

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

April 24, 2023
5:30 p.m.

1. PLEDGE OF ALLEGIANCE
2. CALL TO ORDER AND ROLL CALL
3. PUBLIC COMMENT – **Public comment will be in accordance with the attached policy.** 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 three (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 Commission will be provided to the Commission Secretary for distribution to the Commission and appropriate staff. The public will have an opportunity to comment on items on the agenda once the item has been called and the Chair opens the item to the public.
4. PUBLIC HEARING – General Plan Amendment No. 2023-01, Zone Map Amendment 2023-01, Conditional Use Permit No. 2023-01, and Major Site Plan Review No. 2023-01: a request by Maverik (AWA Engineering) to change the General Plan land use designation and zoning from Mixed Use (MU) to Regional Commercial (RC) and Light Industrial (ML) and to approve a conditional use permit and major site plan for the construction of a fueling station/convenience store with RV disposal and drive through restaurant. The project site is located on the northeast corner of 19th Avenue and Iona Avenue in the City of Lemoore (APNs 023-310-012 and 023-310-011). An Initial Study/Mitigated Negative Declaration (MND) has been prepared in conformance with the California Environmental Quality Act (CEQA) for the project identified herein. As mandated by State law, the minimum public review period for this document is 30 days.
5. DISCUSSION – VMT /CEQA Process for the City of Lemoore
6. DISCUSSION – Potential Ordinance Changes to Encourage Housing Development
7. DIRECTOR'S REPORT
8. COMMISSION REPORTS / REQUESTS
9. ADJOURNMENT

Upcoming Meetings

Regular Meeting of the Planning Commission, May 8, 2023

Agendas for all City Council meetings are posted at least 72 hours prior to the meeting at the Council Chamber, 429 C Street and the Cinnamon Municipal Complex, 711 W. Cinnamon Drive. Written communications from the public for the agenda must be received by the City Clerk's Office no less than seven (7) days prior to the meeting date. 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) 924-6744, at least 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 Special Meeting of Monday, April 24, 2023 at Council Chamber, 429 C Street and Cinnamon Municipal Complex, 711 W. Cinnamon Drive, Lemoore CA on April 21, 2023.

//s//

Kristie Baley, Commission Secretary

CITY OF LEMOORE
PLANNING COMMISSION SPECIAL MEETING
April 24, 2023 @ 5:30 p.m.

The meeting may also be viewed through the following options:

- Join Zoom Meeting
- Please click the link below to join the webinar:
• <https://us06web.zoom.us/j/83655394944?pwd=WTdlQzZPcXZGaVYwTUhxMFRBZk5Bdz09>
- Meeting ID: 836 5539 4944
- Passcode: 757942
- Phone: +1 669 900 6833 US

The City will also provide links to streaming options on the City's website.

If you wish to make a general public comment or public comment on a particular item on the agenda, **participants may do so via Zoom during the meeting** or by **submitting public comments by e-mail to: planning@lemoore.com**. In the subject line of the e-mail, please state your name and the item you are commenting on. If you wish to submit a public comment on more than one agenda item, please send a separate e-mail for each item you are commenting on. Please be aware that written public comments, including your name, may become public information. Additional requirements for submitting public comments by e-mail are provided below.

General Public Comments & Comments on Planning Commission Business Items

For general public comments and comments regarding specific Planning Commission Business Items, public comments can be made via Zoom during the meeting or all public comments must be received by e-mail no later than 5:00 p.m. the day of the meeting. Comments received by this time will be read aloud by a staff member during the applicable agenda item, provided that such comments may be read within the normal three (3) minutes allotted to each speaker. Any portion of your comment extending past three (3) minutes may not be read aloud due to time restrictions. If a general public comment or comment on a business item is received after 5:00 p.m., efforts will be made to read your comment into the record. However, staff cannot guarantee that written comments received after 5:00 p.m. will be read. All written comments that are not read into the record will be made part of the meeting minutes, provided that such comments are received prior to the end of the Planning Commission meeting.

Public Hearings

For public comment on a public hearing, all public comments must be received by the close of the public hearing period. All comments received by the close of the public hearing period will be read aloud by a staff member during the applicable agenda item, provided that such comments may be read within the normal three (3) minutes allotted to each speaker. Any portion of your comment extending past three (3) minutes may not be read aloud due to time restrictions. If a

comment on a public hearing item is received after the close of the public hearing, such comment will be made part of the meeting minutes, provided that such comment is received prior to the end of the meeting.

PLEASE BE AWARE THAT ANY PUBLIC COMMENTS RECEIVED THAT DO NOT SPECIFY A PARTICULAR AGENDA ITEM WILL BE READ ALOUD DURING THE GENERAL PUBLIC COMMENT PORTION OF THE AGENDA.

The City thanks you for your cooperation in advance. Our community's health and safety is our highest priority.



711 W. Cinnamon Drive • Lemoore, California 93245 • (559) 924-6744

Staff Report

To: Lemoore Planning Commission **Item No. 4**
From: Steve Brandt, City Planner
Date: April 12, 2023 **Meeting Date:** April 24, 2023
Subject: **General Plan Amendment No. 2023-01, Zoning Map Amendment No. 2023-01, Conditional Use Permit 2023-01, and Major Site Plan Review No. 2023-01:** a request by Maverik (AWA Engineering) to change the General Plan land use designation and zoning from Mixed Use (MU) to Regional Commercial (RC) and Light Industrial (ML) and to approve a conditional use permit and major site plan for the construction of a fueling station/convenience store with RV disposal and drive through restaurant. The project site is located on the northeast corner of 19th Avenue and Iona Avenue in the City of Lemoore (APNs 023-310-012 and 023-310-011).

Proposed Motion:

City staff recommends that the Planning Commission adopt Resolution No. 2023-03 recommending approval of General Plan Amendment No. 2023-01, Zoning Map Amendment No. 2023-01, Conditional Use Permit No. 2023-01, and Major Site Plan Review No. 2023-01 in accordance with the findings and conditions in the resolution.

Project Description:

The project site is a 20.5-acre property located on the northeast corner of 19th Avenue and Iona Avenue. The project requests a Zone Change/General Plan Amendment from Mixed Use to Regional Commercial for an approximately 4.13-acre portion of the site and approval of a Conditional Use Permit to allow for the construction and development of a gas station/mini-mart. The first phase of the project would include an 8,952-square-foot building with fuel canopies for gas and diesel pumps, as well as service for RV disposal. Phase two would add a fast-food restaurant with a drive-through lane and an additional set of pumps on the western island.

The 4.13-acre parcel for the development of the Maverik fueling station will be acquired from Kevin King, the current property owner. The remaining 16.37-acre eastern portion of the site will continue to be held by the property owner and is proposed to change from Mixed Use to

Light Industrial, allowing for the future development of an industrial park that would accommodate future light industrial uses. The industrial parcel could be divided into as many as 23 separate lots with the approval of a commercial parcel map. The parcel map is not being proposed at this time. The size of the buildings on the sites are also undetermined, but based on size of the site, it can be assumed up to 100,000 square feet of building space could be developed. Additional improvements include a retention basin on the north end of the property for on-site stormwater collection and retention.

Applicant	Maverik (AWA Engineering)
Location	Northeast corner of 19 th Avenue and Iona Avenue
Existing Land Use	Vacant
APN(s)	023-310-012 and 023-310-011
Total Building Size	8,952 sq.ft. plus gas pump canopies
Lot Size	20.5 acres
Zoning	Existing: Mixed-Use Proposed: Regional Commercial/Light Industrial
General Plan	Existing: MU Proposed: RC / ML

Adjacent Land Use, Zone, and General Plan Designation

<u>Direction</u>	<u>Current Use</u>	<u>Zone</u>	<u>General Plan</u>
North	SR 198 access ramp	none	none
South	Lemoore Auto Wrecking and Aguilar's Automotive	ML	Light Industrial
West	Gas station, motel	RC	Regional Commercial
East	Single-family residences	RLD and RMD	Low and Medium Density Residential

Previous Relevant Actions:

No previous actions by the City have occurred on this site. The site is a remainder parcel from the development of the 19th Avenue and State Route 198 interchange.

A lot line adjustment has been submitted to create the parcel line between the proposal Regional Commercial and Light Industrial zoning. An administrative use permit has also been submitted to staff for approval of the drive-through lane.

Zoning/General Plan:

The site is currently planned and zoned Mixed-Use (MU). The proposal is to change the designation and zoning to Regional Commercial. This would be an appropriate change for the site, owing to the proximity and ease of access to major arterials 19th Avenue and State Route 198. Per the Lemoore Municipal Code, convenience stores and restaurants are allowed uses in the RC zone. The fuel pumps and on-site sale of alcohol at the convenience store are uses that the Planning Commission can approve through the Conditional Use Permit (CUP). City staff supports the general plan amendment and change of zone. The MU zone, while well intended when it was added to the Zoning Ordinance as a new zone in 2012 has not resulted in any new development. Later this year, Staff will be proposing that all other MU zoned sites be rezoned to other zones.

State law requires that the City not make changes to its General Plan or Zoning that would have the effect of reducing the amount of housing that can be constructed. The MU zone is assumed in the Housing Element to be able to provide an average of 9 units per acre. Changing land use designation and zoning from Mixed Use to Regional Commercial and Light Industrial would result in the loss of 173 potential housing units. However, this can be offset by the last General Plan Amendment for Lacey Ranch that added 751 housing units that were not previously in the General Plan a little less than one year ago. So, there would still be a net increase in the number of potential housing units from the changes approved in the past year. The tables below show this change, including the breakdown of the income type, whether low, moderate, or above moderate.

Zone	Zone Name	Vacant Acres	Housing Element Realistic Density	HE Lower	HE Mod	HE Above Mod	Total Housing
Maverik and King							
MU	Mixed Use	-19.26	9.00	-86	-87	0	-173
ML	Light Industrial	15.13	0.00	0	0	0	0
RC	Regional Commercial	4.13	0.00	0	0	0	0
TOTALS		0.00		-86	-87	0	-173
Lacey Ranch							
	No land use designation	-77.64	0.00	0	0	0	0
RLD	Low Density Residential	-30.00	4.50	0	-67	-68	-135
AG	Agriculture	-40.00	0.10	0	-4	0	-4
PR	Park	9.10	0.00	0	0	0	0
MU	Low Density Residential	126.40	4.50	84	390	73	547
ML	Medium Density Residential	4.88	12.00	29	30	0	59
RC	High Density Residential	7.26	20.00	162	0	0	145
TOTALS		0.00		275	349	5	612
COMBINED TOTALS				189	262	5	439

Access and Right of Way:

Access to the convenience store site would be through three separate entry points, all from Iona Avenue. The western entry drive is intended for cars and light duty vehicles with access to the gasoline pump island. The two entries to the east are intended and designed for larger semi-trucks and RV use. There would be no direct access to the site from 19th Avenue. Access to adjacent Light Industrial lots to the east would also be from Iona Avenue. No direct vehicular connection would exist between any of the industrial parcels and the convenience store parcel.

Circulation Element:

The project is designed to be developed in phases. The expected volume of traffic generated by Phase I is expected to be accommodated by existing road design. According to the traffic analysis prepared for the project, upon final 'build-out' and development of the Phase II additional gas pumps, drive-through restaurant, and the adjacent Light Industrial parcels, the volumes of traffic will require that a traffic signal be installed at the intersection of 19th Avenue and Iona Avenue.

The developer will pay development impact fees in anticipation of the time when the City decides it is time to install a traffic signal at the intersection. The City will provide for the installation of the signal unless the developer chooses to install the signal ahead of the City, in which case the City will reimburse the developer for costs that are above the developer's fair share costs.

Parking / On-site Circulation:

The site is developed in a way that attempts to create separation between the automobile gas fueling islands and the Truck / RV parking and circulation area. There are a total of 50 parking spaces on the site, which is higher than the 35 spaces that are required by the Zoning Ordinance. Two of the existing spaces are ADA compliant and are located at the front entry of the convenience store. Bicycle parking will be required by the Green Building Code.

Architectural and Site Design Standards:

The proposed building elevations (attached) meet the Zoning Ordinance's architectural and design standards for commercial buildings. These standards are found in Section 9-5C-4 and cover building design and placement.

Alcohol Sales Compatibility:

The applicant's CUP request includes a request to sell alcohol. They will be requesting an ABC Type 21 license that would allow the sale of beer and wine for consumption off the premises. Zoning Ordinance Section 9-4D-2 states that establishments selling alcoholic beverages shall not be located within 500 feet of a park facility, school facility, or existing religious land uses. None of these uses are within 500 feet of the site. City staff believes that the on-site sale of alcoholic beverages at the convenience store is considered an acceptable use as long as all activities and operations are in accordance with Alcoholic Beverage Control (ABC) conditions and ABC requirements for use. Compliance with the requirements of ABC

is recommended as a condition of the approval of this CUP. Staff has included conditions of approval to improve safety and security related to alcohol sales.

Fueling Station Development Standards:

Section 9-4D-6 contains design standards for fueling stations. The entry drive is to be no closer than 150 feet from the nearest street intersection. The site plan meets this standard.

Administrative Use Permit:

An application for Administrative Use Permit (ADU) was also submitted for Staff level review of the future drive through alignment and capacity. Section 9-4D-4 contains design standards for drive-through lanes. These standards specify certain design minimums, vehicle stacking lengths, distance from street intersections, location, and entrance and exit design. The proposed drive-through meets all the standards listed in Section 9-4D-4. The design of the drive-through meets City standards and will be approved by Staff if the GPA, ZMA, and CUP area approved.

Landscaping:

After the application was submitted, it was determined that most of the adjacent 19th Avenue right of way was relinquished back to the City by Caltrans. Therefore, the Major Site Plan Review comments require that the space between the 19th Avenue sidewalk and the property line be landscaped with the project. The applicant has agreed to this requirement.

Future Industrial Park:

The only approval requested at this time for the future industrial park is for the change of zone to Light Industrial. A parcel map and site plan review will be required in the future before development occurs. However, the CEQA document analyzed the future industrial uses and included a mitigation measure to mitigate potential land use conflicts between industrial uses and the adjacent residential neighborhood to the east. The mitigation measure states that "No materials related to an industrial operation shall be stored within the yard setback to a height of more than six feet within 25 feet of property lines adjacent to the residential zone district." This mitigation measure will be applied to any requested approvals for industrial development in the future.

Environmental Assessment:

As Lead Agency under the California Environmental Quality Act (CEQA), the City staff reviewed the project 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. An Initial Study was prepared and found that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because of revisions in the project in the form of mitigations have been made by or agreed to by the project proponent. A Mitigated Negative Declaration (MND) for the entire

20.5-acre site and all its stated uses was prepared and is attached. The 30-day public review period began on April 7 and will end on May 8.

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 certain findings. City staff recommends that these findings be made based upon a review of the project as described in this Staff Report and with the recommended conditions of approval.

1. The General Plan Amendment is in the public interest and that the general plan as amended will remain internally consistent.
2. The Zoning Amendment is consistent with the general plan goals, policies, and implementation programs.
3. The proposed uses are consistent with the general plan, any applicable specific plans, and all applicable provisions of this title. The proposed uses are either allowed or conditional uses in the Regional Commercial (RC) zone.
4. 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.
5. 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 use. ABC may require the applicant to make physical changes to conform to their standards if needed.
6. 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.
7. The proposed project is consistent with the objectives of the general plan and complies with applicable zoning regulations, specific plan provisions, and improvement standards adopted by the City.
8. The proposed architecture, site design, and landscape are suitable for the purposes of the building and the site and will enhance the character of the neighborhood and community.
9. The architecture, character, and scale of the building and the site are compatible with the character of buildings on adjoining and nearby properties.
10. The proposed project will not create conflicts with vehicular, bicycle, or pedestrian transportation modes of circulation.

11. 19th Avenue and Iona Avenue are both designated arterials and are capable of conveying existing traffic as well as some of the additional traffic generated by the proposed site uses. At some point when Phase II and the Light Industrial areas are built out it will become necessary to install a traffic signal at South 19th and Iona Avenues. Existing streets, shared parking, and a complete network of City sidewalks are generally effective in accommodating most of the vehicular and pedestrian traffic around the site.
12. There are no residential uses, park facilities, school facilities, or existing religious land uses within 500 feet of the site that would immediately conflict with the sale of alcohol on the premises. The location of the use will not result in any adverse impacts on the listed facilities or nearby residential land uses.
13. The traffic increases associated with the use will not result in potential hazards to existing pedestrian and/or vehicular traffic. The development conforms to all provisions of the Zoning Ordinance
14. A CEQA Initial Study was prepared and found that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because of revisions in the project in the form of mitigations have been made by or agreed to by the project proponent. A Mitigated Negative Declaration (MND) for the entire 20.5-acre site was prepared.

Recommended Conditions of Approval:

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

1. The site shall be developed consistent with the site plan, conceptual landscape plan, elevation exhibits, the City staff comments in Major Site Plan Review No. 2023-01, and applicable City of Lemoore development standards, and as modified by the following conditions.
2. The project applicant shall dedicate additional right of way or easement along Iona Avenue, in accordance with the Major Site Plan Review comments, and shall coordinate with the City regarding the location of any utilities or proposed traffic signals.
3. The operation shall be conducted consistent with the Conditional Use Permit. Major deviations from the approvals shall first require approval of an amendment to the Conditional Use Permit.
4. Drive-through lanes shall be designed and constructed in accordance with the site plan and with Zoning Ordinance Section 9-4D-4.
5. The convenience store shall obtain and maintain a valid license from Alcoholic Beverage Control (ABC). A change to a license type that is deemed more intensive than a Type 21 license shall require an amendment to the Conditional Use Permit.

6. The establishment shall comply with all federal and state laws regarding the sale of alcohol.
7. Business hours and the sale of alcohol shall comply with State ABC regulations.
8. All uses shall meet the requirements found in Section 9-5B-2 and 9-5B-4 of the City of Lemoore Zoning Ordinance related to noise, odor, vibration, lighting, and maintenance.
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.

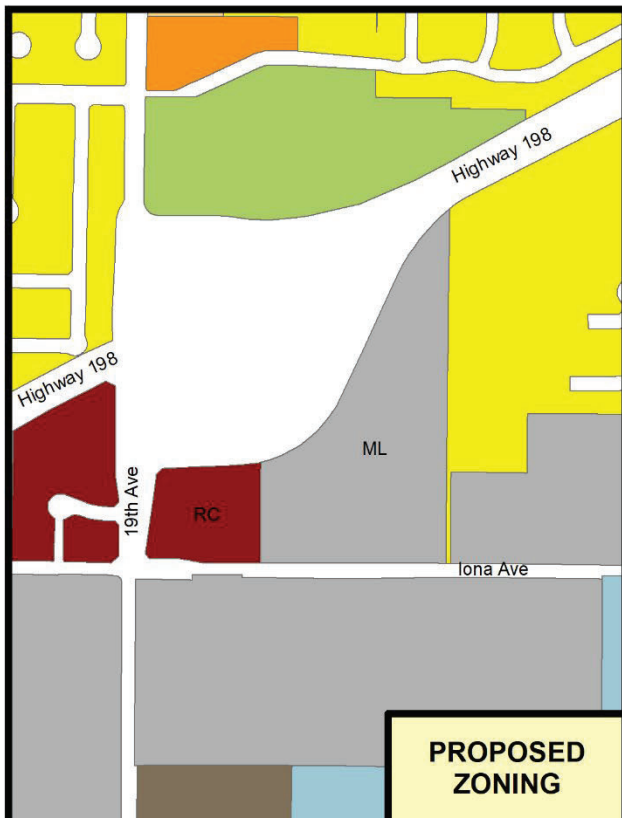
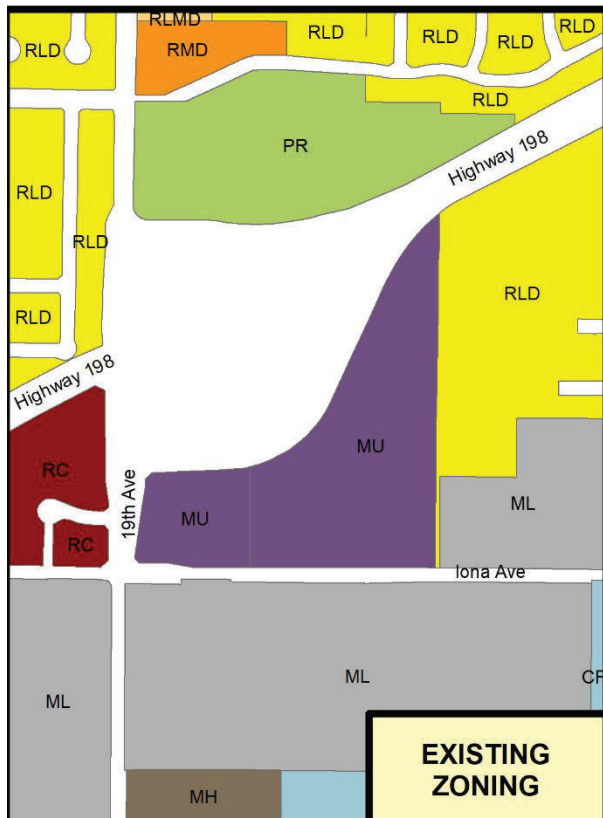
Attachments:

Project Location Map
Zoning Map Amendment – existing and proposed
General Plan Amendment – existing and proposed
Resolution
Site Plan
Conceptual Landscape Plan
Building Elevations
Major Site Plan Review Comments
CEQA Mitigated Negative Declaration

PROJECT LOCATION MAP
MSPR No. 2023-01



ZONING MAP AMENDMENT No.2023-01



GENERAL PLAN AMENDMENT No. 2023-01

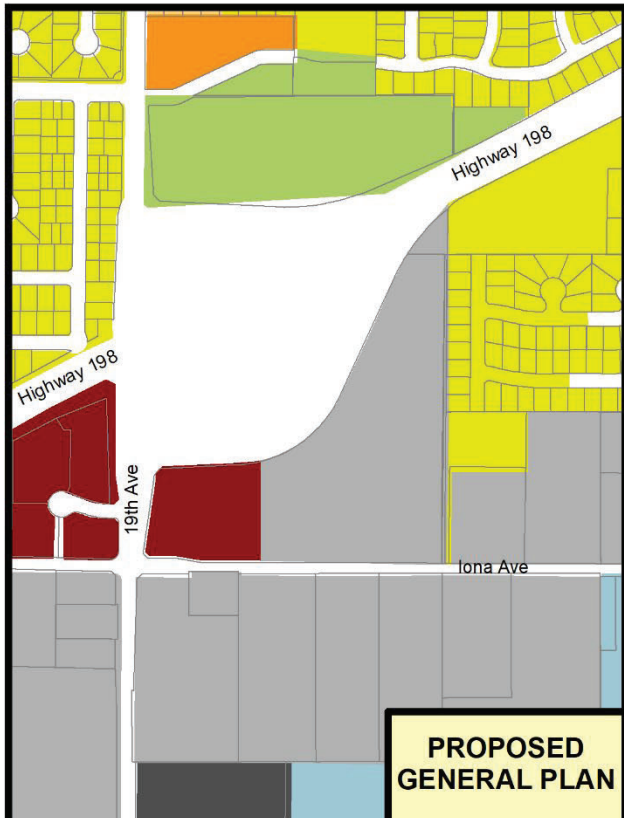
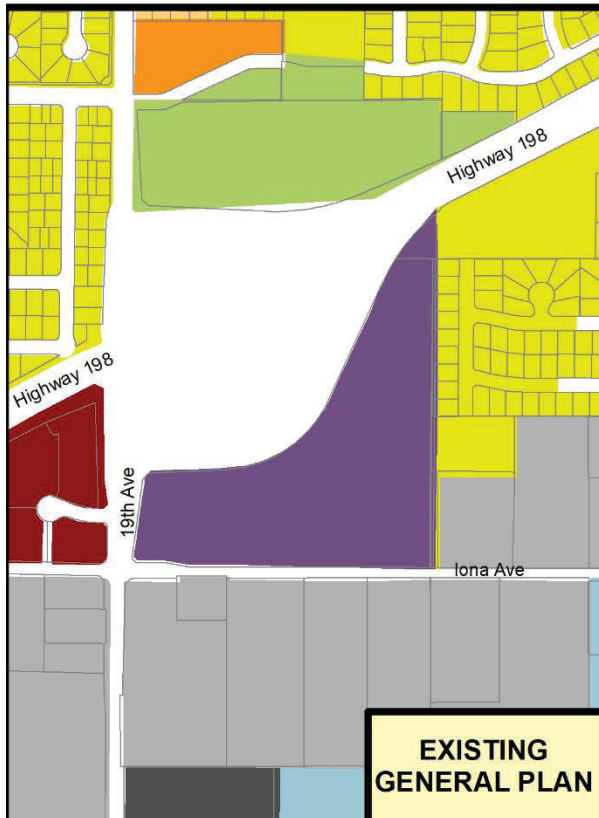
Existing: Mixed Use

