORANGE COVE CITY COUNCIL INITIATING ANNEXATION OF
19.63 ACRES TO THE CITY OF ORANGE COVE AND DETACHMENT OF THE SAME FROM
THE ORANGE COVE IRRIGATION DISTRICT AND THE ORANGE COVE POLICE
PROTECTION DISTRICT.

WHEREAS, the Orange Cove Planning Commission did conduct a duly noticed public hearing, accepting written and oral testimony both for and against the initiation of proceedings for the annexation of 19.63 acres into the City of Orange Cove generally located on the west side of Anchor Avenue and immediately north of Park Boulevard, and

WHEREAS, the applicant, Brad Gilton, 4204 S. University, Visalia, Ca., has requested the annexation of the Macias property into the City of Orange Cove and detachment from the County of Fresno, the Orange Cove Irrigation District and the Orange Cove Police Protection District; and

WHEREAS, the subject territory is contained in APN 375-040-026 (19.63 acres) and detailed in an attached map and legal description (Exhibit A & B), and

WHEREAS, the City of Orange Cove desires to initiate proceedings pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, Division 3, commencing with Section 56000 of the California Government Code, for the proposed change of organization; and

WHEREAS, the territory proposed to be annexed is not inhabited, and on this day contains less than 12 registered voters, according to information received from the County Elections Officer; and

WHEREAS, a written description and map of the boundaries of the territories is set forth in (Exhibit A & B) attached hereto and by this reference incorporated herein; and

WHEREAS, this proposal is consistent with the sphere of influence (SOI) of the City of Orange Cove; and

WHEREAS, the Orange Cove Police Protection District and the City of Orange Cove have a transition agreement in full force and effect that applies to police protection services within the annexed territory on file with the LAFCO Commission; and

WHEREAS, the City Council finds the following for the proposed annexation:

1. The annexation is consistent with the County's Master Property Tax Sharing Agreement.
2. The subject territory is within Orange Cove's Sphere of Influence (SOI)
3. The subject territory is bounded on two sides by land that supports urban development.

4. Sewer, water and storm drainage infrastructure is available to the subject territory.
5. The subject territory is within the service area of Orange Cove police and fire services.
6. The subject territory is within the Orange Cove General Plan planning area and designated as medium density residential by the Land Use Element.

WHEREAS, the Planning Commission held a public meeting for the proposed 19.63-acre annexation after a duly noticed public hearing on the matter, reviewed the staff report and negative declaration prepared on said annexation, and took testimony both for and against said annexation, and

WHEREAS, the Planning Commission has considered the Negative Declaration prepared for the proposed annexation and finds that the Negative Declaration was prepared consistent with the California Environmental Quality Act; and

WHEREAS, it has been determined that any environmental impacts associated with these annexations have been appropriately analyzed and as a result it has been determined that the annexation will not have an adverse impact on the environment and the Negative Declarations have been prepared consistent with the California Environmental Quality Act.

WHEREAS, the Planning Commission finds that said annexation is consistent with Section 210 of Fresno LAFCO's Policies, Standards and Procedures.

NOW, THEREFORE BE IT RESOLVED, that the Planning Commission of the City of Orange Cove hereby recommends to the Orange Cove City Council to initiate the annexation of 19.63 acres located west of Anchor Avenue and immediately north of Park Boulevard into the City of Orange Cove in the manner provided by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, and further finds that the proposed project will not have an adverse impact on the environment and approves the Negative Declaration on said annexation.

PASSED AND ADOPTED at a regular meeting of the Planning Commission of the City of Orange Cove duly called and held on the 20th day of October, 2020, by the following vote:

AYES: Council Member(s):
NOES: Council Member(s):
ABSENT: Council Member(s):
ABSTAIN: Council Member(s):

The foregoing resolution is hereby approved.

ATTEST:

June Bracamontes, City Clerk

EXHIBIT 'A'

MACIAS REORGANIZATION ANNEXATION TO THE CITY OF ORANGE COVE

A PORTION OF THE ORANGE COVE TRACT NO. 1 AS PER MAP THEREOF RECORDED IN BOOK 9 PAGE 33 OF RECORD OF SURVEYS, FRESNO COUNTY RECORDS, BEING A PORTION OF THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 15 SOUTH, RANGE 24 EAST, MOUNT DIABLO BASE AND MERIDIAN IN THE COUNTY OF FRESNO, STATE OF CALIFORNIA DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 15 OF THE ORANGE COVE TRACT NO. 1, SAID POINT BEGINNING AT AN ANGLE POINT IN THE EXISTING CITY LIMITS OF THE CITY OF ORANGE COVE;

- COURSE 1. THENCE SOUTH ALONG THE EAST LINE OF SAID LOT 15, AND ALONG THE EXISTING CITY LIMIT LINE OF THE CITY OF ORANGE COVE, AND THE SOUTHERLY EXTENSION THEREOF A DISTANCE OF 1345.60 FEET, MORE OR LESS TO THE SOUTH LINE OF EAST SUMNER AVENUE, AND AN ANGLE POINT IN THE EXISTING CITY LIMITS OF THE CITY OF ORANGE COVE;
- COURSE 2. THENCE WEST ALONG THE SOUTH LINE OF SUMNER AVENUE AND THE EXISTING CITY LIMITS OF THE CITY OF ORANGE COVE, 646.60 FEET MORE OR LESS TO A POINT 60 FEET SOUTH OF THE SOUTHWEST CORNER OF SAID LOT 15;
- COURSE 3. THENCE NORTH LEAVING THE EXISTING CITY LIMITS OF HE CITY OF ORANGE COVE, A DISTANCE OF 60 FEET TO THE SOUTHWEST CORNER OF SAID LOT 15;
- COURSE 4. THENCE NORTH ALONG THE WEST LINE OF SAID LOT 15, A DISTANCE OF 1285.60 FEET MORE OR LESS TO THE NORTHWEST CORNER OF LOT 15;
- COURSE 5. THENCE EAST ALONG THE NORTH LINE OF SAID LOT 15, A DISTANCE OF 646.60 FEET MORE OR LESS TO THE NORTHEAST CORNER OF SAID LOT 15, BEING THE POINT OF BEGINNING AND A POINT ON THE CITY LIMITS OF THE CITY OF ORANGE COVE.
CONSISTING OF 19.63 ACRES MORE OR LESS



ERENG LOT 13 OF THE CHANGLI CONE TRACT NO. 1 AS PER MAP RECORDED IN BOOK 9, PAGE 33 OF RECORDS OF SURVEYS, CH. 514-10 IN A PORTION OF THE N 1/2 OF S12, T4, R24E, W44N IN THE COUNTY OF TRINIDAD, STATE OF CALIFORNIA.

OCTOBER, 2020

Cresci, California, 92617

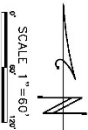
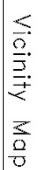
MoMo, CuFeFe 8329
(550) 732-0102

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NORTH:	ADRIAN/LISA/CITRUS
WEST:	AO/CITRUS - CRISTINO STR
SOUTH:	HIGH DENSITY APRS.
EAST:	CONCRETE/VACANT LAND

AREA OF ANNEXATION

PROPOSED CITY LIMIT LINE

[illegible]

Mayor:
Victor P. Lopez

Mayor Pro Tem
Diana Guerra Silva

City Council Members
Roy Rodriguez
Josie Cervantes
Esperanza Rodriguez



Incorporated January 20, 1948

Rudy Hernandez
Interim City Manager:
(559) 626-4488 ext. 216

Rudy Hernandez:
Financial Consultant
(559) 626-4488 ext. 216

City Clerk:
June V. Bracamontes
(559) 626-4488 ext. 214

CITY OF ORANGE COVE REPORT TO THE PLANNING COMMISSION

To: Orange Cove Planning Commission

From: Ray Hoak, Building & Planning Department

Date: October 20, 2020

Applicant: Kevin Howard & Eric Waddell

Owner: Kevin Howard & Eric Waddell

Subject: Howard Annexation (Reorganization) Project

1. Negative Declaration
2. General Plan Amendment (GPA 2020-10), Zoning Amendment (ZA 2020-11)
3. Tentative Subdivision Tract Map No. 6289
4. Annexation

RECOMMENDATION

Following a public hearing take action on the following items:

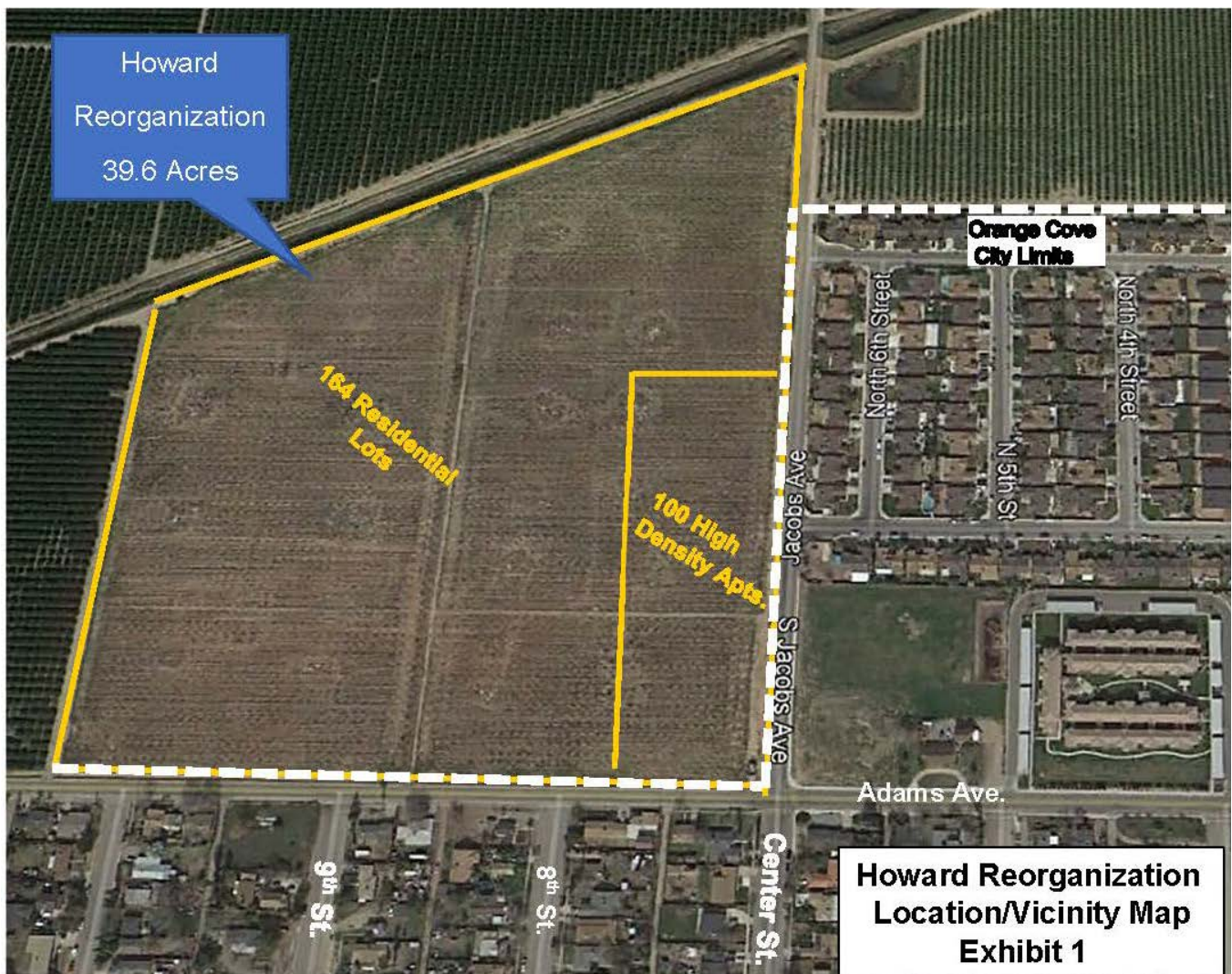
1. Resolution No. PC 2020-02 for consideration of and recommendation for adoption to the Orange Cove City Council for the Negative Declaration for the Howard Annexation Project.
2. Resolution No. PC 2020-03 for consideration of and recommendation of approval to the Orange Cove City Council for General Plan Amendment (GPA 2020-10) to redesignate the property from 'Medium Density Residential to High Density Residential', and Zoning Amendment (ZA 2020-11) for consideration of and recommendation of approval to the Orange Cove City Council to Pre-Zone the property from Fresno County AL-20 District to Orange Cove's R-1-6 Single Family District' and to 'R-3 Multi-Family Residential District'.
3. Resolution No. PC 2020-04 for consideration of and recommendation of approval to the Orange Cove City Council for Tentative Tract Map 6288, subject to conditions, that will create 164 single family residential lots, one (1) high density multi-family residential lot for 100 apartment units.
4. Resolution No. 2020-05 for consideration of and recommendation of approval to the Orange Cove City Council to initiate the annexation process of the Howard property into the City and detachment of the property from Fresno County, the Orange Cove Irrigation District and the Orange Cove Police Protection District.

