



Meeting Date: 02-15-2022

Agenda Item:

Planning Commission Meeting

REPORT TO: Orange Cove Planning Commission

REPORT FROM: Shun Patlan, Planner *SP* **REVIEWED BY:** Tristan Suire

AGENDA ITEM: Site Plan Review/Rezone and General Plan Amendment
Blossom Heights Apartment Project

ACTION REQUESTED: ☐ Ordinance ☒ Resolution ☐ Motion ☐ Receive/File

RECOMMENDED ACTION BY PLANNING COMMISSION

1. Staff recommends the Orange Cove Planning Commission Adopt PC Resolution No. 2022-03, approving A Rezone of 2.94 acres, General Plan Amendment To Redesignate The Same From R-1-6 to R-3 and Approve Site Plan for the Proposed Blossom Heights Apartment Project subject to Conditions of Approval

EXECUTIVE SUMMARY

The applicants, Brian Young and Darrell Lashinski., are seeking approval of a number of planning applications including General Plan Amendment, Rezoning Amendment, and Site Plan Review. These planning applications constitute a “project” under the California Environmental Quality Act (CEQA). The applications are as follows:

1. General Plan Amendment to redesignate the following parcels from the R-1-6 district to the R-3 district, APN No. 375-234-19, 20, & 24.
2. A Rezone Amendment to change the zoning district of the following parcels from the R-1-6 medium density residential zone to the R-3 high density residential zone.
3. Site Plan Review No. 21-02 for 44 units of high density, multifamily residential dwellings and related improvements.

Staff has determined that the subject property is within the planning area of the Orange Cove General Plan. The proposed project will be consistent with the land use designation of the General Plan, pending the approval of the Rezone Amendment, and subsequently is consistent with the development standards for the R-3 District.

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The Environmental Impact Report (EIR) prepared for the Orange Cove General Plan discussed the impacts associated with urbanization and residential development and adopted a “Statement of Overriding Consideration”. For this particular project, staff has filed a Mitigated Negative Declaration (MND) for the proposed project. The Mitigated Negative Declaration is a finding that the project will mitigate any potentially significant impacts below the level of significance, and therefore that there are no significant impacts beyond the environmental impacts discussed in the EIR prepared for the Orange Cove General Plan.

FINANCIAL INFORMATION

FISCAL IMPACT:

- | | |
|------------------------------|--------|
| 1. Is There a Fiscal Impact? | Yes |
| 2. Is It Currently Budgeted? | Yes |
| 3. If Budgeted, Which Line? | Varies |

PRIOR ACTION / REVIEW

Approval of the Orange Cove General Plan, Land Use Element which details policy and design guidelines for the subject property as well as surrounding properties.

BACKGROUND

The subject property is located northeast of the intersection between Jacobs and Adams Avenue, in the northeast quadrant of the city. The APN for the subject property is 375-234-19, 20, & 24; containing approximately 2.9 acres.



Detailed information on the planning application is as follows:

General Plan Amendment Application

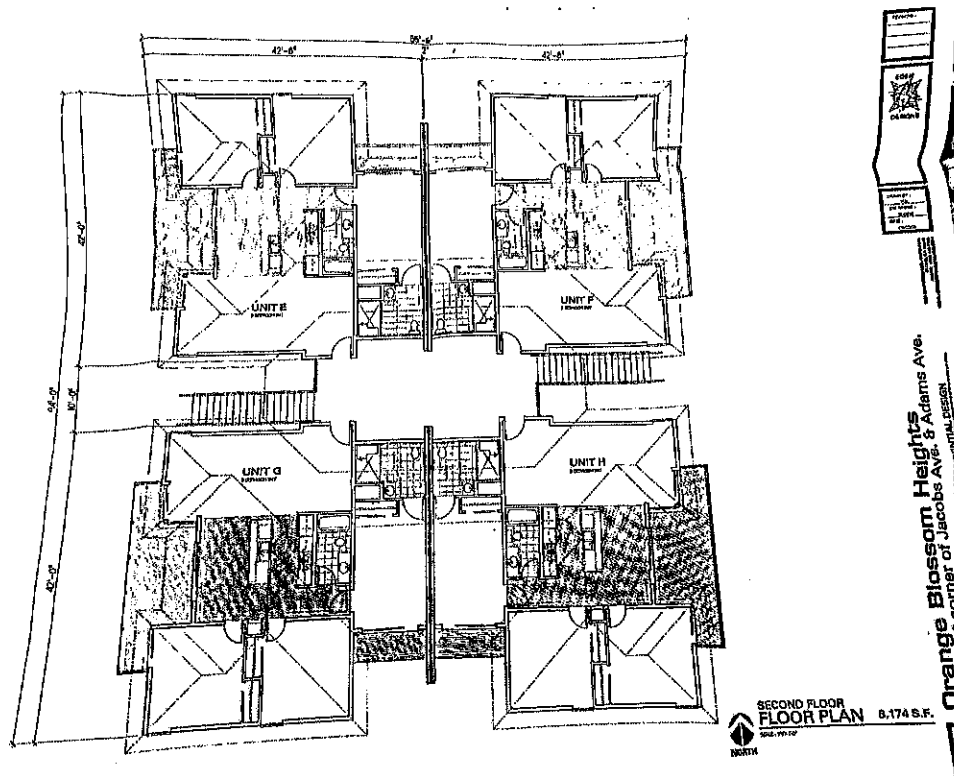
The applicant wishes to amend the General Plan to redesignate 3 parcels totaling 2.9 acres of land from the R-1-6 medium density residential district to the R-3 high density residential district. The subject property is not currently used and is directly adjacent to land zoned for both medium and high density residential.

Rezone Amendment Application

The applicant wishes to amend the zoning map as well as the general plan to reflect the redesignation of the aforementioned 3 parcels from the R-1-6 medium density district to the R-3 high density district.

Site Plan Review No. 21-02 Application

The proposed project provides a number of site maps and design illustrations to visualize the layout and character of the proposed 40 multifamily units. The applicant has submitted development site plan and cover sheet, unit floor plans, first and second floor plans, and exterior elevations, shown below. Pursuant to Orange Cove Municipal Code Section 17.56.020, the applicant will be required to submit landscape and irrigation plans prior to the approval of building permits.



Each unit will have three bedrooms with a total area of 1,375 sq. ft., with two floors and 8 units per complex. The total number of complexes is 5.5, with a 64,306 sq. ft. total floor area of all proposed buildings. The buildings would be no more than 30 feet tall, and cover approximately 45% of the lot, within the lot coverage requirements for the district. Design features include double paned windows and a combination of stucco and stone masonry veneer to appear homogenous to the existing visual character of the area.

The project also proposes a number of other improvements to be constructed on site incidental to residential use. These improvements include: six concrete refuse enclosures, curb, gutter and sidewalk improvements along existing streets, a landscaped planter in the parking area, asphalt paving of parking and traffic circulation areas, provision of ADA compliant parking stalls and accessible ramps, a 6' high chain link fence at property lines, fire hydrants, curbs painted with fire lanes, and an accessible site entrance sign.

The proposed interior parking lot road will be 30 feet wide and approximately 800 feet in total length. The parking lot road will be bordered in most places by curbs, parking spaces, trash enclosures, and sidewalks. While not intended to be a thru street, the parking lot road will technically connect Adams Avenue and Jacobs Avenue. There are 75 proposed parking stalls, compliant with Orange Cove minimum parking requirements.

The subdivision will be provided with water by the city. The City's water system is reliant on the Friant-Kern Canal, a surface water source which the City's Water Department is responsible for

treating, monitoring, and distributing. The City has ample water capacity to serve 40 additional multifamily units, contingent on the adherence with the State Water Resources Control Board (SWRCB) standards dictated by Compliance Order No. 03_23_17R_001_A1.

The Orange Cove wastewater treatment facility has ample capacity to treat the effluent generated by 40 multifamily units. The type of effluent - residential wastewater - will not create treatment issues for the plant, unlike certain types of industrial effluent streams.

Stormwater runoff will be conveyed to one of Orange Cove's nearby storm drainage retention ponds. A grading and drainage plan that will be submitted by the developer will determine the exact location and means by which the storm water will be managed.

Zoning: The site is currently zoned R-1-6, however has applied for a rezone amendment to zone the subject property R-3. Surrounding zoning is as follows:

North: Medium Density Residential
South: Public Facilities and Open Space
East: Schools
West: High and Medium Density Residential

Development standards for R-1-6 district (current zoning) are as follows:

Lot Area: Minimum of 6,000 feet.
Lot Width: Interior lots have a minimum width of 60 feet, corner lots have a minimum width of 65 feet, and curved lots have a minimum width of 40 feet.
Lot Depth: Lots facing local streets have a minimum depth of 100 feet.
Front Yard Setback: Minimum of 20 feet.
Side Yard Setback: Interior lots have a minimum side yard of 5 feet. Corner lots have a minimum of 10 feet for side yards abutting a street.
Rear Yard Setback: Minimum of 20 feet.
Lot Coverage: Maximum lot area covered by buildings or structures is 40%.
Population Density: Minimum 12,000 square feet of lot area per dwelling unit.
Building Height: Maximum two stories, or 30 feet in height.

Development standards for the R-3 district (proposed zoning) are as follows:

Lot Area: Minimum of 6,000 feet.
Lot Width: Interior lots have a minimum width of 60 feet, corner lots have a minimum width of 65 feet, and curved lots have a minimum width of 40 feet.
Lot Depth: Lots facing local streets have a minimum depth of 100 feet.

Front Yard Setback: Minimum of 15 feet.