**Proposed: Regional
Commercial and Light
Industrial**

- Low Density Residential
- Low-Medium Density Residential
- Medium Density Residential
- Regional Commercial
- Mixed Use
- Community Facilities
- Parks & Recreation
- Heavy Industrial
- Light Industrial



**AFFECTED
PARCELS**



RESOLUTION NO. 2023-03

**A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF LEMOORE
RECOMMENDING APPROVAL OF GENERAL PLAN AMENDMENT NO. 2023-01, ZONING MAP
AMENDMENT NO. 2023-01, CONDITIONAL USE PERMIT NO. 2023-01 AND MAJOR SITE PLAN
REVIEW NO. 2023-01 TO ALLOW A FUELING STATION/CONVENIENCE STORE WITH
DRIVE-THROUGH RESTAURANT LOCATED ON THE NORTHEAST CORNER OF
19TH AVENUE AND IONA AVENUE IN THE CITY OF LEMOORE**

At a Special Meeting of the Planning Commission of the City of Lemoore duly called and held on April 24, 2023, at 5:30 p.m. on said day, it was moved by Commissioner _____, seconded by Commissioner _____ and carried that the following Resolution be adopted:

WHEREAS, Maverik (AWA Engineering) has requested to change the General Plan land use designation and zoning from Mixed Use (MU) to Regional Commercial (RC) and Light Industrial (ML) and to approve a conditional use permit and major site plan for the construction of a fueling station/convenience store with RV disposal and drive through restaurant on a site located on the northeast corner of 19th Avenue and Iona Avenue in the City of Lemoore (APNs 023-310-012 and 023-310-011); and

WHEREAS, the proposed undeveloped site is 20.5 acres in size, and is currently designated and zoned Mixed Use (MU); and

WHEREAS, the project proposes a General Plan Amendment and Zoning Map Amendment for the proposed site to change the existing land use designation from Mixed-Use (MU) to Regional Commercial and Light Industrial (ML); and

WHEREAS, the proposed Conditional Use Permit includes approval to sell beer and wine for off-site consumption at the convenience store; and

WHEREAS, as Lead Agency under the California Environmental Quality Act (CEQA), the City staff reviewed the project to determine whether it could have a significant effect on the environment because of its development. The Initial Study found 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 in the form of mitigations have been made by or agreed to by the project proponent. A Mitigated Negative Declaration was prepared; and

WHEREAS, the Lemoore Planning Commission held a duly noticed public hearing at its April 24, 2023, meeting.

NOW BE IT RESOLVED that the Planning Commission of the City of Lemoore hereby makes the following findings regarding the proposed General Plan Amendment, Zoning Map Amendment, Conditional Use Permit and Major Site Plan Review:

1. The General Plan Amendment is in the public interest and that the general plan as amended will remain internally consistent.
2. The Zoning Amendment is consistent with the general plan goals, policies, and implementation programs.
3. The proposed uses are consistent with the general plan, any applicable specific plans, and all applicable provisions of this title. The proposed uses are either allowed or conditional uses in the Regional Commercial (RC) zone.

4. 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.
5. 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 use. ABC may require the applicant to make physical changes to conform to their standards if needed.
6. 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.
7. The proposed project is consistent with the objectives of the general plan and complies with applicable zoning regulations, specific plan provisions, and improvement standards adopted by the City.
8. The proposed architecture, site design, and landscape are suitable for the purposes of the building and the site and will enhance the character of the neighborhood and community.
9. The architecture, character, and scale of the building and the site are compatible with the character of buildings on adjoining and nearby properties.
10. The proposed project will not create conflicts with vehicular, bicycle, or pedestrian transportation modes of circulation.
11. 19th Avenue and Iona Avenue are both designated arterials and are capable of conveying existing traffic as well as some of the additional traffic generated by the proposed site uses. At some point when Phase II and the Light Industrial areas are built out it will become necessary to install a traffic signal at South 19th and Iona Avenues. Existing streets, shared parking, and a complete network of City sidewalks are generally effective in accommodating most of the vehicular and pedestrian traffic around the site.
12. There are no residential uses, park facilities, school facilities, or existing religious land uses within 500 feet of the site that would immediately conflict with the sale of alcohol on the premises. The location of the use will not result in any adverse impacts on the listed facilities or nearby residential land uses.
13. The traffic increases associated with the use will not result in potential hazards to existing pedestrian and/or vehicular traffic. The development conforms to all provisions of the Zoning Ordinance
14. An CEQA Initial Study was prepared and found that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because of revisions in the project in the form of mitigations have been made by or agreed to by the project proponent. A Mitigated Negative Declaration (MND) for the entire 20.5-acre site was prepared.

BE IT FURTHER RESOLVED that the Planning Commission of the City of Lemoore recommends approval to the Lemoore City Council of General Plan Amendment No. 2023-01, Zone Change No. 2023-01, Conditional Use Permit No. 2023-01, and Major Site Plan Review No. 2023-01, based on the evidence presented, with the Conditional Use Permit subject to the following conditions:

1. The site shall be developed consistent with the site plan, conceptual landscape plan, elevation exhibits, the City staff comments in Major Site Plan Review No. 2023-01, and applicable City of Lemoore development standards, and as modified by the following conditions.
2. The project applicant shall dedicate additional right of way or easement along Iona Avenue, in accordance with the Major Site Plan Review comments, and shall coordinate with the City regarding the location of any utilities or proposed traffic signals.
3. The operation shall be conducted consistent with the Conditional Use Permit. Major deviations from the approvals shall first require approval of an amendment to the Conditional Use Permit.
4. Drive-through lanes shall be designed and constructed in accordance with the site plan and with Zoning Ordinance Section 9-4D-4.
5. The convenience store shall obtain and maintain a valid license from Alcoholic Beverage Control (ABC). A change to a license type that is deemed more intensive than a Type 21 license shall require an amendment to the Conditional Use Permit.
6. The establishment shall comply with all federal and state laws regarding the sale of alcohol.
7. Business hours and the sale of alcohol shall comply with State ABC regulations.
8. All uses shall meet the requirements found in Section 9-5B-2 and 9-5B-4 of the City of Lemoore Zoning Ordinance related to noise, odor, vibration, lighting, and maintenance.
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 Special Meeting of the Planning Commission of the City of Lemoore held on April 24, 2023, by the following votes:

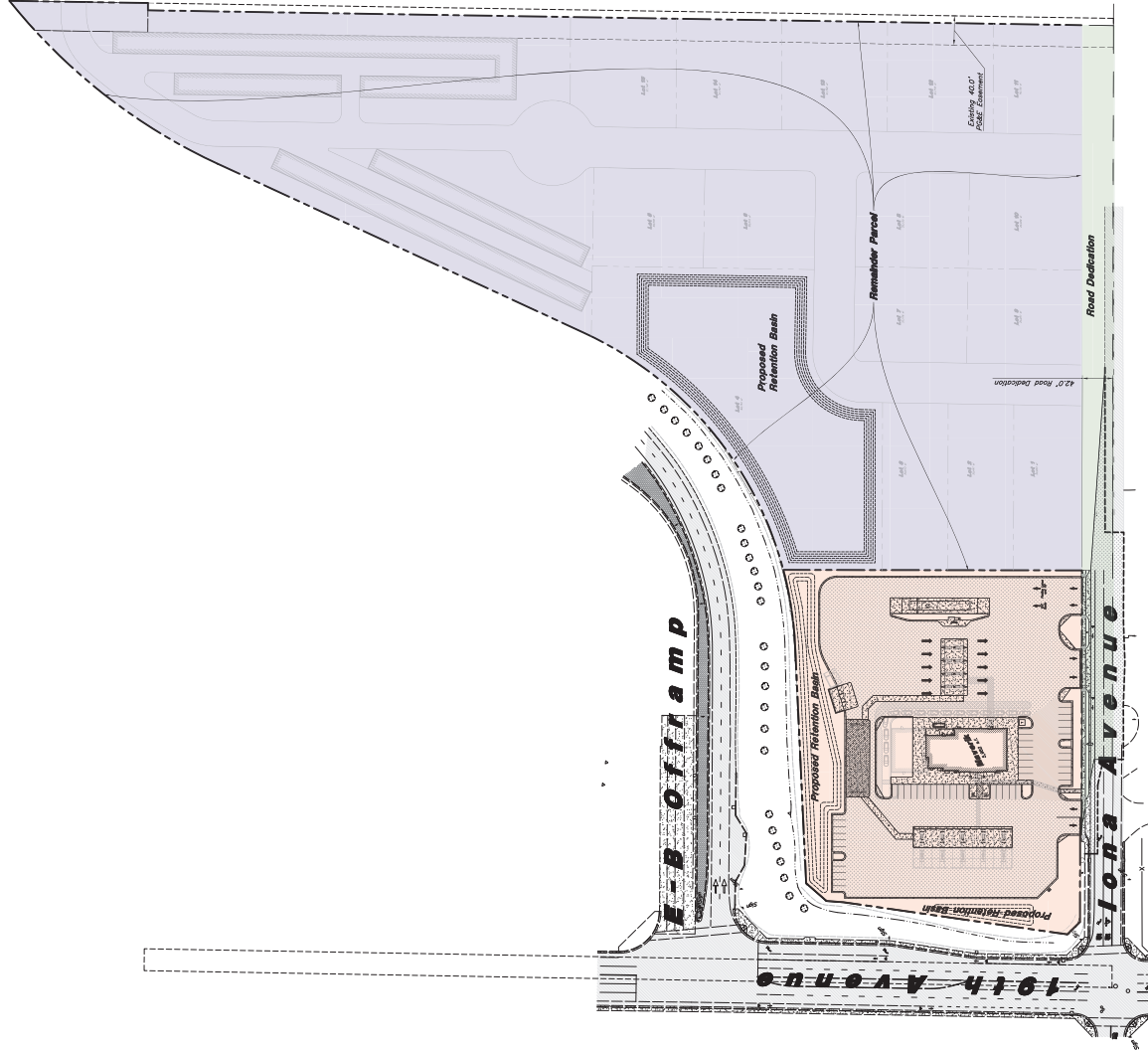
AYES:
NOES:
ABSTAINING:
ABSENT:

APPROVED:

Greg Franklin, Chairperson

ATTEST:

Kristie Baley, Planning Commission Secretary



Site Data
Maverick Parcel Site Area = 182,882 s.f. (4.20 ac.)
Remainder Parcel Site Area = 651,907 s.f. (14.96 ac.)
Future Dedication Area = 45,279 s.f. (1.04 ac.)

Maverik Area

Remainder Parcel Area

Road Dedication Area

[illegible]

2010 North Redwood Road, Salt Lake City, Utah 84116
(801) 521-8529 - AMEnginering.net



Overall Site Plan

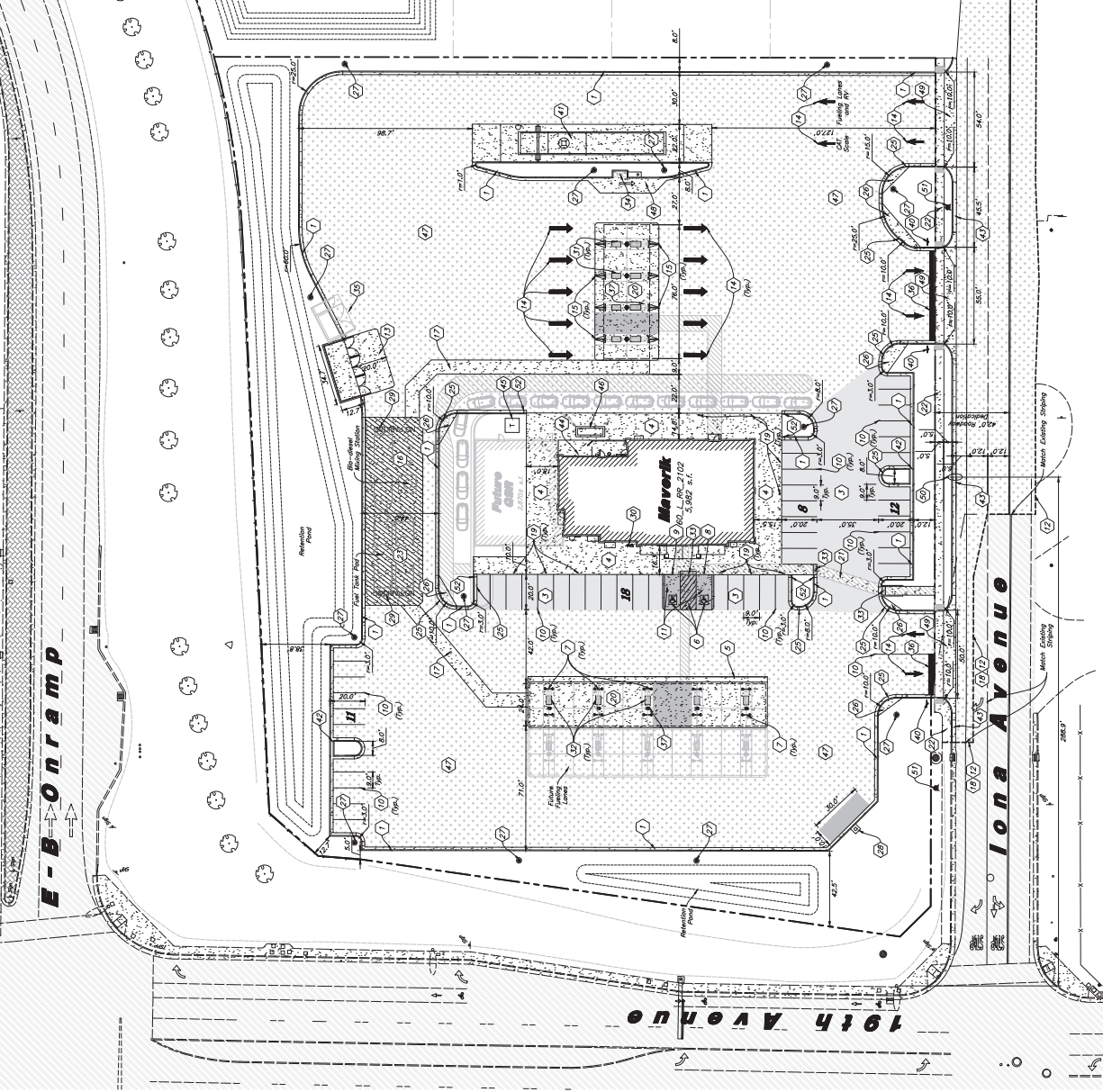
Maverik, Lemoore

19th Avenue and Iona Drive
Lemoore, California, 93245



31 March, 2023
SHEET NO. **C1.0**

Legend:



Legend:

- | Proposed Concrete Paving/Sealcoat | Proposed Onsite Heavy Duty & ROW Asphalt Paving | Proposed Onsite Standard Asphalt Paving | Existing Concrete | Existing Asphalt Paving | ADA Route - Not To Exceed A Running Slope Greater Than 4.5% Or Cross Slope Greater Than 1.5%. Do Not Slope Across Drive Aisles | ADA Parking Areas - Not To Exceed A Slope Greater Than 1.5% |
|-----------------------------------|---|---|-------------------|-------------------------|--|---|
| | | | | | | |

Slide Data

Site Area = 182,882 s.f. (4.20 ac.)
Landscape Area Provided = 41,858 s.f. (22.89%)
Impervious Area Provided = 141,022 s.f. (73.84%)
Building Area = 5,982 s.f. (3.27%)
Parking Provided = 49 stalls (8,191,000)

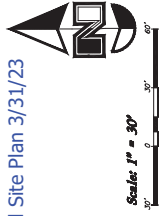
General Site Notes

1. All dimensions are to back of curb unless otherwise noted.
2. Five lane markings and signs to be installed as directed by the Fire Marshal.
3. Allow markings, directional arrows and stop bars will be painted at each driveway or shown on the plans.
4. Const. curb transition at all points where curb abuts driveway, see details.
5. Contractor shall place asphalt paving in the direction of vehicle travel where possible.
6. Shading of Accessible Route and ADA Parking Area is to Clarify Extent of These Areas Only. Do Not Strip Asphalt or Concrete. See ADA Accessible Pavement Markings Union Shown on Site Plan.

Site Construction Notes

- [illegible]

- 50 Const. Streetlights per Lemoore City Standards
51-108 and 51-11.

[illegible]

7010 North Redwood Road, Salt Lake City, Utah 84116



Site Plan

Maverik, Lemoore
19th Avenue and Iona Drive
Lemoore, California, 93245



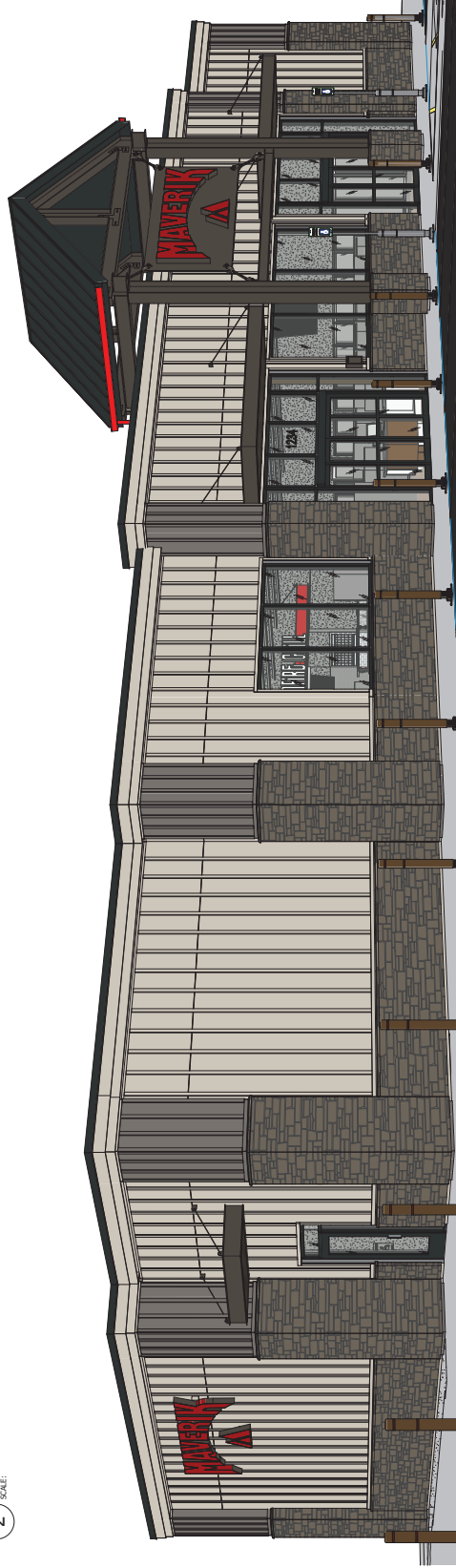
31 March 2023

SHEET NO.