BACKGROUND

The applicant is seeking approval of four planning applications. They include; (1) annexation of 19.6 acres into the City of Orange Cove, (2) General Plan and Pre-Zone Amendment, (3) Tentative Tract Map, (4) Initial Environmental Study and Negative Declaration. The applicant wishes to annex the property into the City and develop the property into 164 single family residential lots in two phases and one (1) high density lot (phase three) for 100 high density apartment units.

The property contains approximately 39.6 acres and is located at the northwest corner of Jacobs and Adams Avenue. The east and south sides of the property are adjacent to the City limits. The east and south sides of the property are adjacent to single family homes

The Department of Housing and Community (HCD) recently approved Orange Cove's Housing Element, subject to the City's commitment to rezoning 10 acres of additional land designated as R-3 High Density Residential District. Implementation of the Howard Annexation development will provide the City with 5 plus acres of new land dedicated to high density zoning.



A detailed discussion of the resolutions for each planning application is as follows.

DISCUSSION

(1) Initial Environmental Study & Negative Declaration - Resolution No. PC 2020-06

For the Howard 'project', staff has filed a Negative Declaration on the project, which includes the applications for an annexation, general plan and pre-zone amendments and a tentative tract map. The four (4) planning requests are considered a 'project' under the Guidelines of the California Environmental Quality Act (CEQA) and accordingly the City has prepared an Initial Environmental Study and Negative Declaration and on the 'project' consistent with CEQA Guidelines. The Initial Environmental Study determined that the proposed project will not have a significant impact on the environment and the City has determined that a Negative Declaration is the appropriate environmental document to be prepared on the 'project'. The negative declaration is a finding that the project will have no significant impacts on the environment. The Notice of Intent to adopt the Negative Declaration was filed with the Fresno County Clerk on July 13, 2020. The Notice was mailed to 15 government agencies and other interested parties inviting the agencies to review and/or comment on the Negative Declaration and Initial Study prepared for the Howard project. The Notice of Public Hearing for the project was mailed to property owners within 300 feet of the property and the Notice was published in the Reedley Mid-Valley Times as well as posted on the City website.

Shown below are the comments received from state and local agencies. The Commission should consider the comments and the City's response to those comments.

1) - Valley Air District Comment: Although the construction-related emissions are expected to have a less than significant impact, the District suggests that the City advise project proponents with construction-related exhaust emissions and activities resulting in less than significant impact on air quality to utilize the cleanest reasonably available off-road construction fleets and practices (i.e. eliminating unnecessary idling).

1a) - Valley Air District Comment: There are multiple sensitive receptors in the area, such as, Single family residential 300 feet east of the Project, Senior Apartments 800 feet east the Project, Elementary school 2100 feet southeast of the Project and Single Family Residential at 200 feet south of Project location. The Health Risk Assessment should evaluate the risk associated with sensitive receptors in the area and mitigate any potentially significant risk to help limit emission exposure to sensitive receptors.

A Health Risk Screening/Assessment identifies potential Toxic Air Contaminants (TAC's) impact on surrounding sensitive receptors such as hospitals, daycare centers, schools, work-sites, and residences. TAC's are air pollutants identified by the Office of Environmental Health Hazard Assessment/California Air Resources Board (OEHHA/CARB) that pose a present or potential hazard to human health. A common source of TACs can be attributed to diesel exhaust emitted from both mobile and stationary sources.

1a) i - Valley Air District Comment: The District recommends conducting a screening analysis that includes all sources of emissions. A screening analysis is used to identify projects which may have a significant health impact. A prioritization, using the latest approved California Air

pollution Control Officer's Association (CAPCOA) methodology, is the recommended screening method. A prioritization score of 10 or greater is considered to be significant and refined Health Risk Assessment should be performed.

The District recommends a refined HRA of future development projects that result in a prioritization score of 10 or greater.

1a) ii - Valley Air District Comment: The District recommends a refined HRA for future development projects that result in a prioritization score of 10 or greater. Prior to performing an HRA, it is recommended that the future development project applicants contact the District to review the proposed modeling protocol. A future development project would be considered to have a significant health risk if the HRA demonstrates that the project related health impacts would exceed the District's significance threshold of 20 in a million for carcinogenic risk and 1.0 for the Acute and Chronic Hazard Indices, and would trigger all feasible mitigation measures. The District recommends that future development projects that result in a significant health risk not be approved.

1b) - Valley Air District Comment: An ambient air quality analysis (AAQA) uses air dispersion modeling to determine if emissions increases from a project will cause or contribute to a violation of the ambient air quality standards. For development projects the District recommends that an AAQA be performed for the project if emissions exceed 100 pounds per day of any pollutant. If an AAQA is performed, the analysis should include emissions from both project specific permitted and non-permitted equipment and activities. The District recommends consultation with District staff to determine the appropriate model and input data to use in the analysis.

City Response: The Consultant conducted an air quality analysis using the CalEEMod.Version Program. The air quality analysis confirmed that during the construction and operation phases of the project it did not meet the San Joaquin Valley Air District's emission thresholds for various criteria pollutants and therefore the project will not have a significant impact on the air quality environment.

The Air District requested A Health Risk Screening/Assessment to identify potential Toxic Air Contaminants (TAC's) impact on surrounding sensitive receptors such as hospitals, daycare centers, schools, worksites, and residences. The air quality analysis indicated that the types of volumes of emissions generated by the Howard project would not have an adverse impact on surrounding sensitive receptors because it did not meet certain thresholds. Additionally, as the project includes only 264 units, it qualifies for the AAQA small project exclusion.

In the case of the Howard project the only sensitive receptors adjacent to the project are residents who live in single and multi-family dwellings both to the south and the east. Agriculture dominates the land north and west of the subject site, which is not considered to be a sensitive receptor.

Most of the emissions that could have an adverse impact on the health of nearby residents will stem from the operation of motor vehicles. The amount of emissions (pollutants) generated by this project over time (buildout of the project will occur over ten

years) will depend on the number of trips entering and exiting the project site as well as the types of vehicles and the speed that the vehicles will be driving.

The Consultant has concluded that 1) operating speeds will be slow because the local environment is dominated by residential uses that contain many school-aged children; 2) almost all the vehicles traveling to and from the project site have had smog inspections thereby proving that they are complying with Air District operating regulations; 3) the physical distance between the project site and surrounding residents is buffered by two wide streets – Jacobs and Adams, reducing the potential for certain emissions to reach surrounding residents; and 4) some persons in the Howard project will utilize different methods of travel – walking, biking and public transportation, again reducing the amount of harmful air emissions generated by the long-term operation of the project.

In conclusion, because of the above findings and conditions in the San Joaquin Valley that clearly dominate the air quality in the Valley such as climate-change; topography; air inversions; wild fires; agricultural spraying, discing, pruning, harvesting, land leveling; trucking, etc.; and emissions flowing from the north end of the Valley towards the south, the purpose of requiring a Health Risk Screening/Assessment for this project is unnecessary and unreasonable.

There are situations where such an Assessment would be warranted. Examples would include a land use decision where an agricultural chemical company, fossil fuel refinery, dump site or some type of manufacturing operation that was generating significant volumes of toxic air emissions was being proposed adjacent to residential development, a school or a hospital. This project does not fall into any of these categories. For this reason, the Consultant has concluded that the air quality analysis provides sufficient information to show that the long-term operation of the project will not have an adverse impact on the health or well-being of residents who live nearby.

2) - Valley Air District Comment: The District encourages the following air quality improvement measures to further reduce project related emissions from construction and operation. Such as, (a) Improve Walkability Design, (b) Improve Destination Accessibility, (c) Increase Transit Accessibility and (d) Voluntary Emission Reduction.

City Response: Staff believes the Howard development design incorporates accessibility measures to help mitigate air emissions from construction and operation. The Howard project includes 100 apartment units of high-density housing and 164 single family dwellings. The compact nature of the high-density apartments reduces traffic and air pollution by encouraging residents to use their cars less and creating pedestrian-friendly environments. The Orange Cove Bus Shelter is located approximately ½ mile from the project. The location of the project increases the potential for pedestrians to walk to the bus stop and therefore reduces the (vehicle miles traveled) VMT. Daily transit service provided by the Fresno County Rural Transit Agency provides round trip destinations to Reedley, Parlier, Sanger and Fresno.