Side Yard Setback: Interior lots have a minimum side yard of 5 feet. Corner lots have a minimum of 10 feet for side yards abutting a street.

Rear Yard Setback: Minimum of 15 feet.

Lot Coverage: Maximum lot area covered by buildings or structures is 60%.

Population Density: Minimum 1,500 square feet of lot area per dwelling unit.

Building Height: Maximum three stories, or 40 feet in height.

Land Use: The site is currently vacant. Surrounding land uses are as follows:

North: Single-family residential neighborhood

South: Community center and open space

East: Citrus Middle School and Orange Cove High School

West: Single- and multi-family residential neighborhood

The Orange Cove Development Review Committee met to review the proposed site plan and discuss conditions necessary to serve the subject site. Conditions of approval have been incorporated into the resolution recommending approval of the Site Plan Review and are as follows:

General:

1. Applicant shall enter into a development agreement with the City if the final map is recorded prior to the completion of the off-site improvements.
2. Applicant shall pay all fees as required by existing ordinance and schedules.
3. All water well(s) and septic systems that served the subject property shall be abandoned pursuant to City, County, and State standards.

Site Plan Review:

4. Applicant shall submit a revised version of the site plan review map received by the contract city planner compliant with all Orange Cove zoning ordinances, all residential design standards, and accurately reflecting the intent of the proposed project. The revised site plan review map shall be reviewed and approved by the City Planner prior to securing a building permit.

Circulation:

5. Applicants shall furnish and install street name signage within the project conforming to City of Orange Cove standards.

Air Quality:

6. Applicant shall adhere to best management practices during construction regarding the Air District's fugitive dust rules to ensure that the project does not violate the District's standards for dust emissions, pursuant to Regulation VIII, Fugitive PM 10 Prohibition of the San Joaquin Valley Air Pollution Control District Rules and Regulations.

7. Applicant shall adhere to all energy conservation regulations for residential dwellings contained in the California Green Building Standards Code (Title 24).

Geology and Soils:

8. Applicant shall ensure that all structures be built consistent with the Zone II seismic standards of the Uniform Building Code.

Water:

9. Applicant shall install minimum 8-inch water mains throughout the development to provide domestic and fire water service to the project, including installation of fire hydrants.
10. All new residential development is required to include water meters to reduce water consumption.

Sewer:

11. Applicants shall provide sewer mains and service facilities as directed by the City Engineer and Orange Cove Wastewater Enterprise Fund staff and pay all applicable fees.

Grading and Drainage:

12. Applicant shall prepare and submit a Grading and Site Improvement Plan for proposed on-site improvements for review and approval by the City Engineer. Applicant shall obtain a Grading and Site Improvement Permit once plans are approved.
13. Applicant shall obtain a NPDES permit from the Regional Water Quality Control Board. The plan shall provide for the mitigation of soil erosion from the project site during the construction and warranty periods and be submitted to the City prior to the start of construction or ground-disrupting activities.
14. As part of the mitigation measures for soil erosion, the applicant shall be responsible for street sweeping during the one-year warranty period.

Parks / Aesthetics:

15. A landscaping and irrigation plan shall be prepared and submitted for review by the City Engineer for proposed on-site and off-site (within the City right-of-way) landscaping. Landscape and irrigation features shall be low water consumption designs consistent with AB 1881 and Orange Cove municipal ordinances.
16. Applicant shall perform landscape maintenance within the street right-of-way for a period of one-year after acceptance of the tract improvements by the City Council. Maintenance includes all irrigation system repairs and replacement of stressed or dead vegetation.
17. Applicant shall comply with all regulations imposed by the creation of a landscaping and lighting district, which will be formed to maintain landscape features on the proposed subdivision.

Schools:

18. The development will be required to pay school impact fees in order to offset the cost of educational resources generated by the proposed project.

Utilities:

19. All existing overhead utilities adjacent to the subject property shall be undergrounded, including transformers.
20. All electric, cable television, telephone, internet, etc. services shall be provided to the development and shall be undergrounded.
21. Applicant shall provide a street light plan for review and approval by the City Engineer prior to approval of the improvement plans and prior to construction or ground-disrupting activities. Streetlights shall be LED and be provided by the developer and maintained by the City.
22. Applicants shall work with PG&E for the preparation of a utility plan, subject to the review and approval by the City Engineer prior to the approval of the improvement plans and prior to the start of construction or ground-disrupting activities. All work shall be completed such that no street surface needs to be reopened in order to be serviced.

Irrigation:

23. Any irrigation facilities, private or otherwise, shall be relocated outside of the street right of way, except at street crossings. Any irrigation lines that must remain in service shall be reconstructed with rubber gasket and reinforced concrete pipe.

Cultural Resources:

24. Applicant must comply with CEQA requirements regulating disturbance of subsurface cultural and historical resources that may be discovered during earthmoving activities, pursuant to Public Resources Code §21083.2 and §21084.1
25. Should any human remains be discovered during any part of the development process, the Fresno County Coroner must be notified immediately.

Wildfire:

26. Consistent with requirements of the local fire district, applicant will be responsible for plowing down of dry vegetation on the subject property while land is fallow to reduce fuel and decrease risk of wildfire.

Environmental Review:

27. Mitigation Measures listed in the Mitigated Negative Declaration will be monitored and reported on in a manner consistent with the Mitigation Monitoring and Reporting Program submitted with the environmental review, pursuant to §21081.6 of the Public Resources Code and §15097 of the CEQA Guidelines.

Defense and Indemnification:

28. Applicant agrees to and shall defend, indemnify, and hold harmless the City of Orange Cove ("City"), and its officials, city council members, planning commission members, officers, employees, representatives, agents, contractors, and legal counsel (collectively, "City Parties") from and against all claims, losses, judgements, liabilities, causes of action, expenses and other costs, including litigation, an award of attorney's fees, and damages of any nature whatsoever made against or incurred by the City Parties including, without limitation, an award of attorney fees and costs to the person, organization, or entity or their respective officers, agents, employees, representatives, legal counsel,

arising out of, resulting from, or in any way in connection with, the City's act or acts leading up to and including approval of any environmental document and/or granting of any land use entitlements or any other approvals relating to Site Plan Review, Blossom Heights Project ("Site Plan" or "Site Plan Review"). Applicant's obligation to defend, indemnify, and hold harmless specifically including, without limitation, any suit or challenge by any third party against the City which challenges or seeks to set aside, void or annul the legality or adequacy of any environmental document or determination, including, without limitation, any environmental document prepared by the City or at the direction of the City and approved by the City for the approval of any land use entitlements or other approvals related to the Tentative Map.

29. Applicant agrees its obligations to defend, indemnify and hold the City, and the City Parties harmless shall include, without limitation, the cost of preparation of any administrative record by the City, City staff time, copying costs, court costs, the costs of any judgements or awards against the City Parties of damages, losses, litigation costs, or attorney's fees arising out of a suit or challenge contesting the adequacy of any City act or acts leading up to and including any approval of any environmental document or determination, land use entitlements or any other approvals related to the Site Plan Review, and the costs of any settlement representing damages, litigation costs and attorney's fees to be paid to other parties arising out of a suit or challenge contesting the adequacy of any City act or acts leading up to and including any approval or any other approvals related to the Site Plan Review.
30. Applicant agrees the City may, at any time, require the Applicant to reimburse the City for attorney fees, costs that have been, or which the City reasonably anticipates will be, incurred by the City during the course of any suit or challenge. Such attorney fees shall include any and all attorney fees incurred by the City from its legal counsel, Tuttle & McCloskey, and any special legal counsel retained by the City. Applicant shall reimburse City within thirty (30) days of receipt of an itemized written invoice from City. Failure of the Applicant to timely reimburse the City shall be considered a material breach of the conditions of approval for the Site Plan Review.
31. Applicant shall comply with and shall require all contractors to comply with all prevailing wage laws, rules and regulations applicable to any work to be performed as a result of approval of the Site Plan (collectively "Development Work"). Applicant shall be solely responsible for making any and all decisions regarding whether any portion or aspect of the Development Work, including, without limitation, any form of reimbursement by the City to the Applicant or any contractor, will require the payment of prevailing wages. Further, Applicant will be solely responsible for the payment of any claims, fines, penalties, reimbursements, payments, and the defense of any actions that may be initiated against Applicant or any contractor as a result of failure to pay prevailing wages.

32. The Applicant shall defend, indemnify, and hold harmless the City Parties, from and against any and all claims, damages, losses, judgements, liabilities, causes of action, expenses and other costs, including, without limitation, litigation costs and attorney's fees, arising out of, resulting from, or in any way in connection with any violation or claim of violation of any prevailing wage law, rule or regulation applicable to any portion or aspect of the Development Work. Applicant's obligation to defend, indemnify and hold City Parties harmless specifically includes, but is not limited to, any suit or administrative action against the City Parties which claims a violation of any prevailing wage law, rule or regulation applicable to any portion or aspect of the Development Work.
33. The Applicant agrees its obligations to defend, indemnify and hold the City Parties harmless, shall include without limitation, City staff time, copying costs, court costs, the costs of any judgements or awards against the City Parties for damages, losses, litigation costs, or attorney's fees arising out of any violation or claim of violation of any prevailing wage law, rule, or regulation applicable to any portion or aspect of the Development Work and costs of any settlement representing damages, litigation costs and attorney's fees to be paid to other parties arising out of any such proceeding or suit.
34. Applicant agrees the City may, at any time, require the Applicant to reimburse the City for costs that have been, or which the City reasonably anticipates will be, incurred by the City during the course of any suit proceeding regarding violation of any prevailing wage law, rule or regulation. Such attorney fees shall include any and all attorney fees incurred by the City from its legal counsel, Tuttle & McCloskey, and any special legal counsel retained by the City. Applicant shall reimburse the City within thirty (30) days of receipt of an itemized written invoice from the City. Failure of the Applicant to timely reimburse the City shall be considered a material violation of the conditions of approval of the Site Plan Review.