C1.1



2 BUILDING PERSPECTIVE - FRONT RIGHT
SCALE:



1 BUILDING PERSPECTIVE - FRONT LEFT
SCALE:

MAVERIK C-STORE

Prototype Version: 60_L_RR_2201
Building Square Footage: 5,982 SF
Construction Type/Occupancy Classification: V-B / M

A-3 | PERSPECTIVE VIEWS

[illegible]

Prototype Version: 60_L_RR_2201
 Building Square Footage: 5,982 SF
 Construction Type/Occupancy Classification: V-B / M

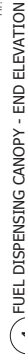


04-65	CULTURED STONE, VENEER ONLY, COUNTRY LOGGERSHIRE
04-66	CULTURED STONE, VENEER GP, SKYLINE, COUNTRY LOGGERSHIRE
05-01	PRE-FINISHED CURTAIN AND DOWNSPOUT, BRITTE RED
05-02	MILK WHITE FINISH METAL DOOR, #1 PLATE STANDING SEAM, MIDNIGHT BRONZE
05-03	MILK WHITE FINISH METAL DOOR, #2 PLATE STANDING SEAM, MIDNIGHT BRONZE
05-04	PRE-FINISHED, COLOR R-9
05-05	STELLA ANTIC, COLORED GLASS, COLOR MIDNIGHT BRONZE
05-06	STELLA ANTIC, COLORED GLASS, COLOR MIDNIGHT BRONZE
05-07	TOTAL TOPPIT, COMBINATION, COLOR PAINTED BLACK FOR SW
05-08	FINISH CHERRY BROWN, BATTEN SENDING, BB-2
05-09	FINISH CHERRY BROWN, BATTEN SENDING, BB-1
05-10	HORIZONTAL, CANTIN IN SENDING
05-11	ROOF EAVES, ALUMINUM W/ SECURITY GRILL, SEE DETAIL JAS.11, POWDER
05-12	ROOF EAVES, ALUMINUM W/ SECURITY GRILL, SEE DETAIL JAS.11, POWDER
22-15	SOUTH OCEAN DRIVING STRIPS, SEE DRAWINGS



Prototype Version: 60_L_RR_2201
 Building Square Footage: 5,982 SF
 Construction Type/Occupancy Classification: V-B / M
 A-5 | EXTERIOR ELEVATIONS

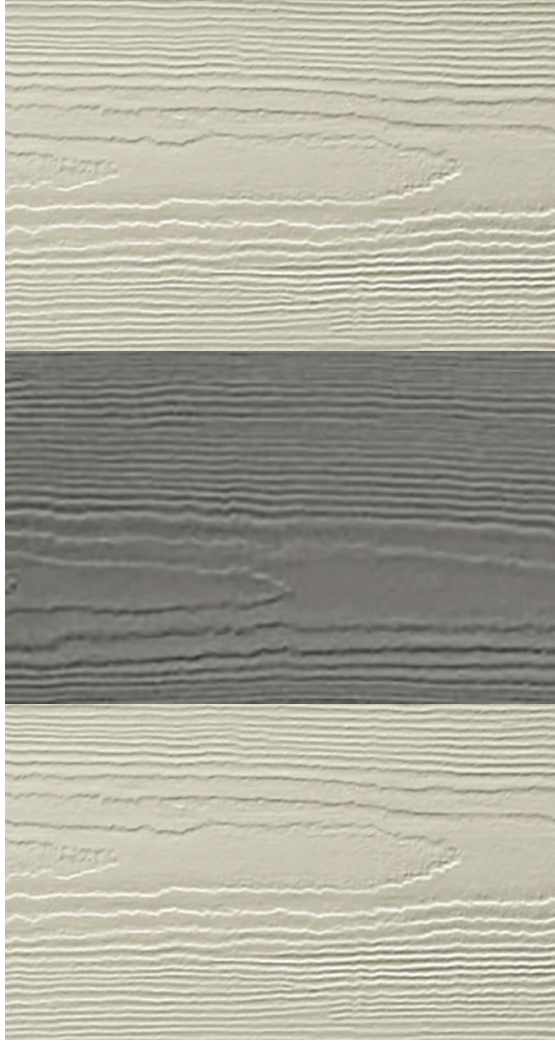


[illegible]

Prototype Version: 60_L_RR_2201
Building Square Footage: 5,982 SF
Construction Type/Occupancy Class:

A-6 | CANOPY ELEVATIONS





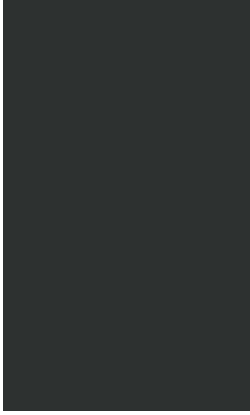
BB-1 Fiberboard -
Worldly Gray

BB-2 Fiberboard -
Gauntlet Gray

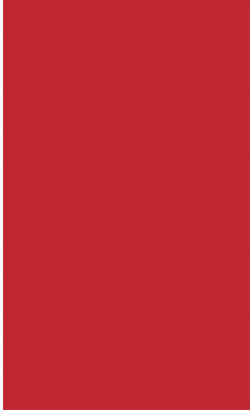
BB-3 Fiberboard -
Worldly Gray



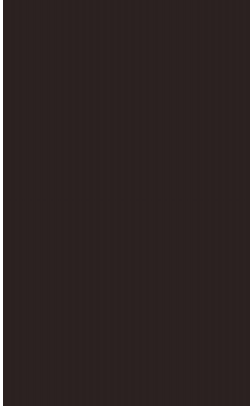
Cultured Stone - Skyline, Country Ledge stone



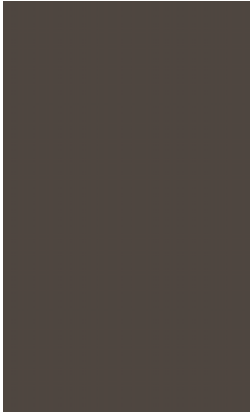
C-1 MBCI Midnight Bronze



C-2 MBCI Brite Red



Anodized - Dark Bronze



Paint - Black Fox

MAVERIK C-STORE

Prototype Version: 60_L_RR_2201
Building Square Footage: 5,982 SF
Construction Type/Occupancy Classification: V-B / M

A-7 | EXTERIOR MATERIALS BOARD



185 S. State Street
Salt Lake City, Utah 84111



711 W. Cinnamon Drive • Lemoore, CA 93245 • Planning (559) 924-6744
Community Development Department

Site Plan Review

To: Grayson Smith c/o AWA Engineering
From: Steve Brandt, City Planner
Date: April 12, 2023
Subject: **Major Site Plan Review No. 2023-01:** a request by Maverik (AWA Engineering), Inc., for major site plan review for a fueling station/convenience store located on the northeast corner of 19th Avenue and Iona Avenue in the City of Lemoore (APN 023-310-012).

- ☐ Site Plan is acceptable as proposed. All applicable comments on the attached checklist(s) are marked with an ☒. Proceed to submittal for :
- ☒ Site Plan requires minor changes that are described in the attached Department comments, mark-ups, and/or checklists. All applicable comments are marked with an ☒. Proceed to submittal for: **Planning Commission and City Council**
- ☐ Site Plan requires changes that are described in the attached Department checklists. All applicable comments are marked with an ☒.

Zoning/General Plan: The site is designated Mixed Use. Requires a GPA to change to Regional Commercial.
The site is zoned MU in the Zoning Ordinance. Requires a rezone to change to RC.

Environmental Review: An IS/MND will be prepared for the project.

Attached Comments: Planning Comments dated April 12, 2023
Public Works Markups dated April 12, 2023
Engineering Checklist dated April 14, 2023



DATE: March 31, 2023 2nd submittal
 SITE PLAN NO.: 2023-01
 PROJECT TITLE: Maverik GPA, Zone Change, CUP and MSRP
 DESCRIPTION: Maverik GPA, Zone Change, CUP and MSRP
 APPLICANT: Grayson Smith c/o AWA Engineering
 PROPERTY OWNER: N/A
 LOCATION: NEC 19th Ave. and Iona Avenue.
 APN(S): 023-310-012

PLANNING SITE PLAN REVIEW COMMENTS

The following comments are applicable to your site plan when checked. Comments in *italics* are specific to the project.

Project Information

- ☒ General Plan Land Use Element land use designation(s): Mixed-Use
☒ General Plan Circulation Element adjacent street(s): 19th Avenue and Iona Avenue are Arterial streets
☒ Zoning designation: Mixed-Use
☒ Proposed land use: Truck stop/convenience store with GPA and rezone to Regional Commercial (RC). Future site for rezone to Light Industrial not reviewed at site plan level at this time.
☐ Allowed use ☐ Not allowed use ☒ Requires a conditional use permit

Site Plan Comments

Standards are for the proposed Regional Commercial zone

Site Area Standards (Chapter 9-5A)		Required	Proposed	Notes
<input type="checkbox"/> Acceptable <input type="checkbox"/> Revise <input checked="" type="checkbox"/> N/A	Site area per dwelling units (minimum)			
<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Revise <input type="checkbox"/> N/A	Lot size (minimum)	<i>None-</i>	<i>4.2 ac</i>	182,882 sf
<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Revise <input type="checkbox"/> N/A	Lot size (maximum)	<i>None</i>	<i>4.2 ac</i>	182,882 sf
<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Revise <input type="checkbox"/> N/A	Lot width (minimum)	<i>0'</i>	<i>473.3'</i>	
<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Revise <input type="checkbox"/> N/A	Lot width (maximum)	<i>0'</i>	<i>473.3'</i>	

Building Setback, Height, and Coverage Standards (Chapter 9-5A)		Required	Proposed	Notes
<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Revise <input type="checkbox"/> N/A	Front Building Setback (minimum)	<i>0'</i>	<i>102.5'</i>	
<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Revise <input type="checkbox"/> N/A	Interior Side Building Setback (minimum)	<i>0'</i>	<i>200.8'</i>	



DATE: March 31, 2023 2nd submittal
 SITE PLAN NO.: 2023-01
 PROJECT TITLE: Maverik GPA, Zone Change, CUP and MSRP
 DESCRIPTION: Maverik GPA, Zone Change, CUP and MSRP
 APPLICANT: Grayson Smith c/o AWA Engineering
 PROPERTY OWNER: N/A
 LOCATION: NEC 19th Ave. and Iona Avenue.
 APN(S): 023-310-012

<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Revise <input type="checkbox"/> N/A	Street Side Building Setback (minimum)	10'	71'	
<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Revise <input type="checkbox"/> N/A	Rear Building Setback (minimum)	0'	Approx. 120'	
<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Revise <input type="checkbox"/> N/A	Separation Between Buildings (minimum)	10'	18'	
<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Revise <input type="checkbox"/> N/A	Height (maximum)	None	29' – 0"	To peak of entry gable. Avg. 20' for rest of structure.
<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Revise <input type="checkbox"/> N/A	Floor Area Ratio (minimum)	.10	.10	18,088 / 182882 = .099
<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Revise <input type="checkbox"/> N/A	Floor Area Ratio (maximum)	.60	.10	18,088 / 182882 = .099

Architectural and Site Design Standards (Chapter 9-5C)		Required	Notes
<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Revise <input type="checkbox"/> N/A	Design Concepts	Meet Standards from Section 9-5C-2	
<input type="checkbox"/> Acceptable <input type="checkbox"/> Revise <input checked="" type="checkbox"/> N/A	Design Standards for Residential Projects		
<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Revise <input type="checkbox"/> N/A	Design Standards for Commercial and Industrial Projects	Meet Standards from Section 9-5C-4	
<input type="checkbox"/> Acceptable <input type="checkbox"/> Revise <input checked="" type="checkbox"/> N/A	Design Standards for Big Box Stores		

Parking and Loading Standards (Chapter 9-5E)		Required	Proposed	Notes
<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Revise <input type="checkbox"/> N/A	Number of off-street Parking Spaces	35 total spaces (see notes for calc)	50 spaces	3.5 spaces per 1000sf of structure. Phase 1 (5982/1000 = 5.9*3.5 = 21)



DATE: March 31, 2023 2nd submittal
 SITE PLAN NO.: 2023-01
 PROJECT TITLE: Maverik GPA, Zone Change, CUP and MSRP
 DESCRIPTION: Maverik GPA, Zone Change, CUP and MSRP
 APPLICANT: Grayson Smith c/o AWA Engineering
 PROPERTY OWNER: N/A
 LOCATION: NEC 19th Ave. and Iona Avenue.
 APN(S): 023-310-012

				<i>Phase 2 (2870/1000 = 2.8*5.0 = 14)</i> <i>Total build out (21+14 =35)</i>
<input checked="" type="checkbox"/> Acceptable <input type="checkbox"/> Revise <input type="checkbox"/> N/A	Parking Design Standards	Meet requirements of 9-5E-5		See additional comments at bottom of page for parking design additions.
<input type="checkbox"/> Acceptable <input type="checkbox"/> Revise <input checked="" type="checkbox"/> N/A	Loading Design Standards			

<input type="checkbox"/> Downtown Standards (Chapter 9-6) <input type="checkbox"/> Mixed Use Standards (Chapter 9-7) <input type="checkbox"/> Overlay Zones (Chapter 9-9)		Required	Notes
<input type="checkbox"/> Acceptable <input type="checkbox"/> Revise <input checked="" type="checkbox"/> N/A			

Entitlements Required

- ☒ Major Site Plan Review is required for this project.
- ☒ Conditional Use Permit is required for this project.
- ☐ Zone Variance is required for this project.
- ☐ Tentative Subdivision Map is required for this project.
- ☐ Tentative Parcel Map is required for this project.
- ☒ Lot Line Adjustment is required for this project.
- ☒ Zone Change is required for this project.
- ☒ General Plan Amendment is required for this project.
- ☐ Other discretionary action required for this project:

CEQA Document Required (This is a preliminary determination that will be finalized when the project application is fully submitted and deemed complete.)

- ☐ Exempt from CEQA - Ministerial Exemption: Section 21080(b)(1); 15268.
- ☐ Exempt from CEQA - Categorical Exemption Section 15332 (Infill Development Exemption).
- ☐ Exempt from CEQA - Statutory Exemption Section _____.
- ☒ Negative Declaration or Mitigated Negative Declaration.



DATE:	March 31, 2023 2 nd submittal
SITE PLAN NO.:	2023-01
PROJECT TITLE:	Maverik GPA, Zone Change, CUP and MSRP
DESCRIPTION:	Maverik GPA, Zone Change, CUP and MSRP
APPLICANT:	Grayson Smith c/o AWA Engineering
PROPERTY OWNER:	N/A
LOCATION:	NEC 19 th Ave. and Iona Avenue.
APN(S):	023-310-012

☐ Environmental Impact Report.

Environmental Technical Documents required to back up CEQA document (This is a preliminary determination that will be finalized when the project application is fully submitted and deemed complete.)

- ☒ Air Impact Analysis.
- ☐ Acoustical Analysis.
- ☒ Biological Report.
- ☒ Cultural Records Search.
- ☒ Traffic Impact Assessment.
- ☐ Vehicle Trip Generation Estimates.
- ☐ Covenant.
- ☐ Other:

General Requirements from Zoning Ordinance that apply to the project when checked.

- ☒ Meet all Noise, Odor, and Vibration Performance Standards described in Zoning Ordinance Section 9-5B-2.
- ☒ Make all required Property and Utility Improvements described in Zoning Ordinance Section 9-5B-3.
- ☒ Meet all Outdoor Lighting Standards described in Zoning Ordinance Section 9-5B-4.
- ☒ Meet all applicable Fence and Wall Standards described in Zoning Ordinance 9-5B-5.
- ☒ Meet all MWELo requirements for landscape and irrigation plans.
- ☒ Street Trees shall be selected from the approved Street Tree list in Table 9-5D-5-A1.
- ☒ Landscape and Irrigation Plans required at Building Permit submittal. Landscape Plans will be checked for compliance with MWELo, including but not limited to the following conditions:
 - Plan shall include square footages of landscaped area shown, water use calculations, and the material to be utilized.
 - Water use classifications shall be based on WUCOLS IV.
 - All required landscape areas shall be included in the Plan.
 - Landscaping shall meet all other applicable requirements of Title 9, Article D1 of the Zoning Ordinance.

Other Requirements

- ☒ Additional comments:
 - *All Landscape and Irrigation Plans shall be approved, stamped and signed by a California licensed Landscape Architect or State of California, qualified contractor.*
 - *Signature of licensed Landscape Architect or a State of California, qualified contractor shall be affixed to seal and within the Landscape / Certification Statement boxes located on Planting and Irrigation plans.*



DATE: March 31, 2023 2nd submittal
SITE PLAN NO.: 2023-01
PROJECT TITLE: Maverik GPA, Zone Change, CUP and MSRP
DESCRIPTION: Maverik GPA, Zone Change, CUP and MSRP
APPLICANT: Grayson Smith c/o AWA Engineering
PROPERTY OWNER: N/A
LOCATION: NEC 19th Ave. and Iona Avenue.
APN(S): 023-310-012

- *Irrigation Plans must provide the appropriate system pressure calculations, identification of hydrozones, and MAWA calculations.*
- *Address attached comments from Building Department regarding backflow installation and location per City Standards.*
- *Address attached comments from Building Department regarding relocation of light pole in future drive through route.*
- *Address attached comments from Building Department regarding trash dumpster area design recommendations.*
- *All plant material selections and final Landscape and Irrigation plans to be approved when submitted for building permit.*
- *The area sloping down from 19th Avenue to the west boundary of the proposed site is land, previously claimed by Cal-Trans, that has been ceded back to the City and is subject to inclusion in any Landscape and Irrigation plans for the site. Please revise Landscape and Irrigation plans to reflect and incorporate modified City owned R.O.W. (See notes on attached Landscape plan markup for clarification)*

Suggested Recommendations for plant substitutions:

- *Replace Ceanothus cuneatus with acceptable alternate for commercial application. (maintain 5' minimum height)*
- *Replace Baccharis x 'Centennial' with acceptable alternate for commercial application.*
- *Replace Russelia equisetiformis with acceptable alternate for commercial application.*
- *Replace Rosa x 'Noare' with acceptable alternate for commercial application. (Carefree bush form is more hardy).*
- *Replace Xylosma congestum with acceptable alternate groundcover from existing plan selections.*

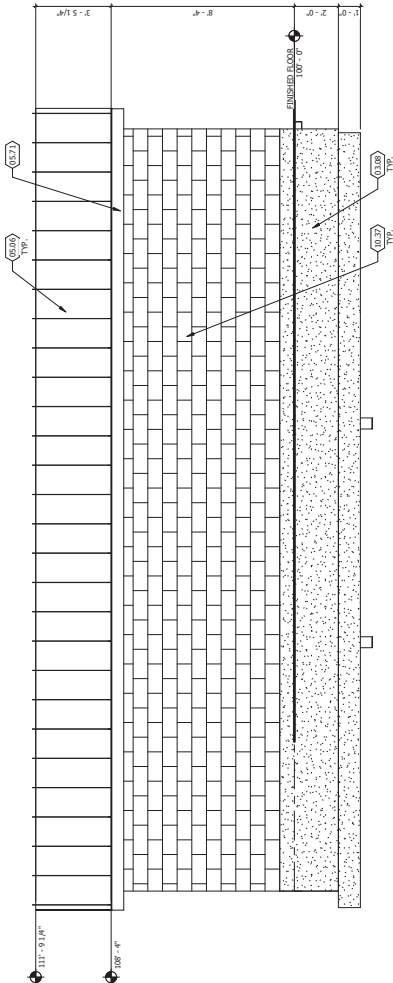
Steve Brandt

April 12, 2023

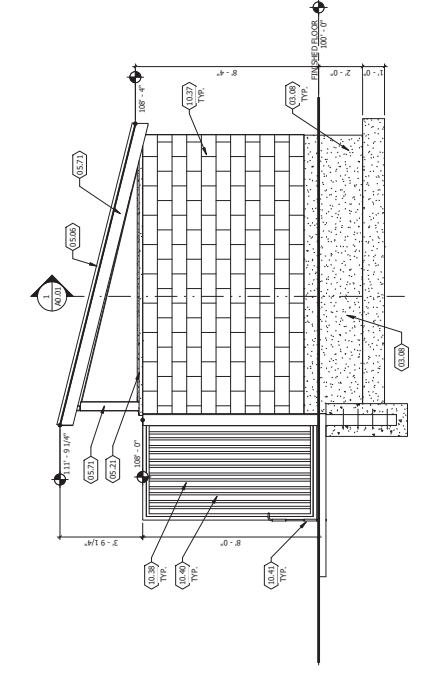
Authorized signature

Date

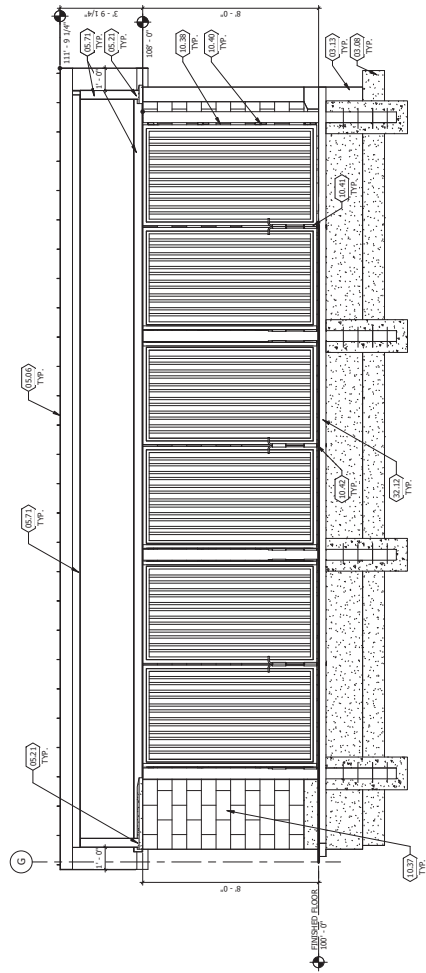
Steve Brandt, AICP, City Planner
Printed name



3 TRASH ENCLOSURE - BACK ELEVATION
SCALE: 3/8" = 1'-0"



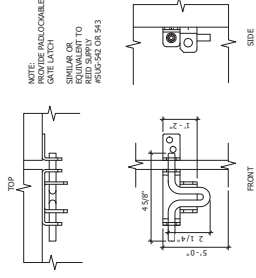
2 TRASH ENCLOSURE - SIDE ELEVATION
SCALE: 3/8" = 1'-0"



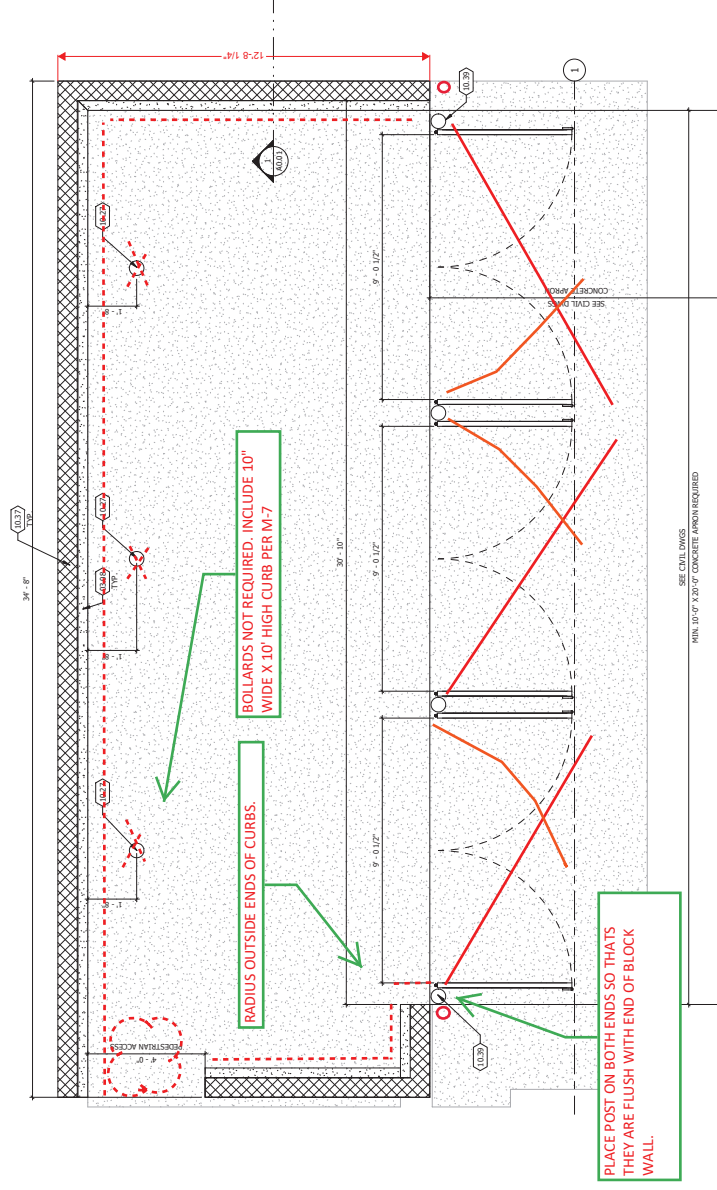
1 TRASH ENCLOSURE - FRONT ELEVATION
SCALE: 3/8" = 1'-0"

KEYED NOTES

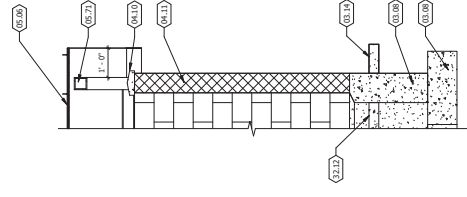
- | | |
|-------|---|
| 03.08 | CONCRETE FOOTINGS AND FOUNDATIONS, SEE STRUCTURAL DRAWINGS |
| 03.14 | CONCRETE SLAB, RE: CIVIL DWGS |
| 03.15 | CONCRETE WALL, RE: CIVIL DWGS |
| 04.11 | 8" CHU WALL, RE: STRUCTURAL DWGS |
| 04.12 | MICI PRE-FINISHED METAL ROOF, 1 1/4" STANDING SEAM, MIDNIGHT BRONZE |
| 05.01 | STEEL TRUSS FRAMING, RE: STRUCTURAL DWGS |
| 05.06 | 6" BOLLARD, PAINTED P-9 |
| 10.27 | 8" SKUT FACE (CHU-1) |
| 10.37 | POST, PAINTED P-9 |
| 10.39 | POST, PAINTED P-9 |
| 32.12 | DAMPSTER CONCRETE SLAB, RE: STRUCTURAL DWGS |



3 GATE LATCH DETAIL
SCALE: 1/2" = 1'-0"



2 DUMPSTER ENCLOSURE PLAN
SCALE: 1/2" = 1'-0"



1 DUMPSTER WALL SECTION
SCALE: 1/2" = 1'-0"

SITE PLAN REVIEW COMMENTS



SITE PLAN NO: Major Site Plan Review No. 2023-01
DESCRIPTION: New Construction 5,950 sq. ft. Convenience Store, Fuel Station / RV Waste Disposal, Alcohol Sales and Drive Through Services (LLA, CUP, AUP, ZMA, GPA)
LOCATION: 4.130-acres: NEC Iona and 19th Avenues (Vacant Lot)
APN(S): 023-310-001
APPLICANT: TKC Projects, LLC
PROPERTY OWNER: Kevin King

ENGINEERING – Multi-Family/Commercial/Industrial (2nd Submittal)

Recommended action:

- ☒ Acceptable as submitted. See applicable comments below for permit application.
- ☐ Revise per comments below. Resubmittal not required. See applicable comments below for permit application.
- ☐ Resubmit with additional information. See comments below.
- ☐ Redesign required. See comments below.

