



# **ORANGE COVE CITY COUNCIL SPECIAL MEETING AGENDA**

**Victor P. Lopez, Mayor**

**Diana Guerra Silva, Mayor Pro Tem  
Roy Rodriguez, Council Member**

**Josie Cervantes, Council Member  
Esperanza Rodriguez, Council Member**

**TUESDAY, MARCH 29, 2022 - 6:00 P.M.**

**SENIOR CENTER  
699 6<sup>th</sup> Street, Orange Cove, California 93646**

**LIVE MEETING AND  
TELECONFERENCE**

**(CALL 1-720-740-9780 ACCESS CODE 1060550#)**

## **A. Call to Order/Welcome**

Roll Call  
Invocation  
Flag Salute

## **B. Confirmation of Agenda**

## **C. Consent Calendar**

1. City Council Minutes February 23, 2022 and March 9, 2022

## **D. Administration**

### **City Engineer**

2. **SUBJECT:** Public Presentation and Consideration and Necessary Action on a Resolution of the City Council Adopting the City of Orange Cove Local Road Safety Plan

**Recommendation:** Staff recommends that City Council adopt Resolution No. 2022-18 adopting the City of Orange Cove's Local Road Safety Plan as a guiding document and for inclusion in the Fresno Council of Government's Multijurisdictional Local Road Safety Plan.

**Planning:**

3. **SUBJECT:** Blossom Estates Tentative Tract No. 6355

**Recommendation:** Council to consider approving the following Resolutions:

a) Resolution No. 2022-15 adopting a Mitigated Declaration and a Mitigated Monitoring and/report Program for the Blossom Estates Tentative Tract Map No. 6355

b) Resolution No. 2022-16 approving Tentative Tract Map No. 6355 (Piro Enterprises) subject to the conditions of approval herein

4. **SUBJECT:** Fresno County Multi-Jurisdictional Housing Element

**Recommendation:** Council to consider approving Resolution No. 2022-17 approving the participation of the City of Orange Cove in the Fresno County Multijurisdictional Housing Element update and cost sharing agreement

**Interim City Manager:**

5. **SUBJECT:** Financial Updates (Verbal)

**Recommendation:** Informational Item Only

**Mayor and City Councilmembers:**

6. **SUBJECT:** NALEO Conferences: April 21-22, 2022 and June 23-25, 2022 in Chicago, IL

**Recommendation:** Council to give staff direction

**F. Public Forum**

Members of the public wishing to address the City Council on an item that is not on the agenda may do so now. No action will be taken by the City Council this evening. But items presented may be referred to the City Manager for follow up and a report. In order to allow time for all comments, each individual is limited to three minutes. When addressing the Council, you are requested to come forward to the speaker's microphone, state your name and address, and then proceed with your comments.

**G. City Manager's Report**

## **H. City Attorney's Report**

## **I. City Council Communications**

## **J. Closed Session:**

7. Conference with Labor Negotiators (Government Code Section 54957.6)
  - a. City Designated Representative: Rudy Hernandez, Interim City Manager
  - b. Employee Organization: International Union of Operating Engineers, Stationary Engineers, Local 39
8. Conference with Labor Negotiators (Government Code Section 54957.6)
  - a. City Designated Representative: Rudy Hernandez, Interim City Manager
  - b. Employee Organization: Orange Cove Police Officers Association
9. Conference with Legal Counsel  
Significant Exposure to Litigation pursuant to Government Code Section 54956.9(b)(2)
10. Pursuant to Government Code Section 54957  
Appointment of Legal Services for Personnel related matters
11. Government Code Section 54956.8  
Conference with Real Property Negotiator  
Property: 9581 S. Pedersen Avenue, Reedley, CA  
APN: 373-180-06  
City Negotiator: City Manager and City Engineer  
Negotiating Parties: Stucky, Douglas L & Amanda (for Seller);  
Under Negotiation: Price and Terms of Payment
12. Government Code Section 54956.8  
Conference with Real Property Negotiator  
Property: City of Orange Cove 0.75 Acres  
APN: 378-030-44T  
City Negotiator: City Manager  
Negotiating Parties: Jonathan D. Startz; AMG & Associates  
Under Negotiation: Price and Terms of Payment
13. Conference with real property negotiator  
Government Code Section 54956.8  
Property: Industrial Park  
APN: 378-200-21T  
City Negotiator: City Manager  
Negotiating Parties: Jesus Lara  
Under Negotiation: Price and Terms of Payment

14. Conference with real property negotiator  
Government Code Section 54956.8  
Property: APN 375-173-04t located on Park Blvd.  
City Negotiator – City Manager  
Negotiating Parties. Raul Santelian  
Under Negotiation: Price and Terms of Payment

## **K. Reconvene Council Meeting**

## **L. Adjournment**

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

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

## **STATEMENT ON RULES OF DECORUM AND ENFORCEMENT**

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

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

## **GENERAL RULES OF DECORUM**

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

1. All remarks shall be addressed to the City Council as a whole and not to any single member, unless in response to a question from a member of the City Council.
2. A person who addresses the City Council under public comment for a specific agenda item or under the Public Forum section of the agenda may not engage in speech or conduct (i) which is likely to provoke others to violent or riotous behavior, (ii) which disturbs the peace of the meeting by loud and unreasonable noise, (iii)



which is irrelevant or repetitive, or (iv) which disrupts, disturbs, or otherwise impedes the orderly conduct of any City Council meeting.

3. A person, other than members of the Council and the person, who has the floor, shall not be permitted to enter into the discussion unless requested by the mayor to speak.
4. Members of the City Council may not interrupt a person who has the floor and is making public comments. Members of the City Council shall wait until a person completes his or her public comments before asking questions or commenting. The mayor shall then ask Councilmembers if they have comments or questions.
5. No person in the audience at a Council meeting shall engage in disorderly or boisterous conduct, including the utterance of loud, threatening or abusive language, whistling, stamping of feet or other acts which disturb, disrupt or otherwise impede the orderly conduct of any Council meeting.

### **ENFORCEMENT OF DECORUM RULES** (Resolution No. 2012-16)

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

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

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



## **MINUTES ORANGE COVE CITY COUNCIL**

**Victor P. Lopez, Mayor**

**Diana Guerra Silva, Mayor Pro Tem**

**Josie Cervantes, Council Member**

**Roy Rodriguez, Council Member**

**Esperanza Rodriguez, Council Member**

**WEDNESDAY, FEBRUARY 23, 2022 - 6:30 P.M.**

**TELECONFERENCE ONLY  
(CALL 1-720-740-9780 ACCESS CODE 1060550#)**

### **A. Call to Order/Welcome**

**COUNCIL PRESENT:** Mayor Victor P. Lopez  
Mayor Pro Tem Diana Guerra Silva  
Councilmember Roy Rodriguez  
Councilmember Josie Cervantes  
Councilmember Esperanza Rodriguez

**STAFF PRESENT:** Financial Consultant/Interim City Manager Rudy Hernandez  
City Attorney Dan McCloskey  
Chief of Police, Marty Rivera  
City Clerk June V. Bracamontes

### **B. Confirmation of Agenda**

No changes to the agenda

### **C. Consent Calendar**

1. Council Minutes of January 26, 2022

**Motion by Councilman Rodriguez and seconded by Mayor Lopez, Council approved the Consent Calendar as presented.**

Yes: Lopez, Silva, Rodriguez, Cervantes, Rodriguez  
No: None  
Abstain: None  
Absent: None

#### **D. Administration**

##### **City Engineer**

2. **SUBJECT:** Resolution Accepting an Access Easement from Yanez Construction, Inc.

**Recommendation:** Staff recommends that City Council adopt Resolution No. 2022-09 accepting the dedication of an access easement from Yanez Construction, Inc. and authorize the Interim City Manager to record acceptance with the Fresno County Recorder's Office

**Upon the motion by Councilman Rodriguez and seconded by Mayor Pro Tem Silva, Council approved Resolution No. 2022-09 accepting the dedication of an access easement from Yanez Construction, Inc. and authorize the Interim City Manager to record acceptance with the Fresno County Recorder's Office**

Yes: Lopez, Silva, Rodriguez, Cervantes, Rodriguez  
No: None  
Abstain: None  
Absent: None

3. **SUBJECT:** Cost Proposal from Collins and Schoettler Planning Consultants Update the City's Zoning Ordinance

**Recommendation:** Staff recommends that City Council approve Resolution No. 2022-10 cost proposals from Collins and Schoettler Planning Consultants to conduct a comprehensive update on the City's Zoning Ordinance and to authorize the City Manager to sign a contract with Collins and Schoettler Planning Consultants on behalf of the City

**Upon the motion by Mayor Pro Tem Silva and seconded by Councilwoman Cervantes, Council approve Resolution No. 2022-10 cost proposals from Collins and Schoettler Planning Consultants to conduct a comprehensive update on the City's Zoning Ordinance and to authorize the City Manager to sign a contract with Collins and Schoettler Planning Consultants on behalf of the City**

Yes: Lopez, Silva, Rodriguez, Cervantes, Rodriguez  
No: None  
Abstain: None  
Absent: None

4. **SUBJECT:** Cost Proposals from Morris Levin and Sons, Inc. for the Replacement of the Existing Plumbing System at the Victor P. Lopez Community Center

**Recommendation:** Staff recommends that City Council approve Resolution No. 2022-11 cost proposals from Morris Levin & Sons, Inc. for the replacement of the existing water pipes at the Victor P. Lopez Community Center and authorize the Interim City Manager to use revenue received for the use of the Community Center from the State (fire services) and the sale of City owned land for the construction of the Project.

Upon the motion by Councilman Rodriguez and seconded by Mayor Pro Tem Silva, Council approve Resolution No. 2022-11 cost proposals from Morris Levin & Sons, Inc. for the replacement of the existing water pipes at the Victor P. Lopez Community Center and authorize the Interim City Manager to use revenue received for the use of the Community Center from the State (fire services) and the sale of City owned land for the construction of the Project.

Yes: Lopez, Silva, Rodriguez, Cervantes, Rodriguez  
No: None  
Abstain: None  
Absent: None

**Interim City Manager:**

5. **SUBJECT:** Financial Updates

**Recommendation:** Informational Item Only

Community Center RMA cannot rent out risk factor big liability. Should be ready in June. Funding from the rental from the Fire Department. One time revenue.

Water Sewer Rate Increases city council approve water sewer rates increases for emergency repair. City held off due to the election. 3% increase start during the week in March 2022 first bill in April 2022.

6. **SUBJECT:** Memorandum of Understanding between the County of Fresno and The City of Orange Cove "Annexation and Tax Sharing Agreement"

**Recommendation:** City Council to approve the amended Memorandum of Understanding (MOU) regarding Annexation and Tax Sharing Agreement with Fresno County

Bernard Hernandez from the County presented to Council the MOU between the County of Fresno and The City of Orange Cove "Annexation and Tax Sharing Agreement.

**Upon the motion by Councilman Rodriguez and seconded by Mayor Pro Tem Silva, Council approved the amended Memorandum of Understanding (MOU) regarding Annexation and Tax Sharing Agreement with Fresno County**

**Yes:** Lopez, Silva, Rodriguez, Cervantes, Rodriguez  
**No:** None  
**Abstain:** None  
**Absent:** None

**7. SUBJECT:** Review and Discussion regarding the Personnel Attorney

**Recommendation:** Informational Item Only

Per Interim City Manager, the Personnel Attorney, due to staffing levels, cannot continue with their services with the City, but will continue with the open issues.

Will continue to reach out to other firms. To hire another firm that specializes in Personnel Issues.

**E. Public Forum**

Members of the public wishing to address the City Council on an item that is not on the agenda may do so now. No action will be taken by the City Council this evening. But items presented may be referred to the City Manager for follow up and a report. In order to allow time for all comments, each individual is limited to three minutes. When addressing the Council, you are requested to come forward to the speaker's microphone, state your name and address, and then proceed with your comments.

**F. City Manager's Report**

None

**G. City Attorney's Report**

None

## **H. City Council Communications**

None.

## **I. Adjournment**

Mayor Lopez adjourned the City Council meeting at 7:05 p.m.

Respectfully Submitted:

\_\_\_\_\_  
June V. Bracamontes, City Clerk

PRESENTED TO COUNCIL:

DATE: \_\_\_\_\_

ACTION: \_\_\_\_\_



## **ORANGE COVE CITY COUNCIL MINUTES**

**Victor P. Lopez, Mayor**

**Diana Guerra Silva, Mayor Pro Tem**

**Josie Cervantes, Council Member**

**Roy Rodriguez, Council Member**

**Esperanza Rodriguez, Council Member**

**WEDNESDAY, MARCH 9, 2022 - 6:30 P.M.**

### **TELECONFERENCE ONLY**

**(CALL 1-720-740-9780 ACCESS CODE 1060550#)**

#### **A. Call to Order/Welcome**

**COUNCIL PRESENT:** Mayor Victor P. Lopez  
Mayor Pro Tem Diana Guerra Silva  
Councilmember Roy Rodriguez  
Councilmember Josie Cervantes  
Councilmember Esperanza Rodriguez

**STAFF PRESENT:** Financial Consultant/Interim City Manager Rudy Hernandez  
City Attorney Dan McCloskey  
Chief of Police, Marty Rivera  
City Clerk June V. Bracamontes

#### **B. Confirmation of Agenda**

Interim City Manager, Rudy Hernandez, presented to Council to table items 12-16 which includes all the items under Closed Session. The Closed Session items will be presented to Council live at the next City Council Meeting of March 23, 2022.

**Upon the motion by Councilman Rodriguez and seconded by Mayor Lopez Council approved to table items 12-16 which includes all the Closed Session items as presented.**

**YES:** Lopez, Silva, Rodriguez, Cervantes, Rodriguez  
**NO:** None  
**ABSTAIN:** None  
**ABSENT:** None

## **C. Consent Calendar**

1. Council Minutes of February 10, 2022
2. City Warrants for February 2022
3. Donation of \$500 to the Orange Cove High School AVID Program 5K on March 19, 2022
4. Receive and File the Housing Successor Agency Annual Report for Fiscal Year 2020-21

Upon the motion by Councilman Rodriguez and seconded by Mayor Pro Tem Silva, Council approved the Consent Calendar as presented.

YES: Lopez, Silva, Rodriguez, Cervantes, Rodriguez  
NO: None  
ABSTAIN: None  
ABSENT: None

## **D. Administration**

### **City Engineer**

5. **SUBJECT:** Monthly update report on City Projects Presented by City Engineer Alfonso Manrique.

**Recommendation:** Informational item Only

1. FHWA Projects
  - a. Active Transportation Program Cycle 6
2. American Rescue Plan
  - a. City Hall Front Office and Flooring Remodel
3. Fresno COG Multijurisdictional Local Road Safety Plan (MLRSP)
4. 2021 Small Community Drought Relief Program
5. Proposition 68 Per Capita Grant – Eaton Park Renovation Project
6. Proposition 68 Grant – Sequoia View Community Park
7. Clean California Grant

Mayor Lopez would like more emphasis to the stairway to the Council Chambers so that we can start using the building for meetings. Per City Engineer will be presenting the information about the stairway at the next Council Meeting



6. **SUBJECT:** Approving a Deed Restriction for Accessor Parcel Number 378-070-25 (J.O. Eaton Memorial Park) Pursuant to the Requirements of the California Department of Parks and Recreation's Proposition 68 Per Capita Grant Program

**Recommendation:** Council to consider approving Resolution No. 2022- 13 Approving a Deed Restriction for Accessor Parcel Number 378-070-25 (J.O. Eaton Memorial Park) Pursuant to the Requirements of the California Department of Parks and Recreation's Proposition 68 Per Capita Grant Program

Upon the motion by Mayor Pro Tem Silva and seconded by Councilwoman Cervantes, Council approved Resolution No. 2022- 13 Approving a Deed Restriction for Accessor Parcel Number 378-070-25 (J.O. Eaton Memorial Park) Pursuant to the Requirements of the California Department of Parks and Recreation's Proposition 68 Per Capita Grant Program.