Conclusions-

General Plan Amendment: The applicant has demonstrated that the General Plan Amendment to redesignate three parcels from the R-1-6 medium density district to the R-3 high density district is consistent with the goals and intent of the Orange Cove General Plan and represents a logical extension of the area zoned for high density residential use.

Rezone Amendment: The applicant requires a corresponding change in the Zoning Map to facilitate the redesignation of three parcels from the R-1-6 medium density district to the R-3 high density district. The project is considered infill development and will provide much needed affordable housing units within Orange Cove.

Site Plan Review: The applicant has provided maps and documents to describe the design and dimensions of the proposed project, however Orange Cove Municipal Code Section 17.56.020 requires that site plan applications must include a landscape and irrigation plan in the interest of plotting and planning maintenance of the proposed landscape features, before approval.

Environmental Review: The “project” consists of the application for General Plan Amendment, Rezone Amendment, and Site Plan Review. A mitigated negative declaration has been prepared for this project. Staff made the finding that there is a potentially significant impact to utilities and service systems, specifically water supply, which has been reduced to a less than significant level with the incorporation of mitigation measures detailed in the MND. Further, the EIR prepared for the Orange Cove General Plan thoroughly discussed the impacts of urbanization and residential development. The city adopted a “Statement of Overriding Consideration” regarding the EIR prepared for the Orange Cove General Plan.

ATTACHMENTS

1. Aerial imagery depicting subject property
2. Site plan review maps and design illustrations provided by project engineer
3. Initial Study, Notice of Intent, Mitigated Negative Declaration, and Mitigation Monitoring and Reporting Program for Blossom Heights Site Plan Review Project.

RESOLUTION NO. 2022 -

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF ORANGE COVE APPROVING A REZONE OF 2.94 ACRES, GENERAL PLAN AMENDMENT TO REDESIGNATE THE SAME FROM R-1-6 TO R-3, AND THE SITE PLAN FOR THE PROPOSED BLOSSOM HEIGHTS MULTIFAMILY DEVELOPMENT LOCATED ON THE NORTH SIDE OF ADAMS AVENUE AND EAST OF JACOBS AVENUE IN THE CITY OF ORANGE COVE, BRIAN YOUNG & DARRELL LASHINSKI, AND ADOPTING THE MITIGATED NEGATIVE DECLARATION AND MITIGATION MONITORING AND REPORTING PROGRAM FOR THE BLOSSOM HEIGHTS MULTIFAMILY PROJECT

WHEREAS, Brian Young and Darrell Lashinski, are requesting a rezone (general plan amendment / zone change) on property located on the north side of Adams Avenue and east of Jacobs Avenue in Orange Cove, containing approximately 2.94 acres; and

WHEREAS, the Assessor's Parcel Number (APN) for the subject properties are 375-23-019, 375-23-020, and 375-23-024; and

WHEREAS, the subject territory is within the city limits of the City of Orange Cove and bounded on three sides by land that is inside the city limits of Orange Cove; and

WHEREAS, the subject territory is bounded on the north, south, and east by residential development, and on the west by agriculture; and

WHEREAS, notice was duly given that the Planning Commission of the City of Orange Cove would hold the public hearing on February 15, 2022.

WHEREAS, the Planning Department has prepared a staff report and mitigated negative declaration on the proposed rezone (general plan amendment / zone change); and

WHEREAS, the Planning Commission held a public hearing on the rezone, reviewed the staff report and accepted public testimony both for and against.

WHEREAS, pursuant to the California Public Resources Code §21067 and the State CEQA Guidelines (Cal. Code of Regs., tit. 14 §15000 et seq.) §15051, the City of Orange Cove is the lead agency for the proposed project; and,

WHEREAS, an Initial Study was prepared for the project pursuant to State CEQA Guidelines §15063; and,

WHEREAS, on the basis of the Initial Study, which concluded that the project would have potentially significant impacts but that those impacts could be reduced to less than significant levels with implementation of the proposed mitigation measures, the City determined that a Mitigated Negative Declaration (“MND”) should be prepared for the Project pursuant to Public Resources Code sections 21664.5 and 21080(c), and the State CEQA Guideline section 15070 et seq.; and,

WHEREAS, on November 17, 2022, staff distributed for public review copies of a proposed MND prepared for the Project pursuant to the California Environmental Quality Act (CEQA) (Public Resources Code §21000 et seq.). The MND identified potentially significant but mitigatable impacts relating to the issue area of Public Utilities; and,

WHEREAS, the 20-day public comment period for the MND spanned from November 17, 2021 to December 9, 2021, pursuant to Public Resources Code §21091(b); and,

WHEREAS, the City has endeavored to take all steps and impose all conditions necessary to ensure that impacts to the environment would not be significant; and,

WHEREAS, on February 15, 2022, the Planning Commission of the City of Orange Cove held a duly noticed public hearing and at the time considered all testimony, written and oral; and,

WHEREAS, the Planning Commission of the City of Orange Cove reviewed and considered the Mitigated Negative Declaration for the proposed project and the information contained in said MND; and,

WHEREAS, in accordance with §15074(b) of the State CEQA Guidelines (Cal. Code of Regs., 1500 et seq.) the decision-making body of the lead agency must consider the MND and comments received before approving the Project; and,

WHEREAS, a Mitigation, Monitoring and Reporting Program (“MMRP”) has been prepared for the project to implement mitigation measures required by the Project and is attached as Exhibit A to this Resolution.

NOW, THEREFORE LET IT BE RESOLVED that the Planning Commission, after considering all the evidence presented, determined the following findings were relevant in evaluating this rezone request:

1. The subject territory is within the planning area of the Orange Cove General Plan
2. The proposed rezoning from the R-1-6 district to an R-3 district is consistent with the statewide and local goals and obligation to affirmatively further fair housing.
3. A Mitigated Negative Declaration has been prepared on this rezone request indicating that any impacts associated with this "project" will not have a significant impact on the environment.
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, of an Ordinance and Resolution to amend the General Plan and Zoning Ordinance to rezone of 2.94 acres in territory located in the northeast quadrant of the City of Orange Cove as shown on Exhibit A, subject to the following conditions:

General:

1. Applicant shall enter into a development agreement with the City if the final map is recorded prior to the completion of the off-site improvements.
2. Applicant shall pay all fees as required by existing ordinance and schedules.
3. All water well(s) and septic systems that served the subject property shall be abandoned pursuant to City, County, and State standards.

Site Plan Review:

4. Applicant shall submit landscape and irrigation plans for review by the Planning Director prior to approval of building permits or any ground-moving activity.

Circulation:

5. Applicants shall furnish and install street name signage within the project conforming to City of Orange Cove standards.

Air Quality:

6. Applicant shall adhere to best management practices during construction regarding the Air District's fugitive dust rules to ensure that the project does not violate the District's standards for dust emissions, pursuant to Regulation VIII, Fugitive PM 10 Prohibition of the San Joaquin Valley Air Pollution Control District Rules and Regulations.
7. Applicant shall adhere to all energy conservation regulations for residential dwellings contained in the California Green Building Standards Code (Title 24).

Geology and Soils:

8. Applicant shall ensure that all structures be built consistent with the Zone II seismic standards of the Uniform Building Code.

Water:

9. Applicant shall install minimum 8-inch water mains throughout the development to provide domestic and fire water service to the project, including installation of fire hydrants.
10. All new residential development is required to include water meters to reduce water consumption.

Sewer:

11. Applicants shall provide sewer mains and service facilities as directed by the City Engineer and Orange Cove Wastewater Enterprise Fund staff and pay all applicable fees.

Grading and Drainage:

12. Applicant shall prepare and submit a Grading and Site Improvement Plan for proposed on-site improvements for review and approval by the City Engineer. Applicant shall obtain a Grading and Site Improvement Permit once plans are approved.
13. Applicant shall obtain a NPDES permit from the Regional Water Quality Control Board. The plan shall provide for the mitigation of soil erosion from the project site during the construction and warranty periods and be submitted to the City prior to the start of construction or ground-disrupting activities.
14. As part of the mitigation measures for soil erosion, the applicant shall be responsible for street sweeping during the one-year warranty period.

Parks / Aesthetics:

15. A landscaping and irrigation plan shall be prepared and submitted for review by the City Engineer for proposed on-site and off-site (within the City right-of-way) landscaping. Landscape and irrigation features shall be low water consumption designs consistent with AB 1881 and Orange Cove municipal ordinances.
16. Applicant shall perform landscape maintenance within the street right-of-way for a period of one-year after acceptance of the tract improvements by the City Council. Maintenance includes all irrigation system repairs and replacement of stressed or dead vegetation.
17. Applicant shall comply with all regulations imposed by the creation of a landscaping and lighting district, which will be formed to maintain landscape features on the proposed subdivision.

Schools:

18. The development will be required to pay all school facilities and school impact fees in order to offset the cost of educational resources generated by the proposed project.

Utilities:

19. All existing overhead utilities adjacent to the subject property shall be undergrounded, including transformers.
20. All electric, cable television, telephone, internet, etc. services shall be provided to the development and shall be undergrounded.
21. Applicant shall provide a street light plan for review and approval by the City Engineer prior to approval of the improvement plans and prior to construction or ground-disrupting activities. Streetlights shall be LED and be provided by the developer and maintained by the City.
22. Applicants shall work with PG&E for the preparation of a utility plan, subject to the review and approval by the City Engineer prior to the approval of the improvement plans and prior to the start of construction or ground-disrupting activities. All work shall be completed such that no street surface needs to be reopened in order to be serviced.