The following items are required to be shown on the Site Plan or provided with the Site Plan:

- ☐ Show entire property boundary with dimensions.
- ☐ Show all adjacent streets including existing and proposed improvements, such as curb, gutter, drive approaches, sidewalk, transit/bus stops, etc.: ☐ Show sidewalk: 5 ft. wide, with 5 ft. wide parkway on Iona Ave.; ☐ Show locations of all drive approaches per City Standards; ☐ _____
- ☐ Show existing on-site structures and improvements on the site, such as buildings, wells, septic tanks, fences, driveways, etc., and note if they are to remain, removed, relocated or demolished.
- ☐ Show existing structures and improvements adjacent to the site.
- ☐ Show all proposed on-site improvements including buildings with entry and loading access location, parking lot layout, landscape areas, pedestrian access/pathways, trash/refuse enclosure, mailbox/postal unit, etc. per City Standards and Building Code requirements. Include vehicle/truck path of travel for drive thru aisles, loading areas and trash/refuse enclosure. _____
- ☐ Show location and proposed size of all City water and sanitary sewer services to serve the project per City Standards. City mains to be used for this project are located here: Water: ____” in _____; Sewer: ____” in _____.
- ☐ Show proposed on-site fire hydrants per Fire Department requirements.
- ☐ Show temporary fire and emergency access. ☐ Provide all-weather fire and emergency access road.
- ☐ Show proposed disposal of storm runoff: ☐ On-site basin required per City Standards, ☐ Surface drain to street, ☐ Connect to City storm drain system: _____.
- ☐ Caltrans comments required prior to approval of project.
- ☐ Written comments required from ditch company.
- ☒ Additional comments:
 - 1. As discussed, construct 5’ sidewalk adjacent to the curb from the curb return at the NEC of Iona/19th intersection to the first drive approach; the remainder will be as shown.

The following are required with permit application:

- ☒ Submit on-site grading and improvement plans and off-site improvement plans detailing all proposed work. On-site and off-site improvement plans to be prepared and signed by registered civil engineer. Project architect may prepare and sign on-site improvement plans.
- ☒ City encroachment permit required which shall include an approved traffic control plan.
- ☒ Caltrans encroachment permit required. (May be required if entering State RW)

SITE PLAN REVIEW COMMENTS



SITE PLAN NO:
DESCRIPTION:

Major Site Plan Review No. 2023-01
New Construction 5,950 sq. ft. Convenience Store,
Fuel Station / RV Waste Disposal, Alcohol Sales and
Drive Through Services (LLA, CUP, AUP, ZMA, GPA)
4.130-acres: NEC Iona and 19th Avenues (Vacant Lot)
023-310-001
TKC Projects, LLC
Kevin King

LOCATION:

APN(S):

APPLICANT:

PROPERTY OWNER:

- ☐ Caltrans comments required prior to approval of project.
- ☐ Written comments required from ditch company.
- ☒ All public streets within project limits and across project frontage shall be improved to their full width, subject to available right-of-way, in accordance with City policies, standards and specifications. (Existing pavement along Iona Ave will need to be improved to handle proposed truck loads (T.I.=11.0 or other T.I. level approved by the City Engineer)
- ☒ Dedicate 17 ft. additional right-of-way along Iona Avenue to provide 42' min from CL. Right-of-way dedication required by grant deed. A title report is required for verification of ownership.
- ☒ Install street striping as required by the City Engineer.
- ☒ Install sidewalk: 5 ft. wide, with 5 ft. wide min. parkway on Iona Ave. Install 5 ft. wide adjacent to curb from the curb return at Iona/19th to first drive approach.
- ☒ Show locations of all drive approaches and construct to City Standards. Use City Std. C-8A.
- ☒ Install streetlights along Iona Avenue to City Standards ST-10B and ST-11.
- ☒ Install fire hydrants along Iona Avenue per City Standard. Use City Std. W-6.
- ☐ Cluster mailbox supports required (1 for 2 residential units) or use postal unit.
- ☒ Landscape and irrigation improvement plans to be submitted for the entire project. Landscape plans will need to comply with the City of Lemoore's street tree ordinance and the State MWEL requirements.
- ☐ Potable water and fire protection master plan for the entire development shall be submitted for approval prior to approval of any phase of the development. The water system will need to be extended to the boundaries of the development where future connection and extension is anticipated. The water system will need to be sized to serve any future developments that are anticipated to connect to the system.
- ☐ Sanitary Sewer master plan for the entire development shall be submitted for approval prior to approval of any phase of the development. The sewer system will need to be extended to the boundaries of the development where future connection and extension is anticipated. The sewer system will need to be sized to serve any future developments that are anticipated to connect to the system.
- ☒ Show location and proposed size of all City water and sanitary sewer services to serve the project per City Standards. City mains to be used for this project are located here: **Water: 12" in Iona Ave.; Sewer: 8" in 19th St.**
- ☒ Grading and drainage plan required. If the project is phased, then a master plan is required for the entire project area that shall include pipe network sizing and grades and street grades.
 - ☒ Prepared by a registered civil engineer or project architect.
 - ☒ All elevations shall be based on the City's benchmark network.Storm run-off from the project shall be handled as follows:
 - ☒ **Iona Ave. storm runoff** shall be directed to the City's existing storm drainage system; (Existing catch basin on Iona Ave.)
 - ☒ **All On-Site storm runoff** shall be directed to a permanent on-site basin per City Standards
 - ☐ Directed to a temporary on-site basin which is required until a connection with adequate capacity is available to the City's storm drainage system. On-site basin shall be constructed in accordance with City Standards.
- ☐ Protect Oak trees during construction.

SITE PLAN REVIEW COMMENTS



SITE PLAN NO: Major Site Plan Review No. 2023-01
DESCRIPTION: New Construction 5,950 sq. ft. Convenience Store, Fuel Station / RV Waste Disposal, Alcohol Sales and Drive Through Services (LLA, CUP, AUP, ZMA, GPA)
LOCATION: 4.130-acres: NEC Iona and 19th Avenues (Vacant Lot)
APN(S): 023-310-001
APPLICANT: TKC Projects, LLC
PROPERTY OWNER: Kevin King

- ☒ Show adjacent property grade elevations on improvement plans. A retaining wall will be required for grade differences greater than 0.5 feet at the property line.
- ☒ Relocate existing utility poles and/or facilities. Along Iona Ave to facilitate street improvements
- ☒ Underground all existing overhead utilities within the project limits. Existing overhead electrical lines over 50kV shall be exempt from undergrounding.
- ☒ Provide R-value tests; minimum of 1 on Iona and 1 on-site.
- ☒ Traffic indexes per City standards: On-site refuse truck travel=5.5; Iona Ave.=11.0
- ☐ Subject to existing reimbursement agreement to reimburse prior developer.
- ☒ Construct City Std. Refuse Enclosure – M-6 or M-7 (M-7 with grease interceptor if kitchen facility or restaurant is included.)
- ☒ Abandon existing wells per Code; a building permit is required. (If applicable)
- ☒ Remove existing irrigation lines and dispose off-site. (If applicable.)
- ☒ Remove existing leach fields and septic tanks. (If applicable.)
- ☒ Fugitive dust will be controlled in accordance with the applicable rules of San Joaquin Valley Air Pollution Control District's Regulation VIII. Copies of any required permits will be provided to the City of Lemoore.
- ☒ The project it may be subject to the San Joaquin Valley Air Pollution Control District's Rule 9510 Indirect Source Review per the rule's applicability criteria. A copy of the approved AIA application will be provided to the City of Lemoore.
- ☒ If the project meets the one acre of disturbance criteria of the State's Storm Water Program, then coverage under General Permit Order 2009-0009-DWQ is required and a Storm Water Pollution Prevention Plan (SWPPP) is needed. A copy of the approved permit will be provided to the City of Lemoore.

Additional comments: A Lot Line Adjustment (LLA) or Parcel Map (PM) is required to create the property line shown on the site plan and must be processed prior to issuance of a building permit.; Construct all street frontage improvements (curb, gutter, sidewalk, drive approaches, accessible ramps, and pavement) as well as any extensions of City mains (sewer, water or storm drain) and services (sewer laterals, water services) to City Standards.; Existing pavement on Iona Ave will need to be improved to handle proposed truck traffic use T.I.=11.0 or other T.I. approved by the City Engineer).


Authorized signature

4-14-23
Date

Jeff Cowart, PE City Engineer
Printed name

Community Development Department
Lemoore, California

March 31, 2023
Project Name: Maverik - Lemoore California
Project Address: NE corner of 19th Ave. and Iona Ave.

This letter is submitted in response to Major Site Plan Review No. 2023-01 for the Maverik in Lemoore California, given March 14, 2023. The comments have been individually addressed as follows:

City Planner Comments

Comment: *Site Plan requires changes that are described in the Department comments, mark-ups, and/or checklists. The Site Plan does not need to be reviewed again by City staff. Make described changes and resubmit for: Planning Commission review of Site Plan, General Plan Amendment, Zone Change, AUP, and CUP.*

Response: See Site Plan and Landscape Plan for changes made according to the Department comments, mark-ups, and checklists.

Comment: *Entitlements Required:*

- *Major Site Plan Review*
- *Conditional Use Permit*
- *Lot Line Adjustment*
- *Zone Change,*
- *General Plan Amendment*
- *Administrative Use Permit*

Response: All the above applications have been submitted except for the Lot Line Adjustment. The Lot Line Adjustment application will be submitted immediately after Right of Way dedication is approved.

Comment: *CEQA document required (This is a preliminary determination that will be finalized when the project application is fully submitted and deemed complete.):*

- *Negative Declaration or Mitigated Negative Declaration.*

Response: Mitigated Negative Declaration is being done by Quad Knopf and is being coordinated through the City of Lemoore.

Comment: *Environmental Technical Documents required to back up CEQA document (This is a preliminary determination that will be finalized when the project application is fully submitted and deemed complete.):*

- *Air impact analysis,*
- *Biological report,*
- *Cultural records search,*
- *Traffic impact assessment.*

Response: Environmental Technical Documents are being prepared by Quad Knopf.

Comment: *General requirements from zoning ordinance that apply to the project:*

- *Meet all noise, odor, and vibration performance standards described in Zoning Ordinance Section 9-5B-2.*
- *Make all required property and utility improvements described in Zoning Ordinance Section 9-5B-3.*
- *Meet all outdoor lighting standards described in Zoning Ordinance Section 9-5B-4.*
- *Meet all applicable fence and wall standards described in Zoning Ordinance 9-5B-5.*
- *Meet all MWELo requirements for landscape and irrigation plans.*
- *Street trees shall be selected from the approved Street Tree list in Table 9-5D-5-A1.*
- *Landscape and irrigation plans required at building permit submittal. Landscape plans will be checked for compliance with MWELo, including but not limited to the following conditions:*
 - *Plan shall include square footages of landscaped area shown, water use calculations, and the material to be utilized.*
 - *Water use classifications shall be based on WUCOLS IV.*
 - *All required landscape areas shall be included in the Plan.*
 - *Landscaping shall meet all other applicable requirements of Title 9, Article D1 of the Zoning Ordinance.*

Response: Noted, the submitted site plan conforms to the zoning ordinances above.

Comment: *A 15-foot landscape buffer is required along arterial and collector streets in addition to minimum building setback. This would apply to the West and South sides of the site adjacent to 19th Avenue and Iona Avenue. These 2 standards are not cumulative and may overlap. The proposed landscaped area is less than 15 feet in some areas and much more than 15 feet in others. City staff can accept the proposed layout, as it more than meets a proposed average of 15 feet.*

Response: Noted.

Comment: *9-5C-4-A1. If a separation is provided between the public street and building (e.g., for parking or a drive aisle), the area shall include significant pedestrian features to create a strong connection between the public sidewalk and primary building entry, such as:*

- A. *Landscaped plaza;*
- B. *Bicycle parking area;*
- C. *Landscaped promenade;*
- D. *Continuous trellis feature;*
- E. *Other amenities.*

To meet this requirement, provide enhanced landscaping and/or special paving in the red circled areas on the attached landscape plan.

Response: The landscape plan now shows areas of enhanced landscaping in the areas noted above.

Comment: Replace one parking space with 1 tree planter in the center of Southernmost set of parking spaces along Iona Avenue. Replace one parking space with 1 tree planter in the center of the Northernmost set of parking spaces. Landscape the tree planter with one tree and ground cover.

Response: The Site Plan now shows the landscape islands referenced above. Refer to the Landscape Plan for tree and ground cover details.

Comment: Adjacent to side or rear property lines: Parking areas for nonresidential uses shall provide a perimeter landscape strip at least eight feet (8') wide (inside dimension) where the parking area adjoins a side or rear property line. Widen planter along Eastern edge of site to full 8'. 9-5D1-2.

Response: The perimeter landscape strip on the East side of the property has been widened to 8.0', see Site Plan and Landscape Plan.

Comment: Trees in buffer areas shall be provided at the rate of one for each twenty-five (25) linear feet of landscaped area. In lieu of trees along the east property line where large trucks will be driving, the developer may provide 5 gal. plant material that will create a 'hedge'. Plant material should be a species that will eventually grow to around 5' in height. 9-5D1-2.

Response: The Landscape Plan now calls out a hedge along the eastern border of the site.

Comment: SW corner marked #9 on the Landscape Plan shall be planted in accordance with code regulations. Suggested planting of three large shade trees from the City Planting List. Ground cover can be bark mulch, gravel mulch, ground cover plants or small shrubs.

Response: Three large shade trees from the City Planting List along with ground cover has been added to the landscaping in the southwest corner of the site.

Comment: We illustrated the above comments on the landscape plan but would like you to make the changes on the site plan and landscape plan so we can show them at the Planning Commission meeting. Please resubmit by March 31 at the very latest.

Response: The aforementioned comments will be shown on the Landscape Plan and Site Plan.

City Engineer Comments

Comment: Show all adjacent streets including existing and proposed improvements, such as curb, gutter, drive approaches, sidewalk, transit/bus stops etc.:

Show sidewalk: 5 ft. wide, with 5 ft. wide parkway on Iona Ave.

Response: Site Plan shows proposed sidewalk and parkway along Iona Ave. as well as existing improvements along 19th Ave and Iona Ave.

Comment: Submit on-site grading and improvement plans and off-site improvement plans detailing all proposed work. On-site and off-site improvement plans to be prepared and signed by registered Civil Engineer. Project architect may prepare and sign on-site improvement plans.

Response: On-site grading and improvement plans as well as offsite improvement plans will be prepared and signed by Civil Engineer for civil permits.

Comment: City encroachment permit required which shall include an approved traffic control plan.

Response: Lemoore City encroachment permit with an approved traffic control plan will be obtained prior to any work in Lemoore City Right-of-way.

Comment: Caltrans encroachment permit required. (May be required if entering State RW)

Response: Per Caltrans Right-of-Way map, no encroachment permit is required for the proposed improvements.

Comment: All public streets within project limits and across project frontage shall be improved to their full width, subject to available right-of-way, in accordance with City policies, standards and specifications. (Existing pavement along Iona Ave will need to be improved to handle proposed truck loads (T.I.=11.0 or other T.I. level approved by the City Engineer)

Response: Iona Ave. will be improved along the Maverik project frontage per Lemoore City requirements. Iona Ave. asphalt paving will be designed with T.I. = 11.0.

Comment: Dedicate 17 ft. additional right-of-way along Iona Avenue to provide 42' min from CL. Right-of-way dedication required by grant deed. A title report is required for verification of ownership.

Response: A Right-of-Way dedication by Irrevocable Grant Deed is being prepared by the surveyor and is anticipated to be submitted to the City of Lemoore next week.

Comment: Install street striping as required by the City Engineer.

Response: Per coordination with the Lemoore City Engineer, Iona will be striped per CA MUTCD standards for two (2) – 12' lanes and one (1) – 6' bike lane.

This is the ultimate layout. City will work with Maverik to determine interim striping.

Comment: Install sidewalk: 5 ft. wide, with 5 ft. wide min. parkway on Iona Ave.

Response: A 5' wide sidewalk and a 5' wide parkway are now shown along Iona Ave. See the Site Plan for location and dimensions.

Install 5' sidewalk adjacent to curb from NEC Iona/19th to first drive approach.

Comment: Show locations of all drive approaches and construct to City Standards. Use City Std. C-8A.

Response: Per coordination with the City, drive approaches are now shown per detail C-8A with a detached sidewalk. A small portion of the sidewalk to the west of the driveway that is closest to the intersection of Iona Ave. and 19th Ave. will be attached to the curb in order to avoid a utility conflict.

Comment: Install streetlights along Iona Avenue to City Standards ST-10B and ST-11.

Response: A new streetlight is now shown on the Site Plan approximately 260' from the existing streetlight located at the Northeast corner of Iona Ave. and 19th Ave. Refer to the Site Plan for Lemoore City detail references (keynote 50).

Comment: Install fire hydrants along Iona Avenue per City Standard. Use City Std. W-6.

Response: Fire Hydrants are now shown along Iona Ave. on the Site Plan, keynote 51 references Lemoore City Standard W-6.

Comment: Landscape and irrigation improvement plans to be submitted for the entire project. Landscape plans will need to comply with the City of Lemoore's street tree ordinance and the State MWELO requirements.

Response: A landscape and irrigation plan shall be provided with civil plan submittal. The landscape plan shall comply with the City's street tree ordinance and the MWELO requirements.

Comment: Show location and proposed size of all City water and sanitary sewer services to serve the project per City Standards. City mains to be used for this project are located here: Water: 12" in Iona Ave.; Sewer: 8" in 19th St.

Response: A full set of civil drawings will be submitted for approval for onsite and offsite permits. Drawings will show connections to Lemoore City utilities referenced above. Coordination is ongoing with the city to determine the invert elevation of the 8" sewer lateral located near the intersection of Iona and 19th Ave.

Comment: Grading and drainage plan required. If the project is phased, then a master plan is required for the entire project area that shall include pipe network sizing and grades and street grades.

- Prepared by a registered civil engineer or project architect.
- All elevations shall be based on the City's benchmark network.
- Storm run-off from the project shall be handled as follows:
- Iona Ave. storm runoff shall be directed to the City's existing storm drainage system; (Existing catch basin on Iona Ave.)
- All On-Site storm runoff shall be directed to a permanent on-site basin per City Standards

Response: A Grading and Drainage Plan prepared by a licensed Engineer will be submitted with onsite civil drawings. Onsite stormwater will be fully retained partially onsite and partially on the neighboring parcel. An easement will accompany the offsite retention basin allowing Maverik to store and convey stormwater. A conversion will be provided on the civil plans that bases the surveyed elevations on the City's benchmark network. A discrepancy in the City's benchmark list has been brought to the City's attention.

Comment: Show adjacent property grade elevations on improvement plans. A retaining wall will be required for grade differences greater than 0.5 feet at the property line.

Response: Existing grade elevations will be shown on Improvement Plans. A retaining wall is not anticipated. A grading plan will portray how onsite grading ties into the adjacent properties.

Comment: Relocate existing utility poles and/or facilities. Along Iona Ave to facilitate street improvements

Response: All existing utility poles, facilities, signage, etc. will be replaced or relocated and depicted on civil plans.

Comment: Provide R-value tests; minimum of 1 on Iona and 2 on-site.

Response: R-value test location and results have been sent to Lemoore City for to determine if more testing is required.

Comment: Traffic indexes per City standards: On-site refuse truck travel=5.5; Iona Ave.=11.0

Response: Onsite pavement design for Heavy Duty uses T.I. = 9, Standard Duty uses T.I. = 5.5.

Comment: Construct City Std. Refuse Enclosure – M-6 or M-7 (M-7 with grease interceptor if kitchen facility or restaurant is included.)

Response: Per coordination with Lemoore City, the standard Maverik dumpster enclosure will be constructed with the Maverik. A sewer line for the QSR will be stubbed at the time the Maverik is constructed to a future dumpster enclosure (per detail M-7). The Maverik convenience store does not cook with grease nor store any grease onsite. Therefore, a grease line to the dumpster enclosure is not necessary until the QSR is constructed.

Comment: Abandon existing wells per Code; a building permit is required. (If applicable)

Response: No known wells within project limits.

Comment: Remove existing irrigation lines and dispose of off-site. (If applicable.)

Response: No known Irrigation lines within project limits.

Comment: Remove existing leach fields and septic tanks. (If applicable.)

Response: No known leach fields or septic tanks within project limits.

Comment: Fugitive dust will be controlled in accordance with the applicable rules of San Joaquin Valley Air Pollution Control District's Regulation VIII. Copies of any required permits will be provided to the City of Lemoore.

Response: A copy of the fugitive dust control permit along with any others required by San Joaquin Valley Air Pollution Control District will be provided to Lemoore City prior to permit issuance.

Comment: The project it may be subject to the San Joaquin Valley Air Pollution Control District's Rule 9510 Indirect Source Review per the rule's applicability criteria. A copy of the approved AIA application will be provided to the City of Lemoore.

Response: A copy of the approved AIA application will be provided to the City of Lemoore prior to permit issuance.

Comment: If the project meets the one acre of disturbance criteria of the State's Storm Water Program, then coverage under General Permit Order 2009-0009-DWQ is required and a Storm Water Pollution Prevention Plan (SWPPP) is needed. A copy of the approved permit will be provided to the City of Lemoore.

Response: A SWPPP will be prepared with the project and a copy of approved permit will be provided to Lemoore City prior to permit issuance.

Comment: A Lot Line Adjustment (LLA) or Parcel Map (PM) is required to create the property line shown on the site plan and must be processed prior to issuance of a building permit.; Construct all street frontage improvements (curb, gutter, sidewalk, drive approaches, accessible ramps, and pavement) as well as any extensions of City mains (sewer, water or storm drain) and services (sewer laterals, water services) to City Standards.; Existing pavement on Iona Ave will need to be improved to handle proposed truck traffic use T.I.=11.0 or other T.I. approved by the City Engineer).