**YES:** Lopez, Silva, Rodriguez, Cervantes, Rodriguez  
**NO:** None  
**ABSTAIN:** None  
**ABSENT:** None

7. **SUBJECT:** Awarding Bid for the Construction of Four Groundwater Monitoring Wells Project

**Recommendation:** Council to consider approving Resolution No.2022-14 Awarding Bid for the Construction of Four Groundwater Monitoring Wells Project

Upon the motion Mayor Pro Tem Silva and seconded by Councilman Rodriguez, Council approved Resolution No.2022-14 Awarding Bid for the Construction of Four Groundwater Monitoring Wells Project

**YES:** Lopez, Silva, Rodriguez, Cervantes, Rodriguez  
**NO:** None  
**ABSTAIN:** None  
**ABSENT:** None

**Chief of Police:**

8. **SUBJECT:** Monthly Activity Report by Police Chief Marty Rivera

**Recommendation:** Informational Item Only

Chief presented the following items to Council:

February Monthly Animal Control  
February 2022 Monthly Statistics  
Police Department Monthly Report Staff Levels; Grants; Vehicles

**Public Works Department**

9. **SUBJECT:** Monthly update report on Public Works Department by Interim Public Works Superintendent Andy Valencia

**Recommendation:** Informational Item Only

The following was presented to Council:

- Water Treatment Plant 66-acre ft in February
- .72 million a day
- Wastewater: Digester Issue, Weed Control, reports up to date
- Public Works working on Rails to Trails lights on trail all are working change to LED; -Pot Holes
- Waiting for parts 3 lights at Eaton Park
- Street Sweeper up to date. Councilman Rodriguez on Anchor Avenue by Booth Ranch Street needs cleaning. Will send Sweeper early morning before employees arrive
- Mayor would like to see nice flowers on the islands down town

**Planning Department**

10. **SUBJECT:** Monthly update report on City Projects Presented by Planner Shun Patlan

**Recommendation:** Informational Item Only

Shun Patlan presented to Council the following City Projects:

- Martinez Tentative Track Map will go before the Council on March 23, 2022, Final Map should be completed March 23<sup>rd</sup> and will present to Council in April.
- Yanez pulling building permit end of April 18 lots Martinez Avenue
- Blossom Estates (Piro) 156 lots located on South and Anchor Avenue starting home in October
- Mesias Annexation reviewing final map. 42 lots located at Anchor and Sumner Avenue
- 2 property sales with Raul agreements ready to go will present on March 23, 2022
- Investor from Los Angeles looking for commercial, Residential, Industrial property. Received an offer across from Amaya project for \$175,000 will prepare report to Council on

March 23<sup>rd</sup>. Interested in Commercial Interested in bringing in a Fast Food. Looking at other properties in Orange Cove and bringing in other investors.

Mrs. Glenda Hill requested an update on the Blossom Heights: Planner Shun Patlan indicated that after the Planning Commission denied the project the owner has the right to appeal and the appeal letter has been received. The appeal letter was not completed need additional information; letter is pending.

**11. SUBJECT: Blossom Estates Tentative Tract No. 6355**

**Recommendation:** Schedule a meeting date within thirty (30) days for which Resolution No. 2022-12 approving Blossom Estates Tentative Tract Map No. 6355 (Piro Enterprises) shall be considered

**Upon the motion by Councilman Rodriguez and seconded by Mayor Lopez Council approved Resolution No. 2022-12 approving Blossom Estates Tentative Tract Map No. 6355 (Piro Enterprises) shall be considered**

**YES:** Lopez, Silva, Rodriguez, Cervantes, Rodriguez  
**NO:** None  
**ABSTAIN:** None  
**ABSENT:** None

**Interim City Manager:**

**12. SUBJECT: Financial Updates**

**Recommendation:** Informational Item Only

**Item Tabled**

**13. SUBJECT: Discussion Regarding Renewing Measure O Parcel Tax Revenue Set to Expire at the end of Fiscal Year 2024-25 and Approval of Polling Consultant for Renewal of Measure O**

**Recommendation:** Staff recommends that the city again hire Gene Bregman & Associates to undertake a voter survey and approve the Renewing of Measure O

**Item Tabled**

**F. Public Forum**

Members of the public wishing to address the City Council on an item that is not on the agenda may do so now. No action will be taken by the City Council this evening. But items presented may be referred to the City Manager for follow up and a report. In order to allow time for all comments, each individual is limited to three minutes. When

addressing the Council, you are requested to come forward to the speaker's microphone, state your name and address, and then proceed with your comments.

**G. City Manager's Report**

None

**H. City Attorney's Report**

None

**I. City Council Communications**

None

**J. Closed Session:**

**All items under Closed Session tabled.**

14. Conference with Labor Negotiators (Government Code Section 54957.6)
  - a. City Designated Representative: Rudy Hernandez, Interim City Manager
  - b. Employee Organization: International Union of Operating Engineers, Stationary Engineers, Local 39
15. Conference with Labor Negotiators (Government Code Section 54957.6)
  - a. City Designated Representative: Rudy Hernandez, Interim City Manager
  - b. Employee Organization: Orange Cove Police Officers Association
16. Conference with Legal Counsel  
Significant Exposure to Litigation pursuant to Government Code Section 54956.9(b)(2)
17. Government Code Section 54956.8  
Conference with Real Property Negotiator  
Property: 9581 S. Pedersen Avenue, Reedley, CA  
APN: 373-180-06  
City Negotiator: City Manager  
Negotiating Parties: Stucky, Douglas L & Amanda (for Seller);  
Under Negotiation: Price and Terms of Payment
16. Pursuant to Government Code Section 54957  
Appointment of Legal Services for Personnel related matters

**K. Reconvene Council Meeting**

**L. Adjournment**

Mayor Lopez adjourned the City Council Meeting at 7:45 pm

Respectfully Submitted:

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June V. Bracamontes, City Clerk  
City of Orange Cove

PRESENTED TO COUNCIL:


DATE: \_\_\_\_\_

ACTION: \_\_\_\_\_



## CITY OF ORANGE COVE REPORT TO THE CITY COUNCIL

**To:** Orange Cove City Council

**From:** Alfonso Manrique, City Engineer 

**Subject:** Public Presentation and Consideration and Necessary Action on a Resolution of the City Council Adopting the City of Orange Cove Local Road Safety Plan

**Attachments:** Resolution No. 2022-18  
Kittelson & Associates Presentation  
Draft Orange Cove Local Road Safety Plan

### **RECOMMENDATION:**

Staff recommends that City Council adopt the attach Resolution adopting the City of Orange Cove's Local Road Safety Plan as a guiding document and for inclusion in the Fresno Council of Government's Multijurisdictional Local Road Safety Plan.

### **BACKGROUND:**

A Local Road Safety Plan (LRSP) is a plan that allows local agencies an opportunity to address roadway safety. The process of preparing a safety plan creates a framework to systematically identify and analyze safety problems and recommend solutions. Preparing a safety plan facilitates the development of local agency partnerships and collaboration, resulting in a prioritized list of improvements and actions that can demonstrate a defined need and contribute to the overall road safety of the City as well as allowing the City to apply for various funding opportunities.

The Fresno Council of Governments received a Caltrans grant in January 2021 to develop a Multijurisdictional Local Road Safety Plan and contracted Kittelson & Associates to prepare the plan. Kittelson & Associates have been working with City staff to gather accident data, summarize

Prepared by: AM Consulting Engineers

Approved by: Alfonso Manrique

REVIEW: City Manager: \_\_\_\_\_

Finance: \_\_\_\_\_

City Attorney: \_\_\_\_\_

#### **TYPE OF ITEM:**

#### **COUNCIL ACTION: APPROVED DENIED NO ACTION**

☐ Consent  
☐ Info Item  
☒ Action Item  
☐ Department Report  
☐ Redevelopment Agency

☐ Public Hearing  
☐ Matter Initiated by a Council Member  
☐ Other  
☐ Continued to: \_\_\_\_\_

existing safety conditions, and identify countermeasures to address specific safety concerns. Approving the City of Orange Cove's LRSP will make the City eligible for the federal Highway Safety Improvement Program (HSIP), which provides federal funding for projects to achieve significant reductions in traffic fatalities and serious injuries. Kittelson & Associates will also prepare the City's application for this year's HSIP call for projects.

Kittelson & Associates will present the findings and recommendations of the LRSP prior to the council taking action on the proposed resolution.

**FISCAL IMPACT:**

The adoption of this Resolution has no Fiscal Impact as the preparation fees of the LRSP and HSIP application have been covered by a Caltrans grant.

**CONFLICT OF INTEREST:**

None.

RESOLUTION NO. 2022-18

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ORANGE COVE ADOPTING  
THE CITY OF ORANGE COVE LOCAL ROAD SAFETY PLAN

WHEREAS, the City of Orange Cove (City) has the authority to construct and maintain its streets and roads to provide a roadway network to serve the needs of the community through quality infrastructure and environment; and

WHEREAS, the City has worked with the Fresno Council of Governments to develop a Local Road Safety Plan (LRSP) to analyze historical crash patterns and trends to identify countermeasures to reduce the number and severity of future crashes; and

WHEREAS, the LRSP will increase the City's eligibility for various transportation grants and will provide additional guidance for the development of safer streets and roads.

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Orange Cove, California, as follows:

1. The above recitals are true and correct and are adopted as the findings of the City Council.
2. The City of Orange Cove's Local Road Safety Plan is adopted and will be included in the Multijurisdictional Local Road Safety Plan.
3. The provisions of this Resolution are severable and if any provision, clause, sentence, word, or part thereof is held illegal, invalid, unconstitutional, or inapplicable to any person or circumstances, such illegality, invalidity, unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, sections, words or parts thereof of the Resolution or their applicability to other persons or circumstances.
4. That the City Clerk shall certify to the adoption of this Resolution and that the same shall be in full force and effect

This resolution was adopted at a Regular Meeting of the City Council of the City of Orange Cove held on March 9, 2022 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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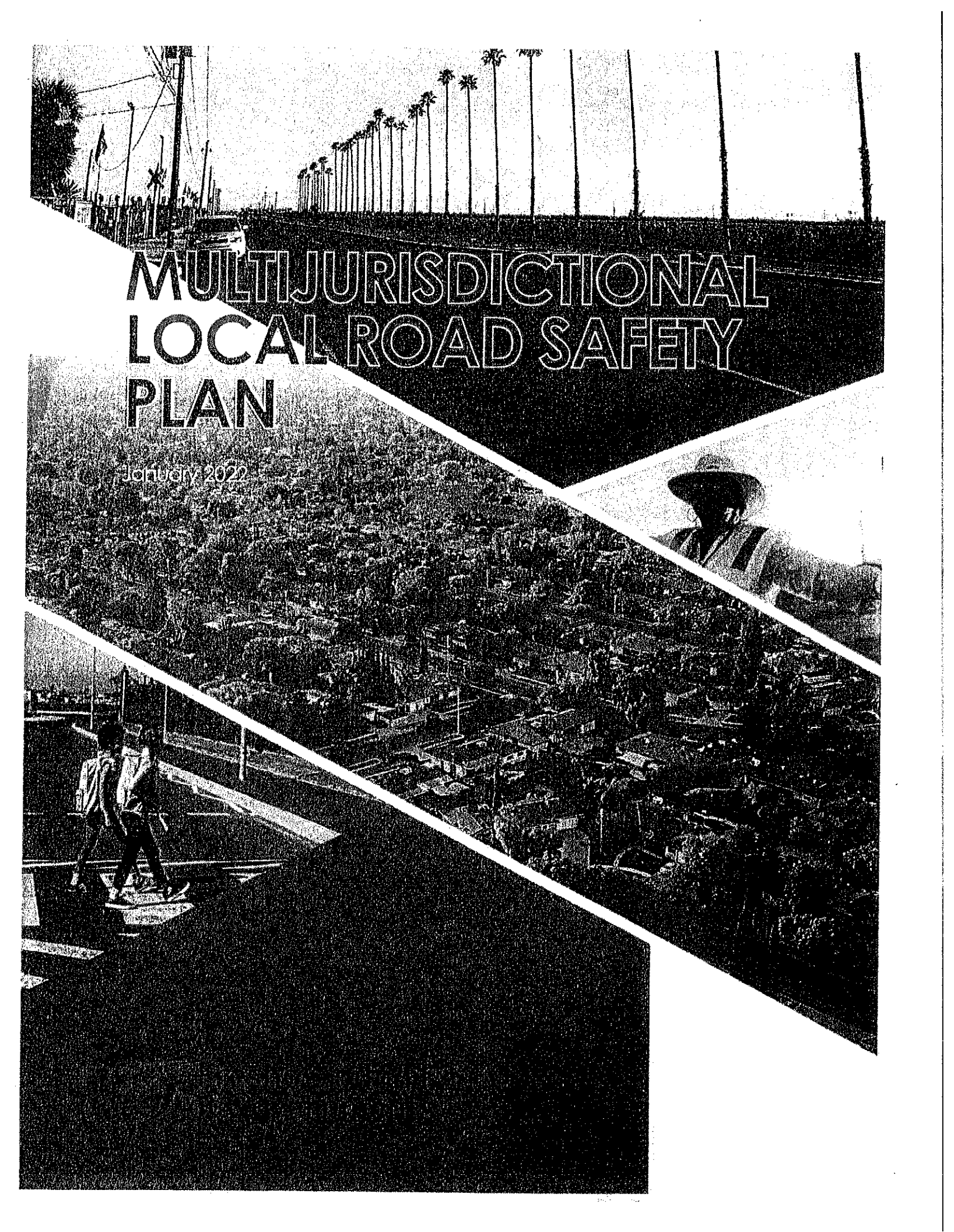
Victor P. Lopez, Mayor

ATTEST:



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June Bracamontes, City Clerk



# MULTIJURISDICTIONAL LOCAL ROAD SAFETY PLAN

January 2022



## 9.0 CITY OF ORANGE COVE

The City of Orange Cove has an approximate population of 9,460.<sup>51</sup> The average daily vehicle miles traveled is 43,754, and the City maintains approximately 35 total roadway centerline miles. The main roadways in the City include Sumner Avenue/Park Boulevard, which runs east to west, and Jacobs Avenue and Hill Valley Road, which both run north to south. The top three collision types in Orange Cove were **broadside, rear end, and hit object** crashes; the top three primary collision factors were **driving under the influence, automobile right of way, and improper turning**. The LRSP provides potential engineering, education, emergency services, and enforcement strategies tailored to Orange Cove's crash history and local priorities, as well as performance measures to evaluate progress.

### VISION AND GOALS

The City's vision for roadway safety is:



**Maintain and enhance safety on the City's roadways through regular evaluation and identification of feasible improvements.**

The City's goals in support of the roadway safety vision are:

1. Have zero fatal and severe injury crashes on the City roadways.
2. Utilize community and traffic safety stakeholder input to identify opportunities to improve roadway safety.
3. Improve crash data available.
4. Systemically implement low-cost safety countermeasures proven to reduce fatal and severe crashes.
5. Participate in regional activities to promote roadway safety as a priority investment.

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<sup>51</sup> 2018 population. Source: California Department of Finance

## SAFETY PARTNERS

A variety of agency staff and community partners were involved throughout the development of this LRSP and played an integral role in identifying priorities, providing local context, and reviewing the existing conditions analysis. Many of the strategies identified in this plan will require coordination with these partners and their support of the City's effort to create a culture of roadway safety. Orange Cove's goals reflect the importance of utilizing input from the community and traffic safety stakeholders.

While additional partners may be identified in the future, those involved in development of the LRSP include the Fresno Council of Governments and City of Orange Cove Building, Planning, Inspection & Engineering Department.

## PERFORMANCE MEASURES

Performance measures are used to track progress and a key element of making data-informed decisions. Performance measures that support the City's vision, goals, and emphasis areas include:

- Annual number of crashes (city-wide and at each of the top nine priority locations)
- Annual number of fatal and severe injury crashes (city-wide and at each of the top nine priority locations)
- Annual number of pedestrian and bicycle crashes (city-wide and at each of the top twenty priority locations)
- Investments made in roadway safety countermeasures (e.g. dollars spent, grants pursued, partnerships developed)
- Investments made in education and enforcement strategies (e.g. dollars spent, grants pursued, partnerships developed)
- Coordination with other local agencies and/or safety partners (e.g. meetings held, projects pursued)
- Opportunities provided for citizen engagement (e.g. meetings held, public campaigns launched)
- Coordination on crash data processes and reporting (e.g. meetings held, changes made)

As part of plan implementation, the City will identify a process for annually tracking these performance measures to support future updates to this roadway safety plan.

