



CITY OF MENDOTA

"Cantaloupe Center Of The World"

JUAN LUNA
Chair

CARLOS QUINTANAR
Vice-Chair

ALBERT ESCOBEDO

RAMIRO ESPINOZA

MARTIN GAMEZ

JONATHAN LEIVA
Alternate Commissioner

CITY OF MENDOTA PLANNING COMMISSION AGENDA

City Council Chambers
Mendota, CA 93640
REGULAR MEETING
September 20, 2016
6:30 P.M.

VINCE DiMAGGIO
City Manager

CRISTIAN GONZALEZ
Public Works/Planning Director

JEFF O'NEAL
City Planner

The Mendota City Planning Commission welcomes you to its meetings, which are scheduled for the 3rd Tuesday every month. Your interest and participation are encouraged and appreciated. Notice is hereby given that Planning Commissioners may discuss and/or take action on any or all of the items listed on this agenda. **Please turn your cell phone off. Thank you for your respect and consideration.**

Any public writings distributed by the City of Mendota to at least a majority of the Planning Commission regarding any item on this regular meeting agenda will be made available at the front counter at City Hall located at 643 Quince Street Mendota, CA 93640, during normal business hours.

CALL TO ORDER

ROLL CALL

FLAG SALUTE

FINALIZE THE AGENDA

1. Adoption of final Agenda.

MINUTES AND NOTICE OF WAIVING OF READING

1. Approval of the minutes of the regular meeting of August 18, 2016.
2. Notice of waiving the reading of all resolutions introduced and/or adopted under this agenda.

PUBLIC HEARING

1. Public Hearing to adopt **Resolution No. PC 16-05**, recommending the City Council approve Application No. 16-01, Tentative Parcel Map No. 16-01, a general plan amendment, and rezone, with an accompanying negative declaration.
 - a. *Receive report from City Planner O'Neal*
 - b. *Inquiries from Planning Commissioners to staff*
 - c. *Chair Luna opens the public hearing*
 - d. *Once all comment has been received, Chair Luna closes the public hearing*
 - e. *Commission considers Resolution No. PC 16-05 for adoption*

PUBLIC COMMENT ON ITEMS THAT ARE NOT ON THE AGENDA

The public is invited to speak to the Planning Commission at this time about any item that is not on the Agenda. Please limit your comments to five (5) minutes. Please note that the Planning Commission cannot take action on any item not listed on the agenda.

PLANNING DIRECTOR UPDATE

PLANNING COMMISSIONERS' REPORTS

ADJOURNMENT

CERTIFICATION OF POSTING

I, Celeste Cabrera, Deputy City Clerk of the City of Mendota, do hereby declare that the foregoing agenda for the Mendota Planning Commission Regular Meeting of Tuesday, September 20, 2016 was posted on the outside bulletin board of City Hall, 643 Quince Street on Friday, September 16, 2016 at 2:20 p.m.


Celeste Cabrera, Deputy City Clerk



CITY OF MENDOTA PLANNING COMMISSION MINUTES

Regular Meeting

Tuesday, August 16, 2016

6:30 p.m.

Meeting called to order by Chairperson Luna at 6:30 PM.

Roll Call

Commissioners Present: Chairperson Juan Luna, Vice-Chairperson Quintanar, Commissioners Albert Escobedo, Ramiro Espinoza, and Jonathan Leiva

Commissioners Absent: Commissioner Martin Gamez.

Staff Present: Jeff O'Neal, City Planner; John Kinsey, City Attorney (via telephone); Matt Flood, Economic Development Manager; and Celeste Cabrera, Deputy City Clerk.

Flag Salute led by Vice-Chairperson Quintanar.

FINALIZE THE AGENDA

1. Adoption of final Agenda.

A motion was made by Vice-Chairperson Quintanar to adopt the agenda, seconded by Commissioner Escobedo; unanimously approved (5 ayes, absent: Gamez).

MINUTES AND NOTICE OF WAIVING OF READING

1. Approval of the minutes of the regular meeting of July 19, 2016.
2. Notice of waiving the reading of all resolutions introduced and/or adopted under this agenda.

A motion to approve items 1 and 2 was made by Vice-Chairperson Quintanar, seconded by Commissioner Escobedo; unanimously approved (5 ayes, absent: Gamez).

PUBLIC HEARING

1. Public Hearing to adopt **Resolution No. PC 16-04**, forwarding a recommendation to the City Council for approval of Tentative Parcel Map No. 16-02.

Chairperson Luna introduced the item and City Planner O'Neal summarized the report including the conditions that were set forth in the settlement agreement that the City entered in earlier this year; the obligations that the City has as a result of the agreement such as property rezoning and property subdivision; the property subdivision process; and the findings that the Planning Commission needs to assert in order to forward a recommendation to the City Council.

Discussion was held on the current zoning designation of the parcel and what type of business can occur on the parcels as a result of the subdivision and new zoning designation.

At 6:41 p.m. Chairperson Luna opened the hearing to the public and, seeing no one present wishing to comment, closed it in that same minute

A motion was made to adopt Resolution No. PC 16-04 by Commissioner Escobedo, seconded by Vice-Chairperson Quintanar; unanimously approved (5 ayes, absent: Gamez).

PUBLIC COMMENT ON ITEMS THAT ARE NOT ON THE AGENDA

None offered.

PLANNING DIRECTOR UPDATE

Economic Development Manager Flood elaborated on the attendance requirement for the Planning Commission and reported on a presentation that will be held at the August 23rd City Council meeting regarding the possible revision of the sign ordinance.

PLANNING COMMISSIONERS' REPORTS

Commissioner Leiva inquired on placing a stop sign at the intersection of McCabe and Sorensen Avenues.

Commissioner Escobedo reported on the closure of the Mendota Drug pharmacy; the possibility of installing speed bumps on Sorensen Avenue; and requested that the encroachment permit for Washington Elementary project be expedited.

Vice-Chairperson Quintanar reported on the upcoming youth football scrimmage.

City Planner O'Neal reported on the item that would be on the September 20th Planning Commission meeting agenda.

ADJOURNMENT

At the hour of 6:51 p.m. with no more business to be brought before the Planning Commission, a motion for adjournment was made by Vice-Chairperson Quintanar, seconded by Commissioner Espinoza unanimously approved (5 ayes, absent: Gamez).

Juan Luna, Chairperson

ATTEST:

Matt Flood, City Clerk

DATE: September 20, 2016

TO: City of Mendota Planning Commission

FROM: Jeffrey O’Neal, AICP
City Planner

SUBJECT: A public hearing to consider Application No. 16-01, consisting of Tentative Parcel Map No. 16-01, a General Plan Amendment, and a Rezone, with an accompanying document pursuant to the California Environmental Quality Act, and forwarding a recommendation to the City Council

Executive Summary

The applicant proposes to amend the planned land use for an existing legal lot northeast of McCabe and Sorensen Avenues the site from Medium Density Residential to High Density Residential, rezone the entirety of the property to R-3, and subdivide it into two lots. The smaller lot would contain an existing home, and the larger would remain vacant. No development of the site is proposed at this time. An initial study and proposed negative declaration have been prepared pursuant to the California Environmental Quality Act. Staff recommends that the Planning Commission adopt Resolution No. PC 16-05, recommending that the City Council adopt the negative declaration and approve the general plan amendment, rezoning, and tentative parcel map.

Background

Owner/Applicant: Alan and Eric Hansen
837 Oller Street
Mendota, CA 93640

Submitted by: Dale G. Mell & Associates
Dale G. Mell, PLS
2090 N. Winery Avenue
Fresno, CA 93703

Location: Northeast corner of McCabe and Sorensen Avenues
191 Sorensen Avenue
APN 012-200-26
See attached map and photo

Site Size: 7.79± acres

Zoning: R-1 Single-Family/Medium Density Residential District
R-3 High Density Multiple-Family Residential District
C-3 Central Business and Shopping District

General Plan: Medium Density Residential

Existing Use: Single-family residence, vacant

Adjacent Uses: North – Storm basin, fallow agriculture; R-1, AE-20 (Fresno County)
South – Single-family residential, school; R-1, P-F
East – Commercial uses, fire department; C-3, C-1
West – Single-family residential; R-1

Street Access: Sorensen Avenue, McCabe Avenue

The tentative parcel map was originally scheduled for Planning Commission consideration at its April 19, 2016 meeting. Due to the need for the accompanying general plan amendment, rezone, and CEQA

analysis, that hearing was cancelled. Following completion of the additional necessary processes, it is ready for the Planning Commission to address at this time.

Project Proposal & Discussion

Application No. 16-01 consists of multiple components, namely a general plan amendment, a zoning map amendment (rezone), and Tentative Parcel Map No. 16-01. Tentative Parcel Map No. 16-01 proposes to subdivide the approximately 7.79-acre parcel into two parcels of approximately 18,683 square feet (0.43 acres) and 7.36 acres, respectively. The California Subdivision Map Act (Map Act; CA Government Code Section 66410, *et seq.*) establishes much of the procedure for subdivision of land. Other components are contained within Title 16 (Subdivision Ordinance) of the Mendota Municipal Code.

The map identified the smaller parcel as Proposed Parcel 1 and the larger as the Unsubdivided Remainder. For the purpose of future reference to the parcels following recordation of the parcel map, staff recommends that the parcels formally be called Parcel 1 and Parcel 2. They will be referred to as such throughout this report. An existing single-family residence would remain on Parcel 1.

General Plan Amendment

Government Code Sections 65353-65358 contain the procedures for adoption or amendment of a general plan. The Planning Commission is required to conduct a public hearing to consider the proposal, following which it may make a recommendation to the City Council. Additionally, a city may not amend a single element of its general plan more than four times per calendar year. Adoption of the proposed general plan amendment would constitute the second amendment to the City's Land Use Element for Calendar Year 2016.

The project would amend the Land Use Map, itself part of the Land Use Element, of the City of Mendota General Plan Update 2005-2025 from Medium Density Residential (3.6-6.0 dwelling units per acre) to High Density Residential (11.0-25.0 dwelling units per acre). The High Density designation is intended to facilitate development of multifamily dwellings, which could include apartments, condominiums, row houses, zero-lot-line single-family residences, or other housing types at densities within the established range. It does not necessarily indicate that the site would contain "affordable" housing, or housing offered at a reduced cost, although such housing could be provided at the location. That being said, rental costs are often less expensive than costs of ownership, and historically Mendota has been at a loss for quality lower-cost housing opportunities.

Senate Bill (SB) 18, codified at Government Code Section 65352.3, requires that a city consult with Native American Tribes whenever it proposes to amend its general plan. The City requested and received a list of potentially affected Tribes from the California Native American Heritage Commission (NAHC). On May 23, 2016, the City sent consultation letters to the following Tribal Governments:

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- Picayune Rancheria of the Chukchansi Indians
- Tule River Indian Tribe
- Table Mountain Rancheria¹
- Santa Rosa Rancheria Tachi Yokut Tribe²

The statute provides that Tribes have 90 days to respond to the City’s request for consultation, which in this case ended on August 21, 2016. On June 16, 2016 the City received a letter of interest from the Picayune Rancheria requesting additional information. Staff made two attempts via email to initiate further correspondence with the Tribe, but did not receive a response. All related correspondence is attached for the Commission’s reference. Given that the 90 days have elapsed and the Tribe did not respond to further requests for consultation, staff believes that it has met the intent of SB 18, and nothing further is required.

Rezone

The process to amend the Zoning Ordinance, including the Official Zoning Map, is contained within Government Code Sections 65853-65857, as well as within MMC Section 17.08.040, and is very similar to the general plan amendment process. The Planning Commission is required to conduct a noticed public hearing to consider the proposal, following which it may make a recommendation to the City Council. The City Council then conducts a noticed hearing and considers the proposal.

The site currently contains three zones as illustrated in **Figure 1**. Most of the site is zoned R-1 (Single-Family/Medium Density Residential District; 5.15 acres), including the location of the existing dwelling. Other portions of the site are zoned R-3 (High Density Multiple-Family Residential District; 2.00 acres) and C-3 (Central Business and Shopping District; 0.64 acres). The project proposes to amend the R-1 and C-3 areas so that the entirety of the site is zoned R-3. Consistent with the High Density General Plan Land Use, this would ultimately allow for construction higher-density residential dwellings.

Tentative Parcel Map

The California Subdivision Map Act (Government Code Section 66410, *et seq.*) establishes most of the procedures for subdivision of land. Other components are contained within Title 16 (Subdivision Ordinance) of the Mendota Municipal Code. Generally, a parcel map is required in order to subdivide land into four or fewer parcels. Note the distinction of a “tentative parcel map” versus simply a “parcel map”. As indicated in the Map Act, a parcel map is immediately recordable following its approval, while approval of a tentative map is only the first step in a two-step process. The Subdivision Ordinance provides applicants the option of submitting a parcel map or a tentative parcel map. This allows the City flexibility in applying conditions of approval while granting the subdivider an additional year (two instead of one) during which to record a final map or parcel map. Although the Subdivision Ordinance indicates that tentative parcel maps are valid for one year following approval, the Map Act indicates that they are valid for two years, and is the controlling law.

Note also the distinction of a “tentative parcel map” versus simply a “parcel map”. As indicated in the Map Act, a parcel map is immediately recordable following its approval, while approval of a tentative map is only the first step in a two-step process. The Subdivision Ordinance provides applicants the

¹ NAHC provided two separate contacts for the Table Mountain Rancheria, so two letters were sent to that Tribe.

² Although it does not affect this project, the City of Mendota recently received a letter from Santa Rosa requesting that all future City projects be referred to that Tribe pursuant to Assemble Bill (AB) 52, a relatively new CEQA provision contained in the Public Resources Code.

option of submitting a parcel map or a tentative parcel map. This allows the city flexibility in applying conditions of approval while granting the subdivider an additional year (two instead of one) during which to record a final map (more than four lots, generally) or parcel map (four or fewer lots, generally). Although the Subdivision Ordinance indicates that tentative parcel maps are valid for one year following approval, the Map Act indicates that they are valid for two years, and is the controlling law.

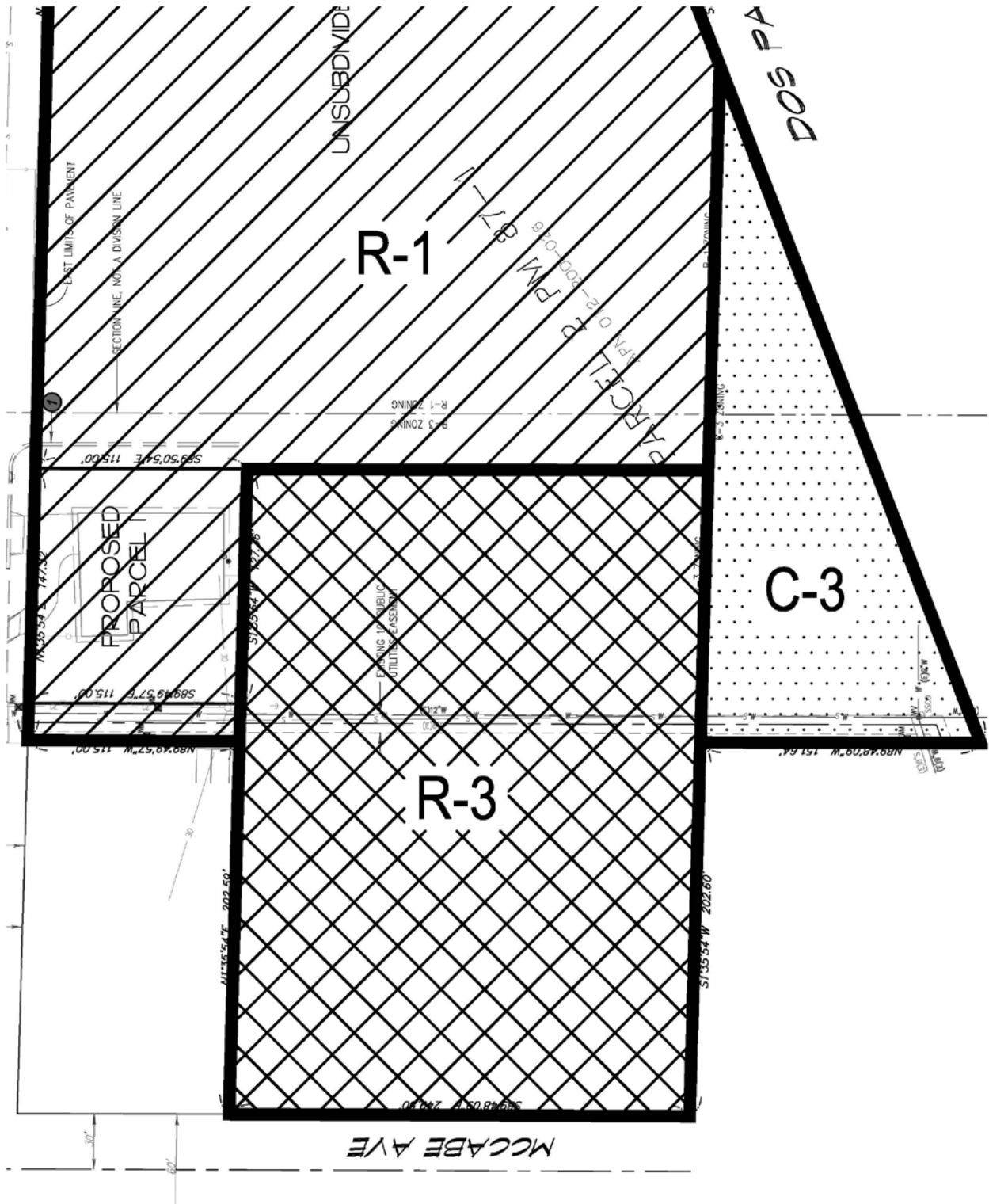
The relevant component of the overall project consists of Tentative Parcel Map No.16-01 (attached), which proposes to subdivide the approximately 7.79-acre parcel into two parcels identified as “Proposed Parcel 1” and “Unsubdivided Remainder”. For the purpose of future reference to the parcels following recordation of the parcel map, staff recommends that the parcels formally be called Parcel 1 and Parcel 2. They will be referred to as such throughout this report. The two parcels would contain approximately 18,683 square feet (0.43 acres) and 7.36 acres, respectively. An existing single-family residence would remain on Parcel 1. The proposed R-3 zone district has a minimum area requirement of 6,000 square feet, a minimum width of 60 feet, and a minimum depth of 100 feet. The proposed parcels exceed the minimum requirements, and following completion of the General Plan and zoning amendments, the onsite use will remain in conformance.³ No further development of or land use entitlements for either resultant parcel is being contemplated; any future development and/or new uses could be subject to site plan review and/or a conditional use permit as circumstances dictate for the individual projects that may be proposed. The project would require the owner to dedicate new and expanded public utilities easements to accommodate existing City water and sewer lines that cross the property. The map also illustrates Parcel 2 as having a peninsula or panhandle that extends to Sorensen Avenue south of Parcel 1. Staff recommends that the peninsula be included as part of Parcel 1 instead.

The Subdivision Ordinance lays out the process for tentative parcel maps as follows: the Planning Commission must conduct a public hearing and make a recommendation to the City Council. The City Council must then conduct a public hearing and make a decision on the tentative parcel map. If the City Council approves the tentative parcel map, the applicant may then file a final parcel map (technically just referred to as a “parcel map”) within 24 months. Although approval of parcel maps is typically vested with the City Council, the Subdivision Map Act provides that a City may, by ordinance, delegate the responsibility to another entity. In Mendota’s case, the authority to approve a parcel map based on an approved tentative parcel map has been delegated to the City Clerk; however, the authority to accept or reject dedications remains with the City Council. Since the tentative parcel map is conditioned to provide easements for public utilities, the Council must take action via resolution regarding those easements, if not regarding the parcel map itself. The City maintains the right to require that future development makes additional dedications (e.g. for public utilities, right-of-way, etc.) as necessitated by project-specific circumstances.

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³ Single-family residences are a permitted use in the R-3 zone district.

Figure 1



Environmental Assessment

The first step in complying with the California Environment Quality Act is to determine whether the activity in question constitutes a “project” as defined by the California Environmental Quality Act, Public Resources Code Section 21000, *et seq.* (“CEQA”) and the CEQA Guidelines, California Code of Regulations Section 15000, *et seq.* A “project” consists of the whole of an action (i.e. not the individual pieces or components) that may have a direct or reasonably foreseeable indirect effect on the environment. The second step is to determine whether the project is subject to or exempt from the statute. This proposal both qualifies as a project under CEQA and is subject to CEQA. It involves the issuance to a person of a “lease, permit, license, certificate, or other entitlement for use” and involves amendment to the General Plan and the Zoning Ordinance, all of which actions are expressly considered to be “projects” pursuant to CEQA Guidelines Section 15378.

Although there is an exemption from CEQA for “Minor Land Divisions” that applies to subdivisions resulting in four or fewer parcels, the minor land division must be within an “urbanized area”, essentially defined as a concentrated area of 50,000 or more persons. The CEQA Guidelines also contain a provision within Section 15061(b)(3) often referred to as the “General Rule” exemption, which may be used when it can be seen with certainty that there is no possibility that a project could have a significant effect on the environment. While it could be argued that changes to the Land Use and Zoning Maps and subdivision of the land without further development could not have any significant effect on the environment, a more comprehensive evaluation was performed because CEQA requires that an agency examine both direct and reasonably foreseeable indirect impacts from a project.

Accordingly, staff prepared an initial study to examine the potential environmental effects of the Project. Based on the results of the initial study, the Planning & Public Works Director made a preliminary finding on July 6, 2016 that the project would not have a significant impact on the environment, and that a negative declaration would be prepared. Also on July 6, 2016, a notice of intent to adopt an initial study/ negative declaration (IS/ND) was filed with the Fresno County Clerk and published in the *Firebaugh-Mendota Journal*. The notice of intent indicated that the combined initial study/negative declaration (“IS/ND”) would be subject to a public review and comment period starting on July 6, 2016 and ending on July 26, 2016. It further stated that the both the Mendota Planning Commission and the Mendota City Council would consider the CEQA document at future meetings following the close of the public review period, but that the dates of those meetings were not known at the time the notice was published.

The City did not receive any comments on either the IS/ND or the Project itself.

Public Notice

In addition to the notice of intent, a notice of public hearing regarding the tentative parcel map, the general plan amendment, and the rezone was published in the September 7, 2016 edition of the *Firebaugh-Mendota Journal*. On September 9, 2016, a notice of public hearing was individually mailed to record owners of all property within 300 feet of the exterior boundary of the project site and placed within the City Hall bulletin window.

Planning Commission Findings

Section 17.08.050 of the Mendota Municipal Code, based on Government Code Section 66474, requires that the Planning Commission and/or City Council disapprove the map under certain circumstances. Accordingly, the following findings have been made contrary to the requirements for denial:

FINDING No. 1: THE PROPOSED SUBDIVISION, ALONG WITH ITS DESIGN AND IMPROVEMENTS, IS CONSISTENT WITH THE CITY’S GENERAL PLAN AND ANY APPLICABLE SPECIFIC PLANS.

With amendment of the City of Mendota General Plan Update 2005-2025 as proposed herein, the proposed subdivision meets the requirements of the General Plan. The land, as amended, is designated as High Density Residential within the Land Use Element of the General Plan. The project proposes to subdivide vacant residential land into two smaller parcels with no imminent proposition for development of either property. The proposed subdivision consists of lots in a configuration suitable for future residential development consistent with the High Density Residential designation, and conditions of approval will ensure that future development of the overall site maintains the appropriate General Plan standards. The site is not within any specific plan area.

FINDING No. 2: THE SITE IS PHYSICALLY SUITABLE FOR THE TYPE AND DENSITY OF PROPOSED DEVELOPMENT.

As amended, the General Plan identifies the site for high-density (i.e. multifamily) residential development. No specific project or development of the site has been proposed at this time; however, the land is flat, level, and regularly-shaped (i.e. no panhandles, odd angles, curved parcel boundaries, etc.). Regulatory and practical lot coverage limitations will ensure that future development of the site maintains appropriate density.

FINDING No. 3: THE PROPOSED DESIGN AND IMPROVEMENTS ARE NOT LIKELY TO CAUSE ENVIRONMENTAL DAMAGE OR HEALTH CONCERNS.

The proposed subdivision is not likely to result in environmental damage or health concerns because conditions of approval, both for the subdivision and for future development proposals, will ensure that activities conform to applicable health, safety, noise, and nuisance standards.

FINDING No. 4: THE DESIGN OF THE SUBDIVISION WILL NOT CONFLICT WITH PUBLIC EASEMENTS FOR ACCESS THROUGH OR USE OF THE PROPERTY WITHIN THE SUBDIVISION.

Easements for the public at-large exist as public rights-of-way (Sorensen Avenue, McCabe Avenue, and Dos Palos Avenue) abutting the project site to the west, south, and east, respectively. The design and improvement of the proposed subdivision will not affect the public’s use of those easements. There is an existing 10-foot-wide public utilities easement running generally west-to-east that contains City water and sewer lines. This easement will be expanded by approximately five feet to each side to provide a standard 20-foot public utilities easement. Future development of the site will be required to respect all existing easements, and/or relocate said easements and the utilities they contain based upon review of said development.

Recommendation

It is recommended that the Mendota Planning Commission adopt Resolution No. PC 16-05, recommending that the City Council adopt the initial study/ negative declaration as compliant with the California Environmental Quality Act and approve the general plan amendment, rezone, and tentative parcel map contained within Application No. 16-01 subject to the following conditions of approval:

As may be used herein, the words “subdivider”, “owner,” “operator”, and “applicant” shall be interchangeable. Conditions of approval related to future development of the project site are either

expressly (i.e. specific references using the term "future development" or similar) or impliedly (i.e. referring to activities that could only occur during site development) related, and shall be applicable at the time of approval of said future development.

General

1. Tentative Parcel Map No. 16-01 shall be valid for a period of 24 months from the date of its approval or conditional approval by the City Council. Extensions to this period may be requested pursuant to Section 66453.3 of the California Subdivision Map Act.
2. As determined necessary by the City Engineer, a subdivision agreement shall be executed between the City of Mendota and the subdivider prior to or concurrently with City Council consideration of the tentative parcel map. This agreement allows for the deferral of certain improvements and fees until the development of individual parcels as outlined herein or in the individual development proposals as determined by the City Engineer. A subdivision agreement certificate shall be placed on the final map to reference the recording information of the subdivision agreement.
3. Following City Council approval or conditional approval of the tentative parcel map and prior to its expiration, the subdivider may formally submit a final parcel map (Parcel Map).
4. The Parcel Map shall be prepared in accordance with Chapter 2, Article 3 of the Subdivision Map Act by a California-licensed land surveyor or civil engineer qualified to perform such service.
5. The Parcel Map submittal shall include parcel closures and a preliminary title report dated no more than thirty (30) days prior to submission to the City Engineer. Copies of all easement documents referenced in the preliminary title report shall accompany the submittal. All parcel map fees and recording fees shall be paid as required by the City of Mendota and the County of Fresno prior to recordation of the map. The owner shall provide the City with a Land Division or Subdivision Guarantee and a Fresno County Tax Compliance Certification Request prior to the City submitting the Parcel Map to the Clerk to the Board of Supervisors.
6. The Parcel Map shall reflect two numbered parcels consistent with the approved Tentative Parcel Map, except as may be modified herein and as follows: "Proposed Parcel 1" shall be "Parcel 1" and "Unsubdivided Remainder" shall be "Parcel 2". References to particular parcels herein shall use the parcel numbers as indicated in this paragraph.
7. Owner shall make an irrevocable offer of dedication for public utilities purposes 20 feet in width and centered on the centerline of the existing public utilities easement dedicated and accepted as part of Parcel Map No. 87-01. Where a width of 20 feet would require that the easement encroach on property that is not a part of Parcel Map No. 16-01, the easement shall be reduced in width such that it is collinear with the adjoining property line over which it would otherwise encroach for a distance equal to the length of said line. Said easement shall extend from the eastern right-of-way line of Sorensen Avenue east to the western right-of-way line of Dos Palos Avenue as identified of record.
8. The Parcel Map shall reflect that the 19.5-foot-wide by 115.00-foot-long area immediately abutting the easterly right-of-way line of Sorensen Avenue and the southerly line of Parcel 1 is included as part of Parcel 1 and is correspondingly not included as a part of Parcel 2. This area

shall either be fenced along with the northerly portion of Parcel 1 or the owner shall provide a palliative surfacing or ground cover suitable to the City Engineer to minimize dust and nuisance vegetation.

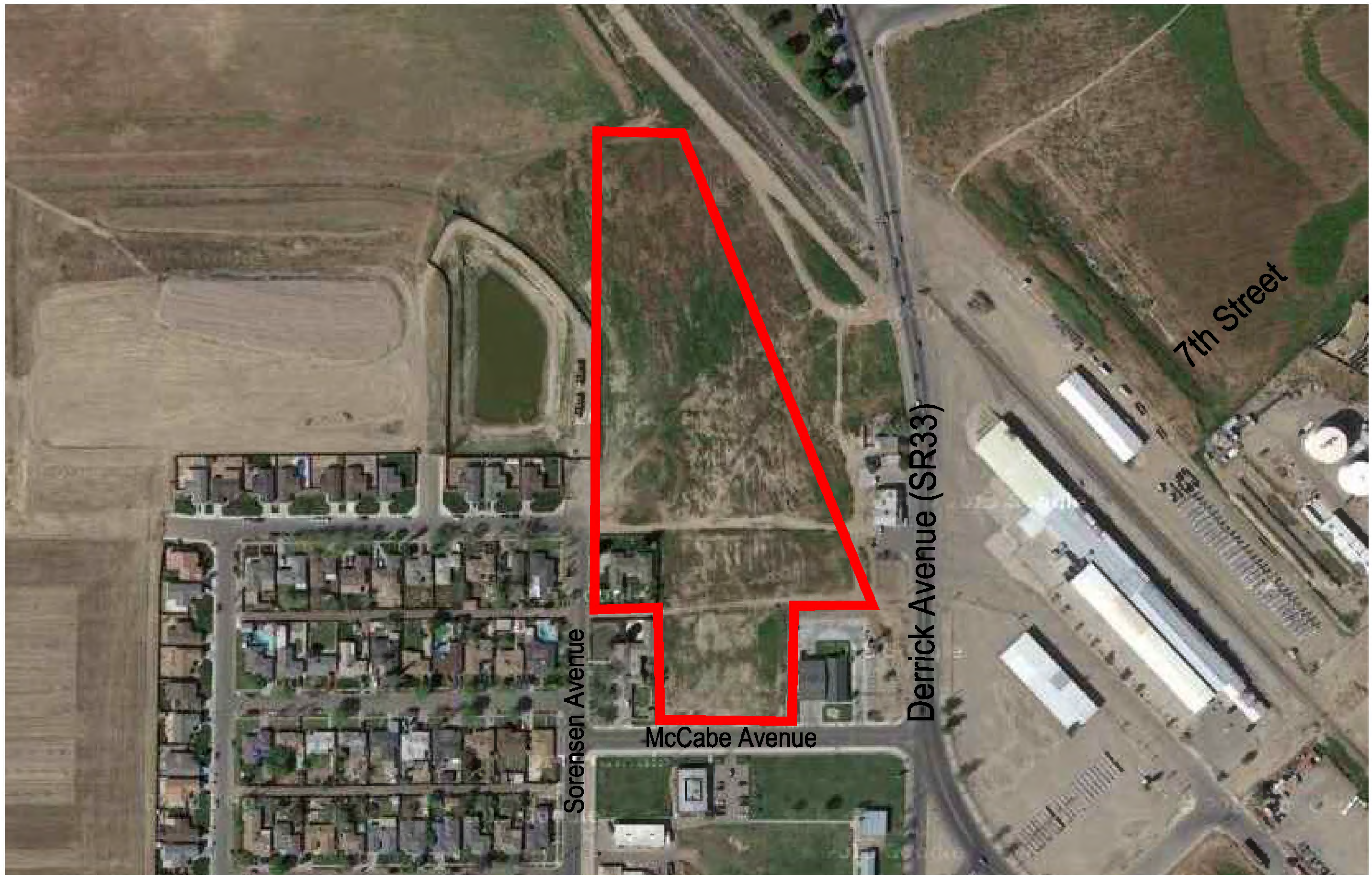
9. Future development of the project site shall comply with all applicable provisions of the City of Mendota General Plan Update 2005-2025 and the Mendota Municipal Code, including but not limited to: potable water protection regulations (Chapter 13.24), business licensing requirements (Title 5), and Building Code Standards (Title 15); the Subdivision Ordinance (Title 16); and the regulations of the applicable zone district(s) and other relevant portions of the Zoning Ordinance (Title 17), including but not limited to acquisition of a conditional use permit and/or approval of a site plan; and the City of Mendota Standard Specifications and Standard Drawings.
10. Construction drawings including but not limited to building and improvement plans; site, grading, irrigation, lighting, and landscaping shall be submitted to the Building Department and/or to the City Engineer as appropriate for review and approval. A building permit or permits, including payment of applicable fees, shall be acquired prior to start of any construction activities.
11. Grading and improvement plans shall be prepared by a California-licensed civil engineer.
12. Irrigation, lighting, and landscaping plans may be prepared by a California-licensed landscape architect, architect, or engineer, or by an unlicensed design professional.
13. All exterior lights shall be shielded or otherwise oriented to prevent disturbance to surrounding or neighboring properties or traffic on McCabe Avenue, Sorensen Avenue, and Derrick Avenue (State Route 33).
14. Any work within City of Mendota public right-of-way shall require an encroachment permit, including payment of all associated fees.
15. Any work within, across, above, beneath or otherwise affecting Caltrans, County of Fresno, or other agency right-of-way, property, or operations shall be subject to applicable provisions of said other agency, including but not limited to acquisition of encroachment permits, dedication or right-of-way, or other requirements.
16. It shall be the responsibility of the owner/developer to grant easements as necessary for the installation and maintenance of private utilities, including but not limited to: electricity, gas, telephone, and cable television.
17. Any work within, across, above, beneath or otherwise affecting right-of-way, property, and/or easements owned by or granted to purveyor(s) of private utilities shall be subject to the applicable provisions of said purveyor(s).
18. Prior to issuance of a certificate of occupancy for new development, all conditions of approval shall be verified as complete by the Planning Department. Any discrepancy or difference in interpretation of the conditions between the owner/applicant and the Planning Department shall be subject to review and determination by the Planning Commission.