Response: A Lot Line Adjustment application will be submitted immediately after Right of Way dedication along Iona Ave. is approved. The ROW dedication is anticipated to be submitted early next week. Street improvements will be constructed along the Maverik frontage for the full width of Iona. Pavement design will utilize T.I. = 11. Sewer, Water and Storm Drain will be extended to the eastern edge of the Maverik property line.

Fire Department Comments

Comment: *There are 2 fire hydrants required for this project. One hydrant shall be installed every 300ft. (see marked plans for fire hydrant locations).*

Response: Two Fire Hydrants are now shown along Iona Ave. refer to the Site Plan and keynote 51 that references Lemoore City Standard W-6.

Comment: *An access road is required and shall be a minimum of 20 feet wide. The road shall be an all-weather driving surface accessible prior to and during construction.*

Response: A 20' minimum all weather driving surface access road will be provided.

California Department of Transportation Comments

Comment: *According to the Kings County Association of Governments' (KCAG) Regional Active Transportation Plan, Iona Avenue and 19th Avenue are proposed to as future bikeways (Page 128, Figure 6.5.1) which will allow the project to be connected to the residential communities north of the project site. These provide opportunities for the project proponents to implement multimodal strategies, such as active transportation facilities as well as transit-oriented development to help reduce project related trips. It is recommended that the project proponents coordinate multimodal facilities with the City to connect to the future city-wide network.*

Response: Iona Ave. roadway improvements along the Maverik frontage now show a 6' bike lane that will connect to the future Lemoore City-wide network. Additionally, a bike rack will be constructed onsite to promote multi-modal strategies and reduce project-related automobile trips.

Comment: *Caltrans recommends the City consider creating a VMT Mitigation Impact Fee to help reduce potential impacts on the State Highway System.*

Response: AWA will Coordinate with the City on any impact fees.

Comment: *Alternative transportation policies should be applied to the development. An assessment of multimodal facilities should be conducted to develop an integrated multimodal transportation system to serve and help alleviate traffic congestion resulting from the project and related development in the area of the City. The assessment should include the following:*

- a. *Pedestrian walkways should not only be limited to the project's internal connectivity but be connected to existing walkways and transit facilities outside the project area.*
- b. *The project should consider coordinating connections to local and regional bicycle pathways to encourage the use of bicycles for commuter and recreational purposes.*
- c. *If transit is not available within 1/4-mile of the project area, transit should be extended to provide services to high activity centers of the project.*

Response:

- a. On-site pedestrian walkways are connected to offsite sidewalk.
- b. Bike Lane striping is now shown on the Site Plan.
- c. Maverik will coordinate with Lemoore City on transit availability and access.

Comment: *As part of the statewide effort to reduce greenhouse gas emissions, Caltrans recommends the project proponents consider the installation of public Level 2 Electric Vehicle (EV) and DC Fast charging EV charging stations.*

Response: AWA will coordinate with the City on any EV requirements, and conform to California Green Code requirements.

Santa Rosa Rancheria Tachi-Yokut Tribe Comments

Comment: *SLF search and to have the results sent to us*

Response: A letter to California Native American Heritage Commission has been sent by Quad Knopf. The letter asked California Native American Heritage Commission to search their Sacred Land file and send results to Quad Knopf. At the time of this letter, no response from the Tribe has been received.

Comment: *Archaeological record search and to have results sent to us*

Response: This has been done as part of the CEQA process with no discoveries for this site. Quad Knopf will send results when the CEQA document is circulated publicly.

Comment: *A tribal monitor on site for all ground disturbance related to the project to be retained for a Cultural Presentation for all construction staff*

Response: Coordination with the tribe is ongoing to provide a tribal monitor.

Comment: *A Burial Treatment Plan to be put in place*

Response: Ongoing coordination with the tribe is underway. A burial treatment plan will be put in place prior to any grading taking place.

Comment: *A Curation Agreement to be put in place*

Response: A curation agreement will be in place prior to any grading.

Comment: *archaeological survey be completed and to have the results sent to us.*

Response: Per coordination with Quad Knopf, an archeological survey has been added to the CEQA scope of work and will be performed before the CEQA document is ready to be released publicly.

Site Plan Comments (C1.0-C1.2)

Comment: *A LLA is required to create the proposed property line shown; process LLA as part of this development*

Response: The Lot Line Adjustment application will be submitted immediately after Right of Way dedication is approved. ROW documents are anticipated to be submitted early next week.

Comment: *Provide reciprocal storm drain easement if Maverik will be using this basin also (Proposed retention basin in remainder parcel).*

Response: An easement will accompany the offsite retention basin allowing Maverik to store and convey stormwater.

Comment: *On-site retention of storm water required per City standards*

Response: The project retention basins will be constructed per City standards.

Comment: *Construct trash enclosure per City Standard M-6 or M-7 (M-7 with grease interceptor if kitchen facilities are included in project)*

Response: Per coordination with Lemoore City, the standard Maverik dumpster enclosure will be constructed with the Maverik. A sewer line for the QSR will be stubbed at the time the Maverik is constructed to a future dumpster enclosure (per detail M-7). The Maverik convenience store does not cook with grease nor store any grease onsite. Therefore, a grease line to the dumpster enclosure is not necessary until the QSR is constructed.

Comment: *Connect Water to 12"W line on Iona Ave.*

Response: A full set of Civil drawings will be submitted for approval for onsite and offsite permits. Drawings will show connections to Lemoore City utilities referenced above.

Comment: *Connect to 8"SS on 19th Ave.*

Response: The onsite sewer system will connect to the 8" sewer lateral in 19th Ave. Coordination with the City is ongoing to determine the invert elevation of our connection point.

Comment: *Provide 5' sidewalk with 5' parkway pattern.*

Response: A 5' wide sidewalk and a 5' wide parkway are now shown along Iona Ave. See the Site Plan for location and dimensions.

Comment: *Complete all frontage improvements per City Stds (curb, gutter, sidewalk, pavement).*

Response: Frontage improvements are shown on the Site Plan with detail references to the City standards for curb, gutter, and sidewalk. Pavement will be designed with a T.I. of 11.

Comment: *Maintain street runoff in City SD system; not on-site basin*

Response: Street runoff will be captured by the existing drop inlet on Iona Ave close to the intersection of 19th Ave. No offsite stormwater will be stored in the on-site basin.

Comment: *Install streetlights along Iona Ave per City Stds ST-10B & ST-11 at 260'-300' spacing*

Response: A streetlight is now shown on the Site Plan approximately 260' from the existing streetlight at the Northeast corner of Iona Ave. and 19th Ave. Refer to Site Plan for Lemoore City detail reference (keynote 50).

Comment: *Install fire hydrants along Iona Ave frontage ROW per City Std W-6*

Response: Fire Hydrants are now shown along Iona Ave. on the Site Plan. Keynote 51 references Lemoore City Standard W-6.

Comment: *42' roadway dedication required*

Response: A Right-of-Way dedication by Irrevocable Grant Deed is being prepared by the surveyor and is anticipated to be submitted to the City of Lemoore next week.

Comment: *Pavement on Iona Ave will need to be improved.*

Response: Iona Ave. will be improved along project frontage per Lemoore City requirements. Iona Ave. asphalt paving will be designed with a T.I. = 11.0.

Comment: *Correct scale at top of sheet*

Response: Corrected.

Comment: *Modify all three drive approaches per City Std no. C-8A.*

Response: Per coordination with Lemoore City, drive approaches are now shown per detail C-8A with a detached sidewalk.

Landscape Plan Comments (L1.1)

Comment: *Replace one parking space with 1 tree planter in the center of Southernmost set of parking spaces along Iona Avenue.*

Response: One parking stall was eliminated and 1 tree planter added with understory shrubs.

Comment: *Replace one parking space with 1 tree planter in the center of the Northernmost set of parking spaces.*

Response: One parking stall was eliminated and 1 tree planter added with understory shrubs.

Comment: *Enhance landscape planting and/or provide special paving in red circled areas (planters on S end of building and ends of South Planter.*

Response: Enhanced landscape plantings were added where indicated on city redline plan. Enhanced landscape plantings consist of a tree with thick understory shrubbery.

Comment: *Add trees to South West corner or property.*

Response: Three shade trees were added at the southwest corner of the site. Shade trees were selected from the City's street tree list.

Comment: *Add trees to North East Property line.*

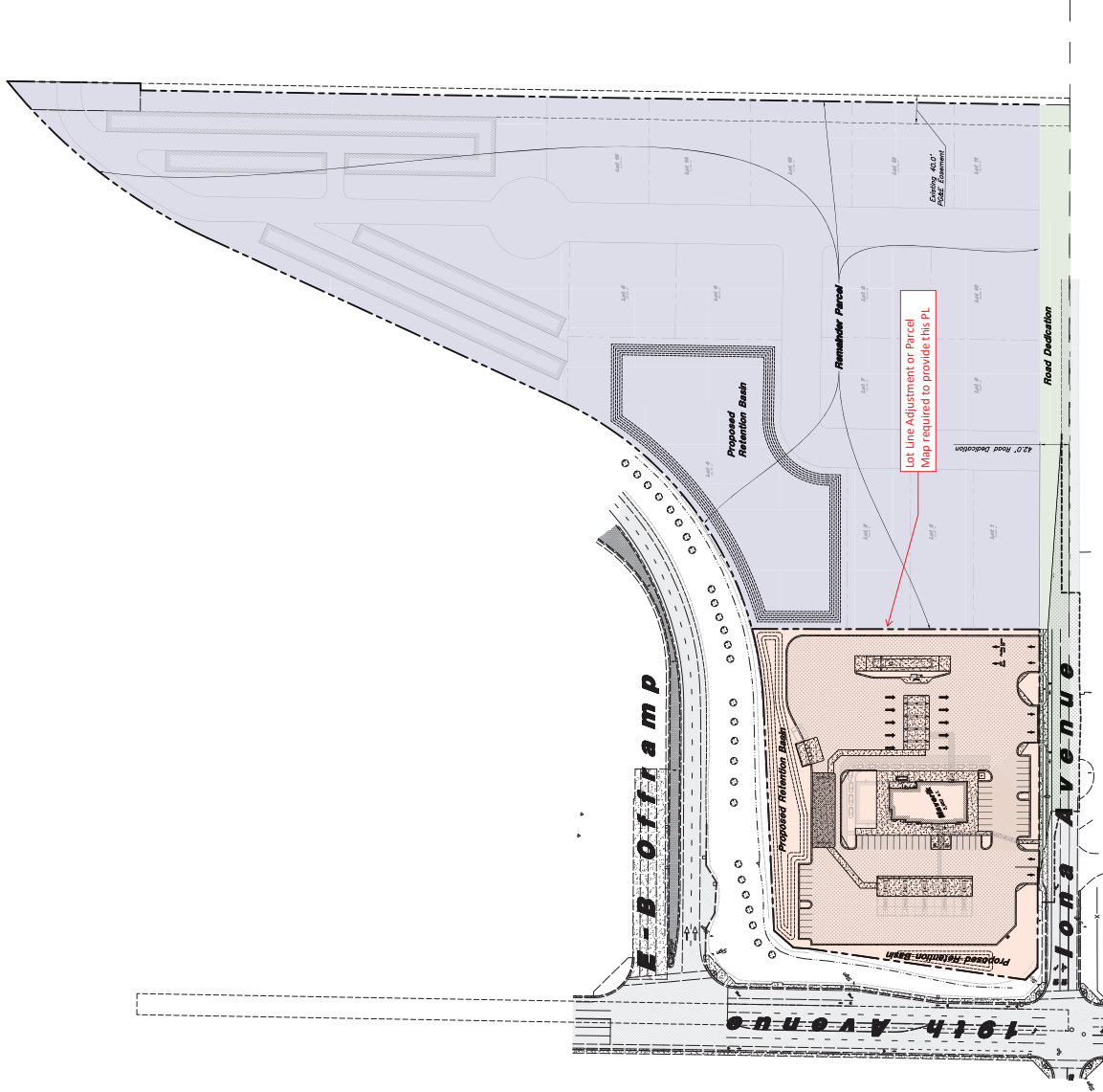
Response: Five trees were added at the northeast property line in the buffer at a spacing of 25'. The remainder of the buffer shall consist of a shrub hedge that will get a minimum of 5' high at maturity.

Comment: *8' minimum spacing between curb and fence on East side of property.*

Response: Shrub planter was widened to 8' between the curb and property line on the east side in the buffer.

Comment: *Hedge is okay instead of trees on East property line.*

Response: A hedge was added where indicated on plan in the buffer. Plant material shall grow to a minimum height of 5' at maturity and be 5 gallon in size at planting.



Site Data
Maverick Parcel Site Area = 182,882 s.f. (4.20 ac.)
Remainder Parcel Site Area = 651,907 s.f. (14.96 ac.)
Future Dedication Area = 45,279 s.f. (1.04 ac.)

Maverik Area

Remainder Parcel Area

Road Dedication Area



AMW Engineering, Inc.
2010 North Redwood Road, Salt Lake City, Utah 84116
(801) 521-8529 - AMWengineering.net



Overall Site Plan



31 March, 2023
SHEET NO. **C1.0**

City Engineer Review
See written comments also
JSC
4/14/23

31 March, 2023
SHEET NO. **L1.1**

INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

MAVERIK GAS STATION AND INDUSTRIAL PARK PROJECT

Prepared for:

City of Lemoore
711 W. Cinnamon Drive
Lemoore, CA 93245
Contact Person: Nathan Olson, City Manager
Phone: (559) 924-6744



Consultant:



5080 California Avenue, Suite 220
Bakersfield, CA 93309
Contact: Jaymie Brauer
Phone: (661) 616-2600

April 2023

NOTICE OF PUBLIC HEARING AND INTENT TO ADOPT A MITIGATED NEGATIVE DECLARATION

This is to advise that the City of Lemoore has prepared a Mitigated Negative Declaration for the project identified below that is scheduled to be considered at the Lemoore City Council's regular meeting on **Tuesday, May 16, 2023**.

PLEASE BE ADVISED that the City Council will consider adopting the Mitigated Negative Declaration at a future meeting held after the Planning Commission meeting. That date is uncertain at this time and will be noticed in the future.

All upcoming regular and special Planning Commission and City Council meetings will also be accessible online at www.youtube.com/c/cityoflemoore.

Persons having comments or concerns about the proposed project are encouraged to attend or submit public comments by e-mail to: planning@lemoore.com. Emailed comments must be received by 4:30 p.m. on the day of the hearing to be entered into the record. In the subject line of the e-mail, please state your name and the item you are commenting on. Persons unable to email comments may send them via USPS mail or another courier to the City of Lemoore, Attn: City Clerk, 711 W. Cinnamon Drive, Lemoore CA 93245. Mailed comments must be received by 4:30 p.m. on the day of the hearing to be entered into the record.

Project Name

Maverik Gas Station and Industrial Park Project

Project Location

The project site is a 20.5-acre property located on the northeast corner of South 19th Avenue and West Iona Avenue in the City of Lemoore, Kings County, CA. The project site is on Assessor's Parcel Numbers (APN) 023-310-012-000 and 023-210-011-000 within Section 10, Township 19S, Range 20E, Mount Diablo Base and Meridian (MDB&M).

Project Description

The project requests a Zone Change/General Plan Amendment from Mixed Use to Regional Commercial for an approximately 4.13-acre portion of the site and approval of a Conditional Use Permit to allow for the construction and development of a gas station/mini-mart. The project would include an 8,952-square-foot building with fuel canopies for gas and diesel pumps. In the future, a fast-food restaurant with a drive-through lane would be developed. Development of the gas station/mini-mart is anticipated to occur over a six-month period.

The remaining easterly portion of the site would change from Mixed Use to Light Industrial to allow for the development of an industrial park to accommodate future compatible uses. The site would be divided into 23 separate lots with the approval of a subdivision map. The size of the buildings is not known, but based on the proposed lot sizes, it can be assumed up

to 100,000 square feet of buildings can be developed. Additional improvements include the development of a retention basin on the north end of the property.

As mandated by the California Environmental Quality Act (CEQA), the public review period for this document was 20 days (CEQA Section 15073[a]). The public review period began on April 7, 2023, and ended on May 8, 2023. For further information, please contact Jaymie Brauer at 661-616-2600 or jaymie.brauer@qkinc.com.

TABLE OF CONTENTS

<i>Mitigated Negative Declaration</i>	1
<i>SECTION 1 - Introduction</i>	1-1
1.1 - Overview	1-1
1.2 - CEQA Requirements.....	1-1
1.3 - Impact Terminology.....	1-1
1.4 - Document Organization and Contents	1-2
1.5 - Incorporated by Reference	1-2
<i>SECTION 2 - Project Description</i>	2-1
2.1 - Project Location	2-1
2.2 - Surrounding Land Uses	2-1
2.3 - Project Environment.....	2-1
2.4 - Proposed Project	2-1
<i>SECTION 3 - Evaluation of Environmental Impacts</i>	3-1
3.1 - Environmental Checklist and Discussion.....	3-1
3.2 - Environmental Factors Potentially Affected:.....	3-3
3.3 - Determination.....	3-3
3.4 - Evaluation of Environmental Impacts.....	3-5
3.4.1 - Aesthetics	3-7
3.4.2 - Agriculture and Forestry Resources.....	3-10
3.4.3 - Air Quality	3-13
3.4.4 - Biological Resources.....	3-21
3.4.5 - Cultural Resources	3-34
3.4.6 - Energy	3-38
3.4.7 - Geology and Soils	3-42
3.4.8 - Greenhouse Gas Emissions.....	3-49
3.4.9 - Hazards and Hazardous Materials.....	3-53
3.4.10 - Hydrology and Water Quality	3-60
3.4.11 - Land Use and Planning.....	3-68
3.4.12 - Mineral Resources	3-70
3.4.13 - Noise	3-72
3.4.14 - Population and Housing	3-78
3.4.15 - Public Services.....	3-80
3.4.16 - Recreation	3-84
3.4.17 - Transportation and Traffic.....	3-86
3.4.18 - Tribal Cultural Resources.....	3-91
3.4.19 - Utilities and Service Systems	3-93
3.4.20 - Wildfire.....	3-97
3.4.21 - Mandatory Findings of Significance	3-101

SECTION 4 - References.....	4-1
SECTION 5 - List of Preparers.....	5-1
5.1 - Lead Agency.....	5-1
5.2 - Technical Assistance.....	5-1
SECTION 6 - Mitigation Monitoring and Reporting Program.....	6-2

List of Figures

Figure 2-1 Regional Location	2-3
Figure 2-2 Project Site.....	2-4
Figure 2-3 Site Plan – Gas Station and Mini-Mart.....	2-5
Figure 2-4 Site Plan – Industrial Park.....	2-6
Figure 3.4.10-1 100-Year Floodplain.....	3-67

List of Tables

Table 3.4.3-1 NAAQS and CAAQS Standards.....	3-14
Table 3.4.3-2 SJVAB Attainment Status	3-15
Table 3.4.3-3 SJVAPCD CEQA Thresholds of Significance.....	3-15
Table 3.4.3-4 Construction Project Emissions.....	3-16
Table 3.4.3-5 Operational Emissions	3-17
Table 3.4.3-6 Potential Maximum Impacts Predicted by HARP2	3-19
Table 3.4.4-1 List of Plant and Wildlife Species Observed on the Project Site	3-23
Table 3.4.6-1 PG&E and the State of California 2021 Power Mix.....	3-39
Table 3.4.6-2 Electricity Consumption in PG&E Service Area (2021).....	3-39
Table 3.4.6-3 Natural Gas Consumption in PG&E Service Territory (2021).....	3-39
Table 3.4.6-4 Estimated Project-Related Energy Usage	3-40
Table 3.4.8-1 Estimated Annual Greenhouse Gas Emissions (MT/Year)	3-50
Table 3.4.13-1 Different Levels of Groundborne Vibration	3-75
Table 3.4.17-1 Project Trip Generation	3-87
Table 3.4.17-2 Intersection Level of Service	3-88
Table 3.4.20-1 Existing Wildfire Hazards.....	3-98

List of Appendices

- Appendix A: Air Quality Impact Analysis
- Appendix B: Cultural Resource Records Search
- Appendix C: Phase I Environmental Site Assessment
- Appendix D: Traffic Impact Study

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

Maverik Gas Station and Industrial Park Project

Project Location

The project site is a 20.5-acre property located on the northeast corner of South 19th Avenue and West Iona Avenue in the City of Lemoore, Kings County, CA. The project site is on Assessor’s Parcel Numbers (APN) 023-310-012-000 and 023-210-011-000 within Section 10, Township 19S, Range 20E, Mount Diablo Base and Meridian (MDB&M).

Project Description

The project requests a Zone Change/General Plan Amendment from Mixed Use to Regional Commercial for an approximately 4.13-acre portion of the site and approval of a Conditional Use Permit to allow for the construction and development of a gas station/mini-mart. The project would include an 8,952-square-foot building with fuel canopies for gas and diesel pumps. In the future, a fast-food restaurant with a drive-through lane would be developed.

The remaining easterly portion of the site would change from Mixed Use to Light Industrial to allow for the development of an industrial park to accommodate future compatible uses. The site would be divided into 23 separate lots with the approval of a subdivision map. The size of the buildings is not known, but based on the proposed lot sizes, it can be assumed up to 100,000 square feet of buildings can be developed. Additional improvements include the development of a retention basin on the north end of the property.

Development of the gas station/mini-mart is anticipated to occur over a six-month period. Construction equipment will vary and includes the following:

- Excavators/earth-moving equipment.
- Depending on the foundation system, auger rig or pile-driving rig.
- All-terrain forklifts.
- A man/material hoist.
- Truck cranes.
- Concrete trucks.
- Dump trucks.

- Street sweepers/water trucks for dust control.
- Construction delivery trucks (typically box trucks of flat beds).
- Small tools (generators, light plants, compactors, air compressors).

Entitlements

In order for the project to be constructed, approval of the following actions is required:

- Zone Change and General Plan Amendment – Mixed Use to Regional Commercial and Light Industrial.
- Conditional Use Permit.
- Subdivision Map.
- Major Site Plan Review.

The project also proposes to rezone and subdivide the eastern portion of the site; however, no development is planned for these parcels at this time. The project analyzed in the IS/MND accounts for general industrial uses as allowed in the Lemoore Zoning Code; however, the future proposed development on these parcels may require additional environmental review.

Mailing Address and Phone Number of Contact Person

Nathan Olson, City Manager
Phone: (559) 924-6744
711 W. Cinnamon Drive
Lemoore, CA

Findings

As Lead Agency, the City finds that the project will not have a significant effect on the environment. The 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 to less-than-significant levels. The City 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

MITIGATION MEASURE(S)

MM BIO-1: Prior to ground-disturbing activities, a qualified wildlife biologist shall conduct a biological clearance survey between 14 and 30 days prior to the onset of construction.

The clearance survey shall include walking transects to identify the presence of San Joaquin kit fox, burrowing owl, nesting birds, and other special-status species. The preconstruction survey shall be walked by no greater than 30-foot transects for 100 percent coverage of the project and a 50-foot buffer, where feasible. If no evidence of special-status species is detected, no further action is required except measures BIO-4 through BIO-6 shall be implemented.