## DATA SUMMARY

The primary data sets used to inform the technical analyses for the City's local road safety plan were crash data and roadway network information. As noted below, future updates could incorporate traffic volume data if widely available for locations across the City. In addition, feedback from a publicly available survey was documented for consideration in identifying issues and improvement strategies.

### Public Survey Feedback

Toole Design Group worked with Fresno COG to develop an online survey and interactive webmap to provide the opportunity for public engagement on the LRSP. The goal was to collect both general and geographically specific feedback on safety problems, desired safety improvements in jurisdictions that are part of the MLRSP, as well as voluntary demographic information for Title IV reporting. Both activities were open from August 16, 2021 to September 20, 2021 and sought public feedback on spatial patterns of traffic safety concerns and desired improvements.

As the primary open public engagement opportunity during MLRSP development, the survey and interactive webmap served a crucial role in illuminating the community's traffic safety concerns and desired traffic safety improvements. Below is a summary of key findings from the online survey and interactive webmap specific to Orange Cove. More information on the methodology and overall findings of the survey are provided in Appendix A.



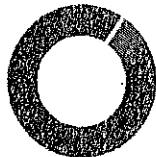
1

PERSON  
RESPONDED

0

LOCATIONS  
IDENTIFIED

#### WHERE PARTICIPANTS WORK AND LIVE



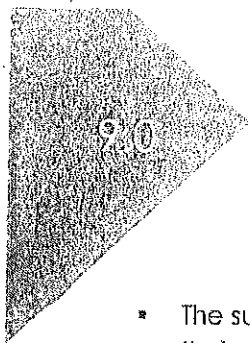
Live in Orange Cove  
and work/study outside  
of Orange Cove  
100%



#### MOST NEEDED SAFETY IMPROVEMENTS

- Maintenance of existing roads and streets
- Rural road improvements to prevent run-off-road crashes
- Sidewalks
- Speed enforcement





## CITY OF ORANGE COVE

- The survey asked respondents to provide input on the top road safety improvements needed in their communities. While the survey prompted participants to pick three improvements, some selected more than three responses. A total 4 responses were received for Orange Cove, including from one participant:
  - Maintenance of existing roads and streets (1 response)
  - Rural road improvements to prevent run-off-road crashes (1 response)
  - Sidewalks (1 response)
  - Speed enforcement (1 response)
- Participants dropped points in the webmap in specific locations across Fresno County where they experienced road safety concerns. No locations were identified for Orange Cove.
- The survey asked participants where they live and work or study, with the option to select from a list of jurisdictions or outside of Fresno County. The participants who selected Orange Cove included one individual who lives in Orange Cove and works/studies outside of Orange Cove.

## Crash Data

Kittelson worked with Fresno COG to assemble crash data for the City of Orange Cove using the Statewide Integrated Traffic Records System (SWITRS) database, supplemented with location information from the Transportation Injury Mapping System (TIMS) database maintained by SafeTREC at the University of California, Berkeley. Throughout this report, crashes are associated with a jurisdiction based on the reporting officer's assessment of location.

The crash database represents the time period from January 1, 2015 through December 31, 2019 and includes reported crashes that occurred on public streets. Within the assembled regional crash database, a total of three reported crashes are located in Orange Cove. Crash severity is coded according to the highest degree of injury exhibited, and the data used for this analysis includes the following coded severity levels (listed in descending order):

- Fatal: death from injuries sustained in the crash.
- Severe Injury: Injuries include, for example, broken bones, severe lacerations, or other injuries that go beyond the reporting officer's assessment of "other visible injuries."
- Other visible injury: An injury, other than those described above, that is evident to observers at the scene of the crash. For example, bruises or minor lacerations.
- Complaint of pain: Internal or other non-visible injuries. For example, a person limps or seems incoherent.
- Property damage only (PDO): No injuries sustained.

As noted in the introduction, the crash data used in the descriptive analysis were sorted into jurisdictions based on the information available in the SWITRS and TIMS databases. This information is derived from a



reporting officer's judgment and may be inconsistent with true boundaries, especially near city/county borders.

In the process of locating data into a geographic information system (GIS) for spatial analysis, Kittelson reviewed the available information and relocated some crashes to a more precise coordinate location. In so doing, Kittelson relocated some crashes to different jurisdictions than originally listed in the database. **Thus, some disparities in total crash count by jurisdiction exist between the descriptive analysis and spatial analysis even though each is internally consistent.**

In the case of Orange Cove, there is a notable difference in the two analyses due to the low numbers of reported crashes. Three crashes were reviewed in the descriptive analysis, while nineteen crashes were considered in the spatial analysis.

## Roadway Network Data

Kittelson developed a linear referencing system of all public roadways using the Fresno County roadway centerline file. This dataset was updated to develop a measurement system based on the total road length (as determined by roadway name) to locate crashes to a specific mile point along the network. The master roadway network for the County was used to spatially analyze and prioritize specific locations within each local jurisdiction.

## Traffic Volume Data

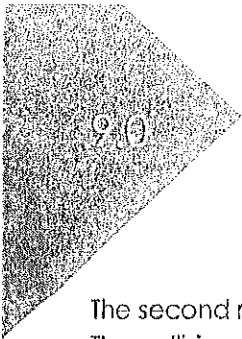
Traffic volume data was not consistently available at a sufficient level to be able to incorporate into the safety analysis. Future updates to the City's local road safety plan could incorporate traffic volume data, if available, to understand how crash frequency, severity, and type vary at different levels of traffic.

## EXISTING ROADWAY SAFETY PERFORMANCE

There were three total reported crashes in Orange Cove in the period between January 1, 2015 and December 31, 2019. Therefore, patterns and trends are not applicable to this jurisdiction. Each crash is described below.

### All Road Users

The first reported crash occurred during the hour of 10 PM in January of 2017 and resulted in one fatality. The collision type is rear end with a primary collision factor of an unsafe lane change. A truck collided with a parked motor vehicle, and the driver of the truck was killed. The crash took place on Anchor Avenue just north of South Avenue. The reported lighting condition is dark with streetlights, the weather clear, and the road condition dry. There was alcohol involved.



The second reported crash occurred during the hour of 4 PM in March of 2018 and resulted in one fatality. The collision type is broadside with a primary collision factor of traffic signals and signs. The crash occurred at the Hills Valley Road/Adams Avenue intersection. The reported lighting condition is dusk-dawn, the weather clear, and the road condition dry.

The third reported crash occurred during the hour of 2 PM in November of 2019 and resulted in property damage only. The collision type is broadside with a primary collision factor of other improper driving. The crash occurred at Citrus Mini Mart at Park Boulevard and 10<sup>th</sup> Street. The lighting condition was daylight, the weather clear, and the road condition dry.

## Priority Locations

Kittelson identified priority intersections and segments using the annualized crash severity scores and excess predicted crashes described in the Data Summary and Analysis Approach sections (see the Introduction). As previously noted, this spatial analysis involved relocating some crashes to a more precise coordinate location, and thus includes additional crashes than the three crashes described above.

For intersection locations, the crash severity scores ranged from zero (no reported crashes during the five years) to 45.68. Figure 130 shows the results of the crash severity scoring. Figure 131 shows excess predicted crash scores by percentiles for intersection locations. For the half-mile roadway segments, the crash severity scores ranged from zero to 32.93. Crash severity score results for roadway segments are shown in Figure 132. Excess predicted crash score results are shown in Figure 133. Intersections or segments shown as not falling within one of the percentile breaks indicates there were no reported crashes at that location.

Members of the Focus Group for Orange Cove noted that the intersections of Adams Avenue/4th Street and Adams Avenue/Jacobs Avenue could be priority locations for improvement, as well as areas around schools, especially for pedestrian improvements.

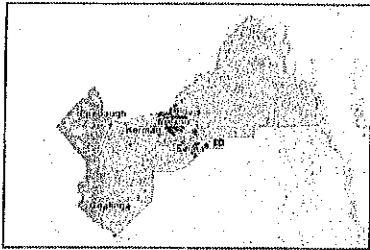


Table 60 presents the top nine locations with the highest crash severity scores.

Table 60. Top 9 Locations based on Crash Severity Score

#	Location	Type	Crash Severity Score	Total Number of Crashes	Severity				
					Fatal	Severe Injury	Other Visible Injury	Complaint of Pain	PDO
1	MONSON AVE & MANNING AVE	Unsignalized	45.68	5	0	1	3	1	0
2	HILLS VALLEY RD FROM C ST TO NORTH OF AVENUE 464	Segment	32.93	1	1	0	0	0	0
3	ANCHOR AVE FROM PARLIER AVE TO NORTH OF SOUTH AVE	Segment	32.93	1	1	0	0	0	0
4	MANNING AVE FROM WEST OF HILL AVE TO ANCHOR AVE	Segment	3.43	7	0	0	0	2	5
5	SUMMER AVE FROM MONSON AVE TO ANCHOR AVE	Segment	1.22	1	0	0	0	1	0
6	MONSON AVE FROM NORTH OF MANNING AVE TO SOUTH OF MANNING AVE	Segment	1.22	1	0	0	0	1	0
7	MONSON AVE & SOUTH AVE	Unsignalized	1.22	1	0	0	0	1	0
8	TENTH ST & PARK ST	Unsignalized	0.20	1	0	0	0	0	1
9	PARLIER AVE FROM WEST OF ANCHOR AVE TO EAST OF ANCHOR AVE	Segment	0.20	1	0	0	0	0	1

Note: PDO = Property Damage Only



ADAMS AVE

E BLANCH AVE

Orange Cove

ADAMS AVE

ADAMS AVE

ADAMS AVE

ADAMS AVE

ADAMS AVE

ADAMS AVE

ADAMS AVE

ADAMS AVE

ADAMS AVE

ADAMS AVE

ADAMS AVE

ADAMS AVE

ADAMS AVE

ADAMS AVE

ADAMS AVE

ADAMS AVE

Crash Severity Score

- 95-100th Percentile
- 90-95th Percentile
- 75-90th Percentile
- 50-75th Percentile
- 0-50th Percentile

City Limits

County Boundary

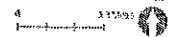
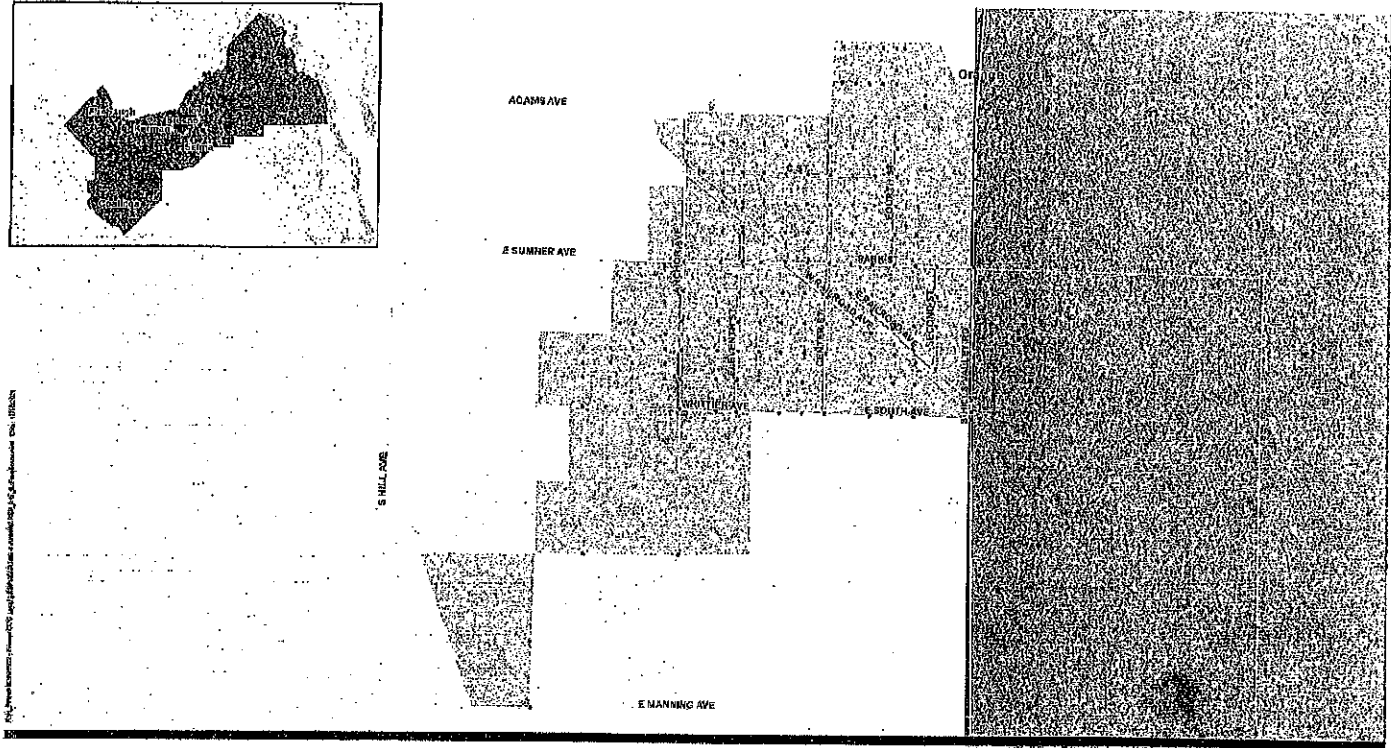
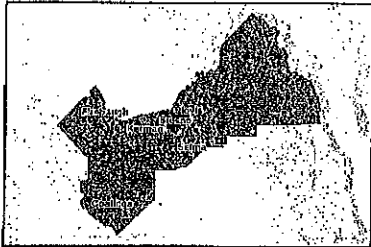


Figure 100

KITTELSON & ASSOCIATES

Intersection Crash Severity Scores  
Jurisdiction Results: Orange Cove  
Fresno Council of Governments



**Excess Expected Frequency**

- 95-100th Percentile
- 90-95th Percentile
- 75-90th Percentile
- 50-75th Percentile
- 0-50th Percentile

City Limits  
County Boundary

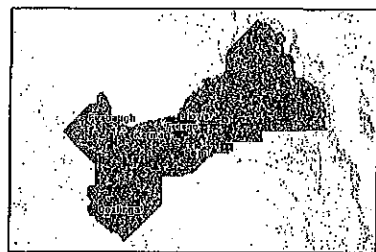
0 0.3 Miles

Figure 131

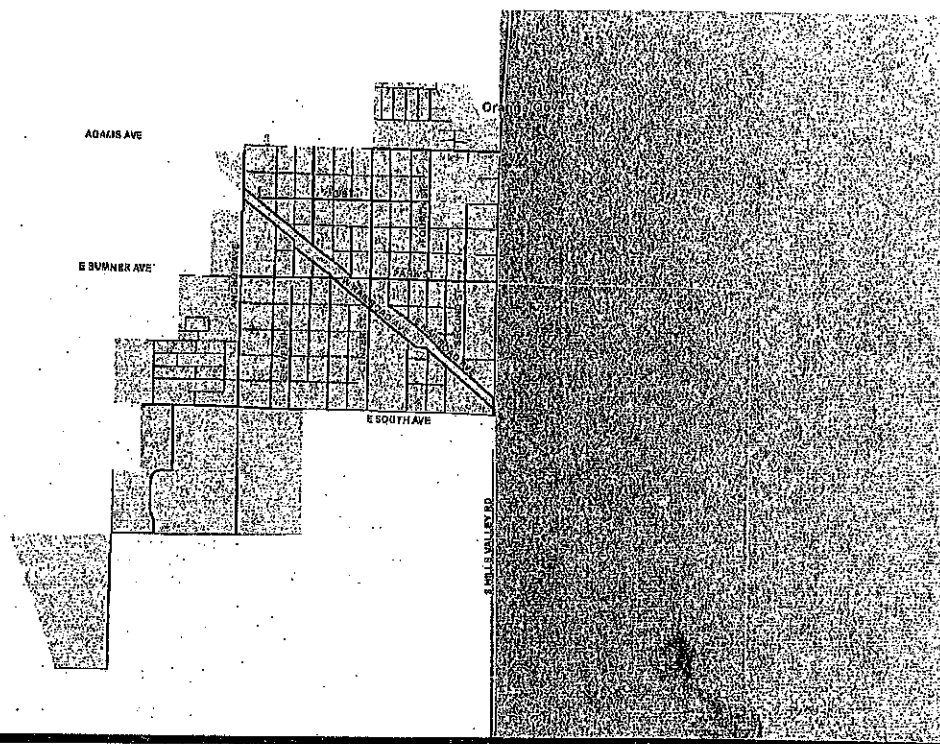
**KITTELSON**  
& ASSOCIATES

**Excess Predicted Average Crash Frequency Using Method of Moments**  
Jurisdiction Results: Orange Cove  
Fresno Council of Governments





C:\Users\jessica\Documents\Projects\Map\MapData\MapData.mxd

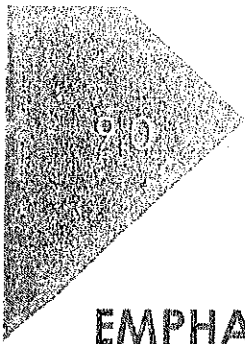


Excess Expected Frequency — 75-90th Percentile City Limits  
 — 60-100th Percentile — 60-75th Percentile County Boundary  
 — 50-65th Percentile — 0-60th Percentile

0 0.5 Miles

**KITTELSON**  
& ASSOCIATES

Figure 133  
 Roadway Excess Predicted Average Crash Frequency Using Method of Moments  
 Jurisdiction Results: Orange Cove  
 Fresno Council of Governments



## EMPHASIS AREAS

Based on key trends in the crash data, emphasis areas for the City of Orange Cove include broadside crashes, driving under the influence, and improved data collection. Each of these areas is further discussed below.

### Broadside Crashes

A broadside crash occurs when the front of one vehicle hits the side of another vehicle. Broadside crashes were selected as an emphasis area due to the frequency and severity of these collision types. Two of the three crashes in the descriptive analysis were broadside crashes, including one fatal crash. Broadside crashes are most common at intersections where the risk of conflict is increased.

The California SHSP includes intersections as one of the six high priorities in California. These crashes are a high priority due to their severity level often as a result of rear-end, broadside, and hit object collision types. "Intersections significantly increase driver workload because they are a natural point of conflict. If present, traffic control devices help to mitigate that workload by providing clear rules of right-of-way" (Caltrans SHSP). As discussed below under Engineering Strategies, several intersection countermeasures are available targeted at improving the roadway to minimize risk of crashes and can be applied systemically.

### Driving Under the Influence

Driving under the influence is included in the top collision types based on the spatial analysis. One of the three crashes detailed in the descriptive analysis noted alcohol was involved and the crash resulted in a fatality. This suggests there are opportunities to address driver behavior through education and enforcement.

The California SHSP also identified impaired driving as one of the six high priorities in California, reflecting the potential to reduce fatalities and serious injuries by addressing this challenge area.

### Improved Data Collection

Improved crash data collection is identified as an emphasis area as there was limited crash data available from the City. The descriptive analysis included about one-sixth the number of crashes as the spatial analysis findings. High quality data is an essential component of understanding safety trends, priority locations, and systematically implementing safety countermeasures.

## STRATEGIES

The following subsections present engineering, education, emergency services, and enforcement strategies to help improve roadway safety across the City.



### Engineering Strategies

The top three fatal and severe injury collision types in Orange Cove were **broadside, rear end, and hit object** crashes; the top three fatal and severe injury primary collision factors were **driving under the influence, automobile right of way, and improper turning**. High priority countermeasures to address these collision types and primary collision factors are shown in Table 61.

Table 61. High Priority Countermeasures

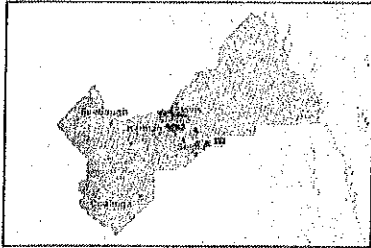
	Countermeasure Name	ID	Crashes Addressed
Roadway Countermeasures	Street Lighting	R1	Crashes at night
	Install/Upgrade Signs with New Fluorescent Sheeting	R22	Broadside, Hit object
	Add Intersection Lighting at Intersections	S1/NS1	Crashes at night
	Improve Signal Hardware: Lenses, Backplates with Retroreflective Border, Mounting Size, Number	S2	Broadside, rear end
	Convert Intersection to Roundabout	NS4/NS5	Broadside
Intersection Countermeasures	Install Flashing Beacons as Advance Warning	S10/NS9	Unsafe speed, rear end, broadside
	Install/Upgrade Stop Signs or Intersection Warning/Regulatory Signs	NS6	Broadside
	Upgrade Intersection Pavement Markings	NS7	Broadside
	Install Splitter Islands for Minor Street Approaches	NS13	Broadside, rear end

Note: The ID number references the Caltrans Manual Local Road Safety

Appendix B contains the regional Countermeasures Toolbox which includes more detailed information regarding the countermeasures listed above.

The following figures and tables provide data on collision types and factors for the Intersections and roadways with the highest crash scores. The locations with the highest crash scores may be top priorities for implementing countermeasures and pursuing grants. The City of Orange Cove can use the information about collision type and factors to identify potential countermeasures to apply, using the information in Table 71.

Figure 134 and Figure 135 present the top priority intersections and breakdown of the top collision types and primary collision factors, respectively. Figure 136 and Figure 137 present the top priority roadways and breakdown of the top collision types and primary collision factors, respectively.



ADAMS AVE

E SUMNER AVE

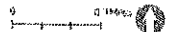
Orange Cove

Map prepared by Kittelson & Associates, Inc. for the Fresno Council of Governments, May 2010.

S. 1st St

E SUMNER AVE

- Collision Type**
- Rear End
  - Broadside
  - Hit Object
- City Limits**
- County Boundary

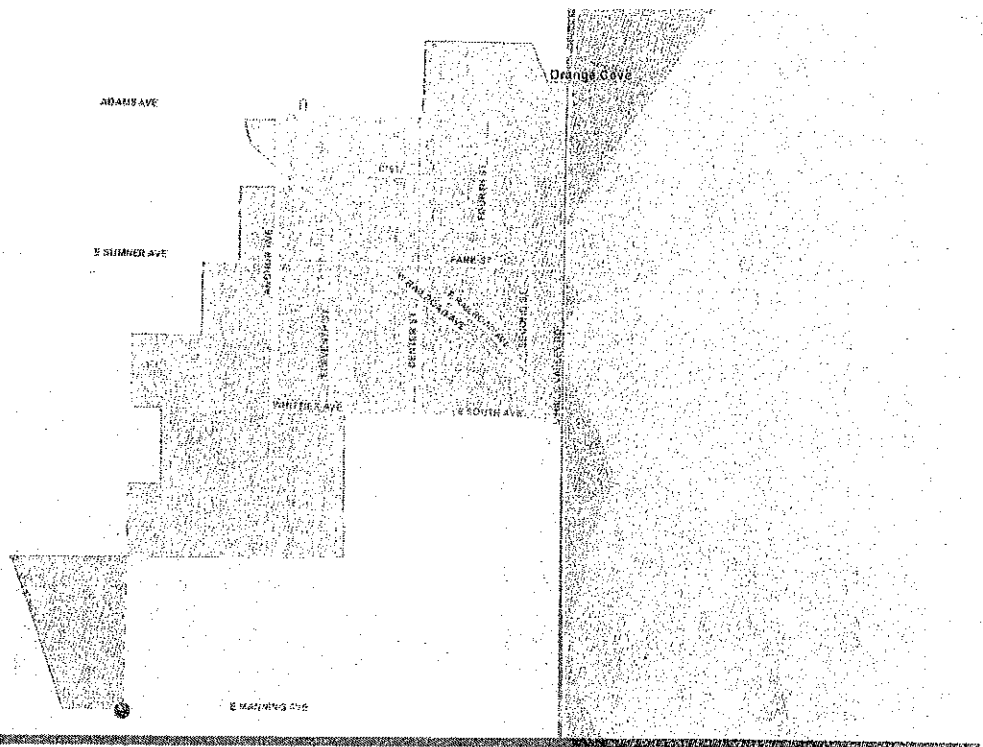
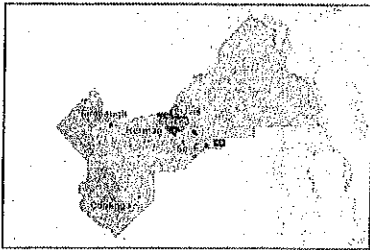


**KITTELSON & ASSOCIATES**

Top Fatal/Severe Injury Intersection Collision Types  
Jurisdiction Results: Orange Cove  
Fresno Council of Governments

Page 10





- Primary Collision Factors**
- ★ Driving Under the Influence
  - Automobile Right of Way
  - Improper Turning
- City Limits**
- County Boundary**

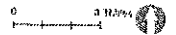
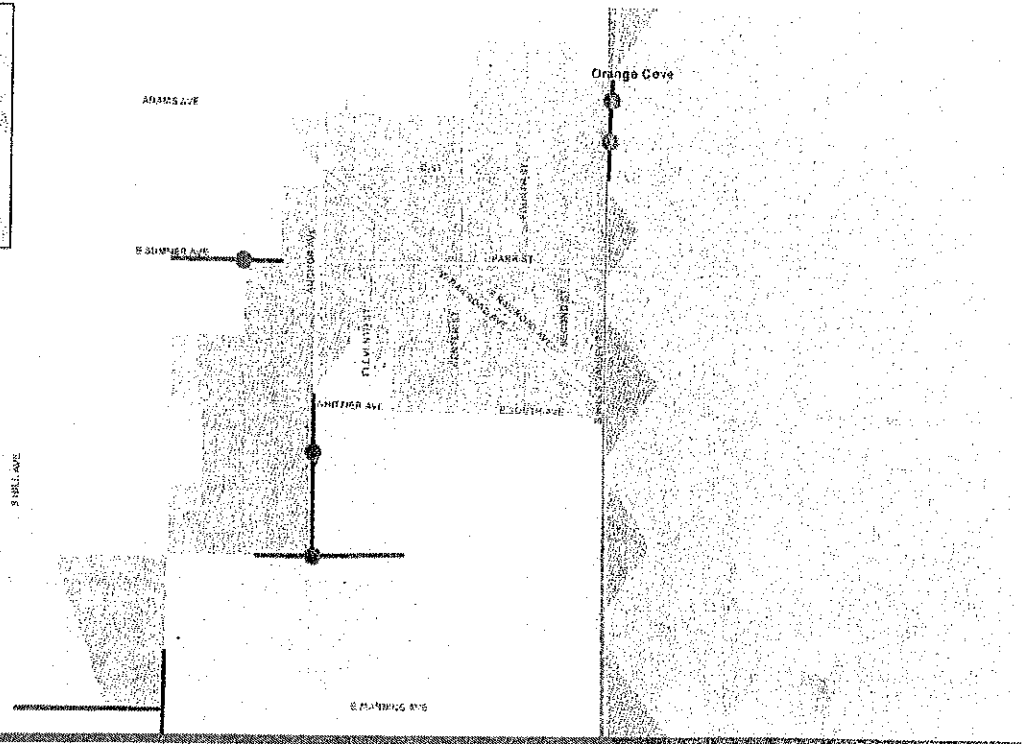
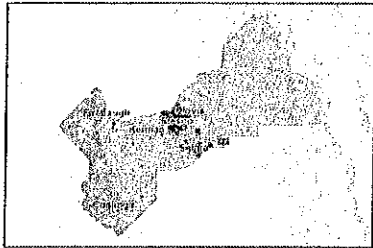


Figure 115

**KITTELSON**  
 & ASSOCIATES

**Top Fatal/Severe Injury Intersection Primary Collision Factors**  
**Jurisdiction Results: Orange Cove**  
**Fresno Council of Governments**



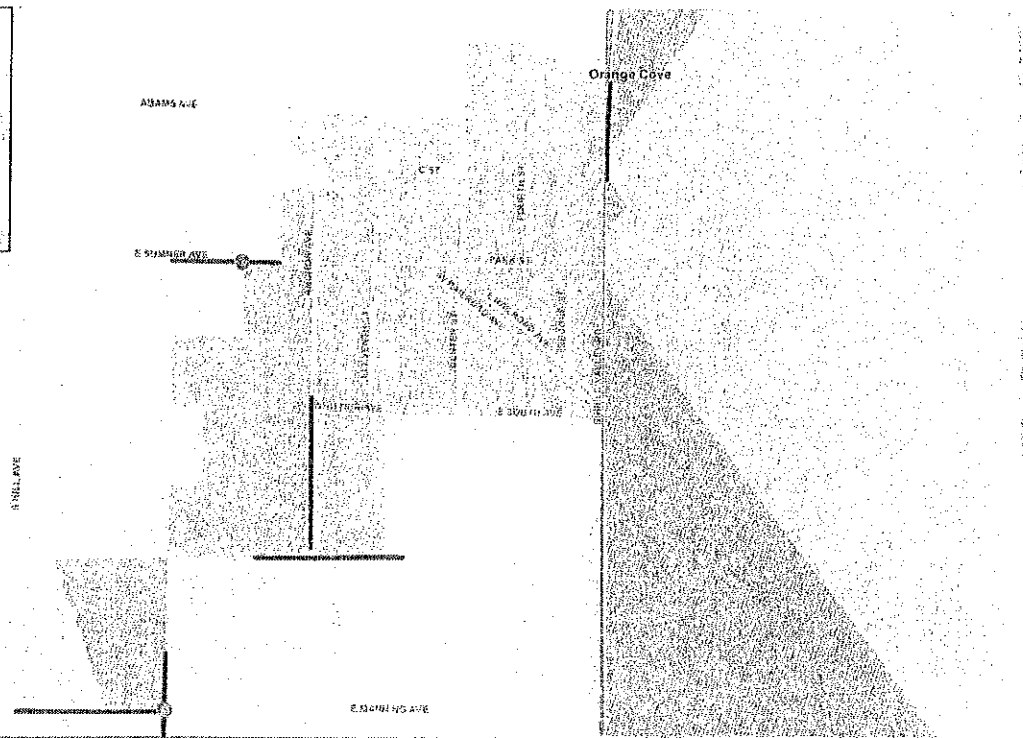
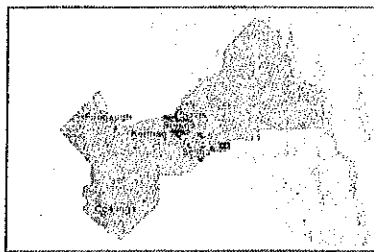
#### Collision Type

- Rear End
- ⊗ Broadside
- ★ Hit Object
- Priority Roadways
- - - City Limits
- ... County Boundary





KITTELSON  
& ASSOCIATES


Top Fatal/Severe Injury Roadway Collision Types  
Jurisdiction Results: Orange Cove  
Fresno Council of Governments

Figure 150



**Primary Collision Factors**

-  Improper Turning
-  City Limits
-  County Boundary
-  Priority Roadways

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 2014-2015-16

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**KITTELSON  
& ASSOCIATES**

Top Fatal/Severe Injury Roadway Primary Collision Factors  
Jurisdiction Results: Orange Cove  
Fresno Council of Governments

Table 62 and Table 63 provide information for the top two intersection locations (based on crash severity score), including control type (signalized or unsignalized), crash severity score, and total number of crashes by collision type or primary collision factor.