19. Development shall comply with the rules and regulations of the San Joaquin Valley Air Pollution Control District (SJVAPCD).
20. Development shall comply with the requirements of the Fresno County Fire Protection District/CalFire.
21. The owner of the project site, or of individual parcels created, shall be responsible for the ongoing and long-term maintenance of all onsite amenities to ensure that nuisance complaints are not received by the City.
22. Connection points for water and wastewater shall be determined by the City Engineer during review of future development proposals. Connections shall be made in accordance with City of Mendota standards and shall be coordinated with the Director of Public Utilities.
23. Applicants for development of the project site shall coordinate with Mid Valley Disposal to establish necessary solid waste procedures.
24. All City of Mendota Planning, Building, and Engineering fees and costs shall be paid in full to the City prior to recordation of a Parcel Map.
25. Excluding the continued use of the existing single-family residence for single-family residential purposes, future applicants intending to construct on, operate on, or otherwise occupy the parcels created by the Parcel Map shall be responsible for payment of City of Mendota Application Fees, Plan Check and Engineering Fees, Building Fees, and/or Development Impact Fees in amounts to be determined during review, processing, and approval of their respective projects. In the event that the owner of the single-family residence proposes to undertake any new activities normally subject to any of all of the above fees, said fees would become payable as related to said activities.
26. Development shall be responsible for payment of fees to Mendota Unified School District and shall provide the City with evidence of payment, or evidence of the District's determination that no fees are required, prior to issuance of a certificate of occupancy.
27. Development shall be responsible for payment of Fresno County Regional Transportation Mitigation Fees and Fresno County Public Facilities Impact Fees and shall provide the City with evidence of payment, or evidence of the County's determination that no fees are required, prior to issuance of a certificate of occupancy.

Staff Further Recommends:

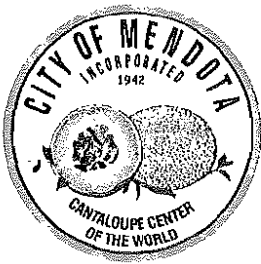
1. That the Planning Commission Chair request a report from staff, and ask for any clarification as needed by the Commission;
2. That the Chair open a public hearing, requesting any public comments in favor of, opposed to, or otherwise regarding the proposed project. Upon conclusion of testimony, ask the Commission for a consensus that sufficient information has been obtained to close the public portion of the hearing. The Chair may then close the public hearing.

3. That the Chair ask the Commission for action on the application. The Commission may then render a decision based on the merits of the proposal, staff comments, and any public testimony received. A resolution containing the conditions of approval is attached.



City of Mendota Application No. 16-01
APN 012-200-26 191 Sorensen Ave.

 Project Site



CITY OF MENDOTA

"Cantaloupe Center Of The World"

May 23, 2016

Picayune Rancheria of Chukchansi
Reggie Lewis, Chairperson
8080 Palm Avenue
Fresno, CA 93711

Subject: Native American Consultation (SB 18 Consultation) for Application No. 16-01, Hansen Tentative Map Project, City of Mendota, Fresno County, CA

Dear Mr. Lewis:

The City of Mendota is processing an application for the above-referenced project and is requesting your review of the Hansen Tentative Map Project to determine if formal consultation is appropriate pursuant to Government Code Section 65352.3 (Senate Bill 18). The project proposes the following activities:

1. General Plan Amendment – Amend the City of Mendota General Plan Land Use Map designation for the site from Medium Density Residential to High Density Residential.
2. Rezoning – Rezone portions of the property that are currently zoned R-1 and C-3 to R-3.
3. Tentative Parcel Map – Divide the existing 7.79-acre parcel into two parcels of 7.36 acres and 0.43 acres.

A copy of the proposed tentative parcel map is attached for your reference. Please feel free to contact me with any questions at 559.655.3291 or at cristian@cityofmendota.com. Thank you.

Respectfully,

Cristian Gonzalez
Public Works & Planning Director



Picayune Rancheria
of the
CHUKCHANSI INDIANS

8080 Palm Ave., Suite ~~100~~²⁰⁷, Fresno, Ca. 936711
mmotola@chukchansi-nsn.gov

THPO/CULTURAL RESOURCES NATURAL DEPARTMENT

Date: 6-15-16

From: Picayune Rancheria of Chukchansi Indians
Mary Motola, THPO/ Cultural Natural Specialist
8080 North Palm Ave., Suite #207
Fresno, CA 93711

To: Cristian Gonzalez, Public Works & Planning

Re: SB 18/ No. 16-01 Hansen Tentative Map Project, City of Mendota, Fresno County, CA

In May, 2016 the Picayune Rancheria of Chukchansi Indians received a letter from the City of Mendota. The letter was concerning No. 16-01 Hansen Tentative Map Project, Fresno County, CA. The project proposes to amend the City of Mendota General Plan Land Use Map designation for the site from Medium Residential to High Density Residential.

At this point we need more information. The Tribe would like to know why the change in the Map is proposed. Is there a planned project for the site and will it cause adverse effects on any Native American Cultural Resources (Historic or Prehistoric Materials)?

Thank you,

Mary Motola
THPO/Cultural Resource Director

Jeff O'Neal

From: Jeff O'Neal
Sent: Friday, July 22, 2016 1:54 PM
To: mmotola@chukchansi-nsn.gov
Subject: RE: City of Mendota Application No. 16-01 & SB 18

Ms. Motola:

I am following up on the below email that I sent on June 21. Is there any additional information or clarification that I can provide to the Tribe? Please let me know when you have a moment. Thank you.

Jeff

Jeffrey O'Neal, AICP
City Planner
City of Mendota
c/o Provost & Pritchard Consulting Group
286 West Cromwell Avenue
Fresno, CA 93711-6162
Phone: (559) 449-2700 Ext. 187
Fax: (559) 449-2715
e-mail: joneal@ppeng.com

From: Jeff O'Neal
Sent: Tuesday, June 21, 2016 4:48 PM
To: 'mmotola@chukchansi-nsn.gov'
Cc: 'Cristian Gonzalez'
Subject: City of Mendota Application No. 16-01 & SB 18

Good afternoon, Ms. Motola. I'm writing in response to the comment letter from the Picayune Rancheria of Chukchansi Indians dated June 15, 2016 regarding consultation under SB 18 for City of Mendota application No. 16-01. The comment letter indicates that the Tribe is in need of additional information, specifically:

1. Why is the change to the General Plan Land Use Map being Proposed? and
2. Is there a planned project for the site, and will it cause adverse effects on any Native American Cultural Resource?

There is no proposal to develop the site. The owner initiated the change to the planned land use (and zoning) because he would eventually like to either develop the land with multifamily uses or sell it to someone who would develop it with multifamily uses. The City hasn't received any indication of the timing, other than that the owner is not in a hurry to do anything with the property one way or the other. The owner has stated that he would simply like to put the new planned land use in place now so that the general plan amendment and rezoning processes wouldn't delay anything further down the road.

Depending upon the future disposition of the site, the City may request additional input from the Tribe. Although numerous cultural resources records searches have been performed in Mendota, along with field surveys in some cases, the potential exists for resources to exist in the vicinity. For any development within the city, the provisions of Health and Safety Code Section 7050.5, Public Resources Code Section 5097.98, and related statutes are observed.

If you need any additional information or have any other questions, please do not hesitate to contact me.

Thank you,
Jeff

Jeffrey O'Neal, AICP
City Planner
City of Mendota
c/o Provost & Pritchard Consulting Group
286 West Cromwell Avenue
Fresno, CA 93711-6162
Phone: (559) 449-2700 Ext. 187
Fax: (559) 449-2715
e-mail: joneal@ppeng.com

NEGATIVE DECLARATION

LEAD AGENCY: City of Mendota
643 Quince Street
Mendota, CA 93640

PROJECT TITLE: Application No. 16-01 – Tentative Parcel Map, General Plan Amendment, and Rezone

STATE CLEARINGHOUSE: n/a

ADDRESS/LOCATION: 191 Sorensen Avenue; Fresno County APN 012-200-26; located at the northeast corner of Sorensen and McCabe Avenues

PROJECT APPLICANT: Dale Mell, PLS , on behalf of owners Alan and Eric Hansen

PROJECT DESCRIPTION: The proposed Project includes amending the General Plan Land Use Designation of the site to High Density Residential, rezoning of the entirety of the site to R-3 High Density Multiple Family, and subdivision of the property into two parcels of 0.43 acres and 7.36 acres. The smaller parcel would contain the existing residence.

CONTACT PERSON: Cristian Gonzalez, Director of Planning & Public Works; 559.655.3291

The City Council of the City of Mendota has reviewed the proposed Project described herein along with the initial study prepared pursuant to the California Environmental Quality Act (CEQA), and has found that this Project will have no significant impact on the environment for the following reasons:

1. The project does not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory.
2. The project does not have the potential to achieve short-term environmental goals to the disadvantage of long-term environmental goals.
3. The project does not have possible environmental effects which are individually limited but cumulatively considerable; “cumulatively considerable” means that the incremental effects of an individual 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.
4. The environmental effects of a project will not cause substantial adverse effects on human beings, either directly or indirectly.
5. Mitigation measures were, were not made a condition of the approval of the project.

On XXXXX XX, 2016, based upon a recommendation from the Mendota Planning Commission, the Mendota City Council adopted Resolution No. 16-XX, determining that the above Project would have no significant effect on the environment. Copies of the tentative parcel map and other documents relating to the Project may be examined by interested parties at Mendota City Hall, 643 Quince Street, Mendota, CA 93640.

Dated: XXXX XX, 2016

Attest: _____
Hon. Robert Silva, Mayor

**DRAFT INITIAL STUDY
AND PROPOSED NEGATIVE DECLARATION**

Application No. 16-01 – Tentative Parcel Map, General Plan Amendment, and Rezone

Prepared by:
City of Mendota
Planning & Building Department

July 6, 2016

INITIAL STUDY

1. **Project Title: Application No. 16-01, Tentative Parcel Map, General Plan Amendment, and Rezone**
2. **Lead Agency & Address:** City of Mendota, 643 Quince Street, Mendota, CA 93640; Telephone: (559) 655-3291
3. **Lead Agency Contact Person:** Cristian Gonzalez, Director of Planning & Public Works; City of Mendota, 643 Quince Street, Mendota, CA 93640; Telephone: (559) 860-8882; Email: cristian@cityofmendota.com.
4. **Project Location:** The Project site consists of Fresno County Assessor's Parcel Number (APN) 012-200-26, located at the northeast corner of Sorensen and McCabe Avenues in Mendota, CA. The parcel consists of 7.79 acres, and contains one single-family dwelling addressed as 191 Sorensen Avenue.
5. **Project Sponsor & Address:** Alan and Eric Hansen, 837 Oller Street, Mendota, CA 93640
6. **Existing General Plan Designation:** Medium Density Residential
7. **Existing Zoning:** Most of the site (5.15 acres) is within the R-1 Single-Family/Medium Density Residential District. Other portions of the site are zoned R-3 High Density Multiple Family (2.00 acres) and C-3 Central Business and Shopping (0.64 acres).
8. **Project Description:**
The proposed Project includes amending the General Plan Land Use Designation of the site to High Density Residential, rezoning of the entirety of the site to R-3 High Density Multiple Family, and subdivision of the property into two parcels of 0.43 acres and 7.36 acres. The smaller parcel would contain the existing residence.
9. **Project Setting:** The site abuts an additional single-family residence and the Fresno County Fire Protection District Mendota Station 96. Across Sorensen Avenue to the west is extensive single-family development. To the east is limited commercial development and Derrick Avenue (State Route 33). McCabe Elementary School and the Mendota Unified School District offices are across McCabe Avenue to the south.
10. **Other Public Agencies Whose Approval is Required:** None.

- 11. Other Documents Incorporated by Reference in this Review:** (i) City of Mendota General Plan Update 2005-2025, and (ii) Mendota Municipal Code Title 17, Zoning Ordinance.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a “Potentially Significant Impact” as indicated by the checklist on the following pages.

<input type="checkbox"/> Aesthetics	<input type="checkbox"/> Agriculture Resources	<input type="checkbox"/> Air Quality
<input type="checkbox"/> Biological Resources	<input type="checkbox"/> Cultural Resources	<input type="checkbox"/> Geology/Soils
<input type="checkbox"/> Hazards & Hazardous	<input type="checkbox"/> Hydrology/Water Quality	<input type="checkbox"/> Land Use/Planning
<input type="checkbox"/> Mineral Resources	<input type="checkbox"/> Noise	<input type="checkbox"/> Population/Housing
<input type="checkbox"/> Public Services	<input type="checkbox"/> Recreation	<input type="checkbox"/> Transportation/Traffic
<input type="checkbox"/> Utilities/Service Systems	<input type="checkbox"/> Mandatory Findings of Significance	

DETERMINATION BY CITY OF MENDOTA

On the basis of this initial evaluation:

- I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.

- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.

- I find that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.

- I find that the proposed project **MAY** have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.

Signed

Date

Cristian Gonzalez

Printed Name

City of Mendota

For

EVALUATION OF ENVIRONMENTAL IMPACTS

- 1) A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (*e.g.* the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (*e.g.* the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
- 2) All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
- 3) Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
- 4) “Negative Declaration: Less Than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from “Earlier Analyses,” as described in (5) below, may be cross-referenced).
- 5) Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) *Earlier Analysis Used.* Identify and state where they are available for review.
 - b) *Impacts Adequately Addressed.* Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) *Mitigation Measures.* For effects that are “Less than Significant with Mitigation Measures Incorporated,” describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

- 6) Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (*e.g.*, general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
- 7) Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
- 8) This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
- 9) The explanation of each issue should identify:
 - a) the significance criteria or threshold, if any, used to evaluate each question; and
 - b) the mitigation measure identified, if any, to reduce the impact to less than significance.

ENVIRONMENTAL CHECKLIST

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
I. AESTHETICS – Would the project:				
a) Have a substantial adverse effect on a scenic vista?				√
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				√
c) Substantially degrade the existing visual character or quality of the site and its surroundings?				√
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?				√
<p>Discussion</p> <p>Item a): The Project site is not located within a scenic vista. The surrounding area is characterized by existing residential, commercial, and public uses. No modifications to the site are proposed or contemplated. The proposed Project would have no impact.</p> <p>Item b): The Project site is not located in the vicinity of scenic resources or historic buildings within a state scenic highway. The proposed Project would have no impact.</p> <p>Item c): The Project site is not located in the vicinity of scenic resources. The surrounding area is characterized by existing residential, commercial, and public uses. No modifications to the site are proposed or contemplated. The proposed Project would have no impact.</p> <p>Item d): No modifications to the site are proposed or contemplated. The proposed Project would have no impact.</p>				

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
<p>II. AGRICULTURE RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. .Would the project:</p>				
a) 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?				√
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				√
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), or timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				√
d) Result in the loss of forest land or conversion of forest land to non-forest use?				√
e) 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 forest land to non-forest use?				
<p>Discussion</p> <p>Item a): The proposed Project does not contemplate the conversion of any prime farmland, unique farmlands, or farmland of statewide importance to nonagricultural uses. The proposed Project would have no impact.</p> <p>Item b): The proposed Project does not propose to modify the zoning of any agriculturally-zoned property, or convert any prime farmlands, unique farmlands, or farmland of statewide importance to a nonagricultural use. The proposed Project would have no impact.</p> <p>Items c), d): The proposed Project does not contemplate the conversion of any forest land to non-forest use. The Proposed Project does not propose to modify the zoning of any forest land (as defined in Public Resources Code Section 12220(g)), or timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g)). The proposed Project would have no impact.</p> <p>Item e): The proposed Project does not contemplate the conversion of any prime farmland, unique farmlands, or farmland of statewide importance to nonagricultural uses. The proposed Project would have no impact.</p>				

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
<p>III. AIR QUALITY: Where Available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:</p>				
a) Conflict with or obstruct implementation of the applicable air quality plan?				√
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?				√
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?				√
d) Expose sensitive receptors to substantial pollutant concentrations?				√
e) Create objectionable odors affecting a substantial number of people?				√
<p>Discussion</p> <p>Items a) through d):</p> <p style="padding-left: 40px;">The proposed Project does not contemplate the construction of any new facilities or any land uses. As a result, the proposed Project would not result in any new construction-related emissions of pollutants, including criteria pollutants and greenhouse gases. The proposed Project would have no impact.</p> <p>Item e): The proposed Project would not emit any odors, and thus would not create objectionable odors affecting a substantial number of people. The proposed Project would have no impact.</p>				

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
IV. BIOLOGICAL RESOURCES: -- Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				√
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?				√
c) 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?				√
d) 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?				√
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				√

f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				√
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Discussion

Items a), b):

The Project site is located within an urbanized area that is adjacent to other existing uses and State Route 33, and does not propose any development. Because of the developed nature of the area and lack of proposed construction, the proposed Project would not result in any habitat modifications, or affect 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, or any riparian species or habitat. Therefore, the proposed Project will have **no impact**.

Item c): There are no federally protected wetlands as defined by Section 404 of the Clean Water Act on or within the vicinity of the Project site. The property contains no discernible drainage courses, inundated areas, wetland vegetation, hydric soils, and thus does not include any USACOE jurisdictional drainages or wetlands. The proposed Project will have **no impact**.

Item d): The Project site is located within an urbanized area that is adjacent to other existing uses and State Route 33, and does not propose any development. The proposed Project will not result in a barrier to 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. The proposed Project will have **no impact**.

Item e): The Project site does not contain any resources, such as trees, that would invoke any protection contemplated under any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. The Proposed Project will have **no impact**.

Item f): The Project site is located within an urbanized area that is adjacent to other existing uses and State Route 33, and does not propose any development. The proposed Project does not implicate and thus will not impact an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. The proposed Project will have **no impact**.

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
V. CULTURAL RESOURCES: Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource as defined in § 15064.5?				√
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?				√
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				√
d) Disturb any human remains, including those interred outside of formal cemeteries?				√
<p>Discussion</p> <p>Items a) through d):</p> <p>The Project site is located within an urbanized area that is adjacent to other existing uses and State Route 33, and does not propose any development. No known historical or archaeological resource, unique paleontological resource, unique geologic feature, or human remains in or out of formal cemeteries will be impacted. The proposed Project would have no impact.</p>				

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
VI. GEOLOGY AND SOILS: Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				√
1) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.				√
2) Strong seismic ground shaking?				√
3) Seismic-related ground failure, including liquefaction?				√
4) Landslides?				√
b) Results in substantial soil erosion or the loss of topsoil?				√
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?				√
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?				√
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal				√

systems where sewers are not available for the disposal of waste water?				
<p>Discussion</p> <p>Items a) through d):</p> <p style="padding-left: 40px;">The Project site is located within an urbanized area that is adjacent to other existing uses and State Route 33, and does not propose any development. The proposed Project does not include any structures, ground disturbances, or other elements that could expose persons or property to geological hazards. There would be no risk of landslide or erosion of topsoil. The proposed Project would have no impact.</p> <p>Item e):</p> <p style="padding-left: 40px;">The Project does not propose any construction. Any future structures located on the site would be served by the City water system. The proposed Project does not contemplate any action that would result in any 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. The proposed Project would have no impact.</p>				

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
VII. GREENHOUSE GAS EMISSIONS: Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?				√
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing greenhouse gas emissions?				√
<p>Discussion</p> <p>Items a), b):</p> <p style="padding-left: 40px;">The Project does not propose any development. As a result, it would not result in any new construction-related emissions of pollutants, including greenhouse gases. The proposed Project would have no impact.</p>				

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
VIII. HAZARDS AND HAZARDOUS MATERIALS: Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				√
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				√
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				√
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				√
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				√
f) 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?				√
g) Impair implementation of or physically interfere with an adopted emergency				√

response plan or emergency evacuation plan?				
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				√
<p>Discussion</p> <p>Items a) through h):</p> <p>The Proposed Project does not contemplate the construction of any new facilities or any land uses. Compared to existing conditions, the proposed Project would not result in any significant hazards to the public. The proposed Project would have no impact.</p>				

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
IX. HYDROLOGY AND WATER QUALITY: Would the project:				
a) Violate any water quality standards or waste discharge requirements.				√
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?			√	
c) 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 which would result in substantial erosion or siltation on- or off-site?				√
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?				√
e) 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?			√	
f) Otherwise substantially degrade water quality?				√

g) 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?				√
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				√
i) 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?				√
j) Inundation by seiche, tsunami, or mudflow?				√
<p>Items a), e), f):</p> <p>The Project site is located within an urbanized area that is adjacent to other existing uses and State Route 33, and does not propose any development. It is not adjacent to any body of water that could potentially result in violation of water quality standards or waste discharge requirements, or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff. The proposed Project would have no impact.</p> <p>Item b): The Project site is located within an urbanized area that is adjacent to other existing uses and State Route 33, and does not propose any development. The parcel is within the City’s service area, and the City in turn receives its water from several wells located in and around the City. The existing dwelling on the site is currently connected to City water and sewer. Since no development is proposed in the foreseeable future, implementation of the proposed Project would not create a substantial demand on groundwater sources and would not significantly change the amount of groundwater available and pumped from the City’s wells. The proposed Project would have a less-than-significant impact.</p> <p>Items c), d):</p> <p>The proposed Project does not contemplate the alteration of the course of a stream or river, or any other alteration of an existing drainage pattern. The proposed Project would have no impact.</p> <p>Item e): The Project site is located within an urbanized area that is adjacent to other existing uses and State Route 33, and does not propose any development. Runoff from the Project site is currently, and would continue to be, collected by the City’s existing stormwater drainage system, which has sufficient capacity to serve the site. The</p>				

proposed Project would have a **less-than-significant impact**.

- Item g): The proposed Project does not contemplate the construction of housing, or the modification of any 100-year flood hazard area, federal Flood Hazard Boundary, Flood Insurance Rate Map or other flood hazard delineation map. The proposed Project would have **no impact**.
- Item h): The proposed Project does not contemplate the placement of any within a 100-year flood hazard area structures which would impede or redirect flood flows. The proposed Project would have **no impact**.
- Item j): The Project will not expose people, structures, or land to hazards such as seiches, tsunamis, or mudflows. The use of the existing structure could not contribute to the kinds of seismic activities that would cause tsunamis or contribute to mudflows. The proposed Project would have **no impact**.

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
X. LAND USE AND PLANNING: Would the project:				
a) Physically divide an established community?				√
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?			√	
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?				√
<p>Discussion</p> <p>Item a): The Project site is located within an urbanized area that is adjacent to other existing uses and State Route 33, does not propose any development, and would not result in any division of an established community. The proposed Project would have no impact.</p> <p>Item b): The Project site is located within an urbanized area that is adjacent to other existing uses and State Route 33, and does not propose any development. The Proposed Project contemplates a General Plan Amendment from Medium Density Residential to High Density Residential and a corresponding change of zone R-1 Single-Family/Medium Density Residential and C-3 Central Business and Shopping to R-3 High Density Multiple Family. The 2.00-acre portion of the site currently zoned R-3 would remain unchanged. The Project site is surrounded by existing urban uses. The existing dwelling on the site is consistent with both the existing and proposed land uses and zone districts. All present and future land uses are required to comply with both the criteria and development standards in the City’s General Plan Update 2005-2025 and the Zoning Ordinance, which will ensure any future development resulting from the proposed Project would not have a detrimental impact on adjacent land uses, as required under Policy LU-1.5. Based on the above information, the proposed use would not result in significant adverse environmental impacts. The proposed Project would have a less-than-significant impact.</p> <p>Item c): Refer to Section 3.4, item f). The proposed Project would have no impact.</p>				

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
XI. MINERAL RESOURCES: Would the project:				
a) 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?				√
b) Result in the loss of availability of a locally- important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				√
<p>Discussion</p> <p>Item a) and b):</p> <p style="padding-left: 40px;">The Project site is not designated as being within a mineral zone by the Fresno County General Plan. The proposed Project would have no impact.</p>				

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
XII. NOISE: Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?			√	
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?			√	
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?			√	
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?			√	
e) 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 in the project area to excessive noise levels?			√	
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?			√	

Discussion

Items a) through f):

The Project site is located within an urbanized area that is adjacent to other existing uses and State Route 33, and does not propose any development. The existing dwelling is not expected to generate noise that would exceed ambient levels, cause a substantial temporary or periodic increase in ambient noise levels, or cause groundbourne vibration. In addition, the City's restrictions on the generation of noise would apply to any noise generated by any land use authorized by the proposed Project. The proposed Project would have a **less than significant impact**.

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
XIII. POPULATION AND HOUSING: Would the project:				
a) 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)?				√
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				√
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				√
<p>Discussion</p> <p>Items a), b):</p> <p style="padding-left: 40px;">The Project site is located within an urbanized area that is adjacent to other existing uses and State Route 33, and does not propose any development. Although there is an existing dwelling on the site, the proposed Project does not contemplate any new homes, roads, or other infrastructure. The proposed Project would have no impact.</p> <p>Item c): No person or housing will be displaced by the proposed Project. The proposed Project would have no impact.</p>				

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
XIV. PUBLIC SERVICES				
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service rations, responses times or other performance objectives for any of the public services:				√
Fire protection?				√
Police protection?				√
Schools?				√
Parks?				√
Other public facilities?				√
Discussion				
Item a): The project will not alter or require the construction of new schools, parks, or other public facilities, nor will it increase the need for police and fire services beyond existing conditions. The Proposed Project would have no impact .				

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
XV. RECREATION				
a) 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?				√
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				√
<p>Discussion</p> <p>Items a) and b):</p> <p>The Project site is located within an urbanized area that is adjacent to other existing uses and State Route 33, and does not propose any development. The proposed Project does not contemplate any new use that would result in the increase of use of existing neighborhood parks or other recreation facilities, or the construction or expansion of recreational facilities. The proposed Project would have no impact.</p>				

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
XVI. TRANSPORTATION/TRAFFIC: Would the project:				
a) Conflict with an applicable plan, ordinance or policy establishing a measure of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?				√
b) 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?				√
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that result in substantial safety risks?				√
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				√
e) Result in inadequate emergency access?				√
f) Result in inadequate parking capacity?				√
g) Conflict with adopted policies, plans, or programs regarding public transit, bikeways, or pedestrian facilities, or otherwise substantially decrease the				√

performance or safety of such facilities?				
<p>Discussion</p> <p>Items a) , b), f):</p> <p style="padding-left: 40px;">The proposed Project does not contemplate the construction of any new facilities. As a result, the proposed Project does not contemplate any increase in vehicle trips, trip lengths, vehicle miles traveled, or parking compared to existing conditions. The proposed Project would have no impact.</p> <p>Item c): The proposed Project does not contemplate any improvements or modifications, including any improvements to land that could affect air traffic, including air traffic patterns and safety. The proposed Project would have no impact.</p> <p>Items d), e), g):</p> <p style="padding-left: 40px;">The proposed Project does not contemplate the modification of any roadway facilities or design features, nor does it contemplate any new structures or facilities different from existing land uses. As a result, the proposed Project would not result in any hazards relating to any design features or incompatible uses, inadequate emergency access, or decrease the performance or safety of existing public transit, bikeways, or pedestrian facility. The proposed Project would have no impact.</p>				

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
XVII. UTILITIES AND SERVICE SYSTEMS: Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?			√	
b) 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?			√	
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			√	
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?			√	
e) 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?			√	
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?				√
g) Comply with federal, state, and local statutes and regulations related to solid waste?				√
Discussion				

Item a): The City's wastewater system complies with all Regional Water Quality Control Board requirements, and the City is aware of no facts to suggest the proposed Project would result in any new land uses that would cause the City to exceed those requirements. The proposed Project would have a **less than significant impact**.

Items b through e):

The Project site is located within an urbanized area that is adjacent to other existing uses and State Route 33, and does not propose any development. The proposed Project does not contemplate the construction or expansion of any water or wastewater treatment facilities or storm water facilities. Although the site contains an existing dwelling, that use has not impacted, and is not anticipated in the future to significantly impact, the need for additional facilities or water supplies. The proposed Project would have a **less than significant impact**.

Items f), g):

The Project site contains an existing single-family residence. This dwelling generates, and will continue to generate, small amounts of solid waste, and will continue to contribute fees associated with services associated with the collection of such wastes. The proposed Project would have **no impact**.

	Potentially Significant Impact	Less Than Significant with Mitigation	Less Than Significant Impact	No Impact
XVIII. MANDATORY FINDINGS OF SIGNIFICANCE				
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?			√	
b) 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)?			√	
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly? Note: Authority cited: Sections 21083 and 21087, Public Resources Code. Reference: Sections 21080(c), 21080.1, 21080.3, 21082.1, 21083, 21083.3, 21093, 21094, 21151, Public Resources Code; Sundstrom v. County of Mendocino, 202 Cal.App.3d 296 (1988); Leonoff v. Monterey Board of Supervisors, 222 Cal.App.3d 1337 (1990).			√	

Discussion

- Item a): The Project site is located within an urbanized area that is adjacent to other existing uses and State Route 33, and does not propose any development. The proposed Project contemplates changes to the General Plan Land Use designation and zoning of the site, with no proposal for development in the foreseeable future. Therefore, the proposed Project does not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory, and no impacts related to these topics would occur with project implementation.
- Item b): The Project site is located within an urbanized area that is adjacent to other existing uses and State Route 33, and does not propose any development. The proposed Project contemplates changes to the General Plan Land Use designation and zoning of the site, with no proposal for development in the foreseeable future. The proposed Project is not considered growth inducing and will not alter planned development patterns in the region. Also, no expansion of supporting infrastructure would be required to accommodate the proposed Project. Therefore, the proposed Project would not result in any impacts that are individually limited but cumulatively considerable.
- Item c): The Project site is located within an urbanized area that is adjacent to other existing uses and State Route 33, and does not propose any development. The proposed Project contemplates changes to the General Plan Land Use designation and zoning of the site, with no proposal for development in the foreseeable future. The limited activities contemplated by the Proposed Project would not result in substantial adverse impacts to humans.

**PLANNING COMMISSION
OF THE CITY OF MENDOTA
FRESNO COUNTY, CALIFORNIA**

RESOLUTION No. PC 16-05

**A RESOLUTION OF THE CITY OF MENDOTA PLANNING COMMISSION FORWARDING A
RECOMMENDATION TO THE CITY COUNCIL FOR APPROVAL OF APPLICATION NO. 16-01, CONSISTING
OF TENTATIVE PARCEL MAP NO. 16-01, A GENERAL PLAN AMENDMENT, AND A REZONE, WITH AN
ACCOMPANYING NEGATIVE DECLARATION PREPARED PURSUANT TO THE CALIFORNIA
ENVIRONMENTAL QUALITY ACT**

WHEREAS, on March 16, 2016, the City of Mendota formally accepted Application No. 16-01, submitted by Dale G. Mell, PLS on behalf of property owners Alan Hansen and Eric Hansen; and

WHEREAS, Application No. 16-01 consists of Tentative Parcel Map No. 16-01, which proposes to subdivide an existing parcel of approximately 7.79 acres (Parcel 2 of Parcel Map No. 87-1; Assessor's Parcel Number 012-200-26) into two smaller parcels of approximately 0.43 acres and 7.36 acres, respectively, said subdivision of property subject to the provisions of Government Code Section 66410, et seq.; and

WHEREAS, Application No. 16-01 also proposes to amend the Land Use Element and Map of the City of Mendota General Plan Update 2005-2025 to reflect the subject property as High Density Residential, said amendment subject to the provisions of Government Code Sections 65353-65357; and

WHEREAS, Application No. 16-01 also proposes to amend the Official Zoning Map to reflect the subject property as R-3 High-Density Multiple Family Residential, said amendment subject to the provisions of Government Code Sections 65853-65857; and

WHEREAS, each of the processes requested as part of Application No. 16-01 constitutes a "project" pursuant to the California Environmental Quality Act, Public Resources Code Section 21000, et seq. ("CEQA") and the CEQA Guidelines, California Code of Regulations Section 15000, et seq.; and

WHEREAS, the City prepared an initial study pursuant to the provisions of the California Environmental Quality Act ("CEQA"; Public Resources Code Section 21000, et seq.), and made a preliminary determination that approval of Tentative Parcel Map No. 16-01 would not result in any significant impacts to the environment, and accordingly adoption of a negative would be appropriate; and

WHEREAS, the City provided copies of said initial study/ negative declaration to various entities for review between July 6, 2016 and July 26, 2016, and no comments were received; and

WHEREAS, the Planning Commission finds that it cannot be fairly argued, nor is there any substantial evidence in the record, that the project could have a significant effect on the environment, either directly or indirectly; and

WHEREAS, based upon the initial study and negative declaration and the record, the project will not individually or cumulatively have an adverse impact on environmental resources; and

WHEREAS, the City of Mendota is the custodian of the documents and other materials that constitute the record of the proceedings upon which the Planning Commission's recommendation is based, and Mendota City Hall, 643 Quince Street, Mendota, CA is the location of this record; and

WHEREAS, pursuant to California Government Code Section 65352.3, on May 23, 2016, the City of Mendota engaged Native American Tribes identified by the California Native American Heritage Commission as being potentially affected by the proposed General Plan amendment; and

WHEREAS, on June 16, 2016, the City of Mendota received a letter from the Picayune Rancheria of the Chukchansi Indians requesting additional information about the project; and

WHEREAS, on June 21, 2016 and July 22, 2016, staff contacted said Tribe via an email address provided by the Tribe in order to provide information and invite further discussion with no response; and

WHEREAS, as of the close of the mandatory 90-day consultation period on August 21, 2016, the City had not received any additional correspondence or requests for information from any potentially-affected Tribe; and

WHEREAS, at a regular meeting on September 20, 2016, the Mendota Planning Commission did conduct a public hearing to consider Application No. 16-01; and

WHEREAS, on September 7, 2016 notice of said public hearing was published in the Firebaugh-Mendota Journal, and on September 9, 2016 notice was individually mailed via the U.S. Postal Service to the record owners of property located within 300 feet of the exterior boundary of the project site and posted in the City Hall bulletin window; and

WHEREAS, the Planning Commission has made the following preliminary findings pursuant to the California Subdivision Map Act and Title 16 of the City of Mendota Municipal Code (Subdivision Ordinance), said findings substantiated by evidence in the record:

1. The proposed subdivision, along with its design and improvements, is consistent with the City's General Plan and any applicable specific plans.
2. The site is physically suitable for the type and density of proposed development.
3. The proposed design and improvements are not likely to cause environmental damage of health concerns.
4. The design of the subdivision will not conflict with public easements for access through or use of the property within the subdivision.

NOW, THEREFORE BE IT RESOLVED that the Mendota Planning Commission does hereby recommend that the Mendota City Council take the following actions:

1. Find that the initial study and negative declaration prepared for the project comply with provisions of the California Environmental Quality Act, and affirm that the project will not have a significant effect on the environment; and

2. Approve a change of General Plan Land Use designation for the subject property from Medium Density Residential to High Density Residential as illustrated in Attachment "A"; and
3. Approve a change of zone from R-1 Single-Family/Medium Density Residential, R-3 High Density Multiple-Family Residential District, and C-3 Central Business and Shopping District to R-3 High Density Multiple-Family Residential District as illustrated in Attachment "A"; and
4. Validate the preliminary findings of the Planning Commission and approve Tentative Parcel Map No. 16-01 as attached hereto as Attachment "B" and subject to the following conditions of approval:

As may be used herein, the words "subdivider", "owner," "operator", and "applicant" shall be interchangeable. Conditions of approval that are expressly (i.e. specific references using the term "future development" or similar) or impliedly (i.e. referring to activities that could only occur during site development) related to future development of the project site shall be applicable at the time of approval of said future development. The fact that a condition of approval is not included herein does not preclude the City from including that condition when taking discretionary action on future development applications.

General

1. Tentative Parcel Map No. 16-01 shall be valid for a period of 24 months from the date of its approval or conditional approval by the City Council. Extensions to this period may be requested pursuant to Section 66453.3 of the California Subdivision Map Act.
2. As determined necessary by the City Engineer, a subdivision agreement shall be executed between the City of Mendota and the subdivider prior to or concurrently with City Council consideration of the tentative parcel map. This agreement allows for the deferral of certain improvements and fees until the development of individual parcels as outlined herein or in the individual development proposals as determined by the City Engineer. A subdivision agreement certificate shall be placed on the final map to reference the recording information of the subdivision agreement.
3. Following City Council approval or conditional approval of the tentative parcel map and prior to its expiration, the subdivider may formally submit a final parcel map (Parcel Map).
4. The Parcel Map shall be prepared in accordance with Chapter 2, Article 3 of the Subdivision Map Act by a California-licensed land surveyor or civil engineer qualified to perform such service.
5. The Parcel Map submittal shall include parcel closures and a preliminary title report dated no more than thirty (30) days prior to submission to the City Engineer. Copies of all easement documents referenced in the preliminary title report shall accompany the submittal. All parcel map fees and recording fees shall be paid as required by the City of Mendota and the County of Fresno prior to recordation of the map. The owner shall provide the City with a Land Division or Subdivision Guarantee and a Fresno County Tax Compliance Certification Request prior to the City submitting the Parcel Map to the Clerk to the Board of Supervisors.
6. The Parcel Map shall reflect two numbered parcels consistent with the approved Tentative Parcel Map, except as may be modified herein and as follows: "Proposed Parcel 1" shall be

“Parcel 1” and “Unsubdivided Remainder” shall be “Parcel 2”. References to particular parcels herein shall use the parcel numbers as indicated in this paragraph.

7. Owner shall make an irrevocable offer of dedication for public utilities purposes 20 feet in width and centered on the centerline of the existing public utilities easement dedicated and accepted as part of Parcel Map No. 87-01. Where a width of 20 feet would require that the easement encroach on property that is not a part of Parcel Map No. 16-01, the easement shall be reduced in width such that it is collinear with the adjoining property line over which it would otherwise encroach for a distance equal to the length of said line. Said easement shall extend from the eastern right-of-way line of Sorensen Avenue east to the western right-of-way line of Dos Palos Avenue as identified of record.
8. The Parcel Map shall reflect that the 19.5-foot-wide by 115.00-foot-long area immediately abutting the easterly right-of-way line of Sorensen Avenue and the southerly line of Parcel 1 is included as part of Parcel 1 and is correspondingly not included as a part of Parcel 2. This area shall either be fenced along with the northerly portion of Parcel 1 or the owner shall provide a palliative surfacing or ground cover suitable to the City Engineer to minimize dust and nuisance vegetation.
9. Future development of the project site shall comply with all applicable provisions of the City of Mendota General Plan Update 2005-2025 and the Mendota Municipal Code, including but not limited to: potable water protection regulations (Chapter 13.24), business licensing requirements (Title 5), and Building Code Standards (Title 15); the Subdivision Ordinance (Title 16); and the regulations of the applicable zone district(s) and other relevant portions of the Zoning Ordinance (Title 17), including but not limited to acquisition of a conditional use permit and/or approval of a site plan; and the City of Mendota Standard Specifications and Standard Drawings.
10. Construction drawings including but not limited to building and improvement plans; site, grading, irrigation, lighting, and landscaping shall be submitted to the Building Department and/or to the City Engineer as appropriate for review and approval. A building permit or permits, including payment of applicable fees, shall be acquired prior to start of any construction activities.
11. Grading and improvement plans shall be prepared by a California-licensed civil engineer.
12. Irrigation, lighting, and landscaping plans may be prepared by a California-licensed landscape architect, architect, or engineer, or by an unlicensed design professional.
13. All exterior lights shall be shielded or otherwise oriented to prevent disturbance to surrounding or neighboring properties or traffic on McCabe Avenue, Sorensen Avenue, and Derrick Avenue (State Route 33).
14. Any work within City of Mendota public right-of-way shall require an encroachment permit, including payment of all associated fees.
15. Any work within, across, above, beneath or otherwise affecting Caltrans, County of Fresno, or other agency right-of-way, property, or operations shall be subject to applicable provisions of

said other agency, including but not limited to acquisition of encroachment permits, dedication or right-of-way, or other requirements.

16. It shall be the responsibility of the owner/developer to grant easements as necessary for the installation and maintenance of private utilities, including but not limited to: electricity, gas, telephone, and cable television.
17. Any work within, across, above, beneath or otherwise affecting right-of-way, property, and/or easements owned by or granted to purveyor(s) of private utilities shall be subject to the applicable provisions of said purveyor(s).
18. Prior to issuance of a certificate of occupancy for new development, all conditions of approval shall be verified as complete by the Planning Department. Any discrepancy or difference in interpretation of the conditions between the owner/applicant and the Planning Department shall be subject to review and determination by the Planning Commission.
19. Development shall comply with the rules and regulations of the San Joaquin Valley Air Pollution Control District (SJVAPCD).
20. Development shall comply with the requirements of the Fresno County Fire Protection District/CalFire.
21. The owner of the project site, or of individual parcels created, shall be responsible for the ongoing and long-term maintenance of all onsite amenities to ensure that nuisance complaints are not received by the City.
22. Connection points for water and wastewater shall be determined by the City Engineer during review of future development proposals. Connections shall be made in accordance with City of Mendota standards and shall be coordinated with the Director of Public Utilities.
23. Applicants for development of the project site shall coordinate with Mid Valley Disposal to establish necessary solid waste procedures.
24. All City of Mendota Planning, Building, and Engineering fees and costs shall be paid in full to the City prior to recordation of a Parcel Map.
25. Excluding the continued use of the existing single-family residence for single-family residential purposes, future applicants intending to construct on, operate on, or otherwise occupy the parcels created by the Parcel Map shall be responsible for payment of City of Mendota Application Fees, Plan Check and Engineering Fees, Building Fees, and/or Development Impact Fees in amounts to be determined during review, processing, and approval of their respective projects. In the event that the owner of the single-family residence proposes to undertake any new activities normally subject to any of all of the above fees, said fees would become payable as related to said activities.
26. Development shall be responsible for payment of fees to Mendota Unified School District and shall provide the City with evidence of payment, or evidence of the District's determination that no fees are required, prior to issuance of a certificate of occupancy.

27. Development shall be responsible for payment of Fresno County Regional Transportation Mitigation Fees and Fresno County Public Facilities Impact Fees and shall provide the City with evidence of payment, or evidence of the County's determination that no fees are required, prior to issuance of a certificate of occupancy.

PASSED AND ADOPTED by the Planning Commission of the City of Mendota at a regular meeting held on the 20th of September, 2016 upon a motion by Commissioner _____, a second by Commissioner _____, and by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST:

Juan Luna, Chair

Matt Flood, Secretary

— NOTE —
 This map is for Assessment purposes only
 it is not to be construed as portraying legal
 ownership or divisions of land for purposes
 of zoning or subdivision law.

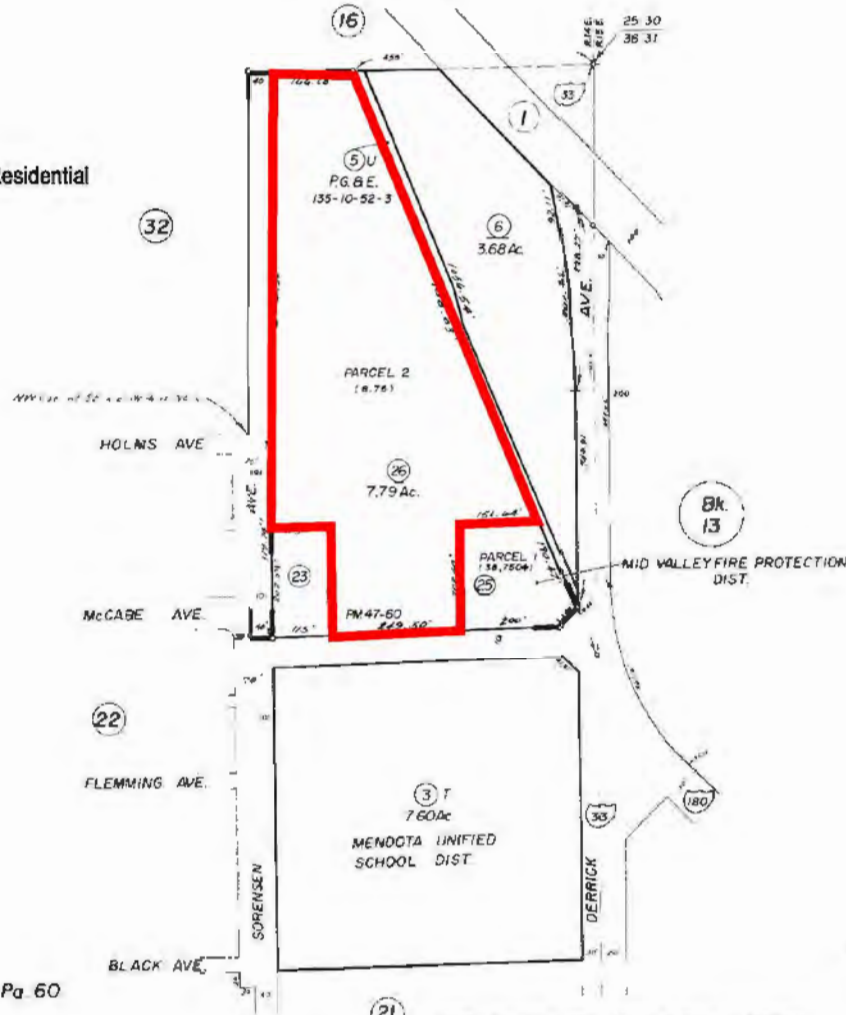
ATTACHMENT A

Tax Area
 12-001

12-20



General Plan
 Medium Density Residential to High Density Residential
Zoning
 R-1, R-3, and C-3 to R-3



Agricultural Preserve
 Parcel Map No. 87-1, Bk. 47, Pa. 60

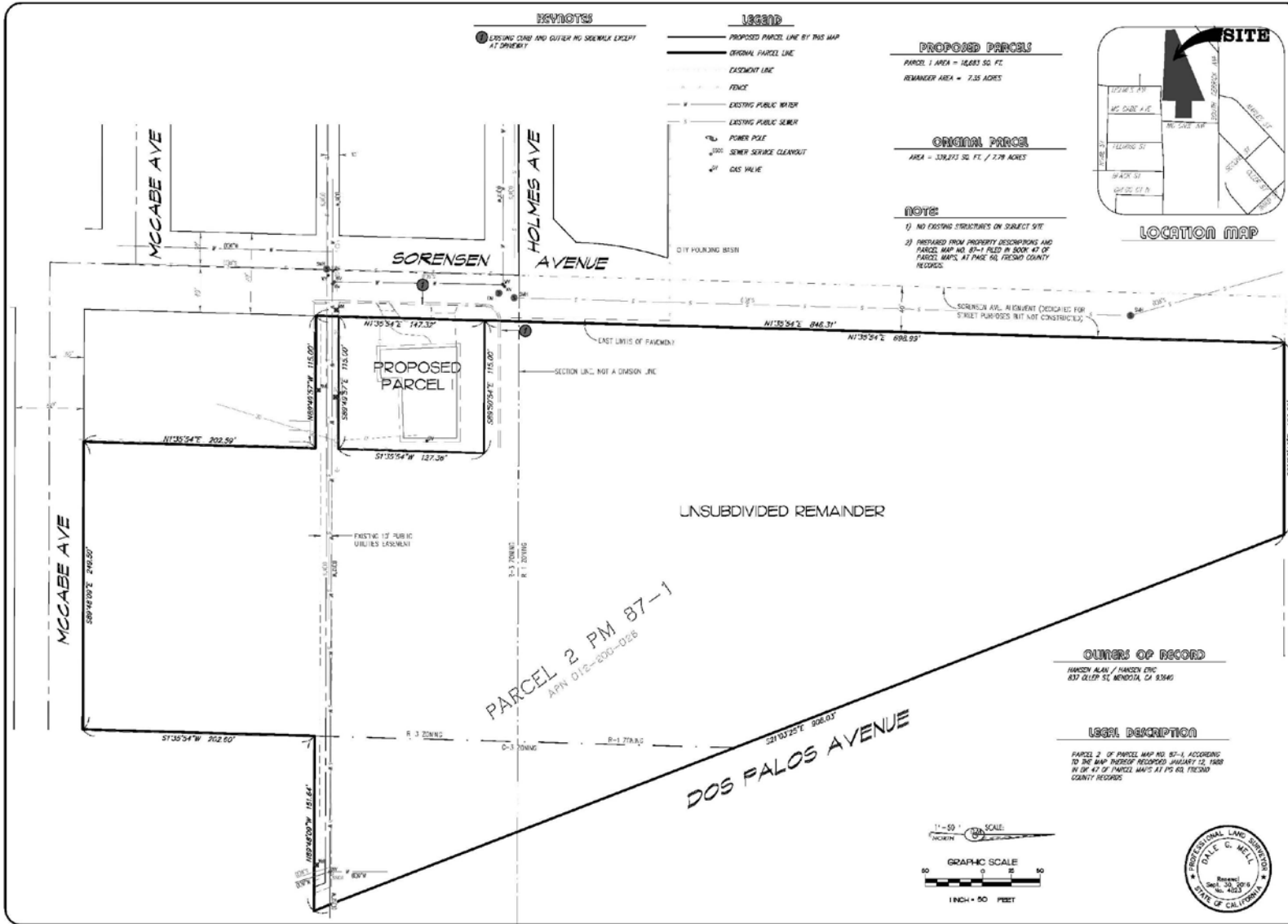
Assessor's Map Bk. 12 -Pg. 20
 County of Fresno, Calif.

NOTE - Assessor's Block Numbers Shown in Ellipses
 Assessor's Parcel Numbers Shown in Circles.

City of Mendota Application No. 16-01
 APN 012-200-26 191 Sorensen Ave.

 Project Site

Attachment "B"



TENTATIVE PARCEL MAP 16-01
OF
836 OLIVER STREET, MADEIRA, CA 95040

PREPARED FOR:
HARRY HANSEN
837 OLIVER ST.
MENLOOTA, CA 93640

PREPARED BY:
DALE G. MULLA
& ASSOCIATES
ENGINEERING & SURVEYING SERVICES
2800 FORTY-NINTH AVENUE, SUITE 100, MENLOOTA, CA 93640
(408) 398-1234

JOB # 15-028
OWNER: H. HANSEN
ORDERED BY: DON
SCALE: 1" = 50'
DATE: 11/28/15
DATE OF SURVEY:
REV. 02/26/16, AV
SHEET 1 OF 1