Irrigation:

23. Any irrigation facilities, private or otherwise, shall be relocated outside of the street right of way, except at street crossings. Any irrigation lines that must remain in service shall be reconstructed with rubber gasket and reinforced concrete pipe.

Cultural Resources:

24. Applicant must comply with CEQA requirements regulating disturbance of subsurface cultural and historical resources that may be discovered during earthmoving activities, pursuant to Public Resources Code §21083.2 and §21084.1
25. Should any human remains be discovered during any part of the development process, the Fresno County Coroner must be notified immediately.

Wildfire:

26. Consistent with requirements of the local fire district, applicant will be responsible for plowing down of dry vegetation on the subject property while land is fallow to reduce fuel and decrease risk of wildfire.

Environmental Review:

27. Mitigation Measures listed in the Mitigated Negative Declaration will be monitored and reported on in a manner consistent with the Mitigation Monitoring and Reporting

Program submitted with the environmental review, pursuant to §21081.6 of the Public Resources Code and §15097 of the CEQA Guidelines.

Defense and Indemnification:

28. Applicant agrees to and shall defend, indemnify, and hold harmless the City of Orange Cove ("City"), and its officials, city council members, planning commission members, officers, employees, representatives, agents, contractors, and legal counsel (collectively, "City Parties") from and against all claims, losses, judgements, liabilities, causes of action, expenses and other costs, including litigation, an award of attorney's fees, and damages of any nature whatsoever made against or incurred by the City Parties including, without limitation, an award of attorney fees and costs to the person, organization, or entity or their respective officers, agents, employees, representatives, legal counsel, arising out of, resulting from, or in any way in connection with, the City's act or acts leading up to and including approval of any environmental document and/or granting of any land use entitlements or any other approvals relating to Site Plan Review, Blossom Heights Project ("Site Plan" or "Site Plan Review"). Applicant's obligation to defend, indemnify, and hold harmless specifically including, without limitation, any suit or challenge by any third party against the City which challenges or seeks to set aside, void or annul the legality or adequacy of any environmental document or determination, including, without limitation, any environmental document prepared by the City or at the direction of the City and approved by the City for the approval of any land use entitlements or other approvals related to the Tentative Map.
29. Applicant agrees its obligations to defend, indemnify and hold the City, and the City Parties harmless shall include, without limitation, the cost of preparation of any administrative record by the City, City staff time, copying costs, court costs, the costs of any judgements or awards against the City Parties of damages, losses, litigation costs, or attorney's fees arising out of a suit or challenge contesting the adequacy of any City act or acts leading up to and including any approval of any environmental document or determination, land use entitlements or any other approvals related to the Site Plan Review, and the costs of any settlement representing damages, litigation costs and attorney's fees to be paid to other parties arising out of a suit or challenge contesting the adequacy of any City act or acts leading up to and including any approval or any other approvals related to the Site Plan Review.
30. Applicant agrees the City may, at any time, require the Applicant to reimburse the City for attorney fees, costs that have been, or which the City reasonably anticipates will be, incurred by the City during the course of any suit or challenge. Such attorney fees shall include any and all attorney fees incurred by the City from its legal counsel, Tuttle & McCloskey, and any special legal counsel retained by the City. Applicant shall reimburse City within thirty (30) days of receipt of an itemized written invoice from City. Failure of

the Applicant to timely reimburse the City shall be considered a material breach of the conditions of approval for the Site Plan Review.

31. Applicant shall comply with and shall require all contractors to comply with all prevailing wage laws, rules and regulations applicable to any work to be performed as a result of approval of the Site Plan (collectively "Development Work"). Applicant shall be solely responsible for making any and all decisions regarding whether any portion or aspect of the Development Work, including, without limitation, any form of reimbursement by the City to the Applicant or any contractor, will require the payment of prevailing wages. Further, Applicant will be solely responsible for the payment of any claims, fines, penalties, reimbursements, payments, and the defense of any actions that may be initiated against Applicant or any contractor as a result of failure to pay prevailing wages.
32. The Applicant shall defend, indemnify, and hold harmless the City Parties, from and against any and all claims, damages, losses, judgements, liabilities, causes of action, expenses and other costs, including, without limitation, litigation costs and attorney's fees, arising out of, resulting from, or in any way in connection with any violation or claim of violation of any prevailing wage law, rule or regulation applicable to any portion or aspect of the Development Work. Applicant's obligation to defend, indemnify and hold City Parties harmless specifically includes, but is not limited to, any suit or administrative action against the City Parties which claims a violation of any prevailing wage law, rule or regulation applicable to any portion or aspect of the Development Work.
33. The Applicant agrees its obligations to defend, indemnify and hold the City Parties harmless, shall include without limitation, City staff time, copying costs, court costs, the costs of any judgements or awards against the City Parties for damages, losses, litigation costs, or attorney's fees arising out of any violation or claim of violation of any prevailing wage law, rule, or regulation applicable to any portion or aspect of the Development Work and costs of any settlement representing damages, litigation costs and attorney's fees to be paid to other parties arising out of any such proceeding or suit.
34. Applicant agrees the City may, at any time, require the Applicant to reimburse the City for costs that have been, or which the City reasonably anticipates will be, incurred by the City during the course of any suit proceeding regarding violation of any prevailing wage law, rule or regulation. Such attorney fees shall include any and all attorney fees incurred by the City from its legal counsel, Tuttle & McCloskey, and any special legal counsel retained by the City. Applicant shall reimburse the City within thirty (30) days of receipt of an itemized written invoice from the City. Failure of the Applicant to timely reimburse the City shall be considered a material violation of the conditions of approval of the Site Plan Review.

The foregoing resolution was adopted upon a motion of Commissioner _____, second by Commissioner _____ at a regular meeting of the Orange Cove Planning Commission on the _____, 2022, by the following roll call vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Chairperson

Secretary

Mayor:
Victor P. Lopez

Mayor Pro Tem:
Diana Guerra Silva

City Council Members:
Roy Rodriguez
Jesle Cervantes
Esperanza Rodriguez



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

Incorporated January 20, 1948

633 Sixth Street Orange Cove, California 93646 Phone: (559) 626-4488 / FAX: (559) 626-4653

October 15, 2021

Shun Patlan
City of Orange Cove
Planning/Code Enforcement
633 Sixth Street
Orange Cove, CA 93646

Re: Site Plan Review No. 2

Project: Orange Blossom Heights- SPR 21-02

The Site Plan for the Orange Blossom Heights project has been approved.

Please note the following items were deferred to the building plan check phase and are listed here for your reference only:

1. Information on all buildings and structures, including floor plans and proposed uses within each room of each structure.
2. The architectural elevations of all sides of all structures depicting design, color, materials, textures, ornament, or other architectural features.
3. The location of all signage on-site.
4. The adjacent streets, roads or alleys shall show rights-of-way, dedication and reservation widths, all improvements in the public right-of-way, including locations of sidewalks, parkways, curbs, gutters, street widths to centerline and existing and proposed dedications. Show adjacent public rights-of-way, including median island detail where applicable.
5. The Developer shall be responsible for all off-site improvements along Adams and Jacobs Avenue including roadwork, curb and gutter, sidewalk, fire hydrants, street lights, and landscaping.

6. Provide landscape and irrigation plans.
7. Show existing utilities to the site.
8. Show the composition of material comprising exterior surfaces.
9. Show proposed surfacing of all paved areas, including the proposed pavement section.
10. Existing topography and proposed grading and drainage of the site.
11. Phasing of the project, if any, must be shown on the site plan itself.
12. Provide information on adjacent land uses.
13. A grading and drainage plan conforming to the City Improvement Standards and City Engineer requirements shall be prepared by a registered Professional Engineer and submitted to the City Engineer for review and approval prior to issuance of permits.
14. The Developer shall submit construction plans on 24"x36" sheets with City Standard title block for all required improvements. These plans shall be prepared by a registered civil engineer and shall include any street, site utility, grading and drainage or other public improvement plans. All plans shall be approved by the City and all other affected agencies prior to the issuance of any grading and building permits.
15. If storm water is going to drain offsite, provide storm water calculations showing the volume assuming a 48hr, 100-yr storm event.
16. The Developer shall be responsible for obtaining and complying with an encroachment permit(s) from the Public Works Department for any work performed within the public right of- way or easements. A minimum four working days prior to the start of construction, the Developer must submit for review and approval an Encroachment Permit application to the Public Works Department.
17. As determined by the City Engineer, the Developer will be required to abandon and seal any existing septic system, agricultural well, and water well in accordance with the California Department of Health Standards and the Fresno County Community Health Department. The Developer shall submit evidence of such compliance to the Chief Building Official before the issuance of a Final Certificate of Occupancy.
18. Parking and ADA accessible facilities shall be in conformance with the City Improvements Standards.
19. A preliminary soils report conforming to the requirements of the City Engineer shall be prepared.

20. Water, storm drainage and sanitary sewer facilities shall be designed in accordance with the City Improvement Standards and shall conform to the requirements of the City Engineer.
21. The Developer shall comply with any applicable requirements of the utility companies which have franchise agreements with the City of Orange Cove. All utilities serving the project shall be placed underground in an appropriate easement in accordance with the utility concerned.
22. A 10-inch sanitary sewer line is located in Jacobs Avenue. Developer shall install sanitary sewer facilities required for the development. Developer shall have a utility plan prepared by a registered Civil Engineer of all site sewer facilities. Said plan shall show the location of all sanitary sewer manholes and sewer cleanouts.
23. The applicant shall submit a landscape and irrigation plan for review and approval by the City Engineer, prior to issuance of a building permit. Plans shall include an appropriate mix of groundcover, shrubs, and shade trees.
24. 8-inch water main lines are located both in Jacobs and Adams Avenue. Developer shall install water facilities required for the development. Developer shall have a utility plan prepared by a registered civil engineer of all site water facilities. Said plan shall show the location of all water mains, valves, fire hydrants and meters. Separate water services shall be installed for landscaping services. 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. All on-site water mains, meters and fire hydrants shall be constructed in accordance with City Standards and placed in easements dedicated to the City of Orange Cove. Locations of the fire hydrants shall be approved by the Orange Cove Fire Protection District Fire Chief. All meters and fire hydrants shall be placed on looped water mains.
25. Submit a Landscape and Irrigation Plan for review and approval by the City Engineer.
26. During construction, the Developer shall maintain a program of dust control to prevent air pollution as well as discomfort or damage to adjacent and surrounding properties. The Developer shall pay all applicable fees and follow all rules, regulations, and requirements of the San Joaquin Valley Air Pollution Control District for dust and emission reduction.
27. Unless exempt, the Developer shall prepare a Storm Water Pollution Control Plan (SWPPP) pursuant to the California Water Control Board Order No. 2009- 0009-DWQ, NDPES No CA 000002.
28. Unless exempt, the Developer shall prepare a Dust Control Plan (DCP) and file the plan with the San Joaquin Valley Air Pollution Control District for construction activities.
29. Prepare and submit an Erosion and Sediment Control Plan as part of the plan set.

Please let us know if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Alfonso Manrique', with a long horizontal flourish extending to the right.

Alfonso Manrique, P.E.
City Engineer



NOTICE OF INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION

TO: Agencies, Organizations, and Interested Parties.

SUBJECT: Notice of Intent to Adopt a Mitigated Negative Declaration for the Blossom Estates Subdivision project.

NOTICE IS HEREBY GIVEN that the City of Orange Cove, as lead agency under the California Environmental Quality Act (CEQA), has prepared a Mitigated Negative Declaration (MND) and supporting Initial Study for the Blossom Estates Subdivision project and is providing public notice in compliance with Title 14, Chapter 3, §15072 and §15073 of the California Code of Regulations, as amended.

The City has prepared this Notice of Intent to Adopt a MND to provide an opportunity for input from public agencies, organizations, and interested parties on the environmental analysis addressing the potential effects of the proposed project.

PROJECT TITLE: Blossom Estates Subdivision

PROJECT LOCATION: The 30.74 acre project site is located approximately 450 feet south of South Street, between Orange Street and Anchor Avenue in the City of Orange Cove. The site is south of high density residential dwellings, east of medium and high density residential dwellings, west of public schools, and north of public facilities (a community center) and open space.

PROJECT DESCRIPTION: The proposed project is a medium density residential subdivision including 56' interior roadways. The 156 proposed lots range from -square-feet to square-feet, with the lot graded from back of lot to front of lot, north to south, along the same grade as the natural hydrology. The proposed roads would be 56 feet wide and connect Anchor Avenue, South Street, and Orange Street with interior roadways, all of which are through streets.

PUBLIC REVIEW: The MND is available for a 20-day public review period beginning January 7, 2022 And ending January 28, 2022. Copies of the MND are available for review on the City's website at City Hall, located at 633 6th Street, Orange Cove, CA 93646.

AGENCY/ PUBLIC COMMENTS: Written comments on the MND for the proposed project must be received no later than January 28, 2022. Send comments by mail to 633 6th Street, Orange Cove, CA

93646 or by email to tristan@weplancities.com. If you require additional information, please contact Tristan Suire at (559) 734-8737.

PUBLIC HEARING: The Orange Cove Planning Commission will consider this item tentatively planned for February 15, 2022 or as soon thereafter as possible. Hearing will be held at the City Council Chambers at 633 6th Street, Orange Cove, CA 93646.

To confirm the date and time of the meetings and for additional information concerning the proposed project, please check the City's website.



Draft Mitigated Negative Declaration

Blossom Estates Subdivision

Tentative Subdivision Map

City File No.

The contract city planners have reviewed the proposed project described below to determine whether it could have a significant effect on the environment as a result of project completion. "Significant effect on

the environment” is defined as a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance.

NAME OF PROJECT: Blossom Estates Subdivision.

PROJECT FILE NUMBER:

PROJECT LOCATION AND ASSESSORS PARCEL NUMBER: Subject property is located approximately 450 feet south of South Avenue, between Anchor Avenue and Orange Street, in the southwest quadrant of the city. The Assessor’s Parcel Numbers (APN) are 378-021-28, 40, 41, & 42, containing approximately 30.7 acres. The property is located in Sections 23 & 24, of Township 15 South and Range 24 East, M.D.B.&M.

PROJECT DESCRIPTION: The proposed project is a planning application for a tentative subdivision map permit to subdivide a 30.7 acre site located west of Anchor Avenue, into 156 single-family residential lots to allow for the construction of 149 medium density detached residential dwellings, at a density of 0.206 acres per lot.

APPLICANT CONTACT INFORMATION:

Brian Jones, Applicant Representative
Piro Enterprises, Inc.
3811 Crowell Road, Turlock, CA. 95382

FINDING: In accordance with the California Environmental Quality Act (CEQA), the City of Orange Cove has prepared an Initial Study to determine whether the proposed project may have any significant adverse effect on the environment. The Initial Study and Proposed Mitigated Negative Declaration reflect the independent judgement of the contract city planner and city staff. On the basis of the Initial Study, the City of Orange Cove hereby finds:

The proposed project will not have a significant adverse impact on the environment. The project has incorporated specific provisions and mitigation measures to reduce impacts to less than significant levels.

The attached Initial Study and mitigation measure provide the foundation and reasons for preparing a Mitigated Negative Declaration (MND) for this project.

PROPOSED MITIGATION MEASURES:

The following Mitigation Measures are extracted from the Initial Study. These measures are designed to avoid or minimize potentially significant impacts, thereby reducing them to an insignificant level. A Mitigation Monitoring and Reporting Program (MMRP) is an integral part of project implementation pursuant to AB 3180, passed in 1988, and ensures that mitigation is properly implemented by the City and the implementing agencies. The MMRP will describe actions required to implement the appropriate

mitigation for each CEQA category including identifying the responsible agency, program timing, and program monitoring requirements. Based on the analysis and conclusions of the Initial Study, the impacts of the proposed project would be mitigated to less-than-significant levels with the implementation of the mitigation measures presented below.

XVII. UTILITIES AND SERVICE SYSTEMS

Discussion: The proposed project will be connected to the city's water system. The city water supply originates from Millerton Lake, the surface waters of which are conveyed by the Friant-Kern Canal, which is then treated to meet State Drinking Water Standards, and finally transmitted to residents, businesses, and industry in the city. The State Water Resources Control Board (SWRCB) issued the City of Orange Cove a Compliance Order first in February of 2017, and then again in June of 2020, for failure to ensure that sufficient water was available to adequately, dependably, and safely supply all users under maximum demand conditions. This is because the Friant Kern Canal is periodically shut down for extended time periods during winter months for maintenance such as herbicide application. Therefore the City must address the need to develop an alternative source of supply to meet the demands on the system during foreseeable Friant Kern shutdowns.

The City of Orange Cove has submitted two applications to the SWRCB Division of Financial Assistance (DFA) with regards to providing adequately reliable water supply. The first is to fund construction of two new package surface water treatment plants to replace the existing aging plants. The completion of this application and construction will take several years, however it is an imperative to providing sufficient treatment infrastructure. The second is to fund a planning project to develop additional source capacity, however the application has not been deemed complete by the DFA.

The current assessment by the SWRCB that the supply of water in Orange Cove is insufficient to support annexations on the grounds that the residential dwellings intended for these projects will exceed the capacity of Orange Cove to reliably supply users under maximum demand conditions, implies that the addition of residential dwellings within the city will similarly strain water demands. This has the potential to lead to expanded entitlements on water to supplement supply, and therefore the following measures must be incorporated into the project to ensure less than significant impact.

Mitigation Measure USS-4: The completion of the two aforementioned DFA applications and subsequent compliance with SWRCB standards will secure the water supply needed to reliably ensure that the project will not require new resources or entitlements. If the SWRCB requires the identification of additional groundwater source capacity, then plans for aquifer recharge and recovery systems, water tower infrastructure, or other capacity increasing practices must be considered to mitigate the impacts of potentially acquiring additional water supply resources.

USS-4 The following measures shall be implemented:

Measure USS-4.A: Before initiation of construction or ground-disturbing activities associated with the project, the City shall require compliance with all SWRCB standards pursuant of

Compliance Order No. 03_23_17R_001, evidenced by the completion and submission of two (2) pending applications with the DFA.

Measure USS-4.B: If compliance with the SWRCB is contingent on implementation of plans related to water supply, then this project applicants must incorporate during buildout all applicable aspects of those plans as mitigation measures in order to keep impacts to a less than significant level.

Measure USS-4.C: To the maximum extent feasible, limit use of turf or water intensive landscape features present on all lots in the proposed project, and encourage use of drought resistant vegetation, gravels, and other xeriscaped landscape features.

PUBLIC REVIEW PERIOD:

Before 5:00 P.M. on _____ ending date, any person may:

1. Review the Draft Mitigated Negative Declaration as an informational document only; or
2. Submit written comments regarding the information, analysis, and mitigation measures in the Draft MND. Before the MND is adopted, planning staff will prepare written responses to any comments, and revise the Draft MND, as necessary, to reflect any concerns raised during the public review period. All written comments will be included as part of the Final MND.

Circulated On: _____

Adopted On: _____

Circulation Period: _____

INITIAL ENVIRONMENTAL STUDY

1.0 PROJECT OVERVIEW

BACKGROUND

Applicant: Piro Enterprises, Inc., 3811 Crowell Road, Turlock, CA. 95382
Engineer: NorthStar Engineering, Inc., 620 12th Street, Modesto, CA. 95354

Location:

The subject property is located approximately 450' south of South Avenue, between Anchor Avenue and Orange Street, in the southwest quadrant of the city. The APN for the subject property is 378-021-28, 40, 41, & 42; containing approximately 30.7 acres. The property is located in Sections 23 & 24, of Township 15 South and Range 24 East, M.D.B.&M.



Request:

The applicant has applied for a 30.7 acre tentative subdivision map that proposed 156 single-family residential lots at a density of 0.197 acres per lot.

Staff has determined that the subject property is within the planning area of the Orange Cove General Plan, and that the proposed subdivision would meet the development standards of the R-1-6 District.

Zone:

The subject property is zoned R-1-6 (Medium Density Residential) district by the City of Orange Cove. The proposed subdivision is consistent with this district.

General Plan:

The Orange Cove General Plan designates the property as "medium density" residential.

Site:

The subject property is currently vacant. No original use could be found for the subject property, however it is assumed that agriculture once occupied the site. The California Department of Conservation has the subject property classified as "Farmland of Local Importance".

Surrounding land uses and zoning are as follows:

North: High density single- and multi-family residential development.

East: Citrus Middle School and Orange Cove High School

West: High density and medium density residential

South: Open space and public facilities including a community center.

Water:

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

Sewer:

The City of Orange Cove will provide wastewater collection and treatment. The developer will be required to install a sewage 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 to-be-constructed curb and gutter system, this stormwater will flow to a nearby stormwater basin.

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 with strong ties to the citrus industry. Forty percent of the city's labor force in 2000 was employed in agriculture, and in data collected between 2012-2016, 59% of the population identified as blue collar laborers. 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 between 1970 and 2010, however population growth has leveled off in the past decade between 2011 and 2021. According to the State Department of Finance, Orange Cove's population decreased to 9,581 on 1/1/2021, from 10,273 on 1/1/2019.

Table 1: Population Growth Trends

Year	Population	Num. Change	Percent Change	Avg. Ann. Growth
1970	3,392	-	-	-
1980	4,062	670	20%	2.0%
1990	6,543	2,481	61%	6.1%
2000	7,722	1,179	18%	1.8%
2010	11,049	3,327	43%	4.3%
2019(est.)	10,273	-776	-7%	-0.8%
2021(est.)	9,581	-692	-7%	-3.5%

Source: 1990, 2000, and 2020 US Census Bureau, California Department of Finance.

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. The forecasted medium population in 2012 was 12,081, the actual recorded population was 10,205. Likewise, the forecasted medium population in 2025 is 19,618, which is likely to be high given current rates of population growth and the fact that the population would need to more than double in the next five years to meet this projection. Orange Cove's population is now following the General Plan's low population projections. The other 14 cities within Fresno County have also tapered off from their population projections, with the exceptions of the cities of Clovis and Fowler, which have both maintained positive population growth between 2010 and 2020. Orange Cove's growth rate is now among the bottom five of cities in the county.

Income

The median household income for Orange Cove in 1990 was \$15,888. The median income rose to \$22,525 in 2000, and again rose slightly to \$25,677 as of 2019. By comparison, Fresno County's median household income in 2019 was \$53,969, and the State of California's was \$75,235. There is a widening disparity between the increase in median household income in Orange Cove and that of the county and state.

In 1990, Orange Cove ranked 1st among California cities in lowest per capita income, at \$4,385. Over two decades later in 2014 it ranked 7th among California cities in lowest per capita income, at \$9,734. The data from the Fresno County Council of Governments (COG) further details recent changes in income. The American Community Survey concluded in 2014 that the median family income was \$25,030, with 53% of persons below poverty level, and over 70% of children under 18 below poverty level. Fortunately the most recent data from the US census suggests that only 9.5% of all persons in Orange Cove are in poverty, representing a marked improvement.

Employment

Orange Cove's main employer is agriculture, with over 40% of its residents working in packinghouses, fields, as supervisors, or in agriculture-related industries such as equipment maintenance. One of, if not the largest single employer based in Orange Cove is the Orange Cove-Sanger Citrus Association, which purports to employ approximately 100 people in the city. The next largest industry is manufacturing, employing about 10% of the population, followed by healthcare, with 9.6% of city residents. The city's workforce also includes persons working in the following sectors; retail, wholesale, administration, accommodation, public service, and education.

Age

The median age of residents in Orange Cove is 23.6 years. The average household size is 4.39 persons per unit. The greatest percentage of the city's population in selected age groups are those that occupy the under 18 years of age category, at 39.9% of the total population. The next largest age groups are 25-44 years of age, at 26.4% of the population, and 45-64 years of age, at 15.8%. Finally, 12.3% of the population is 18-24 years of age, and only 5.7% is 65 years of age or older.

The above age data can be used to forecast trends in the community, however it is important to note that it is collected from the 2010 census, and in the past decade population growth in Orange Cove has leveled off. The first trend is a slight decline in school-aged children, which may impact the city's schools and employment rates. The second is the disproportionate amount of younger households, 44 years of age and under at 66.3%, to older households 45 years of age and older at 33.8%. This relates both to the labor force, which is young enough to endure strenuous labor associated with the agriculture industry, and to housing, which must be able to accommodate the large population of young families.

Ethnicity

The ethnic profile of the population of Orange Cove, currently and historically, is primarily made up of people who identify as Hispanic. The 2019 Census Bureau data states that 95% of the population of Orange Cove identifies as Hispanic, a four percent increase from 91% in 2000. This corresponds with a drop in the population that identifies as white only from 7% in 2000 to 3.4% in 2019. There is also 1% of the population each identifying as Black or African American, and two or more ethnicities, respectively.

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.

Potentially Significant <u>Impact</u>	Less Than Significant with <u>Mitigation</u>	Less Than Significant <u>Impact</u>	No <u>Impact</u>
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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 impact on the visual environment due to the construction of homes and subsequent loss of open space, over thirty acres. The loss of thirty acres of open space in a predominantly urban area is not deemed significant. Further this "potential to degrade scenic resources" is acknowledged in the Final EIR prepared for the Orange Cove 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?

Potentially Significant <u>Impact</u>	Less Than Significant with <u>Mitigation</u>	Less Than Significant <u>Impact</u>	No <u>Impact</u>
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Discussion: There are not any significant scenic resources on the subject property including trees, rock outcroppings, and 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 adjacent neighborhoods to the North and West, as well as the community center and public schools to the South and East, respectively. Given the subject property is within Orange Cove's city limits, and zoned for medium density residential uses, it is likely that the plots will be further developed for residential purposes within the next five years. This is consistent with and discussed further in the Land Use Element of the Orange Cove General Plan.

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, as well as lighting from the homes themselves. In general, this lighting will only illuminate the ground directly below the light standards. The addition of lighting to the street-lined areas of the community is typical of parcels transitioning from vacant to residential.

Potentially Significant <u>Impact</u>	Less Than Significant with <u>Mitigation</u>	Less Than Significant <u>Impact</u>	No <u>Impact</u>
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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 states 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 30 acres of land that was previously used as a vacant lot. However the California Department of Conservation includes the property as "Farmland of Local Importance". Despite this designation, there are no contracts in place to maintain the land in agriculture. Further, 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

Potentially Significant <u>Impact</u>	Less Than Significant with <u>Mitigation</u>	Less Than Significant <u>Impact</u>	No <u>Impact</u>
---	--	---	---------------------

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?
- | | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The proposed subdivision is not under an agricultural preserve contract nor will the project adversely impact existing agricultural operations in the immediate area since land on two sides of the subject property are currently urbanized. None of the properties adjacent to the proposed subdivision are zoned for agriculture.

3. Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code §12220(g)) or timberland (as defined in Public Resources Code §4526)?
- | | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

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?
- | | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

Potentially Significant <u>Impact</u>	Less Than Significant with <u>Mitigation</u>	Less Than Significant <u>Impact</u>	No <u>Impact</u>
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Discussion: The subject property is not forested, and the proposed project would not impact forested lands.

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?
- | | | | |
|--------------------------|--------------------------|-------------------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: The project will result in the conversion of vacant farmland to non-farmland uses. The impact of this conversion was discussed in the EIR 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. Further, the subject property is not currently zoned nor used for agricultural or forested uses.

III. AIR QUALITY --

Where available, the significance of 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?
- | | | | |
|--------------------------|--------------------------|-------------------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|--------------------------|-------------------------------------|--------------------------|

Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
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Discussion: The project will have little if any impact on the Air District's 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 = 1,490 trips per day

These trips can be converted to peak morning and evening trips. The single-family residential homes will generate 118 trips per peak morning hour and 148 trips per peak evening hour.

Most if not all residential trips will utilize the two collector streets, S. Anchor Avenue, and to a lesser degree Orange Street, that border the subject site on the east and west respectively. Traffic wishing to travel east and west using South Avenue can travel to the citrus groves to the east, and the City of Reedley to the west. Traffic wishing to travel north and south can access Anchor Avenue which leads toward downtown and eventually out of the city to the north, and past schools and a community center to the south.

Given that peak hour trips will be diffused among many intersections both around and within the proposed subject site, it is unlikely that any intersection near the proposed property will be adversely impacted. Further, because the subdivision is within half of a mile of open space, the community center, schools, a city office, and a church many people are expected to walk to these destinations rather than drive.

While the air emissions generated by the project will add to the Air Basin's already nonattainment status for certain pollutants including ozone (both one and eight-hour measurements), PM 10, and PM 2.5, the project is not deemed significant by the Air Quality District because it does not meet certain emissions thresholds.

In the case of the Blossom Estates project the sensitive receptors adjacent to the project include; residents who live in single and multi-family dwellings both to the north and west. As well as a community center to the south and schools to the east.

Potentially Significant <u>Impact</u>	Less Than Significant with <u>Mitigation</u>	Less Than Significant <u>Impact</u>	No <u>Impact</u>
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Most of the emissions that could have an adverse impact on the health of the 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 a period of five years) will depend on the number of trips entering and exiting the project site as well as the types of vehicles and the driving speed of the vehicles.

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, wildfires, 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 manufacturing operations that was generating a significant volume of toxic air emissions was being proposed adjacent to residential development, a school or hospital. This project does not fall into any of these categories. For this reason, 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 the residents who live nearby.

Further, using the VMT screening tool provided by the Fresno Council of Governments (COG, the projected VMT/capita for the proposed project is 10.0. This is below the most stringent 15% threshold based on Orange Cove's regional average which is 10.2 VMT per capita. Therefore no additional VMT analysis is required for the proposed project.

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.

	Potentially Significant <u>Impact</u>	Less Than Significant with <u>Mitigation</u>	Less Than Significant <u>Impact</u>	No <u>Impact</u>
2. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion: The project will not violate any air quality standards nor will it exceed the Air District's emissions 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 (Regulation VIII, Fugitive PM 10 Prohibitions) will ensure that the project will not violate any of the District's standards for dust emissions.

3. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is in nonattainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Discussion: The proposed project will not generate significant criteria pollutants for which the region is in nonattainment, nor will emissions exceed thresholds established by the SJVAPCD for ozone precursors. The impact of urban development within the project

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
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area on air quality was discussed in the EIRs prepared for the Orange Cove General Plan, and a "Statement of Overriding Consideration" was adopted for the Final EIR.

4. Expose sensitive receptors to substantial pollution concentrations? ☐ ☐ ☐ ☒

Discussion: Residents that live in the proposed project area will not be exposed to any substantial pollution concentrations. The lots north of the project site are multifamily residential dwellings, and the schools and residential dwellings to the east and west are each buffered by 84' and 60' roadways respectively. To the south there is a community center and open space, disqualifying uses that would potentially increase concentrations of pollutants.

5. Create objectionable odors affecting a substantial number of people? ☐ ☐ ☒ ☐

Discussion: The project is not expected to result in odors that will affect residents on or adjacent to the site. The construction of the subdivision will not create any odors that will be obnoxious to surrounding residents. Further, long-term use of the subject site for residential uses is not expected to produce objectionable odors.

IV. BIOLOGICAL RESOURCES --

Would the project:

1. Has a substantial adverse effect, either directly or through habitat modifications, ☐ ☐ ☒ ☐

	Potentially Significant <u>Impact</u>	Less Than Significant with <u>Mitigation</u>	Less Than Significant <u>Impact</u>	No <u>Impact</u>
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 of plants or animals. The subject property is vacant, and given the history of the community, may have once been used for agriculture. The likelihood of sensitive species inhabiting the site is remote, given cultural practices associated with farming including soil disruption and compaction, spraying, irrigating, and disking.

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

Discussion: There are no riparian woodland corridors that exist within or adjacent to the subject property, nor are there any sensitive natural communities within the subject area or nearby. The territory is currently fallow and any native habitat was removed in favor of the vacant lot, which has overgrown with weeds.

- | | Potentially
Significant
<u>Impact</u> | Less Than
Significant with
<u>Mitigation</u> | Less Than
Significant
<u>Impact</u> | No
<u>Impact</u> |
|--|---|--|---|--------------------------|
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

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 (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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: The proposed project will not impede the migration of fish or wildlife species. The territory is currently fallow and does not contain any channels, woodland, shrubland, or other wildlife corridors or nursery sites.

5. Conflict with any local policy

	Potentially Significant <u>Impact</u>	Less Than Significant with <u>Mitigation</u>	Less Than Significant <u>Impact</u>	No <u>Impact</u>
or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion: There are no local policies or ordinances in the City of 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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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 Cal. Code Regs. tit. 14 §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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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

Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
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contains a historical resource. The subject property has no structures on the site and no historical use of the site could be identified. Therefore 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 the Final EIR.

2. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Cal. Code Regs. tit. 14 §15064.5?
- | | | | |
|--------------------------|--------------------------|-------------------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: Although there are no known archaeological resources located within the subject territory, the proposed project could result in the disturbance of subsurface archaeological resources during excavation and/or grading of the land. However, the discovery of this type of resource is not especially likely given the lack of previously discovered archaeological resources on adjacent developments.

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

3. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?
- | | | | |
|--------------------------|--------------------------|-------------------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|--------------------------|-------------------------------------|--------------------------|

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

Potentially Significant <u>Impact</u>	Less Than Significant with <u>Mitigation</u>	Less Than Significant <u>Impact</u>	No <u>Impact</u>
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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: The placement of the subject property and lack of evidence of human remains in surrounding developments suggests that it is unlikely that any human remains exist within the subject territory. However, should any human remains be discovered during excavation, grading, construction, or any other part of the development process, 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 in the most
recent Alquist-Priolo
Earthquake Fault Zoning
Map issued by the State
Geologist for the Area

Potentially Significant <u>Impact</u>	Less Than Significant with <u>Mitigation</u>	Less Than Significant <u>Impact</u>	No <u>Impact</u>
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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 movement is sufficient so that potential impacts are reduced. The City of Orange Cove requires that all new structures be built within the city consistent with Zone II seismic standards of the Uniform Building Code.

2. Strong seismic ground shaking? ☐ ☐ ☒ ☐

Discussion: With incorporation of Zone II seismic standards, as required by the City of Orange Cove, the potential for significant impacts on residential and commercial development due to seismic ground shaking will be minimal.

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

Discussion: The San Joaquin loam soils located throughout the project area are not subject to liquefaction or other seismic-related ground failure.

4. Landslides? ☐ ☐ ☐ ☒

Potentially Significant <u>Impact</u>	Less Than Significant with <u>Mitigation</u>	Less Than Significant <u>Impact</u>	No <u>Impact</u>
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Discussion: The project area occupies level ground (0-3% slope) and therefore 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 are composed primarily of San Joaquin loam with few erosive qualities. Therefore, 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 potential result in on or off-site landslide, lateral spreading, subsidence, liquefaction, or collapse? ☐ ☐ ☐ ☒

Discussion: Soils on the project site (San Joaquin loam and a very small amount of Alamo clay in the southeastern corner of the subject property) are considered stable. Further, the project area occupies a level ground, no more than 3% slope, 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 ☐ ☐ ☐ ☒

Potentially Significant <u>Impact</u>	Less Than Significant with <u>Mitigation</u>	Less Than Significant <u>Impact</u>	No <u>Impact</u>
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risks to life or property?

Discussion: The subject property is not located on any 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The proposed subdivisions will be required to connect to the city's sewer and wastewater systems 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: Greenhouse gas (GHG) emissions are emissions of various types of gases that are known to be causing an increase in global temperatures and by proxy impacting climate patterns. Scientists recognize GHGs resulting from human activities, particularly the use of machinery that burns fossil fuels for power, as the primary cause of climate change and its subsequent negative environmental consequences. Key greenhouse gases include carbon dioxide, methane, nitrous oxides, and hydrofluorocarbons (HFCs).

Potentially Significant <u>Impact</u>	Less Than Significant with <u>Mitigation</u>	Less Than Significant <u>Impact</u>	No <u>Impact</u>
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Greenhouse gas emissions will occur primarily during the construction of the project and when motorized vehicles are operated - each mile traveled (VMT) will generate GHGs. Also the operation of heating and cooling equipment and gas range appliances installed in residential uses will lead to the cumulative production of GHGs.

The volume of GHGs generated by 40 acres of single-family residential uses is insignificant when compared to emissions generated by the City of Orange Cove or the San Joaquin Valley as a whole. Due to energy conservation regulations (Title 24) implemented throughout the State, motorized vehicles becoming gradually 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 of natural gas, and the incorporation of pedestrian friendly design features as per the Orange Cove General Plan, residential dwellings of today will generate less GHG emissions than dwellings that were built as recently as a decade ago. For these reasons, the project will not result in a significant release of GHG emissions when compared to the carbon budget of Orange Cove or the San Joaquin Valley as a whole.

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 and cyclist-friendly living environment thereby promoting walking and biking and less dependence on single occupancy motorized vehicles. Further, recent updates to the Uniform Building Code will increase the "R" Factor (resistance to the conductive flow of heat; insulation factor) in the walls of the residential dwellings that will be constructed

Potentially Significant <u>Impact</u>	Less Than Significant with <u>Mitigation</u>	Less Than Significant <u>Impact</u>	No <u>Impact</u>
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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?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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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 reasonable foreseeable upset and accident conditions involving the release of hazardous materials into the environment.

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Discussion: The project does not involve the handling, storage, or transportation of hazardous materials.

3. Emit hazardous emissions

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
or handle hazardous or acutely hazardous materials, substance, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 4. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code §65962.5 and, as a result, would it create a significant hazard to the public or the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The project site is not included on any list of known hazardous materials sites compiled pursuant to Government Code §65962.5.

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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 result in a safety hazard for people residing in or working in the project area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Potentially Significant <u>Impact</u>	Less Than Significant with <u>Mitigation</u>	Less Than Significant <u>Impact</u>	No <u>Impact</u>
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Discussion: The subject area is not adjacent to a public or private airport, nor is it within two miles of an airport.

6. 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?
- | | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The subject area is not adjacent nor in the vicinity of a private airstrip.

7. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?
- | | | | |
|--------------------------|--------------------------|-------------------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: The project will not impair implementation nor 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 South Avenue, Anchor Avenue, Orange Avenue, or planned interior streets within the subdivision, traffic exiting the subdivision would be restricted from entering these roadways until emergency vehicles have cleared the intersections along these roadways.

8. Expose people or structures to a significant loss, injury, or death involving wildland fires, including where
- | | | | |
|--------------------------|--------------------------|-------------------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|--------------------------|-------------------------------------|--------------------------|

Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
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wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands.

Discussion: There are no wildlands adjacent to urbanized areas or intermixed with residences. However, the subject property has open space directly to the south which is dominated by weeds. Orange Cove receives an average annual rainfall of 12.33 inches, over an average of less than 50 precipitation days each year. This lack of precipitation coupled with Fresno counties designation of the months of May through November as the wildfire season, creates a situation in which the grass to the south may become a fire hazard as it dries, compounded by the major collector road to the east. The likelihood of exposure of the subject property to a wildland fire remains low. Further the local fire district requires that lots within the city must be plowed down during the wildfire season, mitigating the source of fuel and therefore maintaining a less than significant impact.

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 or subsurface waters. Storm water runoff will be diverted to drop inlets throughout the subdivision and this runoff will be diverted to a nearby storm water basin.

2. Substantially deplete groundwater supplies or ☐ ☐ ☒ ☐

	Potentially Significant <u>Impact</u>	Less Than Significant with <u>Mitigation</u>	Less Than Significant <u>Impact</u>	No <u>Impact</u>
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 in addition to 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: The project area's drainage patterns will not be significantly altered. All of 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.

	Potentially Significant <u>Impact</u>	Less Than Significant with <u>Mitigation</u>	Less Than Significant <u>Impact</u>	No <u>Impact</u>
4. Substantially alter the existing drainage pattern of the site or area, including through the alternation 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion: The project area's drainage patterns will not be significantly altered. All surface runoff will be transported by means of gutters, drop inlets and storm drainage pipes to Orange Cove's system of storm drainage ponds, including a new drainage basin in the southwest corner of the proposed project.

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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Discussion: All stormwater runoff will be retained in Orange Cove's stormwater retention basins. This basin system has the capacity to accommodate the additional runoff that will be generated by the proposed subdivision. Residential uses do not typically provide additional sources of polluted runoff.

6. Otherwise substantially

	Potentially Significant <u>Impact</u>	Less Than Significant with <u>Mitigation</u>	Less Than Significant <u>Impact</u>	No <u>Impact</u>
degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion: No aspect of the proposed project is expected to degrade water quality. No water from the site will enter any adjacent surface water systems and therefore risk of water quality degradation is markedly reduced.

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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Discussion: The subject property does include FEMA designated flood hazard zones, specifically Zone 0.2 (500-year flood hazard), Zone AO (100-year flood hazard), and Zone AE (100-year flood hazard, 26% chance of flooding over the duration of a 30-year mortgage). Only a small fraction of the southeast quadrant of the subject property falls within these hazard zones. A drainage basin has been situated in the southwest corner of the subject property along the natural grade of the land. Further, grading during construction and the legal requirement of homes to be raised at least a foot above the elevation of the 100-year floodplain will ensure that housing placed within the flood hazard boundary is elevated or has flood protection, making the impact less than significant.

This territory occupies an area between the Alta East Branch Channel to the west, and the Friant Kern Canal to the east, however even at its closest point the subject property is over 0.5 mile from either aqueduct. Both of these waterways are subject to high levels of artificial channelization, and their cement lined banks exacerbate flooding potential, as does the even grade of the land. Due to subsidence and drought the flows of both canals

Potentially Significant <u>Impact</u>	Less Than Significant with <u>Mitigation</u>	Less Than Significant <u>Impact</u>	No <u>Impact</u>
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are expected to decrease in coming years, and there has been no flooding on the subject property in recent years, decreasing potential for future flood events.

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

☐☐☒☐

Discussion: The subject property does include FEMA designated flood hazard zones, specifically Zone 0.2 (500-year flood hazard), Zone AO (100-year flood hazard), and Zone AE (100-year flood hazard, 26% chance of flooding over the duration of a 30-year mortgage). Only a small fraction of the southeast quadrant of the subject property falls within these hazard zones. A drainage basin has been situated in the southwest corner of the subject property along the natural grade of the land. Further, grading during construction and the legal requirement of homes to be raised at least a foot above the elevation of the 100-year floodplain will ensure that housing placed within the flood hazard boundary is elevated or has flood protection, making the impact less than significant.

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, nor any levees, and therefore is not at risk of being flooded due to the failure of a levee or dam.

Potentially Significant <u>Impact</u>	Less Than Significant with <u>Mitigation</u>	Less Than Significant <u>Impact</u>	No <u>Impact</u>
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10. Inundation by seiche, tsunami,
or mudflow?

☐☐☐☒

Discussion: The project is located over 120 miles inland from the Pacific Ocean, the closest source of tsunami, there are no major inland water bodies within several miles capable of producing a seiche, and the even grade of the surrounding land in tandem with the content of surrounding soils present no reasonable 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 any established Orange Cove neighborhood. The subject property is located in the southwest quadrant of the city, and represents a logical extension of the urbanized part of the community.

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

☐☐☒☐

Potentially Significant <u>Impact</u>	Less Than Significant with <u>Mitigation</u>	Less Than Significant <u>Impact</u>	No <u>Impact</u>
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an environmental effect?

Discussion: The project is entirely consistent with the Land Use Element of the General Plan, as well as the zoning ordinance. There are no specific plans, special districts, or local coastal programs that address the subject territory.

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 typically supports sand and gravel resources.

2. Result in the loss of

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion: The site is not known to harbor mineral resources that would be locally important, nor are there any plans for mineral resource recovery sites on the subject property.

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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: The proposed project will not generate any excessive noise, nor will it expose persons to excessive noise levels. Due to the surrounding land uses (open space, public facilities, residential, and schools) that the site is bound by, 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 | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Potentially Significant <u>Impact</u>	Less Than Significant with <u>Mitigation</u>	Less Than Significant <u>Impact</u>	No <u>Impact</u>
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ground noise levels?

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

3. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?
- | | | | |
|--------------------------|--------------------------|-------------------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|--------------------------|-------------------------------------|--------------------------|

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 residential development may temporarily increase ambient noise levels during construction, however these noise levels will be short-lived. This ambient noise produced by the proposed residential project will be at the same levels of existing ambient noise in the immediate area.

4. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?
- | | | | |
|--------------------------|--------------------------|-------------------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|--------------------------|-------------------------------------|--------------------------|

Discussion: Construction activities associated with residential development create very little noise compared to construction associated with commercial or industrial development. During the construction of homes, roads, infrastructure, and parks, 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

Potentially Significant <u>Impact</u>	Less Than Significant with <u>Mitigation</u>	Less Than Significant <u>Impact</u>	No <u>Impact</u>
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complete the proposed subdivision project. These are the same periodic increases in ambient noise already present without the proposed project, as the adjacent collector street, Anchor Avenue, serves as a major thoroughfare, producing ample noise from traffic.

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 residing or working the project area to be exposed to excessive noise levels?
- | | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

Discussion: The project site is not within an airport land use plan, nor within two miles of a public airport 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?
- | | | | |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

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

Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
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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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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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 into these units. The construction of 156 new single-family dwellings will support approximately 624 persons (156 single-family residential units x four persons per household = 624 persons). Data from the California Department of Finance from between 2011-2021 states that there were 2,314 housing units in the city. In addition the current population estimates for the City of Orange Cove put the number of people at 9,581. Compared to this data, the proposed project is deemed to be an insignificant growth inducing project.

The growth-inducing impacts associated with the adoption of the Orange Cove General Plan was discussed in the EIR prepared for the General Plan. 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	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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	Potentially Significant <u>Impact</u>	Less Than Significant with <u>Mitigation</u>	Less Than Significant <u>Impact</u>	No <u>Impact</u>
replacement housing elsewhere?				

Discussion: There is no existing housing on the subject property.

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

Discussion: There are no dwelling units, informal housing, or transient populations on subject property to displace.

XIV. PUBLIC SERVICES --

Would the project result in substantial adverse physical impacts associated with the provision of 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Discussion: The project will receive fire protection services from the Orange Cove Fire District, which is headquartered in Orange Cove. The project site is located about a mile away from the fire department, which is 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Potentially Significant <u>Impact</u>	Less Than Significant with <u>Mitigation</u>	Less Than Significant <u>Impact</u>	No <u>Impact</u>
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Discussion: The project will receive police protection from the Orange Cove Police Department, headquartered in central Orange Cove. The project site is located about a mile away from the police station thereby ensuring that police services can be provided to the site within a 5-minute response time. 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 0.75 school aged children per residential unit - 117 school-aged children. The project will have a less than significant impact on schools in Kings Canyon Unified 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 --