Table 62. Priority Intersections with Collision Type based on Top 3 Fatal/Severe Injury Collision Types

#	Location	Control Type	Crash Severity Score	Total Number of Crashes	Collision Type			
					Rear End	Broadside	Hit Object	Other
1	MONSON AVE & MANNING AVE	Unsignalized	45.68	5	1	3	1	0
2	TENTH ST & PARK ST	Unsignalized	0.20	1	0	1	0	0

Note: Other crashes include all crashes that are not coded as one of the top three collision types

Table 63. Priority Intersections with Primary Collision Factor based on Top 3 Fatal/Severe Injury Primary Collision Factors

#	Location	Control Type	Crash Severity Score	Total Number of Crashes	Primary Collision Factor			
					DUI	Auto ROW	Improper turning	Other
1	MONSON AVE & MANNING AVE	Unsignalized	45.68	5	1	2	1	1
2	TENTH ST & PARK ST	Unsignalized	0.20	1	0	0	0	1

Note: Other crashes include all crashes that are not coded as one of the top three primary collision factors

DUI = Driving Under the Influence

Table 64 and Table 65 provide information for the top seven roadway segments (based on crash severity score), including roadway classification, crash severity score, and total number of crashes by collision type or primary collision factor.

Table 64. Priority Roadways Segments with Collision Type based on Top Fatal/Severe Injury Collision Type

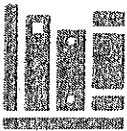
#	Location	Type	Crash Severity Score	Total Number of Crashes	Collision Type			
					Rear End	Broadside	Hit Object	Other
1	S Hills Valley Rd (city limits to B St)	Arterial/Collector	32.93	1	0	1	0	0
2	S Hills Valley Rd (Adams Ave to C St)	Arterial/Collector	32.93	1	0	1	0	0
3	S Anchor Ave (north of Whittier Ave to north of Parlier Ave)	Arterial/Collector	32.93	1	1	0	0	0
4	S Monson Ave (north of E Manning Ave to south of E Manning Ave)	Arterial/Collector	1.22	1	0	0	0	1
5	E Sumner Ave (S Monson Ave to west of Anchor Ave)	Arterial/Collector	1.22	1	0	0	1	0
6	E Manning Ave (S Hill Ave to S Monson Ave)	Arterial/Collector	0.20	1	0	0	0	1
7	E Parlier Ave (east of Orange Ave to west of S Jacobs Ave)	Arterial/Collector	0.20	1	1	0	0	0

Note: Other crashes include all crashes that are not coded as one of the top three collision types

Table 65. Priority Roadways Segments with Primary Collision Factors based on Top 3 Fatal/Severe Injury Primary Collision Factors

#	Location	Type	Crash Severity Score	Total Number of Crashes	Primary Collision Factor			
					DUI	Auto Right of Way	Improper Turning	Other
1	S Hills Valley Rd (city limits to B St)	Arterial/ Collector	32.93	1	0	0	0	1
2	S Hills Valley Rd (Adams Ave to C St)	Arterial/ Collector	32.93	1	0	0	0	1
3	S Anchor Ave (north of Whittier Ave to north of Parlier Ave)	Arterial/ Collector	32.93	1	0	0	0	1
4	S Monson Ave (north of E Manning Ave to south of E Manning Ave)	Arterial/ Collector	1.22	1	0	0	1	0
5	E Sumner Ave (S Monson Ave to west of Anchor Ave)	Arterial/ Collector	1.22	1	0	0	1	0
6	E Manning Ave (S Hill Ave to S Monson Ave)	Arterial/ Collector	0.20	1	0	0	0	1
7	E Parlier Ave (east of Orange Ave to west of S Jacobs Ave)	Arterial/ Collector	0.20	1	0	0	0	1

Note: Other crashes include all crashes that are not coded as one of the top three primary collision factors  
DUI = Driving Under the Influence



## Education Strategies

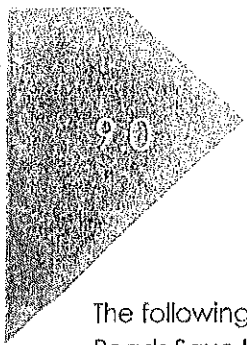
Driving under the influence is one of the emphasis areas for Orange Cove given the prevalence of this primary collision factor in the spatial analysis conducted for the City. In addition, information from the Focus Group Meeting for Orange Cove suggest opportunities to address driving under the influence of drugs or alcohol, over a safe speed limit, or while distracted.

The Safe Roads Save Lives campaign is a marketing effort led by the Fresno COG, with the goals of:

- Educate all road users on safe transportation behaviors
- Increase safety for people walking and biking
- Highlight behaviors that cause the most crashes in Fresno County—speeding and distracted driving



The campaign includes branding, social media strategies, print materials, radio and video resources, school resources, and a campaign website. Unincorporated Fresno County may find these materials helpful, especially those that address driving under the influence of drugs or alcohol, speeding, or while distracted.



The following activities are recommended for Orange Cove, as resources allow, to implement the Safe Roads Save Lives campaign:

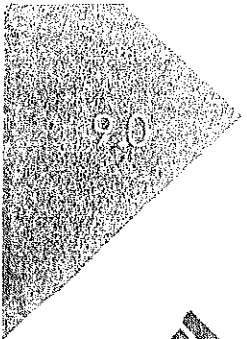
- Identify staff appropriate to attend a presentation by Fresno COG staff about the Safe Roads Save Lives campaign. Appropriate staff members include people associated with transportation engineering and planning, communications, traffic enforcement, school transportation, and other jurisdictional staff who work with the roadway system.
- Work with schools to distribute print materials and offer school-related transportation resources. Ensure that school communications are in both English and Spanish.
- Work with public information or communications staff to spread Safe Roads Save Lives materials throughout Orange Cove through the following channels:
  - Repost and link to Fresno COG posts that refer to the Safe Roads Save Lives campaign
  - Have print materials (flyers, bumper stickers, pins, and postcards) available at events and community festivals.
  - Work with the Fresno COG to identify a radio station to air a Safe Roads Save Lives radio public service announcement (PSA).
  - Have a direct link to Safe Roads Save Lives campaign website on the City's website.



## Emergency Services

Emergency service organizations depend on safe roadways and efficient communication processes to reach and effectively respond to emergencies. Each type of emergency services organization that serves Orange Cove – law enforcement, fire, emergency medical services (EMS), California Highway Patrol – work independently and collaboratively to develop procedures that allow them to respond to incidents in their own jurisdictions as well as support others as needed. The following recommendations may help improve emergency services response as the various organizations update procedures and policies and continue to partner on roadway safety efforts:

- All roadway safety projects should be vetted by emergency service organizations to ensure that their design does not hamper access.
- As new emergency service and response procedures are developed, roadway safety improvement opportunities should be identified and implications of changes to response times should be considered.
- Orange Cove staff should participate in periodic coordination calls between emergency response agencies to gather and share recent observations about crashes and hot spots, to understand emergent safety issues that may not have led to policy reports or yet be available through statewide crash reporting systems.



## Enforcement

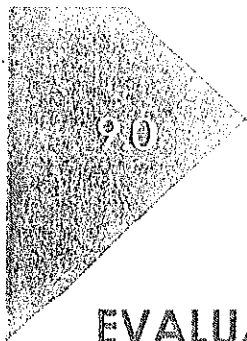
Enforcement strategies can include programs or campaigns specifically focused on changing road user behavior through more visible and active enforcement of existing traffic laws, as well as focusing enforcement in areas that have historically been shown to have higher-than-average crash rates. Typically, the effectiveness of enforcement strategies is temporal, meaning they are effective at changing behavior for a discrete period of time – during and shortly after the increased enforcement activities.

The following enforcement strategies should be considered for Orange Cove:

- Add additional crossing guards at high-concern locations. If needed, train community members to serve as crossing guards.
- Focus speed enforcement efforts at locations with high crash rates.
- Use automatic enforcement, such as red-light cameras, and speed feedback signs along major corridors.
- Work with schools to conduct "alternative enforcement," such as having students write "tickets" that they hand to community members to highlight positive and negative behaviors on the roadways.

The effectiveness of each strategy should be measured and evaluated, considering the number of staff hours and amount of resources needed. The results should be reviewed and used to refine future enforcement activities.

Enforcement strategies should be undertaken with due caution to avoid inequitable enforcement activities and evaluated to determine the strategy's impact. More details about equitable enforcement can be found on page 8 (Introduction).



## EVALUATION AND IMPLEMENTATION

A key part of achieving the City's vision is consistently evaluating roadway safety performance and tracking progress towards the City's goals. The City will develop a process to regularly collect data and information around the performance measures that can be used to assess changes city-wide and at the top priority locations.

As feasible, it is recommended that the City of Orange Cove update this LRSP every three to five years using updated crash data and the performance measures. Comparing the performance measures related to investments made with the crash data should provide a clear indication of the impact of the City's and safety partner's efforts. Future LRSPs may provide new emphasis areas and top priority locations that reflect progress made and new priorities based on trends in the data.

Activities for implementing the plan include:

- Identifying countermeasures and strategies for priority locations based on the crash data.
- Utilizing the Fresno COG Regional Safety Plan to implement regional strategies and share best practices.
- Exploring funding opportunities to implement priority strategies.
- Identifying activities to support the regional Safe Roads Save Lives campaign.
- Identifying enforcement strategies to implement and evaluate.
- Regularly coordinating with safety partner agencies to assess progress, identify opportunities to implement countermeasures and strategies, and identify opportunities for citizen involvement.
- Regularly collecting and organizing data to support evaluation of the LRSP.






Meeting Date: 3/23/22

Agenda Item: \_\_

## City Council Meeting

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**REPORT TO:** Orange Cove City Council

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

**AGENDA ITEM:** Blossom Estates Tentative Tract No. 6355

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

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### RECOMMENDED ACTION BY PLANNING COMMISSION

1. Approve Resolution 2022-15 adopting a Mitigated Declaration and a Mitigated Monitoring and /reporting Program for the Blossom Estates Tentative Tract Map No. 6355
2. Approve Resolution 2022-16 approving Tentative Tract Map No. 6355 (Piro Enterprises) subject to the conditions of approval herein

### EXECUTIVE SUMMARY

The applicant, Piro Enterprises, Inc., is seeking approval of their application for a tentative subdivision map containing 156 lots and located approximately 450' south of South Avenue, between Anchor Avenue and Orange Street, in Orange Cove. This planning application constitutes a "project" under the California Environmental Quality Act (CEQA). The application is as follows:

The proposed tentative subdivision map proposes 156 residential lots situated in a modified grid and bay pattern with major thru streets running east-west and a substantial drainage basin. The proposed subdivision is located in the southeast quadrant of the City of Orange Cove.

The subject property is within the planning area of the Orange Cove General Plan, which designates the property as medium density residential. The project is also consistent with the development standards of the R-1-6 zone. The proposed project is consistent with this land use designation and the development standards for the R-1-6 District.

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**

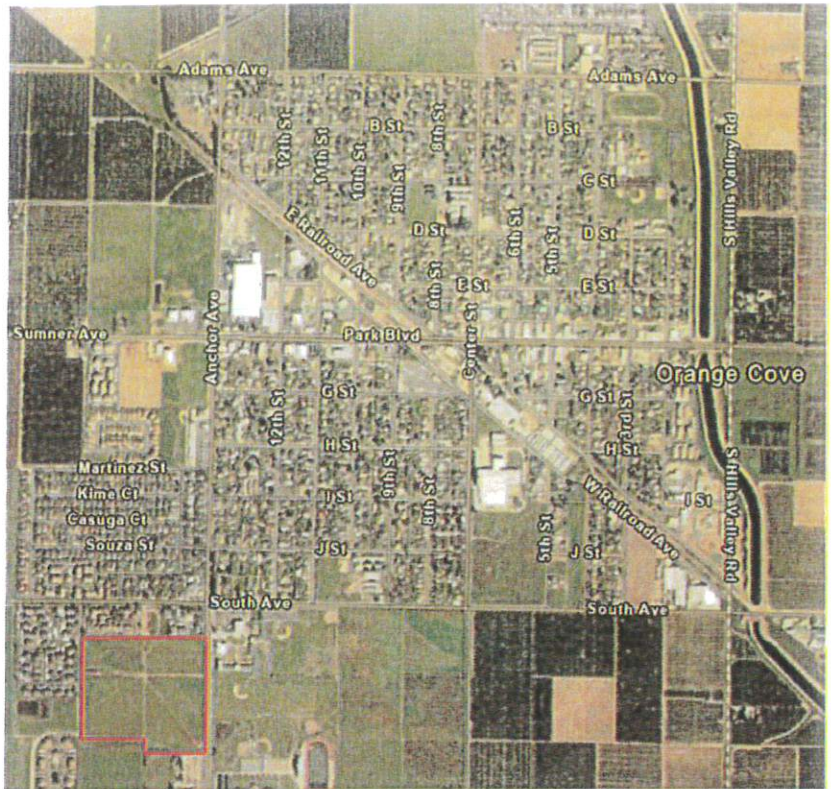
Approval of the Orange Cove General Plan, Land Use Element which details policy and design guidelines for the subject property as well as surrounding properties.

Public Hearing before the Planning Commission of Orange Cove held on 2/15/2022. The Planning Commission adopted Resolution 2022-01, approving the Tentative Subdivision Map for the proposed project.

### **BACKGROUND**

Location: The subject property is located approximately 450' on the south side of South Avenue, between Orange Street and Anchor Avenue in Orange Cove. The APNs are 378-021-28, 378-021-40, 378-021-41, & 378-021-42 (30.7 acres).





The Orange Cove wastewater treatment facility has ample capacity to treat the effluent generated by 156 single-family lots. The type of effluent - residential wastewater - will not create treatment issues for the plant, unlike certain types of industrial effluents.

Stormwater runoff will be conveyed to one of Orange Cove's nearby storm drainage retention ponds, including the proposed basin in the southwest corner of the subdivision. 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. 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 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.

**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 Subdivision Review Committee met to review the proposed subdivision map and discuss conditions necessary to serve the subject site. Conditions of approval have been incorporated into the resolution recommending approval of Tract No. 65355 and are as follows:

**General:**

1. Applicant shall enter into a Subdivision 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 and charges 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.

**Final Map:**

4. The Applicant shall submit a Final Map to be approved by the City Planner prior to approval of building permits.

**Circulation:**

5. Applicants shall furnish and install street name signage within the subdivision 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 subdivision to provide domestic and fire water service to the project, including installation of fire hydrants. All applicable water connection fees shall be paid.
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 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 subdivision shall be undergrounded, including transformers.
20. All electric, cable television, telephone, internet, etc. services shall be provided to the subdivision and shall be undergrounded.
21. Applicant shall provide a streetlight plan for review and approval by the City Engineer. 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. 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, the 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, judgments, 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 Tentative Map No. 5381, Piro Enterprises ("Tentative Map"). 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 judgments 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 Tentative Map, 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 Tentative Map.
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 Tentative Map.

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 Tentative Map (collectively "Subdivision Work"). Applicant shall be solely responsible for making any and all decisions regarding whether any portion or aspect of the Subdivision 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 Subdivision 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 Subdivision 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 Subdivision 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 Tentative Map.

## Conclusions-

**Tentative Subdivision Map:** In the case of this subdivision, the design pattern follows a modified grid with bay or looped sections which is consistent with the character of the surrounding neighborhoods. The subdivision is located on the southeast periphery of Orange Cove but is centrally located when considering its proximity to local schools and the community center. The proposed project is consistent with the Orange Cove Municipal Code.

**Environmental Review:** The "project" consists of the application for a tentative subdivision map. 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. Tract No. 6355 Map, Piro Enterprises
2. Aerial imagery depicting subject property
3. Initial Study, Notice of Intent, Mitigated Negative Declaration, and Mitigation Monitoring and Reporting Program for Blossom Estates Subdivision Project.