MM BIO-2: The following avoidance and minimization measures shall be implemented during all phases of the project to reduce the potential for impact from the project. They are modified from the *U.S. Fish and Wildlife Service Standardized Recommendations for Protection of the Endangered SJKF Prior to or During Ground Disturbance* (USFWS 2011, Appendix F).

- a. All food-related trash items such as wrappers, cans, bottles, and food scraps shall be disposed of in securely closed containers. 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 the construction or project site.
- b. Construction-related vehicle traffic shall be restricted to established roads and predetermined ingress and egress corridors, staging, and parking areas. Vehicle speeds shall not exceed 20 miles per hour (mph) within the project site.
- c. To prevent inadvertent entrapment of kit fox or other animals during construction, the contractor shall cover all excavated, steep-walled holes or trenches more than two feet deep at the close of each workday with plywood or similar materials. If holes or trenches cannot be covered, one or more escape ramps constructed of earthen fill or wooden planks shall be installed in the trench. Before such holes or trenches are filled, the contractor shall thoroughly inspect them for entrapped animals. All construction-related pipes, culverts, or similar structures with a diameter of four inches or greater that are stored on the project site shall be thoroughly inspected for wildlife before the pipe is subsequently buried, capped, or otherwise used or moved in any way. If at any time an entrapped or injured kit fox is discovered, work in the immediate area shall be temporarily halted and USFWS and CDFW shall be consulted.
- d. 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 four 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 and CDFW have 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.
- e. 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.

- f. Use of anti-coagulant rodenticides and herbicides in project sites 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 labels 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 and CDFW. If rodent control must be conducted, zinc phosphide shall be used because of the proven lower risk to kit foxes.
- g. 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 shall be identified during the employee education program and their name and telephone number shall be provided to the USFWS.
- h. 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 SJKF 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 (559) 243-4014 and R4CESA@wildlifeca.gov.
- i. All sightings of the SJKF shall be reported to the California Natural Diversity Database (CNDDDB). 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.
- j. 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.
- k. New sightings of SJKF should be reported to the CNDDDB.

MM BIO-3: Within 14 days prior to the start of project ground-disturbing activities, a pre-activity survey with a 500-foot buffer shall be conducted by a qualified biologist knowledgeable in the identification of these species and approved by the CDFW. If dens/burrows that could support any of these species are discovered during the pre-activity survey conducted under MM BIO-1, the avoidance buffers outlined below should be established. No work would occur within these buffers unless the biologist approves and monitors the activity.

San Joaquin Kit Fox:

- Potential or Atypical den – 50 feet
- Known den – 100 feet
- Natal or pupping den – 500 feet, unless otherwise specified by CDFW

MM BIO-4: If construction is planned outside the nesting period for raptors (other than burrowing owl) and migratory birds (February 15 to August 31), no mitigation shall be required. If construction is planned during the nesting season for migratory birds and raptors, a preconstruction survey to identify active bird nests shall be conducted by a qualified biologist to evaluate the site and a 250-foot buffer for migratory birds and a 500-foot buffer for raptors. If nesting birds are identified during the survey, active raptor nests shall be avoided by 500 feet and all other migratory bird nests shall be avoided by 250 feet. Avoidance buffers may be reduced if a qualified onsite monitor determines that encroachment into the buffer area is not affecting nest building, the rearing of young, or otherwise affecting the breeding behaviors of the resident birds. Because nesting birds can establish new nests or produce a second or even third clutch at any time during the nesting season, nesting bird surveys shall be repeated every 30 days as construction activities are occurring throughout the nesting season.

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 (left the nest) and have attained sufficient flight skills to avoid project construction areas. Once the migratory birds or raptors have completed nesting and the young have fledged, disturbance buffers will no longer be needed and may be removed, and monitoring may cease.

MM BIO-5: A qualified biologist shall conduct a preconstruction survey on the project site and within 500 feet of its perimeter, where feasible, to identify the presence of the western burrowing owl. The survey shall be conducted between 14 and 30 days prior to the start of construction activities. If any burrowing owl burrows are observed during the preconstruction survey, avoidance measures shall be consistent with those included in the CDFW *Staff Report on Burrowing Owl Mitigation* (CDFG 2012). If occupied burrowing owl burrows are observed outside of the breeding season (September 1 through January 31) and within 250 feet of proposed construction activities, a passive relocation effort may be instituted in accordance with the guidelines established by the California Burrowing Owl Consortium (1993) and the California Department of Fish and Wildlife (2012). During the breeding season (February 1 through August 31), a 500-foot (minimum) buffer zone shall be maintained unless a qualified biologist verifies through noninvasive methods that either the birds have not begun egg laying and incubation or that juveniles from the occupied burrows are foraging independently and are capable of independent survival.

In addition, impacts to occupied burrowing owl burrows shall be avoided in accordance with the following table unless a qualified biologist approved by CDFW verifies through non-invasive methods that either: (1) the birds have not begun egg laying and incubation; or (2) that juveniles from the occupied burrows are foraging independently and are capable of independent survival.

Location	Time of Year	Level of Disturbance		
		Low	Med	High
Nesting Sites	April 1 – Aug 15	200 m	500 m	500 m
Nesting Sites	Aug 16 – Oct 15	200 m	200 m	500 m
Nesting Sites	Oct 16 – Mar 31	50 m	100 m	500 m

MM BIO-6: Prior to ground-disturbance activities, or within one week of being deployed at the project site for newly hired workers, all construction workers at the project site shall attend a Construction Worker Environmental Awareness Training and Education Program, developed and presented by a qualified biologist.

The Construction Worker Environmental Awareness Training and Education Program shall be presented by the biologist and shall include information on the life histories of special-status wildlife and plant species that may be encountered during construction activities, their legal protections, the definition of “take” under the Endangered Species Act, measures the project operator is implementing to protect the species, reporting requirements, specific measures that each worker must employ to avoid take of the species, and penalties for violation of the Act. Identification and information regarding special-status or other sensitive species with the potential to occur on the project site shall also be provided to construction personnel. The program shall include:

- An acknowledgment form signed by each worker indicating that environmental training has been completed.
- A copy of the training transcript and/or training video/CD, as well as a list of the names of all personnel who attended the training and copies of the signed acknowledgment forms, shall be maintained onsite for the duration of construction activities.

MM CUL-1: Prior to the issuance of building permits, a qualified archeologist shall conduct a cultural resource survey of the project site. If prehistoric or historic-era cultural materials are encountered as a result of the survey, the qualified archeologist shall make recommendations and take further measures to avoid impacts on cultural resources. These measures can include avoidance, testing, and evaluation or data recovery excavation.

MM CUL-2: Prior to any ground disturbance, the applicant shall offer interested tribes the opportunity to provide a Native American Monitor during ground-disturbing activities during construction. Tribal participation would be dependent upon the availability and interest of the tribe.

Upon coordination with the Lead Agency, any archaeological artifacts recovered shall be donated to an appropriate Tribal Custodian or a qualified scientific institution where they would be afforded long-term preservation. Documentation for the work shall be provided in accordance with applicable cultural resource laws and guidelines.

MM CUL-3: If requested, prior to any ground disturbance, a surface inspection of the site shall be conducted by a Tribal Monitor. The Tribal Monitor shall monitor the site during initial grading or ground-disturbance activities. The Tribal Cultural Staff shall provide preconstruction briefings to supervisory personnel and any excavation contractor, which will include information on potential cultural material finds and, on the procedures, to be enacted if resources are found. Tribal participation would be dependent upon the availability and interest of the tribe.

If prehistoric or historic-era cultural materials are encountered during construction activities, all work in the immediate vicinity of the find shall halt until a qualified archaeologist can evaluate 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 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. Implementation of the mitigation measure would ensure that the proposed project would not cause a substantial adverse change in the significance of a historical resource.

The Lead Agency along with other relevant or tribal officials shall be contacted upon the discovery of cultural resources to begin coordination on the disposition of the find(s). Treatment of any significant cultural resources shall be undertaken with the approval of the Lead Agency.

MM CUL-4: 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 specific 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 the potential Native American involvement, in the event of the discovery of human remains, at the direction of the county coroner.

MM GEO-1: If the proposed development will disturb an area of one or more acres, prior to issuing of grading or building permits, the project applicant shall submit to the City: (1) the approved Stormwater Pollution Prevention Plan (SWPPP) and (2) the Notice of Intent (NOI) to comply with the General National Pollutant Discharge Elimination System (NPDES) from the Central Valley Regional Water Quality Control Board. The requirements of the SWPPP and NPDES 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 existing storm drain inlets and stabilizing disturbed areas.

- Implementing erosion controls.
- Properly managing construction materials.
- Managing waste, aggressively controlling litter, and implementing sediment controls.

Evidence of the approved SWPPP shall be submitted to the Lead Agency.

MM GEO-2: If any paleontological resources are encountered during ground-disturbance activities, 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 Natural History Museum of Los Angeles County or another 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.

MM NSE-1: During construction, the contractor shall implement the following measures:

- a. All stationary construction equipment on the project site shall be located so that noise-emitting objects or equipment face away from any potential sensitive receptors.
- b. The construction contractor shall ensure that all construction equipment is equipped with manufacturer-approved mufflers and baffles. During construction, stationary construction equipment shall be placed such that emitted noise is directed away from sensitive noise receivers.
- c. Construction activities shall take place during daylight hours, when feasible.

MM NSE-2: Prior to the issuance an occupancy permit for the first building permit(s), the proposed light industrial zoned parcels abutting residential zone districts along the eastern property line shall be screened with a minimum six-foot masonry wall or similar solid wall.

MM NSE-3: No materials related to an industrial operation shall be stored within the yard setback to a height of more than six feet within 25 feet of property lines adjacent to the residential zone district.

MM TRA-1: Prior to the issuance of building permits for the commercial development and subsequent industrial development, the developer and any future developer shall pay its pro rata share for:

- Signalization of the 19th Avenue and Iona Avenue intersection based on 49.7 percent.

SECTION 1 - INTRODUCTION

1.1 - Overview

The project proposes the development of a 20.5-acre property located on the northeast corner of West Iona Avenue and South 19th Avenue. The project proposes to construct and operate a gas station/mini-mart on a portion of the property. In the future, a fast-food restaurant with a drive-through lane would be developed. In addition, a portion of the project site will be subdivided to allow for the future construction and operation of light industrial uses.

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 an MND is the same as a Negative Declaration, with the addition of identified mitigation measures and a Mitigation Monitoring and Reporting Program (MMRP) (see *Section 6 – 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 an 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 section contains the evaluation of 21 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 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 21 environmental resource factors, then an Environmental Impact Report will be required.
- *Section 4 – References:* This section contains a full list of references that were used in the preparation of this IS/MND.
- *Section 5- Preparers*
- *Section 6- Mitigation Monitoring and Reporting Program (RESERVED)*

1.5 - Incorporated by Reference

The following documents and/or regulations are incorporated into this IS/MND by reference:

- City of Lemoore General Plan.
- City of Lemoore Municipal Code.
- City of Lemoore Development Standards.
- City of Lemoore 2015 Urban Water Management Plan.
- 2015 Kings County Emergency Operations Plan.
- Kings County General Plan.
- Title 24 Building Code.

SECTION 2 - PROJECT DESCRIPTION

2.1 - Project Location

The project site is a 20.5-acre property located on the northeast corner of South 19th Avenue and West Iona Avenue in the City of Lemoore, Kings County, CA (Figures 2-1 and 2-2). The project site is on Assessor's Parcel Numbers (APN) 023-310-012-000 and 023-210-011-000 within Section 10, Township 19S, Range 20E, Mount Diablo Base and Meridian (MDB&M).

2.2 - Surrounding Land Uses

The project is within city limits and is classified as Mixed Use. The site is shown in the Lemoore General Plan within the Planning Area and within Urban Growth Boundary and designates the project site as Mixed Use.

The project site is located in a developing area in the City of Lemoore. Surrounding land uses include residential, commercial, and undeveloped land to the east, the interchange of State Route (SR) 198 at South 19th Avenue to the north, commercial uses to the west, and industrial uses to the south.

2.3 - Project Environment

The project site is currently undeveloped. Fire service would be served by the Lemoore Fire Department located at 210 Fox Street in Lemoore. Police service would be served by the City of Lemoore Police Department located at 657 Fox Street in Lemoore. Sanitation/garbage collection will be provided by a local waste hauler. Water and sewer service will be provided by the City.

2.4 - Proposed Project

The project requests a Zone Change/General Plan Amendment from Mixed Use to Regional Commercial for an approximately 4.13-acre portion of the site and approval of a Conditional Use Permit to allow for the construction and development of a gas station/mini-mart. The project would include an 8,952-square-foot building with fuel canopies for gas and diesel pumps (Figure 2-3). In the future, a fast-food restaurant with a drive-through lane would be developed.

The remaining easterly portion of the site would change from Mixed Use to Light Industrial to allow for the development of an industrial park to accommodate future compatible uses. The site would be divided into 23 separate lots with the approval of a subdivision map (Figure 2-4). The size of the buildings is not known, but based on the proposed lot sizes, it can be assumed up to 100,000 square feet of buildings can be developed. Additional improvements include the development of a retention basin on the north end of the property.

Development of the gas station/mini-mart is anticipated to occur over a six-month period. Construction equipment will vary over the course of development and include the following:

- Excavators/earth-moving equipment.
- Depending on the foundation system, auger rig or pile-driving rig.
- All-terrain forklifts.
- A man/material hoist.
- Truck cranes.
- Concrete trucks.
- Dump trucks.
- Street sweepers/water trucks for dust control.
- Construction delivery trucks (typically box trucks or flat beds).
- Small tools (generators, light plants, compactors, air compressors).

The project includes no known development of the industrial park at this time. The project analyzed in the IS/MND accounts for general industrial uses as allowed by the Lemoore Zoning Code; however, the future proposed development on these parcels may require additional environmental review.

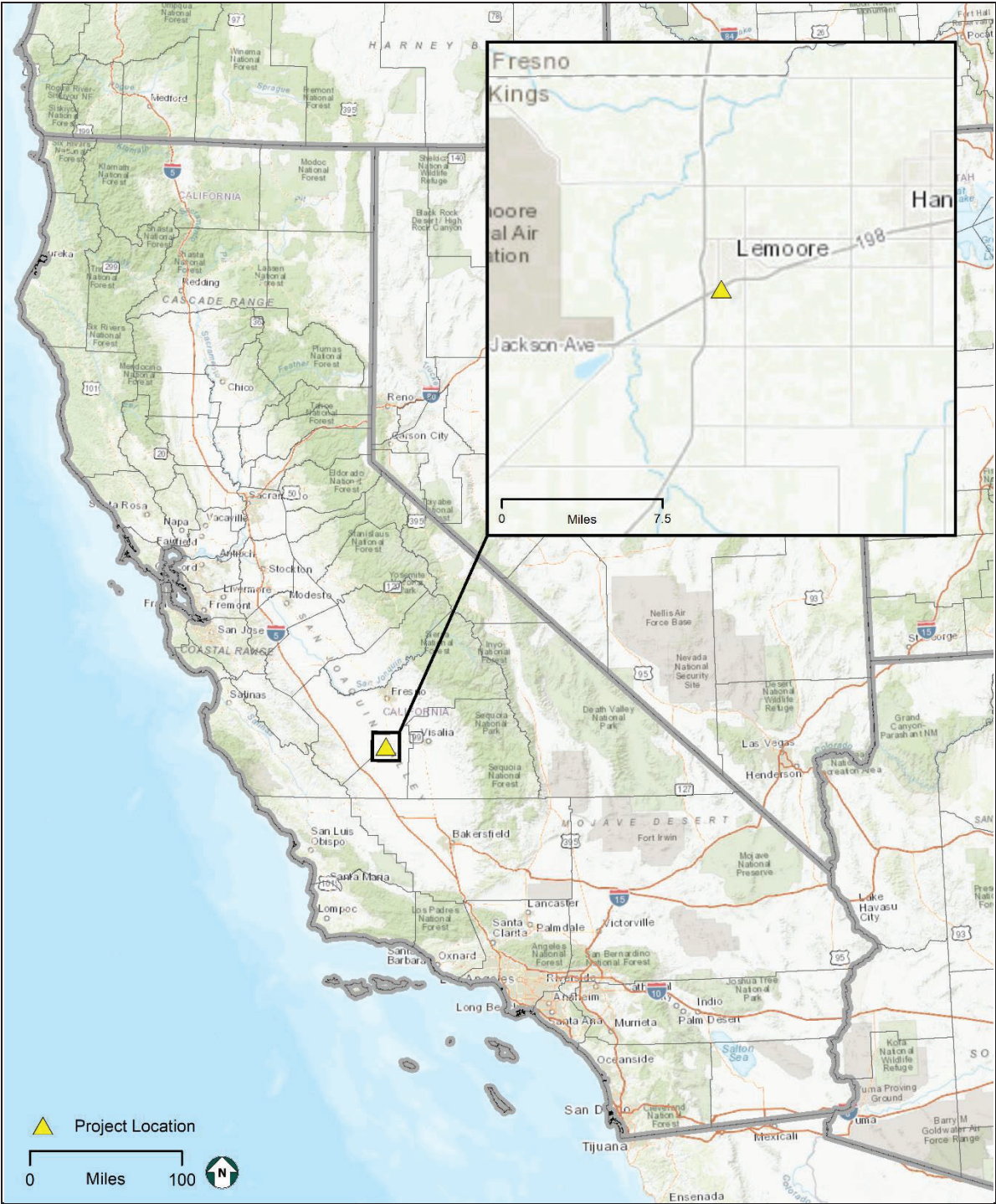
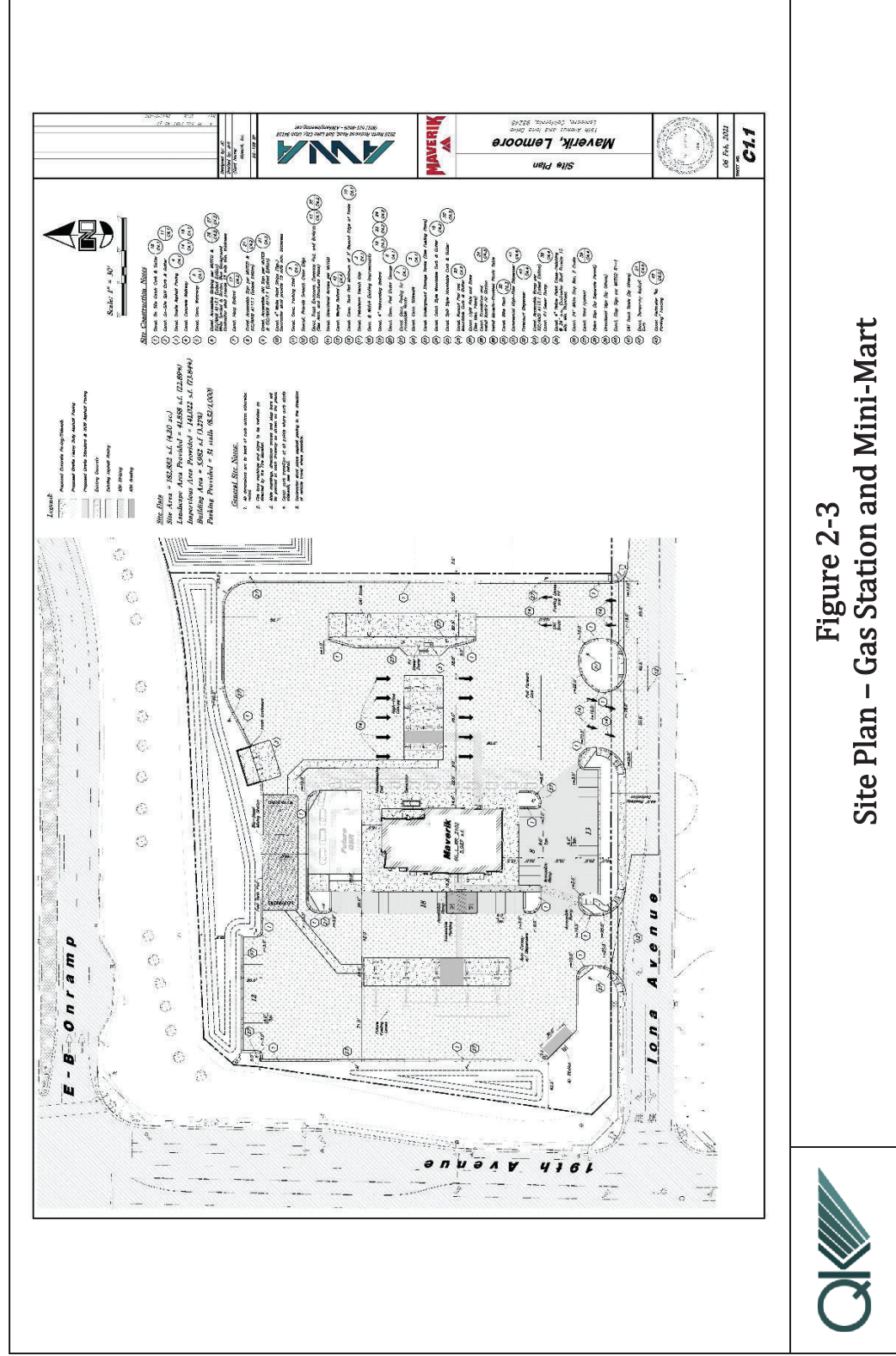


Figure 2-1
Regional Location



Figure 2-2
Project Site





SECTION 3 - EVALUATION OF ENVIRONMENTAL IMPACTS

3.1 - Environmental Checklist and Discussion

1. Project Title:

Maverik Gas Station and Industrial Park Project

2. Lead Agency Name and Address:

City of Lemoore
711 W. Cinnamon Drive
Lemoore, CA 93245

3. Contact Person and Phone Number:

Nathan Olson, City Manager
Phone: (559) 924-6744

4. Project Location:

The project site is located on the northeast corner of South 19th Avenue and West Iona Avenue in the City of Lemoore, Kings County, CA. The project site is on Assessor's Parcel Numbers (APN) 023-310-012-000 and 023-210-011-000 within Section 10, Township 19S, Range 20E, MDB&M.

5. Proposed General Plan Designation/Zone District:

Regional Commercial and Light Industrial

6. Current General Plan/Zone District:

Mixed Use

7. Description of Project:

See Section 2.4 – Proposed Project.

8. Surrounding Land Uses and Setting:

See Section 2.3 – Surrounding Land Uses and Figure 2-3.

9. Other Public Agencies Whose Approval May be Required:

- San Joaquin Valley Air Pollution Control District (SJVAPCD)
- Regional Water Quality Control Board (RWQCB)

10. 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?

In compliance with SB 18 and AB 52, the Native American Heritage Commission (NAHC) conducted a search of its Sacred Lands File to identify previously recorded sacred sites or cultural resources of special importance to tribes and provide contact information for local Native American representatives who may have information about the project area. A Sacred Lands File Request was also completed by the Native American Heritage Commission (NAHC) on March 15, 2023. Outreach letters were sent to the tribal organizations on the NAHC-provided contact list, with follow-up emails sent.

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.

Nathan Olson

Nathan Olson, City Manager

April 7, 2023

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 offsite as well as onsite, 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; and
 - 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 significant.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
3.4.1 - 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 checked="" type="checkbox"/>	<input type="checkbox"/>
c. In a non-urbanized area, substantially degrade the existing visual character or quality of public views of the site and its surroundings? If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion

Impact #3.4.1a – Would the project have a substantial adverse effect on a scenic vista?

The site is located within an area consisting of residential, commercial, and industrial uses. The site is currently undeveloped and the topography is generally flat.

A scenic vista is a viewpoint that provides a distant view of highly valued natural or man-made landscape features for the benefit of the general public. Typical scenic vistas are locations where views of rivers, hillsides, and open space areas can be obtained as well as locations where valued urban landscape features can be viewed in the distance. The City of Lemoore 2030 General Plan Community Design Element requires those scenic vistas to the Coalinga Mountains, other natural features, and landmark buildings to be maintained (City of Lemoore, 2008).

The project would have no impact to a scenic vista.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

There would be *no impact*.

Impact #3.4.1b – Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

There are no listed State scenic highways within or near the City of Lemoore, nor are there scenic highways in Kings County (California Department of Transportation, 2023). The closest eligible scenic highway is a portion of SR 198, southwest of SR 33, which is approximately 28 miles west of the project site.

There are no natural features or landmark buildings within the vicinity of the project site, nor would it impede views of the Coalinga Mountains or other natural features. Further, the project does not include the removal of trees determined to be scenic or of scenic value, the destruction of rock outcroppings, or the degradation of any historic building. The project will not result in development that is substantially different than surrounding land uses. Therefore, impacts to scenic resources would be less than significant.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.1c – In a non-urbanized area, substantially degrade the existing visual character or quality of public views of the site and its surroundings? If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

The proposed project is located in an undeveloped area that is becoming more urbanized with surrounding industrial, residential, and commercial uses. The project would be visible to passing motorists driving along SR 198, South 19th Avenue, and West Iona Avenue. Because of its proximity to the SR 198 interchange at South 18th Avenue, the site is a logical location for the development of a regional commercial use. Although the project's appearance will change the visual character of the site, it will be similar in character to the existing commercial and industrial developments in the vicinity and along the SR 198 corridor. Development of the gas station/mini-mart and future development of the light industrial portion of the site will be in compliance with the City's Municipal Code for development and would result in a less-than-significant impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.1d – Would the project create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?

CONSTRUCTION

Construction of the proposed project would be temporary and occur during daytime hours, typically from 7:00 a.m. to 6:00 p.m. Any lighting used during construction would be directed downward and shielded to focus illumination on the desired work areas only and prevent light spillage onto adjacent properties. Because lighting used to illuminate work areas would be shielded, focused downward, and turned off by 6:00 p.m., the potential to affect any residents adversely is minimal. Increased truck traffic and the transport of construction materials to the project site could temporarily increase glare conditions during construction. However, this increase in glare would be minimal. Therefore, the construction of the proposed gas station/mini-mart and eventual development of the proposed industrial area would not create a new source of substantial glare that would affect daytime views in the area.

OPERATION

The exterior streetlights and building lighting will be designed to minimize reflective glare and light scatter, as required by City Municipal Codes and development standards regarding outdoor lighting (e.g., Code 9-5B-4- Outdoor Lighting) and street lighting. These requirements would substantially reduce potential nuisances from light or glare. The project will comply with applicable local development standards. The project site is located in an area predominantly developed with commercial/industrial uses and is bounded by the SR 198/South 18th Avenue interchange. Therefore, the proposed project would not create significant new sources of substantial light or glare that would adversely affect day or nighttime views in the area. Therefore, the project would have a less-than-significant impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

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

3.4.2 - 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 nonagricultural use or conversion of forest land to non-forest use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion

Impact #3.4.2a – Would the project 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?

The proposed project is currently zoned for mixed use commercial uses. CEQA uses the California Department of Conservation Division of Land Resource Protection's Farmland

Mapping Project (FMMP) categories of “Prime Farmland,” “Farmland of Statewide Importance,” and “Unique Farmland” to define “agricultural land” for the purposes of assessing environmental impacts (PRC Section 21060.1(a)).

According to the Department of Conservation’s Farmland Mapping and Monitoring Program (FMMP), the project site is classified as vacant and disturbed land. Therefore, the project would not result in the conversion of Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. The project would result in no impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

There would be *no impact*.

Impact #3.4.2b – Would the project conflict with existing zoning for agricultural use or a Williamson Act contract?

See response to Impact #3.4.2a.

The project site is not zoned for agriculture and is not subject to a Williamson Act contract. Based on almost 30 years of available aerial imagery, the property has never been farmed. None of the adjacent or surrounding properties are zoned for agricultural or under cultivation, and therefore, would not conflict with any current Williamson Act contracted land in the vicinity. The construction of the project would not result in a conflict with existing zoning for agricultural use or a Williamson Act contract, and there would be no impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

There would be *no impact*.

Impact #3.4.2c – Would the project 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))?

See Impact #3.4.2b. The Public Resources Code Section 12220(g) and Section 4526 defines “Forest land” as land that can support 10-percent native tree cover of any species, including hardwoods, under natural conditions, and that allows for the management of one or more forest resources, including timber, aesthetics, fish and wildlife, biodiversity, water quality, recreation, and other public benefits. There are no forest lands identified on the project site

or within its vicinity; therefore, there would be no conflict with or impacts to zoning for forest land or timber land. The project will have no impact on land designated for forest land or timberland use. The proposed project will have no impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

There would be *no impact*.

Impact #3.4.2d – Would the project result in the loss of forest land or conversion of forest land to non-forest use?

See discussion of Impact #3.4.2a–c above.

The proposed project will have no impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

There would be *no impact*.

Impact #3.4.2e – Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to nonagricultural use or conversion of forest land to non-forest use?

See discussion of Impact #3.4.2a–c above.

The project site is located within the city limits and is surrounded by developed urban uses. As noted, the project does not result in the conversion of agricultural or forest land. The project does not involve other changes in the existing environment that would result in additional conversion of Farmland to nonagricultural use or conversion of forest land to non-forest uses. The proposed project will have no impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

There would be *no impact*.

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

3.4.3 - 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.	Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or State ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c.	Expose sensitive receptors to substantial pollutant concentration?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d.	Result in other emissions (such as those leading to odor) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion

The analysis below is based on an Air Quality Impact Assessment (AQIA) prepared for the project (Trinity Consultants, 2023). The AQIA is included in this document as Appendix A.

Impact #3.4.3a – Would the project conflict with or obstruct implementation of the applicable air quality plan?

The project is located within the San Joaquin Valley Air Basin (SJVAB), which is under the jurisdiction of the San Joaquin Valley Air Pollution Control District (SJVAPCD). The U.S. Environmental Protection Agency (EPA) established the National Ambient Air Quality Standards (NAAQS) to protect the health, safety, and welfare of the public. NAAQS have been established for ozone(O₃), carbon monoxide (CO), nitrogen dioxide (NO₂), sulfur dioxide (SO₂), particulate matter with a diameter of 10 micrometers or less (PM₁₀), particulate matter with a diameter of 2.5 micrometers or less (PM_{2.5}), and lead (Pb). California has also adopted the California Ambient Air Quality Standards (CAAQS) for the above criteria air pollutants with more stringent standards and the addition of hydrogen sulfide (H₂S). Table 3.4.3-1 provides the NAAQS and CAAQS criteria pollutant thresholds. If the air basin exceeds the threshold, then a designation of nonattainment is given. Table 3.4.3-2 provides the designation/classification for Kings County.

Table 3.4.3-1
NAAQS and CAAQS Standards

Pollutant	Averaging Time	NAAQS	CAAQS
		Concentration	
O ₃	8-hour	0.070 ppm (137 µg/m ³)	0.070 ppm (137 µg/m ³)
	1-hour	-	0.09 ppm (180 µg/m ³)
CO	8-hour	9 ppm (10 µg/m ³)	9 ppm (10 µg/m ³)
	1-hour	35 ppm (40 µg/m ³)	20 ppm (23 µg/m ³)
NO ₂	Annual Average	53 ppb (100 µg/m ³)	0.030 ppm (57 µg/m ³)
	1-hour	100 ppb (188.68 µg/m ³)	0.18 ppm (339 µg/m ³)
SO ₂	3-hour	0.5 ppm (1,300 µg/m ³)	-
	24-hour	0.14 ppm (365 µg/m ³)	0.04 ppm (105 µg/m ³)
	1-hour	75 ppb (196 µg/m ³)	0.25 ppm (655 µg/m ³)
PM ₁₀	Annual Arithmetic Mean	-	20 µg/m ³
	24-hour	150 µg/m ³	50 µg/m ³
PM _{2.5}	Annual Arithmetic Mean	12 µg/m ³	12 µg/m ³
	24-hour	35 µg/m ³	-
Sulfates	24-hour	-	25 µg/m ³
Pb	Rolling Three-Month Average	0.15 µg/m ³	-
	30 Day Average	-	1.5 µg/m ³
H ₂ S	1-hour		0.03 ppm (42 µg/m ³)
Vinyl Chloride	24-hour		0.010 ppm (26 µg/m ³)
Visibility Reducing particles	8-hour (1000 to 1800 PST)		In 1989, CARB converted both the general statewide 10-mile visibility standards and the Lake Tahoe 30-mile visibility standard to instrumental equivalents

Source: Appendix A

Notes: ppm = parts per million ppb = parts per billion mg/m³ = milligrams per cubicmeter µg/m³ = micrograms per cubicmeter

**Table 3.4.3-2
SJVAB Attainment Status**

Pollutant	NAAQS	CAAQS
O ₃ 1-hour	No Federal Standard	Nonattainment/Severe
O ₃ 8-hour	Nonattainment/Extreme	Nonattainment
PM ₁₀	Attainment	Nonattainment
PM _{2.5}	Nonattainment	Nonattainment
CO	Attainment/Unclassified	Attainment/Unclassified
NO ₂	Attainment/Unclassified	Attainment
SO ₂	Attainment/Unclassified	Attainment
Pb	No Designation/Classification	Attainment
H ₂ S	No Federal Standard	Unclassified
Sulfates	No Federal Standard	Attainment
Visibility Reducing Particulates	No Federal Standard	Unclassified
Vinyl Chloride	No Federal Standard	Attainment

Source: Appendix A

In order to maintain consistency with CEQA, the SJVAPCD adopted guidelines to assist applicants in complying with the various requirements. The SJVAPCD as part of their guidelines, established specific CEQA air quality thresholds as presented in Table 3.4.3-3.

**Table 3.4.3-3
SJVAPCD CEQA Thresholds of Significance**

Criteria Pollutant	Significance Threshold	
	Construction	Operational
CO	100 tons/yr	100 tons/yr
NO _x	10 tons/yr	10 tons/yr
ROG	10 tons/yr	10 tons/yr
SO _x	27 tons/yr	27 tons/yr
PM ₁₀	15 tons/yr	15 tons/yr
PM _{2.5}	15 tons/yr	15 tons/yr

Source: Appendix A

Therefore, if a project were to generate criteria pollutants below significance thresholds adopted by the SJVAPCD, the project would be considered to result in a less-than-significant impact and in compliance with adopted SJVAPCD rules and regulations.

Short-term construction activities related to the project were estimated in CalEEMod utilizing default CalEEMod construction equipment lists for the proposed project's land use type. SJVAPCD required measures were applied to the short-term project emissions and included water exposure to the site three times per day and the reduction of vehicle speeds

to less than 15 miles per hour. Table 3.4.3-4 depicts the unmitigated and mitigated construction emissions resulting from project construction.

**Table 3.4.3-4
Construction Project Emissions**

Emissions Source	Pollutant (tons/year)					
	ROG	NO _x	CO	SO ₂	PM ₁₀	PM _{2.5}
Unmitigated						
2023 Construction Emissions	0.14	0.83	0.94	0.00	0.08	0.06
2024 Construction Emissions	0.73	1.99	2.28	0.00	0.32	0.17
2025 Construction Emissions	0.20	0.00	0.00	0.00	0.00	0.00
Mitigated						
2023 Construction Emissions	0.14	0.83	0.94	0.00	0.06	0.05
2024 Construction Emissions	0.73	1.99	2.28	0.00	0.21	0.12
2025 Construction Emissions	0.20	0.00	0.00	0.00	0.00	0.00
Significance Threshold	10	10	100	27	15	15
Is Threshold Exceeded After Mitigation	No	No	No	No	No	No

Source: Appendix A

As shown in Table 3.4.3-4, the estimated short-term construction-related emissions for criteria pollutants are anticipated to be minimal and would not exceed adopted SJVAPCD significance threshold levels during any given construction year and would result in a less-than-significant impact.

Long-term emissions are caused by operational mobile, area, and energy sources. Long-term emissions would include fugitive dust emissions and exhaust emissions. PM₁₀ emissions typically are generated from vehicular traffic associated with the project site. The SJVAPCD's Regulation VIII establishes required controls to reduce and minimize fugitive dust emissions. The following SJVAPCD Rules and Regulations would apply to the proposed project to reduce fugitive dust emissions:

- Rule 4102 – Nuisance – prohibits a facility from posing as a nuisance to surrounding receptors and can impose penalties for nuisance issues such as dust, smoke, excess emissions, etc. Compliance with this rule ensures that the area around the project site will not be adversely impacted by such issues.
- Regulation VII – Fugitive PM₁₀ Prohibitions – a series of regulations to reduce and/or eliminate the generation of PM that can adversely impact visibility as well as the health and safety of people onsite or in the vicinity of the project.
 - Rule 8011 – General Requirements – this rule is to reduce ambient concentrations of fine particulate (PM₁₀) by requiring actions to prevent, reduce, or mitigate anthropogenic (human-caused) fugitive dust emissions.
 - Rule 8021 – Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities - restricts generation of airborne dust and visibility impacts from these activities. Places limit on opacity and equipment operation under certain adverse weather conditions.

- Rule 8041 – Carryout and Trackout - requires that equipment and vehicles leaving the construction site control the amount of dirt, soil, or mud that is tracked offsite and onto public roadways. This helps eliminate or minimize dust generation and opacity degradation
- Rule 8051 – Open Areas - limits fugitive dust from open areas, i.e., areas on a construction site that are not actively being constructed upon but may generate wind-blown dust.

Table 3.4.3-5 below depicts the calculated post-project operational emissions as calculated in CalEEMod. Mitigation measures implemented with CalEEMod include the use of clean landscape equipment.

**Table 3.4.3-5
Operational Emissions**

Emissions Sources	Pollutant (tons/year)					
	ROG	NOx	CO	SOx	PM ₁₀	PM _{2.5}
Unmitigated Operational Emissions						
Area Emissions	0.50	0.00	0.00	0.00	0.00	0.00
Energy Emissions	0.01	0.13	0.11	0.00	0.01	0.01
Mobile Emissions	3.04	3.69	17.79	0.03	2.46	0.68
Total	3.56	3.82	17.90	0.03	2.47	0.69
Mitigated Operational Emissions						
Area Emissions	0.50	0.00	0.00	0.00	0.00	0.00
Energy Emissions	0.01	0.13	0.11	0.00	0.01	0.01
Mobile Emissions	3.04	3.69	17.79	0.03	2.46	0.68
Total	3.56	3.82	17.90	0.03	2.47	0.69
SJVAPCD Threshold	10	10	100	27	15	15
Is Threshold Exceeded after Mitigation?	No	No	No	No	No	No

Source: Appendix A

As shown in Table 3.4.3-5, the proposed project would not exceed the established SJVAPCD criteria pollutant thresholds.

Further SJVAPCD rules and regulations would be applicable to the project and would include:

- Regulation VIII – PM₁₀ reduction measures.
- GAMAQI measures to reduce equipment exhaust.
- Rule 4601 – Architectural Coatings.
- Rule 4641 – Construction and Pavement of Roads and Parking Areas within the Project Area.

Based on the regulatory compliance stated above and analysis conducted in the prepared Air Quality Impact Analysis (Trinity Consultants, 2023), this project would have a less-than-significant impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.3b – Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is nonattainment under an applicable federal or State ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?

See discussion of Impact #3.4.3a above.

Based on the analysis and estimated criteria pollutant generation made in the prepared AQIA, the short-term construction and long-term operational criteria pollutants would be generated in concentrations lower than significance thresholds adopted by the SJVAPCD (Trinity Consultants, 2023) as shown in Table 3.4.3-4 and 3.4.3-5. Therefore, the project will result in a less-than-significant impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.3c – Would the project expose sensitive receptors to substantial pollutant concentrations?

Sensitive receptors are defined as areas where young children, chronically ill individuals, the elderly, or people who are more sensitive than the general population reside. Schools, hospitals, nursing homes, and daycare centers are locations where sensitive receptors would likely reside. There are residential receptors bordering the project site to the south and the east. Per the prepared AQIA, there are 17 sensitive receptors located within two miles of the project site. The P.W. Engvall Elementary School is approximately 0.51 miles north.

GAMAQI recommends that lead agencies consider situations wherein a new or modified source of hazardous air pollutants (HAPs) is proposed for a location near an existing residential area or other sensitive receptors when evaluating potential impacts related to HAPs. Typical sources of HAPs include diesel trucks or permitted sources such as engines, boilers, or storage tanks. To predict potential health risks to the population attributable to emissions of HAPs from the proposed project, ambient air concentrations were predicted with dispersion modeling to arrive at an estimate of individual carcinogenic risk that might occur as a result of continuous exposure over a 70-year lifetime. Similarly, predicted

concentrations were used to calculate non-cancer chronic and acute hazard indices, which are the ratios of expected exposure to acceptable exposures. SJVAPCD has set the level of significance for carcinogenic risk at 20 in one million, which is understood as the possibility of causing 20 additional cancer cases in a population of one million people. The level of significance for chronic and acute non-cancer risk is a hazard index of one. Table 3.4.3-6 depicts the potential maximum impacts predicted to result from the project.

Table 3.4.3-6
Potential Maximum Impacts Predicted by HARP2

	Value
Excess Cancer Risk – Total	1.95E-05
Construction	1.28E-05
Operations	6.73E-06
Chronic Hazard Index – Max	1.69E-02
Construction	1.25E-02
Operations	1.69E-02
Acute Hazard Index – Max	4.52E-02
Operations	4.52E-02

Source: Appendix A

As shown in Table 3.4.3-6 above, the maximum predicted cancer risk for the proposed project is 1.95E-05, the maximum chronic non-cancer hazard index is 1.69E-02, and the maximum acute hazard index is 4.52E-02. The potential risk attributable to the proposed project is below the significance threshold established by SJVAPCD and therefore is determined to result in a less-than-significant impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.3d – Would the project result in emissions (such as those leading to odors) adversely affecting a substantial number of people?

See discussion in Impact #3.4.3c above.

The SJVAPCD GAMAQI states that analysis for generators and receivers should be conducted to assess odor impacts.

- Generators – projects that would potentially generate odorous emissions proposed to locate near existing sensitive receptors or other land uses where people may congregate.

- Receivers – residential or other sensitive receptor projects or other projects built to attract people locating near existing odor sources.

SJVAPCD identifies some common types of facilities that have been known to produce odors in the SJVAB such as wastewater treatment facilities, sanitary landfills, transfer stations, composting facilities, petroleum refineries, asphalt batch plants, chemical manufacturing plants, fiberglass manufacturing, paint/coating operations, food processing facilities, feed lot/dairy, and rendering plants (SJVAPCD, 2015). These can be used as a screening tool to qualitatively assess a project's potential to adversely affect area receptors.

Because the project is not a use listed in the GAMAQI as a source that would create objectionable odors, the project and anticipated activities are not expected to be a source of objectionable odors.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
3.4.4 - 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 checked="" type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" type="checkbox"/>
c. Have a substantial adverse effect on State or federally protected wetlands (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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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"/>

Discussion

A biological survey was conducted to determine whether there are sensitive biological resources that might be adversely affected by the proposed project. The evaluation is based on existing site conditions, the potential for sensitive biological resources to occur on and in the vicinity of the project site, and any respective impacts that could potentially occur.

Reviews of the California Department of Fish and Wildlife's (CDFW) California Natural Diversity Database (California Department of Fish and Wildlife, 2023), the California Native Plant Society's Rare Plant Program Inventory (California Native Plant Society, 2023), and the United States Fish and Wildlife Service's Information for Planning and Consultation online tool (US Fish and Wildlife Service, 2023) was conducted to identify special-status plant and wildlife species with the potential to occur within the project site and vicinity (the *Lemoore* 7.5" USGS quadrangle, where the project site is situated, and the surrounding eight quadrangles and a 10-mile radius). Information on the potential presence of wetlands and waters was obtained from the National Wetlands Inventory (NWI), National Hydrography Database (NHD), and the Federal Emergency Management Agency (FEMA). Information regarding the presence of Critical Habitat in the project vicinity was obtained from the United States Fish and Wildlife Service's Critical Habitat Mapper database (USFWS, 2023b). The results of the database inquiries were subsequently reviewed to evaluate the potential for the occurrence of special-status species and other sensitive biological resources known to occur on or near the project site prior to conducting the biological survey.

A biological reconnaissance survey of the project site and a 50-foot Biological Study Area (BSA) was conducted in January 2023. The purpose of the survey was to determine the locations and extent of sensitive plant communities and habitats, determine the potential for the occurrence of special-status plant and wildlife species, and identify other sensitive biological resources within the BSA. Meandering pedestrian transects were walked through the BSA to achieve 100 percent visual coverage, with the aid of binoculars in areas that were inaccessible. Protocol surveys for specific special-status plant or wildlife species were not conducted because it was determined by the biologists that no such surveys were warranted due to the lack of suitable habitat and the disturbed condition of the project site. Locations of any observed sensitive biological resources were documented using the ArcGIS Collector application installed on an iPad. Photographs were taken to document the existing landscape and sensitive biological resources. Detailed notes of plant and wildlife species and site conditions observed were taken while conducting the survey.

General Site Conditions

Most of the surrounding land has been developed for urban use. The SR 198 interchange at South 18th Avenue borders the property to the north. The project site is heavily disturbed, was disked within the last one to two years, and is vegetated by non-native grasses and herbs. Non-native grasses included Bermuda grass (*Cynodon dactylon*), Mediterranean grass (*Schismus arabicus*), and common herbs of red-stem filaree (*Erodium cicutarium*) and fiddleneck (*Amsinckia sp.*) being most common. The wildlife species observed during the survey were typical of urban and non-native grassland habitats. There was no wetland, riparian, or other sensitive habitat types, special-status plants, or wildlife species present on the project site during the time of the survey.

There were eight plant species, seven bird species, and one mammal species identified during the survey, either through direct observation or by the presence of diagnostic sign (Table 3.4.4-1). All of these species are common to the area and none of these species are listed under the Federal or California Endangered Species Acts.

Table 3.4.4-1
List of Plant and Wildlife Species Observed on the Project Site

Scientific name	Common name
Plants	
<i>Amsinckia</i> sp.	fiddleneck
<i>Bromus rubens</i>	red brome
<i>Cynodon dactylon</i>	Bermuda grass
<i>Eriogonum fasciculatum</i>	California buckwheat
<i>Erodium cicutarium</i>	red-stem filaree
<i>Lactuca serriola</i>	prickly lettuce
<i>Salsola kali</i>	Russian thistle
<i>Scismus arabicus</i>	Mediterranean grass
Wildlife	
<i>Carduelis psaltria</i>	lesser goldfinch
<i>Corvus brachyrhynchos</i>	American crow
<i>Corvus corax</i>	common raven
<i>Falco sparverius</i>	American kestrel
<i>Sturnella</i> sp.	meadow lark
<i>Sylvilagus audubonii</i>	desert cottontail*
<i>Zenaida macroura</i>	mourning dove
<i>Zonotrichia leucophrys</i>	white-crowned sparrow

*Indicates sign (e.g., tracks, scat, burrow, or den) was observed.

Impact Analysis

Impact #3.4.4a – Would the project 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 the U.S. Fish and Wildlife Service?

The literature search indicated that there is potential for several special-status species to be present on or in the vicinity of the project. An evaluation of each of the potential special-status species, which included habitat requirements, the likelihood of required habitat to occur within the BSA, and a comparison to the California Natural Diversity Database (CNDDB), California Native Plant Society (CNPS), and United States Fish and Wildlife Service's Information for Planning and Consultation (IPaC) records was conducted. The results of this evaluation concluded that seven plant species and 21 wildlife species with special status have a reasonable potential to occur on or near the project.

Special-Status Species

SPECIAL-STATUS PLANT SPECIES

Based on the survey and database queries, there are seven special-status plant species that have the potential to occur within the subject quadrangle and eight surrounding quadrangles: brittlescale (*Atriplex depressa*), recurved larkspur (*Delphinium recurvatum*), alkali sink goldfields (*Lasthenia chrysantha*), Panoche peppergrass (*Lepidium jaredii ssp. album*), mud nama (*Nama stenocarpa*), California alkali grass (*Puccinellia simplex*), and Sanford's arrowhead (*Sagittaria sanfordii*). There are only CNDDDB records for four of the seven special-status plant species within 10 miles of the BSA.

The project site has historically consisted of non-native grasses and ruderal vegetation with marginal disturbance from surrounding development. The adjacent land has been historically disturbed by residential, urban, and industrial development. None of the sensitive-plant species were observed during the survey, although the survey was not conducted during the blooming periods of any of the species. All project activities will be restricted to previously disturbed areas that would not support special-status plant species. Thus, no protective measures for special-status plant species are warranted.

SENSITIVE WILDLIFE SPECIES

Based on the database queries there were 21 special-status wildlife species that were identified as having the potential to occur within the subject quadrangle and eight surrounding quadrangles. Nineteen of these species were eliminated from consideration due to the lack of suitable habitat. Delta smelt (*Hypomesus transpacificus*), giant garter snake (*Thamnophis gigas*), western pond turtle (*Emys marmorata*), vernal pool fairy shrimp (*Branchinecta lynchi*), vernal pool tadpole shrimp (*Lepidurus packardii*), western ridged mussel (*Gonidea angulata*), and western spadefoot (*Spea hammondi*) are dependent upon water bodies and/or vernal pools, which are not present within the BSA. There were no CNDDDB records for delta smelt, vernal pool fairy shrimp, or vernal pool tadpole shrimp in the nine-quad database query.

Swainson's hawk (*Buteo swainsoni*) is unlikely to forage or nest within the BSA or immediate vicinity. There is a sub-minimal prey base (e.g., small rodents) and no suitable foraging habitat (e.g., alfalfa fields) located in the general vicinity of the BSA. No suitable nesting habitat (e.g., large trees) is present in the nearby vicinity that is adjacent to suitable foraging habitat. Hoary bat (*Lasiurus cinereus*) roosts in the dense foliage of medium to large trees, typically in forests, which are not present on or near the Project. There are no elderberry shrubs (*Sambucus sp.*) in the BSA so the valley elderberry longhorn beetle (*Desmocerus californicus dimorphus*) would not be present. San Joaquin tiger beetle (*Cicindela tranquebarica joaquinensis*) is highly associated with sandy soils, which are not present in the BSA.

The monarch butterfly (*Danaus plexippus*) requires milkweed plants for reproduction and large stands of trees for overwintering, neither of which were observed in the BSA. There is

no suitable nesting or foraging habitat for black-crowned night heron (*Nycticorax nycticorax*), tricolored blackbird (*Agelaius tricolor*), western snowy plover (*Charadrius alexandrinus nivosus*), or yellow-headed blackbird (*Xanthocephalus xanthocephalus*), which require wetlands, marshes, dry lakes, or sandy beaches. There are no burrows suitable for blunt-nosed leopard lizard (*Gambelia sila*) or California glossy snake (*Arizona elegans occidentalis*). No kangaroo rat burrows were observed during the survey and the BSA does not support habitat suitable for Fresno kangaroo rat (*Dipodomys nitratooides exilis*) or Tipton kangaroo rat (*D. n. nitratooides*).

The remaining two species resulting from the database queries have the potential to occur within the project site and vicinity: burrowing owl (*Athene cunicularia*) and San Joaquin kit fox (*Vulpes macrotis mutica*). Nesting birds protected by the Federal Migratory Bird Treaty Act (MBTA) may also be present during the breeding season.

San Joaquin Kit Fox

San Joaquin kit fox, a Federally Endangered and State Threatened species, has the potential to occur in the habitat surrounding the project, but is unlikely to den within the project footprint, although it could pass through as a transient. The nearest CNDDDB record for the species is from 2002 and approximately 3.2 miles northwest of the BSA, documenting one San Joaquin kit fox that was observed in a fallow agricultural field during a spotlighting effort (EONDX 66434). The non-native grassland provides only marginal denning habitat for the species and there were minimal small mammal burrows, so the natural prey base is likely limited. However, San Joaquin kit foxes are known to adapt well to urban, residential, and industrial areas and scavenge anthropogenic foods, located to the east, south, and west of the BSA. No known or potential kit fox dens or any sign of the species were observed during the survey.

Because the project supports only minimal habitat and is a small area, the development of the project area would not result in a significant loss of habitat for the species. If the species were to be present during construction activities, individual San Joaquin kit foxes could be injured or killed, or normal reproductive or foraging behaviors could be affected.

Burrowing Owl

Burrowing owl (*Athene cunicularia*), a CDFW Species of Special Concern, has a very low potential to occur within the project. The nearest CNDDDB record is approximately 6.1 miles west of the project, where an active burrow was observed during routine surveys at the Lemoore Naval Air Station in 2000 (EONDX 77779). There were no suitable burrows observed in the BSA, and it supports only marginal foraging habitat, but the species is known to inhabit the region.

Because the project supports only marginal habitat for burrowing owl and is a small area, development of the project area would not result in a significant loss of habitat for the species. If the species were to be present during construction activities, individual burrowing

owls could be injured or killed, or normal reproductive or foraging behaviors could be affected.

Nesting Migratory Birds

Migratory bird species are protected under the Federal MBTA. No active or inactive bird nests were observed during the survey, which was conducted outside of the typical avian breeding season (February 1 – September 30). The project and surrounding vicinity provide minimal suitable nesting habitat for a variety of bird species, which may nest in tree branches and cavities, shrubs, man-made structures, and directly on the ground. If nesting migratory birds are in the vicinity of the project during construction activities, individual birds could be injured or killed, or normal reproductive or foraging behaviors could be affected.

CONCLUSION

The project footprint occurs upon non-native grassland that has been disked one to two years ago. The project and surrounding areas support mainly non-native grasses with scattered urban ruderal and ornamental species in the nearby commercial, industrial, and residential areas.

No special-status plant or wildlife species or their sign were observed during the survey.

It is very unlikely that any special-status plant species occur in the project area or in the vicinity due to historic disturbance, disking, and high volume of local traffic. No minimization, avoidance, or mitigation measures related to special-status plants is warranted.

There is a potential for special-status or protected wildlife species that could be impacted by project activities. Mitigation Measures MM BIO-1 through MM BIO-6, as provided below, would protect, avoid, and minimize impacts to these special-status wildlife species. When implemented, these measures would reduce impacts to these species to levels that are less than significant.

Through implementation of the mitigation measures listed below, impacts of the proposed project would not 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 the U.S. Fish and Wildlife Service. Therefore, the project will have a less-than-significant impact with the incorporation of mitigation measures.

MITIGATION MEASURE(S)

MM BIO-1: Prior to ground-disturbing activities, a qualified wildlife biologist shall conduct a biological clearance survey between 14 and 30 days prior to the onset of construction.

The clearance survey shall include walking transects to identify the presence of San Joaquin kit fox, burrowing owl, nesting birds, and other special-status species. The preconstruction

survey shall be walked by no greater than 30-foot transects for 100 percent coverage of the project and a 50-foot buffer, where feasible. If no evidence of special-status species is detected, no further action is required except measures BIO-4 through BIO-6 shall be implemented.

MM BIO-2: The following avoidance and minimization measures shall be implemented during all phases of the project to reduce the potential for impact from the project. They are modified from the *U.S. Fish and Wildlife Service Standardized Recommendations for Protection of the Endangered SJKF Prior to or During Ground Disturbance* (USFWS 2011, Appendix F).

- a. All food-related trash items such as wrappers, cans, bottles, and food scraps shall be disposed of in securely closed containers. 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 the construction or project site.
- b. Construction-related vehicle traffic shall be restricted to established roads and predetermined ingress and egress corridors, staging, and parking areas. Vehicle speeds shall not exceed 20 miles per hour (mph) within the project site.
- c. To prevent inadvertent entrapment of kit fox or other animals during construction, the contractor shall cover all excavated, steep-walled holes or trenches more than two feet deep at the close of each workday with plywood or similar materials. If holes or trenches cannot be covered, one or more escape ramps constructed of earthen fill or wooden planks shall be installed in the trench. Before such holes or trenches are filled, the contractor shall thoroughly inspect them for entrapped animals. All construction-related pipes, culverts, or similar structures with a diameter of four inches or greater that are stored on the project site shall be thoroughly inspected for wildlife before the pipe is subsequently buried, capped, or otherwise used or moved in any way. If at any time an entrapped or injured kit fox is discovered, work in the immediate area shall be temporarily halted and USFWS and CDFW shall be consulted.
- d. 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 four 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 and CDFW have 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.
- e. 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.

- f. Use of anti-coagulant rodenticides and herbicides in project sites 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 labels 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 and CDFW. If rodent control must be conducted, zinc phosphide shall be used because of the proven lower risk to kit foxes.
- g. 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 shall be identified during the employee education program and their name and telephone number shall be provided to the USFWS.
- h. 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 SJKF 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 (559) 243-4014 and R4CESA@wildlifeca.gov.
- i. All sightings of the SJKF shall be reported to the California Natural Diversity Database (CNDDDB). 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.
- j. 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.
- k. New sightings of SJKF should be reported to the CNDDDB.

MM BIO-3: Within 14 days prior to the start of project ground-disturbing activities, a pre-activity survey with a 500-foot buffer shall be conducted by a qualified biologist knowledgeable in the identification of these species and approved by the CDFW. If dens/burrows that could support any of these species are discovered during the pre-activity survey conducted under MM BIO-1, the avoidance buffers outlined below should be established. No work would occur within these buffers unless the biologist approves and monitors the activity.

San Joaquin Kit Fox:

- Potential or Atypical den – 50 feet
- Known den – 100 feet
- Natal or pupping den – 500 feet, unless otherwise specified by CDFW

MM BIO-4: If construction is planned outside the nesting period for raptors (other than burrowing owl) and migratory birds (February 15 to August 31), no mitigation shall be required. If construction is planned during the nesting season for migratory birds and raptors, a preconstruction survey to identify active bird nests shall be conducted by a qualified biologist to evaluate the site and a 250-foot buffer for migratory birds and a 500-foot buffer for raptors. If nesting birds are identified during the survey, active raptor nests shall be avoided by 500 feet and all other migratory bird nests shall be avoided by 250 feet. Avoidance buffers may be reduced if a qualified onsite monitor determines that encroachment into the buffer area is not affecting nest building, the rearing of young, or otherwise affecting the breeding behaviors of the resident birds. Because nesting birds can establish new nests or produce a second or even third clutch at any time during the nesting season, nesting bird surveys shall be repeated every 30 days as construction activities are occurring throughout the nesting season.

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 (left the nest) and have attained sufficient flight skills to avoid project construction areas. Once the migratory birds or raptors have completed nesting and the young have fledged, disturbance buffers will no longer be needed and may be removed, and monitoring may cease.

MM BIO-5: A qualified biologist shall conduct a preconstruction survey on the project site and within 500 feet of its perimeter, where feasible, to identify the presence of the western burrowing owl. The survey shall be conducted between 14 and 30 days prior to the start of construction activities. If any burrowing owl burrows are observed during the preconstruction survey, avoidance measures shall be consistent with those included in the CDFW *Staff Report on Burrowing Owl Mitigation* (CDFG 2012). If occupied burrowing owl burrows are observed outside of the breeding season (September 1 through January 31) and within 250 feet of proposed construction activities, a passive relocation effort may be instituted in accordance with the guidelines established by the California Burrowing Owl Consortium (1993) and the California Department of Fish and Wildlife (2012). During the breeding season (February 1 through August 31), a 500-foot (minimum) buffer zone shall be maintained unless a qualified biologist verifies through noninvasive methods that either the birds have not begun egg laying and incubation or that juveniles from the occupied burrows are foraging independently and are capable of independent survival.

In addition, impacts to occupied burrowing owl burrows shall be avoided in accordance with the following table unless a qualified biologist approved by CDFW verifies through non-invasive methods that either: (1) the birds have not begun egg laying and incubation; or (2) that juveniles from the occupied burrows are foraging independently and are capable of independent survival.

Location	Time of Year	Level of Disturbance		
		Low	Med	High
Nesting Sites	April 1 – Aug 15	200 m	500 m	500 m
Nesting Sites	Aug 16 – Oct 15	200 m	200 m	500 m
Nesting Sites	Oct 16 – Mar 31	50 m	100 m	500 m

MM BIO-6: Prior to ground-disturbance activities, or within one week of being deployed at the project site for newly hired workers, all construction workers at the project site shall attend a Construction Worker Environmental Awareness Training and Education Program, developed and presented by a qualified biologist.

The Construction Worker Environmental Awareness Training and Education Program shall be presented by the biologist and shall include information on the life histories of special-status wildlife and plant species that may be encountered during construction activities, their legal protections, the definition of “take” under the Endangered Species Act, measures the project operator is implementing to protect the species, reporting requirements, specific measures that each worker must employ to avoid take of the species, and penalties for violation of the Act. Identification and information regarding special-status or other sensitive species with the potential to occur on the project site shall also be provided to construction personnel. The program shall include:

- An acknowledgment form signed by each worker indicating that environmental training has been completed.
- A copy of the training transcript and/or training video/CD, as well as a list of the names of all personnel who attended the training and copies of the signed acknowledgment forms, shall be maintained onsite for the duration of construction activities.

LEVEL OF SIGNIFICANCE

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

Impact #3.4.4b – Would the project 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?

The database queries identified one sensitive natural community, the Valley Sink Scrub with the potential to occur in the vicinity of the project. The nearest and only CNDDDB occurrence of Valley Sink Scrub is approximately 2.8 miles southwest of the project (EONDX 16344). This sensitive natural community, or any other sensitive natural community, was not observed during the survey and the BSA is highly disturbed. The BSA is not located within a river or an area that encompasses a river or potential floodplain and does not contain nor is near any riparian habitat. The proposed project would not have a substantial impact to any riparian habitat or other sensitive natural community.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

There would be *no impact*.

Impact #3.4.4c – Would the project have a substantial adverse effect on State or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

The United States Army Corps of Engineers (USACE) has regulatory authority over the Clean Water Act (CWA), as provided for by the EPA. The USACE has established specific criteria for the determination of wetlands based on the presence of wetland hydrology, hydric soils, and hydrophilic vegetation. There are no federally protected wetlands or vernal pools that occur within the project.

Wetlands, streams, reservoirs, sloughs, and ponds typically meet the criteria for federal jurisdiction under Section 404 of the CWA and State jurisdiction under the Porter-Cologne Water Quality Control Act. Streams and ponds typically meet the criteria for State jurisdiction under Section 1602 of the California Fish and Game Code.

The NWI and NHD did not identify any features within the BSA. The biological survey did not identify any other features on or near the project that would meet the criteria for either federal or State jurisdiction. Accordingly, there are no wetlands or Waters of the U.S. occurring on the project site. There would be no impact to federally or State protected wetlands or waterways as a result of the proposed project. Therefore, the project would have no impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

There would be *no impact*.

Impact #3.4.4d – Would the project 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?

Wildlife migratory corridors are described as a narrow stretch of land that connects two open pieces of habitat that would otherwise be unconnected. These routes provide shelter and sufficient food supplies to support wildlife species during migration. Movement corridors generally consist of riparian, woodlands, or forested habitats that span contiguous acres of undisturbed habitat and are important elements of resident species' home ranges.

The project falls within the Pacific Flyway, a significant migratory route encompassing the West Coast of North America, but the project represents a very small land acreage within this territory and does not support any significant migratory stopover habitat. The proposed project and surrounding area do not occur within a known terrestrial migration route, significant wildlife corridor, or linkage area as identified by the Essential Habitat Connectivity Project (Spencer, W.D., et al, 2010). The survey conducted for the project did not provide evidence of a wildlife nursery or important migratory habitat being present on the project site. Migratory birds and raptors could use habitat on and near the project for foraging and/or as stopover sites during migrations or movement between local areas.

The project will not restrict, eliminate, or significantly alter a wildlife movement corridor, wildlife core area, or Essential Habitat Connectivity area, either during construction or after the project has been constructed. Project construction will not substantially interfere with wildlife movements or reduce breeding opportunities.

The proposed project would not interfere 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. Therefore, the project's impacts would be less than significant.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.4e – Would the Project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

The project is subject to the City of Lemoore General Plan (City of Lemoore 2008), which includes a conservation and open space chapter. This chapter provides guidance on the protection of listed plant and wildlife species, wetlands, and other sensitive biological resources. The project will implement mitigation measures such as those listed above (MM BIO-1 through BIO-6) to be consistent with the goals and policies of the General Plan. Therefore, the implementation of the proposed project would have no conflict related to any adopted local policies or ordinances protecting biological resources.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.4f – Would the project conflict with the provisions of an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or State habitat conservation plan?

The project is not located within any Natural Community Conservation Plan or any other local, regional, or State Conservation Plan. With mitigation, the proposed project would not conflict with the provisions of any adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State Habitat Conservation Plan. There would be no impact related to the project.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

There would be *no impact*.

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

3.4.5 - 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. Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion

The analysis below is based on a cultural resource records search (QK, 2023) found in Appendix B of this document.

Impact #3.4.5a – Would the project cause a substantial adverse change in the significance of a historical resource as defined in CEQA Guidelines Section 15064.5?

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). The project site is not in close proximity to downtown Lemoore, and none of these identified historic resources would be impacted by the project.

In accordance with SB 18 and AB 52, a NAHC Sacred Land Files records search was requested. A positive response from the NAHC was received on March 15, 2023, which is included in Appendix B of this document.

A records search of site files and maps was conducted at the Southern San Joaquin Valley Archaeological Information Center, California State University, Bakersfield(#23-078). The results indicated that approximately 11 acres of the northwest portion of the subject property had been surveyed for cultural resources. One historical resource had been recorded on the property near its southern boundary. This was a wooden dairy barn dating to the early decades of the 20th century. According to a site record (P-16-000197) prepared by Caltrans historic property evaluators, the barn was judged ineligible for listing on State or federal registers (QK, 2023). The site was viewed by aerial imagery, and a site visit confirmed that the barn is no longer extant on the property.

Nine additional cultural resource studies had been conducted within a half-mile of the project site. One historic period cultural resource, a single-family residence (P-16-000269) has been recorded within one half-mile of the project. This resource will not be impacted by the project. No prehistoric cultural resources have been identified within a half-mile radius of the site.

However, there is still a possibility that unknown historical or archaeological 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 or archaeological resources. Disturbance of any deposits that have the potential to provide significant cultural data would be considered a significant impact. To reduce the potential impacts of the project on cultural resources, the following measures are recommended. Mitigation Measure MM CUL-1 would require that a qualified archeologist conduct a cultural resource assessment survey of the project site prior to the issuance of grading or building permits. MM CUL-2 would require consultation with interested tribal groups to determine the need for a tribal monitor or the long-term curation of artifacts if found on the site. MM CUL-3 requires that a tribal monitor be present to conduct a surface inspection of the site prior to construction activities and also be present during initial grading and construction activities. This ensures that a qualified individual is present to identify and address cultural resources prior to and during project construction and reduce potential adverse impacts on cultural resources. Additionally, MM CUL-4 provides the implementation of procedure should human remains be unearthed during project construction. With implementation of MM CUL-1 through MM CUL-4, impacts to cultural resources would be less than significant.

MITIGATION MEASURE(S)

MM CUL-1: Prior to the issuance of building permits, a qualified archeologist shall conduct a cultural resource survey of the project site. If prehistoric or historic-era cultural materials are encountered as a result of the survey, the qualified archeologist shall make recommendations and take further measures to avoid impacts on cultural resources. These measures can include avoidance, testing, and evaluation or data recovery excavation.

MM CUL-2: Prior to any ground disturbance, the applicant shall offer interested tribes the opportunity to provide a Native American Monitor during ground-disturbing activities during construction. Tribal participation would be dependent upon the availability and interest of the tribe.

Upon coordination with the Lead Agency, any archaeological artifacts recovered shall be donated to an appropriate Tribal Custodian or a qualified scientific institution where they would be afforded long-term preservation. Documentation for the work shall be provided in accordance with applicable cultural resource laws and guidelines.

MM CUL-3: If requested, prior to any ground disturbance, a surface inspection of the site shall be conducted by a Tribal Monitor. The Tribal Monitor shall monitor the site during initial grading or ground-disturbance activities. The Tribal Cultural Staff shall provide

preconstruction briefings to supervisory personnel and any excavation contractor, which will include information on potential cultural material finds and, on the procedures, to be enacted if resources are found. Tribal participation would be dependent upon the availability and interest of the tribe.

If prehistoric or historic-era cultural materials are encountered during construction activities, all work in the immediate vicinity of the find shall halt until a qualified archaeologist can evaluate 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 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. Implementation of the mitigation measure would ensure that the proposed project would not cause a substantial adverse change in the significance of a historical resource.

The Lead Agency along with other relevant or tribal officials shall be contacted upon the discovery of cultural resources to begin coordination on the disposition of the find(s). Treatment of any significant cultural resources shall be undertaken with the approval of the Lead Agency.

MM CUL-4: 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 specific 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 the potential Native American involvement, in the event of the discovery of human remains, at the direction of the county coroner.

LEVEL OF SIGNIFICANCE

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

Impact #3.4.5b – Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines Section 15064.5?

See discussion of Impact #3.4.5a above.

MITIGATION MEASURE(S)

Implement MM CUL-1 through MM CUL-4.

LEVEL OF SIGNIFICANCE

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

Impact #3.4.5c – Would the project disturb any human remains, including those interred outside of formal cemeteries?

Human remains are not known to exist within the project area, nor is there a known cemetery located onsite or in the vicinity. However, construction would involve earth-disturbing activities, and it is still possible that human remains may be discovered, possibly in association with archaeological sites. MM CUL-4 has been included in the unlikely event that human remains are found during ground-disturbing activities. Impacts would be less than significant with implementation of mitigation.

MITIGATION MEASURE(S)

Implement MM CUL-4.

LEVEL OF SIGNIFICANCE

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

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

3.4.6 - ENERGY

Would the project:

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| a. Result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| b. