

LEMOORE PLANNING COMMISSION
Regular Meeting
AGENDA
Lemoore Council Chamber
429 'C' Street

August 13, 2018
7:00 p.m.

1. Pledge of Allegiance
2. Call to Order and Roll Call
3. Public Comment

This time is reserved for members of the audience to address the Planning Commission on items of interest that are not on the Agenda and are within the subject matter jurisdiction of the Commission. It is recommended that speakers limit their comments to 3 minutes each and it is requested that no comments be made during this period on items on the Agenda. The Commission is prohibited by law from taking any action on matters discussed that are not on the Agenda. Prior to addressing the Commission, any handouts for Commissioners will be provided to the Planning Commission Secretary for distribution to the Commissioners and appropriate staff.

4. Approval – Minutes – Regular Meeting, July 9, 2018
5. Public Hearing – Conditional Use Permit No. 2018-02: A request by American Vape Company, Inc. to allow a Vape Shop at 155 W. Hanford-Armona Road, Suite A in the City of Lemoore (APN 021-380-004). The site is located in a strip mall that is zoned Neighborhood Commercial.
6. Public Hearing – Tentative Subdivision Map No. 2018-01 (Tract 793) and Major Site Plan Review No. 2018-03: a request by Daley Enterprises, Inc., to divide 17.87 acres into 30 single-family lots, 12 multi-family lots, and a remainder. The site is located at the northeast corner of Highway 198 and Highway 41 (APN 023-320-005).
7. Discussion – Driveways, drive approaches and percentage of front yard coverage (paving) on single-family lots.
8. Director's Report – Judy Holwell
9. Commission's Reports and Requests for Information
10. Adjournment

Upcoming Meetings

Regular Meeting of the Planning Commission, September 10, 2018

Agendas for all Planning Commission meetings are posted at City Hall, located at 119 Fox Street, at least 72 hours prior to the meeting. Any writings or documents provided to a majority of the Planning Commission regarding any item on this agenda will be made available for public inspection at the Community Development Department, located at 711 W. Cinnamon Drive, during normal business hours.

The City of Lemoore complies with the Americans with Disabilities Act (ADA of 1990). The Council Chamber is accessible to the physically disabled. Should you need special assistance, please call (559) 924-6740, at least four (4) business days prior to the meeting.

CERTIFICATION OF POSTING

I, Kristie Baley, Planning Commission Secretary for the City of Lemoore, do hereby declare that I posted the above Planning Commission Agenda for the Regular Meeting of Monday, August 13, 2018 at 7:00 p.m. at City Hall, 119 Fox Street in accordance with applicable legal requirements.

Posted this 8th day of August 2018.

//s//
Kristie Baley, Planning Commission Secretary

**Minutes of the
LEMOORE PLANNING COMMISSION
July 9, 2018**

PLEDGE OF ALLEGIANCE

MEETING CALLED TO ORDER

At 7:01 p.m., the meeting was called to order.

ROLL CALL	Chair:	Clement
	Vice Chair:	Etchegoin
	Commissioners:	Boerkamp, Franklin, Koelewyn, Marvin, Meade

City Staff and Contract Employees Present: City Manager Olson; Community Development Director Holwell; City Planner Brandt; Planner Staff Member Kira Noguera; Commission Secretary Baley

PUBLIC COMMENTS AND INQUIRIES

ITEM NO. 3

Jeremy Mellon, 445 Ruby Drive, requested clarification regarding section 9-5E-5-D of the zoning code.

The Planning Commission requested that staff agendaize an item for discussion during the next meeting to provide clarification.

City Manager Nathan Olson, 1263 Paradise Loop, asked Commissioners to be clear about what staff is bringing back.

Staff was directed to provide a staff report describing the ordinance and clarification regarding the circumstance at Jeremy Mellon's property.

REQUESTS FOR APPROVAL

ITEM NO. 4 MINUTES – REGULAR MEETING, MAY 14, 2018

Motion by Commissioner Koelewyn, seconded by Commissioner Boerkamp, to approve the Minutes of the Planning Commission Regular Meeting of May 14, 2018.

*Ayes: Koelewyn, Boerkamp, Etchegoin, Franklin, Marvin, Clement
Abstain: Meade*

PUBLIC HEARINGS

ITEM NO. 5 PUBLIC HEARING – MAJOR SITE PLAN REVIEW NO. 2018-04 AND CONDITIONAL USE PERMIT NO. 2018-01: A REQUEST BY PACIFIC WEST COMMUNITIES, INC. TO CONSTRUCT A 28-UNIT SENIOR HOUSING APARTMENT COMPLEX. THE PROJECT IS THE SECOND PHASE OF THE EXISTING CINNAMON VILLAS LOCATED AT 335 W. CINNAMON DRIVE. THE SITE IS TO BE LOCATED ON THE SOUTHEAST CORNER OF W. CINNAMON DRIVE AND FOLLETT STREET (APN: 021-500-007.)

Noguera presented the project and provided staff's recommendation.

The public hearing opened at 7:28 p.m.

Tim Sciacqua, Representative for Pacific West Communities, spoke.

Kathy Rodriguez, 785 and 789 Eton Street, said that she does not oppose the project, but expressed concerns regarding the already increasing traffic on Eton Street and the current need for a crosswalk across Cinnamon Drive at Follett Street.

Kenneth Webb, 713 Basil Court, asked for clarification regarding fence height between the complex and existing housing to the east of the project. He also expressed his concerns regarding potential odors and insects that may become an issue in the pond and dog park areas of the complex.

Brandt provided clarification regarding conditions of approval pertaining to fence height.

Tim Sciacqua provided clarification regarding the dog park, which he said would be small. He also stated that a pond is not proposed for the site.

The public hearing closed at 7:40 p.m.

City Manager Olson provided clarification regarding the warrant study process and State funding requirements needed to pay for crosswalks and signal lights throughout the City. He stated that warrant numbers have not been high enough to receive funding.

Motion by Commissioner Etchegoin, seconded by Commissioner Marvin to approve Resolution No. 2018-04, a Resolution of the Planning Commission approving the Major Site Plan Review No. 2018-04 and Conditional Use Permit No. 2018-01 to allow a 28-unit senior affordable apartment complex located on the southeast corner of Cinnamon Drive and Follett Street.

Ayes: Etchegoin, Marvin, Boerkamp, Franklin, Koelewyn, Meade, Clement

COMMUNITY DEVELOPMENT DIRECTOR'S REPORT

ITEM NO. 6

Director Holwell provided the Commission with the following information:

Temporary Use Permit issued to Keller Motors/Keller Ford Lincoln to hold their annual auto sale at MIQ School.

Jack in the Box applied for a minor site plan review of a renovation project.

Woodside Homes is in the process of building Model Homes.

Lennar will begin building Model Homes very soon.

Arco is expecting to hold a grand opening event at the end of August.

Items tentatively scheduled for the next meeting include Daley Homes tentative subdivision map for Silva Estates 11; a mixed-use project to be located on the southeast corner of Hanford-Armona Road and Hwy 41; and a phased commercial development project to be located on 80 acres owned by the City at the northeast corner of Iona and Hwy 41.

COMMISSIONER'S REPORTS AND REQUESTS FOR INFORMATION

ITEM NO. 7

There were no reports or requests for information.

ADJOURNMENT

At 7:31 p.m., the meeting adjourned.

Approved the 9th day of July 2018.

APPROVED:

Bob Clement, Chairperson

ATTEST:

Kristie Baley, Commission Secretary



119 Fox Street • Lemoore, California 93245 • (559) 924-6700 • Fax (559) 924-9003

Staff Report

To: Lemoore Planning Commission **Item No. 5**
From: Steve Brandt, City Planner
Date: July 24, 2018 **Meeting Date:** August 13, 2018
Subject: **Conditional Use Permit No. 2018-02:** A request by American Vape Company, Inc. to allow a Vape Shop at 155 W. Hanford-Armona Road, Suite A in the City of Lemoore (APN 021-380-004).

Proposed Motion:

Move to adopt Resolution No. 2018-05, approving Conditional Use Permit No. 2018-02, with the attached conditions.

Project Proposal:

The applicant is proposing a vape shop in the existing building located at 155 W. Hanford-Armona Road, Suite A. The establishment is considered a vape shop per the Lemoore Zoning Ordinance, as it devotes more than a ten foot by five foot (10' x 5') (2 feet in depth maximum) section of shelf space for display for sale of smoking, vaping, drug, and/or tobacco paraphernalia. The shop offers a range of e-cigarette products. The interior of the building will be remodeled per the attached floor plan. There are no plans to modify the exterior of the building.

Applicant	American Vape Company, Inc.
Location	155 W. Hanford-Armona Road, Suite A
Existing Land Use	Vacant building
APN(s)	021-380-004
Total Building Size	1,400 square feet
Zoning	NC (Neighborhood Commercial)
General Plan	Neighborhood Commercial

Adjacent Land Use, Zone and General Plan Designation

<u>Direction</u>	<u>Current Use</u>	<u>Zone</u>	<u>General Plan</u>
North	Lemoore Donut (restaurant)	NC	Neighborhood Commercial
South	Residential	RMD	Medium Density Residential
East	Save Mart (grocery retail)	NC	Neighborhood Commercial
West	Sushi Table (restaurant)	NC	Neighborhood Commercial

Previous Relevant Actions:

None.

Zoning/General Plan:

The site is planned as Neighborhood Commercial and zoned NC. Most adjacent sites are also zoned NC, as the proposed site is in the midst of a strip mall. The only area not zoned NC is south of the proposed site, as medium density residences are there. Per the Lemoore Municipal Code, smoke/vape shops are uses that can be approved through a conditional use permit (CUP) in the Neighborhood Commercial zone. This project is being brought to the Planning Commission because sale of smoking, vaping, drug, and/or tobacco paraphernalia requires a conditional use permit. Review of the CUP allows the Planning Commission to also comment and condition the site plan and design.

There is a residential use south of the site zoned Medium Density Residential. The Neighborhood Commercial Zone and the Medium Density Residential Zone are divided by a block wall behind the strip mall.

Access and Right of Way:

The building's main entrance faces a large parking lot which can be accessed from W. Hanford-Armona Road, Lemoore Avenue, and Fox Street. There is a service entrance behind the mall that allows access to the back of the building.

Parking / On-site Circulation:

There is a substantial amount of parking for the strip mall as a whole, and the proposed shop would share that parking lot. No additional parking is required.

Architectural and Site Design Standards:

The interior of the building will be remodeled in accordance with the attached site plan. Staff recommends a condition that the applicant would be required to modify the building ventilation system to prevent odors from being transferred to other businesses, as needed.

No changes to the outer façade of the building are proposed, except for signage placement.

Operations:

The applicant has stated in the application that the site is a retail store and customers will be allowed to taste the products prior to purchase, and will not be used as a lounge for vaping. This limitation has been added as a condition. Another condition has been added requiring that the applicant comply with all applicable federal and state laws regarding vaping.

Signage:

All new signage is required to meet the City Zoning Ordinance. The project would be allowed building signage and monument signage per the standards in the Ordinance. The addition of signage requires the submittal of a separate sign permit application.

Environmental Assessment:

The project is exempt from the requirements of the California Environmental Quality Act (CEQA) under the Class 1 categorical exemption (Existing Facilities) contained in Section 15301 of the CEQA Guidelines.

Recommended Approval Findings:

A conditional use permit shall be granted only when the designated approving authority determines that the proposed use or activity complies with all of the following findings. City staff recommends that these findings be made based upon review of the project as described in this staff report, and with the recommended conditions of approval. The underlined text explains how the use or activity complies with the corresponding finding.

1. The proposed use is consistent with the general plan, any applicable specific plans, and all applicable provisions of this title. The proposed use of the building is consistent with the General Plan, and the proposed land uses are consistent with the Zoning Ordinance.
2. The establishment, maintenance, or operation of the use applied for will not, under the circumstances of the particular case (location, size, design, and operating characteristics), be detrimental to the health, safety, peace, morals, comfort, or general welfare of persons residing or working in the neighborhood of such use or to the general welfare of the city. The site is located near other compatible retail uses.
3. The site of the proposed use is physically suitable for the type, density, and intensity of the use and related structures being proposed. The site is physically able to support the site. The maximum occupancy will be set in accordance with the Fire Code during the building remodeling.

4. It will not be contrary to the specific intent clauses, development regulations, or performance standards established for the zoning district in which it is located. The proposed use and related structures are compatible with other land uses, transportation patterns, and service facilities in the vicinity.

Recommended Conditions:

Staff recommends the following conditions be applied to the approval of the Conditional Use Permit:

1. The site shall be developed consistent with the submitted site plan and applicable development standards found in the Zoning Ordinance.
2. The establishment shall not be used as a lounge for vaping.
3. Modify the building ventilation system to prevent odors from being transferred to other businesses as needed.
4. Interior improvement plans consistent with the submitted site plan (to include, but not limited to the addition or removal of walls and or partitions, electrical, mechanical and plumbing work) shall be submitted to building inspections for review prior to beginning the remodeling process.
5. All signs shall require a sign permit separate from the building permit.
6. The establishment shall comply with all federal and state laws regarding vaping.
7. The project and all subsequent uses must meet the requirements found in Section 9-5B-2 of the Zoning Ordinance related to noise, odor, and vibration.
8. The operation shall be conducted in accordance with this conditional use permit. Any deviations from the approvals shall first require approval of an amendment to this conditional use permit.
9. The time limits and potential extensions and expiration of this conditional use permit are established per Section 9-2A-9 of the City of Lemoore Zoning Ordinance.

Attachments:

- Vicinity Map
- Draft Resolution for Approval
- Site Plan
- Pictures of Fresno Store

RESOLUTION NO. 2018-05

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LEMOORE
APPROVING CONDITIONAL USE PERMIT NO. 2018-02 TO ALLOW A VAPE SHOP AT
155 W. HANFORD-ARMONA ROAD, SUITE A IN THE CITY OF LEMOORE (APN 021-380-004)**

At a Regular Meeting of the Planning Commission of the City of Lemoore duly called and held on August 13, 2018, at 7:00 p.m. on said day, it was moved by Commissioner _____, seconded by Commissioner _____, and carried that the following Resolution be adopted:

WHEREAS, American Vape Company, Inc. has requested a conditional use permit to allow a vape shop at 155 W. Hanford-Armona Road, Suite A in the City of Lemoore (APN 021-380-004); and

WHEREAS, the proposed site is located within an existing commercial building; and

WHEREAS, the zoning on the parcel is NC (Neighborhood Commercial); and

WHEREAS, the proposed use can be approved with a conditional use permit under the Lemoore Municipal Code; and

WHEREAS, the project is exempt from the requirements of the California Environmental Quality Act (CEQA) under the Class 1 categorical exemption (Existing Facilities) contained in Section 15301 of the CEQA Guidelines; and

WHEREAS, the Lemoore Planning Commission held a duly noticed public hearing at its August 13, 2018, meeting.

NOW THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Lemoore hereby makes the following findings regarding the proposed conditional use permit:

1. The proposed use is consistent with the general plan, any applicable specific plans, and all applicable provisions of this title. The proposed use of the building is consistent with the General Plan, and the proposed land uses are consistent with the Zoning Ordinance.
2. The establishment, maintenance, or operation of the use applied for will not, under the circumstances of the particular case (location, size, design, and operating characteristics), be detrimental to the health, safety, peace, morals, comfort, or general welfare of persons residing or working in the neighborhood of such use or to the general welfare of the city. The site is located near other compatible retail and entertainment uses.
3. The site of the proposed use is physically suitable for the type, density, and intensity of the use and related structures being proposed. The site is physically able to support the site. The maximum occupancy will be set in accordance with the Fire Code during the building remodeling.
4. It will not be contrary to the specific intent clauses, development regulations, or performance standards established for the zoning district in which it is located. The proposed use and related structures are compatible with other land uses, transportation patterns, and service facilities in the vicinity.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Lemoore finds that the project is exempt from the requirements of CEQA under the Class 1 categorical exemption (Existing Facilities) contained in Section 15301 of the CEQA Guidelines, and approves Conditional Use Permit No. 2018-02 subject to the following conditions:

1. The site shall be developed consistent with the submitted site plan and applicable development standards found in the Zoning Ordinance.
2. The establishment shall not be used as a lounge for vaping.
3. Modify the building ventilation system to prevent odors from being transferred to other businesses as needed.
4. Interior improvement plans consistent with the submitted site plan (to include, but not limited to the addition or removal of walls and or partitions, electrical, mechanical and plumbing work) shall be submitted to building for review prior to beginning the remodeling process.
5. All signs shall require a sign permit separate from the building permit.
6. The establishment shall comply with all federal and state laws regarding vaping.
7. The project and all subsequent uses must meet the requirements found in Section 9-5B-2 of the Zoning Ordinance related to noise, odor, and vibration.
8. The operation shall be conducted in accordance with this conditional use permit. Any deviations from the approvals shall first require approval of an amendment to this conditional use permit.
9. The time limits and potential extensions and expiration of this conditional use permit are established per Section 9-2A-9 of the City of Lemoore Zoning Ordinance.

Passed and adopted at a Regular Meeting of the Planning Commission of the City of Lemoore held on August 13, 2018, by the following votes:

AYES:
NOES:
ABSTAINING:
ABSENT:

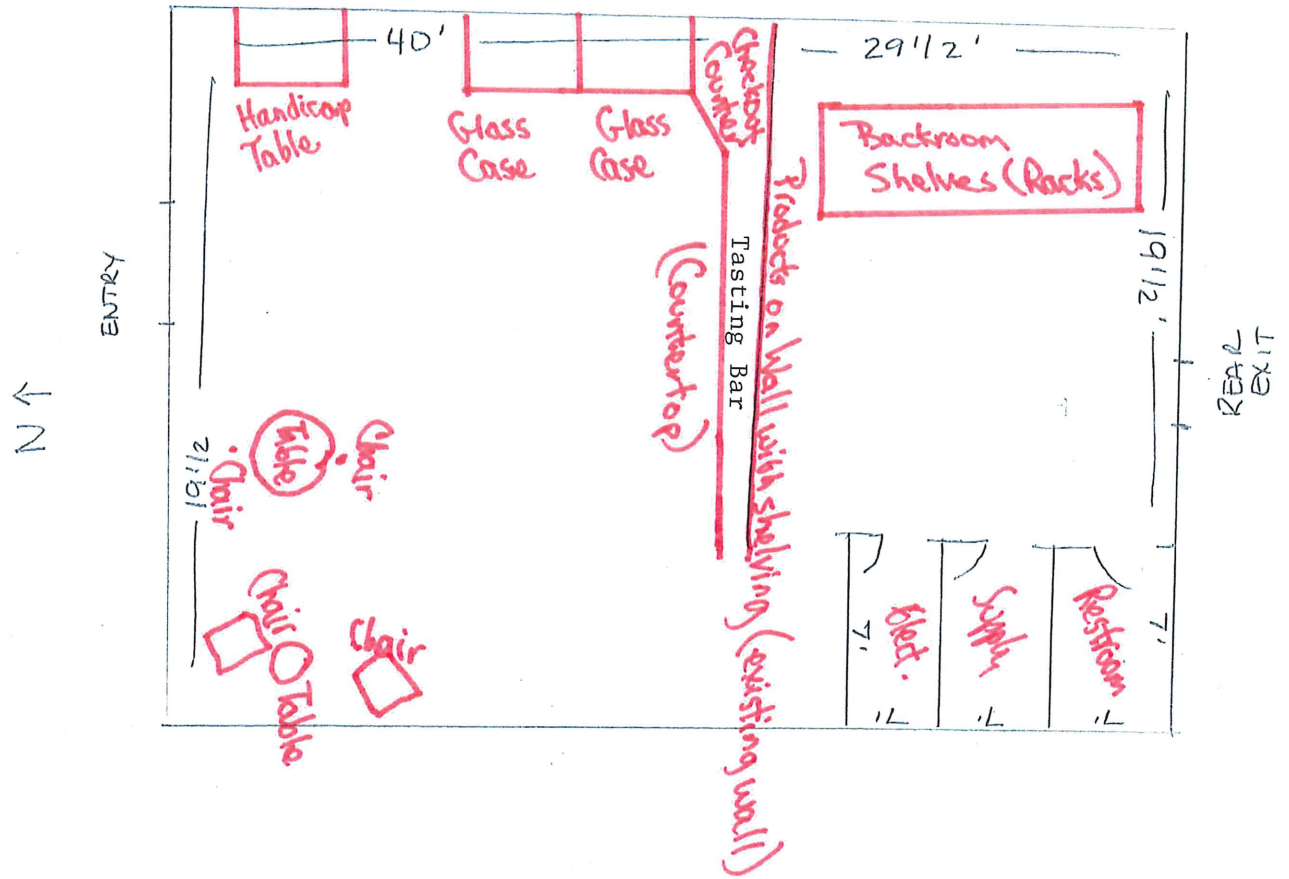
APPROVED:

Bob Clement, Chairperson

ATTEST:

Planning Commission Secretary

SITE PLAN



CREAMY

WOMEN'S
SUMMER
SALE!

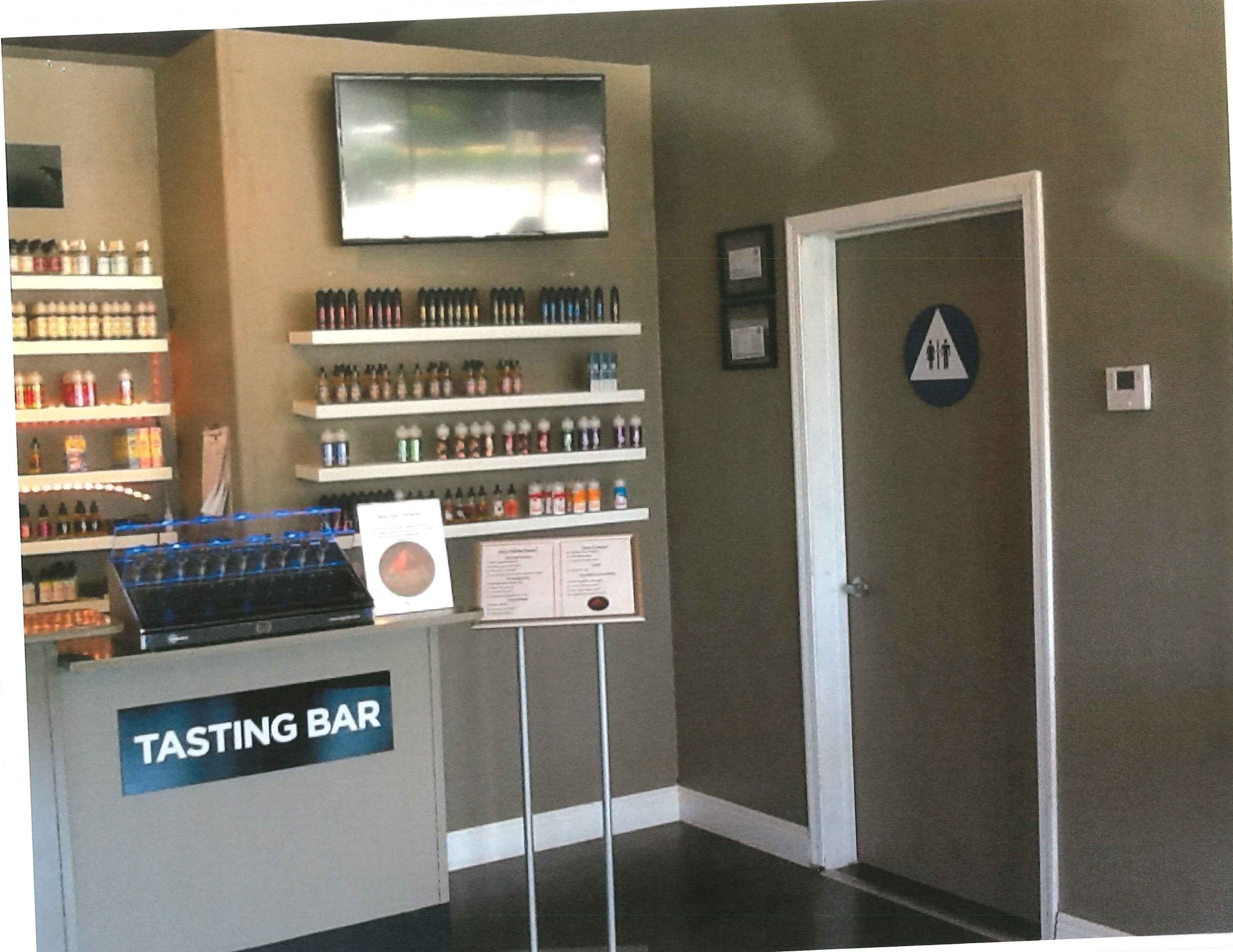
2 100ML'S
FOR \$60

FRUITY

TASTING BAR

TASTING BA

Current Wall of Products
(Fresno)
(Vapor tasting bar- no consumable liquids)
(ONLY)



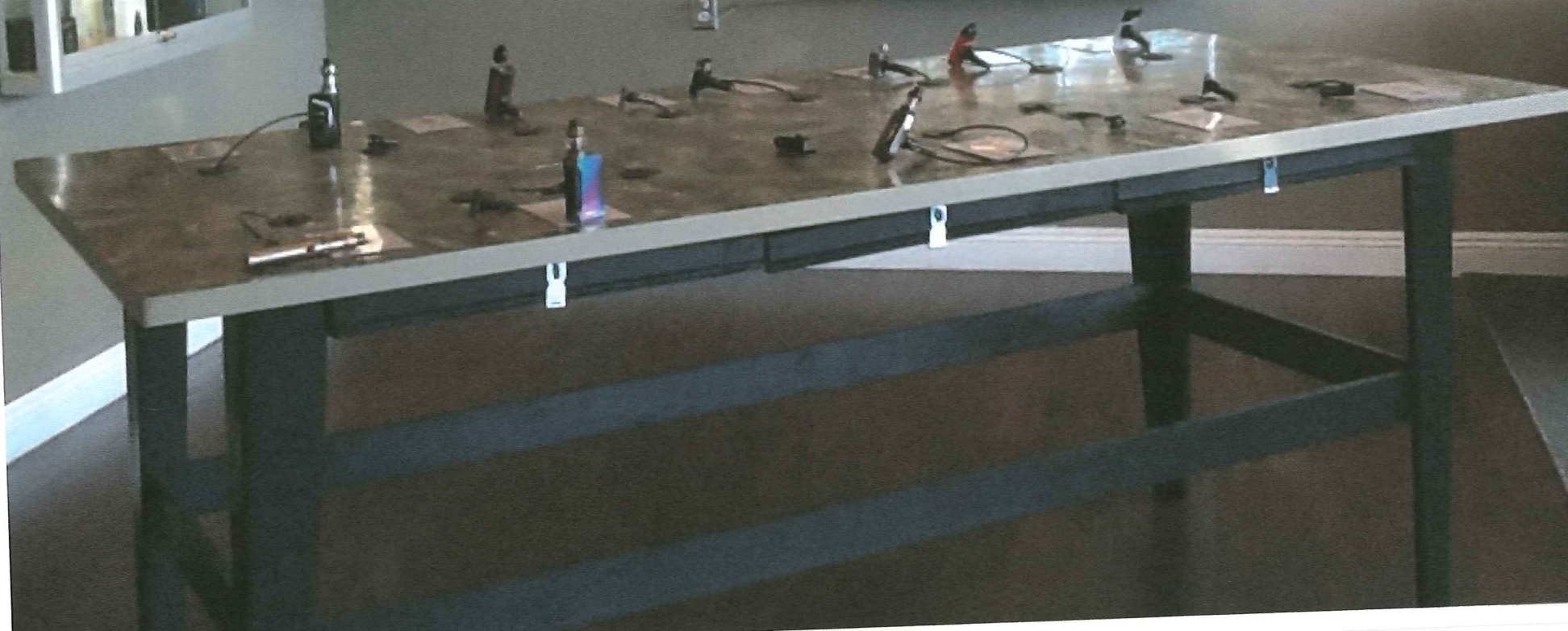
TASTING BAR



HARDWARE

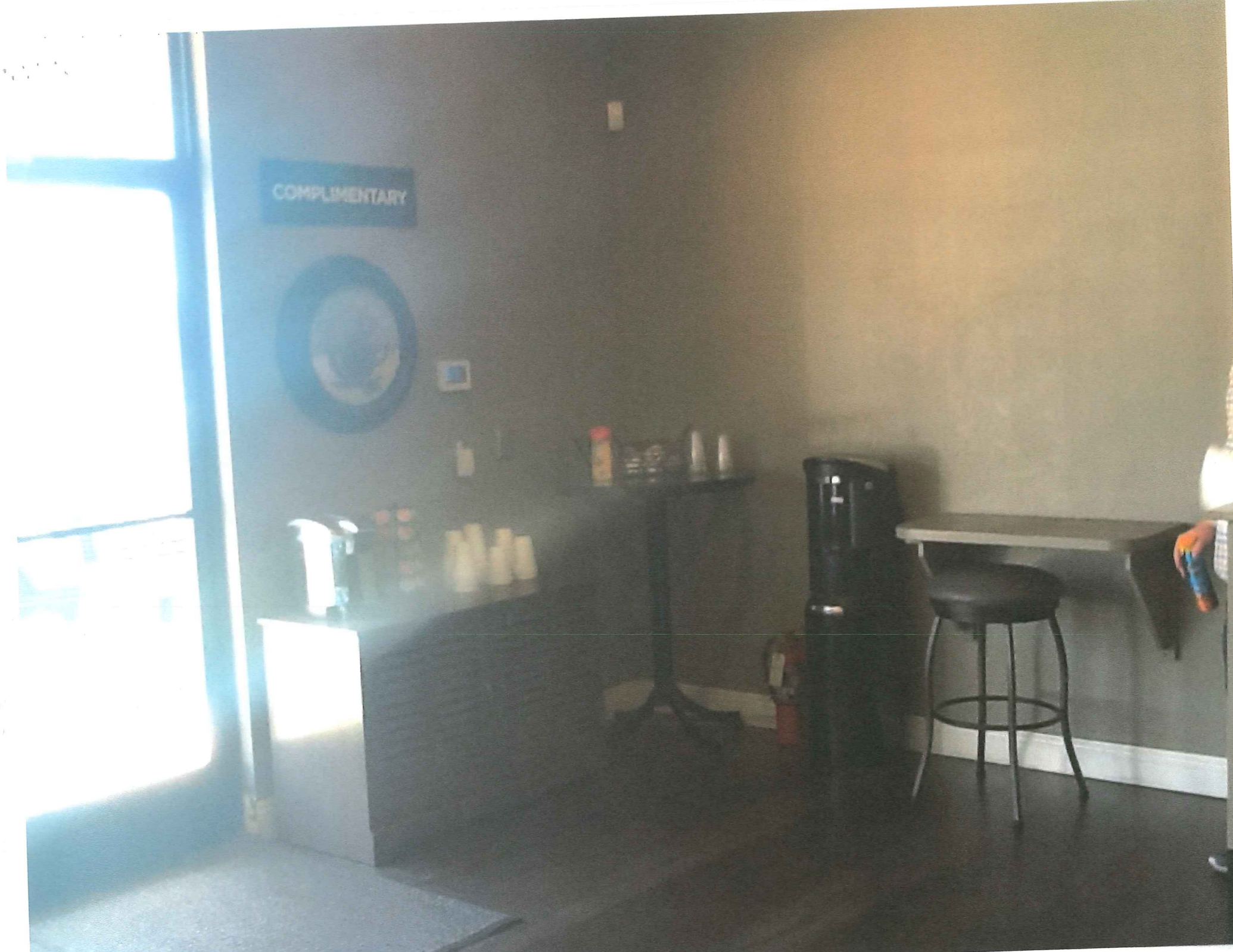
NEW ITEMS

(Display Table)
(Wall Displays)
(Fresno)



Seating Area
(Fresno)







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Staff Report

To: Lemoore Planning Commission **Item No. 6**
From: Steve Brandt, Planner
Date: July 27, 2018 **Meeting Date:** August 13, 2018
Subject: **Tentative Subdivision Map No. 2018-01 (Tract 793) and Major Site Plan Review No. 2018-03:** a request by Daley Enterprises, Inc., to divide 17.87 acres into 30 single-family lots, 12 multi-family lots and a remainder located at the northeast corner of Highway 198 and Highway 41 (APN 023-320-005).

Proposed Motion:

Move to adopt Resolution No. 2018-06, approving Tentative Subdivision Map No. 2018-01 (Tract 793) and Major Site Plan Review No. 2018-03, in accordance with the findings and conditions in the resolution.

Project Proposal:

This project is requesting approval of Tract No. 793 for 42 lots. The project would be constructed in two phases, with the east portion of the site developing first. Lot sizes range from 7,045 square feet to 14,296 square feet, with an average size of 8,599 square feet.

Applicant	Daley Enterprises, Inc.
Location	Northeast corner of Highway 198 and Highway 41
Existing Land Use	Vacant Land
APN	023-320-05
Lot Size	Min. 7,045 sq.ft. – Max. 14,296 sq.ft. Average 8,599 sq.ft.
Zoning	The site is zoned RLD and RLMD
General Plan	Low Density Residential and Low-Medium Density Residential

Adjacent Land Use, Zone and General Plan Designation

Direction	Current Use	Zone	General Plan
North	Single-family and multi-family homes	RLD and RLMD	Low Density Residential and Low-Medium Density Residential
South	Highway 198	N/A	N/A
East	Single-family homes	RLD	Low Density Residential
West	Highway 41	N/A	N/A

Previous Relevant Actions:

This map is one of the final phases in the Silva Estates neighborhood that Daley Enterprises (the applicant) has been building for a number of years.

Prior to the 2008 comprehensive General Plan Update, the site was zoned for single-family and multi-family development. The land was owned by Daley Enterprises at that time. As part of the General Plan Update process, Caltrans determined that the property would be needed in the future to improve the movements from westbound SR 198 to southbound SR 41, and westbound SR 198 to northbound SR 41. The preliminary design at the time called for a flyover structure to traffic moving westbound SR 198 to southbound SR 41. Because of Caltrans' stated need, the 2008 General Plan did not give the site any land use designation, and when the Zoning Ordinance was updated in 2012, the site was left without any zoning.