**RESOLUTION NO. 2022 - 15**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ORANGE COVE  
ADOPTING A MITIGATED NEGATIVE DECLARATION AND A MITIGATION  
MONITORING AND REPORTING PROGRAM FOR THE BLOSSOM ESTATES  
SUBDIVISION PROJECT LOCATED ON THE APPROXIMATELY 450 FEET SOUTH  
OF SOUTH AVENUE, BETWEEN ANCHOR AVENUE AND ORANGE STREET.**

**WHEREAS**, an application has been filed by the project applicant Piro Enterprises, Inc. to tentatively subdivide a 30.7 acre lot within the City of Orange Cove for 156 single-family residential parcels on the subject property currently identified as Assessor's Parcel Numbers 378-021-28, 378-021-41, and 378-021-42, and;

**WHEREAS**, pursuant to the California Public Resources Code §21067 and the State CEQA Guidelines (Cal. Code of Regs., tit. 14 §15000 et seq.) section 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 January 4th 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 January 20th to February 9th 2022 pursuant to Public Resources Code §21091(b); and,

**WHEREAS**, the City received two (2) comment letters from interested agencies and parties. The City has responded to and included them as addenda to the Negative Declaration.

**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**, notice was duly given that the Planning Commission of the City of Orange Cove would hold the public hearing on February 16, 2022; and,

**WHEREAS**, on February 16, 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**, the Planning Commission of the City of Orange Cove resolved to approve the Mitigated Negative Declaration for the proposed project, subject to conditions of approval; and,

**WHEREAS** the Orange Cove Municipal Code Section 16.20.120 provides for the consideration of Tentative Maps by City Council following the receipt of the recommendation of the Planning Commission; 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**, the City Council of the City of Orange Cove does hereby resolve, find, determine and order as follows, subject to conditions of approval:

1. The above recitations are true and correct and are incorporated herein by this reference.
2. As the decision-making body for the lead agency of the Project, the City Council has reviewed and considered the information contained in the Initial Study / MND and administrative record for the Project, including all oral and written testimony and comments received during the comment period. The City Council finds that the Initial Study / MND contains a complete and accurate reporting of the environmental impacts associated with the project. The City Council further finds that the Initial Study / MND and the administrative record have been completed in compliance with CEQA.
3. Based on the Initial Study / MND and the administrative record including all written and oral evidence presented to the City Council, the City Council finds that all environmental impacts of the Project are either insignificant, or can be mitigated to a level of insignificance pursuant to the mitigation measures outlined in the MND and the MMRP. The City Council further finds that there is no substantial evidence in the administrative record supporting a fair argument that the Project may result in significant environmental impacts. No new significant environmental effects have been identified in the Initial Study / MND and any changes to the Initial Study /MND in response to comments or

otherwise to not constitute substantial revisions requiring recirculation under §15073.5 of the State CEQA Guidelines.

4. The City Council hereby approves and adopts the Initial Study / MND for the Martinez Subdivision Project pursuant to Public Resources Code §21080, subdivision (c)(2).
5. Pursuant to Public Resources Code §21081.6, the City Council approves and adopts the MMRP prepared for the project.
6. The Mitigation Measure(s), including the Reporting and Monitoring Program, adopted for the proposed project shall be fully complied with as specified in this Resolution and in the Mitigation Monitoring and Reporting Program. The measures shall be included as conditions of required permit action. Compliance would result in potential impact reduced to a less than significant level of impact and there would be no residual impacts from the proposed project. Proposed mitigation for impacts is as follows:

**USS - 4: Sufficient Water Supply of Existing Entitlements** - The current assessment by the SWRCB is that the supply of water in Orange Cove is insufficient to support pending 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. This finding implies that the addition of residential dwellings within the city will strain water demands. The SWRCB requires the identification of a groundwater source and plans for wells and above ground storage (elevated tanks) facilities must be considered to mitigate the impacts of securing additional entitlements from the Friant-Kern canal. In addition, the proposed project will be required to implement best practices regarding landscape features to reduce the water demands generated by the landscaping in the proposed project. Detailed mitigation measures are as follows:

**Measure USS-4.A:** Before initiation of construction or ground-disturbing activities associated with the project, the City shall require compliance with all SWRCB requests and standards pursuant of Compliance Order No. 03\_23\_17R\_001.

**Measure USS-4.B:** If compliance with the SWRCB is contingent on implementation of plans related to water supply, then this project must incorporate 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 lots in the proposed project, and encourage use of drought-tolerant vegetation, gravels, and other hardscape features.

**BE IT FURTHER RESOLVED** that the City Council hereby finds the following conditions necessary to approval:

General:

1. Applicant shall enter into a Subdivision 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 and charges 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.

**Final Map:**

4. The Applicant shall submit a Final Map to be approved by the City Planner prior to approval of building permits.

**Circulation:**

5. Applicants shall furnish and install street name signage within the subdivision 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 subdivision to provide domestic and fire water service to the project, including installation of fire hydrants. All applicable water connection fees shall be paid.
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 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 subdivision shall be undergrounded, including transformers.
20. All electric, cable television, telephone, internet, etc. services shall be provided to the subdivision and shall be undergrounded.
21. Applicant shall provide a streetlight plan for review and approval by the City Engineer. 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. 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, the 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 Tentative Map No. 5381, Piro Enterprises ("Tentative Map"). 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 Tentative Map, 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 Tentative Map.

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 Tentative Map.
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 Tentative Map (collectively "Subdivision Work"). Applicant shall be solely responsible for making any and all decisions regarding whether any portion or aspect of the Subdivision 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 Subdivision 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 Subdivision 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 Subdivision 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 Tentative Map.

The foregoing resolution was adopted upon a motion by Councilmember \_\_\_\_\_,  
Councilmember \_\_\_\_\_ seconded the motion at a regular meeting of the Orange  
Cove City Council on the 23rd of March 2022, and carried by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

**RESOLUTION NO. 2022 - 16**

**A RESOLUTION BEFORE THE CITY COUNCIL, CITY OF ORANGE COVE, STATE OF CALIFORNIA APPROVING AN APPLICATION FOR A TENTATIVE SUBDIVISION MAP NO. 6355, A REQUEST TO SUBDIVIDE 30.7 ACRES INTO ONE HUNDRED AND FIFTY-SIX (156) NUMBERED LOTS LOCATED WITHIN THE R-1-6 (SINGLE-FAMILY RESIDENTIAL, MINIMUM 6,000 SQUARE FOOT LOT SIZE) ZONE. THE PROJECT SITE IS LOCATED ON THE SOUTH SIDE OF SOUTH AVENUE, BETWEEN ORANGE STREET AND ANCHOR AVENUE (APN: 378-030-41).**

**WHEREAS**, the Blossom Estates Tentative Subdivision Map No. 6355 is a request submitted by Piro Enterprises, Inc., to subdivide 30.7 acres into one hundred and fifty-six numbered lots located within the R-1-6 (Single-family Residential, 6,000 square foot lot size) zone. The project site is located on the north side of Martinez Street, west of Anchor Avenue, (APN: 378-030-41); and,

**WHEREAS**, the Planning Commission, after duly published notice held a public hearing before said Commission on February 16, 2022; and,

**WHEREAS**, the Planning Commission found the tentative subdivision map to be in accordance with Chapter 16.20 of the Subdivision Ordinance of the City of Orange Cove, based on the evidence contained in the staff report and testimony presented at the public hearing; and,

**WHEREAS**, the Planning Commission found that the project will not have a significantly adverse impact on the environment, and the lead agency has prepared environmental review documents pursuant to the California Environmental Quality Act (CEQA); and,

**WHEREAS**, the Planning Commission of the City of Orange Cove resolved to approve the Mitigated Negative Declaration for the proposed project, subject to conditions of approval; and,

**WHEREAS**, the Orange Cove Municipal Code Section 16.20.120 provides for the consideration of Tentative Maps by City Council following the receipt of the recommendation of the Planning Commission; and,

**WHEREAS**, the City Council of Orange Cove at the regular meeting on March 9, 2022, did fix a meeting date of March 23<sup>rd</sup>, 2022 to consider the Blossom Estates Tentative Subdivision Map No. 6355; and

**WHEREAS**, on the meeting date fixed by the City Council of Orange Cove, the City Council reviewed the Planning Commission Recommendation, Staff Report, and testimony.

**NOW, THEREFORE BE IT RESOLVED**, that the City Council approves the proposed tentative subdivision map based on the following specific findings and based on the evidence presented:

1. That the proposed location and layout of the Blossom Estates Tentative Subdivision Map No. 5381, its improvement by design, and the conditions under which it will be maintained is consistent with the policies and intent of the General Plan, Zoning Ordinance, and Subdivision Ordinance.
2. That the proposed Blossom Estates Tentative Subdivision Map No. 6355, its improvement and design, and the conditions under which it will be maintained will not be detrimental to the public health, safety, or welfare, nor materially injurious to properties or improvements in the vicinity, nor is it likely to cause serious public health problems. The project site shares a border with existing residential development.
3. That the site is physically suitable for the proposed tentative subdivision map. The Blossom Estates Tentative Subdivision Map No. 6355 is consistent with the intent of the General Plan, Subdivision Ordinance, and Zoning Ordinance, and is not detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.
4. That the proposed Blossom Estates Tentative Subdivision Map No. 6355 design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of property within the proposed subdivision. The one-hundred and fifty-six (156)-lot subdivision is designed to comply with the City of Orange Cove Standard Construction Drawings standards.

**BE IT FURTHER RESOLVED** that the City Council hereby approves the tentative subdivision map on the real property herein above described in accordance with the terms of this resolution under the provisions of Chapter 16.20 of the Subdivision Ordinance Code of the City of Orange Cove, subject to the following conditions:

**General:**

1. All minimum conditions of subdivision approval in the Subdivision Ordinance are included by reference.
2. That prior to the issuance of a building permit on the site, the applicant / developer shall obtain and provide the City with a valid Will Serve Letter from the Water Department.
3. That all other federal and state laws as well as city codes and ordinances be complied with.
4. The applicant shall enter into a Subdivision Agreement with the City if the final map is recorded prior to the completion of the off-site improvements.
5. The applicant shall pay all fees and charges as required by existing ordinances and schedules.
6. All water well(s) and septic systems that served the subject property shall be abandoned pursuant to City, County, and State standards.

**Tentative Map:**

7. Applicant shall submit a revised tentative subdivision map that is consistent with the Orange Cove Zoning Ordinance, insofar as the lot width requirements are less than a foot

out of compliance with the Zoning Ordinance. Staff has determined that lot line corrections can achieve compliance without negatively impacting other lots in the subdivision. The revised map shall be reviewed and approved by the City Planner prior to applying for a final map.

**Circulation:**

8. Applicant shall furnish and install street name signage within the subdivision conforming to City of Orange Cove standards.

**Air Quality:**

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

**Geology and Soils:**

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

**Water:**

12. Applicant shall install minimum 8-inch water mains throughout the subdivision to provide domestic and fire water service to the project, including installation of fire hydrants. All applicable water connection fees shall be paid.
13. All new residential development is required to include water meters to reduce water consumption.

**Sewer:**

14. Applicant shall provide sewer mains and service facilities as directed by the City Engineer and pay all applicable fees.

**Grading and Drainage:**

15. 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.
16. 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.
17. As part of the mitigation measures for soil erosion, the applicant shall be responsible for street sweeping during the one-year warranty period.

**Park / Aesthetics:**

18. 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. The applicant shall install front yard landscaping and automated irrigation in all front yards, ideally limiting turf.
19. 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.

20. 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:**

21. 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:**

22. All existing overhead utilities adjacent to the subdivision shall be undergrounded, including transformers.
23. All electric, cable television, telephone, internet, etc. services shall be provided to the subdivision and shall be undergrounded.
24. Applicant shall provide a street light plan for review and approval by the City Engineer. Streetlights shall be LED and be provided by the developer and maintained by the City.
25. Applicant 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. All work shall be completed such that no street surface needs to be reopened in order to be serviced.

**Irrigation:**

26. 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:**

27. 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
28. Should any human remains be discovered during any part of the development process, the Fresno County Coroner must be notified immediately.

**Wildfire:**

29. Consistent with requirements of the local fire district, the 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.
30. The project shall comply with the requirements of the Fire Department, including installation of fire hydrants, at locations directed by the Fire Chief.

**Environmental Review:**

31. 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:**

32. 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, judgments, 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 Tentative Map No. 6355, Piro Inc. ("Tentative Map"). 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.

33. 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 Tentative Map, 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 Tentative Map.
34. 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 Tentative Map.
35. 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 Tentative Map (collectively "Subdivision Work"). Applicant shall be solely responsible for making any and all decisions regarding whether any portion or aspect of the Subdivision 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.
36. 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 Subdivision 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 Subdivision Work.

37. 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 Subdivision 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.
38. 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 Tentative Map.
39. Compliance with city engineer's letter dated December 17, 2021 shown as Exhibit "A" attached

The foregoing resolution was adopted upon a motion by Councilmember \_\_\_\_\_,  
Councilmember \_\_\_\_\_ seconded the motion at a regular meeting of the Orange Cove City  
Council on the 23rd of March, 2022, and carried by the following vote:

AYES:  
NOES:  
ABSTAIN:  
ABSENT:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk



Exhibit "A"  
Conditions of Approval  
Blossom Estates Tract No. 6355

Mayor:  
Victor P. Lopez

Mayor Pro Tem:  
Diana Guerra Silva

City Council Members:  
Ray Rodriguez  
Josie 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

December 17, 2021

Tony De Melo, P.E.  
North Start Engineering Group  
620 12<sup>th</sup> Street  
Modesto, CA 95354

**Re: Tentative Tract Map 6355 – Blossom Estates**

Dear Mr. De Melo,

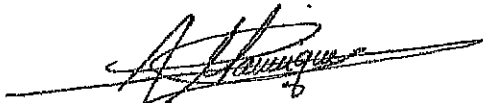
The City of Orange Cove has reviewed Submittal No. 2 of the Preliminary Tentative Subdivision Map consisting of three drawings dated November 19, 2021, prepared for Piro Enterprises. The 30.74-acre subdivision is located South of Sumner Avenue and West of Anchor Avenue and comprises Assessor Parcel Number 378-021-28, 40, 41 and 42. We have reviewed the Tentative Tract Map for the above referenced project and have no further comments and you can proceed to development of the Final Map for this project. The following items will be required to be submitted with the Final Map:

1. Evidence of title, acceptable to the county clerk-recorder, shall be secured from a title company indicating that, as shown by the public records, the parties whose signatures appear on the map and consent to the recordation of the map are all the parties having a record title interest in the land being subdivided whose signatures are required by the Subdivision Map Act. Exceptions 4, 5, 6 and 7 of the Preliminary Title Report, refer to temporary drainage easements granted to Orange Wood Plaza Apartments. **Applicant shall vacate and remove the Orange Wood Plaza Apartment temporary storm drainage easements from title report, Improvement Plans, and the Final Map.**
2. The original final map and five copies.
3. Memorandum for the city clerk containing the following data shall accompany the map:
  - a. The total area of the tract submitted;
  - b. The total area in roads and the total lineal length of roads;

- c. The total area in lots;
  - d. The total number of lots;
  - e. The area in parks, school sites or other lands offered for dedication or reserved for future public or quasi-public uses;
  - f. The proposed use of the lots;
  - g. Total areas for each of the proposed uses.
4. Provide two copies of the easements that are to be recorded.
  5. Provide two copies of the 11-foot PUE located off-site on APN 378-021-32 that will be recorded with the map.
  6. Prepare and submit improvement plans showing on-site and off-site improvements including curb, gutter, sidewalk, street, asphalt pavement sections, striping, signage, utility easements, water, sewer, storm drainage improvements within the proposed subdivision and along Anchor Avenue and Orange Street.
  7. Prepare and submit improvement plans for the 60-inch diameter storm drain pipeline, including inlet and outlet facilities, which is located in the 11-foot Public Utility Easement along the northern boundary of APN 378-021-032. Secure permission from the property owner to work within the easement and to install said 60-inch diameter pipeline as shown on the plans.
  8. Provide one set of the computer closures before the Final Map is approved.
  9. Provide evidence that all fees are paid.
  10. Provide a statement from the county treasurer-tax collector showing that there are no liens against the subdivision or any part thereof for unpaid taxes or special assessments collected as taxes, except taxes or special assessments not yet payable.
  11. Provide a statement from the county auditor-controller giving his estimate of the amount of taxes and assessments which are a lien but which are not payable.
  12. Provide the necessary agreements of contracts, bonds, and deposits as to allow the recordation of the map.

