

CITY OF FRESNO
NOTICE OF INTENT TO ADOPT A
MITIGATED NEGATIVE DECLARATION
RECIRCULATION

Filed with the
FRESNO COUNTY CLERK
2220 Tulare Street, Fresno, CA 93721

This Initial Study/MND was originally circulated from July 6, 2022, to August 4, 2022, and is being recirculated pursuant to CEQA Guidelines Section 15073.5 RECIRCULATION OF A NEGATIVE DECLARATION PRIOR TO ADOPTION. Per CEQA Guidelines Section 15073.5.

**ENVIRONMENTAL ASSESSMENT FOR GENERAL PLAN
AMENDMENT/DEVELOPMENT CODE TEXT
AMENDMENT APPLICATION NO. P22-02413**

APPLICANT:

City of Fresno
Planning and Development Department
2600 Fresno Street
Fresno, CA 93721

PROJECT LOCATION:

Approximately 5,736 parcels contained within the five (5) zone districts that allow mixed-use development: Neighborhood Mixed Use (NMX), Corridor/Center Mixed-Use (CMX), Regional Mixed-Use (RMX), Commercial – Main Street (CMS), and Commercial – Regional (CR) totaling approximately 3,866 acres in the City and County of Fresno, California (See Exhibit A – Vicinity Map).

The full Initial Study and the Fresno General Plan Program Environmental Impact Report (PEIR) are on file in the Planning and Development Department, Fresno City Hall, 3rd Floor, Room 3043, 2600 Fresno Street, Fresno, CA 93721. The initial study is available at www.fresno.gov/MUTA

PROJECT DESCRIPTION:

General Plan Amendment/Development Code Text Amendment Application No. P22-02413 was filed by the City of Fresno (Applicant) and pertains to approximately 3,866 acres in the City and County of Fresno contained within five (5) zone districts, Neighborhood Mixed Use (NMX), Corridor/Center Mixed-Use (CMX), Regional Mixed-Use (RMX), Commercial – Main Street (CMS), and Commercial – Regional (CR) that allow mixed-use development. The project proposes to remove the density limits for mixed-use zone districts in order to facilitate economically feasible and high-quality development called for in

the Fresno General Plan along transit corridors, and to address the need for housing. In particular, the proposed Project would: (1) remove the maximum density for mixed-use districts; (2) modify the restriction that prohibits ground floor residential uses in mixed-use districts so that only corner properties along near the intersection of two major streets and near Bus Rapid Transit (BRT) stops will have mandated commercial uses; and (3) revise Fresno Municipal Code (FMC) Section 15-4907 to allow ministerial approval of multi-family residential uses in mixed-use districts within the City's Priority Areas for Development (areas identified on Figure IM-1 in the Fresno General Plan). The proposed text amendment will not revise other property development standards contained in the FMC. All height, parking, landscaping, fencing and setback requirements will remain unchanged. In addition, the project will remove the maximum residential density of the mixed-use districts in the General Plan to allow for general plan consistency.

The City of Fresno has prepared an Initial Study of the above-described project and proposes to adopt a Mitigated Negative Declaration. The environmental analysis contained in the Initial Study is tiered from the PEIR State Clearinghouse No. 2019050005 prepared for the Fresno General Plan pursuant to CEQA Guidelines § 15152 and incorporates the PEIR by reference pursuant to CEQA Guidelines § 15150.

Pursuant to the California Public Resources Code (PRC) §§ 21093 and 21094 and California Environmental Quality Act (CEQA) Guidelines §§ 15070 to 15075, 15150, and 15152, this project has been evaluated with respect to each item on the attached Appendix G/Initial Study Checklist to determine whether this project may cause any additional significant effect on the environment, which was not previously examined in the PEIR. After conducting a review of the adequacy of the PEIR pursuant to PRC § 21157.6(b)(1) and CEQA Guidelines §§ 15151 and 15179(b), the Planning and Development Department, as lead agency, finds that no substantial changes have occurred with respect to the circumstances under which the PEIR was certified and that no new information, which was not known and could not have been known at the time that the PEIR was certified as complete, has become available.

The completed Appendix G/Initial Study Checklist, its associated narrative, technical studies and mitigation measures reflect applicable comments of responsible and trustee agencies and research and analyses conducted to examine the interrelationship between the proposed project and the physical environment. The information contained in the project application and its related environmental assessment application, responses to requests for comment, checklist, Initial Study narrative, and any attachments thereto, combine to form a record indicating that an Initial Study has been completed in compliance with the State CEQA Guidelines and the CEQA.

All new development activity and many non-physical projects contribute directly or indirectly toward cumulative impacts on the physical environment. It has been determined that the incremental effect contributed by this project toward cumulative impacts is not considered substantial or significant in itself and/or that cumulative impacts accruing from this project may be mitigated to less than significant with application of feasible mitigation measures.

With mitigation imposed under the PEIR and project specific mitigation, there is no substantial evidence in the record that this project may have additional significant, direct, indirect or cumulative effects on the environment that are significant and that were not identified and analyzed in the PEIR. The Planning and Development Department, as lead agency, finds that no substantial changes have occurred with respect to the circumstances under which the PEIR was certified and that no new

information, which was not known and could not have been known at the time that the PEIR was certified as complete has become available.

Based upon the evaluation guided by the Appendix G/Initial Study Checklist, it was determined that there are project specific foreseeable impacts which require project level mitigation measures.

The Initial Study has concluded that the proposed project will not result in any adverse effects, which fall within the "Mandatory Findings of Significance" contained in § 15065 of the State CEQA Guidelines. The finding is, therefore, made that the proposed project will not have a significant adverse effect on the environment.

Public notice has been provided regarding staff's finding in the manner prescribed by § 15072 of the CEQA Guidelines and by § 21092 of the PRC Code (CEQA provisions). Additional information on the proposed project, including the PEIR, proposed environmental finding of a Mitigated Negative Declaration and the Initial Study may be obtained from the Planning and Development Department, Fresno City Hall, 2600 Fresno Street, 3rd Floor, Room 3043, Fresno, California 93721 3604 and will also be posted at www.fresno.gov/MUTA . Please contact Sophia Pagoulatos, Planning Manager at (559) 621-8062 or via email at Sophia.Pagoulatos@fresno.gov for more information. ***Si necesita información en Español, comuníquese con Sophia Pagoulatos al teléfono (559) 621-8062.***

ANY INTERESTED PERSON may comment on the proposed environmental finding. Comments must be in writing and must state (1) the commentor's name and address; (2) the commentor's interest in, or relationship to, the project; (3) the environmental determination being commented upon; and (4) the specific reason(s) why the proposed environmental determination should or should not be made. Any comments may be submitted at any time between the publication date of this notice and close of business on September 19, 2022. A City Council hearing date for this project is tentatively scheduled for September 15, 2022. Please direct comments to Sophia Pagoulatos, Planning Manager, City of Fresno Planning and Development Department, City Hall, 2600 Fresno Street, Room 3043, Fresno, California, 93721-3604; or by email to Sophia.Pagoulatos@fresno.gov.

INITIAL STUDY PREPARED BY: Precision Civil Engineering	SUBMITTED BY:  Sophia Pagoulatos, Planning Manager CITY OF FRESNO PLANING AND DEVELOPMENT DEPARTMENT
DATE: August 19, 2022	
Attachments: Exhibit A – Vicinity Map	

Exhibit A
Project Vicinity Map