In 2016, the applicant requested that General Plan land use designations and the zoning be reestablished as they were prior to 2008. The City staff met with Caltrans staff a number of times to determine whether this land would still be needed for a future interchange expansion. Caltrans staff stated that, with a redesign of their future plans, they would not need all of the land, but would still need some of it. However, they were not willing to acquire the land from the applicant at this time. The Lemoore City Manager determined that the City would also not pay to acquire the land since the interchange expansion was a regional facility, and thus not the City's responsibility.

On August 15, 2017, the City Council approved General Plan Amendment No. 2016-02 and Zone Change Amendment No. 2016-02, designating and zoning the undesignated portion of the site as Low Density Residential (RLD). This was not exactly what the applicant had requested. He had requested half of the land be designated Low-Medium Density Residential (RLMD), which would allow multi-family homes. The portion of the site that was requested to be RLMD, but which the Council rezoned to RLD, is the area that is shown as a remainder lot on the proposed tentative map. The portion of the map proposed for the 12 multi-family lots has always been RLMD since before 2008.

Zoning and General Plan:

The area of the site planned for single-family residential is designated Low Density Residential in the General Plan, and zoned RLD (Low Density Residential). The portion of the site planned for multi-family residential is designated Low-Medium Density Residential in the General Plan, and zoned RLMD (Low-Medium Density Residential). The portion of the map shown as a remainder parcel is zoned RLD. The proposal tentative map is therefore consistent with the City's land use designation and zoning.

Major Site Plan Review:

The major site plan review comments are attached. Except as noted in the comments, the proposed map is consistent with City standards for new subdivisions. With modifications, the applicant will be able to meet the standards.

Access and Right of Way:

The single-family lots front a proposed extension of Arcata Avenue. The multi-family lots will front a proposed extension of Sonoma Avenue. Staff has reviewed the estimated trips generated by the project and concluded that the increase in trips would not trigger the need for additional traffic signals.

Remainder Parcel:

The proposed 7.09 designated Remainder parcel would not be developed with this map. Remainder parcels can be designated on a tentative map to indicate that the remainder parcel is not part of the current development and will not be sold at this time. Improvements are not required for remainder parcels.

The remainder parcel is zone RLD. This is the area that the applicant had previously requested a zoning of RLMD.

Parks and Open Space:

There is no new dedicated open space proposed with this tentative map. The Municipal Code requires 0.016 acres per single-family lot be dedicated with a new subdivision. The proposed 30 lots would require 0.48 acres of park acreage. The ordinance also requires 0.0127 acres per multi-family unit. The proposed 12 lots would require 0.15 acres of park acreage. The final acreage shall be determined based on the acreage shown on final map. The acreage required shall be provided through an in-lieu fee with the amount based upon an appraisal made by a certified general real estate appraiser in accordance with Municipal Code Section 8-7N-4 or other method acceptable to the Community Development Director.

Single-family Homes:

Daley Homes' single-family homes are technically not tract or master plan homes because they allow the homebuyer to make substantial changes to the home plan, making them custom homes. The architecture of the single-family home plans will therefore be reviewed individually at the building permit stage. This is a similar process to what has been happening with the previous phases of neighborhood that have been built north of the site. The floor plans and elevations will be reviewed for conformance with the City's Zoning Code Section 9-5C-3 (Design Standards for Residential Projects). Examples of the home plans are attached.

Multi-family Homes:

Most of the multi-family lots will hold one duplex and one single unit on each lot. There are two possible duplex floor plans and two possible single unit floor plans. This will meet the standards for variation in building architecture. These plans are attached.

Utilities and Development Impact Fees:

All utilities will be installed by the developer. Development impact fees will be paid when the homes are constructed, in accordance with City policy and State law.

Environmental Assessment:

An Initial Study/Mitigated Negative Declaration was prepared and adopted in 2017 for General Plan Amendment No. 2016-02 and Zone Change Amendment No. 2016-02, in accordance with the California Environmental Quality Act (CEQA.) This CEQA document, which is attached, is appropriate to be used for this project because it contemplated environmental issues related to a project with approximately 134 units, which is much larger than the amount of units contained on the tentative subdivision map being considered here.

Recommended Findings:

1. The proposed subdivision, together with the provisions for its design and improvement, is consistent with the General Plan and all applicable provisions of the Subdivision Ordinance.
2. The proposed project does not exceed the total density under the base zoning district or the general plan land use designation.
3. The proposed project will not be substantially detrimental to adjacent property and will not materially impair the purposes of the Zoning Ordinance or the public interest.
4. As proposed and conditioned herein, the site design of the project is consistent with the new residential development standards in the Zoning Ordinance.
5. The proposed project is consistent with the objectives of the General Plan and complies with applicable zoning regulations, and improvement standards adopted by the City.

6. The proposed project will not create conflicts with vehicular, bicycle, or pedestrian transportation modes of circulation.
7. The project's lot sizes are consistent with densities in the General Plan and are appropriate for this site.
8. The mitigated negative declaration previously prepared for General Plan Amendment No. 2016-02 and Zone Change No. 2016-02 is adequate to be utilized for evaluation of environmental impacts of the project, in accordance with CEQA.

Recommended Conditions

1. The site shall be developed consistent with the approved tentative map and its conditions, the Site Plan No. 2018-03 comments, and applicable development standards found in the Zoning Ordinance and City Municipal Code.
2. All mitigation measures in the Mitigated Negative Declaration approved with General Plan Amendment 2016-02 and Zone Change 2016-02 shall be complied with.
3. The minimum lot size of 70x100 feet shall be achieved prior to recordation of the final map or an application for a minor deviation shall be made.
4. The project shall be developed and maintained in substantial compliance with the tentative map, except for any modifications that may be needed to meet these conditions of approval.
5. The final subdivision map shall be submitted in accordance with City ordinances and standards.
6. Plans for all public and private improvements, including but not limited to, water, sewer, storm drainage, road pavement, curb and gutter, sidewalk, street lights, landscaping, and fire hydrants shall be approved by the City Engineer, and these improvements shall be completed in accordance with the approved plans to the satisfaction of the Public Works Department.
7. Park land in-lieu fees shall be paid to the City for 0.63 acres (or as adjusted based on the final map) in accordance with the procedures in Section 8-7N-4 of the City Municipal Code. Fees shall be paid prior to approval of the final map.
8. A public facilities maintenance district (PFMD) shall be formed in conjunction with the final map acceptance to provide the maintenance costs for common landscaping and other improvements, in accordance with existing City policy. Annexation into an existing PFMD is acceptable.
9. The project shall be subject to the applicable development impact fees adopted by resolution of the City Council.
10. A noise and odor easement shall be recorded on the property, in a form acceptable to the City Attorney, to acknowledge the presence of nearby industry and railroad, and the right of the industry and railroad to continue to emit such noise and odors

as are otherwise allowable by law and to ensure that industry in these areas is not unreasonable hindered by residential users and owners that move nearby at a later date.

11. The developer shall comply with the standards, provisions, and requirements of the San Joaquin Valley Air Pollution Control District that relate to the project.
12. A block wall shall be constructed along the rear lot line of Lots 1 through 6 and Lots 27 through 42. The block wall will separate the single-family lots from Highway 198 and the multi-family lots from Highway 41.
13. Fire hydrant types and locations shall be approved by the Lemoore Volunteer Fire Department.
14. Concrete pads for installation of mailboxes shall be provided in accordance with determinations made by the Lemoore Postmaster.
15. Street trees from the city approved street tree list shall be planted with root barriers as per Public Works Standards and Specifications.
16. Street lights shall be provided within the project as per City local street lighting standards.
17. Any existing roadway, sidewalk, or curb and gutter that is damaged during construction shall be repaired or replaced to the satisfaction of the Public Works Department.
18. All signs shall require a sign permit separate from the building permit.
19. The project and all subsequent uses must meet the requirements found in Section 9-5B-2 of the Zoning Ordinance related to noise, odor, and vibration, and maintenance.
20. This tentative subdivision map approval shall expire within two years, unless a final map is filed or an extension is granted via legislation or by the City, in accordance with the Subdivision Map Act.

Attachments:

- Site Location - Aerial Photo
- City Planner Comments (July 27, 2018)
- Draft Resolution for Approval
- Tentative Subdivision Map
- Site Map
- Multi-family Floor and Elevation Plans
- Example of Single-Family Floor Plans and Elevations
- Mitigated Negative Declaration (Adopted in 2017)



Site Location – Aerial Photo
Tentative Subdivision Map No. 2018-01 (Tract No. 793)



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Major Site Plan Review Comments

To: Lemoore Planning Commission
From: Steve Brandt, Planner
Date: July 27, 2018
Subject: Major Site Plan Review No. 2018-03 (Daley Enterprises)

This site plan is being reviewed under the current Zoning Ordinance requirements for Preapplication Conferences and Major Site Plan Review. These are City staff's recommended comments. The comments will be approved by the Planning Commission.

SITE PLAN DESCRIPTION

The site is located on the northeast corner of Highway 198 and Highway 41. This project is requesting approval of Tract No. 793 for 42 lots. The project would be constructed in two phases, with the east portion of the site developing first. Lot sizes range from 7,045 square feet to 14,296 square feet with an average size of 8,599 square feet.

USE

The area of the site planned for single family residential is designated Low Density Residential by the General Plan and zoned RLD (Low Density Residential). The portion of the site planned for multi-family residential is designated Low-Medium Density Residential by the General Plan and zoned RLMD (Low-Medium Density Residential). The portion of the map shown as a remainder parcel is zoned RLD. The proposal tentative map is therefore consistent with the City's land use designation and zoning.

RIGHT OF WAY AND ACCESS

The single-family lots front a proposed extension of Arcata Avenue. The multi-family lots will front a proposed extension of Sonoma Avenue. Staff has reviewed the estimated trips

generated by the project and concluded that the increase in trips would not trigger the need for additional traffic signals.

STREET NAMES

Street names shall be adjusted on the final map as follows:

Change Somoma Avenue to Sonoma Avenue

Alternatively, if the developer's ultimate intention is to connect the two stub streets, then it would be more appropriate if both streets were named Arcata Drive. This should be discussed with City staff prior to final map submittal.

AREA, SETBACK, HEIGHT AND COVERAGE STANDARDS

9-5A-4: GENERAL ZONING DISTRICT DEVELOPMENT STANDARDS

The project, as shown, meets the standards in Table 9-5A-4A, except in one aspect. Lots 14 through 19 and lots 25 and 26 do not meet the minimum lot depth of 100 feet. The street right of way shall be adjusted on the final map to meet the minimum standard. Where the standard absolutely cannot be met, the applicant shall obtain a minor deviation permit from the Community Development Director prior to approval of the final map.

For single-family residential subdivisions, the front yard setback of adjacent homes shall have a minimum two-foot (2') stagger between adjacent lots.

DRAINAGE

The site is planned to drain to the storm drain system that has been constructed with the neighborhood north of the site.

PARKS AND OPEN SPACE

There is no new dedicated open space proposed with this tentative map. City Ordinance requires 0.016 acres per single-family lot be dedicated with a new subdivision. The proposed 30 lots would require 0.48 acres of park acreage. The ordinance also requires 0.0127 acres per multi-family unit. The proposed 12 lots would require 0.15 acres of park acreage. The final acreage shall be determined based on the acreage shown on final map. The acreage required shall be provided through an in-lieu fee with the amount based upon an appraisal made by a certified general real estate appraiser in accordance with City Ordinance Section 8-7N-4 or other method acceptable to the Community Development Director.

DESIGN STANDARDS

9-5B-2: NOISE, ODOR, VIBRATION, AND MAINTENANCE PERFORMANCE STANDARDS

The project and all subsequent uses must meet the requirements found in Section 9-5B-2 of the Zoning Ordinance related to noise, odor, and vibration, and maintenance.

A block wall is required along the south and west sides of the site. The wall height shall match the heights of the two adjacent walls where they connect and then gradually adjust from one height to the other.

9-5B-3: PROPERTY AND UTILITY IMPROVEMENTS:

Installation of curbs, gutters, and sidewalks shall be required. All on site utilities shall be installed underground.

9-5B-4: OUTDOOR LIGHTING:

The project shall meet all the applicable requirements for outdoor lighting found in Section 9-5B-4 of the Zoning Ordinance.

9-5B-6: SCREENING:

All exterior roof and ground mounted mechanical equipment, including, but not limited to, heating, air conditioning, refrigeration equipment, plumbing lines, duct work, and transformers, shall be screened from public view from abutting public streets. Screening of mechanical equipment shall be compatible with other on site development in terms of colors, materials, and/or architectural styles.

9-5C-3: DESIGN STANDARDS FOR RESIDENTIAL PROJECTS

See section 9-5C-3 of the Zoning Ordinance for standards pertaining to the residential building design and architecture. Submittal of conceptual elevation and floor plans for the multi-family units and for each single-family master home plan will be required with the tentative map application.

9-5D1-2: LANDSCAPE STANDARDS

Show conceptual locations of trees, shrubs, and groundcover. Identify species of street trees. Drought tolerant species must be used.

C. Plant Type: Landscape planting shall emphasize drought tolerant and native species (especially along natural, open space areas), shall complement the architectural design of structures on the site, and shall be suitable for the soil and climatic conditions specific to the site. (Ord. 2013-05, 2-6-2014)

2. Street And Parking Lot Trees: Street and parking lot trees shall be selected from the city's adopted master list of street trees and parking lot trees.

3. Tree Root Barriers: Trees planted within five feet (5') of a street, sidewalk, paved trail, curb, or walkway shall be separated from hardscapes by a root barrier to prevent physical damage to public improvements.

D. Planting Size, Spacing, And Planter Widths: In order to achieve an immediate effect of a landscape installation and to allow sustained growth of planting materials, minimum plant material sizes, plant spacing, and minimum planter widths (inside measurements) are as follows:

1. Trees: The minimum planting size for trees shall be fifteen (15) gallon, with twenty five percent (25%) of all trees on a project site planted at a minimum twenty four inch (24") box size. For commercial, office, community/civic, and industrial development, tree spacing within perimeter planters along streets and abutting residential property shall be planted no farther apart on center than the mature diameter of the proposed species. Minimum planter widths shall be five feet (5').

Street Trees: Street trees shall be provided a minimum of every thirty feet (30') on center on street adjacent to a side yard, and a minimum one per lot when adjacent to a front yard. Tree species shall be approved by the city as part of the improvement plan review process and shall be selected from a city approved tree list. Trees shall be planted ten feet (10') away from alleys, driveways, fire hydrants, water lines, and sewer lines and five feet (5') from gas, electrical, telephone, cable television, and adjoining property lines. They shall also be planted a minimum of twenty feet (20') from city streetlights. Ultimate planting locations shall be subject to city review and approval based upon field conditions.

Master Landscape Plans for the landscaping of front yards that meet the Model Water Efficient Landscape Ordinance (MWELo) shall be submitted concurrently with Master Home Building Plans.

ARCHITECTURAL STANDARDS

The design of the single-family and multi-family homes shall meet the standards in Section 9-5C-3 DESIGN STANDARDS FOR RESIDENTIAL PROJECTS. This includes variation of multi-family homes, staggered setbacks, garage placement.

PARKING

9-5E-3: GENERAL PARKING REGULATIONS:

The site plan meets the parking requirements for off-street parking.

RESOLUTION NO. 2018-06

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LEMOORE
APPROVING TENTATIVE SUBDIVISION MAP NO. 2018-01 (TRACT 793)
AND MAJOR SITE PLAN REVIEW NO. 2018-03 TO DIVIDE 17.87 ACRES
INTO 30 SINGLE-FAMILY LOTS, 12 MULTI-FAMILY LOTS WITH A REMAINDER LOCATED AT THE
NORTHEAST CORNER OF HIGHWAY 198 AND HIGHWAY 41 IN THE CITY OF LEMOORE**

At a Regular Meeting of the Planning Commission of the City of Lemoore (City) duly called and held on August 13, 2018, at 7:00 p.m. on said day, it was moved by Commissioner _____, seconded by Commissioner _____, and carried that the following Resolution be adopted:

WHEREAS, Daley Enterprises, Inc. has requested approval of a Tentative Subdivision Map and Major Site Plan Review for a project located at the northeast corner of Highway 198 and Highway 41 in the City (APN 023-320-005); and

WHEREAS, the proposed site is 17.81 acres in size, and is zoned both Low Density Residential (RLD) and Low-Medium Density Residential (RLMD); and

WHEREAS, the proposed project contains 30 single-family lots in the portion of the site zoned RLD, and 12 multi-family lots (35 units) in the portion of the site zoned RLMD; and

WHEREAS, the portion of the Tentative Subdivision Map proposed for the 12 multi-family lots has been zoned RLMD since before 2008; and

WHEREAS, the portion of the Tentative Subdivision Map proposed for the 30 single-family lots was not given a land use designation in the 2008 General Plan, and was left without any zoning designation when the Zoning Ordinance was updated in 2012; and

WHEREAS, on August 15, 2017, the City Council approved General Plan Amendment No. 2016-02 and Zone Change Amendment No. 2016-02, designating and zoning the portion of the site where the 30 single-family lots are proposed as RLD.

WHEREAS, as part of General Plan Amendment No. 2016-02 and Zone Change Amendment No. 2016-02, a Mitigated Negative Declaration contemplating approximately 134 residential units was prepared and adopted by the City Council pursuant to the California Environmental Quality Act (CEQA); and

WHEREAS, the City Planning Commission held a duly noticed public hearing at its August 13, 2018, meeting.

NOW THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Lemoore hereby makes the following findings regarding the proposed projects:

1. The proposed subdivision, together with the provisions for its design and improvement, is consistent with the general plan and all applicable provisions of the Subdivision Ordinance.

2. The proposed project does not exceed the total density under the base zoning district or the general plan land use designation.
3. The proposed project will not be substantially detrimental to adjacent property and will not materially impair the purposes of the Zoning Ordinance or the public interest.
4. As proposed and conditioned herein, the site design of the project is consistent with the new residential development standards in the Zoning Ordinance.
5. The proposed project is consistent with the objectives of the General Plan and complies with applicable zoning regulations, and improvement standards adopted by the City.
6. The proposed project will not create conflicts with vehicular, bicycle, or pedestrian transportation modes of circulation.
7. The project's lot sizes are consistent with densities in the General Plan and are appropriate for this site.
8. The Mitigated Negative Declaration previously prepared for General Plan Amendment No. 2016-02 and Zone Change No. 2016-02 is appropriate to be utilized for evaluation of environmental impacts of this project, in accordance with CEQA, as the Mitigated Negative Declaration considered environmental impacts that could result from a project of approximately 134 residential units, which is larger than the amount of units in the project being considered.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Lemoore approves Tentative Subdivision Map No. 2018-01 (Tract 793) and Major Site Plan Review No. 2018-03 subject to the following conditions:

1. The site shall be developed consistent with the approved tentative map and its conditions, the Site Plan No. 2018-03 comments, and applicable development standards found in the Zoning Ordinance and City Municipal Code.
2. All mitigation measures in the Mitigated Negative Declaration approved with General Plan Amendment 2016-02 and Zone Change 2016-02 shall be complied with.
3. The minimum lot size of 70x100 feet shall be achieved prior to recordation of the final map or an application for a minor deviation shall be made.
4. The project shall be developed and maintained in substantial compliance with the tentative map, except for any modifications that may be needed to meet these conditions of approval.
5. The final subdivision map shall be submitted in accordance with City ordinances and standards.
6. Plans for all public and private improvements, including but not limited to, water, sewer, storm drainage, road pavement, curb and gutter, sidewalk, street lights, landscaping, and fire hydrants shall be approved by the City Engineer, and these improvements shall be completed in accordance with the approved plans to the satisfaction of the Public Works Department.

7. Park land in-lieu fees shall be paid to the City for 0.63 acres (or as adjusted based on the final map) in accordance with the procedures in Section 8-7N-4 of the City Municipal Code. Fees shall be paid prior to approval of the final map.
8. A public facilities maintenance district (PFMD) shall be formed in conjunction with the final map acceptance to provide the maintenance costs for common landscaping and other improvements, in accordance with existing City policy. Annexation into an existing PFMD is acceptable.
9. The project shall be subject to the applicable development impact fees adopted by resolution of the City Council.
10. A noise and odor easement shall be recorded on the property, in a form acceptable to the City Attorney, to acknowledge the presence of nearby industry and railroad, and the right of the industry and railroad to continue to emit such noise and odors as are otherwise allowable by law and to ensure that industry in these areas is not unreasonable hindered by residential users and owners that move nearby at a later date.
11. The developer shall comply with the standards, provisions, and requirements of the San Joaquin Valley Air Pollution Control District that relate to the project.
12. A block wall shall be constructed along the rear lot line of Lots 1 through 6 and Lots 27 through 42. The block wall will separate the single-family lots from Highway 198 and the multi-family lots from Highway 41.
13. Fire hydrant types and locations shall be approved by the Lemoore Volunteer Fire Department.
14. Concrete pads for installation of mailboxes shall be provided in accordance with determinations made by the Lemoore Postmaster.
15. Street trees from the city approved street tree list shall be planted with root barriers as per Public Works Standards and Specifications.
16. Street lights shall be provided within the project as per City local street lighting standards.
17. Any existing roadway, sidewalk, or curb and gutter that is damaged during construction shall be repaired or replaced to the satisfaction of the Public Works Department.
18. All signs shall require a sign permit separate from the building permit.
19. The project and all subsequent uses must meet the requirements found in Section 9-5B-2 of the Zoning Ordinance related to noise, odor, and vibration, and maintenance.
20. This tentative subdivision map approval shall expire within two years, unless a final map is filed or an extension is granted via legislation or by the City, in accordance with the Subdivision Map Act.

Passed and adopted at a Regular Meeting of the Planning Commission of the City of Lemoore held on August 13, 2018, by the following votes:

AYES:

NOES:

ABSTAINING:

ABSENT:

APPROVED:

Bob Clement, Chairperson

ATTEST:

Kristie Baley, Planning Commission Secretary

SILVA ESTATES 11
TENTATIVE SUBDIVISION MAP

BEING A PORTION OF THE SOUTHEAST QUARTER OF SECTION 9, T. 19 S., R. 20 E., M.D.B.&M., IN THE CITY OF LEMOORE, COUNTY OF KINGS, STATE OF CALIFORNIA.

MARCH 2018
REV. JULY 2018

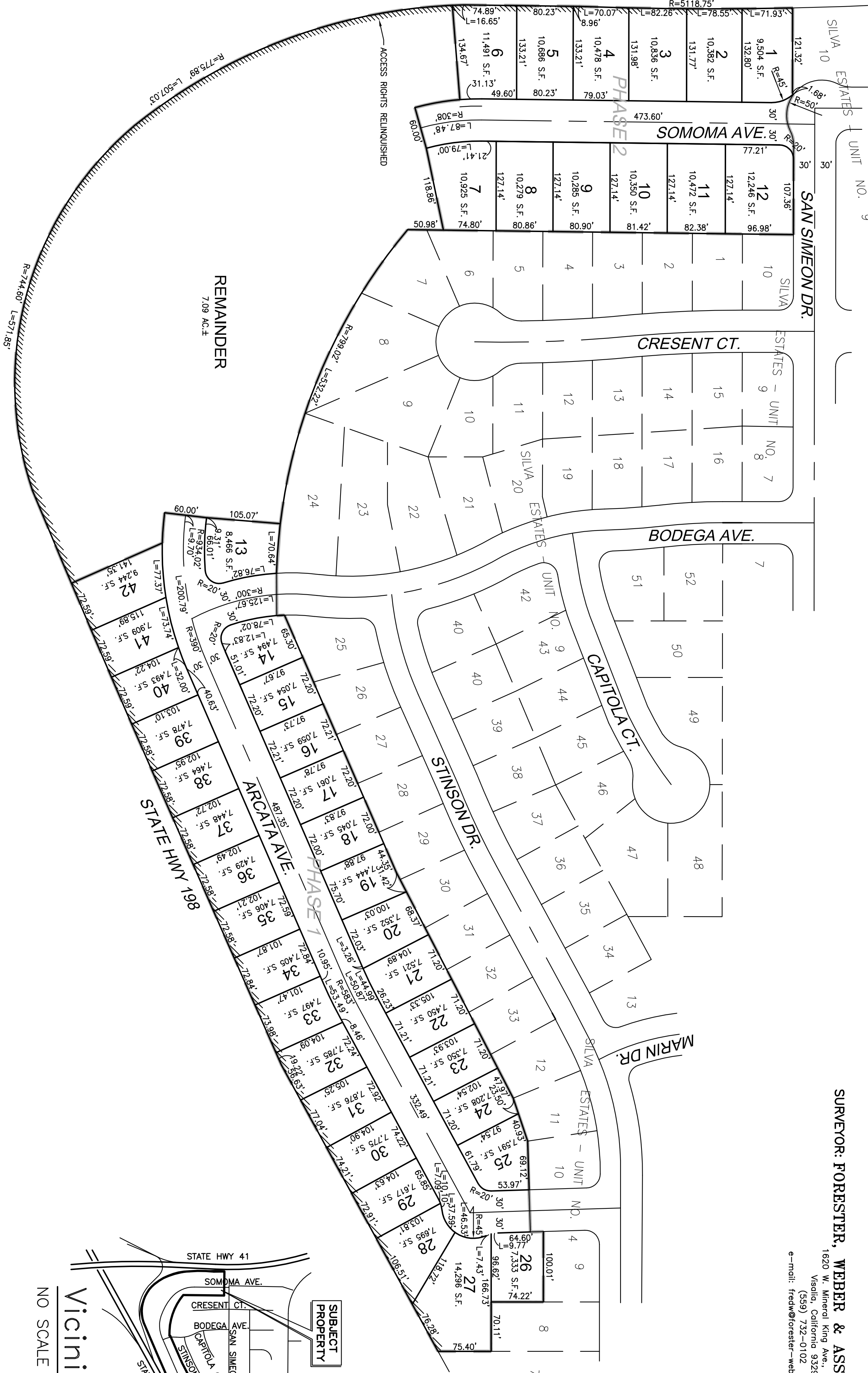
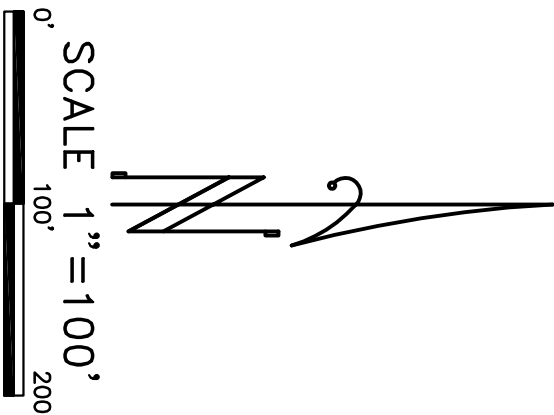
OWNERS:

DALEY HOMES, INC.
1356 E. Tulare Ave.
Tulare, CA 93274

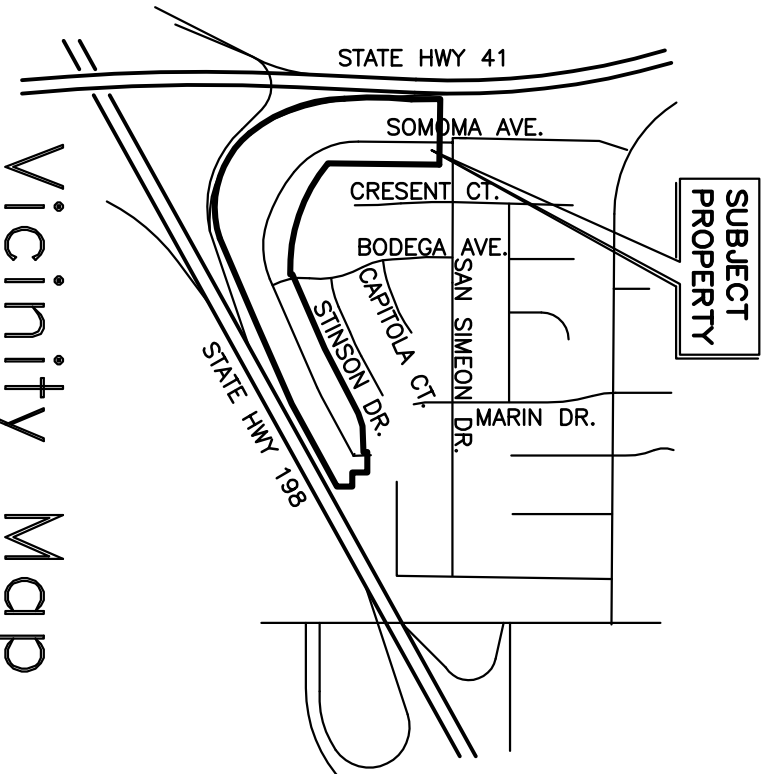
SURVEYOR: FORESTER, WEBER & ASSOCIATES L.L.C.
1620 W. Mineral King Ave., Suite B
Visalia, California 93291
(559) 732-0102
e-mail: fredw@forester-weber.com

NOTES:		
APN	023-320-02	
ZONE	R-1-7	
TOTAL SITE AREA	17.87 AC.	
EXISTING USE	VACANT	
PROPOSED USE	MULTI-FAMILY AND SINGLE FAMILY SUBDIVISION	
WATER/SEWER	CITY OF LEMOORE	
STORM DRAIN	CITY OF LEMOORE	
SOLID WASTE	CITY OF LEMOORE	
GAS	THE GAS COMPANY	
POWER	SOUTHERN CALIFORNIA EDISON CO.	
MULTIFAMILY LOTS	29	
SINGLE FAMILY LOTS	13	
TOTAL NO. OF LOTS	42	

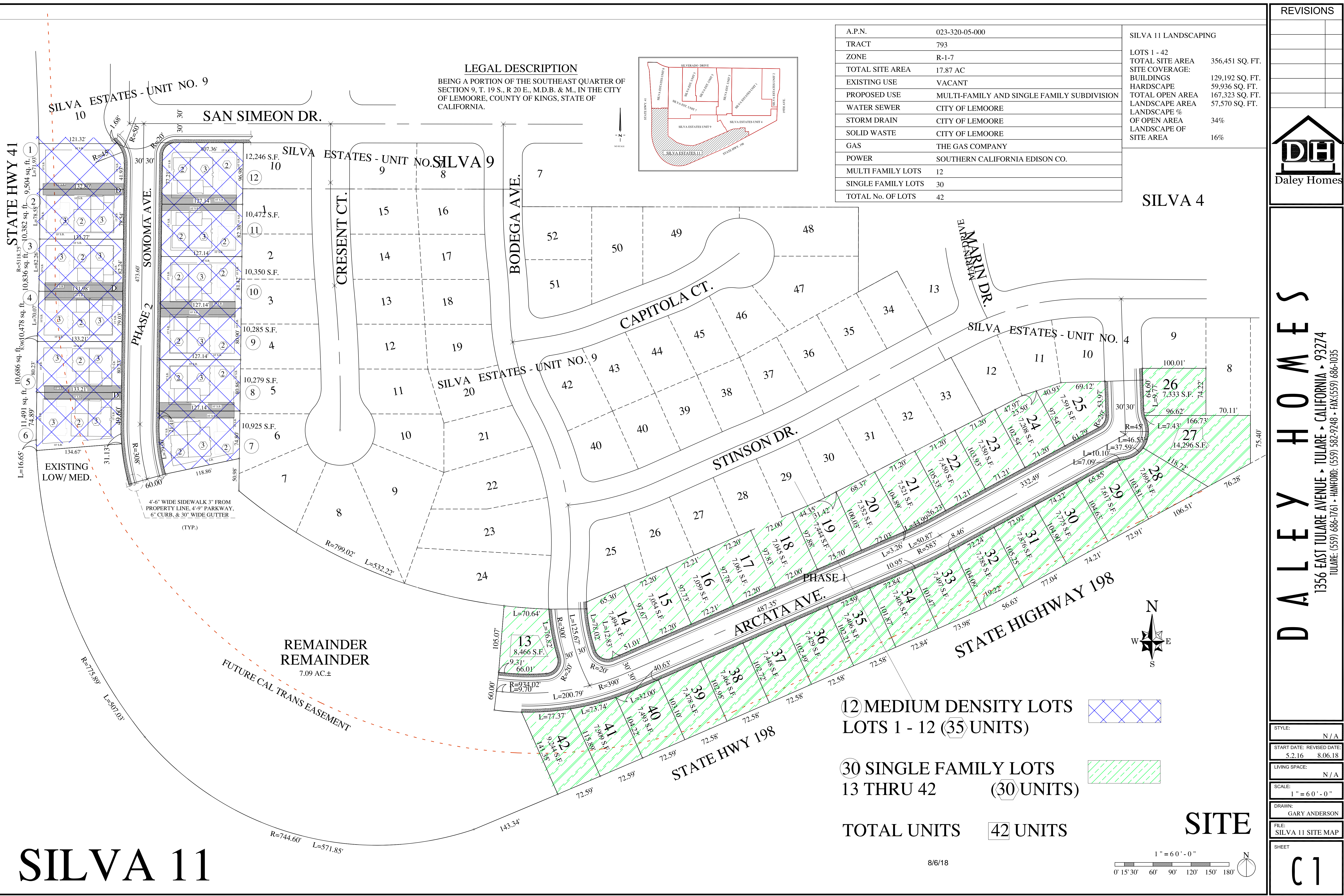
13 MEDIUM DENSITY LOTS
LOTS 1-12 (12 UNITS)
31 LOW DENSITY LOTS
LOTS 26-42 (17 UNITS)
21 SINGLE FAMILY LOTS
LOTS 13-25 (13 UNITS)



Vicinity Map
NO SCALE

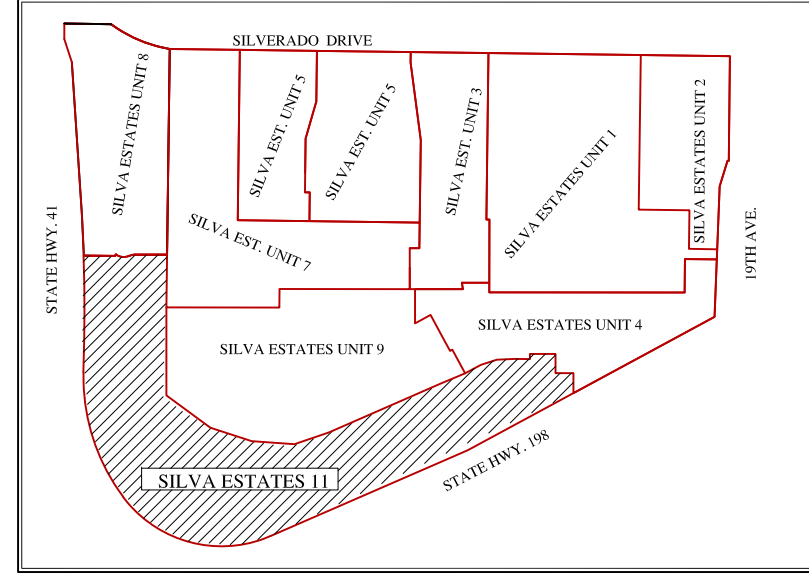


STATE HWY 41



LEGAL DESCRIPTION

BEING A PORTION OF THE SOUTHEAST QUARTER OF SECTION 9, T. 19 S., R. 20 E., M.D.B. & M., IN THE CITY OF LEMOORE, COUNTY OF KINGS, STATE OF CALIFORNIA.



A.P.N.	023-320-05-000
TRACT	793
ZONE	R-1-7
TOTAL SITE AREA	17.87 AC
EXISTING USE	VACANT
PROPOSED USE	MULTI-FAMILY AND SINGLE FAMILY SUBDIVISION
WATER SEWER	CITY OF LEMOORE
STORM DRAIN	CITY OF LEMOORE
SOLID WASTE	CITY OF LEMOORE
GAS	THE GAS COMPANY
POWER	SOUTHERN CALIFORNIA EDISON CO.
MULTI FAMILY LOTS	12
SINGLE FAMILY LOTS	30
TOTAL No. OF LOTS	42

SILVA 11 LANDSCAPING	
LOTS 1 - 42	
TOTAL SITE AREA	356,451 SQ. FT.
SITE COVERAGE:	
BUILDINGS	129,192 SQ. FT.
HARDSCAPE	59,936 SQ. FT.
TOTAL OPEN AREA	167,323 SQ. FT.
LANDSCAPE AREA	57,570 SQ. FT.
LANDSCAPE % OF OPEN AREA	34%
LANDSCAPE OF SITE AREA	16%

REVISIONS

DH
Daley Homes

DALEY HOMES
1356 EAST TULARE AVENUE • TULARE • CALIFORNIA • 93274
TULARE: (559) 686-1761 • HANFORD: (559) 582-9748 • FAX: (559) 686-1035

12 MEDIUM DENSITY LOTS
LOTS 1 - 12 (35 UNITS)

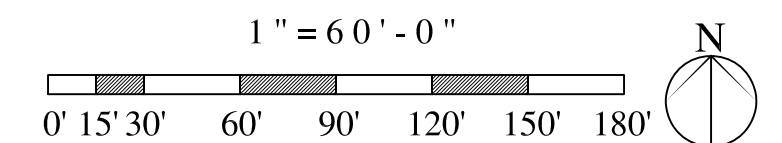
30 SINGLE FAMILY LOTS
13 THRU 42 (30 UNITS)

TOTAL UNITS 42 UNITS

SITE

SILVA 11

8/6/18



STYLE:	N/A
START DATE:	5.2.16
REVISED DATE:	8.06.18
LIVING SPACE:	N/A
SCALE:	1" = 60' - 0"
DRAWN:	GARY ANDERSON
FILE:	SILVA 11 SITE MAP
SHEET	C1

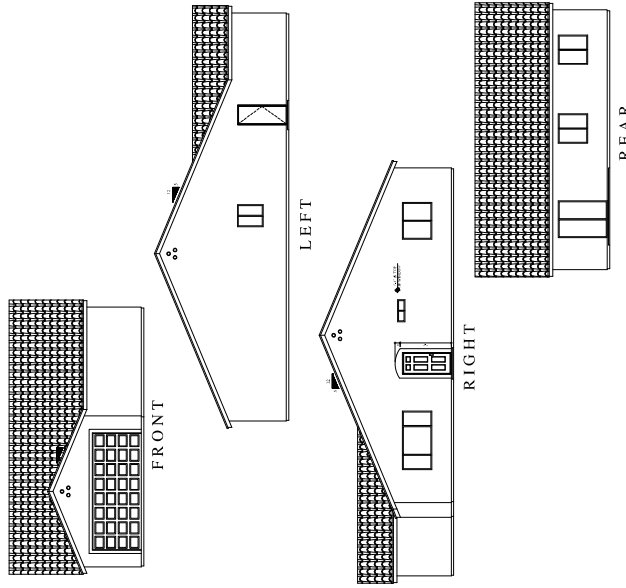
REVISIONS	



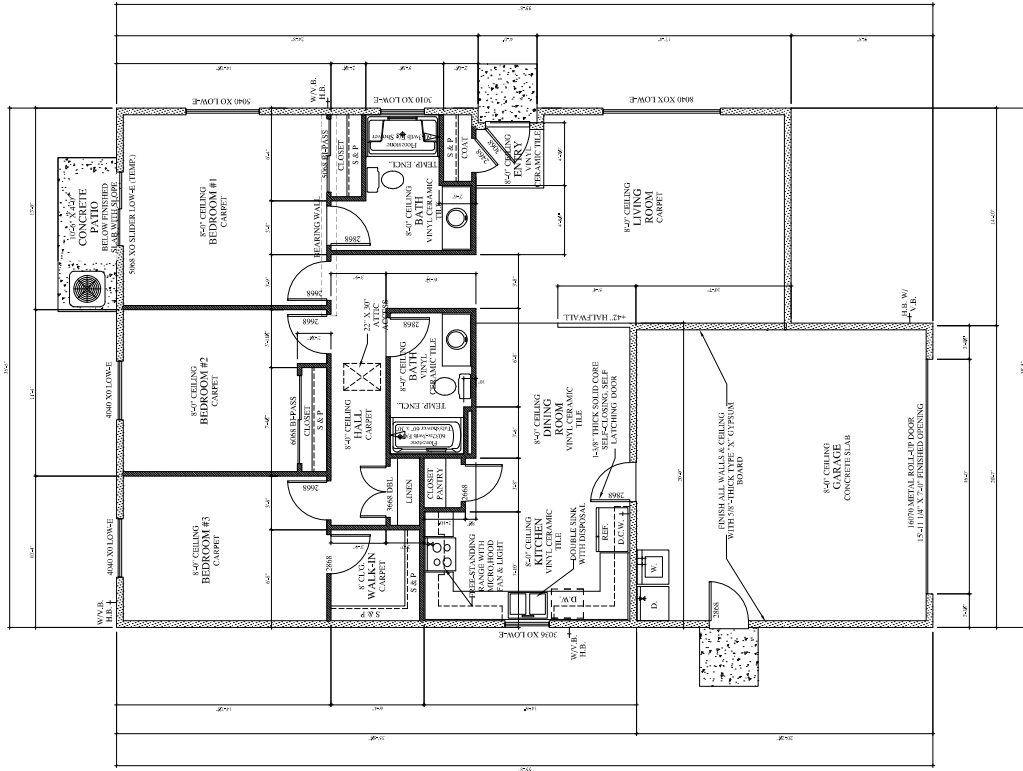
D A L E Y H O W E S
1356 EAST TULARE AVENUE • TULARE • CALIFORNIA • 93274
TULARE (559) 686-1761 • HAMMOND (559) 582-9248 • FAX: (559) 686-1035

STYLE:	3 BED SINGLE
START DATE:	NO. BED DATE: 4/17/18
LIVING SPACE:	1,405 SQ. FT.
SCALE:	1/4" = 1'-0"
DRAWN:	GARY ANDERSON
FILE:	SILVA 11
SHEET	

A1



ELEVATION 1
1/8" = 1'-0"



3 BED SINGLE UNIT
1,405 SQ. FT.

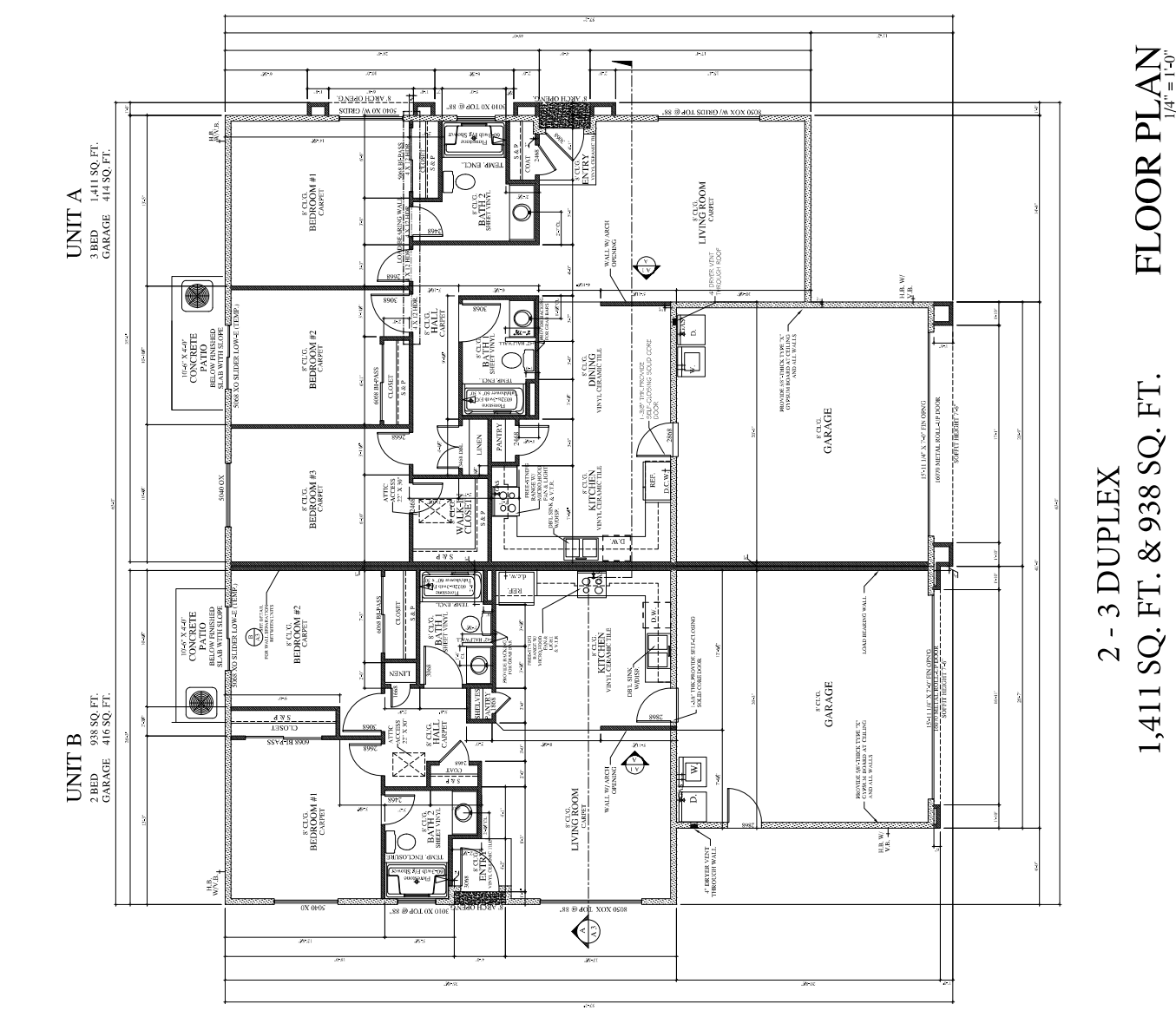
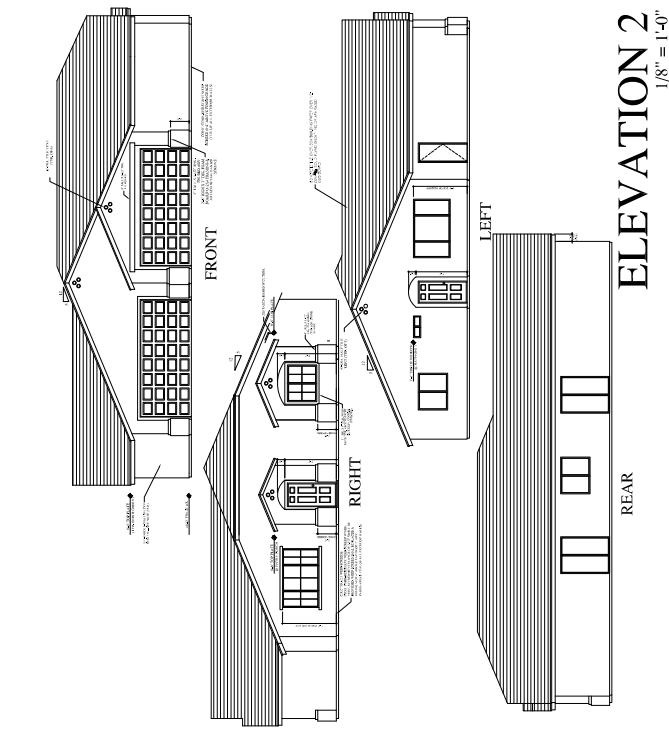
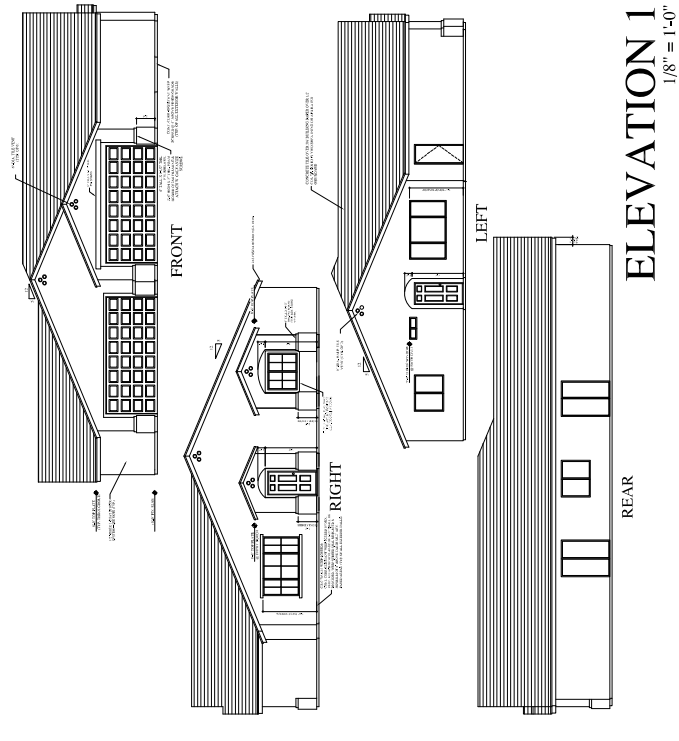
FLOOR PLAN
1/4" = 1'-0"

REVISIONS		



DALEY HOMES
 1356 EAST TULARE AVENUE • TULARE • CALIFORNIA • 93274
 TULARE (559) 686-1761 • HAMFORD (559) 852-9248 • FAX (559) 686-1035

STYLE	2-3 DUPLEX
START DATE	NOV. 2018
END DATE	4/1/19
WORKING HOURS	4:41 & 9:38 SQ. FT.
SCALE	1/4" = 1'-0"
DRAWN	GARY ANDERSON
FILE	SILVA 11
SHEET	A1



REVISIONS		

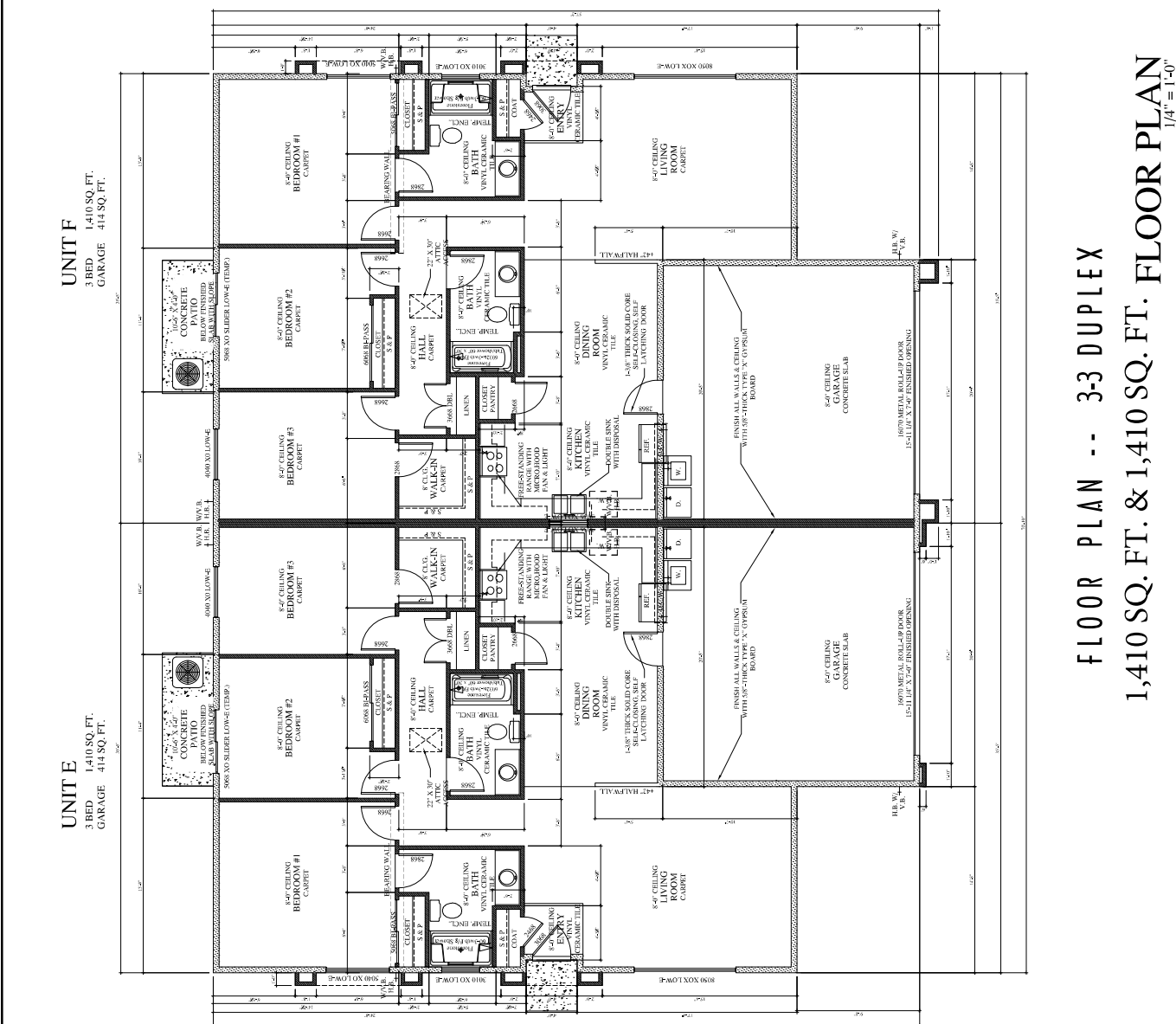
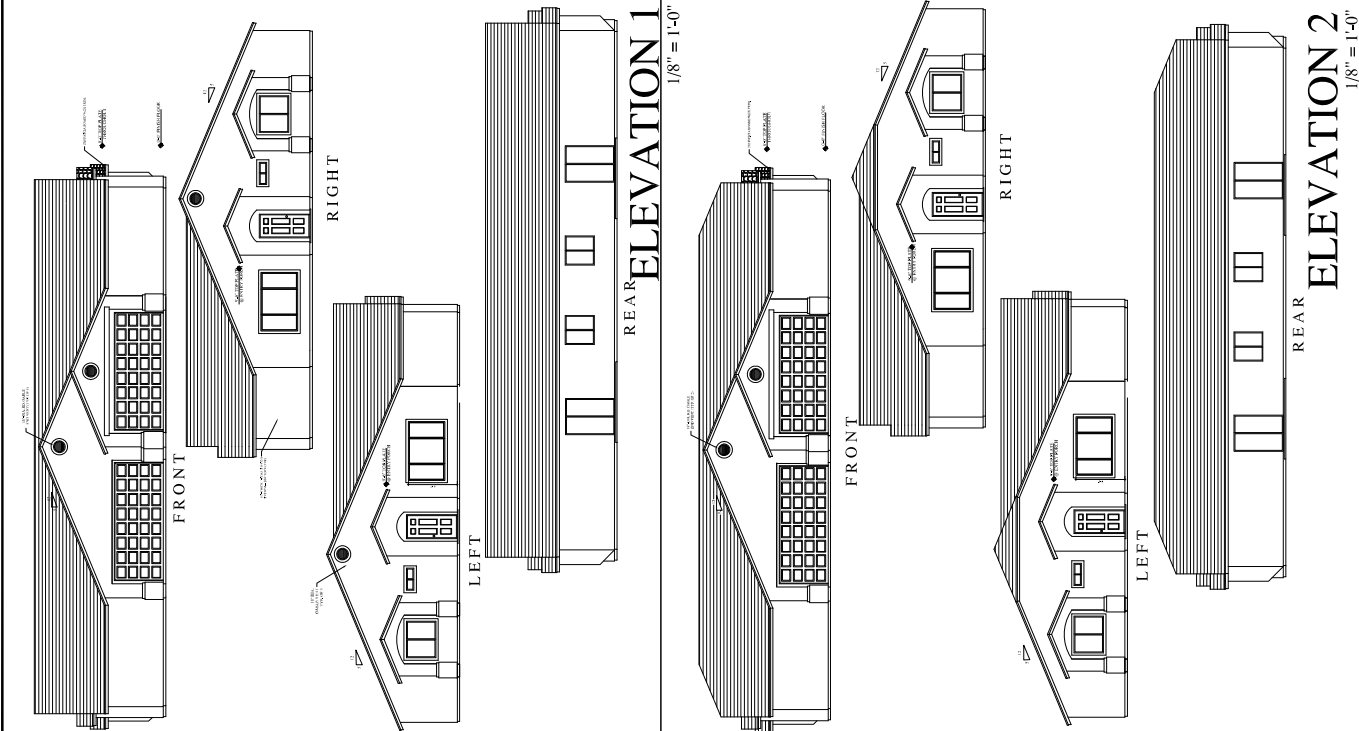


DALEY HOMES

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TULARE (559) 686-1761 • HAMFORD (559) 852-9748 • FAK (559) 686-1035

STYLE	3-3 DUPLEX
START DATE	NOV 2018
END DATE	4/1/19
UNITS/SPACE	1210 & 1410 SQ. FT.
SCALE	1/4" = 1'-0"
DRAWN	CARY ANDERSON
CHECKED	SILVA 11
SHEET	A1



AUBURN 5B



ELEVATION A



ELEVATION B



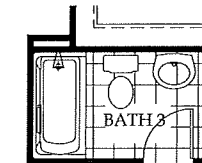
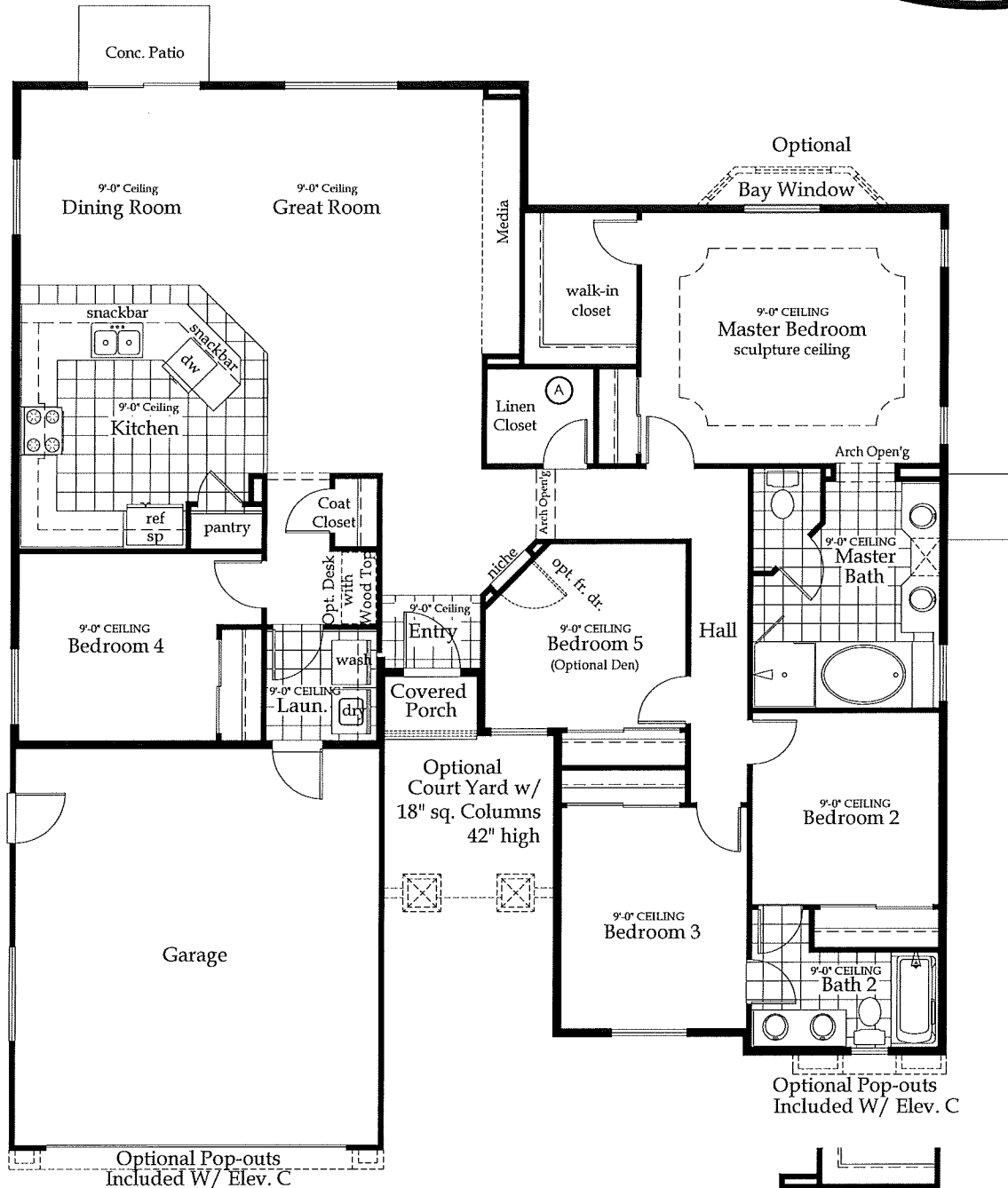
ELEVATION C

Daley Homes reserves the right to modify floor plans, exteriors, home prices, incentives, material and specifications at anytime without notice in the interest of continuing our policy of research and product improvements. Exterior designs, window locations and rooflines may vary depending upon the plan and options selected. Not all homes will fit on all lots with added third car garage. Renderings are an artist's conception. 06.04.12

AUBURN 5B

5 Bedroom 2 Bath 1,939 sq. ft.

SILVA
Estates



(A) OPTIONAL THIRD BATH

Daley Homes reserves the right to modify floor plans, exteriors, home prices, incentives, material and specifications at anytime without notice in the interest of continuing our policy of research and product improvements. Exterior designs, window locations and rooflines may vary depending upon the plan and options selected. Not all homes will fit on all lots with added third car garage. Renderings are an artist's conception. 01.18.13

Daley  **Homes**

MAJESTIC



ELEVATION A



ELEVATION B

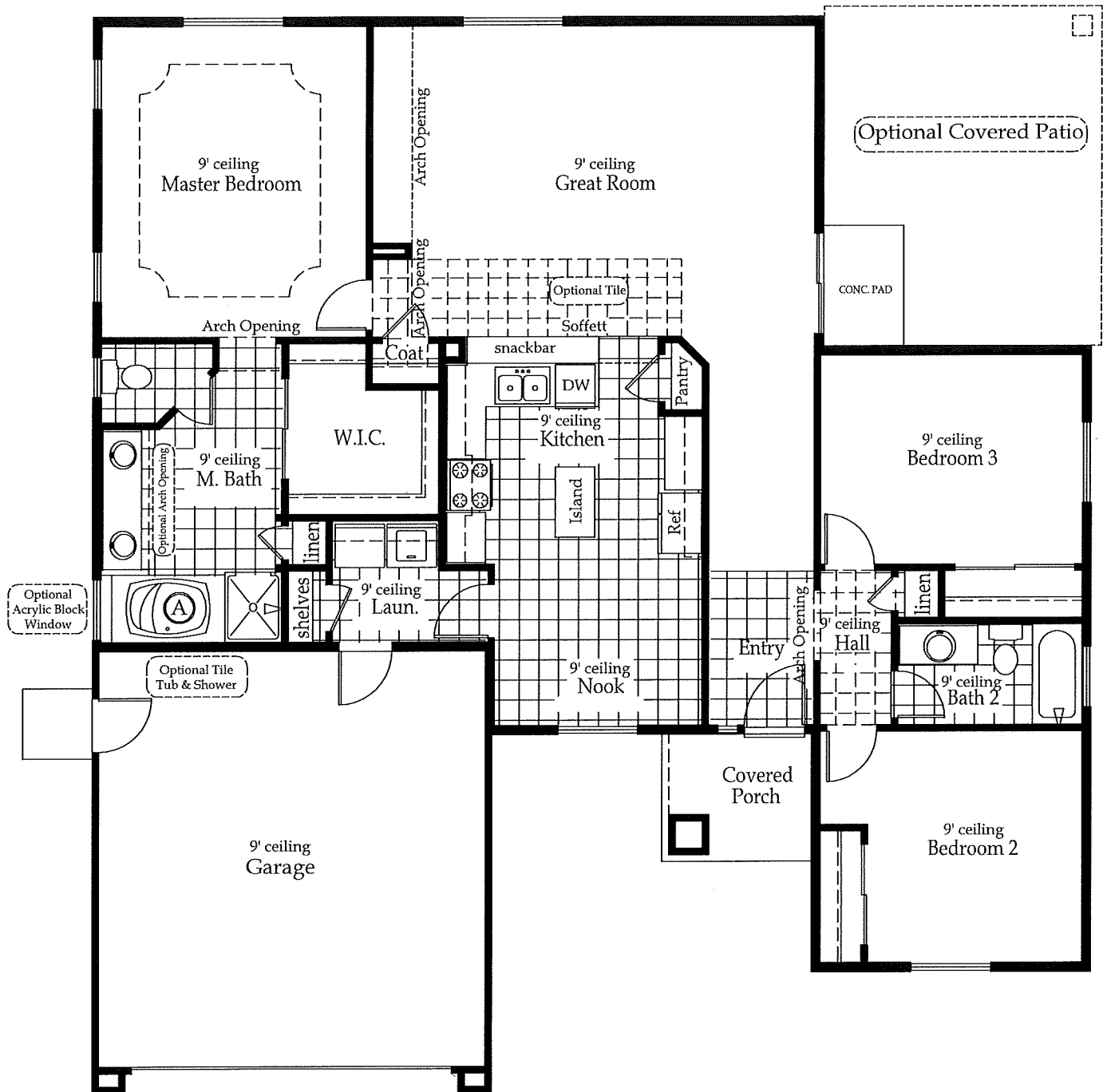


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Daley Homes

MAJESTIC

3 Bedroom 2 Bath 1,650 sq. ft.



Daley Homes reserves the right to modify floor plans, exteriors, home prices, incentives, material and specifications at anytime without notice in the interest of continuing our policy of research and product improvements. Exterior designs, window locations and rooflines may vary depending upon the plan and options selected. Not all homes will fit on all lots with added third car garage. Renderings are an artist's conception. 01.17.13

Daley  Homes

PHOENIX

SILVA
Estates



ELEVATION A

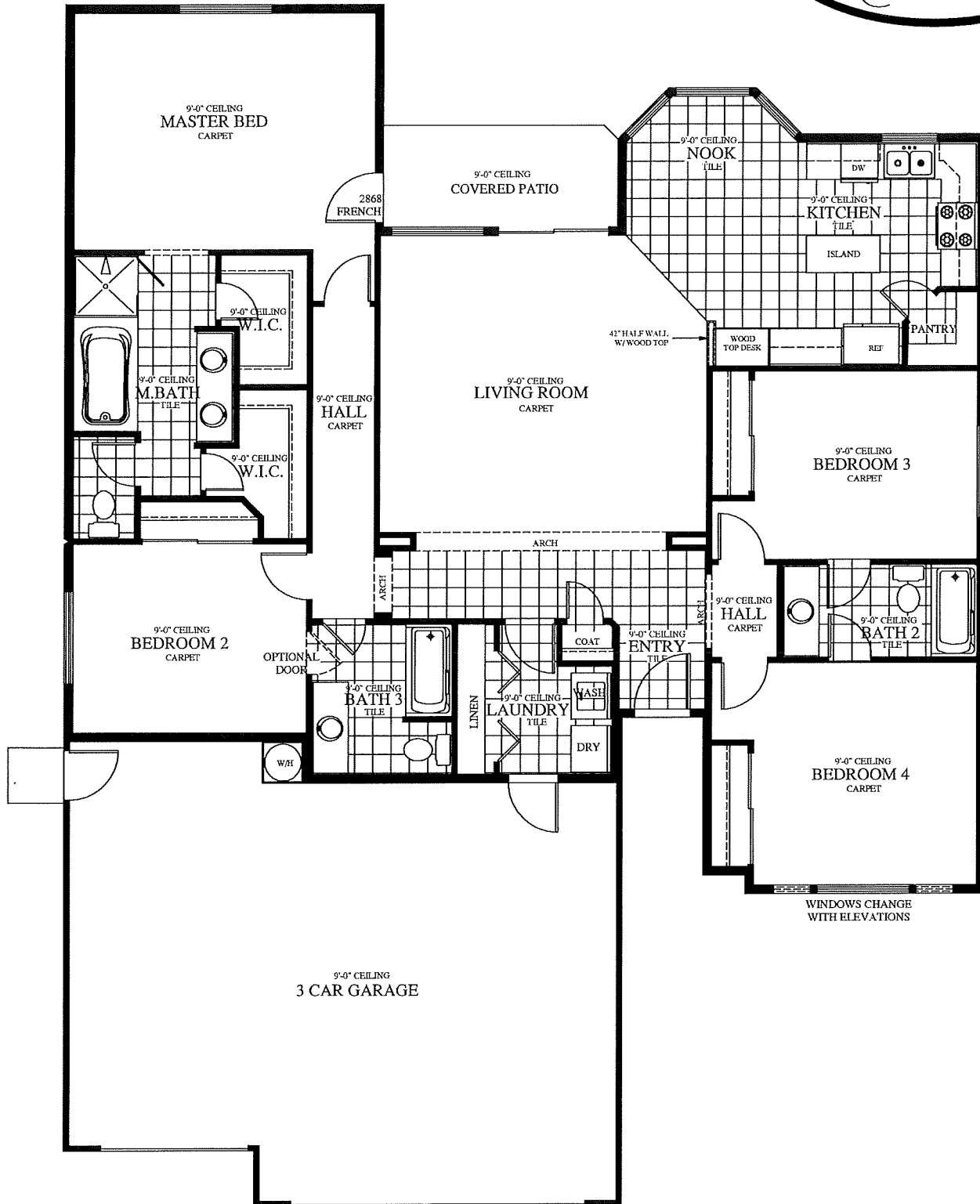
Daley Homes reserves the right to modify floor plans, exteriors, home prices, incentives, material and specifications at anytime without notice in the interest of continuing our policy of research and product improvements. Exterior designs, window locations and rooflines may vary depending upon the plan and options selected. Not all homes will fit on all lots with added third car garage. Renderings are an artist's conception.

Daley  Homes

PHOENIX



4 Bedroom 3 Bath 1,870 sq. ft.



Daley Homes reserves the right to modify floor plans, exteriors, home prices, incentives, material and specifications at anytime without notice in the interest of continuing our policy of research and product improvements. Exterior designs, window locations and rooflines may vary depending upon the plan and options selected. Not all homes will fit on all lots with added third car garage. Renderings are an artist's conception.

INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

CITY OF LEMOORE

Daley Homes General Plan Amendment and Zone Change

May 2017

Contact:

Judy Holwell
(559) 924-6740
jholwell@lemoore.com
711 W. Cinnamon Drive
Lemoore, CA 93245

Comments must be received by: June 12, 2017 (20 days after notice)



**ADMINISTRATIVE DRAFT
INITIAL STUDY/MITIGATED NEGATIVE DECLARATION**

City of Lemoore

Prepared for:



City of Lemoore
711 W Cinnamon Drive
Lemoore, CA 93245
Contact Person: Judy Holwell, Development Services Director
Phone: (559) 924-6740

Consultant:



901 East Main Street
Visalia, CA 93292
Contact: Steve Brandt, City Planner
Phone: (559) 733-0440
Fax: (559) 733-7821

June 2017

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MITIGATED NEGATIVE DECLARATION

As Lead Agency under the California Environmental Quality Act (CEQA), the City of Lemoore reviewed the Project described below to determine whether it could have a significant effect on the environment because of its development. In accordance with CEQA Guidelines Section 15382, “[s]ignificant effect on the environment” means a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance.

Project Name

Daley Homes General Plan Amendment and Zone Change

Project Location

The Project site is located at the northeast corner of State Route 198 and State Route 41, south of San Simeon Drive and west of Arcata Avenue (APN 023-320-005).

Project Description

A request by Daley Homes to reestablish the Low Density Residential and Low Medium Density Residential land use designation on the proposed undesignated site, and reestablish the Low-Medium Density Residential (RLMD) and the Low Density Residential (RLD) zones on the proposed unzone site. The reestablishment of the general plan designation and zoning would accommodate up to approximately 134 residential units.

Mailing Address and Phone Number of Contact Person

Scott Daley
Vice President
Daley Homes
1356 E. Tulare Ave.
Tulare, CA 93274
(559) 686-1761

Findings

As Lead Agency, the City of Lemoore finds that the Project will not have a significant effect on the environment. The Environmental Checklist (CEQA Guidelines Appendix G) or Initial Study (IS) (see *Section 3 - Environmental Checklist*) identified one or more potentially significant effects on the environment, but revisions to the Project have been made before the release of this Mitigated Negative Declaration (MND) or mitigation measures would be implemented that reduce all potentially significant impacts less-than-significant levels. The Lead Agency further finds that there is no substantial evidence that this Project would have a significant effect on the environment.

Mitigation Measures Included in the Project to Avoid Potentially Significant Effects

MM 3.8.1: A qualified biologist shall conduct a pre-construction survey on the Project site and within 500 feet of its perimeter within 14 days of and no more than 30 days prior to the start of construction activities.

If any evidence of occupation of the Project site by listed or other special-status species is subsequently observed, a buffer shall be established by a qualified biologist that results in sufficient avoidance to comply with applicable regulations. If sufficient avoidance cannot be established, the United States Fish and Wildlife Service and California Department of Fish and Game shall be contacted for further guidance and consultation on additional measures. The Project proponent shall obtain any required permits from the appropriate wildlife agency. Copies of all permits and evidence of compliance with applicable regulations shall be submitted to the lead agency.

The following buffer distances shall be established prior to construction activities:

- San Joaquin kit fox or American badger potential den: 50 feet;
- San Joaquin kit fox known den: 100 feet;
- San Joaquin kit fox or American badger pupping den: contact the California Department of Fish and Game and United States Fish and Wildlife Service;
- Burrowing owl burrow outside of breeding season: 160 feet;
- Burrowing owl burrow during breeding season: 250 feet;
- Swainson's hawk nest during breeding season: ½ mile;
- Other protected raptor nests during the breeding season: 300 feet;
- Other protected nesting migratory bird nests during the breeding season: 50 feet; and
- Other special-status wildlife species: as recommended by qualified biologist.

MM 3.8.2: If initial grading activities are planned during the potential nesting season for migratory birds/raptors that may nest on or near the Project site, the preconstruction survey shall evaluate the sites and accessible lands within an adequate buffer for active nests of migratory birds/raptors. If any nesting birds/raptors are observed, a qualified biologist shall determine buffer distances and/or the timing of Project activities so that the proposed Project does not cause nest abandonment or destruction of eggs or young. This measure shall be implemented so that the proposed Project remains in compliance with the Migratory Bird Treaty Act and applicable state regulations.

If nesting raptors are identified during the surveys, active raptor nests should be avoided by 500 feet and all other migratory bird nests should be avoided by 250 feet. Avoidance buffers may be reduced if a qualified and approved on-site monitor determines that encroachment into the buffer area is not affecting nest building, the rearing of young, or otherwise affect the breeding behaviors of the resident birds. Avoidance buffers can also be reduced through consultation with the CDFW and USFWS. If Swainson's hawks are found to nest within the survey area, active Swainson's hawk nests shall be avoided by 0.5 mile unless this avoidance buffer is reduced through consultation with the CDFW and/or USFWS.

No construction or earth-moving activity shall occur within a non-disturbance buffer until it is determined by a qualified biologist that the young have fledged (that is, left the nest) and have attained sufficient flight skills to avoid Project construction areas. This typically occurs by early July, but September 1st is considered the end of the nesting period unless otherwise determined by a qualified biologist. Once raptors have completed nesting and young have fledged, disturbance buffers will no longer be needed and can be removed, and monitoring can be terminated.

MM 3.8.3: If any burrowing owl burrows are observed during the preconstruction survey, avoidance measures shall be consistent and in accordance with protocols outlined in the Burrowing Owl Survey Protocol and Mitigation Guidelines (Burrowing Owl Consortium 1993) and the Staff Report on Burrowing Owl Mitigation (CDFW 2012). Active burrows shall be avoided, but if avoidance is not possible then compensation shall be provided for the active or passive displacement of western burrowing owls, and habitat acquisition and the creation of artificial dens for any western burrowing owls shall be provided for any owls relocated from construction areas. These measures are outlined as follows:

1. A pre-construction survey of construction area, including a 150-meter buffer (500 feet), shall be conducted no less than 14 days and no more than 30 days prior to ground disturbing activities. If more than 30 days lapse between the time of the pre-construction survey and the start of ground-disturbing activities, another pre-construction survey shall be completed. The second survey (or other subsequent surveys if necessary) shall be conducted and timed to occur sometime between 30 days and 24 hours prior to ground disturbance.
2. If western burrowing owls are present on the construction site (or within 500 feet of the construction site), exclusion fencing shall be installed between the nest site or active burrow and any earth-moving activity or other disturbance. Exclusion areas shall extend 160 feet around occupied burrows during the non-breeding season (September 1 through January 31) and extend 250 feet around occupied burrows during the breeding season (February 1 through August 31) as described in The California Burrowing Owl Consortium's Survey Protocol and Mitigation Guidelines (California Burrowing Owl Consortium 1993).
3. If western burrowing owls are present in the non-breeding season and must be passively relocated from the Project site, passive relocation shall not commence until October 1st and must be completed by February 1st. Passive relocation must only be conducted by a

qualified biologist or ornithologist and with approval by CDFW. After passive relocation, the area where owls occurred and its immediate vicinity shall be monitored by a qualified biologist daily for one week and once per week for an additional two weeks to document that owls are not reoccupying the site.

4. If permanent impacts to nesting, occupied and satellite burrows, or burrowing owl habitat occur, compensation shall be based upon the number of owls or pairs of owls relocated from the construction area. Compensation acreage shall be determined as described in the CDFW's Staff Report on Burrowing Owl Mitigation (CDFW 2012).

MM 3.8.4: The measures listed below shall be implemented during construction:

1. Pre-construction surveys shall be conducted no fewer than 14 days and no more than 30 days prior to the beginning of ground disturbance and/or construction activities. If any San Joaquin kit fox dens are found during preconstruction surveys, exclusion zones shall be placed in accordance with USFWS Recommendations using the following:

San Joaquin kit fox USFWS Exclusion Zone Recommendations

Den Type	Recommendation
Potential Den	50-foot radius
Known Den	100-foot radius
Natal/Pupping Den (Occupied and Unoccupied)	Contact U.S. Fish and Wildlife Service for guidance
Atypical Den	50-foot radius

2. If any den must be removed, it must be appropriately monitored and excavated by a trained wildlife biologist. Destruction of natal dens and other "known" kit fox dens must not occur until authorized by USFWS. Replacement dens will be required if such dens are removed. Potential dens that are removed do not need to be replaced if they are determined to be inactive by using standard monitoring techniques (e.g., applying tracking medium around the den opening and monitoring for San Joaquin kit fox tracks for three consecutive nights).
3. Project-related vehicles shall observe a daytime speed limit of 20-mph throughout the site in all Project areas, except on County roads and State and federal highways; this is particularly important at night when kit foxes and badgers are most active. Night-time construction shall be minimized to the extent possible. However, if construction at night does occur, then the speed limit shall be reduced to 10-mph. Off-road traffic outside of designated Project areas shall be prohibited.
4. To prevent inadvertent entrapment of kit foxes or other animals during the construction phase of a Project, all excavated, steep-walled holes or trenches more than 2-feet deep should be covered at the close of each working day by plywood or similar materials. If the trenches cannot be closed, one or more escape ramps constructed of earthen-fill or

wooden planks shall be installed. Before such holes or trenches are filled, they shall be thoroughly inspected for trapped animals. If at any time a trapped or injured kit fox is discovered, the USFWS and the CDFW shall be contacted at the addresses provided below.

5. Kit foxes are attracted to den-like structures such as pipes and may enter stored pipes and become trapped or injured. All construction pipes, culverts, or similar structures with a diameter of 4-inches or greater that are stored at a construction site for one or more overnight periods shall be thoroughly inspected for kit foxes before the pipe is subsequently buried, capped, or otherwise used or moved in any way. If a kit fox is discovered inside a pipe, that section of pipe shall not be moved until the USFWS has been consulted. If necessary, and under the direct supervision of the biologist, the pipe may be moved only once to remove it from the path of construction activity, until the fox has escaped.
6. All food-related trash items such as wrappers, cans, bottles, and food scraps shall be disposed of in securely closed containers and removed at least once a week from a construction or Project sites.
7. No pets, such as dogs or cats, shall be permitted on the Project sites to prevent harassment, mortality of kit foxes, or destruction of dens.
8. Use of rodenticides and herbicides in Project areas shall be restricted. This is necessary to prevent primary or secondary poisoning of kit foxes and the depletion of prey populations on which they depend. All uses of such compounds shall observe label and other restrictions mandated by the U.S. Environmental Protection Agency, California Department of Food and Agriculture, and other State and Federal legislation, as well as additional Project-related restrictions deemed necessary by the USFWS. If rodent control must be conducted, zinc phosphide shall be used because of a proven lower risk to kit fox.
9. A representative shall be appointed by the Project proponent who will be the contact source for any employee or contractor who might inadvertently kill or injure a kit fox or who finds a dead, injured or entrapped kit fox. The representative will be identified during the employee education program and their name and telephone number shall be provided to the USFWS.
10. An employee education program shall be conducted. The program shall consist of a brief presentation by persons knowledgeable in San Joaquin kit fox biology and legislative protection to explain endangered species concerns to contractors, their employees, and military and/or agency personnel involved in the Project. The program shall include: a description of the San Joaquin kit fox and its habitat needs; a report of the occurrence of kit fox in the Project area; an explanation of the status of the species and its protection under the Endangered Species Act; and a list of measures being taken to reduce impacts to the species during Project construction and implementation. A fact sheet conveying

this information shall be prepared for distribution to the previously referenced people and anyone else who may enter the Project sites.

11. Upon completion of the Project, all areas subject to temporary ground disturbances, including storage and staging areas, temporary roads, pipeline corridors, etc. shall be re-contoured if necessary, and revegetated to promote restoration of the area to pre-Project conditions. An area subject to "temporary" disturbance means any area that is disturbed during the Project, but after Project completion will not be subject to further disturbance and has the potential to be revegetated. Appropriate methods and plant species used to revegetate such areas should be determined on a site-specific basis in consultation with the USFWS, CDFW, and revegetation experts.
12. In the case of trapped animals, escape ramps or structures should be installed immediately to allow the animal(s) to escape, or the USFWS shall be contacted for guidance.
13. Any contractor, employee, or military or agency personnel who are responsible for inadvertently killing or injuring a San Joaquin kit fox shall immediately report the incident to their representative. This representative shall contact the CDFW immediately in the case of a dead, injured or entrapped kit fox. The CDFW contact for immediate assistance is State Dispatch at (916)445-0045. They will contact the local warden or CDFW representative, the wildlife biologist, at (530)934-9309. The USFWS shall be contacted at the numbers below.
14. The Sacramento Fish and Wildlife Office of USFWS and CDFW shall be notified in writing within three working days of the accidental death or injury to a San Joaquin kit fox during Project-related activities. Notification must include the date, time, and location of the incident or of the finding of a dead or injured animal and any other pertinent information. The USFWS contact is the Chief of the Division of Endangered Species, at the addresses and telephone numbers below. The CDFW contact can be reached at 1701 Nimbus Road, Suite A, Rancho Cordova, California 95670, (530) 934-9309.
15. All sightings of the San Joaquin kit fox shall be reported to the California Natural Diversity Database (CNDDB). A copy of the reporting form and a topographic map clearly marked with the location of where the kit fox was observed shall also be provided to the Service at the address below.

Any Project-related information required by the USFWS or questions concerning the above conditions or their implementation may be directed in writing to the U.S. Fish and Wildlife Service at: Endangered Species Division, 2800 Cottage Way, Suite W 2605, Sacramento, California 95825-1846, phone (916) 414-6620 or (916) 414-6600.

MM 3.9.1: If prehistoric or historic-era cultural or archaeological materials are encountered during construction activities, all work within 25 feet of the find shall halt until a qualified professional archaeologist, meeting the Secretary of the Interior's Professional Qualification Standards for prehistoric and historic archaeologist, can evaluate the significance of the find

and make recommendations. Cultural resource materials may include prehistoric resources such as flaked and ground stone tools and debris, shell, bone, ceramics, and fire-affected rock as well as historic resources such as glass, metal, wood, brick, or structural remnants. If the qualified professional archaeologist determines that the discovery represents a potentially significant cultural resource, additional investigations may be required to mitigate adverse impacts from Project implementation. These additional studies may include avoidance, testing, and evaluation or data recovery excavation.

If a potentially-eligible resource is encountered, then the qualified professional archaeologist, the Lead Agency, and the Project proponent shall arrange for either 1) total avoidance of the resource or 2) test excavations to evaluate eligibility and, if eligible, total data recovery. The determination shall be formally documented in writing and submitted to the Lead Agency as verification that the provisions for managing unanticipated discoveries have been met.

MM 3.9.2: During any ground disturbance activities, if paleontological resources are encountered, all work within 25 feet of the find shall halt until a qualified paleontologist as defined by the Society of Vertebrate Paleontology Standard Procedures for the Assessment and Mitigation of Adverse Impacts to Paleontological Resources (2010), can evaluate the find and make recommendations regarding treatment. Paleontological resource materials may include resources such as fossils, plant impressions, or animal tracks preserved in rock. The qualified paleontologist shall contact the University of California Museum of Paleontology, or other appropriate facility regarding any discoveries of paleontological resources.

If the qualified paleontologist determines that the discovery represents a potentially significant paleontological resource, additional investigations and fossil recovery may be required to mitigate adverse impacts from Project implementation. If avoidance is not feasible, the paleontological resources shall be evaluated for their significance. If the resources are not significant, avoidance is not necessary. If the resources are significant, they shall be avoided to ensure no adverse effects, or such effects must be mitigated. Construction in that area shall not resume until the resource appropriate measures are recommended or the materials are determined to be less than significant. If the resource is significant and fossil recovery is the identified form of treatment, then the fossil shall be deposited in an accredited and permanent scientific institution. Copies of all correspondence and reports shall be submitted to the Lead Agency.

Construction in that area shall not resume until the resource appropriate measures are recommended or the materials are determined to be less than significant. If the resource is significant and fossil recovery is the identified form of treatment, then the fossil shall be deposited in an accredited and permanent scientific institution. Copies of all correspondence and reports shall be submitted to the Lead Agency.

MM 3.9.3: If human remains are discovered during construction or operational activities, further excavation or disturbance shall be prohibited pursuant to Section 7050.5 of the California Health and Safety Code. The protocol, guidelines, and channels of communication outlined by the Native American Heritage Commission, in accordance with Section 7050.5 of

the Health and Safety Code, Section 5097.98 of the Public Resources Code (Chapter 1492, Statutes of 1982, Senate Bill 297), and Senate Bill 447 (Chapter 44, Statutes of 1987), shall be followed. Section 7050.5(c) shall guide any potential Native American involvement, in the event of discovery of human remains, at the direction of the county coroner.

MM 3.12.1: Prior to ground-disturbing activities, the City shall prepare and implement a Stormwater Pollution Prevention Plan (SWPPP) that specifies best management practices (BMP), with the intent of keeping all products of erosion from moving offsite. The SWPPP shall include contain a site map that shows the construction site perimeter, existing and proposed man-made facilities, stormwater collection and discharge points, general topography both before and after construction, and drainage patterns across the Project site. Additionally, the SWPPP shall contain a visual monitoring program and a chemical monitoring program for non-visible pollutants to be implemented (if there is a failure of best management practices). The requirements of the SWPPP and BMPs shall be incorporated into design specifications and construction contracts. Recommended best management practices for the construction phase may include the following:

- Stockpiling and disposing of demolition debris, concrete, and soil properly.
- Protecting any existing storm drain inlets and stabilizing disturbed areas.
- Implementing erosion controls.
- Properly managing construction materials.
- Managing waste, aggressively controlling litter, and implementing sediment controls.

SECTION 1 - INTRODUCTION

1.1 - Overview

The Project is the General Plan Amendment/Zone Change of a 20-acre parcel in southern Lemoore to accommodate the development of 134 residential lots.

1.2 - CEQA Requirements

The City of Lemoore is the Lead Agency for this Project pursuant to the CEQA Guidelines (Public Resources Code Section 15000 et seq.). The Environmental Checklist (CEQA Guidelines Appendix G) or Initial Study (IS) (see *Section 3 – Initial Study*) provides analysis that examines the potential environmental effects of the construction and operation of the Project. Section 15063 of the CEQA Guidelines requires the Lead Agency to prepare an IS to determine whether a discretionary project will have a significant effect on the environment. A Mitigated Negative Declaration (MND) is appropriate when an IS has been prepared and a determination can be made that no significant environmental effects will occur because revisions to the Project have been made or mitigation measures will be implemented that reduce all potentially significant impacts to less-than-significant levels. The content of a MND is the same as a Negative Declaration, with the addition of identified mitigation measures and a Mitigation Monitoring and Reporting Program (MMRP) (see *Appendix A – Mitigation Monitoring and Reporting Program*).

Based on the IS, the Lead Agency has determined that the environmental review for the proposed application can be completed with a MND.

1.3 - Impact Terminology

The following terminology is used to describe the level of significance of project environmental impacts.

- A finding of “no impact” is appropriate if the analysis concludes that the project would not affect a topic area in any way.
- An impact is considered “less than significant” if the analysis concludes that it would cause no substantial adverse change to the environment and requires no mitigation.
- An impact is considered “less than significant with mitigation incorporated” if the analysis concludes that it would cause no substantial adverse change to the environment with the inclusion of environmental commitments that have been agreed to by the proponent.
- An impact is considered “potentially significant” if the analysis concludes that it could have a substantial adverse effect on the environment.

1.4 - Document Organization and Contents

The content and format of this IS/MND is designed to meet the requirements of CEQA. The report contains the following sections:

- *Section 1 – Introduction:* This section provides an overview of CEQA requirements, intended uses of the IS/MND, document organization, and a list of regulations that have been incorporated by reference.
- *Section 2 – Project Description:* This section describes the Project and provides data on the site's location.
- *Section 3 – Environmental Checklist:* This chapter contains the evaluation of 18 different environmental resource factors contained in Appendix G of the CEQA Guidelines. Each environmental resource factor is analyzed to determine whether the proposed Project would have an impact. One of four findings is made for each factor, which include: no impact, less-than-significant impact, less than significant with mitigation, or significant and unavoidable. If the evaluation results in a finding of significant and unavoidable for any of the 18 environmental resource factors, then an Environmental Impact Report will be required.
- *Section 4 – References:* This chapter contains a full list of references that were used in the preparation of this IS/MND.
- *Appendix A – Mitigation Monitoring and Reporting Program:* This appendix contains the Mitigation Monitoring and Reporting Program.
- *Appendix B – CalEEMod Results:* This appendix contains the 2005 (base) and 2019 (estimated opening day) readouts from the California Emissions Estimator Model.

SECTION 2 - PROJECT DESCRIPTION

2.1 - Introduction

The Project is the General Plan Amendment/Zone Change (GPA/ZC) of a 20-acre parcel in southern Lemoore to accommodate the development of 134 residential lots.

2.2 - Project Location

The site consists of a 20-acre parcel (APN 023-320-005) located at the northeast corner of State Route 198 and State Route 41, south of San Simeon Drive and west of Arcata Avenue in south-central Lemoore. The site is in Section 9, Township 19 South, Range 20 East, Mount Diablo Base and Meridian (MDB&M) within the Lemoore United States Geological Survey (USGS) 7.5-minute topographic quadrangle. Figure 2-2 and Figure 2-3 provide a regional vicinity and location map of the Project site, respectively.

2.3 - Surrounding Land Uses

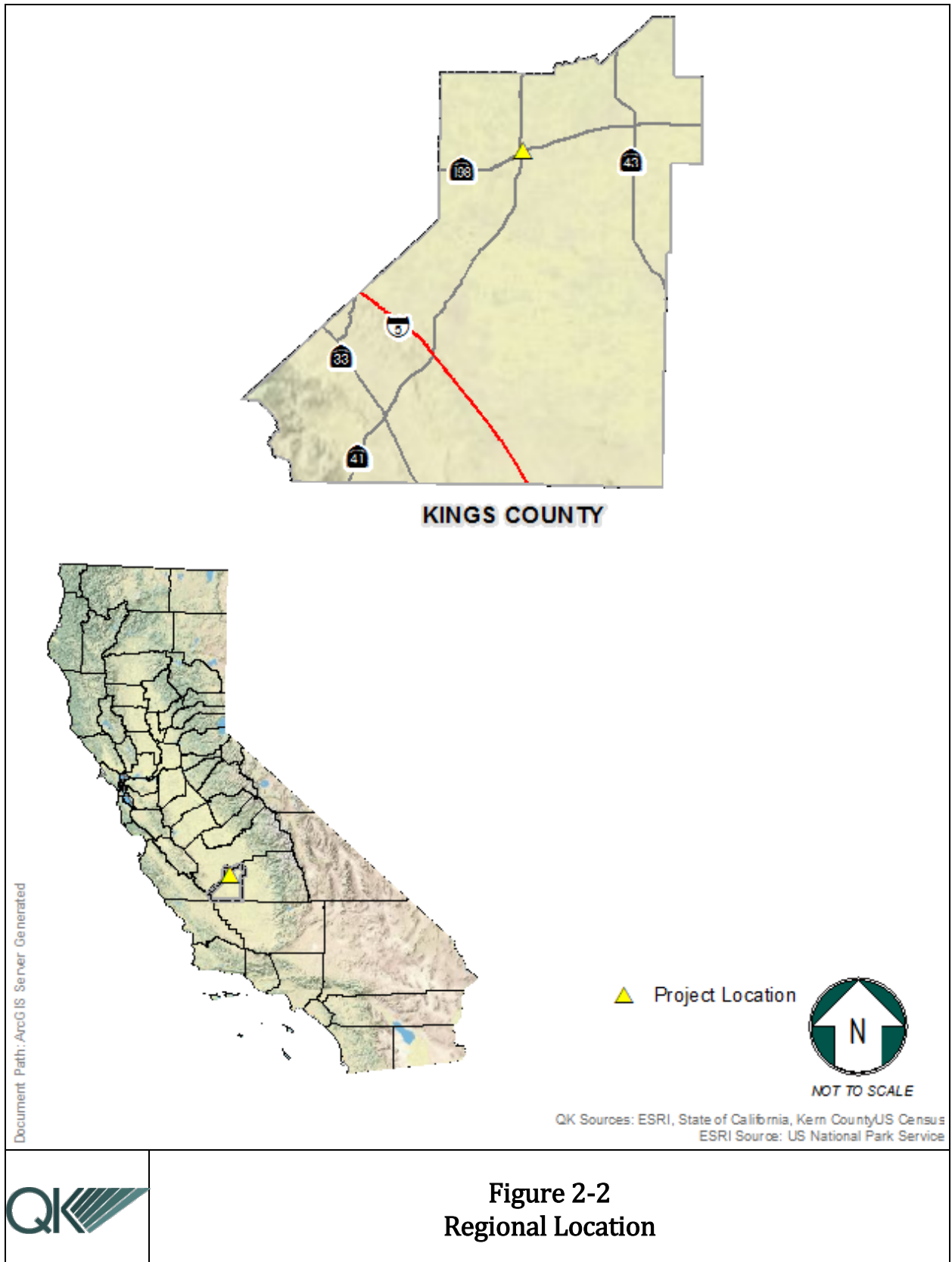
The area surrounding the proposed site consists of a single-family residential to the north, Highway 41 to the west, Highway 198 to the east and the Highway 41 Interchange to the south. Beyond Highway 41 to the west are more single-family residences and beyond Highway 198 to the southeast are a variety of uses including Bennett Farm Supply, Motel 6, Valero gas station, McCann and Sons Truck and Tractor Service and Master Storage. Land uses and development surrounding the subdivision site are depicted on Figure 2-4.

2.4 - Proposed Project

The proposed Project is the development of up to 134 residential lots on a 20-acre parcel in southern Lemoore (Figure 2-1). The City actions required to permit the Project include a GPA/ZC, major site plan review, and a tentative subdivision map. Currently, the site, is a vacant undeveloped lot. The request by Daley Homes is to reestablish the Low Density Residential and Low Medium Density Residential land use designation on the proposed undesignated site, and reestablish the Low-Medium Density Residential (RLMD) and the Low Density Residential (RLD) zones on the proposed unzoned site.



Figure 2-1
Project Site



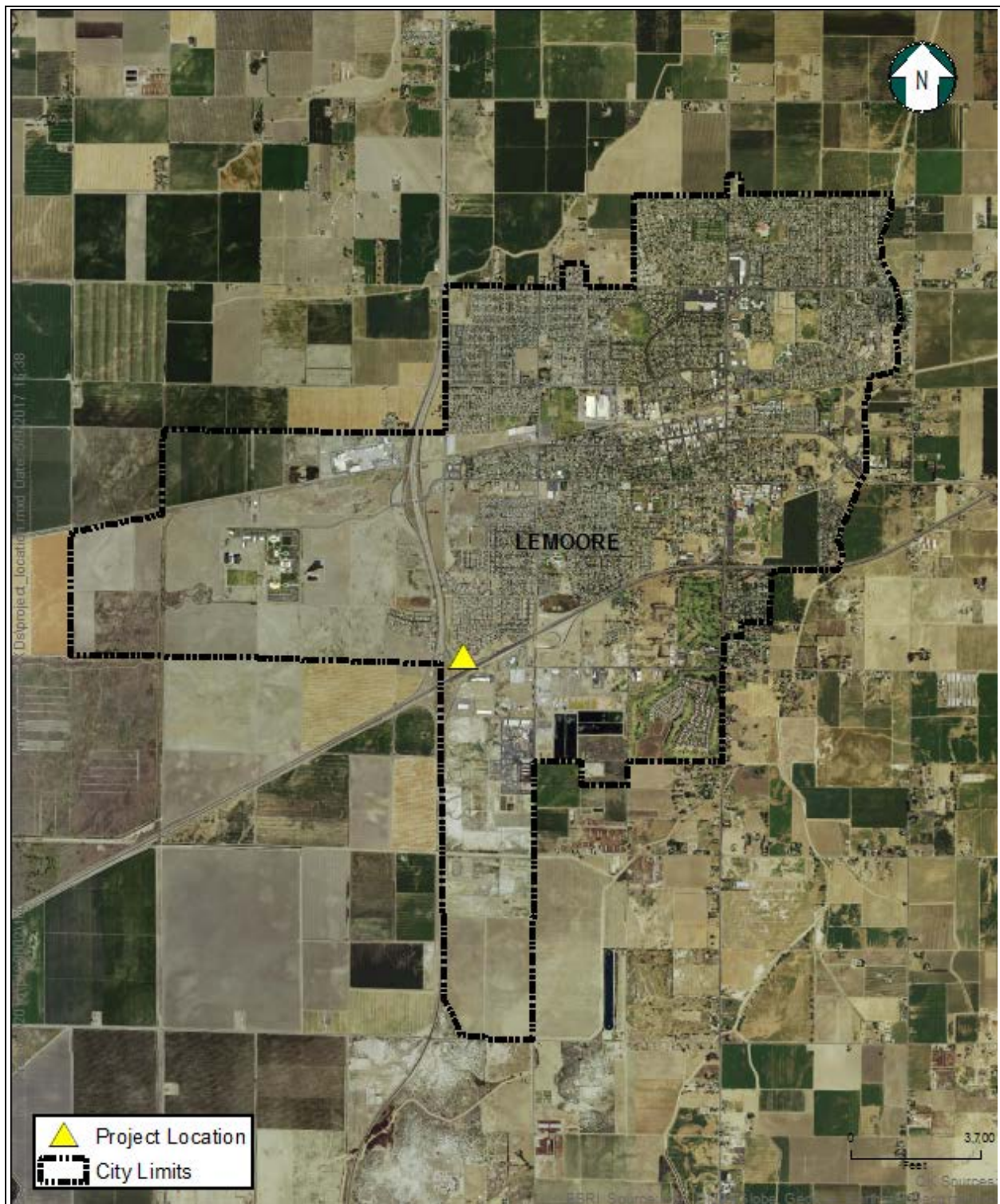


Figure 2-3
Project Location in City

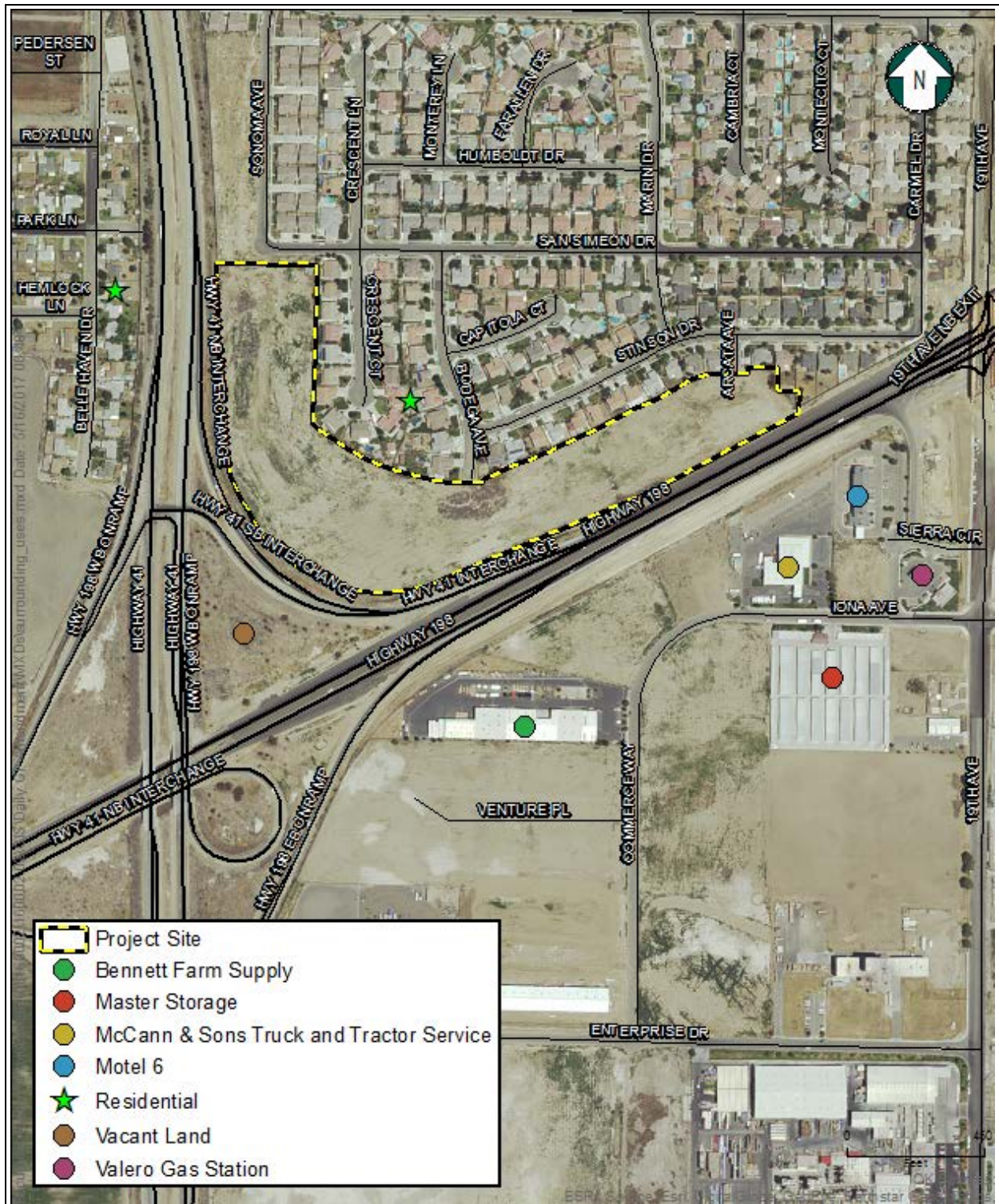


Figure 2-4
Surrounding Land Uses



SECTION 3 - EVALUATION OF ENVIRONMENTAL IMPACTS

3.1 - Environmental Checklist and Discussion

1. Project Title:

Daley Homes General Plan Amendment and Zone Change

2. Lead Agency Name and Address:

City of Lemoore
119 Fox Street
Lemoore, CA 93245

3. Contact Person and Phone Number:

Judy Holwell, Development Services Director
(559) 924-6740

4. Project Location:

The site consists of a 20-acre parcel (APN 023-320-005) located at the northeast corner of State Route 198 and State Route 41, south of San Simeon Drive and west of Arcata Avenue in south-central Lemoore.