If you have any questions do not hesitate to contact me at (559) 473-1371 or via email at [alfonso.manrique@am-ce.com](mailto:alfonso.manrique@am-ce.com).

Sincerely,



Alfonso Manrique, P.E.  
City Engineer



## **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

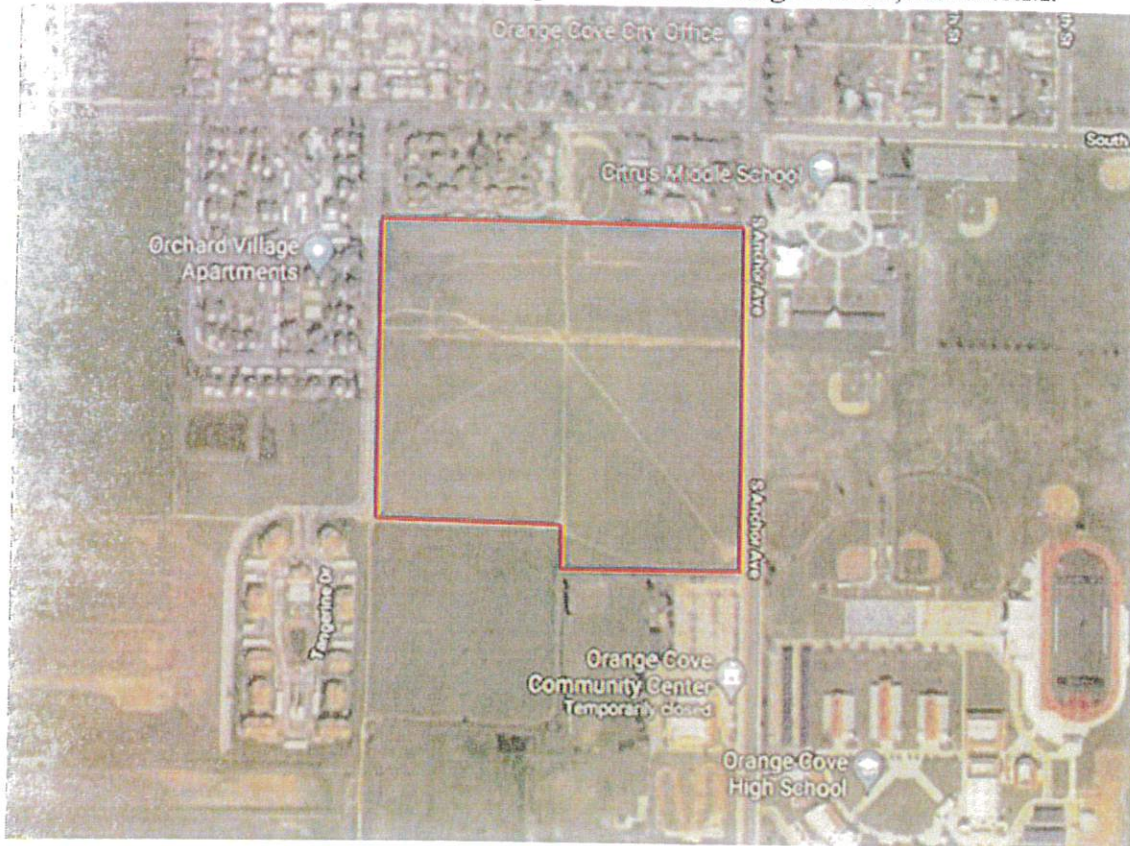
#### BACKGROUND

**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**

<b>Year</b>	<b>Population</b>	<b>Num. Change</b>	<b>Percent Change</b>	<b>Avg. Ann. Growth</b>
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?
- |                          |                          |                                     |                          |
|--------------------------|--------------------------|-------------------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|--------------------------|-------------------------------------|--------------------------|

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

**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>
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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 Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
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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"/>
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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"/>
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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 CO<sub>2</sub>. 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 Impact	Less Than Significant with <u>Mitigation</u>	Less Than Significant Impact	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 Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
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 <u>Impact</u>	Less Than Significant with <u>Mitigation</u>	Less Than Significant <u>Impact</u>	No <u>Impact</u>
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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>
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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 discing.

2. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or 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<br>Significant<br>Impact | Less Than<br>Significant with<br>Mitigation | Less Than<br>Significant<br>Impact  | No<br>Impact             |
|--|--------------------------------------|---|-------------------------------------|--------------------------|
| 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? ☐ ☐ ☒ ☐

**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? ☐ ☐ ☒ ☐

**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 Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
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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 Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
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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 Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
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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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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**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?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**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

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

☐☐☐☒

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?

☐☐☒☐

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 Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
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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 Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
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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?

☐☐☒☐

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.

☐☐☐☒

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"/>
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**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"/>
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Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
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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?

☐☐☒☐

**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 Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
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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 <u>Impact</u>	Less Than Significant with <u>Mitigation</u>	Less Than Significant <u>Impact</u>	No <u>Impact</u>
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<br>generation of noise levels<br>in excess of standards<br>established in the local<br>general plan or noise<br>ordinance, or applicable<br>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<br>generation of excessive<br>ground borne vibration or | <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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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?

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**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?

☐☐☒☐

**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 Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
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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"/> |
|--------------------------|--------------------------|-------------------------------------|--------------------------|

**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"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

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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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?      ☐      ☐      ☒      ☐

**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?      ☐      ☐      ☒      ☐

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 --

	Potentially Significant <u>Impact</u>	Less Than Significant with <u>Mitigation</u>	Less Than Significant <u>Impact</u>	No <u>Impact</u>
1. Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

2. Does the project include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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**Discussion:** The proposed residential project will pay park impact fees. The long-term maintenance of the landscaping within the subdivision will be the responsibility of a landscaping and lighting district.

#### **XVI. TRANSPORTATION/TRAFFIC --**

Would the project:

1. Exceed the capacity of the

	Potentially Significant <u>Impact</u>	Less Than Significant with <u>Mitigation</u>	Less Than Significant <u>Impact</u>	No <u>Impact</u>
existing circulation system, based on an applicable measure of effectiveness (as designated in a general plan policy, ordinance, etc.), taking into account all relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

156 single family units x 9.55 trips per household = 1,490 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 collector and local streets, S. Anchor Avenue, and Orange Street respectively, that border the subject site to the east and west respectively. Traffic wishing to travel east and west using South Avenue can travel to the citrus farms 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 very unlikely that any intersection that is near or adjacent 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

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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expected to walk to these destinations rather than drive thereby reducing the VMT generated by subdivision residents.

2. Conflict with an applicable

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

☐☐☒☐

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

3. Result in a change in air

traffic patterns, including  
either an increase in traffic  
levels or a change in location  
that results in substantial  
safety risks?

☐☐☐☒

**Discussion:** The proposed project will not affect air traffic patterns in any way.

4. Substantially increase



	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
hazards due to a design feature (e.g., sharp curves, or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**Discussion:** The project will not have an adverse impact on the level of service (LOS) of South Avenue, Orange Avenue, or Anchor Avenue, which are existing streets surrounding the subject property. There are no design hazards present in the project that would substantially increase hazards, and the additional traffic from the proposed residential development will not cause a significant impact on the surrounding or interior roadways.

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

☐ ☐ ☐ ☒

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

## **XVII. UTILITIES AND SERVICE SYSTEMS --**

Would the project:

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

☐ ☐ ☒ ☐

Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
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**Discussion:** The project will generate approximately one hundred gallons of effluent per day per person. The average population of a single residential unit is estimated to be approximately four persons per residential unit, or a total population of 642 persons (156 single family residential units x four persons per household = 642 persons) Therefore the project will generate about 64,200 gallons per day of wastewater.

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

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

2. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?
- |                          |                          |                                     |                          |
|--------------------------|--------------------------|-------------------------------------|--------------------------|
| <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 Orange Cove Wastewater Treatment Facility (WWTF) was originally designed to treat 1.0 million gallons per day (mgd) of waste effluent. Recently, the WWTF was expanded to have a capacity of 3.0 mgd. This increase in capacity will easily accommodate the increase in effluent flow generated by the project. The estimated effluent generated by the project after development is 0.0642 mgd, or about 2% of the expanded capacity of the WWTF. Therefore no new construction of wastewater treatment facilities will be required as a result of the proposed project.

3. Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which would cause significant environmental effects?

<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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**Discussion:** The proposed subdivision is designed to channel stormwater runoff into the subdivision's gutter system, which will then be conveyed to a local storm water retention basin. The project will not have a significant environmental effect on the City's stormwater drainage system.

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

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 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 via the Friant-Kern Canal, which is then treated at the city's water treatment plant in order to meet State Drinking Water Standards. From the plant it is 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 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 in the city under maximum demand conditions. This is because the Friant-Kern Canal is periodically shut down for extended time periods during winter months for maintenance. Therefore, the City must address the need to develop an alternative source of supply to meet the demands on the system during future shutdowns.

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

The current assessment by the SWRCB is 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, this finding implies that the addition of residential dwellings within the city will strain current water demands. This additional strain 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:** The completion of the two aforementioned DFA applications and subsequent compliance with SWRCB standards will secure the water supply needed to reliably service the project. If the SWRCB requires the identification of a groundwater source,

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

then plans for wells and above ground storage (elevated tanks) facilities must be considered to mitigate the impacts of securing additional entitlements from the Friant-Kern canal. In addition, the proposed project will be required to implement best practices regarding landscape features to reduce the water demands generated by the landscaping in the proposed project.

USS-4 The following measures shall be implemented:

**Measure USS-4.A:** Before initiation of construction of the project, the City shall require compliance with all SWRCB standards pursuant of Compliance Order No. 03\_23\_17R\_001.

**Measure USS-4.B:** If compliance with the SWRCB is contingent on implementation of plans related to water supply, then this project must incorporate 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 lots in the proposed project, and encourage use of drought-tolerant vegetation, gravels, and other hardscape features.

5. Result in a determination

by the wastewater treatment ☐ ☐ ☒ ☐  
provider, which serves or may  
serve the project that it has  
adequate capacity to serve  
the project's projected demand  
in addition to the provider's  
existing commitments?

**Discussion:** The Orange Cove Wastewater Treatment Facility (WWTF) was originally designed to treat 1.0 million gallons per day (mgd), however now it has a capacity of 3.0 mgd. This increase in capacity will easily accommodate the increase in effluent generated

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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by the project. The estimated effluent generated by the project after development is 0.0642 mgd, or about 2% of the expanded capacity of the WWTF. Therefore the addition of the proposed project's projected effluent demand will not significantly impact the wastewater treatment facility.

6. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?
- |                          |                          |                                     |                          |
|--------------------------|--------------------------|-------------------------------------|--------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--------------------------|--------------------------|-------------------------------------|--------------------------|

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

7. Comply with federal, state, and local statutes and regulations related to solid waste?
- |                          |                          |                          |                                     |
|--------------------------|--------------------------|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--------------------------|--------------------------|--------------------------|-------------------------------------|

**Discussion:** All construction waste and waste produced by the maintenance of the completed project will be recycled or disposed of properly, pursuant of the Resource Conservation and Recovery Act (RCRA) as well as state and local regulations.

#### **XVIII. MANDATORY FINDINGS OF SIGNIFICANCE --**

1. Does the project have the potential to degrade the quality of the environment,
- |                          |                                     |                          |                          |
|--------------------------|-------------------------------------|--------------------------|--------------------------|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input 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>
substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?				
2. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
3. Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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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CHECKLIST PREPARED BY:

Tristan J. Suire, contract city planner

5/21/2021



## MITIGATION MONITORING AND REPORTING PROGRAM

### CITY OF ORANGE COVE

#### BLOSSOM ESTATES SUBDIVISION PROJECT

Section 21081.6 of the Public Resources Code and Section 15097 of the CEQA Guidelines require adoption of a Mitigation Monitoring or Reporting Program for all projects for which an Environmental Impact Report (EIR) or Mitigated Negative Declaration (MND) has been prepared, pursuant of AB 3180 enacted January 1, 1989.

The Mitigation Monitoring and Reporting Program (MMRP) describes the procedures for implementation of the mitigation measures adopted for the proposed project as identified in the Initial Study and MND. The proposed MMRP will be considered by the City of Orange Cove prior to the adoption of the MND. The MMRP will be in place through all phases of the proposed project, including design, construction, and operation as applicable. The City is responsible for administering the MMRP activities or delegating them to staff, other departments, consultants, or contractors. The City will also ensure that monitoring is documented through required reports and any potential shortcomings are promptly corrected. Tracking compliance will be the responsibility of the designated environmental monitor. Impacts that require mitigation measures are as follows:

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

#### Utilities and Social Services --

Would the project:

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

☐☒☐☐

**Sources:** Tentative Tract Map Application filed by Piro Enterprises, Letter from State Water Resources Control Board Dated 5/27/21 regarding Compliance Order No. 03\_23\_17R\_001\_A1, Initial Study prepared for the Blossom Estates Subdivision Project.

**Finding of Fact:** The project will have a less than significant impact with incorporation of mitigation measures.

**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) first issued the City of Orange Cove a Compliance Order 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 maintenance 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 water treatment infrastructure. The second is to fund a planning project to develop additional groundwater 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 pending 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 a 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. Further, the proposed project will be required to implement best practices regarding landscape features to reduce the water demands generated by the future maintenance of the proposed project.

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 the 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.

#### **Monitoring and Reporting:**

**Enforcement Agency-** Contract City Engineers (A&M Consulting Engineers) or applicable monitoring consultant.

**Monitoring Frequency-** Prior to submission of site plan review. Prior to initiation of construction or ground-disturbing activities, and ongoing during construction.

**Compliance Action-** Project Permit Compliance Review, to be conducted at the discretion of the enforcement agency.



Meeting Date: 3/23/2022

Agenda Item: \_\_\_\_\_

## City Council Meeting

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**REPORT TO:** Orange Cove City Council

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

**AGENDA ITEM:** Fresno County Multi-Jurisdictional Housing Element

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

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### RECOMMENDED ACTION BY PLANNING COMMISSION

1. To adopt Resolution 2022-17, approving the participation of the City of Orange Cove in the Fresno County Multijurisdictional Housing Element update and cost sharing agreement.

### EXECUTIVE SUMMARY

California housing element law requires every jurisdiction to prepare and adopt a housing element as part of the general plans. It's typical for each jurisdiction to prepare its own separate general plan and housing element. However, due to new legislation (AB 686) and its new requirements has increased the complexity and increases level of analysis, community engagement, new requirements for suitable sites inventory and robust analysis related to fair housing.

Due to the new legislation most city planning consultants are hesitant on taking on new housing element up-dates. However, in 2016 13 of the 16 jurisdictions in Fresno County with the help from Fresno COG, prepared a multi-jurisdictional 5<sup>th</sup> cycle housing element. This was unique but helped a number of local cities become compliant with their housing element.

Fresno COG has invited the City of Orange to participate in the Fresno County Sixth Cycle Multi-Jurisdictional Housing Element along with sixteen other cities. The estimated costs for the City of Orange Cove is \$115,000.00 with a \$10,000.00 deposit by April 28, 2022. COG is currently soliciting proposals and anticipates the policy board authorization to enter contract with the consultant also on April 28, 2022. The Fresno COG will prepared a Cooperative Agreement which is forthcoming for each jurisdictional to execute. Project is scheduled to begin in May 2022

**Fiscal Impact:**

Typically, staff budgets for the costs of up-dating its Housing Element each housing cycle up-date. The 6<sup>th</sup> Cycle Housing Element Up-date must be completed by end of 2023. Therefore, the up-date will impact the city's general fund in the amount of \$115,000.00 (minus any grant funding to reduce the amount). The costs will be expended within the 2021-2022 and 2022-23 fiscal year budgets.

Fresno COG has also mentioned that they will be pursuing with HCD to determine if Regional Early Action Planning grant funding can be used for this effort to help reduce the cost for participating jurisdictions.

**Conclusion:**

Various State Grants and Loan Programs require cities/counties to have a HCD-Certified Housing Element to be eligible to apply for said grants.

The approval of the resolution would allow the Fresno Council of Governments to hire a consultant to perform the coordinated update. The Resolution to participate will be accompanied by a \$10,000 down payment, and will adopt the Fresno County Cost Sharing Agreement for the project, agreeing to reimburse Fresno Council of Governments for the actual cost. Staff highly recommends that the City Council approve this resolution.

**ATTACHMENTS**

- I. Resolution 2022-17

## Fresno County Sixth Cycle Multi-Jurisdictional Housing Element

California housing element law requires every jurisdiction to prepare and adopt a housing element as part of their required general plans. It's typical for each jurisdiction to prepare its own separate general plan and housing element. However, in 2016, 13 of the 16 jurisdictions in Fresno County, with help from Fresno COG, prepared a multi-jurisdictional 5<sup>th</sup> cycle housing element. This was unique, and helped a number of local cities become compliant with their housing element for the first time in years. Compliance is important as many grants and funding opportunities require a current housing element.

The 6th cycle housing elements are now underway and must be submitted to the state for certification by the end of 2023. While legislative changes have increased the cost and complexity of the housing element since the 5th cycle, there are some advantages in pursuing a joint effort. Local jurisdictions have again requested Fresno COG hire a consultant to be paid for by participating member agencies.

### Challenges of 6th Cycle Housing Elements

- New legislation increases the level of analysis, community engagement, new requirements for suitable sites inventory, and a robust analysis and requirements related to fair housing
- This leads to a substantial commitment in cost and staff time
- Need to start ASAP (due Dec. 2023, and this typically takes 18-24 months to prepare)
- The housing element update will trigger other required general plan updates: safety element (SB 379) and environmental justice element (SB 1000)

### Opportunities with a Multi-jurisdictional Effort

- Economies of scale: the required background report, standardized policies and programs, CEQA compliance, and a combined community engagement effort will save jurisdictions time and money
- Compliance with housing element law for jurisdictions that may not have the staff or funding to pursue an individual housing element
- A cohesive approach to addressing new requirements and coordination with HCD, the state agency in charge of certifying the housing element

### Timeline for Next Steps

January 11, 2022	March 1, 2022	April 28, 2022	May 2022
Fresno COG release RFP for consultant	Deadline for jurisdictions to let FCOG know if they will participate or not	MOU and \$10,000 deposit from participating jurisdictions due Policy Board authorization to enter contract with preferred consultant	Project kick-off

### Additional Details

- The total consultant contract is approximately \$2 million, with the estimated cost for each of the thirteen small cities approximately \$115,000, and \$180,000 for the City of Fresno and the County
- The estimated cost is a maximum and would likely cost less. Additionally, Fresno COG is working with HCD to determine if Regional Early Action Planning (REAP) grant funding can be used for this effort to help reduce the cost for participating jurisdictions
- Fresno COG will act as a fiscal agent so that participating jurisdictions do not need to provide their share of the funding up front
- Fresno COG will begin requesting reimbursement monthly after July 1, 2022

### Questions?

Meg Prince, Senior Regional Planner, Fresno Council of Governments

[mprince@fresnocog.org](mailto:mprince@fresnocog.org)



### **THE GOOD NEWS: QUALIFYING FOR FUNDING WITH YOUR NEW HOUSING ELEMENT**

Various state grant and loan programs require an HCD-certified housing element. Examples of active state funding sources that require housing element compliance for eligibility include:

- Permanent Local Housing Allocation (PLHA)
- Affordable Housing and Sustainable Communities (AHSC)
- SB 1 Planning Grants
- CalHOME Program
- Infill Infrastructure Grants (IIG)
- Prohousing Designation Program
- Local Housing Trust Fund Program (LHTF)

Contact your grant writer for further information on these grants.

### **THE BAD NEWS: CONSEQUENCE OF INACTION (NO HOUSING ELEMENT)**

California's Housing and Community Development (HCD) department in April 2021 issued guidance to cities and counties about the consequences of falling short in adopting or otherwise complying with previously adopted housing elements. There are serious penalties for not complying.

HCD is authorized to review any action or failure to act by a local government that it determines is inconsistent with an adopted housing element or housing element law. This includes failure to implement program actions included in the housing element. HCD may revoke housing element compliance if the local government's actions do not comply with state law. Examples of penalties and consequences of housing element noncompliance:

#### **LEGAL SUITS AND ATTORNEY FEES**

Local governments with noncompliant housing elements are vulnerable to litigation from housing rights' organizations, developers, and HCD. If a jurisdiction faces a court action stemming from its lack of compliance and either loses or settles the case, it often must pay substantial attorney fees to the plaintiff's attorneys in addition to the fees paid by its own attorneys. Potential consequences of lawsuits include mandatory compliance within 120 days, suspension of local control on building matters, and court approval of housing developments.

#### **LOSS OF PERMITTING AUTHORITY**

Courts have authority to take local government residential and nonresidential permit authority to bring the jurisdiction's General Plan and housing element into substantial compliance with State law. The court may suspend the locality's authority to issue building permits or grant zoning changes, variances, or subdivision map approvals – giving local governments a strong incentive to bring its housing element into compliance.

#### **FINANCIAL PENALTIES**

Court-issued judgements directing the jurisdictions to bring its housing element in substantial compliance with state housing element law. If a jurisdiction's housing element continues to be found out of compliance, courts can multiply financial penalties by a factor of six.

#### **COURT RECEIVERSHIP**

Courts may appoint an agent with all powers necessary to remedy identified housing element deficiencies and bring the jurisdiction's housing element into substantial compliance with housing element law

**Source:** California Department of Housing and Community Development (April 2021). *Housing Element Noncompliance Consequences*. <https://hcd.ca.gov/app.box.com/s/kaz1lly4bfxhsr3ty2lvaz6l5s8k0i54>

**RESOLUTION 2022-17**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ORANGE COVE  
APPROVING THE PARTICIPATION OF THE CITY OF ORANGE COVE IN THE  
FRESNO COUNTY MULTIJURISTICTIONAL HOUSING ELEMENT UPDATE AND  
COST SHARING AGREEMENT.**

**WHEREAS**, Government Code Section 65588 requires local agencies to review and revise the housing elements to their comprehensive general plan in compliance with Section 65580 through 65589, Chapter 1143, Article 10.6, and

**WHEREAS**, the Fresno Council of Governments (FCOG) is a Joint Powers agency created by the fifteen incorporated cities in Fresno County and the County of Fresno, pursuant to Government Code Sections 6500 et. Seq., and

**WHEREAS**, the local government agencies in Fresno County have requested FCOG to hire a consultant to perform a coordinated update to the housing element of each local agency's General Plan at no cost to FCOG, and

**WHEREAS**, FCOG convened a Project Development Team (PDT) consisting of the local member agencies, to review the Request for Proposal, evaluate bids, select a consultant, develop a cost sharing arrangement and make a recommendation to the FCOG board to hire the consultant, and

**WHEREAS**, the cost sharing arrangement includes the cost of the consultant and \$75,000 to cover FCOG administration, and

**WHEREAS**, each participating member agency agrees to reimburse FCOG for the cost of the Fresno County Multijurisdictional Housing Element Study in accordance with the cost sharing arrangement attached herein, and

**WHEREAS**, time is of the essence and each participating member agency agrees to facilitate the flow of information to the consultant to provide a timely report, and

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council adopts the Fresno County Multijurisdictional Housing Element Cost Sharing Arrangement and agrees to participate in the study and reimburse FCOG for actual cost incurred.

**THE FOREGOING RESOLUTION** was passed and adopted by the City Council of the City of Orange Cove this 23rd day of March, 2022.



AYES:

NOES:

ABSTAIN:

ABSENT:

---

Victor P. Lopez, Mayor

ATTEST:

I hereby certify that the foregoing is a true copy of a resolution of the City Council duly adopted at a regular meeting thereof held on the 23rd day of March, 2022.

---

June Bracamontes, City Clerk



NALEO EDUCATIONAL FUND  
**NALEO NATIONAL POLICY INSTITUTE**  
Emergency Preparedness for 21<sup>ST</sup> Century Hazards

Revised 02/22/22

## COVID-19 SAFETY PROTOCOLS

**APRIL 21-22, 2022** Thank you for considering joining NALEO Educational Fund from April 21-22 for the  
**CHICAGO, IL** **NALEO National Policy Institute on Emergency Preparedness for 21st Century Hazards**  
at the Swissôtel in Chicago, Illinois. As you consider your attendance, please take note of  
the following precautions we will have in place for everyone's safety. Additional and more  
specific information on safety protocols will be communicated in advance of the event.

- All participants attending the NALEO National Policy Institute will be required to review and sign the organization's COVID-19 Health Protocols and Waiver Document before travel and lodging arrangements are booked.
- Every person attending the NALEO National Policy Institute will be required to show proof of vaccination upon checking in to the event on site.
- As of the writing of this document, the Chicago Public Health Department, which guides NALEO Educational Fund's safety protocols for this event, requires that everyone wear masks while indoors, regardless of vaccination status.
- Please note that public reports indicate that the State of Illinois, Cook County, and the City of Chicago are expected to lift vaccination and indoor mask requirements on February 28. We are monitoring these developments closely and will update our COVID-19 safety protocols accordingly.
- We will plan for contactless experiences to the extent possible. (e.g., contactless registration and check-in, digital materials, etc.)
- Attendees may be asked to self-certify that they are symptom-free leading up to the event.
- Individuals at high risk should consider not joining, given the ongoing pandemic and risks associated with COVID-19 (high-risk may include being more susceptible to COVID-19, being immunocompromised, being responsible for the care of loved ones who may be more susceptible to COVID-19, etc.).
- We thank our participants for being patient and flexible, given the quickly evolving nature of COVID-19 safety protocols.

The Swissôtel maintains the ALLSAFE label, which indicates their hotel has met the most stringent cleanliness and prevention standards and operational protocols.

**June Bracamontes**

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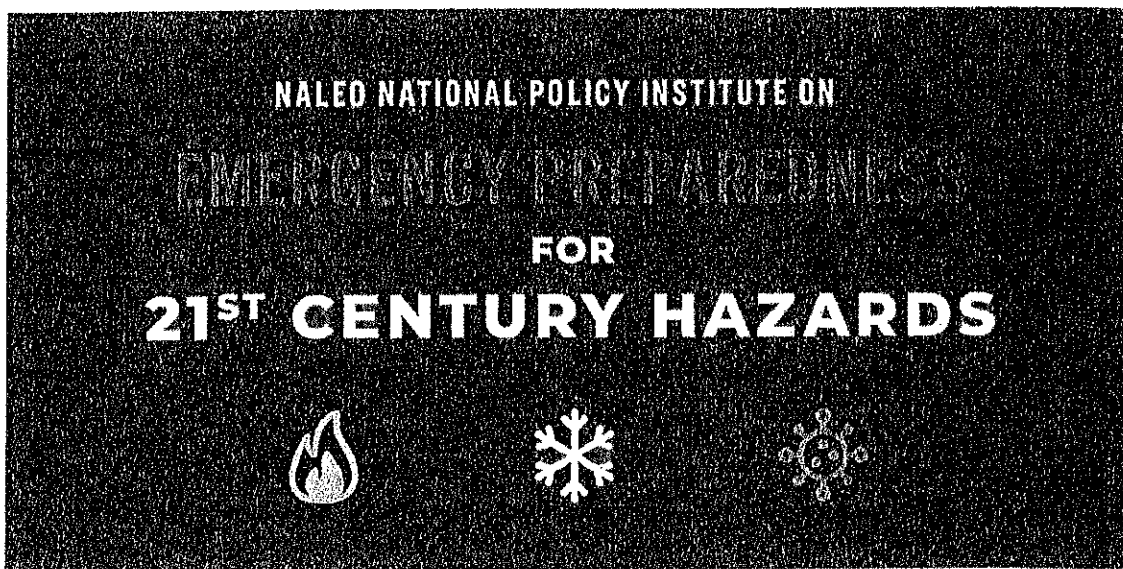
**From:** Monica Medina <mmedina@naleo.org>  
**Sent:** Tuesday, March 15, 2022 10:26 AM  
**To:** Monica Medina  
**Subject:** NALEO IS BACK IN CHICAGO! - Register now for the National Policy Institute on Emergency Preparedness  
**Attachments:** NALEO\_PI\_EmergencyPrep\_IL\_PublicAgenda\_03.08.21.pdf

**CAUTION:** This email originated from outside the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

**Register Now for this timely discussion on strategies to increase resiliency for climate-related disasters and cyber-attacks. Scholarships for travel and lodging are available for NALEO members.**



*We are back in person!*



Swissôtel Chicago

April 21–22, 2022

CHICAGO, IL

#### About the Policy Institute

The impact of the COVID-19 pandemic continues to reverberate across the nation. At the same time, a growing number of states, cities, and local communities are facing compounding emergencies because of extreme weather and climate-related disasters. As hazards and challenges evolve, the *NALEO National Policy Institute on Emergency Preparedness for 21<sup>st</sup> Century Hazards* will enhance Latino policymakers' ability to confront the convergence of multiple emergencies, understand infrastructure funding, and utilize strategies to **increase resiliency to climate-related disasters and cybersecurity**. As part of this curriculum and after the convening, participants will be invited to join a follow-up virtual session that will take place in September 2022.

The Policy Institute will occur in Chicago, IL, and will observe the most updated COVID-19 safety protocols. Event participation requires proof of vaccination and other measures,

which can be found [here](#).

Space is limited.

Invitation is non-transferable.

**APPLY TO ATTEND HERE**

Current paid **NALEO members** are eligible to receive travel and lodging scholarships.

You can **sign up for membership** or **renew your membership** [here](#). To check your NALEO membership status, contact Martha Beall at [mbeall@naleo.org](mailto:mbeall@naleo.org).

PRESENTING SPONSOR





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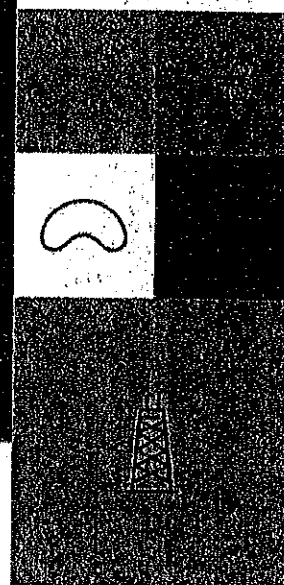
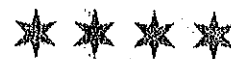
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# SAVE THE DATE

JUNE 23-25, 2022  
CHICAGO, IL

ADD TO CALENDAR



To our NALEO *Familia*,

We are excited to announce that for the first time since before the pandemic, we will be finally meeting in person for the **NALEO 39<sup>th</sup> Annual Conference**, happening this **June 23-25 at the Swissôtel Chicago!** Early Bird Registration will open on Tuesday, March 22, 2022.

Over the past two years, the Latino community — and the nation as a whole — has endured so many challenges. And as we continue down the road of recovery, we are thrilled to reunite for the largest gathering of Latino policymakers and advocates to discuss the most pressing policy challenges facing the nation today.

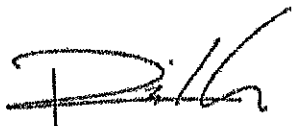
The **NALEO 39<sup>th</sup> Annual Conference** gives you the opportunity to come together with colleagues who know precisely what you have been through — folks who, like you, have been serving their communities by addressing the most pressing constituent needs throughout the pandemic.

We are at a pivotal moment for NALEO. We see this as a major opportunity to leverage the power of our network of leaders to convene, strategize, and envision how we emerge from this moment stronger, smarter, and more resilient than ever.

The **NALEO 39<sup>th</sup> Annual Conference** will include dynamic plenaries with national leaders, substantive policy conversations, and valuable and strategic networking opportunities.

So, save the date and don't miss out. We look forward to seeing you in Chicago this June!

Sincerely,



Hon. Ricardo Lara  
**NALEO President**  
*California Insurance Commissioner*



Hon. Mara Candelaria Reardon  
**NALEO Educational Fund Chair**  
*Trustee, Lake County Public Library,  
Indiana*



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