DISCUSSION

(2) General Plan Amendment (GPA 2020-10) & Zoning Amendment (ZA 2020-11)
Resolution No. PC 2020-03

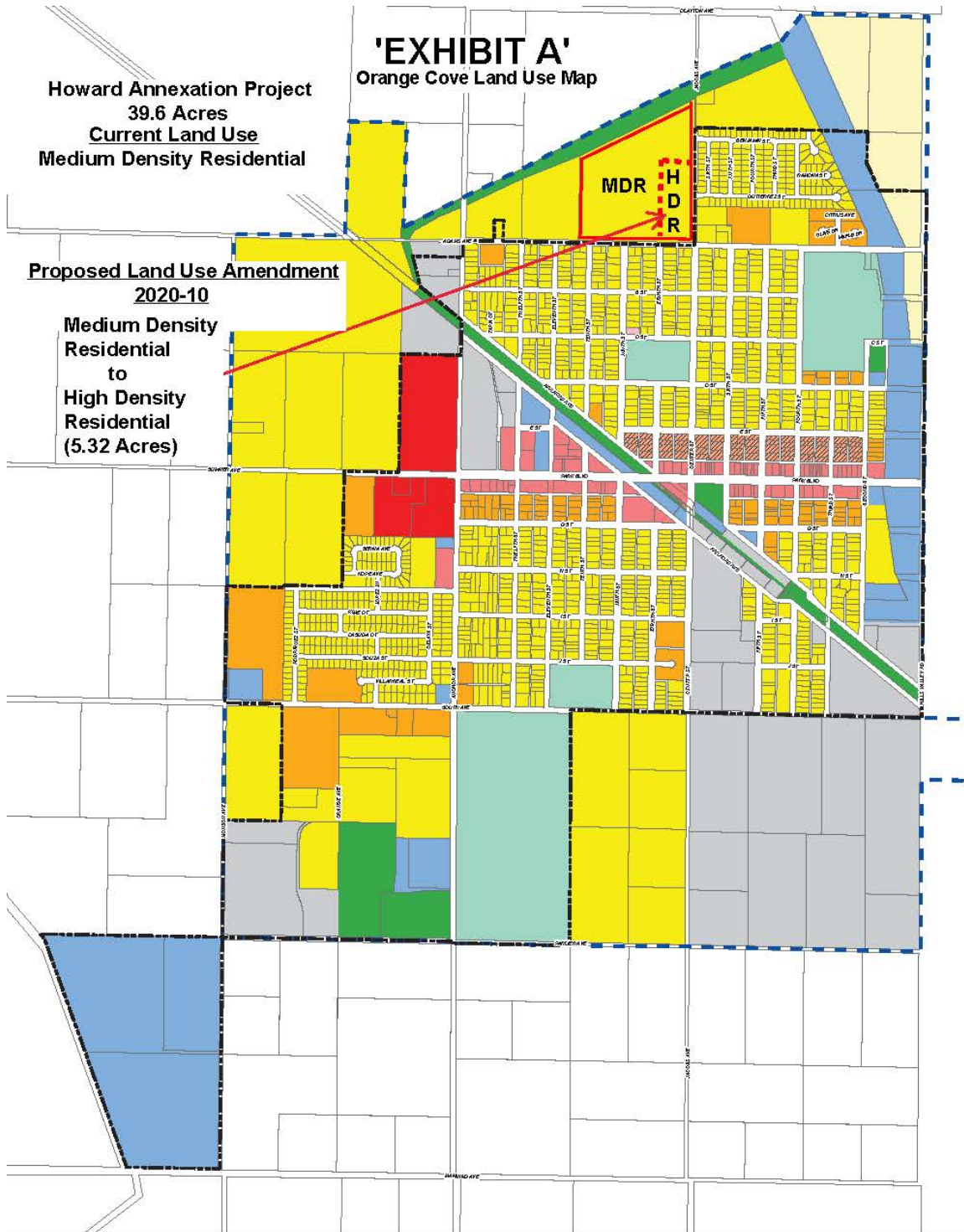
The Howard property is approximately 39.6 acres and its current land use designation is Medium Density Residential. The owners have requested a General Plan Amendment to redesignate approximately 5.3 acres of the property from Medium Density Residential to High Density Residential.

The current zoning designation for the property is Fresno County AL-20. The applicant has requested a Zoning Amendment application to Pre-Zone the property from Fresno County AL-20 district to Orange Cove's 'R-1-6, Single Family Residential District' and 'R-3, High Density Multi-Family Residential' districts.

In accordance with the policies of the Fresno County Local Agency Formation Commission (LAFCo), the City of Orange Cove is required to Pre-Zone the property that is requested for annexation.

Orange Cove's inventory of high-density residential zoning is very low. The Department of Housing and Community Development has requested that the City's recently approved Housing Element commit to annexing at least 10 acres of land designated R-3, High Density Residential. The Macias Project will provide approximately 5 acres of new land designated R-3. The General Plan and Zoning amendments are consistent with the Housing Element conditions.

See General Plan and Zoning Amendment details in Exhibits A & B below.

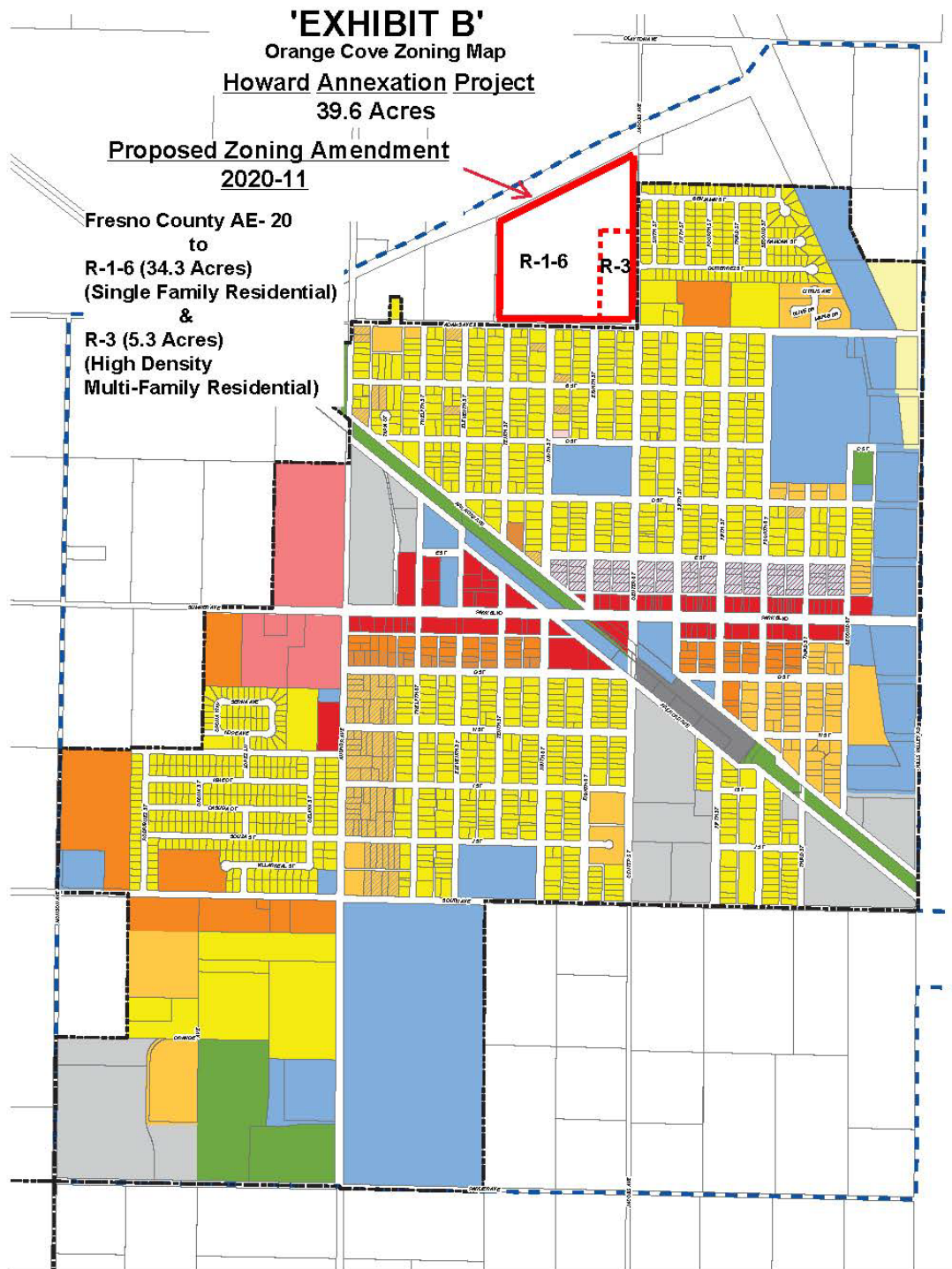


City of Orange Cove - Land Use



Yamashita & Horn
Engineering, Inc.
Updated: 09/08/2015





City of Orange Cove - Zoning



Yamashita & Horn
Engineering, Inc.
Updated: 09/08/2015

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

DISCUSSION

(3) Tentative Tract Map No. 6289 - Resolution No. PC 2020-08

The proposed tentative tract map for 164 single-family residential lots and one (1) large lot for 100 high density apartment units is consistent with Orange Cove's Subdivision Ordinance. There are four outside single-family corner lots that range in size from 10,500 to 17,400 square feet. The interior lots range in size from 6,000 to 10,100 square feet. The majority of the lots average approximately 6,150 square feet. One 5.3-acre lot at the northeast corner of the development is designated for 100 high density apartment units. The high-density lot is bordered by two collector streets and provides direct access for emergency police and fire services. The interior streets for the single-family homes are accessed from Jacobs and Adams Ave.

The City's surface water treatment plant (SWTP) will provide water to the subdivision. The City has ample water supply and water capacity to accommodate the water needs of the subdivision.

Orange Cove contracts with the Bureau of Reclamation and the Lower Tule Irrigation District for the city's water supply. The contracts include 1400-acre feet and 1,000-acre feet respectively. The total contracted annual allotments equal approximately 782,000,000 gallons.

The water treatment plant has the capacity to treat up to 3,000,000 gallons per day with a 2,000,000-gallon storage tank. By assuming 50 percent rate of capacity, the SWTP is capable of producing approximately 547,500,000 gallons of treated water annually. From July 1, 2019 to June 30, 2020 Orange Cove residents, industrial and commercial businesses consumed approximately 312,652,000 gallons of treated water. The average water demand per residential account is approximately 473 gallons per day. The estimated water demand for the Howard development which includes 164 homes and 100 apartment units is approximately 45,578,280 gallons per year.

The Orange Cove Waste Water Treatment plant has ample capacity to handle the additional wastewater that will be generated by the Howard project. The wastewater will be typical residential wastewater. Presently, the wastewater treatment plant is operating at less than 50 percent of plant capacity. The plant has a treatment capacity of 2.0 million gallon per day; the plant is currently treating 0.8 million gallons per day.

The estimated amount of wastewater that will be generated from the project area upon build out will be approximately 68,000 gallons per day, which is less than 8.5 percent of the current flow into the sewer treatment plant.

Storm water runoff will be detained on-site or channeled from the subdivision by means of the subdivision's storm water drainage system (e.g. gutters, drop inlets and storm drainage pipes) to a storm drainage basin located at northwest corner of South and Monson Streets. A grading and drainage plan that will be submitted by developer and approved by the city engineer will determine how and where the storm water will flow and/or be stored.

Conditions of approval have been incorporated into the resolution recommending approval of Tentative Tract Map No. 6289.

DISCUSSION

(4) Initiate Annexation - Resolution No. PC 2020-09

The owners wish to annex 39.6 acres into the City of Orange Cove. The subject property is adjacent to the city limits on two sides. Residential developments are adjacent to those sides. The subject territory can be readily served by the City's sewer, water and storm drainage infrastructure, including police, fire and solid waste collection services.

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 establishes procedures for local government annexations to a city.

The Macias annexation is a change of reorganization and the Fresno County Local Agency Formation Commission (LAFCo) requires the approval of the resolution by the City Council to initiate the annexation.

REASON FOR RECOMMENDATION

The Howard annexation will provide the city with an additional 5 acres of new land designated as R-3 High Density Residential as required by the Housing Element. Without Housing Element compliance, the city may not qualify for grants that are beneficial to the city.

FISCAL IMPACT

The project will require additional police services, but property owners will pay property taxes and there will be an increase of sales taxes. Total build-out of the development will provide the City with approximately \$3,499,488 of impact fee revenue, approximately \$460,600 building permit revenue and approximately \$75,000 grading & engineering inspection fees. Total impact fee and general fund revenue from the project is approximately \$4,035,088.

ALTERNATIVES

The Planning Commission may request additional information from staff or the applicant, approve additional conditions or may reject the planning requests

ACTIONS FOLLOWING APPROVAL

The actions of the Planning Commission will be forwarded to the City Council for their consideration.

CONFLICT OF INTEREST

None.

RESOLUTION No. PC 2020-02

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ORANGE COVE APPROVING NEGATIVE DECLARATION FOR THE HOWARD PROJECT, WHICH INCLUDES ANNEXATION OF 39.6 ACRES, AMENDMENTS TO THE GENERAL PLAN AND ZONING ORDINANCE AND APPROVAL OF A TENTATIVE SUBDIVISION TRACT MAP 6288 FOR 164 RESIDENTIAL LOTS AND ONE LOT FOR 100 HIGH DENSITY APARTMENT UNITS.

WHEREAS, the City of Orange Cove Planning Commission did consider the negative declaration prepared for the Howard Project, which includes applications for an annexation of 39.6 acres; amendments to the General Plan and Zoning Ordinance and a Tentative Subdivision Tract Map No. 6288 for 164 single family residential lots and one lot for 100 high density apartment units located at the northwest corner of Adams and Jacobs Ave. in Orange Cove, APN 375-030-17; and

WHEREAS, the City of Orange Cove Planning Commission did conduct a duly noticed public hearing accepting written and oral testimony both for and against the Howard Project on October 20, 2020; and

WHEREAS, the planning requests listed above are considered a 'project' under the Guidelines of the California Environmental Quality Act (CEQA) and accordingly the City has prepared a Negative Declaration/Initial Environmental Study on the 'project' consistent with CEQA Guidelines; and

WHEREAS, the Initial Environmental Study determined that the proposed project will not have a significant impact on the environment and the City has determined that a Negative Declaration is the appropriate environmental document to be prepared on the 'project'; and

WHEREAS, a Notice of Intent to adopt the Negative declaration was filed with the Fresno County Clerk's office on July 13, 2020, inviting the public to review and/or comment on the Negative Declaration and Initial Study prepared for the Howard Project; and

WHEREAS, the Notice was also mailed to 16 government agencies and other interested parties for review and comment; and

WHEREAS, the Planning Department has prepared a staff report on the planning applications that make up the "project" under the CEQA Guidelines, and

WHEREAS, the Planning Commission held a public hearing on the planning applications associated with Howard Project and accepted testimony both for and against; and

NOW, THEREFORE BE IT RESOLVED that Planning Commission, after considering all the evidence presented determined the following finding was relevant in evaluating the Negative Declaration/Initial Study prepared for the Howard Project; and

1. The City has prepared a Negative Declaration/Initial Environmental Study (IES) consistent with the requirements of CEQA. The IES determined the project would not have a significant impact on the environment including impacts on matters such as air quality, water consumption, loss of agricultural land, and city services/infrastructure. Accordingly, a Negative Declaration has been prepared for the Howard Project.

BE IT FURTHER RESOVED, that the Initial Environmental Study/Negative Declaration prepared for the Howard Annexation project has been reviewed by the City of Orange Cove Planning Commission prior to their consideration of the Howard Annexation project and that the Planning Commission recommends to the City of Orange Cove City Council that the Negative Declaration (Exhibit A) be approved for the Howard Project.

PASSED and ADOPTED at a regular meeting of the Planning Commission of the City of Orange Cove duly called and held on the 20th day of October, 2020, by the following vote:

AYES: Commission Member(s)

NOES: Commission Member(s)

ABSTAIN: Commission Member(s)

ABSENT: Commission Member(s)

ATTEST: _____, Secretary
June Bracamontes, Secretary

Mayor:
Victor P. Lopez

Mayor Pro Tem
Diana Guerra Silva

City Council Members
Roy Rodriguez
Josie Cervantes
Esperanza Rodriguez



Incorporated January 20, 1948

Rudy Hernandez
Interim City Manager:
(559) 626-4488 ext. 216

Rudy Hernandez:
Financial Consultant
(559) 626-4488 ext. 216

City Clerk:
June V. Bracamontes
(559) 626-4488 ext. 214

CITY OF ORANGE COVE

EXHIBIT A

NEGATIVE DECLARATION

Project Title: Howard Project

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

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

Owner: Kevin Howard & Eric Waddell
20295 Ave. 332 3825 E. Howard Ave.
Visalia, CA 93292 Visalia, CA 93292

Applicant: Kevin Howard & Eric Waddell
20295 Ave. 332 3825 E. Howard Ave.
Visalia, CA 93292 Visalia, CA 93292

Surveyor: 4CREEKS
324 S. Santa Fe Street
Visalia, CA 93292

Location:

The subject property is located at the northwest corner of Adams and Jacobs Ave. in Orange Cove. The APN for the subject property is 375-030-017.

Request:

The applicant has applied for a number of planning applications that pertain to APN 375-030-017, containing approximately 39.63 acres. Said applications are as follows:

1. Initiation of annexation of the subject territory containing 39.63 acres.
2. A general plan amendment re-designating 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 to 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 34.3 acres of land, lots averaging 6,500 square feet, and a 5.32-acre parcel that will be dedicated for multi-family development.

Staff has determined that the subject property is within the planning area of the Orange Cove General Plan and 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 (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 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 of Orange Cove
Interim City Manager – Rudy Hernandez

Date Adopted

RESOLUTION NO. PC 2020-03

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ORANGE COVE RECOMMENDING APPROVAL OF GENERAL PLAN AMENDMENT 2020-10 AND ZONING ORDINANCE AMENDMENT 2020-11 TO THE ORANGE COVE CITY COUNCIL ON PROPERTY LOCATED AT THE NORTHWEST CORNER OF JACOBS AVENUE AND ADAMS AVENUE IN ORANGE COVE, HOWARD PROJECT

WHEREAS, the Orange Cove Planning Commission did conduct a duly noticed public hearing on General Plan Amendment 2020-10 and Zoning Ordinance Amendment 2020-11, accepting written and oral testimony both for and against, on 39.6 acres located at the northwest corner of Jacobs Avenue and Adams Avenue in Orange Cove, and

WHEREAS, the applicant, Kevin Howard and Eric Waddell of 3825 E. Howard Avenue, Visalia, have requested a general plan amendment to redesignate approximately 5.32 acres of the subject property from “medium” to “high” density residential, and a zoning ordinance amendment to pre-zone the subject property 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, and

WHEREAS, the subject property is contained in APN 375-030-017 (39.6 acres), and

WHEREAS, the subject property is currently vacant; the parcel has been farmed in the past but it is currently fallow, and

WHEREAS, the subject property is surrounded on two sides by land that has been developed with residential uses and are located inside the city limits of Orange Cove, and

WHEREAS, the applicant wishes to develop the subject property consistent with the proposed general plan and zoning ordinance amendments, and the tentative subdivision tract map that will create 100 multi-family residential units on approximately 5.32 acres of land and 164 single-family residential lots that will be developed in two phases on approximately 34.3 acres of land; and

WHEREAS, property owners within 300 feet of the subject territory were notified of the meeting and a public hearing notice twenty (20) days prior to the Planning Commission’s meeting of October 20, 2020 at 6:30 pm, and

WHEREAS, the Planning Commission held a public hearing on the proposed general plan and zoning ordinance amendments, reviewed the staff report and Negative Declaration, and accepted public testimony both for and against.

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission, after considering all the evidence presented, determined the following findings were relevant in evaluating the proposed amendments:

1. The subject territory is inside Orange Cove’s sphere of influence (SOI).

2. A Negative Declaration has been prepared on said amendments indicating that any impacts associated with this "project" have been appropriately analyzed in the Final EIRs prepared on the Orange Cove General Plan. Further, a "Statement of Overriding Consideration" was filed with the certified Final EIR prepared on the General Plan.
3. The proposed amendments are consistent with the recently adopted Orange Cove Housing Element, which contains policies promoting high density residential development and affordable single-family dwelling.
4. The project will not have an adverse impact on the public's health, safety or welfare.

BE IT FURTHER RESOLVED that the Planning Commission hereby recommends approval to the Orange Cove City Council, General Plan Amendment 2020-10, redesignating approximately 5.32 acres of the subject property from "medium" to "high" density residential, and Zoning Ordinance Amendment 2020-11, to pre-zone the subject property 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, as shown on Exhibits A (general plan amendment map) and B (zoning ordinance amendment map).

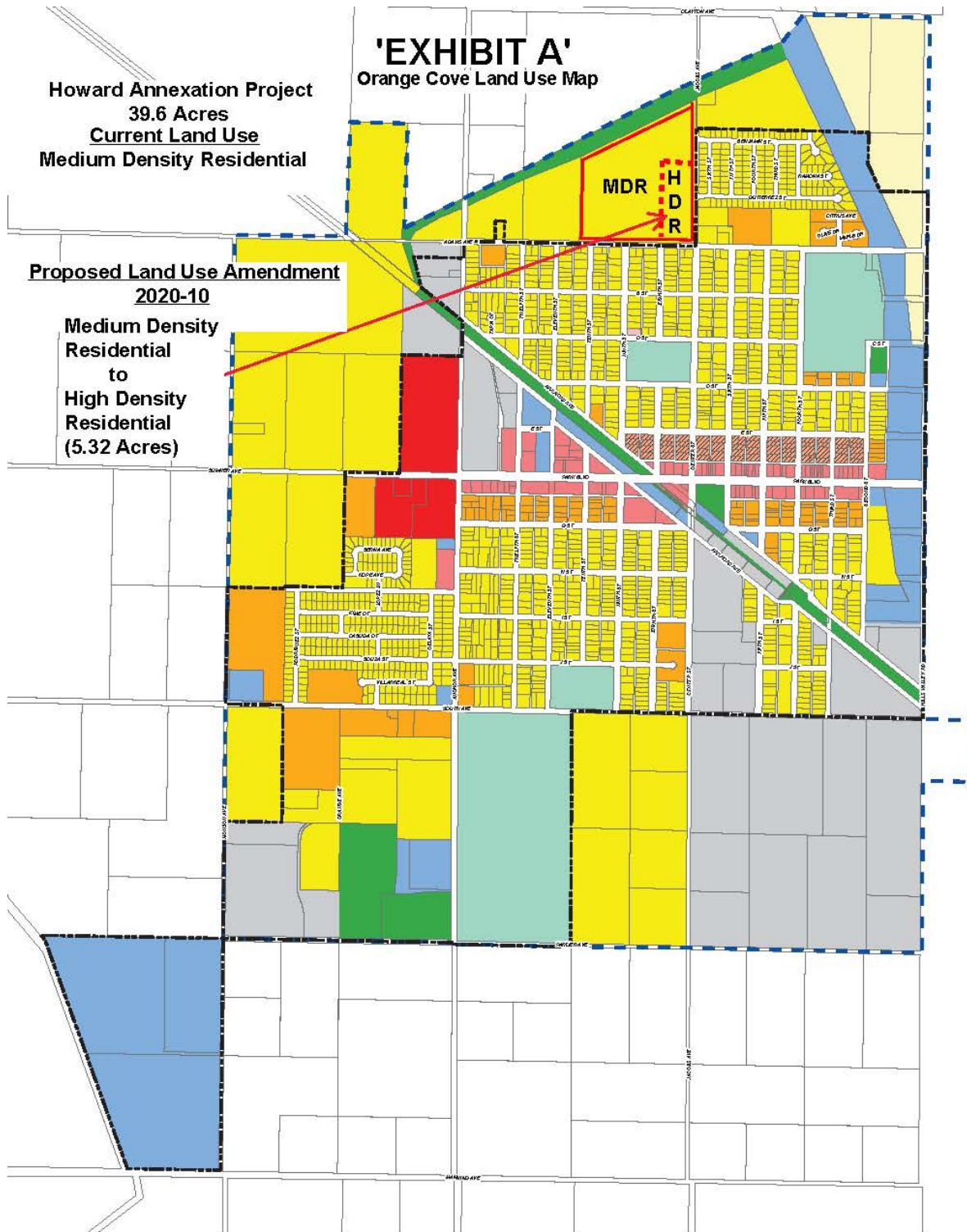
I, hereby certify that the foregoing resolution was duly passed and adopted at a regular meeting of the Orange Cove Planning Commission held on the 20th day of October, 2020, by the following vote:

Ayes:	Commissioners:
Noes:	Commissioners:
Absent:	Commissioners:
Abstain:	Commissioners:

The foregoing resolution is hereby approved.

ATTEST:

June Bracamontes, Secretary



City of Orange Cove - Land Use



Yamabe & Horn
Engineering, Inc.
Updated: 09/08/2015

- | | | | | | | |
|---------------------|----------------------------|--------------------------|--------------------|-------------------|------------|-----------|
| 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 | |

'EXHIBIT B'

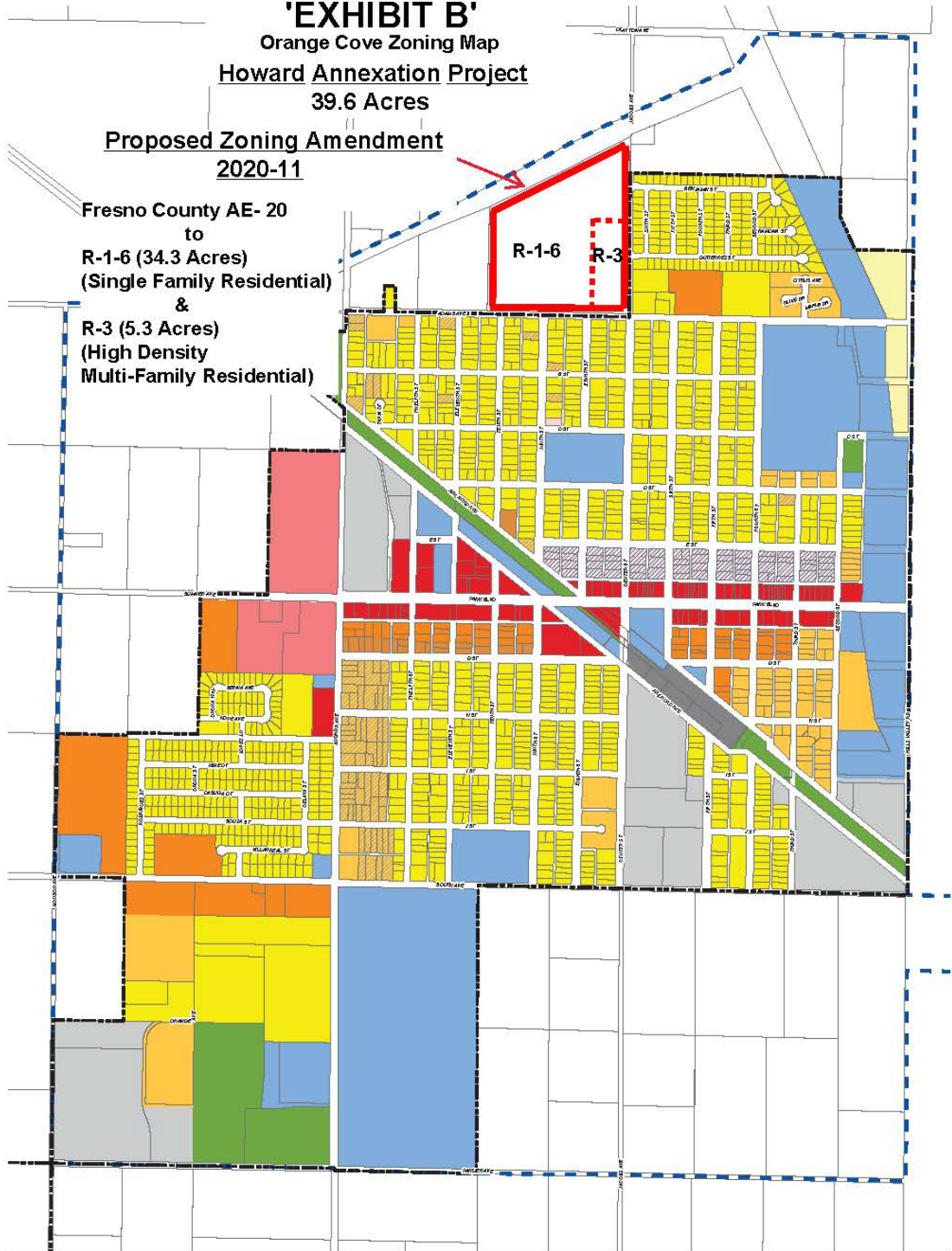
Orange Cove Zoning Map

Howard Annexation Project

39.6 Acres

Proposed Zoning Amendment
2020-11

Fresno County AE- 20
to
R-1-6 (34.3 Acres)
(Single Family Residential)
&
R-3 (5.3 Acres)
(High Density
Multi-Family Residential)



City of Orange Cove - Zoning



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

RESOLUTION NO. PC 2020-04

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ORANGE COVE RECOMMENDING APPROVAL OF THE HOWARD TENTATIVE SUBDIVISION TRACT MAP NO. 6288 TO THE ORANGE COVE CITY COUNCIL, SUBJECT TO CONDITIONS, FOR PROPERTY LOCATED AT THE NORTHWEST CORNER OF JACOBS AND ADAMS AVENUE IN ORANGE COVE

WHEREAS, the Orange Cove Planning Commission did conduct a duly noticed public hearing for tentative Subdivision Tract Map No. 6288, accepting written and oral testimony both for and against, on 39.6 acres located at the northwest corner of Jacobs and Adams Avenue in Orange Cove, and

WHEREAS, the applicant, Kevin Howard and Eric Waddell of 3825 E. Howard Avenue, Visalia, have requested a Tentative Subdivision Map No. 6288 on 39.6 acres that will create 164 Single-Family Residential lots that will be developed in two phases and a Single High Density Multi-Family Residential lot that could potentially provide for 100 Multi-Family Residential units, and

WHEREAS, the subject property is contained in APN 375-030-017, and

WHEREAS, the tentative map is consistent with the Orange Cove General Plan, which designates the subject property for Medium and High Density Residential, and

WHEREAS, the tentative map is consistent with the Orange Cove Zoning Ordinance, which classifies the property 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

WHEREAS, the subject property is currently vacant; the parcel has been farmed in the past but it is currently fallow, and

WHEREAS, the subject property is surrounded on two sides by land that has been developed with residential uses and are located inside the city limits of Orange Cove, and

WHEREAS, the applicant wishes to subdivide the subject property consistent with the Orange Cove General Plan and Zoning Ordinance, and

WHEREAS, property owners within 300 feet of the subject territory were notified of the meeting and a public hearing notice twenty (20) days prior to the Planning Commission's meeting of October 20, 2020, and

WHEREAS, the Planning Commission held a public hearing on the proposed Tentative Subdivision Map, reviewed the staff report and Negative Declaration, and accepted public testimony both for and against, and

WHEREAS, The Orange Cove Planning Commission finds that the proposed tentative subdivision map, subject to conditions, is in accordance with and satisfies the

requirements of the Subdivision Ordinance of the City of Orange Cove; and

WHEREAS, the Planning Commission also finds that the conditions for Tentative Subdivision Tract Map No. 6288 will protect and preserve the public health, safety and welfare of the surrounding neighborhood and the community as a whole; and

WHEREAS, the Orange Cove Planning Commission has determined that the project will not have an adverse impact on the environment and a negative declaration has been prepared consistent with the California Environmental Quality Act.

NOW THEREFORE, BE IT RESOLVED that the Orange Cove Planning Commission makes the following findings:

1. The subject property is within the Orange Cove Sphere of Influence and therefore is appropriate for annexation into the city limits and subsequent subdivision into residential lots.
2. The subject property is designated Medium Density Residential and High Density Residential by the Orange Cove General Plan.
3. The subject property is zoned 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) by the Orange Cove Zoning Ordinance.
4. The proposed tentative subdivision map will not have an adverse impact on the public health, safety or welfare.
5. A negative declaration has been prepared for the Howard project consistent with the California Environmental Quality Act.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Orange Cove Planning Commission approves Tentative Subdivision Tract Map No. 6288 subject to the following Conditions of Approval hereto attached as Exhibit "A":

I, hereby certify that the foregoing resolution was duly passed and adopted at a regular meeting of the Orange Cove Planning Commission held on the 20th day of October, 2020, by the following vote:

Ayes:	Commissioners:
Noes:	Commissioners:
Absent:	Commissioners:
Abstain:	Commissioners:

The foregoing resolution is hereby approved.

ATTEST:

June Bracamontes, City Clerk

EXHIBIT "A"

CONDITIONS OF APPROVAL

Resolution No. PC 2020-04 Tentative Subdivision Tract Map No. 6288

Building and Planning

1. The subdivider is responsible for the purchase and installation of water meters in accordance with the City of Orange Cove standards and specifications.
- 2.. Applicant shall pay all applicable development impact fees at the rate in effect at the time of payment. Residential fees are collected on the date of final inspection. Commercial fees are collected at the issuance of Building Permits.
3. Subdivider shall install a water sampling station per city Standard Drawings at a location approved by the City Engineer.
4. No water service connection shall be made to the City of Orange Cove water system until a bacteriological report has been accepted by the City Engineer.
5. The subdivider, as a portion of the required tract improvements, shall provide landscaping and irrigation as required herein. The landscaping and irrigation shall be installed in public right-of-way and the area reserved for landscaping. Plans for the required landscaping and irrigation systems shall be prepared by an appropriately qualified professional and conform to the City of Orange Cove Standard Drawings Requirements.
6. The subdivider shall comply with all requirements of the Orange Cove Irrigation District (OCID). Plans for these requirements shall be included in the previously required set of construction plans, and shall be submitted to and approved by OCID prior to the release of any development permits or recording of the final tract map.
7. The subdivider shall indicate on construction drawings the depth, location and type of material of any existing Orange Cove Irrigation District's irrigation line along the proposed or existing street rights-of-way or onsite. Any existing canals shall be piped. The material of the existing pipe shall be upgraded to the proper class of rubber gasket pipe at all locations unless otherwise approved by the City Engineer.
8. All existing on-site agricultural irrigation systems shall be identified. Their disposition shall be in accordance with the requirements of the City Engineer. The subdivider shall provide details of all existing irrigation systems to the City Engineer for specifications of abandonment or relocation. The subdivider shall consult with the Orange Cove Irrigation District for any additional requirements for lines to be abandoned. The subdivider shall provide waivers from all users.
9. Landscaping and Lighting District. The owner shall request formation of a Landscaping and Lighting District in conformance with Section 22500, et seq of the Streets and Highway Code. The owner/developer shall notify all potential lot buyers before they purchase a lot that this tract is a part of a Landscaping and

Lighting District and the amount of the annual assessment. Said notification shall be in a manner approved by the City. The owner/developer shall supply all necessary assessment diagrams and other pertinent materials for the Landscaping and Lighting District. Subdivider shall consent to the formation of the District and to the first-year assessment.

10. Right to Farm. The owner/developer shall notify all potential lot buyers before they purchase a lot that this tract is adjacent to property that is zoned for agricultural use. Residents of property in or near agricultural districts should be prepared to accept the inconveniences and discomfort associated with normal farm activities. Said notice shall be in a manner approved by the City. California Civil Code 3482.5 (right-to-farm law) provides that an agricultural pursuit, as defined, maintained for commercial uses shall not be or become a nuisance due to a changed condition in a locality after such agricultural pursuit has been in operation for three years.
11. Developer shall submit an Indirect Source Review (ISR) application to the San Joaquin Valley Air Pollution Control District. No construction related activities can occur prior to receiving an approved Air Impact Assessment (AIA) from the District and, if applicable, paying the off-site fees. No building permits shall be issued without an approval letter from the district.

Engineering

Final Map

1. A Final Parcel Map prepared by a Land Surveyor or Civil Engineer licensed to practice surveying shall be submitted to the City Engineer for review and approval.
2. The Final Parcel Map shall be prepared, in the form prescribed by the Subdivision Map Act and City of Orange Cove Municipal Code.
3. The following information shall be submitted to the City Engineer for review and approval:
 - a. Two prints of the Final Map and one electronic copy in AutoCAD format.
 - b. One copy of the preliminary title report.
 - c. One set of the computer closures.
 - d. One legible copy of the latest recorded deed for the property being subdivided.
 - e. One legible copy of the recorded deeds for each of the adjacent properties unless those properties are part of a recorded map which has been recorded within the last seven years; and
 - f. One legible copy of the Recorded Final map, Parcel Map, or Record of Survey used to prepare this Parcel Map.

4. Final parcel maps shall be in substantial conformance to the approved tentative parcel map. Maps shall be prepared, wet signed and sealed by a civil engineer or land surveyor, registered in the State of California and licensed to prepare final maps.
5. The applicant shall post with the City, prior to approval of the final map, a separate labor and material bond, performance bond and maintenance bond for the full value of all subdivision improvements. This bond shall be in a standard form approved by the City Attorney and shall be in an amount satisfactory to the City Engineer.
6. Prior to approval of the Final Map, the applicant developer shall comply with all applicable conditions of outside agencies having jurisdiction.
7. Failure to record a final map within twenty-four months from the date of approval or conditional approval of the tentative map or within any extension of time thereof granted by the city council, shall terminate all proceedings. Before a final map may thereafter be recorded, a new tentative map shall be submitted.

Dedications

1. Any dedications, open offers of dedication, or grants of easements to the city may be dedicated and accepted on the face of the map. Agreement or other required items shall be recorded as separate documents concurrently after recordation of the Final Map.
2. All streets and alleys shall be irrevocably offered for dedication and improved to City standards. Street names shall be reflected on the final map and shall be approved by the Planning Department.

Utilities

1. Install sewer services for all parcels.
2. Install water services for all parcels.
3. All underground utilities shall be installed in conformance with current City standards.
4. Meters, hydrants, poles, etc. shall be located clear of the sidewalk and driveways or as determined by the City Engineer. Final locations and the number of such facilities shall be determined at the time the improvement plans are reviewed.
5. Show proposed method of sewage disposal and elevation of existing sewer lines at points of proposed connection.
6. The source of water supply and the point of connection.

Drainage

1. Any portion of the drainage system that conveys runoff from public streets shall be installed within a dedicated drainage easement or public street.
2. The design of the rough and precise grading plans shall be such that all pads

are above the adjacent street grade. All lots must drain to the street frontage of the individual lot, unless otherwise approved by the City Engineer. Design of any retaining walls shall be detailed on the grading plan including top of footing and top of wall elevations. Residential lot drainage to the street shall be by side yard swales independent of adjacent lots. Individual lot drainage for double frontage lots shall be approved by the City Engineer.

3. Prior to the issuance of a Grading Permit for the onsite areas, a Grading Plan, including Rough Grading or Precise Grading, prepared by a recognized professional Civil Engineer shall be submitted, and the corresponding fees shall be paid to the City prior to any grading activity. The Rough and Precise Grading Plans shall be reviewed and approved by the City Engineer prior to issuance of grading permits. The Applicant is responsible for all fees incurred by the City.
4. A final drainage report, prepared by a registered Civil Engineer, shall be prepared to determine the flows exiting the site under current undeveloped conditions compared to the incrementally larger flows due to the development of the site.
5. The final drainage report shall provide curb and gutter calculations for the 1year, 5year and 10year, 24- hour peak flows to verify existing curb and gutter capacity at the point of collection (existing drainage inlets) under developed conditions, do not exceed the peak flows under existing conditions.
6. Map shall show the proposed surface water drainage flow.
7. The subdivision engineer shall prepare as part of the improvement plans a Storm Water Pollution Prevention Plan (SWPPP) (as defined by the Regional Water Quality Control Board) and submit to the City Engineer for approval.

Miscellaneous

1. Map shall include the widths and approximate locations of all existing or proposed easements or rights- of-way within the subdivision or along its boundaries, whether public or private, for roads, railroads, drainage, storm water, irrigation canals, sewers or public utility purposes.
2. Approximate location of all areas subject to inundation or storm water overflow and the locations, widths and direction of flow of all watercourses.

General

1. Pay Development Impact in accordance with the City of Orange Cove Development Impact Schedule in effect at the time fees are paid.
2. All improvements, public and private, shall be designed and constructed in accordance with the most recent edition of the Standard Plans and Specifications and the Engineering Procedures Manual of the City of Orange Cove and all applicable state and local ordinances, standards and requirements. Should a conflict arise, the governing specification shall be determined by the City Engineer.

3. The conditions of project approval set forth herein include certain fees, dedication requirements, reservation requirements and other exactions. Pursuant to Section 66020(d) of the Government Code, these conditions constitute written notice of the amount of such fees, and a description of the dedications, reservations and other exactions. The applicant is hereby notified that the 90-day protest period, commencing from the date of approval of the project, has begun. If the applicant fails to file a protest regarding any of the fees, dedication requirements, reservation requirements or other exactions contained in this notice, complying with all the requirements of Section 66020, the applicant will be legally barred from later challenging such exactions.
4. No on-site or off-site work shall commence without obtaining the appropriate permits for the work required by the City and the appropriate utilities. The approved permits shall be readily available on the job site for inspection by City personnel.
5. All improvements shall be inspected by the City as appropriate. Any work completed without proper inspection may be subject to removal and replacement under proper inspection.
6. The Proposed multi-family site shall be assigned a lot number if part of the subdivision.
7. The proposed commercial lots shall be numbered consecutively to the rest of the lots. No duplicate lot numbers are allowed.

TENTATIVE
TRACT MAP NO. 62888

THAT PORTION OF LOTS 5, 11, AND 12 OF ORANGE COUNTY, FLA., IN THE COUNTY OF HILLSDALE, TOWNSHIP 13 SOUTH, RANGE 23 WEST, 18TH MERIDIAN, IN BOOK 9 PAGE 33 OF RECORD OF SURVEYS, TRENCH COUNTY RECORDS, IN SECTION 12, TOWNSHIP 13 SOUTH, RANGE 23 WEST, 18TH MERIDIAN, LATE SCOTT AND EAST OF THE PORT OF LAND DESIGNATED AS PARCEL 1 IN THE CDD OF THE UNITED STATES OF AMERICA, RECD 308897778471, 1/19/84, IN BOOK 261 PAGE 271 OF THE OFFICIAL RECORDS.

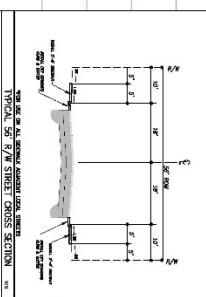
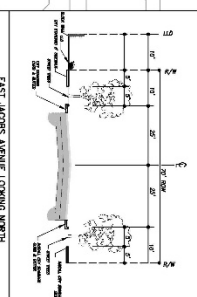
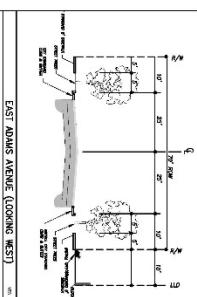
FORSALE BY: ERIC D. HOWARD
10500 N. HOWARD
RTE. C. WOODHILL
2022 E. HOWARD AVE
VIRGA, VA 22602

FORSALE BY: A. C. PERRY, INC.
224 S. 3RD ST.
VIRGINIA, CA 91331

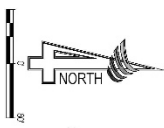
SITE DATA:

APN:	375-030-017
TOTAL AREA:	39.66 AC.
EXISTING ZONING:	R-20 / A-10
EXISTING ZONING:	AC-20 / A-10
PROPOSED USE:	MEDIUM DENSITY RESIDENTIAL, HIGH DENSITY RESIDENTIAL, MEDIUM DENSITY RESIDENTIAL, A AND M
GENERAL PLAN:	SOUTHERN CALIFORNIA CITY OF ORANGE COUNCIL CHARTER COMMUNICATIONS PEMA'S DISPOSAL
FLOOD ZONE:	
CAD. TAG:	
TELEPHONE:	
WATER:	
CABLE:	
REFUSE:	
PHASE 1:	71 LOTS 93 LOTS
PHASE 2:	15.17 AC. 5.52 AC.
PHASE 3:	3.70 DU/AC 6.14 DU/AC 20 DU/AC MIN.

LANDSCAPE & LIGHTING DISTRICT	
LOT A:	5,546 SF
LOT B:	3,724 SF
LOT C:	4,542 SF
LOT D:	7,153 SF
TOTAL	20,965 SF



VICINITY MAP



4CREEKS



324 S. SANTA FE ST., STE. A
P.O. BOX 7893
MILPITAS, CA 95022
TEL: 650.402.3062
FAX: 650.402.3775

RESOLUTION NO. PC 2020-05

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ORANGE COVE INITIATING ANNEXATION OF 39.66 ACRES TO THE CITY OF ORANGE COVE AND DETACHMENT OF THE SAME FROM THE ORANGE COVE IRRIGATION DISTRICT AND THE ORANGE COVE POLICE PROTECTION DISTRICT.

WHEREAS, the Orange Cove Planning Commission did conduct a duly noticed public hearing, accepting written and oral testimony both for and against the initiation of proceedings for the annexation of 39.66 acres into the City of Orange Cove located at the northwest corner of Jacobs Avenue and Adams Avenue, and

WHEREAS, the applicant, Kevin Howard and Eric Waddell of 3825 E. Howard Avenue, Visalia, have requested the annexation of their property into the City of Orange Cove and detachment from the County of Fresno, the Orange Cove Irrigation District and the Orange Cove Police Protection District; and

WHEREAS, the subject territory is contained in APN 375-030-017 (39.66 acres) and detailed in the attached map and legal description (see Exhibits A and B); and

WHEREAS, the City of Orange Cove desires to initiate proceedings pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, Division 3, commencing with Section 56000 of the California Government Code, for the proposed change of organization; and

WHEREAS, the territory proposed to be annexed is not inhabited, and on this day contains less than 12 registered voters, according to information received from the County Elections Officer; and

WHEREAS, a written description and map of the boundaries of the territories is set forth in 'Exhibit A' and 'Exhibit B' attached hereto and by this reference incorporated herein; and

WHEREAS, this proposal is consistent with the sphere of influence (SOI) of the City of Orange Cove; and

WHEREAS, the Orange Cove Police Protection District and the City of Orange Cove have a transition agreement in full force and effect that applies to police protection services within the annexed territory on file with the LAFCO Commission; and

WHEREAS, the Planning Commission finds the following for the proposed annexation:

1. The annexation is consistent with the County's Master Property Tax Sharing Agreement.
2. The subject territory is within Orange Cove's Sphere of Influence (SOI).
3. The subject territory is bounded on two sides by land that supports urban development.
4. Sewer, water and storm drainage infrastructure is available to the subject territory.

5. The subject territory is within the service area of Orange Cove Police and Fire services.

6. The subject territory is within the Orange Cove General Plan planning area and designated as high density residential by the Land Use Element.

WHEREAS, the Planning Commission held a public meeting for the proposed 39.66-acre annexation after a duly noticed public hearing on the matter; reviewed the staff report and negative declaration prepared on said annexation; and took testimony both for and against said annexation; and

WHEREAS, it has been determined that any environmental impacts associated with these annexations have been appropriately analyzed and as a result it has been determined that the annexation will not have an adverse impact on the environment and the Negative Declarations have been prepared consistent with the California Environmental Quality Act.

WHEREAS, the Planning Commission finds that said annexation is consistent with Section 210 of Fresno LAFCO's Policies, Standards and Procedures.

NOW, THEREFORE BE IT RESOLVED, that the Planning Commission of the City of Orange Cove hereby recommends to the Orange Cove City Council initiation of said annexation of 39.66 acres located at the northwest corner of Jacobs Avenue and Adams Avenue into the City of Orange Cove in the manner provided by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, and further finds that the proposed project will not have an adverse impact on the environment and approves a Negative Declaration on said annexation.

PASSED AND ADOPTED at a regular meeting of the Planning Commission of the City of Orange Cove duly called and held on the 20th day of October, 2020, by the following vote:

AYES: Commission Member(s):
NOES: Commission Member(s):
ABSENT: Commission Member(s):
ABSTAIN: Commission Member(s):

The foregoing resolution is hereby approved.

ATTEST:

June Bracamontes, City Clerk

HOWARD REORGANIZATION

Exhibit 'A'

Annexation to the City of Orange Cove

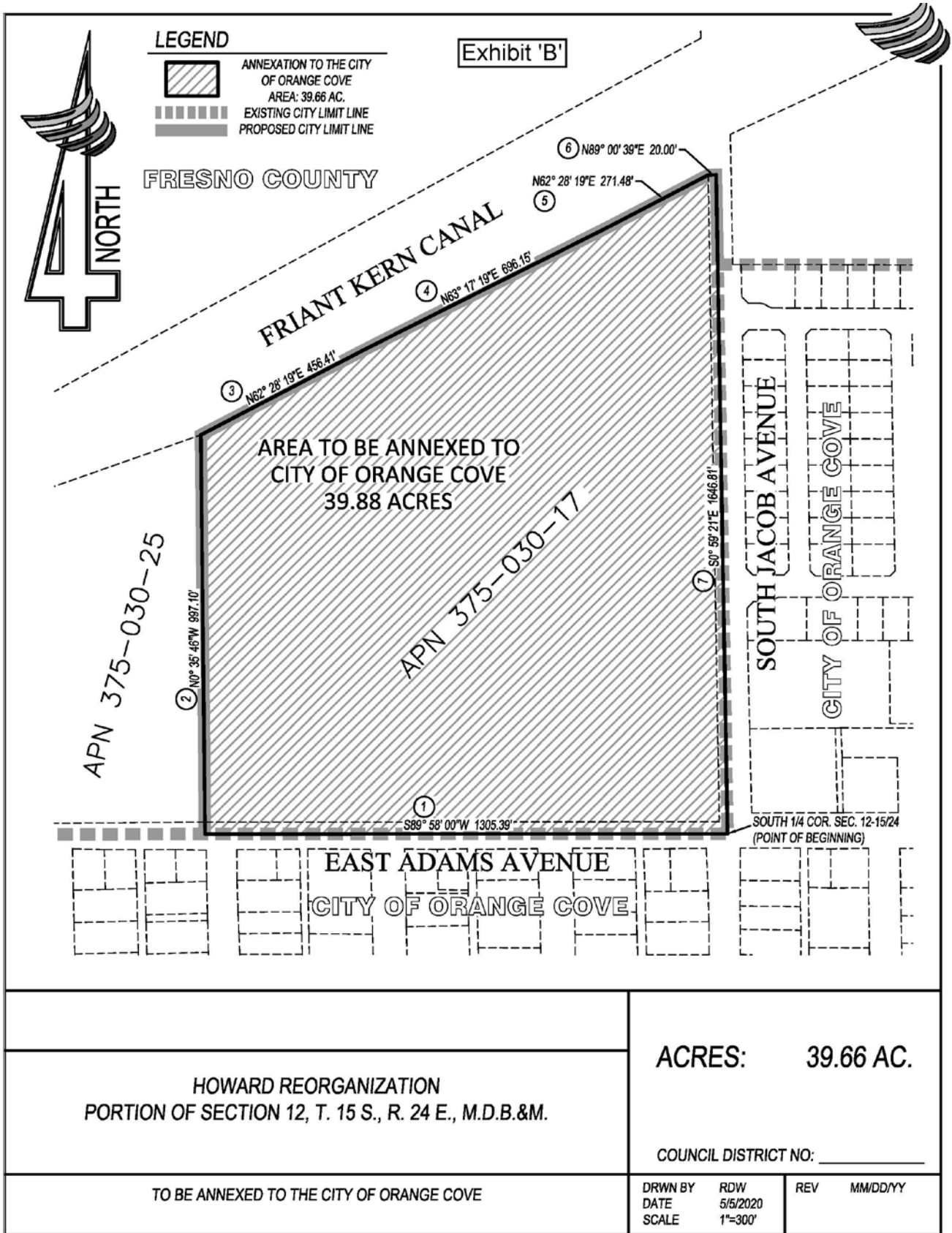
That portion of Section 12 of Township 15 South, Range 24 East, Mount Diablo Base and Meridian, in the County of Fresno, State of California, described as follows:

Beginning at the South quarter corner of said Section 12, said point being on the existing City Limit Line;

- Course 1: thence South 89°58'00" West, along said existing City Limit Line and the South line of said Section 12, a distance of 1305.39 feet more or less;
- Course 2: thence North 00°35'46" West departing from said City Limit Line, 997.70 feet more or less to the southerly Right of Way Line of the Friant Kern Canal;
- Course 3: thence North 62°28'19" East along said southerly Right of Way Line, 456.41 feet more or less, to an angle point therein;
- Course 4: thence North 63°17'19" East along said southerly Right of Way Line, 696.15 feet more or less, to an angle point therein;
- Course 5: thence North 62°28'19" East along said southerly Right of Way Line, 271.48 feet more or less, to the West Right of Way line of Jacobs Avenue;
- Course 6: thence North 89°00'39" East, 20.00 feet, to the West line of the Southwest quarter of said Section 12;
- Course 7: thence South 00°59'21" East along said West line, 1646.81 feet, to the Point of Beginning;

(Consisting of 39.66 acres more or less)





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 20 acres. Said applications are as follows:

1. Initiation of annexation of the subject territory containing 19.97 acres.
2. A general plan amendment redesignating 5.0 acres of the subject territory from “medium” to “high” density residential, and 3.8 acres from “medium” density residential to “general” commercial
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), 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 five acre parcel that will be dedicated for multi-family development and 3.8 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 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, 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 currently contains a single-family residence. The balance of the property is partially fallow with an older vineyard to the rear of the subject site. Surrounding land uses are as follows:

North: citrus

East: commercial development and vacant land

West: citrus with 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.

2.0 CITY OF ORANGE COVE

Orange Cove is an agricultural service community that is strongly tied to the citrus industry. Forty percent of the city's labor force in 2000 was employed in agriculture. Orange Cove lies in the "citrus belt" of Fresno County along the east side of the San Joaquin Valley at the base of the Sierra foothills.

Population

Orange Cove's population has shown a steady increase during the last 30 years. The population in 2000 stood at 7,722 persons, compared to 6,543 persons in 1990, 4,062 in 1980, and 3,392 in 1970. According to the State Department of Finance, Orange Cove's population climbed to 11,049 on 1/1/2010.

Table 1 : Population Growth Trends

Year	Population	Num. Change	Percent Change	Ave. Ann. Growth
1970	3,392	-	-	-
1980	4,062	670	19%	1.9%
1990	6,543	2,481	61%	6.1%
2000	7,722	1,179	18%	1.8%
2010	11,049	3,327	43%	4.3%

Source: 1990 and 2000 US Census, DOF

For the purpose of preparing Orange Cove's General Plan, population projections were developed representing low, medium and high estimates for the years 2012 and 2025. In 2012, the forecasted medium population was 12,081. By the year 2025, the forecasted medium population was 19,618. Orange Cove's population seems to be tracking the General Plan's medium population projections. The other 14 cities within Fresno County have also experienced strong population growth between since 2000. Orange Cove has seen the fastest growth rate among these cities.

Income

The median household income Orange Cove in 1990 was \$15,888. The medium income rose to \$22,525 in 2000. For comparative purposes, Fresno County's median household income in 2000 was \$34,725 and the State of California's was \$47,493.

In 1990, Orange Cove ranked number 1 among California cities in lowest per capita income, \$4,385 (Note: The top 5 cities in California in terms of lowest per capita income were located in either Fresno or Kings Counties, including Orange Cove, Parlier, Mendota, San Joaquin and Huron).

Income data for Orange Cove was detailed further by the Fresno County Council of Governments (COG). The median family income was \$22,525, the average self-employed income was \$17,250 and the average welfare income per household was \$5,563. Further, the COG's income data showed that 24 percent of the families in Orange Cove received some type of welfare or public assistance and that 40 percent of Orange Cove's families are below the poverty level.

Employment

Orange Cove's main employer is agriculture. The majority of the people of Orange Cove work in either packinghouses, in the fields or in industries that are agriculturally-related, such as trucking firms, equipment repair, or crop maintenance firms. In 2000, for example, almost 40 percent of Orange Cove's labor force worked in the agricultural sector. Much of the work in this sector is seasonal (e.g. picking or pruning). The seasonality of the city's work force is exemplified by the percent of males that work less than 26 weeks per year, 47 percent.

The city's work force also includes persons working in the following industrial sectors - retail trade, manufacturing, construction and services. The five major employers in Orange Cove in 2000 were Harding and Leggett Inc., Kaweah Citrus, Orange Cove/ Sanger Citrus, Sunny Cove Citrus, and Kings Canyon Unified School District.

Age

The median age of residents in Orange Cove is 22.8 years. The greatest percentage of the city's population in selected 10-year age groups are those that occupy the 0-9 years of age category. This age category represents 24.1 percent of the city's population. The next largest age groups are the 10 to 19 years of age, representing 20.6 percent of the population, and 25 to 34 years of age, representing 16.6 percent.

The above age data can be used to forecast certain trends in the community - 1) that the city's schools could be impacted by incoming school-aged children, especially at the lower grades and 2) that there exists a large population of persons in the labor force who are younger, ages 25 to 34 who could endure strenuous labor. Many persons in this age category are most likely young, male field-workers, which might explain why 52 percent of the population is male and 48 percent is female.

Ethnicity

Orange Cove's population is mainly made up of a Hispanic population. The percentage of Orange Cove's Hispanic population has grown from 86 percent in 1990 to 91 percent in 2000. Correspondingly, the White population has dropped from 11 percent in 1990 to 7 percent in 2000.

3.0 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.

Potential y 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 Consultant conducted an air quality analysis using the CalEEMod.Version Program

The air quality analysis confirmed that during the construction and operation phases of the project it did not meet the San Joaquin Valley Air District's CO emission daily threshold.

The Air District requested A Health Risk Screening/Assessment to identify potential Toxic Air Contaminants (TAC's) impact on surrounding sensitive receptors such as hospitals, daycare centers, schools, worksites, and residences. The air quality analysis indicated that the types of volumes of emissions generated by the Macias project would not have an adverse impact on surrounding sensitive receptors because it did not meet certain thresholds.

In the case of the Macias project there are no sensitive receptors adjacent to the project. Commercial development is located to the south and a large packing house is located just east of the subject site. Neither of these sites are considered sensitive receptors. Agriculture dominates the land north and west of the subject site, which is not considered to be a sensitive receptor.

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 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.

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 (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.

☐ ☐ ☐ ☒

Discussion: 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 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.

8. 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.

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 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 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.

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.

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. 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 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 residential unit is estimated to be 4.41 persons per residential unit, or a total population 542 persons (36 single family residential units plus 87 multi-family units = 123 residential units x 4.41 persons per household = 542 persons). The project will generate about 5,420 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 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.

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 Mid-Valley 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 or disposed of properly.

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

9-23-19 and 4-3-20 and 9-23-20

Date

INITIAL ENVIRONMENTAL STUDY

1.0 PROJECT OVERVIEW

BACKGROUND

Applicant: Kevin D. Howard/Eric C. Waddell, 3825 East Howard, Visalia, Ca. 93292
Engineer: 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. The property is located in Section 12, of Township 15 South and Range 24 East.

Request:

The applicant has applied for a number of planning applications that pertain to APN 375-030-017, containing approximately 40 acres. Said applications are as follows:

1. Initiation of annexation of the subject territory containing 39.66 acres.
2. A general plan amendment redesignating 5.14 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, 5.14 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 a portion of the subject site, 5.14 acres, 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 CITY OF ORANGE COVE

Orange Cove is an agricultural service community that is strongly tied to the citrus industry. Forty percent of the city's labor force in 2000 was employed in agriculture. Orange Cove lies in the "citrus belt" of Fresno County along the east side of the San Joaquin Valley at the base of the Sierra foothills.

Population

Orange Cove's population has shown a steady increase during the last 30 years. The population in 2000 stood at 7,722 persons, compared to 6,543 persons in 1990, 4,062 in 1980, and 3,392 in 1970. According to the State Department of Finance, Orange Cove's population climbed to 11,049 on 1/1/2010.

Table 1 : Population Growth Trends

Year	Population	Num. Change	Percent Change	Ave. Ann. Growth
1970	3,392	-	-	-
1980	4,062	670	19%	1.9%
1990	6,543	2,481	61%	6.1%
2000	7,722	1,179	18%	1.8%
2010	11,049	3,327	43%	4.3%

Source: 1990 and 2000 US Census, DOF

For the purpose of preparing Orange Cove's General Plan, population projections were developed representing low, medium and high estimates for the years 2012 and 2025. In 2012, the forecasted medium population was 12,081. By the year 2025, the forecasted medium population was 19,618. Orange Cove's population seems to be tracking the General Plan's medium population projections. The other 14 cities within Fresno County have also experienced strong population growth between since 2000. Orange Cove has seen the fastest growth rate among these cities.

Income

The median household income Orange Cove in 1990 was \$15,888. The medium income rose to \$22,525 in 2000. For comparative purposes, Fresno County's median household income in 2000 was \$34,725 and the State of California's was \$47,493.

In 1990, Orange Cove ranked number 1 among California cities in lowest per capita income, \$4,385 (Note: The top 5 cities in California in terms of lowest per capita income were located in either Fresno or Kings Counties, including Orange Cove, Parlier, Mendota, San Joaquin and Huron).

Income data for Orange Cove was detailed further by the Fresno County Council of Governments (COG). The median family income was \$22,525, the average self-employed income was \$17,250 and the average welfare income per household was \$5,563. Further, the COG's income data showed that 24 percent of the families in Orange Cove received some type of welfare or public assistance and that 40 percent of Orange Cove's families are below the poverty level.

Employment

Orange Cove's main employer is agriculture. The majority of the people of Orange Cove work in either packinghouses, in the fields or in industries that are agriculturally-related, such as trucking firms, equipment repair, or crop maintenance firms. In 2000, for example, almost 40 percent of Orange Cove's labor force worked in the agricultural sector. Much of the work in this sector is seasonal (e.g. picking or pruning). The seasonality of the city's work force is exemplified by the percent of males that work less than 26 weeks per year, 47 percent.

The city's work force also includes persons working in the following industrial sectors - retail trade, manufacturing, construction and services. The five major employers in Orange Cove in 2000 were Harding and Leggett Inc., Kaweah Citrus, Orange Cove/ Sanger Citrus, Sunny Cove Citrus, and Kings Canyon Unified School District.

Age

The median age of residents in Orange Cove is 22.8 years. The greatest percentage of the city's population in selected 10-year age groups are those that occupy the 0-9 years of age category. This age category represents 24.1 percent of the city's population. The next largest age groups are the 10 to 19 years of age, representing 20.6 percent of the population, and 25 to 34 years of age, representing 16.6 percent.

The above age data can be used to forecast certain trends in the community - 1) that the city's schools could be impacted by incoming school-aged children, especially at the lower grades and 2) that there exists a large population of persons in the labor force who are younger, ages 25 to 34 who could endure strenuous labor. Many persons in this age category are most likely young, male field-workers, which might explain why 52 percent of the population is male and 48 percent is female.

Ethnicity

Orange Cove's population is mainly made up of a Hispanic population. The percentage of Orange Cove's Hispanic population has grown from 86 percent in 1990 to 91 percent in 2000. Correspondingly, the White population has dropped from 11 percent in 1990 to 7 percent in 2000.

3.0 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.

Potential y 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 Consultant conducted an air quality analysis using the CalEEMod.Version Program (Attached). The air quality analysis confirmed that during the construction and operation phases of the project it did not meet the San Joaquin Valley Air District's emission thresholds for various criteria pollutants and therefore the project will not have a significant impact on the air quality environment.

The Air District requested A Health Risk Screening/Assessment to identify potential Toxic Air Contaminants (TAC's) impact on surrounding sensitive receptors such as hospitals, daycare centers, schools, worksites, and residences. The air quality analysis indicated that the types of volumes of emissions generated by the Howard project would not have an adverse impact on surrounding sensitive receptors because it did not meet certain thresholds. Additionally, as the project includes only 258 units, it qualifies for the AAQA small project exclusion.

In the case of the Howard project the only sensitive receptors adjacent to the project are residents who live in single and multi-family dwellings both to the south and the east. Agriculture dominates the land north and west of the subject site, which is not considered to be a sensitive receptor.

Most of the emissions that could have an adverse impact on the health of nearby residents will stem from the operation of motor vehicles. The amount of emissions (pollutants) generated by this project over time (buildout of the project will occur over ten years) will depend on the number of trips entering and exiting the project site as well as the types of vehicles and the speed that the vehicles will be driving.

The Consultant has concluded that 1) operating speeds will be slow because the local environment is dominated by residential uses that contain many school-aged children; 2) almost all the vehicles traveling to and from the project site have had smog inspections thereby proving that they are complying with Air District operating regulations; 3) the physical distance between the project site and surrounding residents is buffered by two wide streets – Jacobs and Adams, reducing the potential for certain emissions to reach surrounding residents; and 4) some persons in the Howard project will utilize different methods of travel – walking, biking and public transportation, again reducing the amount of harmful air emissions generated by the long-term operation of the project.

In conclusion, because of the above findings and conditions in the San Joaquin Valley that clearly dominate the air quality in the Valley such as climate-change; topography; air inversions; wild fires; agricultural spraying, discing, pruning, harvesting, land leveling; trucking, etc.; and emissions flowing from the north end of the Valley towards the south, the purpose of requiring a Health Risk Screening/Assessment for this project is unnecessary and unreasonable.

There are situations where such an Assessment would be warranted. Examples would include a land use decision where an agricultural chemical company, fossil fuel refinery, dump site or some type of manufacturing operation that was generating significant volumes of toxic air emissions was being proposed adjacent to residential development, a school or a hospital. This project does not fall into any of these categories. For this reason, the Consultant has concluded that the air quality analysis provides sufficient information to show that the long-term operation of the project will not have an adverse impact on the health or well-being of residents who live nearby.

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 to be built in Orange Cove 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.

☐ ☐ ☐ ☒

Discussion: 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 designate 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 156 new single-family dwellings and approximately 100 multi-family units, which will support approximately 1,024 persons (156 single family residential units plus 100 multi-family units = 256 residential units x four persons per household = 1024 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 five 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 – 102 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:

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.

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?

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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)?

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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 1,024 persons (156 single family residential units plus 100 multi-family units = 256 residential units x four persons per household = 1024 persons). The project will generate about 102,400 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 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?

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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?

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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 Mid-Valley 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?

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Discussion: All construction waste will be recycled or disposed of properly.

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)?

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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 and 9/23/20

Date