5. Project Sponsor's Name and Address:

Scott Daley, Vice President
Daley Homes
1356 E. Tulare Ave.
Tulare, CA 93274
(559) 686-1761

6. General Plan Designation:

Low Density Residential and Low Medium Density Residential

7. Zoning:

Low-Medium Density Residential (RLMD) and Low Density Residential (RLD)

8. Description of Project:

See Section 2.4 – Proposed Project.

9. Surrounding Land Uses and Setting:

See Section 2.3 – Surrounding Land Uses and Figures 2-4.

10. Other Public Agencies Approval Required:

None.

11. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, has consultation begun?

Yes, the Santa Rosa Rancheria Tachi Tribe has requested consultation with the City of Lemoore. Letters were sent to the tribe on May 9, 2017, informing them of the Project.

NOTE: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code section 21083.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code section 21082.3(c) contains provisions specific to confidentiality.

3.2 - 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 and Forest Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology /Soils |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards & Hazardous Materials | <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"/> Findings of Significance |

3.3 - Determination

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 (a) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and (b) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENT IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable

standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

/ss

Judy Holwell, Development Services Director

May 22, 2017

Date

3.4 - 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.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
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3.5 - Aesthetics

Would the project:

- | | | | | | |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. | Have a substantial adverse effect on a scenic vista? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. | Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. | Substantially degrade the existing visual character or quality of the site and its surroundings? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d. | Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Response: a) The Project site is located adjacent to the Highway 41 and 198 interchange to the south and single-family residential developments to the north. The City of Lemoore 2030 General Plan states there are currently no buildings or structures listed in the National Register of Historic Places or as California Historic Landmarks. However, there are 37 sites listed as having local historic significance located within the downtown district (City of Lemoore, 2008). There are no local historic resources within the vicinity of the Project site. The Project is not located in an area that would result in substantial adverse effects on any scenic vistas and no impact would occur.

Mitigation Measures: No mitigation is required.

Conclusion: There would be *no impact*.

Response: b), c) There are no listed State scenic highways within Kings County; therefore, the site would not damage scenic resources within a state scenic highway (Caltrans, 2017). As discussed, the proposed development is consistent with the existing character and uses of the surrounding area. There would be no substantial degrade to the existing visual character or quality of the site and its surroundings.

Mitigation Measures: No mitigation is required.

Conclusion: There would be *no impact*.

Response: d) The proposed development would comply with all lighting standards established in the City's Zoning Ordinance (Title 9, Chapter 5, Article B, Section 4). There would be no impact.

Mitigation Measures: No mitigation is required.

Conclusion: There would be *no impact*.

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
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3.6 - Agriculture and Forestry 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 Department 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:

- | | | | | | |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| 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 nonagricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. | Conflict with existing zoning for agricultural use or a Williamson Act Contract? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. | Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d. | Result in the loss of forest land or conversion of forest land to non-forest use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Response: a), b), c), d), e) There will not be any conversion of farmland, nor conflict with any existing zoning for agricultural use or forest land, or Williamson Act contracts. The proposed Project site is classified as "urban and built-up land" by the Department of Conservation's Farmland Mapping and Monitoring Program (FMMP). The site is an undeveloped-vacant urban parcel.

Mitigation Measures: None are required.

Conclusion: There would be *no impact*.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
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3.7 - 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:

a.	Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b.	Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d.	Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e.	Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

The proposed Project is located within the San Joaquin Valley Air Basin (SJVAB). The proposed Project consists of the development and operation of 134 residential lot subdivision.

Small Project Analysis Level (SPAL)

The District has established thresholds of significance for criteria pollutant emissions, which are based on District New Source Review (NSR) offset requirements for stationary sources. Using project type and size, the District has pre-qualified emissions and determined a size below which it is reasonable to conclude that a project would not exceed applicable thresholds of significance for criteria pollutants. In the interest of streamlining CEQA requirements, projects that fit the descriptions and project sizes provided below are deemed to have a less than significant impact on air quality and as such are excluded from quantifying criteria pollutant emissions for CEQA purposes. Table 3-1 below shows the SPAL thresholds for single-family projects.

Table 3-1
SPAL Thresholds – Single Family

Vehicle Trip Thresholds	Project Type Thresholds
Single Family – 1,453 trips/day	Single Family – 134 units

Response: a) The project includes the division of 20 gross acres to create 134 residential lots. The ultimate build out of these lots would consist of up to 134 residential lots and is projected to generate approximately 1,282 additional daily trips (at a worst-case scenario) within the existing residential area (134 lots X 9.57 average trips per household). Therefore, the project qualifies as a SPAL and is deemed to have a less than significant impact on air quality.

Mitigation Measures: None are required.

Conclusion: Impacts would be *less than significant*.

Response: b) There are two pollutants of concern for this impact: CO and localized PM10. The proposed Project would not result in localized CO hotspots or PM 10 impacts as discussed below. Therefore, the proposed Project would not violate an air quality standard or contribute to a violation of an air quality standard in the Project area.

Localized PM10

Localized PM10 would be generated by Project construction activities, which would include earth-disturbing activities. The proposed Project would comply with the SJVAPCD's Regulation VIII dust control requirements during construction. Compliance with this regulation would reduce the potential for significant localized PM10 impacts to less than significant levels.

CO Hotspot

Localized high levels of CO are associated with traffic congestion and idling or slow-moving vehicles. The SJVAPCD provides screening criteria to determine when to quantify local CO concentrations based on impacts to the level of service (LOS) of roadways in the Project vicinity.

This proposed Project would result in the division of 20 gross acres to create 134 residential lots. Construction of the proposed Project would result in minor-temporary increases in traffic for the surrounding road network during the construction period and an estimated 1,282 daily trips (134 lots x 9.57 average trips per household) during the operation, which is the worst-case scenario. The minor increase in trips would not substantially lower the LOS. Therefore, the Project would not generate, or substantially contribute to, additional traffic that would exceed State or federal CO standards.

Mitigation Measures: None are required.

Conclusion: There would be *no impact*.

Response: c) The SJVAPCD does not have quantifiable thresholds for analyzing a project's cumulative impacts on air quality. As previously determined, the project will have a less than significant impact on air quality since it qualified as a SPAL. Since a majority of the surrounding land is developed, there are not many opportunities for new development to occur in the future. Therefore, the project plus future projects combined, will not create a cumulatively considerable increase in criteria pollutants.

Mitigation Measures: None are required.

Conclusion: Impacts would be *less than significant*.

Response: d) The proposed Project is consistent with the surrounding land uses and would not create or expose sensitive receptors to substantial pollutant concentrations or emissions (Figure 2-4).

Mitigation Measures: None are required.

Conclusion: There would be *no impact*.

Response: e) According to the 2015 SJVAPCD's GAMAQI, analysis of potential odor impacts should be conducted for the following two situations:

- Generators – projects that would potentially generate odorous emissions proposed to locate near existing sensitive receptors or other land uses where people may congregate; and
- Receivers – residential or other sensitive receptor projects or other projects built for the intent of attracting people locating near existing odor sources.

The proposed Project does not meet any of these two criteria.

Mitigation Measures: None are required.

Conclusion: There would be *no impact*.

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
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3.8 - 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 Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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 Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e.	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Methodology: Database searches were conducted to determine which sensitive biological resources historically occurred on and within 10 miles of the Project site. The California Natural Diversity Database (CNDDB) (CNDDB 2017), California Native Plants Society (CNPS)

database (CNPS 2017), U.S. Fish and Wildlife Service (USFWS) Threatened and Endangered Species List (USFWS 2017a), and USFWS Critical Habitat database (USFWS 2017b) were reviewed to identify State and federal special-status species were searched. The CNDDDB provides element-specific spatial information on individual documented occurrences of special-status species and sensitive natural vegetation communities. The CNPS database provides similar information specific to plant species, but at a much lower spatial resolution. The USFWS query generates a list of federally-protected species known to potentially occur within individual USGS quadrangles. Wildlife species designated as “Fully Protected” by California Fish and Game Code Sections 5050 (Fully Protected reptiles and amphibians), 3511 (Fully Protected birds), 5515 (Full Protected Fish), and 4700 (Fully Protected mammals) are added to the list.

Additional databases that were accessed included the USFWS National Wetlands Inventory (NWI) Map (NWI 2017), the USGS topographical maps, National Hydrography Dataset (NHD) (NHD 2017), Federal Emergency Management Agency (FEMA) 100-year floodplain database (FEMA 2017), and the Recovery Plan for Upland Species of the San Joaquin Valley and Essential Connectivity Habitat Areas for wildlife corridors (Spencer 2010).

Response: a), b) The CNDDDB searches listed historical occurrences of five special-status bird species, three special-status plant species, nine special-status wildlife species and one sensitive natural community within a 10-mile buffer around the Project site (Figure 3-1 through Figure 3-4). However, none of these records occurred on or within the immediate vicinity of the Project site.

No USFWS-designated Critical Habitat units occur on the Project site. Critical Habitat for the Buena Vista Lake ornate Shrew (*Sorex ornatus relictus*) is over five miles southwest of the site (Figure 3-5). Riparian habitats are defined as vegetative communities that are influenced by a river or stream, specifically the land area that encompasses the water channel and its current or potential floodplain. No riparian habitat occurs on or near the Project site. No sensitive natural communities or critical habitats occur on or near the Project site.

The proposed Project site is frequently disked and surrounded by residential urban uses to the north and bordered by Highway 41 and 198 to the west, east and south. The potential for special-status species to occur on the site is low; however, a pre-construction survey would need to be completed to ensure there is no evidence of occupation by special-status species on the Project site. General mitigation measures are included to prevent any potential impacts during construction. Therefore, there would be a less-than-significant impact with mitigation incorporated.

Mitigation Measures:

MM 3.8.1: A qualified biologist shall conduct a pre-construction survey on the Project site and within 500 feet of its perimeter within 14 days and no more than 30 days prior to the start of construction activities.

If any evidence of occupation of the Project site by listed or other special-status species is subsequently observed, a buffer shall be established by a qualified biologist that results in sufficient avoidance to comply with applicable regulations. If sufficient avoidance cannot be established, the United States Fish and Wildlife Service and California Department of Fish and Game shall be contacted for further guidance and consultation on additional measures. The Project proponent shall obtain any required permits from the appropriate wildlife agency. Copies of all permits and evidence of compliance with applicable regulations shall be submitted to the lead agency.

The following buffer distances shall be established prior to construction activities:

- San Joaquin kit fox or American badger potential den: 50 feet;
- San Joaquin kit fox known den: 100 feet;
- San Joaquin kit fox or American badger pupping den: contact the California Department of Fish and Game and United States Fish and Wildlife Service;
- Burrowing owl burrow outside of breeding season: 160 feet;
- Burrowing owl burrow during breeding season: 250 feet;
- Swainson's hawk nest during breeding season: ½ mile;
- Other protected raptor nests during the breeding season: 300 feet;
- Other protected nesting migratory bird nests during the breeding season: 50 feet; and
- Other special-status wildlife species: as recommended by qualified biologist.

MM 3.8.2: If initial grading activities are planned during the potential nesting season for migratory birds/raptors that may nest on or near the Project site, the preconstruction survey shall evaluate the sites and accessible lands within an adequate buffer for active nests of migratory birds/raptors. If any nesting birds/raptors are observed, a qualified biologist shall determine buffer distances and/or the timing of Project activities so that the proposed Project does not cause nest abandonment or destruction of eggs or young. This measure shall be implemented so that the proposed Project remains in compliance with the Migratory Bird Treaty Act and applicable state regulations.

If nesting raptors are identified during the surveys, active raptor nests should be avoided by 500 feet and all other migratory bird nests should be avoided by 250 feet. Avoidance buffers may be reduced if a qualified and approved on-site monitor determines that encroachment into the buffer area is not affecting nest building, the rearing of young, or otherwise affect the breeding behaviors of the resident birds. Avoidance buffers can also be reduced through consultation with the CDFW and USFWS. If Swainson's hawks are found to nest within the survey area, active Swainson's hawk nests shall be avoided by 0.5 mile unless this avoidance buffer is reduced through consultation with the CDFW and/or USFWS.

No construction or earth-moving activity shall occur within a non-disturbance buffer until it is determined by a qualified biologist that the young have fledged (that is, left the nest) and have attained sufficient flight skills to avoid Project construction areas. This typically occurs by early July, but September 1st is considered the end of the nesting period unless otherwise determined by a qualified biologist. Once raptors have completed nesting and young have fledged, disturbance buffers will no longer be needed and can be removed, and monitoring can be terminated.

MM 3.8.3: If any burrowing owl burrows are observed during the preconstruction survey, avoidance measures shall be consistent and in accordance with protocols outlined in the Burrowing Owl Survey Protocol and Mitigation Guidelines (Burrowing Owl Consortium 1993) and the Staff Report on Burrowing Owl Mitigation (CDFW 2012). Active burrows shall be avoided, but if avoidance is not possible then compensation shall be provided for the active or passive displacement of western burrowing owls, and habitat acquisition and the creation of artificial dens for any western burrowing owls shall be provided for any owls relocated from construction areas. These measures are outlined as follows:

1. A pre-construction survey of construction area, including a 150-meter buffer (500 feet), shall be conducted no less than 14 days and no more than 30 days prior to ground disturbing activities. If more than 30 days lapse between the time of the pre-construction survey and the start of ground-disturbing activities, another pre-construction survey shall be completed. The second survey (or other subsequent surveys if necessary) shall be conducted and timed to occur sometime between 30 days and 24 hours prior to ground disturbance.
2. If western burrowing owls are present on the construction site (or within 500 feet of the construction site), exclusion fencing shall be installed between the nest site or active burrow and any earth-moving activity or other disturbance. Exclusion areas shall extend 160 feet around occupied burrows during the non-breeding season (September 1 through January 31) and extend 250 feet around occupied burrows during the breeding season (February 1 through August 31) as described in The California Burrowing Owl Consortium's Survey Protocol and Mitigation Guidelines (California Burrowing Owl Consortium 1993).
3. If western burrowing owls are present in the non-breeding season and must be passively relocated from the Project site, passive relocation shall not commence until October 1st and must be completed by February 1st. Passive relocation must only be conducted by a qualified biologist or ornithologist and with approval by CDFW. After passive relocation, the area where owls occurred and its immediate vicinity shall be monitored by a qualified biologist daily for one week and once per week for an additional two weeks to document that owls are not reoccupying the site.
4. If permanent impacts to nesting, occupied and satellite burrows, or burrowing owl habitat occur, compensation shall be based upon the number of owls or pairs of owls relocated from the construction area. Compensation acreage shall be determined as described in the CDFW's Staff Report on Burrowing Owl Mitigation (CDFW 2012).

MM 3.8.4: The measures listed below shall be implemented during construction:

1. Pre-construction surveys shall be conducted no fewer than 14 days and no more than 30 days prior to the beginning of ground disturbance and/or construction activities. If any San Joaquin kit fox dens are found during preconstruction surveys, exclusion zones shall be placed in accordance with USFWS Recommendations using the following:

San Joaquin kit fox USFWS Exclusion Zone Recommendations

Den Type	Recommendation
Potential Den	50-foot radius
Known Den	100-foot radius
Natal/Pupping Den (Occupied and Unoccupied)	Contact U.S. Fish and Wildlife Service for guidance
Atypical Den	50-foot radius

2. If any den must be removed, it must be appropriately monitored and excavated by a trained wildlife biologist. Destruction of natal dens and other “known” kit fox dens must not occur until authorized by USFWS. Replacement dens will be required if such dens are removed. Potential dens that are removed do not need to be replaced if they are determined to be inactive by using standard monitoring techniques (e.g., applying tracking medium around the den opening and monitoring for San Joaquin kit fox tracks for three consecutive nights).
3. Project-related vehicles shall observe a daytime speed limit of 20-mph throughout the site in all Project areas, except on County roads and State and federal highways; this is particularly important at night when kit foxes and badgers are most active. Night-time construction shall be minimized to the extent possible. However, if construction at night does occur, then the speed limit shall be reduced to 10-mph. Off-road traffic outside of designated Project areas shall be prohibited.
4. To prevent inadvertent entrapment of kit foxes or other animals during the construction phase of a Project, all excavated, steep-walled holes or trenches more than 2-feet deep should be covered at the close of each working day by plywood or similar materials. If the trenches cannot be closed, one or more escape ramps constructed of earthen-fill or wooden planks shall be installed. Before such holes or trenches are filled, they shall be thoroughly inspected for trapped animals. If at any time a trapped or injured kit fox is discovered, the USFWS and the CDFW shall be contacted at the addresses provided below.
5. Kit foxes are attracted to den-like structures such as pipes and may enter stored pipes and become trapped or injured. All construction pipes, culverts, or similar structures with a diameter of 4-inches or greater that are stored at a construction site for one or more overnight periods shall be thoroughly inspected for kit foxes before the pipe is subsequently buried, capped, or otherwise used or moved in any way. If a kit fox is

discovered inside a pipe, that section of pipe shall not be moved until the USFWS has been consulted. If necessary, and under the direct supervision of the biologist, the pipe may be moved only once to remove it from the path of construction activity, until the fox has escaped.

6. All food-related trash items such as wrappers, cans, bottles, and food scraps shall be disposed of in securely closed containers and removed at least once a week from a construction or Project sites.
7. No pets, such as dogs or cats, shall be permitted on the Project sites to prevent harassment, mortality of kit foxes, or destruction of dens.
8. Use of rodenticides and herbicides in Project areas shall be restricted. This is necessary to prevent primary or secondary poisoning of kit foxes and the depletion of prey populations on which they depend. All uses of such compounds shall observe label and other restrictions mandated by the U.S. Environmental Protection Agency, California Department of Food and Agriculture, and other State and Federal legislation, as well as additional Project-related restrictions deemed necessary by the USFWS. If rodent control must be conducted, zinc phosphide shall be used because of a proven lower risk to kit fox.
9. A representative shall be appointed by the Project proponent who will be the contact source for any employee or contractor who might inadvertently kill or injure a kit fox or who finds a dead, injured or entrapped kit fox. The representative will be identified during the employee education program and their name and telephone number shall be provided to the USFWS.
10. An employee education program shall be conducted. The program shall consist of a brief presentation by persons knowledgeable in San Joaquin kit fox biology and legislative protection to explain endangered species concerns to contractors, their employees, and military and/or agency personnel involved in the Project. The program shall include: a description of the San Joaquin kit fox and its habitat needs; a report of the occurrence of kit fox in the Project area; an explanation of the status of the species and its protection under the Endangered Species Act; and a list of measures being taken to reduce impacts to the species during Project construction and implementation. A fact sheet conveying this information shall be prepared for distribution to the previously referenced people and anyone else who may enter the Project sites.
11. Upon completion of the Project, all areas subject to temporary ground disturbances, including storage and staging areas, temporary roads, pipeline corridors, etc. shall be re-contoured if necessary, and revegetated to promote restoration of the area to pre-Project conditions. An area subject to "temporary" disturbance means any area that is disturbed during the Project, but after Project completion will not be subject to further disturbance and has the potential to be revegetated. Appropriate methods and plant species used to revegetate such areas should be determined on a site-specific basis in consultation with the USFWS, CDFW, and revegetation experts.

12. In the case of trapped animals, escape ramps or structures should be installed immediately to allow the animal(s) to escape, or the USFWS shall be contacted for guidance.
13. Any contractor, employee, or military or agency personnel who are responsible for inadvertently killing or injuring a San Joaquin kit fox shall immediately report the incident to their representative. This representative shall contact the CDFW immediately in the case of a dead, injured or entrapped kit fox. The CDFW contact for immediate assistance is State Dispatch at (916)445-0045. They will contact the local warden or CDFW representative, the wildlife biologist, at (530)934-9309. The USFWS shall be contacted at the numbers below.
14. The Sacramento Fish and Wildlife Office of USFWS and CDFW shall be notified in writing within three working days of the accidental death or injury to a San Joaquin kit fox during Project-related activities. Notification must include the date, time, and location of the incident or of the finding of a dead or injured animal and any other pertinent information. The USFWS contact is the Chief of the Division of Endangered Species, at the addresses and telephone numbers below. The CDFW contact can be reached at 1701 Nimbus Road, Suite A, Rancho Cordova, California 95670, (530) 934-9309.
15. All sightings of the San Joaquin kit fox shall be reported to the California Natural Diversity Database (CNDDB). A copy of the reporting form and a topographic map clearly marked with the location of where the kit fox was observed shall also be provided to the Service at the address below.

Any Project-related information required by the USFWS or questions concerning the above conditions or their implementation may be directed in writing to the U.S. Fish and Wildlife Service at: Endangered Species Division, 2800 Cottage Way, Suite W 2605, Sacramento, California 95825-1846, phone (916) 414-6620 or (916) 414-6600.

Conclusion: Impacts would be *less than significant with mitigation incorporated*.

Response: c) No National Wetlands Inventory (NWI) features or blue-line drainages (as found on USGS topographic maps and in the National Hydrography Dataset) occurred on the Project site (Figure 3-6).

Mitigation Measures: None are required.

Conclusion: There would be *no impact*.

Response: d) The proposed Project site does not occur within a known migration route, significant wildlife corridor, or linkage area as identified in the Recovery Plan for Upland Species in the San Joaquin Valley (USFWS 1998). The site is located within areas of residential development and highways. Wildlife movement corridors are routes that provide shelter and sufficient food supplies to support regular movements of wildlife species. A movement corridor is a continuous geographic extent of habitat that either spatially or functionally links ecosystems across fragmented, or otherwise inhospitable, landscapes.

Faunal movement may include seasonal or migration movement, life cycle links, species dispersal, re-colonization of an area, and movement in response to external pressures. Movement corridors typically include riparian habitats, ridgelines, and ravines, as well as other contiguous expanses of natural habitats. Movement corridors may be functional on regional, sub-regional, or local scales.

No significant wildlife movement corridors, core areas, or Essential Habitat Connectivity areas occur on or near the Project site. The Project would not substantially affect migrating birds or other wildlife. The Project will not restrict, eliminate, or significantly alter wildlife movement corridors, core areas, or Essential Habitat Connectivity areas either during construction or after the Project has been constructed. Project construction will not substantially interfere with wildlife movements or reduce breeding opportunities.

Mitigation Measures: None are required.

Conclusion: There would be *no impact*.

Response: e), f) The City of Lemoore does not have any local policies or ordinances protecting biological resources nor an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan. Therefore, there would be no impact.

Mitigation Measures: None are required.

Conclusion: There would be *no impact*.

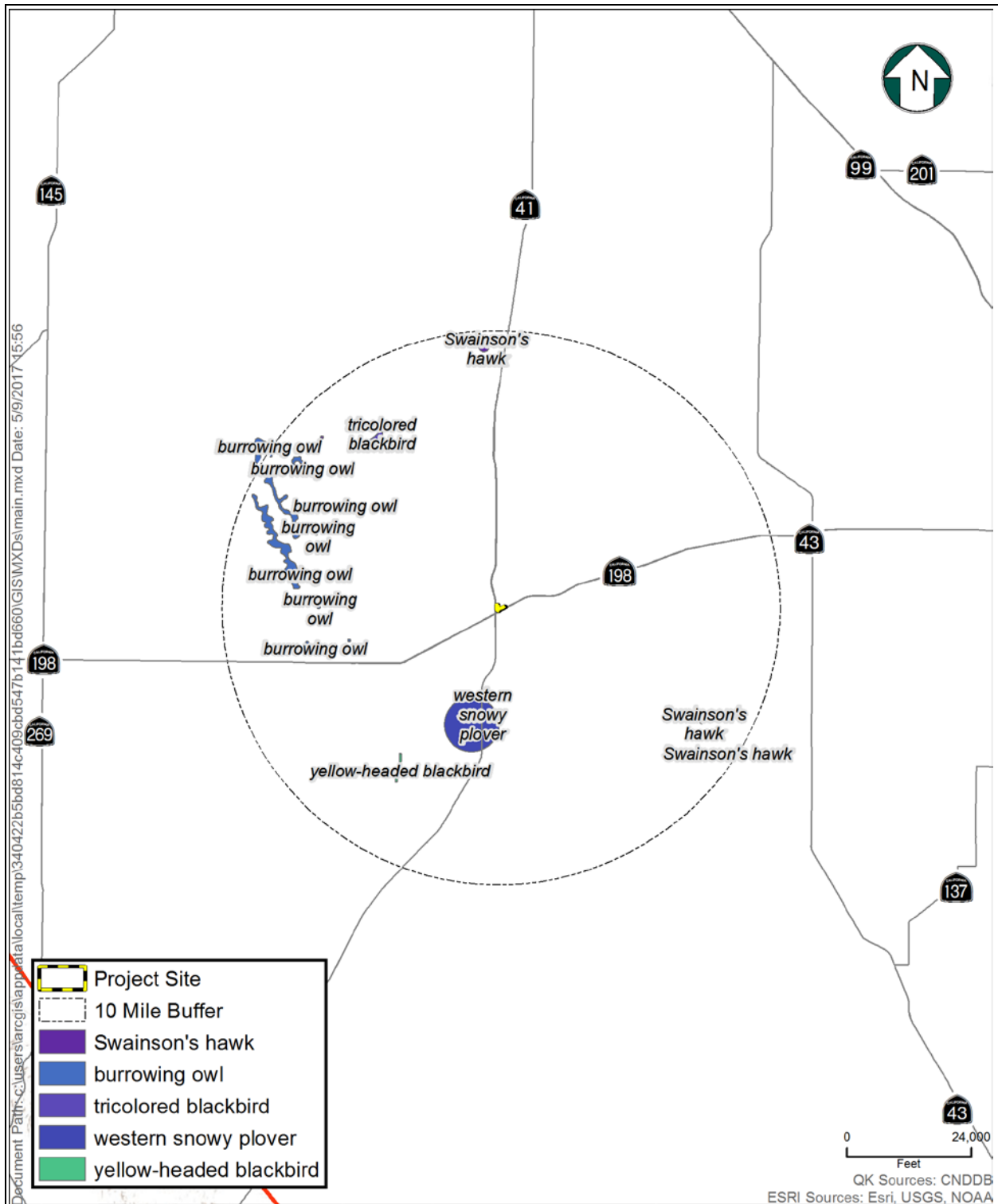


Figure 3-1
CNDDDB Special-Status Birds

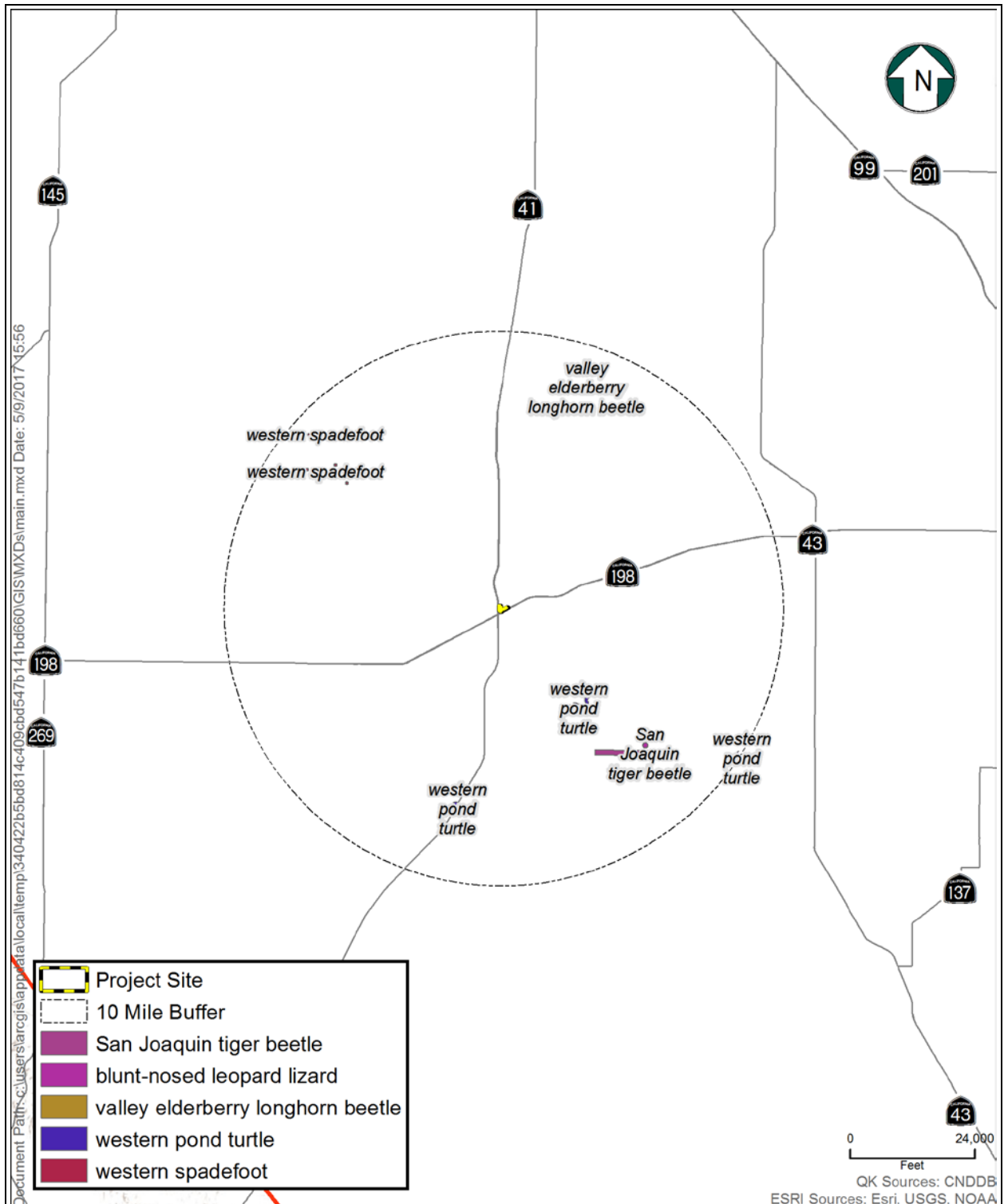


Figure 3-2
CNDDDB Special-Status Invertebrates, Fish, Amphibians and Reptiles

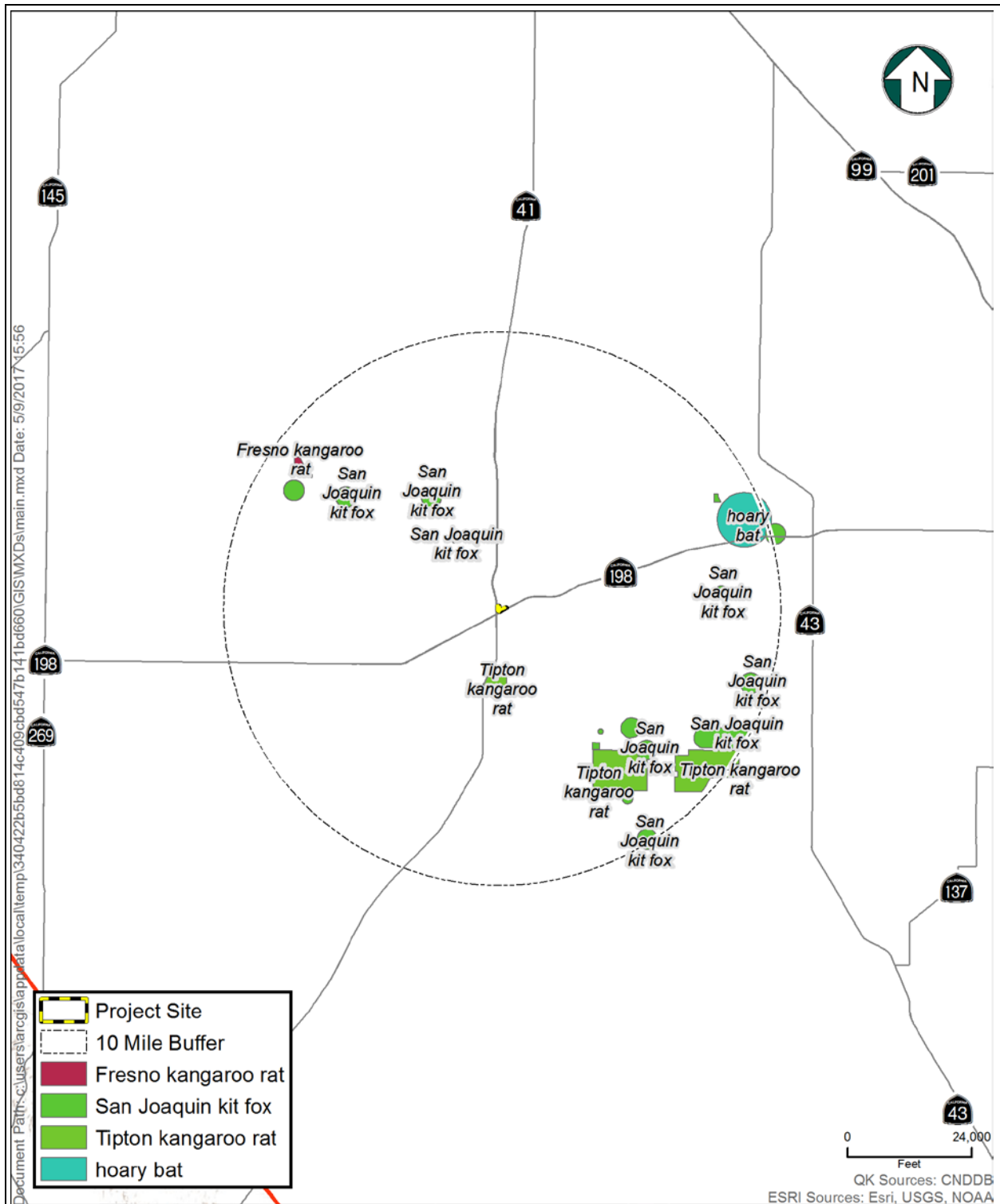


Figure 3-3
CNDDDB Special-Status Mammals

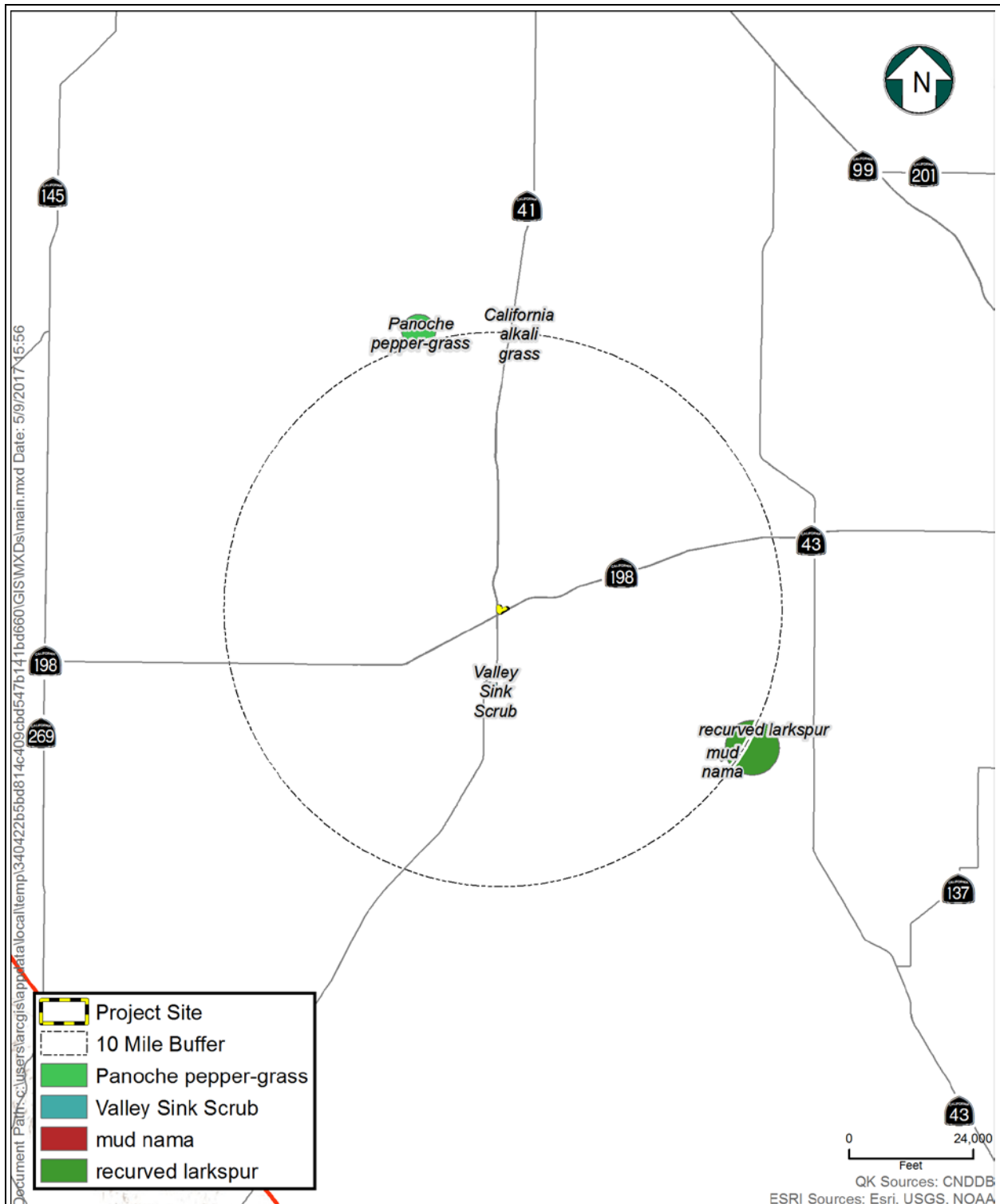


Figure 3-4
CNDDDB Sensitive Natural Communities and Special-Status Plant Species

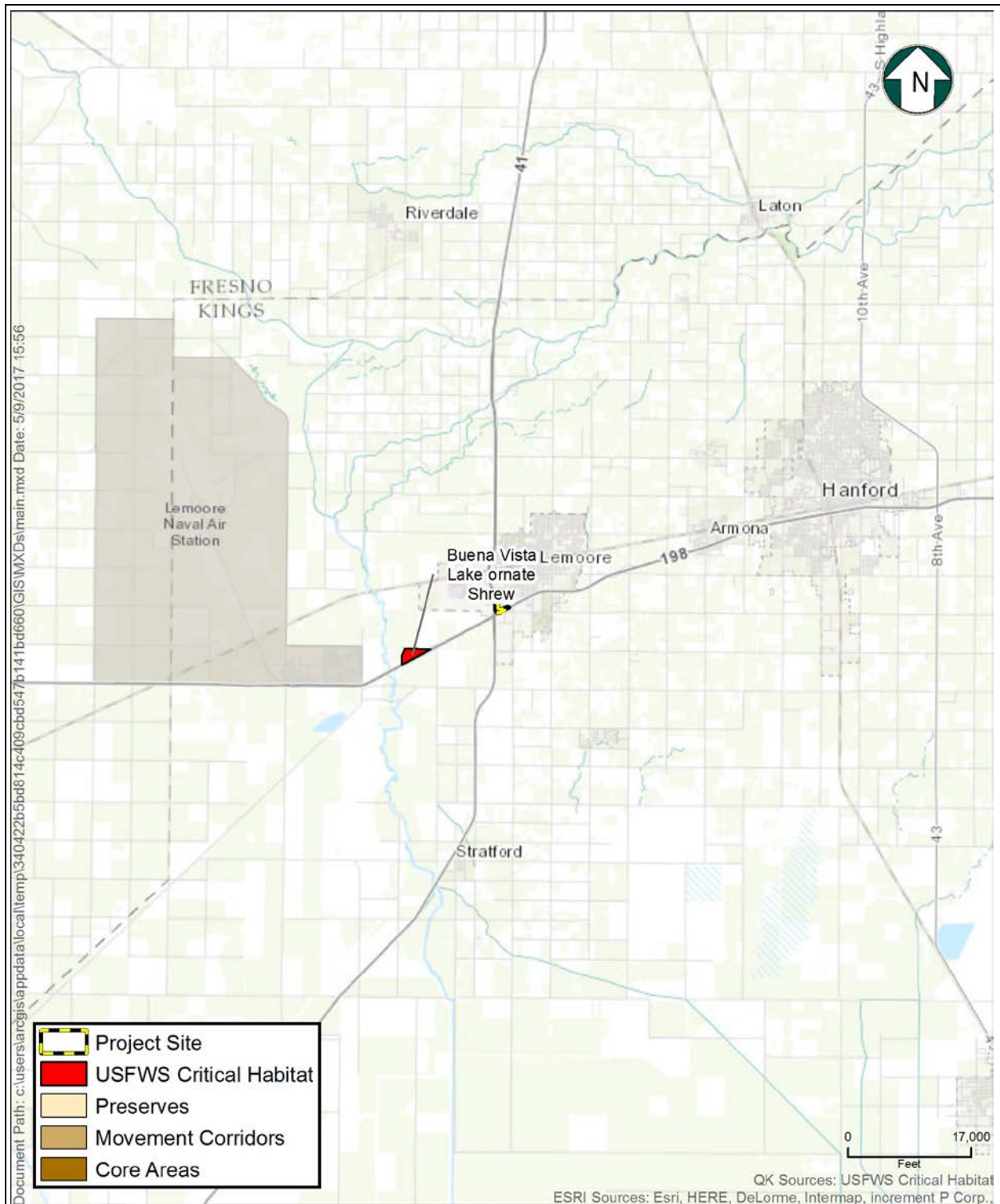


Figure 3-5
USFWS Critical Habitat

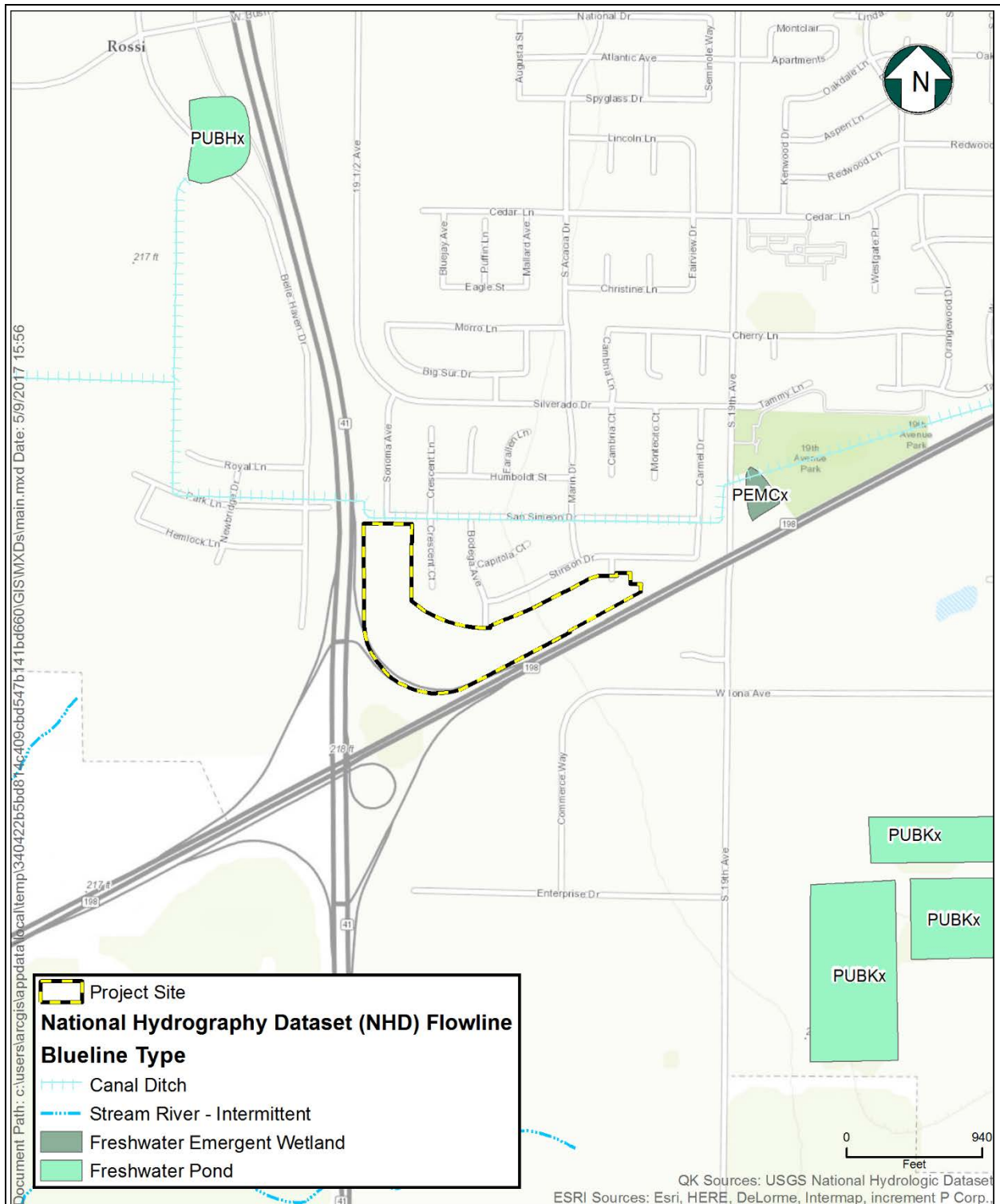


Figure 3-6
National Wetland Inventory and Hydrologic Information

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
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3.9 - Cultural Resources

Would the project:

a. Cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines Section 15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Response: a), b) As discussed in *Section 3.5 – Aesthetics*, there are no identified historical resources within the vicinity of the Project site. There is a low potential for ground-disturbing activities to expose and affect previously unknown significant cultural resources, including historical or prehistorical resources at the Project site. However, there is still a possibility that historical materials may be exposed during construction. Grading and trenching, as well as other ground-disturbing actions, have the potential to damage or destroy these previously unidentified and potentially significant cultural resources within the Project area, including historical resources. Disturbance of any deposits that have the potential to provide significant cultural data would be considered a significant impact under CEQA.

Although considered unlikely since there is no indication of any archaeological resources on or in the vicinity of the Project site, subsurface construction activities associated with the proposed Project could potentially damage or destroy previously undiscovered archaeological resources.

Mitigation Measures:

MM 3.9.1: If prehistoric or historic-era cultural or archaeological materials are encountered during construction activities, all work within 25 feet of the find shall halt until a qualified professional archaeologist, meeting the Secretary of the Interior's Professional Qualification Standards for prehistoric and historic archaeologist, can evaluate the significance of the find and make recommendations. Cultural resource

materials may include prehistoric resources such as flaked and ground stone tools and debris, shell, bone, ceramics, and fire-affected rock as well as historic resources such as glass, metal, wood, brick, or structural remnants. If the qualified professional archaeologist determines that the discovery represents a potentially significant cultural resource, additional investigations may be required to mitigate adverse impacts from Project implementation. These additional studies may include avoidance, testing, and evaluation or data recovery excavation.

If a potentially-eligible resource is encountered, then the qualified professional archaeologist, the Lead Agency, and the Project proponent shall arrange for either 1) total avoidance of the resource or 2) test excavations to evaluate eligibility and, if eligible, total data recovery. The determination shall be formally documented in writing and submitted to the Lead Agency as verification that the provisions for managing unanticipated discoveries have been met.

Conclusion: Impacts would be *less than significant with mitigation incorporated*.

Response: c) There are no unique geological features or known fossil-bearing sediments in the vicinity of the Project site. However, there remains the possibility for previously unknown, buried paleontological resources or unique geological sites to be uncovered during subsurface construction activities.

Mitigation Measures:

MM 3.9.2: During any ground disturbance activities, if paleontological resources are encountered, all work within 25 feet of the find shall halt until a qualified paleontologist as defined by the Society of Vertebrate Paleontology Standard Procedures for the Assessment and Mitigation of Adverse Impacts to Paleontological Resources (2010), can evaluate the find and make recommendations regarding treatment. Paleontological resource materials may include resources such as fossils, plant impressions, or animal tracks preserved in rock. The qualified paleontologist shall contact the University of California Museum of Paleontology, or other appropriate facility regarding any discoveries of paleontological resources.

If the qualified paleontologist determines that the discovery represents a potentially significant paleontological resource, additional investigations and fossil recovery may be required to mitigate adverse impacts from Project implementation. If avoidance is not feasible, the paleontological resources shall be evaluated for their significance. If the resources are not significant, avoidance is not necessary. If the resources are significant, they shall be avoided to ensure no adverse effects, or such effects must be mitigated. Construction in that area shall not resume until the resource appropriate measures are recommended or the materials are determined to be less than significant. If the resource is significant and fossil recovery is the identified form of treatment, then the fossil shall be deposited in an accredited and permanent scientific institution. Copies of all correspondence and reports shall be submitted to the Lead Agency.

Construction in that area shall not resume until the resource appropriate measures are recommended or the materials are determined to be less than significant. If the resource is significant and fossil recovery is the identified form of treatment, then the fossil shall be deposited in an accredited and permanent scientific institution. Copies of all correspondence and reports shall be submitted to the Lead Agency.

Conclusion: Impacts would be *less than significant with mitigation incorporated*.

Response: d) Human remains including known cemeteries are not known to exist within the Project area. However, construction would involve earth-disturbing activities, and it is still possible that human remains may be discovered, possibly in association with archaeological sites.

Mitigation Measures:

MM 3.9.3: If human remains are discovered during construction or operational activities, further excavation or disturbance shall be prohibited pursuant to Section 7050.5 of the California Health and Safety Code. The protocol, guidelines, and channels of communication outlined by the Native American Heritage Commission, in accordance with Section 7050.5 of the Health and Safety Code, Section 5097.98 of the Public Resources Code (Chapter 1492, Statutes of 1982, Senate Bill 297), and Senate Bill 447 (Chapter 44, Statutes of 1987), shall be followed. Section 7050.5(c) shall guide any potential Native American involvement, in the event of discovery of human remains, at the direction of the county coroner.

Conclusion: Impacts would be *less than significant with mitigation incorporated*.

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
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3.10 - Geology and Soils

Would the project:

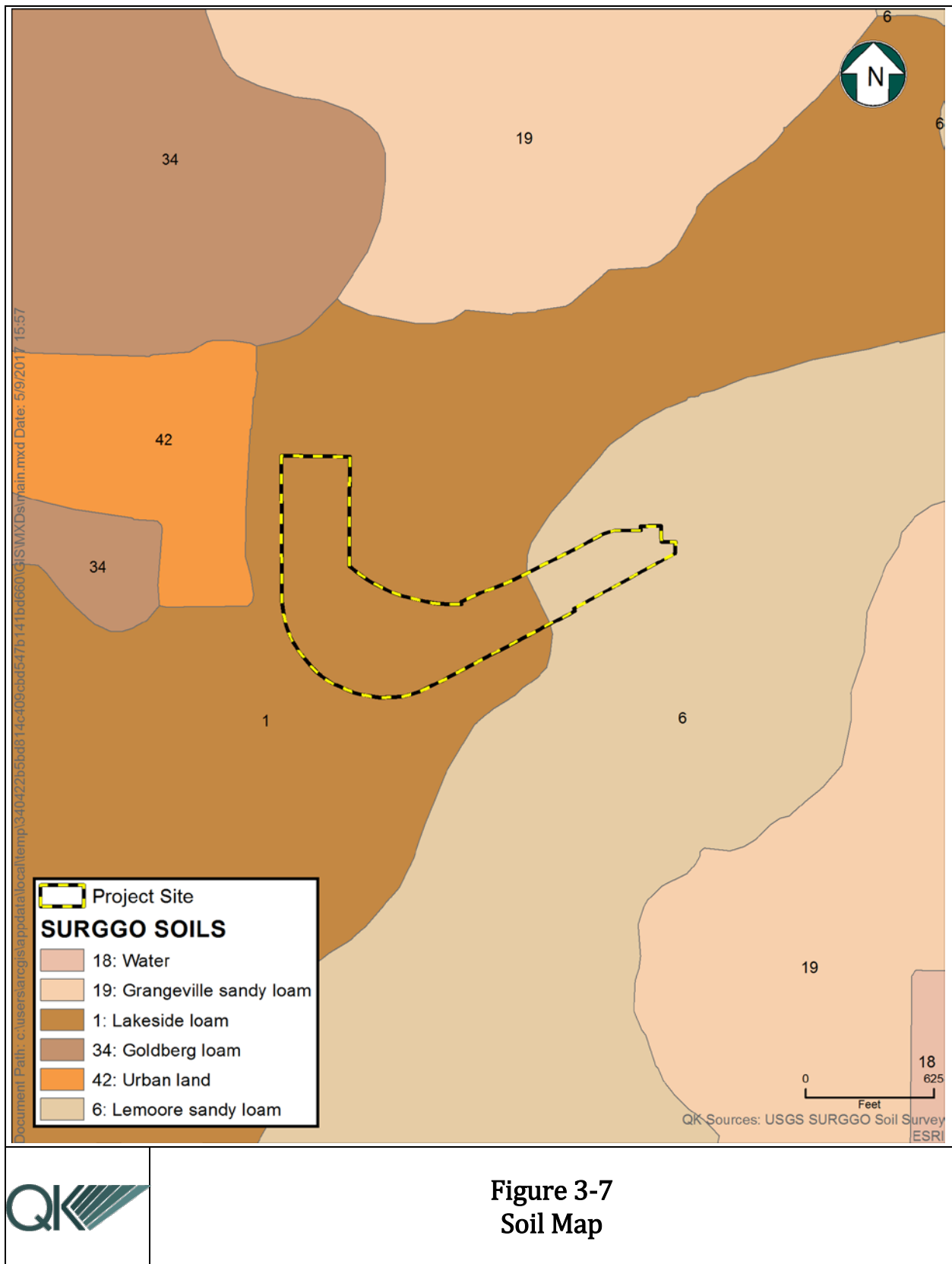
a.	Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i.	Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii.	Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii.	Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv.	Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b.	Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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 offsite landslide, lateral spreading, subsidence, liquefaction, or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e.	Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems in areas where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Response: a), b), c), d), e) There are no known active seismic faults in Kings County or within its immediate vicinity. The principle earthquake hazard affecting the area is ground shaking as opposed to surface rupture or ground failure (City of Lemoore, 2008). Per the Department of Conservation Landslide Map, the City of Lemoore does not contain any areas that are prone to landslides (Department of Conservation, 2017). As shown in Figure 3-1, the site contains Lakeside loam, partially drained and Lemoore sandy loam, partially drained soil. Both soils are very deep, somewhat poorly drained, saline-alkali soils that are mainly used for irrigated crops and urban development (United States Department of Agriculture, 1986). Impacts from soil erosion would be minimal as it most likely occurs on sloped areas and the project site is relatively flat and the site soils contain zero to one percent slopes. Per Table 15 of the Kings County Soil Survey, the site soils have a low shrink-swell potential; therefore, the site does not contain expansive soils (United States Department of Agriculture, 1986). The proposed residential developments would be required to comply with City building code requirements and Lemoore's General Plan policies, and their cited regulations, that mitigate seismic hazards and soils-related structural concerns for permitted development.

The Project site is not located on an unstable geologic unit or soil nor on expansive soil. The proposed Project does not include the development of septic tanks or alternative wastewater disposal systems as the Project would hook up to the City's existing sewer system.

Mitigation Measures: None are required.

Conclusion: There would be *no impacts and less than significant impacts*.



Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
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3.11 - Greenhouse Gas Emissions

Would the project:

- | | | | | | |
|----|---|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| a. | Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. | Conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Response: a), b) Greenhouse gas (GHG) significance thresholds are based on the 2014 Kings County Regional Climate Action Plan (CAP). According to the CAP, the AB 32 Scoping Plan encourages local governments to establish a GHG reduction target that “parallels the State’s commitment to reduce GHG emissions by approximately 15 percent from current levels by 2020.” Therefore, this CAP establishes a reduction target to achieve emissions levels 15 percent below 2005 baseline levels by 2020 consistent with the AB 32 Scoping Plan. Proposed development projects that are consistent with the emission reduction and adaptation measures included in the CAP and the programs that are developed as a result of the CAP, would be considered to have a less than significant cumulative impact on climate change. Therefore, the 15 percent reduction will be used as the significance threshold for GHG emissions for this analysis.

The Project Emissions were calculated using CalEEMod, the SJVAPCD’s approved modeling system for quantifying emissions. The results are shown in the Table 3-5 below*

Table 3-5
Project GHG Emissions

	CO2e (tons/year)
Business as Usual (2005)	3,326
Project (2019)	1,958
% reduction	15%
15% reduction met?	YES

*See Appendix B for calculations

Mitigation Measures: None are required.

Conclusion: Impacts would be *less than significant*.

3.12 - Hazards and Hazardous Materials

Would the project:

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Emit hazardous emissions or involve handling hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Be located on a site that 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h. Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
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adjacent to urbanized areas or where residences are intermixed with wildlands?

Response: a), b), c) There will not be any hazardous material transported to and from the project site, nor utilized thereon after construction. Project construction activities may involve the use of hazardous materials. These materials might include fuels, oils, mechanical fluids, and other chemicals used during construction. The use of such materials would be considered minimal and would not require these materials to be stored in large quantities. There will not be any hazardous material stored in unapproved quantities at the site. Adherence to regulations and standard protocols during storage, transport, and use of hazardous materials would minimize or avoid potential upset and accident conditions involving the release of such materials into the environment.

P.W. Engvall Elementary School is located approximately a half mile northeast of the proposed Project site. The proposed Project would not emit hazardous emissions or involve handling hazardous or acutely hazardous materials, substances, or waste within ¼-mile of an existing school.

Mitigation Measures: None are required.

Conclusion: Impacts would be *less than significant*.

d) Per the Cortese List, there are no hazardous waste and substances sites in the vicinity of the Project site (Cal EPA, 2017). Additionally, the State Water Resources Control Board GeoTracker compiles a list of Leaking Underground Storage Tank (LUST) Sites. There are no LUST Cleanup Sites within the vicinity of the Project site (California Water Resources Board, 2017). The proposed Project site is not located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and would therefore not create a significant hazard to the public or the environment.

Mitigation Measures: None are required.

Conclusion: There would be *no impact*.

e), f) There are two private airstrips and no public airports within the Lemoore area including Reeves Field at the Naval Air Station and Stone Airstrip. There is no adopted airport land use plan for the City of Lemoore. Both are located outside of the City's limits and would not impact the proposed Project.

Mitigation Measures: None are required.

Conclusion: There would be *no impact*.

g) The City of Lemoore published an Emergency Operations Plan in 2005, which provides guidance to City staff in the event of extraordinary emergency situation associated with natural disaster and technological incidents (City of Lemoore , 2008). The proposed Project would not interfere with the City's adopted emergency response plan; therefore, there would be no impact.

Mitigation Measures: None are required.

Conclusion: There would be *no impact*.

h) The proposed Project site is in an unzoned area of the Kings County Fire Hazard Severity Zone Map Local Responsibility Area (LRA). However, Cal Fire has determined that portions of the City of Lemoore are categorized as a Moderate Fire Hazard Severity Zone in LRA. The Project site is not within a wildland area nor is there within the vicinity of the Project site. The Project would not expose people or structures to a significant risk of loss, injury, or death involving wildland fires. Therefore, there would be no impact.

Mitigation Measures: None are required.

Conclusion: There would be *no impact*.

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
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3.13 - Hydrology and Water Quality

Would the project:

a.	Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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 that would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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 that would result in substantial erosion or siltation on site or off site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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 that would result in flooding on site or off site?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e.	Create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f.	Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- | | | | | | |
|----|--|--------------------------|--------------------------|-------------------------------------|-------------------------------------|
| h. | Place within a 100-year flood hazard area structures that would impede or redirect flood flows? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| j. | Contribute to inundation by seiche, tsunami, or mudflow? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Response: a), f) Project construction would cause ground disturbance that could result in soil erosion or siltation and subsequent water quality degradation offsite, which is a potentially significant impact. Construction-related activities would also involve the use of materials such as vehicle fuels, lubricating fluids, solvents, and other materials that could result in polluted runoff, which is also a potentially significant impact. However, the potential consequences of any spill or release of these types of materials are generally small due to the localized, short-term nature of such releases because of construction. The volume of any spills would likely be relatively small because the volume in any single vehicle or container would generally be anticipated to be less than 50 gallons.

As required by the State Water Resources Control Board's (SWRCB) National Pollutant Discharge Elimination System (NPDES) General Permit (No. 2012-0006-DWQ) for stormwater discharges associated with construction and land disturbance activities, the City must develop and implement a SWPPP that specifies BMPs to prevent construction pollutants from contacting stormwater, with the intent of keeping all products of erosion from moving offsite. The City is required to comply with the Construction General Permit because Project-related construction activities result in soil disturbances of at least 1 one acre of total land area. Mitigation Measure MM HYD-1 below requires the preparation and implementation of a SWPPP to comply with the Construction General Permit requirements.

With implementation of Mitigation Measures MM HYD-1, the Project would not violate any water quality standards or waste discharge requirements (WDRs) during the construction period, and impacts would be less than significant.

Project operation would not violate any water quality standards or WDRs because it: 1) does not result in point-source pollution (e.g., outfall pipe) discharges into surface waters that require WDRs and 2) would be developed in compliance with the General Permit for the Discharge of Stormwater from Small MS4s (No. 2013-0001-DWQ) in which the City is one of the permittees. Operators of MS4s¹, like the City, serve urbanized areas with populations fewer than 100,000. To comply with the MS4 General Permit, the Project would have to comply with City design standards to maximize the reduction of pollutant loading in runoff to the maximum extent practicable. The City Building Department would review grading and

¹ MS4s are defined as a conveyance or system of conveyances (including roads with drainage systems, municipal streets, catch basins, curbs, gutters, ditches, man-made channels or storm drains): 1) designed or used for collecting and/or conveying storm water; 2) which is not a combined sewer; and 3) which is not part or a Publicly Owned Treatment Works.

site plans to ensure compliance before approving such plans. The site plan review process ensures that operations of the Project would not violate water quality standards outlined in the MS4 General Permit, and operational impacts would be less than significant.

Mitigation Measures:

MM 3.12.1: Prior to ground-disturbing activities, the City shall prepare and implement a Stormwater Pollution Prevention Plan (SWPPP) that specifies best management practices (BMP), with the intent of keeping all products of erosion from moving offsite. The SWPPP shall include contain a site map that shows the construction site perimeter, existing and proposed man-made facilities, stormwater collection and discharge points, general topography both before and after construction, and drainage patterns across the Project site. Additionally, the SWPPP shall contain a visual monitoring program and a chemical monitoring program for non-visible pollutants to be implemented (if there is a failure of best management practices). The requirements of the SWPPP and BMPs shall be incorporated into design specifications and construction contracts. Recommended best management practices for the construction phase may include the following:

- Stockpiling and disposing of demolition debris, concrete, and soil properly.
- Protecting any existing storm drain inlets and stabilizing disturbed areas.
- Implementing erosion controls.
- Properly managing construction materials.
- Managing waste, aggressively controlling litter, and implementing sediment controls.

Conclusion:

Impacts would be *less than significant with mitigation incorporated*.

Response: b) The City of Lemoore currently utilizes local groundwater as its sole source of supply from underground aquifers via ten active groundwater wells. The groundwater basin underlying the City is the Tulare Lake Basin and the City of Lemoore is immediately adjacent to the south boundary of the Kings subbasin. Water for construction and operation would come from the City of Lemoore's existing water system. Per the City's Urban Water Management Plan, the City's existing system has a total supply capacity of 21,674,000 gallons per day with an average day demand of 8,769,000 gallons (City of Lemoore, 2013). The proposed Project would have temporary construction water usage and operation is estimated to demand approximately 40,870 gallons per day requiring 0.19% of the total supply capacity. Since the proposed Project would have minimal impacts on the City's water supply, impacts would be less than significant.

Mitigation Measures: None are required.

Conclusion: Impacts would be *less than significant*.

Response: c), d), e) The Project site is relatively flat and Project grading would be minimal and consist of mostly grubbing the site to remove vegetation. The topography of the site would not appreciably change because of grading activities. The site does not contain any blue-line water features, including streams or rivers. Construction-related erosion and sedimentation impacts as a result of soil disturbance would be less than significant after implementation of a SWPPP (MM 3.12.1). The Project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on- or offsite. Impacts would be less than significant.

Mitigation Measures: None are required.

Conclusion: Impacts would be *less than significant*.

Response: g), h) As shown in Figure 3-8, the Project is not located within a FEMA 100-year floodplain. The Project would not 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. The Project would not place, within a 100-year flood hazard areas, structures that would impede or redirect flood flows. There would be no impact.

Mitigation Measures: None are required.

Conclusion: There would be *no impact*.

Response: i) The City of Lemoore is located within the Pine Flat Dam inundation area. Pine Flat Dam is located east of the valley floor in the Sierra Nevada Mountains. If Pine Flat Dam failed while at full capacity, its floodwaters would arrive in Kings County within approximately five hours (Kings County, 2010). Dam failure has been adequately planned for through the Kings County Multi-Hazard Mitigation Plan, which identifies a dam failure hazard to be of medium significance and unlikely to occur in the City of Lemoore (Kings County, 2007). With the implementation of the Kings County Multi-Hazard Mitigation Plan, impacts related to dam failure would be less than significant.

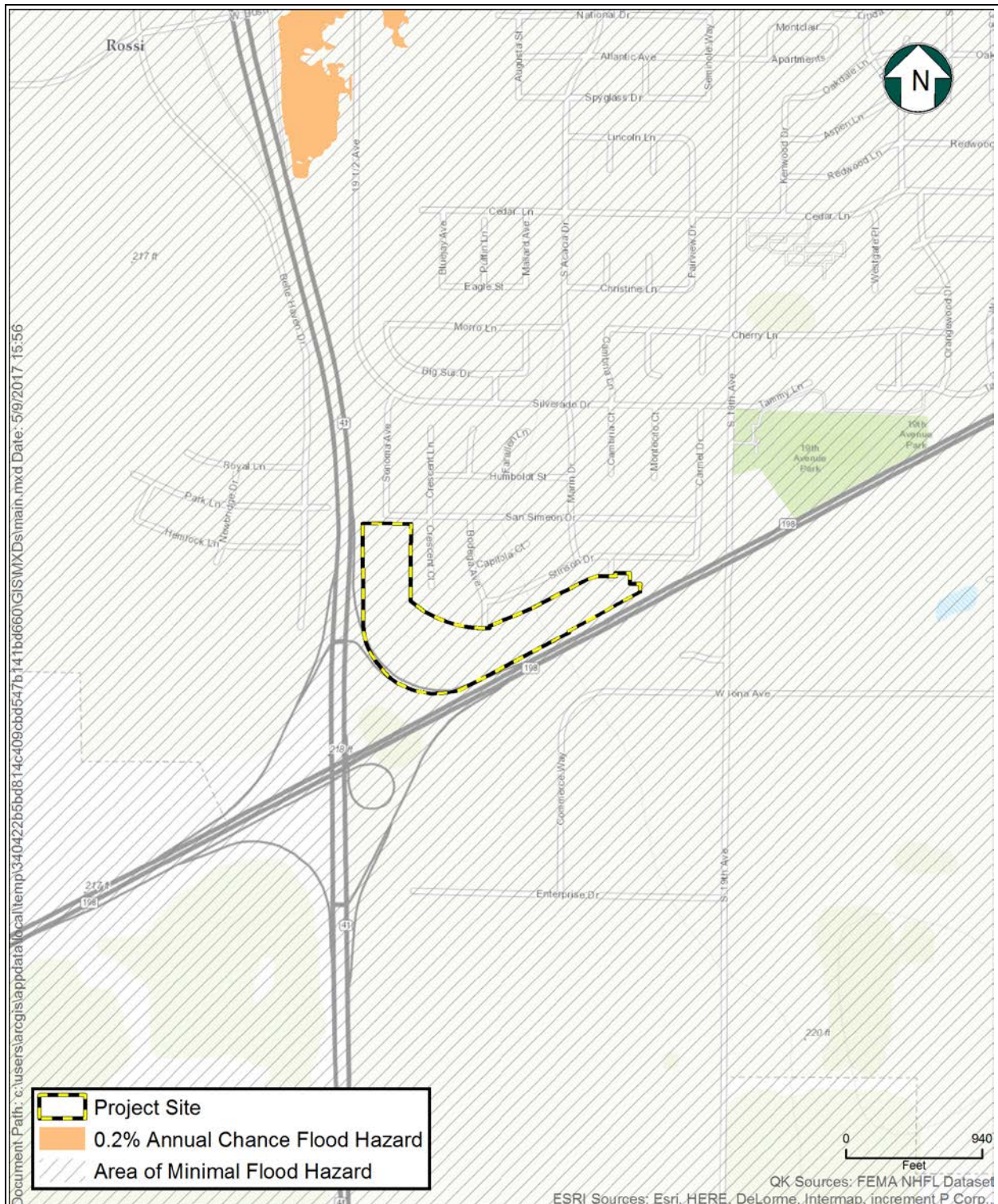
Mitigation Measures: None are required.

Conclusion: Impacts would be *less than significant*.

Response: j) The Project site is not located near the ocean, body of water or a steep topographic feature (i.e., mountain, hill, bluff, etc.). Therefore, there is no potential for the site to be inundated by seiche, tsunami or mudflow. There would be no impact.

Mitigation Measures: None are required.

Conclusion: There would be *no impact*.



**Figure 3-8
FEMA Map**

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
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3.14 - Land Use and Planning

Would the project:

- | | | | | | |
|----|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. | Physically divide an established community? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. | Conflict with any applicable habitat conservation plan or natural community conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Response: a) The Project would not physically divide an established community (see Figure 2-1). The proposed residential development would connect to the surrounding uses and City road network.

Mitigation Measures: None are required.

Conclusion: There would be *no impact*.

b) If approved, the new general plan and zoning designations would be consistent with the Project as proposed and therefore no impacts will be created.

Mitigation Measures: None are required.

Conclusion: There would be *no impact*.

c) The Project site is not within the boundaries of an adopted habitat or natural community conservation plan. Therefore, there would be no impact.

Mitigation Measures: None are required.

Conclusion: There would be *no impact*.

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
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3.15 - 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| 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? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Response: a), b) The City of Lemoore and the surrounding area are designated as Mineral Resources Zone 1 (MRZ-1) by the State Mining and Geology Board (SMGB). MRZ-1 areas are described as those for which adequate information indicates that no significant mineral deposits are present or where it is judged that little likelihood exists for their presence. Additionally, per the California Division of Oil, Gas, and Geothermal Resources (DOGGR), there are no active, inactive, or capped oil wells located within the Project site, and it is not within a DOGGR-recognized oilfield. Therefore, there would be no impact.

Mitigation Measures: None are required.

Conclusion: There would be *no impact*.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
3.16 - Noise				
Would the project result in:				
a. Exposure of persons to, or generate, noise levels in excess of standards established in a local general plan or noise ordinance or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Exposure of persons to or generate excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. For a project located within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Response: a) Project construction would generate temporary increases in noise levels. Title 5, Chapter 6 of the City's Municipal Code establishes regulations and enforcement procedures for noise generated in the city. The regulations do not apply to the operation on days other than Sunday of construction equipment or of a construction vehicle, or the performance on days other than Sunday of construction work, between the hours of 7:00 A.M. and 8:00 P.M., provided that all required permits for the operation of such construction equipment or construction vehicle or the performance of such construction work have been obtained from the appropriate city department (Lemoore Municipal Code 5-6-1-C.4). The City of Lemoore 2030 General Plan (City of Lemoore , 2008) has objectives to minimize residential development noise levels. The proposed Project would comply with all regulations, standards and policies within the City's General Plan and Municipal Code.

Therefore, the Project would not result in the exposure of persons to, or generate, noise levels more than standards established in a local general plan or noise ordinance or applicable standards of other agencies. Impacts would be less than significant.

Mitigation Measures: None are required.

Conclusion: Impacts would be *less than significant*.

Response: b), c), d) The Project involves the construction and operation of 134-residential units. As shown in Figure 2-4, the Project would be consistent with the surrounding land uses and would not cause out of the ordinary noise levels than what is currently established in the area. Construction of the Project would generate temporary ground borne vibrations. However, like construction noise, such vibrations would be attenuated over distance to the point where they would not be felt by the nearest receptors. Additionally, construction would be done during the daylight hours and would be temporary so the surrounding land uses would not be affected by construction of the new development. The Project would not expose persons to or generate excessive groundborne vibration or noise levels and would not result in substantial permanent, temporary or periodic increase in ambient noise levels above the existing environment.

Mitigation Measures: None are required.

Conclusion: Impacts would be *less than significant*.

Response: e), f) There are no airports within two miles of the Project site, nor is it in the vicinity of a private airstrip. The Lemoore Zoning Ordinance has adopted a military influence area that identifies areas that may be subject to noise impacts from the Naval Air Station Lemoore, which is approximately seven miles west of the project site. The project site is outside of the established Naval Air Station Lemoore Overlay Zone. Therefore, there would be no impact.

Mitigation Measures: None are required.

Conclusion: Impacts would be *less than significant*.

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less- than Significant Impact	No Impact
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3.17 - 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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Response: a) The proposed Project would accommodate, but not induce, population growth. Table 2-34 of the Kings County and Cities of Avenal, Corcoran, Hanford and Lemoore 2016-2024 Housing Element (2016-2024 Housing Element) shows the City of Lemoore's housing needs allocations for the 2014-2024 period. The Regional Housing Needs Allocation (RHNA) Plan determines the number and affordability of housing units that jurisdictions need to plan for through land use policies, regulations, infrastructure plans, and other housing assistance programs (Kings County, 2016). Construction and development of the proposed 134 single-family units would assist in meeting the RHNA Plan, which allocates for 2,773 units of different income category. Therefore, there would be no impact.

Mitigation Measures: None are required.

Conclusion: There would be *no impact*.

Response: b), c) The Project site is currently undeveloped. Therefore, the Project would not displace substantial numbers of existing housing or people. There would be no impact.

Mitigation Measures: None are required.

Conclusion: There would be *no impact*.

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
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3.18 - Public Services

Would the project:

- a. Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or to other performance objectives for any of the public services:

i. Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii. Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii. Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv. Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
v. Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Response: a) In general, impacts to public services from implementation of a Project are due to its ability to induce population growth and, in turn, result in a greater need for fire and police protection, etc. to serve the increased population. The proposed Project includes the construction and operation of 134 single-family residential units, which would accommodate the City's future population growth and require amenities provided by public services. Additionally, the Project would not physically affect any existing government facilities as the proposed site is currently undeveloped. As part of the City's project approval processes, the applicant will be required to construct the infrastructure needed to serve the Project site and pay the appropriate impact fees to cover the subdivision's impacts to public services.

- i. Fire suppression support is provided by the City of Lemoore Volunteer Fire Department (LVFD). The LVFD has three stations and the closest station to the Project site is located near the intersection of Fox Street and C Street approximately a mile northeast of the Project site. The proposed Project would result in the construction and operation of 134 residential units in south-central Lemoore. Construction activities would be in accordance with local and State fire codes. Fire services are

adequately planned for within the City's General Plan through policies to ensure the City maintains Fire Department performance and response standards by allocating the appropriate resources. As stated, the Daley Homes Project applicant is responsible for constructing any infrastructure needed to serve the subdivision and pay the appropriate impact fees, which would reduce impacts to less than significant.

Mitigation Measures: None are required.

Conclusion: Impacts would be *less than significant*.

- ii. Law enforcement and public protection are provided by the City of Lemoore Police Department. The City's police station is located at 657 Fox Street on the northwest corner of Fox Street and Cinnamon Drive. The station is approximately a mile northeast of the Project site. As discussed, the proposed Project would not induce but accommodate population growth, and therefore would not increase demands for public safety protection. As stated, the Daley Homes Project applicant is responsible for constructing any infrastructure needed to serve the subdivision and pay the appropriate impact fees. Impacts on police protection services related to population growth would therefore be considered less than significant.

Mitigation Measures: None are required.

Conclusion: Impacts would be *less than significant*.

- iii. The schools that would be accommodating the proposed subdivision are P.W. Engvall Elementary School, Liberty Middle School, and Lemoore Union High School. Per the Parks, Schools, and Community Facilities Element of the 2030 General Plan, both the elementary and middle schools are running under capacity. Additionally, the City has identified several sites for a future high school to accommodate population growth as the current high school is running 17% over capacity. Since the proposed Project would be accommodating population growth, the impact to schools would be considered less than significant. The developer will be required to pay established school impact fees upon construction of the homes.

Mitigation Measures: None are required.

Conclusion: Impacts would be *less than significant*.

- iv. The proposed Project includes the development of 134 residential lots. The City is currently maintaining a 5-acre to 1,000 residents park ratio, which exceeds current City Park Standards and Quimby Act requirements (City of Lemoore , 2008). The Project would have no impact to the City park system.

Mitigation Measures: None are required.

Conclusion: There would be *no impact*.

- v. The proposed Project does not include any other impacts to public facilities.

Mitigation Measures: None are required.

Conclusion: There would be *no impact*.

3.19 - Recreation

Would the project:

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
a. Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Response: a), b) As discussed, the population growth accommodated by the Project (134 homes x 3.05 persons per home) is approximately 409 people. The City's General Plan indicates that the City is continuing to maintain its parkland dedication standard of 5 acres of park land per 1,000 residents. There would be no impact.

Mitigation Measures: None are required.

Conclusion: There would be *no impact*.

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
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3.20 - Transportation and Traffic

Would the project:

a.	Conflict with an applicable plan, ordinance or policy establishing measures 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c.	Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d.	Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e.	Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f.	Conflict with adopted policies, plans, or Programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Response: a) The City's transportation policies and requirements are incorporated in its General Plan. The only such policy which is affected by this Project is that requiring that no Level of Service violations be engendered by a Project. Per the City's Circulation Element of

the City of Lemoore 2030 General Plan Update (City of Lemoore , 2008), the “City of Lemoore does not currently have any adopted level of service (LOS) standard. However, recent traffic studies have used level of service D as the standard for evaluating project impacts at intersections.” A LOS of D is characterized by congestion with average vehicle speeds decreasing below the user’s desired level for two and four land roads. The Level of Service for 19th Avenue is C; the daily traffic of the Project site is, 1,282 cars per day (9.57 trips per day per residence; see *Section 3.3 - Air Quality*). As discussed in the Population and Housing Section, the Project will be accommodating future population growth. The calculated trips per day is considered the worst-case scenario. It is assumed that the LOS of the surrounding streets would remain the same. Additionally, trips to bring materials for construction to the site would be temporary. Therefore, the Project would not conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system. Impacts would be less than significant.

Mitigation Measures: None are required.

Conclusion: Impacts would be *less than significant*.

Response: b) Neither the City of Lemoore or Kings County has an adopted congestion management program. Therefore, there would be no impact.

Mitigation Measures: None are required.

Conclusion: There would be *no impact*.

Response: c) As discussed, there are no public airports or private airstrips within the vicinity of the Project site and the Project does not include the construction of any structures that would interfere with air traffic patterns. Therefore, there would be no impact.

Mitigation Measures: None are required.

Conclusion: There would be *no impact*.

Response: d), e) The Project would not involve design features that would increase hazards or involve the development of incompatible uses. It would also not result in inadequate emergency access. Therefore, there would be no impact.

Mitigation Measures: None are required.

Conclusion: There would be *no impact*.

Response: f) The Project would not affect existing pedestrian and bicycle facilities within the surrounding area. There is no conflict with the Kings County’s 2005 Regional Bicycle Plan; therefore, there would be no impact.

Mitigation Measures: None are required.

Conclusion: There would be *no impact*.

Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
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3.21 - Tribal Cultural Resources

Would the project:

- a. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe. | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Response: a) The Project is not located within an area with known tribal cultural resources. As discussed in the *Section 3.9 - Cultural Resources*, there are no historical resources located on or within the vicinity of the Project site. Additionally, consultation has been requested from the local tribes; however, no responses have been received. Therefore, the proposed Project would have no impact to tribal cultural resources.

Mitigation Measures: None are required.

Conclusion: There would be *no impact*.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
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3.22 - Utilities and Service Systems

Would the project:

a.	Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c.	Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d.	Have sufficient water supplies available to serve the project from existing entitlements and resources, or would new or expanded entitlements be needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e.	Result in a determination by the wastewater treatment provider that serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f.	Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g.	Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Response: a), b), c), d), e), f), g) Like public services, the Project applicant is required to either extend the needed utility infrastructure or pay impact fees to accommodate the subdivision's impact to local utility and infrastructure systems. The City's wastewater facilities, water system, storm drainage system, and solid waste disposal programs have capacity for, or are planned to maintain capacity for, community growth in accord with the adopted General Plan.

Mitigation Measures: None are required.

Conclusion: Impacts would be *less than significant*.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
3.23 - 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, substantially 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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Does the project have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Response: a) As evaluated in this IS/MND, the proposed Project would not substantially 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 an endangered, rare, or threatened species; or eliminate important examples of the major periods of California history or prehistory. Mitigation measures have been included to lessen the significance of potential impacts. Similar mitigation measures would be expected of other projects in the surrounding area, most of which share a similar cultural paleontological and biological resources. Consequently, the incremental effects of the proposed project, after mitigation, would not contribute to an adverse cumulative impact on these resources. Therefore, the Project would have a less-than-significant impact with mitigation incorporated.

Mitigation Measures:

Implement Mitigation Measures MM 3.8.1 through MM 3.8.4, MM CUL 3.9.1 through MM 3.9.3 and MM 3.12.1.

Conclusion:

Impacts would be *less than significant with mitigation incorporated*.

Response: b) As described in the impact analyses in Sections 3.5 through 3.22 of this IS/MND, any potentially significant impacts of the proposed Project would be reduced to a less-than significant level following incorporation of the mitigation measures listed in *Appendix A – Mitigation Monitoring and Reporting Program*. All planned projects in the vicinity of the proposed Project would be subject to review in separate environmental documents and required to conform to the City of Lemoore General Plan, zoning, mitigate for project-specific impacts, and provide appropriate engineering to ensure the development meets applicable federal, State and local regulations and codes. As currently designed, and with compliance of the recommended mitigation measures, the proposed Project would not contribute to a cumulative impact. Thus, the cumulative impacts of past, present, and reasonably foreseeable future projects would be less than cumulatively considerable.

Mitigation Measures:

Implement Mitigation Measures MM 3.8.1 through MM 3.8.4, MM CUL 3.9.1 through MM 3.9.3 and MM 3.12.1.

Conclusion:

Impacts would be *less than significant with mitigation incorporated*.

Response: c) All of the Project's impacts, both direct and indirect, that are attributable to the Project were identified and mitigated to a less than significant level. As shown in *Appendix A - Mitigation Monitoring and Reporting Program*, the Project proponent has agreed to implement mitigation substantially reducing or eliminating impacts of the Project. All planned projects in the vicinity of the proposed Project would be subject to review in separate environmental documents and required to conform to the City of Lemoore General Plan, zoning, mitigate for project-specific impacts, and provide appropriate engineering to ensure the development meets applicable federal, State and local regulations and codes. Thus, the cumulative impacts of past, present, and reasonably foreseeable future projects would be less than cumulatively considerable. Therefore, the proposed Project would not either directly or indirectly cause substantial adverse effects on human beings because all potentially adverse direct impacts of the proposed Project are identified as having no impact, less than significant impact, or less than significant impact with mitigation incorporated.

Mitigation Measures:

Implement Mitigation Measures MM 3.8.1 through MM 3.8.4, MM CUL 3.9.1 through MM 3.9.3 and MM 3.12.1.

Conclusion:

Impacts would be *less than significant with mitigation incorporated*.

SECTION 4 - REFERENCES

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APPENDIX A

MITIGATION MONITORING AND REPORTING PROGRAM

MITIGATION MONITORING AND REPORTING PROGRAM

Daley Homes General Plan Amendment and Zone Change

Mitigation Measure	Timeframe	Responsible Monitoring Agency	Date	Initial
<p>MM 3.8.1: A qualified biologist shall conduct a pre-construction survey on the Project site and within 500 feet of its perimeter within 14 days of and no more than 30 days prior to the start of construction activities.</p> <p>If any evidence of occupation of the Project site by listed or other special-status species is subsequently observed, a buffer shall be established by a qualified biologist that results in sufficient avoidance to comply with applicable regulations. If sufficient avoidance cannot be established, the United States Fish and Wildlife Service and California Department of Fish and Game shall be contacted for further guidance and consultation on additional measures. The Project proponent shall obtain any required permits from the appropriate wildlife agency. Copies of all permits and evidence of compliance with applicable regulations shall be submitted to the lead agency.</p> <p>The following buffer distances shall be established prior to construction activities:</p> <ul style="list-style-type: none"> • San Joaquin kit fox or American badger potential den: 50 feet; • San Joaquin kit fox known den: 100 feet; • San Joaquin kit fox or American badger pupping den: contact the California Department of Fish and Game and United States Fish and Wildlife Service; • Burrowing owl burrow outside of breeding season: 160 feet; • Burrowing owl burrow during breeding season: 250 feet; • Swainson's hawk nest during breeding season: ½ mile; 	Prior to construction	Lead Agency		

<ul style="list-style-type: none"> • Other protected raptor nests during the breeding season: 300 feet; • Other protected nesting migratory bird nests during the breeding season: 50 feet; and • Other special-status wildlife species: as recommended by qualified biologist. 				
<p>MM 3.8.2: If initial grading activities are planned during the potential nesting season for migratory birds/raptors that may nest on or near the Project site, the preconstruction survey shall evaluate the sites and accessible lands within an adequate buffer for active nests of migratory birds/raptors. If any nesting birds/raptors are observed, a qualified biologist shall determine buffer distances and/or the timing of Project activities so that the proposed Project does not cause nest abandonment or destruction of eggs or young. This measure shall be implemented so that the proposed Project remains in compliance with the Migratory Bird Treaty Act and applicable state regulations.</p> <p>If nesting raptors are identified during the surveys, active raptor nests should be avoided by 500 feet and all other migratory bird nests should be avoided by 250 feet. Avoidance buffers may be reduced if a qualified and approved on-site monitor determines that encroachment into the buffer area is not affecting nest building, the rearing of young, or otherwise affect the breeding behaviors of the resident birds. Avoidance buffers can also be reduced through consultation with the CDFW and USFWS. If Swainson's hawks are found to nest within the survey area, active Swainson's hawk nests shall be avoided by 0.5 mile unless this avoidance buffer is reduced through consultation with the CDFW and/or USFWS.</p> <p>No construction or earth-moving activity shall occur within a non-disturbance buffer until it is determined by a qualified biologist that the young have fledged (that is, left the nest) and have attained sufficient flight skills to avoid Project construction areas. This typically occurs by early July, but September 1st is considered the end of the nesting period unless otherwise determined by a qualified biologist. Once raptors have completed nesting and young have fledged, disturbance buffers will no longer be needed and can be removed, and monitoring can be terminated.</p>	During construction	Lead Agency		

<p>MM 3.8.3: If any burrowing owl burrows are observed during the preconstruction survey, avoidance measures shall be consistent and in accordance with protocols outlined in the Burrowing Owl Survey Protocol and Mitigation Guidelines (Burrowing Owl Consortium 1993) and the Staff Report on Burrowing Owl Mitigation (CDFW 2012). Active burrows shall be avoided, but if avoidance is not possible then compensation shall be provided for the active or passive displacement of western burrowing owls, and habitat acquisition and the creation of artificial dens for any western burrowing owls shall be provided for any owls relocated from construction areas. These measures are outlined as follows:</p> <ol style="list-style-type: none"> 1. A pre-construction survey of construction area, including a 150-meter buffer (500 feet), shall be conducted no less than 14 days and no more than 30 days prior to ground disturbing activities. If more than 30 days lapse between the time of the pre-construction survey and the start of ground-disturbing activities, another pre-construction survey shall be completed. The second survey (or other subsequent surveys if necessary) shall be conducted and timed to occur sometime between 30 days and 24 hours prior to ground disturbance. 2. If western burrowing owls are present on the construction site (or within 500 feet of the construction site), exclusion fencing shall be installed between the nest site or active burrow and any earth-moving activity or other disturbance. Exclusion areas shall extend 160 feet around occupied burrows during the non-breeding season (September 1 through January 31) and extend 250 feet around occupied burrows during the breeding season (February 1 through August 31) as described in The California Burrowing Owl Consortium's Survey Protocol and Mitigation Guidelines (California Burrowing Owl Consortium 1993). 3. If western burrowing owls are present in the non-breeding season and must be passively relocated from the Project site, passive relocation shall not commence until October 1st and must be completed by February 1st. Passive relocation must only be conducted by a qualified biologist or ornithologist and with approval by CDFW. After passive relocation, the area where owls occurred and its immediate vicinity shall be monitored by a qualified biologist daily for one week and once 	During construction	Lead Agency		
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per week for an additional two weeks to document that owls are not reoccupying the site.														
4. If permanent impacts to nesting, occupied and satellite burrows, or burrowing owl habitat occur, compensation shall be based upon the number of owls or pairs of owls relocated from the construction area. Compensation acreage shall be determined as described in the CDFW's Staff Report on Burrowing Owl Mitigation (CDFW 2012).														
MM 3.8.4: The measures listed below shall be implemented during construction: 1. Pre-construction surveys shall be conducted no fewer than 14 days and no more than 30 days prior to the beginning of ground disturbance and/or construction activities. If any San Joaquin kit fox dens are found during preconstruction surveys, exclusion zones shall be placed in accordance with USFWS Recommendations using the following: San Joaquin kit fox USFWS Exclusion Zone Recommendations <table><tr><th>Den Type</th><th>Recommendation</th></tr><tr><td>Potential Den</td><td>50-foot radius</td></tr><tr><td>Known Den</td><td>100-foot radius</td></tr><tr><td>Natal/Pupping Den (Occupied and Unoccupied)</td><td>Contact U.S. Fish and Wildlife Service for guidance</td></tr><tr><td>Atypical Den</td><td>50-foot radius</td></tr></table> 2. If any den must be removed, it must be appropriately monitored and excavated by a trained wildlife biologist. Destruction of natal dens and other "known" kit fox dens must not occur until authorized by USFWS. Replacement dens will be required if such dens are removed. Potential dens that are removed do not need to be replaced if they are determined to be inactive by using standard monitoring techniques (e.g., applying tracking medium around the den opening and monitoring for San Joaquin kit fox tracks for three consecutive nights). 3. Project-related vehicles shall observe a daytime speed limit of 20-mph throughout the site in all Project areas, except on County roads and	Den Type	Recommendation	Potential Den	50-foot radius	Known Den	100-foot radius	Natal/Pupping Den (Occupied and Unoccupied)	Contact U.S. Fish and Wildlife Service for guidance	Atypical Den	50-foot radius	During construction	Lead Agency		
Den Type	Recommendation													
Potential Den	50-foot radius													
Known Den	100-foot radius													
Natal/Pupping Den (Occupied and Unoccupied)	Contact U.S. Fish and Wildlife Service for guidance													
Atypical Den	50-foot radius													

<p>State and federal highways; this is particularly important at night when kit foxes and badgers are most active. Night-time construction shall be minimized to the extent possible. However, if construction at night does occur, then the speed limit shall be reduced to 10-mph. Off-road traffic outside of designated Project areas shall be prohibited.</p>				
<p>4. To prevent inadvertent entrapment of kit foxes or other animals during the construction phase of a Project, all excavated, steep-walled holes or trenches more than 2-feet deep should be covered at the close of each working day by plywood or similar materials. If the trenches cannot be closed, one or more escape ramps constructed of earthen-fill or wooden planks shall be installed. Before such holes or trenches are filled, they shall be thoroughly inspected for trapped animals. If at any time a trapped or injured kit fox is discovered, the USFWS and the CDFW shall be contacted at the addresses provided below.</p>				
<p>5. Kit foxes are attracted to den-like structures such as pipes and may enter stored pipes and become trapped or injured. All construction pipes, culverts, or similar structures with a diameter of 4-inches or greater that are stored at a construction site for one or more overnight periods shall be thoroughly inspected for kit foxes before the pipe is subsequently buried, capped, or otherwise used or moved in any way. If a kit fox is discovered inside a pipe, that section of pipe shall not be moved until the USFWS has been consulted. If necessary, and under the direct supervision of the biologist, the pipe may be moved only once to remove it from the path of construction activity, until the fox has escaped.</p>				
<p>6. All food-related trash items such as wrappers, cans, bottles, and food scraps shall be disposed of in securely closed containers and removed at least once a week from a construction or Project sites.</p>				
<p>7. No pets, such as dogs or cats, shall be permitted on the Project sites to prevent harassment, mortality of kit foxes, or destruction of dens.</p>				
<p>8. Use of rodenticides and herbicides in Project areas shall be restricted. This is necessary to prevent primary or secondary poisoning of kit foxes and the depletion of prey populations on which they depend. All uses of such compounds shall observe label and other restrictions</p>				

<p>mandated by the U.S. Environmental Protection Agency, California Department of Food and Agriculture, and other State and Federal legislation, as well as additional Project-related restrictions deemed necessary by the USFWS. If rodent control must be conducted, zinc phosphide shall be used because of a proven lower risk to kit fox.</p> <p>9. A representative shall be appointed by the Project proponent who will be the contact source for any employee or contractor who might inadvertently kill or injure a kit fox or who finds a dead, injured or entrapped kit fox. The representative will be identified during the employee education program and their name and telephone number shall be provided to the USFWS.</p> <p>10. An employee education program shall be conducted. The program shall consist of a brief presentation by persons knowledgeable in San Joaquin kit fox biology and legislative protection to explain endangered species concerns to contractors, their employees, and military and/or agency personnel involved in the Project. The program shall include: a description of the San Joaquin kit fox and its habitat needs; a report of the occurrence of kit fox in the Project area; an explanation of the status of the species and its protection under the Endangered Species Act; and a list of measures being taken to reduce impacts to the species during Project construction and implementation. A fact sheet conveying this information shall be prepared for distribution to the previously referenced people and anyone else who may enter the Project sites.</p> <p>11. Upon completion of the Project, all areas subject to temporary ground disturbances, including storage and staging areas, temporary roads, pipeline corridors, etc. shall be re-contoured if necessary, and revegetated to promote restoration of the area to pre-Project conditions. An area subject to "temporary" disturbance means any area that is disturbed during the Project, but after Project completion will not be subject to further disturbance and has the potential to be revegetated. Appropriate methods and plant species used to revegetate such areas should be determined on a site-specific basis in consultation with the USFWS, CDFW, and revegetation experts.</p>				
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<p>12. In the case of trapped animals, escape ramps or structures should be installed immediately to allow the animal(s) to escape, or the USFWS shall be contacted for guidance.</p> <p>13. Any contractor, employee, or military or agency personnel who are responsible for inadvertently killing or injuring a San Joaquin kit fox shall immediately report the incident to their representative. This representative shall contact the CDFW immediately in the case of a dead, injured or entrapped kit fox. The CDFW contact for immediate assistance is State Dispatch at (916)445-0045. They will contact the local warden or CDFW representative, the wildlife biologist, at (530)934-9309. The USFWS shall be contacted at the numbers below.</p> <p>14. The Sacramento Fish and Wildlife Office of USFWS and CDFW shall be notified in writing within three working days of the accidental death or injury to a San Joaquin kit fox during Project-related activities. Notification must include the date, time, and location of the incident or of the finding of a dead or injured animal and any other pertinent information. The USFWS contact is the Chief of the Division of Endangered Species, at the addresses and telephone numbers below. The CDFW contact can be reached at 1701 Nimbus Road, Suite A, Rancho Cordova, California 95670, (530) 934-9309.</p> <p>15. All sightings of the San Joaquin kit fox shall be reported to the California Natural Diversity Database (CNDDB). A copy of the reporting form and a topographic map clearly marked with the location of where the kit fox was observed shall also be provided to the Service at the address below.</p> <p>Any Project-related information required by the USFWS or questions concerning the above conditions or their implementation may be directed in writing to the U.S. Fish and Wildlife Service at: Endangered Species Division, 2800 Cottage Way, Suite W 2605, Sacramento, California 95825-1846, phone (916) 414-6620 or (916) 414-6600.</p>				
<p>MM 3.9.1: If prehistoric or historic-era cultural or archaeological materials are encountered during construction activities, all work within 25 feet of the find shall halt until a qualified professional archaeologist, meeting the Secretary of the Interior's Professional Qualification Standards for</p>	During construction	Lead Agency		

<p>prehistoric and historic archaeologist, can evaluate the significance of the find and make recommendations. Cultural resource materials may include prehistoric resources such as flaked and ground stone tools and debris, shell, bone, ceramics, and fire-affected rock as well as historic resources such as glass, metal, wood, brick, or structural remnants. If the qualified professional archaeologist determines that the discovery represents a potentially significant cultural resource, additional investigations may be required to mitigate adverse impacts from Project implementation. These additional studies may include avoidance, testing, and evaluation or data recovery excavation.</p> <p>If a potentially-eligible resource is encountered, then the qualified professional archaeologist, the Lead Agency, and the Project proponent shall arrange for either 1) total avoidance of the resource or 2) test excavations to evaluate eligibility and, if eligible, total data recovery. The determination shall be formally documented in writing and submitted to the Lead Agency as verification that the provisions for managing unanticipated discoveries have been met.</p>				
<p>MM 3.9.2: During any ground disturbance activities, if paleontological resources are encountered, all work within 25 feet of the find shall halt until a qualified paleontologist as defined by the Society of Vertebrate Paleontology Standard Procedures for the Assessment and Mitigation of Adverse Impacts to Paleontological Resources (2010), can evaluate the find and make recommendations regarding treatment. Paleontological resource materials may include resources such as fossils, plant impressions, or animal tracks preserved in rock. The qualified paleontologist shall contact the University of California Museum of Paleontology, or other appropriate facility regarding any discoveries of paleontological resources.</p> <p>If the qualified paleontologist determines that the discovery represents a potentially significant paleontological resource, additional investigations and fossil recovery may be required to mitigate adverse impacts from Project implementation. If avoidance is not feasible, the paleontological resources shall be evaluated for their significance. If the resources are not significant, avoidance is not necessary. If the resources are significant, they shall be avoided to ensure no adverse effects, or such effects must be mitigated. Construction in that area shall not resume until the resource appropriate measures are recommended or the materials are determined</p>	During construction	Lead Agency		

<p>to be less than significant. If the resource is significant and fossil recovery is the identified form of treatment, then the fossil shall be deposited in an accredited and permanent scientific institution. Copies of all correspondence and reports shall be submitted to the Lead Agency.</p> <p>Construction in that area shall not resume until the resource appropriate measures are recommended or the materials are determined to be less than significant. If the resource is significant and fossil recovery is the identified form of treatment, then the fossil shall be deposited in an accredited and permanent scientific institution. Copies of all correspondence and reports shall be submitted to the Lead Agency.</p>				
<p>MM 3.9.3: If human remains are discovered during construction or operational activities, further excavation or disturbance shall be prohibited pursuant to Section 7050.5 of the California Health and Safety Code. The protocol, guidelines, and channels of communication outlined by the Native American Heritage Commission, in accordance with Section 7050.5 of the Health and Safety Code, Section 5097.98 of the Public Resources Code (Chapter 1492, Statutes of 1982, Senate Bill 297), and Senate Bill 447 (Chapter 44, Statutes of 1987), shall be followed. Section 7050.5(c) shall guide any potential Native American involvement, in the event of discovery of human remains, at the direction of the county coroner.</p>	During construction	Lead Agency		
<p>MM 3.12.1: Prior to ground-disturbing activities, the City shall prepare and implement a Stormwater Pollution Prevention Plan (SWPPP) that specifies best management practices (BMP), with the intent of keeping all products of erosion from moving offsite. The SWPPP shall include contain a site map that shows the construction site perimeter, existing and proposed man-made facilities, stormwater collection and discharge points, general topography both before and after construction, and drainage patterns across the Project site. Additionally, the SWPPP shall contain a visual monitoring program and a chemical monitoring program for non-visible pollutants to be implemented (if there is a failure of best management practices). The requirements of the SWPPP and BMPs shall be incorporated into design specifications and construction contracts. Recommended best management practices for the construction phase may include the following:</p>	Prior to construction	Lead Agency		

<ul style="list-style-type: none"> • Stockpiling and disposing of demolition debris, concrete, and soil properly. • Protecting any existing storm drain inlets and stabilizing disturbed areas. • Implementing erosion controls. • Properly managing construction materials. • Managing waste, aggressively controlling litter, and implementing sediment controls. 				
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Daily Homes Subdivision - Kings County, Annual

Daily Homes Subdivision

Kings County, Annual

1.0 Project Characteristics

1.1 Land Usage

Land Uses	Size	Metric	Lot Acreage	Floor Surface Area	Population
Single Family Housing	134.00	Dwelling Unit	20.00	241,200.00	383

1.2 Other Project Characteristics

Urbanization	Urban	Wind Speed (m/s)	2.2	Precipitation Freq (Days)	37
Climate Zone	3			Operational Year	2018
Utility Company	Pacific Gas & Electric Company				
CO2 Intensity (lb/MWhr)	641.35	CH4 Intensity (lb/MWhr)	0.029	N2O Intensity (lb/MWhr)	0.006

1.3 User Entered Comments & Non-Default Data

Project Characteristics -

Land Use - Per site plan

Table Name	Column Name	Default Value	New Value
tblLandUse	LotAcreage	43.51	20.00
tblWoodstoves	NumberCatalytic	20.00	0.00
tblWoodstoves	NumberNoncatalytic	20.00	0.00

2.0 Emissions Summary

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2.1 Overall Construction

Unmitigated Construction

[illegible]

Mitigated Construction

[illegible][illegible]

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Quarter	Start Date	End Date	Maximum Unmitigated ROG + NOX (tons/quarter)	Maximum Mitigated ROG + NOX (tons/quarter)
		Highest		

2.2 Overall Operational

Unmitigated Operational

[illegible]

Daily Homes Subdivision - Kings County, Annual

2.2 Overall Operational**Mitigated Operational**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Area																60.0603
Energy																599.4823
Mobile																2,566.3425
Waste																69.3401
Water																31.3069
Total																3,326.5321

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Percent Reduction	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00

3.0 Construction Detail**Construction Phase**

Daily Homes Subdivision - Kings County, Annual

Phase Number	Phase Name	Phase Type	Start Date	End Date	Num Days Week	Num Days	Phase Description
1	Architectural Coating	Architectural Coating	1/5/2004	1/4/2004	5	20	
2	Building Construction	Building Construction	1/5/2004	1/4/2004	5	300	
3	Demolition	Demolition	1/5/2004	1/4/2004	5	20	
4	Grading	Grading	1/5/2004	1/4/2004	5	30	
5	Paving	Paving	1/5/2004	1/4/2004	5	20	
6	Site Preparation	Site Preparation	1/5/2004	1/4/2004	5	10	

Acres of Grading (Site Preparation Phase): 0

Acres of Grading (Grading Phase): 75

Acres of Paving: 0

Residential Indoor: 488,430; Residential Outdoor: 162,810; Non-Residential Indoor: 0; Non-Residential Outdoor: 0; Striped Parking Area: 0
(Architectural Coating – sqft)

OffRoad Equipment

Daily Homes Subdivision - Kings County, Annual

Phase Name	Offroad Equipment Type	Amount	Usage Hours	Horse Power	Load Factor
Architectural Coating	Air Compressors	1	6.00	78	0.48
Demolition	Excavators	3	8.00	158	0.38
Demolition	Concrete/Industrial Saws	1	8.00	81	0.73
Grading	Excavators	2	8.00	158	0.38
Building Construction	Cranes	1	7.00	231	0.29
Building Construction	Forklifts	3	8.00	89	0.20
Building Construction	Generator Sets	1	8.00	84	0.74
Paving	Pavers	2	8.00	130	0.42
Paving	Rollers	2	8.00	80	0.38
Demolition	Rubber Tired Dozers	2	8.00	247	0.40
Grading	Rubber Tired Dozers	1	8.00	247	0.40
Building Construction	Tractors/Loaders/Backhoes	3	7.00	97	0.37
Grading	Graders	1	8.00	187	0.41
Grading	Tractors/Loaders/Backhoes	2	8.00	97	0.37
Paving	Paving Equipment	2	8.00	132	0.36
Site Preparation	Tractors/Loaders/Backhoes	4	8.00	97	0.37
Site Preparation	Rubber Tired Dozers	3	8.00	247	0.40
Grading	Scrapers	2	8.00	367	0.48
Building Construction	Welders	1	8.00	46	0.45

Trips and VMT

Daily Homes Subdivision - Kings County, Annual

Phase Name	Offroad Equipment Count	Worker Trip Number	Vendor Trip Number	Hauling Trip Number	Worker Trip Length	Vendor Trip Length	Hauling Trip Length	Worker Vehicle Class	Vendor Vehicle Class	Hauling Vehicle Class
Architectural Coating	1	10.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Building Construction	9	48.00	14.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Demolition	6	15.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Grading	8	20.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Paving	6	15.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Site Preparation	7	18.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT

3.1 Mitigation Measures Construction

3.2 Architectural Coating - 2004

Unmitigated Construction On-Site

[illegible]

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3.2 Architectural Coating - 2004

Unmitigated Construction Off-Site

[illegible]

Mitigated Construction On-Site

[illegible]

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3.2 Architectural Coating - 2004

Mitigated Construction Off-Site

[illegible]

3.3 Building Construction - 2004

Unmitigated Construction On-Site

[illegible]

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3.3 Building Construction - 2004

Unmitigated Construction Off-Site

[illegible]

Mitigated Construction On-Site

[illegible]

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3.3 Building Construction - 2004

Mitigated Construction Off-Site

[illegible]

3.4 Demolition - 2004

Unmitigated Construction On-Site

[illegible]

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3.4 Demolition - 2004

Unmitigated Construction Off-Site

[illegible]

Mitigated Construction On-Site

[illegible]

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3.4 Demolition - 2004

Mitigated Construction Off-Site

[illegible]

3.5 Grading - 2004

Unmitigated Construction On-Site

[illegible]

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3.5 Grading - 2004

Unmitigated Construction Off-Site

[illegible]

Mitigated Construction On-Site

[illegible]

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3.5 Grading - 2004

Mitigated Construction Off-Site

[illegible]

3.6 Paving - 2004

Unmitigated Construction On-Site

[illegible]

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3.6 Paving - 2004

Unmitigated Construction Off-Site

[illegible]

Mitigated Construction On-Site

[illegible]

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3.6 Paving - 2004

Mitigated Construction Off-Site

[illegible]

3.7 Site Preparation - 2004

Unmitigated Construction On-Site

[illegible]

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3.7 Site Preparation - 2004

Unmitigated Construction Off-Site

[illegible]

Mitigated Construction On-Site

[illegible]

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3.7 Site Preparation - 2004**Mitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Vendor	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Worker	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000
Total	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000	0.0000

4.0 Operational Detail - Mobile**4.1 Mitigation Measures Mobile**

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	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Mitigated																2,566.3425
Unmitigated																2,566.3425

4.2 Trip Summary Information

Land Use	Average Daily Trip Rate			Unmitigated	Mitigated
	Weekday	Saturday	Sunday	Annual VMT	Annual VMT
Single Family Housing	1,275.68	1,327.94	1155.08	3,623,370	3,623,370
Total	1,275.68	1,327.94	1,155.08	3,623,370	3,623,370

4.3 Trip Type Information

Land Use	Miles			Trip %			Trip Purpose %		
	H-W or C-W	H-S or C-C	H-O or C-NW	H-W or C-W	H-S or C-C	H-O or C-NW	Primary	Diverted	Pass-by
Single Family Housing	10.80	7.30	7.50	42.30	19.60	38.10	86	11	3

4.4 Fleet Mix

Land Use	LDA	LDT1	LDT2	MDV	LHD1	LHD2	MHD	HHD	OBUS	UBUS	MCY	SBUS	MH
Single Family Housing	0.472912	0.030922	0.145205	0.141616	0.025886	0.005289	0.012264	0.153809	0.001816	0.002088	0.006227	0.001059	0.000908

5.0 Energy Detail

Historical Energy Use: N

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5.1 Mitigation Measures Energy

[illegible]

5.2 Energy by Land Use - NaturalGas

Unmitigated

[illegible]

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5.2 Energy by Land Use - NaturalGas**Mitigated**

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	tons/yr										MT/yr					
Single Family Housing	4.30215e+006																230.9433
Total																	230.9433

5.3 Energy by Land Use - Electricity**Unmitigated**

	Electricity Use	Total CO2	CH4	N2O	CO2e
Land Use	kWh/yr	MT/yr			
Single Family Housing	1.2619e+006				368.5390
Total					368.5390

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5.3 Energy by Land Use - Electricity

Mitigated

	Electricity Use	Total CO2	CH4	N2O	CO2e
Land Use	kWh/yr	MT/yr			
Single Family Housing	1.2619e+006				368.5390
Total					368.5390

6.0 Area Detail

6.1 Mitigation Measures Area

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Mitigated																60.0603
Unmitigated																60.0603

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6.2 Area by SubCategory

Unmitigated

[illegible]

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6.2 Area by SubCategory**Mitigated**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	tons/yr										MT/yr					
Architectural Coating																0.0000
Consumer Products																0.0000
Hearth																58.3948
Landscaping																1.6655
Total																60.0603

7.0 Water Detail**7.1 Mitigation Measures Water**

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	Total CO2	CH4	N2O	CO2e
Category	MT/yr			
Mitigated				31.3069
Unmitigated				31.3069

7.2 Water by Land Use**Unmitigated**

	Indoor/Outdoor Use	Total CO2	CH4	N2O	CO2e
Land Use	Mgal	MT/yr			
Single Family Housing	8.73064 / 5.5041				31.3069
Total					31.3069

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7.2 Water by Land Use**Mitigated**

	Indoor/Outdoor Use	Total CO2	CH4	N2O	CO2e
Land Use	Mgal	MT/yr			
Single Family Housing	8.73064 / 5.5041				31.3069
Total					31.3069

8.0 Waste Detail**8.1 Mitigation Measures Waste****Category/Year**

	Total CO2	CH4	N2O	CO2e
	MT/yr			
Mitigated				69.3401
Unmitigated				69.3401

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8.2 Waste by Land Use**Unmitigated**

	Waste Disposed	Total CO2	CH4	N2O	CO2e
Land Use	tons	MT/yr			
Single Family Housing	137.88				69.3401
Total					69.3401

Mitigated

	Waste Disposed	Total CO2	CH4	N2O	CO2e
Land Use	tons	MT/yr			
Single Family Housing	137.88				69.3401
Total					69.3401

9.0 Operational Offroad

Equipment Type	Number	Hours/Day	Days/Year	Horse Power	Load Factor	Fuel Type
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10.0 Stationary Equipment

Fire Pumps and Emergency Generators

Equipment Type	Number	Hours/Day	Hours/Year	Horse Power	Load Factor	Fuel Type
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Boilers

Equipment Type	Number	Heat Input/Day	Heat Input/Year	Boiler Rating	Fuel Type
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User Defined Equipment

Equipment Type	Number
----------------	--------

11.0 Vegetation

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Daily Homes Subdivision
Kings County, Annual**1.0 Project Characteristics**

1.1 Land Usage

Land Uses	Size	Metric	Lot Acreage	Floor Surface Area	Population
Single Family Housing	134.00	Dwelling Unit	20.00	241,200.00	383

1.2 Other Project Characteristics

Urbanization	Urban	Wind Speed (m/s)	2.2	Precipitation Freq (Days)	37
Climate Zone	3			Operational Year	2019
Utility Company	Pacific Gas & Electric Company				
CO2 Intensity (lb/MW hr)	641.35	CH4 Intensity (lb/MW hr)	0.029	N2O Intensity (lb/MW hr)	0.006

1.3 User Entered Comments & Non-Default Data

Project Characteristics -

Land Use - Per site plan

Mobile Land Use Mitigation -

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Table Name	Column Name	Default Value	New Value
tblArchitecturalCoating	EF_Nonresidential_Exterior	150.00	250.00
tblArchitecturalCoating	EF_Nonresidential_Interior	150.00	250.00
tblArchitecturalCoating	EF_Residential_Exterior	150.00	250.00
tblArchitecturalCoating	EF_Residential_Interior	150.00	250.00
tblLandUse	LotAcreage	43.51	20.00
tblProjectCharacteristics	OperationalYear	2018	2019
tblWoodstoves	NumberCatalytic	20.00	0.00
tblWoodstoves	NumberNoncatalytic	20.00	0.00

2.0 Emissions Summary

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2.1 Overall Construction

Unmitigated Construction

[illegible]

Mitigated Construction

[illegible]

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[illegible]

Quarter	Start Date	End Date	Maximum Unmitigated ROG + NOX (tons/quarter)	Maximum Mitigated ROG + NOX (tons/quarter)
		Highest		

2.2 Overall Operational

Unmitigated Operational

[illegible]

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2.2 Overall Operational**Mitigated Operational**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Area																60.0599
Energy																599.4823
Mobile																1,198.2353
Waste																69.3401
Water																31.3069
Total																1,958.4245

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio-CO2	Total CO2	CH4	N2O	CO2e
Percent Reduction	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	40.54

3.0 Construction Detail**Construction Phase**

Daily Homes Subdivision - Kings County, Annual

Phase Number	Phase Name	Phase Type	Start Date	End Date	Num Days Week	Num Days	Phase Description
1	Architectural Coating	Architectural Coating	12/15/2018	1/11/2019	5	20	
2	Building Construction	Building Construction	9/23/2017	11/16/2018	5	300	
3	Demolition	Demolition	7/3/2017	7/28/2017	5	20	
4	Grading	Grading	8/12/2017	9/22/2017	5	30	
5	Paving	Paving	11/17/2018	12/14/2018	5	20	
6	Site Preparation	Site Preparation	7/29/2017	8/11/2017	5	10	

Acres of Grading (Site Preparation Phase): 0

Acres of Grading (Grading Phase): 75

Acres of Paving: 0

Residential Indoor: 488,430; Residential Outdoor: 162,810; Non-Residential Indoor: 0; Non-Residential Outdoor: 0; Striped Parking Area: 0
(Architectural Coating – sqft)

OffRoad Equipment

Daily Homes Subdivision - Kings County, Annual

Phase Name	Offroad Equipment Type	Amount	Usage Hours	Horse Power	Load Factor
Architectural Coating	Air Compressors	1	6.00	78	0.48
Demolition	Excavators	3	8.00	158	0.38
Demolition	Concrete/Industrial Saws	1	8.00	81	0.73
Grading	Excavators	2	8.00	158	0.38
Building Construction	Cranes	1	7.00	231	0.29
Building Construction	Forklifts	3	8.00	89	0.20
Building Construction	Generator Sets	1	8.00	84	0.74
Paving	Pavers	2	8.00	130	0.42
Paving	Rollers	2	8.00	80	0.38
Demolition	Rubber Tired Dozers	2	8.00	247	0.40
Grading	Rubber Tired Dozers	1	8.00	247	0.40
Building Construction	Tractors/Loaders/Backhoes	3	7.00	97	0.37
Grading	Graders	1	8.00	187	0.41
Grading	Tractors/Loaders/Backhoes	2	8.00	97	0.37
Paving	Paving Equipment	2	8.00	132	0.36
Site Preparation	Tractors/Loaders/Backhoes	4	8.00	97	0.37
Site Preparation	Rubber Tired Dozers	3	8.00	247	0.40
Grading	Scrapers	2	8.00	367	0.48
Building Construction	Welders	1	8.00	46	0.45

Trips and VMT

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Phase Name	Offroad Equipment Count	Worker Trip Number	Vendor Trip Number	Hauling Trip Number	Worker Trip Length	Vendor Trip Length	Hauling Trip Length	Worker Vehicle Class	Vendor Vehicle Class	Hauling Vehicle Class
Architectural Coating	1	10.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Building Construction	9	48.00	14.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Demolition	6	15.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Grading	8	20.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Paving	6	15.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT
Site Preparation	7	18.00	0.00	0.00	10.80	7.30	20.00	LD_Mix	HDT_Mix	HHDT

3.1 Mitigation Measures Construction

3.2 Architectural Coating - 2018

Unmitigated Construction On-Site

[illegible]

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3.2 Architectural Coating - 2018

Unmitigated Construction Off-Site

[illegible]

Mitigated Construction On-Site

[illegible]

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3.2 Architectural Coating - 2018

Mitigated Construction Off-Site

[illegible]

3.2 Architectural Coating - 2019

Unmitigated Construction On-Site

[illegible]

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3.2 Architectural Coating - 2019

Unmitigated Construction Off-Site

[illegible]

Mitigated Construction On-Site

[illegible]

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3.2 Architectural Coating - 2019

Mitigated Construction Off-Site

[illegible]

3.3 Building Construction - 2017

Unmitigated Construction On-Site

[illegible]

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3.3 Building Construction - 2017

Unmitigated Construction Off-Site

[illegible]

Mitigated Construction On-Site

[illegible]

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3.3 Building Construction - 2017

Mitigated Construction Off-Site

[illegible]

3.3 Building Construction - 2018

Unmitigated Construction On-Site

[illegible]

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3.3 Building Construction - 2018

Unmitigated Construction Off-Site

[illegible]

Mitigated Construction On-Site

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Off-Road																275.1068
Total																275.1068

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3.3 Building Construction - 2018

Mitigated Construction Off-Site

[illegible]

3.4 Demolition - 2017

Unmitigated Construction On-Site

[illegible]

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3.4 Demolition - 2017

Unmitigated Construction Off-Site

[illegible]

Mitigated Construction On-Site

[illegible]

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3.4 Demolition - 2017

Mitigated Construction Off-Site

[illegible]

3.5 Grading - 2017

Unmitigated Construction On-Site

[illegible]

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3.5 Grading - 2017

Unmitigated Construction Off-Site

[illegible]

Mitigated Construction On-Site

[illegible]

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3.5 Grading - 2017

Mitigated Construction Off-Site

[illegible]

3.6 Paving - 2018

Unmitigated Construction On-Site

[illegible]

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3.6 Paving - 2018

Unmitigated Construction Off-Site

[illegible]

Mitigated Construction On-Site

[illegible]

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3.6 Paving - 2018

Mitigated Construction Off-Site

[illegible]

3.7 Site Preparation - 2017

Unmitigated Construction On-Site

[illegible]

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3.7 Site Preparation - 2017

Unmitigated Construction Off-Site

[illegible]

Mitigated Construction On-Site

[illegible]

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3.7 Site Preparation - 2017**Mitigated Construction Off-Site**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Hauling																0.0000
Vendor																0.0000
Worker																0.6795
Total																0.6795

4.0 Operational Detail - Mobile**4.1 Mitigation Measures Mobile**

Increase Density

Improve Walkability Design

Improve Destination Accessibility

Increase Transit Accessibility

Improve Pedestrian Network

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	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Category	tons/yr										MT/yr					
Mitigated																1,198.235 3
Unmitigated																2,533.221 4

4.2 Trip Summary Information

Land Use	Average Daily Trip Rate			Unmitigated	Mitigated
	Weekday	Saturday	Sunday	Annual VMT	Annual VMT
Single Family Housing	1,275.68	1,327.94	1155.08	3,623,370	1,251,182
Total	1,275.68	1,327.94	1,155.08	3,623,370	1,251,182

4.3 Trip Type Information

Land Use	Miles			Trip %			Trip Purpose %		
	H-W or C-W	H-S or C-C	H-O or C-NW	H-W or C-W	H-S or C-C	H-O or C-NW	Primary	Diverted	Pass-by
Single Family Housing	10.80	7.30	7.50	42.30	19.60	38.10	86	11	3

4.4 Fleet Mix

Land Use	LDA	LDT1	LDT2	MDV	LHD1	LHD2	MHD	HHD	OBUS	UBUS	MCY	SBUS	MH
Single Family Housing	0.480541	0.029898	0.145962	0.133853	0.023791	0.005025	0.012238	0.156969	0.001786	0.002002	0.006069	0.001023	0.000844

5.0 Energy Detail

Historical Energy Use: N

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5.1 Mitigation Measures Energy

[illegible]

5.2 Energy by Land Use - NaturalGas

Unmitigated

[illegible]

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5.2 Energy by Land Use - NaturalGas**Mitigated**

	NaturalGas Use	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
Land Use	kBTU/yr	tons/yr										MT/yr					
Single Family Housing	4.30215e+006																230.9433
Total																	230.9433

5.3 Energy by Land Use - Electricity**Unmitigated**

	Electricity Use	Total CO2	CH4	N2O	CO2e
Land Use	kWh/yr	MT/yr			
Single Family Housing	1.2619e+006				368.5390
Total					368.5390

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5.3 Energy by Land Use - Electricity

Mitigated

	Electricity Use	Total CO2	CH4	N2O	CO2e
Land Use	kWh/yr	MT/yr			
Single Family Housing	1.2619e+006				368.5390
Total					368.5390

6.0 Area Detail

6.1 Mitigation Measures Area

[illegible]

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6.2 Area by SubCategory

Unmitigated

[illegible]

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6.2 Area by SubCategory**Mitigated**

	ROG	NOx	CO	SO2	Fugitive PM10	Exhaust PM10	PM10 Total	Fugitive PM2.5	Exhaust PM2.5	PM2.5 Total	Bio- CO2	NBio- CO2	Total CO2	CH4	N2O	CO2e
SubCategory	tons/yr										MT/yr					
Architectural Coating																0.0000
Consumer Products																0.0000
Hearth																58.3948
Landscaping																1.6651
Total																60.0599

7.0 Water Detail**7.1 Mitigation Measures Water**

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	Total CO2	CH4	N2O	CO2e
Category	MT/yr			
Mitigated				31.3069
Unmitigated				31.3069

7.2 Water by Land Use**Unmitigated**

	Indoor/Outdoor Use	Total CO2	CH4	N2O	CO2e
Land Use	Mgal	MT/yr			
Single Family Housing	8.73064 / 5.5041				31.3069
Total					31.3069

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7.2 Water by Land Use**Mitigated**

	Indoor/Outdoor Use	Total CO2	CH4	N2O	CO2e
Land Use	Mgal	MT/yr			
Single Family Housing	8.73064 / 5.5041				31.3069
Total					31.3069

8.0 Waste Detail**8.1 Mitigation Measures Waste****Category/Year**

	Total CO2	CH4	N2O	CO2e
	MT/yr			
Mitigated				69.3401
Unmitigated				69.3401

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8.2 Waste by Land Use**Unmitigated**

	Waste Disposed	Total CO2	CH4	N2O	CO2e
Land Use	tons	MT/yr			
Single Family Housing	137.88				69.3401
Total					69.3401

Mitigated

	Waste Disposed	Total CO2	CH4	N2O	CO2e
Land Use	tons	MT/yr			
Single Family Housing	137.88				69.3401
Total					69.3401

9.0 Operational Offroad

Equipment Type	Number	Hours/Day	Days/Year	Horse Power	Load Factor	Fuel Type
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10.0 Stationary Equipment

Fire Pumps and Emergency Generators

Equipment Type	Number	Hours/Day	Hours/Year	Horse Power	Load Factor	Fuel Type
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Boilers

Equipment Type	Number	Heat Input/Day	Heat Input/Year	Boiler Rating	Fuel Type
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User Defined Equipment

Equipment Type	Number
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11.0 Vegetation



119 Fox Street • Lemoore, California 93245 • (559) 924-6740 • Fax (559) 924-9003

Staff Report

To: Lemoore Planning Commission **Item No. 7**
From: Steve Brandt, City Planner
Date: August 7, 2018 **Meeting Date:** August 13, 2018
Subject: Discussion of driveways, drive approaches and percentage of front yard coverage (paving) on single-family lots.

Proposed Motion:

There is no proposed motion. If the Commission would like to discuss the options listed in this staff report and provide direction, it may do so by consensus.

Discussion:

At the July 9, 2018, Planning Commission meeting, Jeremy Mellon spoke during public comment period regarding a red tag he received from the City to cease construction of additional pavement in the front yard setback area of his home. Mr. Mellon indicated that he had a Constitutional right to do what he wants on his property. The Planning Commission asked that this item be placed on the next agenda so that they could review the issue. The City standards in question involve the Zoning Ordinance limitation on impervious surface coverage in the front yard setback area and the Public Works Standard limiting the number of drive approaches, also called curb cuts.

Mr. Mellon's home is located at 445 Ruby Drive, a recently constructed new home in the Parkview Estates subdivision near Heritage Park. The property is zoned RLD (Low Density Residential). All surrounding lots are also zoned RLD.

On June 29, 2018, a resident of Lemoore came to the City Planning counter to inquire about rules for parking on the street in a residential neighborhood. According to the resident, she would park in front of her neighbor's house on occasion because her house is situated on a knuckle and there is no curb parking in front of her own home. She further indicated that her neighbor told her that she could not park in front of his home. Our Planning Technician, Kristie Baley, told her that she was allowed to park on any public street, including in front of her neighbor's house. The resident then indicated that her husband had a conversation with the neighbor and that he indicated he was putting in a second driveway. She was concerned

that once the second driveway was installed, there would not be enough room for her to park there without encroaching into his new driveway. Ms. Baley indicated that a second driveway may not be allowed and that she would look into it.

Ms. Baley went to the site and observed contractors doing work in the rear yard, and took pictures of the site. Upon returning to the office, she showed the pictures to Jim Cutler, one of the City's inspectors who lives in the same neighborhood, and asked him to keep an eye on it. During that weekend, Inspector Cutler noticed that work was being done in the front yard, which appeared to be for a concrete driveway. Inspector Cutler was not on duty, but stopped and spoke to the contractor and let him know that it was not allowed. He also informed him that as a contractor, he is the responsible party and should know the rules, and that he needed to contact the City before continuing the work. A day or two later, Inspector Cutler noticed that the contractor was laying sand in preparation of the concrete pad. Inspector Cutler contacted the City and requested that another inspector red tag the site. A red tag indicating that construction must cease was stapled to the fence, which is common practice when work is observed without a permit. No attempt was made to speak to the property owner, because, as previously indicated, the contractor is the responsible party.

The property owner, Mr. Mellon, came in July 5th and spoke to Frank Rivera, the City's Public Works Director. Mr. Rivera explained the City's standards with regard to performing work within a Public Utility Easement and that the Zoning Ordinance no longer permits a concrete drive way opposite the garage.

A week or two later, another resident living at 445 Ruby Drive came to the Planning counter and asked about adding a delivery box for her home business, and adding a second driveway to accommodate her business vehicle. She was provided the same Code information restricting two drive approaches.

It is important to note that in most cases, homes are positioned on lots so that the garage side has the largest side yard. Additionally, most homes being built now in the City only have 5-foot side yards. In Mr. Mellon's case, the side yard opposite the garage is the largest side yard with approximately 16 feet.

Previous Relevant Actions:

The City has, for many years, had a policy that it would not approve a second drive approach (or curb cut) for single-family homes, except in extreme circumstances, and only if it did not affect the neighbors. In cases, such as this one, where property owners desire additional parking or onsite recreational vehicle parking, City staff recommends adding paving to the existing driveway on the garage side of the property so that only one drive approach is needed. Section 9-5E-5(B2) of the Zoning Ordinance provides some latitude, but states that curb cuts and driveway access points shall be the minimum necessary to provide access.

B.2. Curb Cuts And Driveway Access Points/Locations: Street access points shall be the minimum necessary to provide access while not inhibiting the safe circulation and carrying capacity of the street. New and modified curb cuts and driveway access points shall be designed as follows:

b. For single-family and duplex developments:

- (1) A minimum of fifty feet (50') from the curb return.
- (2) A minimum of five feet (5') between the driveway and property line.

c. The public works director may approve exceptions to this section.

The above standard is only for the curb cuts and driveway access points/locations, but not for the driveways in the front yard setback. Section 9-5E-5(D6) below identifies the location and amount of front yard area that can be paved.

D. Standards For Off Street Parking For Private Residences: Off street parking and driveways for detached dwellings, manufactured homes, single-family attached dwellings, and two-unit attached dwellings shall meet the following requirements:

6. Parking may be provided within the front and street side yard setback, as follows:

- a. Vehicle parking (including driveways) in residential areas shall be provided on permanent paved surfaces.
- b. Permanent paved surfaces in the front yard area shall be limited to a maximum five foot (5') wide walkway to the front door of the residence, a driveway that is no wider than the width of the garage or carport, and an area between the driveway and closest interior lot line that is no wider than twelve feet (12') wide. Sites without a garage or carport are limited to a driveway-type parking area in the front yard area that is a maximum twenty feet (20') wide. (Ord. 2017-06, 5-16-2017)

7. All vehicles are required to be parked on a paved surface. Driveways and driveway approaches shall be paved. (Ord. 2013-05, 2-6-2014)

This ordinance has been in place since May 16, 2017. Prior to that, the ordinance stated that the maximum permanent paved surface width in the front yard setback area could be no more than 50% of the width of the lot. This standard was in place for about a year due to complaints received regarding a resident who paved the entire front width of the home while leaving the sides of the front yard with grass. Prior to May 16, 2017, front yard coverage was 40% of the width of the lot with additional paving recommended on the garage side of the front yard setback, except when approved by the Public Works Director in extreme cases.

This section of the Code only applies in the front yard setback area. Paving is allowed in the side yard behind the existing fence. The fence would be allowed to be converted into a gate. However, paving a second drive approach in front of the fence opposite the garage is not allowed.

Constitutionality:

At the June Planning Commission meeting, the property owner stated that the prohibition of his desire to do what he wants on his property is unconstitutional. By way of background, zoning ordinances have generally been upheld as constitutional as part of the police powers granted to the state. The first such case was Euclid vs. Ambler, a Supreme Court case

decided in 1926. Lemoore's Zoning Ordinance lists the purposes for having such a code at the very beginning of the Ordinance in Section 9-1-1(B). While there can be differences of opinion on the relative benefit of the code section in meeting these purposes, established law clearly states that a city like Lemoore does have the power to enact a Zoning Ordinance that limits the use of private property.

Options:

Based on the current Zoning Ordinance restricting hard scape opposite the garage in the front yard setback, and the policy limiting second drive approaches, the City inspectors stopped construction of the new driveway. The following options are being considered:

- 1) Mr. Mellon can apply for a Variance. Per Section 9-2B-16, the Planning Commission may approve a Variance following a Public Hearing and when the following findings are found:

D. Approval Findings: The approving authority (Planning Commission) may approve and/or modify any variance application in whole or in part, with or without conditions, only if the applicant can demonstrate that the circumstances of their particular case can justify making all of the following findings:

1. There are special circumstances applicable to the property (e.g., location, shape, size, surroundings, topography, or other conditions), so that the strict application of this zoning code denies the property owner privileges enjoyed by other property owners in the vicinity and within the same zoning district;
 2. Granting the variance is necessary for the preservation and enjoyment of substantial property rights enjoyed by other property owners in the same vicinity and zoning district and denied to the property owner for which the variance is sought;
 3. Granting the variance will not adversely affect the interests of the public or the interests of residents and property owners in the vicinity of the premises in question; and
 4. The variance is consistent with the general plan, any applicable specific plan or development agreement, and the intent of this title.
- 2) Mr. Mellon can apply for a Zoning Text Amendment to request the modification or elimination of the wording of Municipal Code Section 9-5E-5(D6). Following a noticed Public Hearing, the Planning Commission may make a formal recommendation to City Council in favor of the proposed change.
 - 3) The Planning Commission can direct staff to propose a change to Municipal Code Section 9-5E-5(D6) the next time a comprehensive zoning text amendment is proposed.
 - 4) If the Planning Commission agrees that the codes and policies are appropriate, as is, then no further action by the Commission is necessary.

Staff Recommendation:

Since an effort is made by the City to only allow the minimum number of drive approaches and hard scape in residential zones, and the Public Works Director has the authority to permit second drive approaches, when necessary, to provide access, staff recommends no changes be made to the Zoning Ordinance at this time.



Two-story home on far left is picture of 445 Ruby Drive. Neighbor to the west (single-story home) has approximately 10 feet of street frontage. Further to the west and curving to the north, there are two drive approaches and a fire hydrant, all of which restricts curbside parking.



East side of property (garage side, before approximately 2-foot wide concrete strip was added)



Concrete strip and sidewalk to rear yard added left of driveway.



West side of property where site was being prepared for a concrete pad.



Site prepared for concrete pad. Pictures shows approximately 10 feet of curbing in front of neighbor house.



Picture showing limited curbside parking in front of neighbors home, which would not accommodate a parking space if a second drive approach is added to home on left.



Site of neighbor to the west and far west with two drive approaches and fire hydrant.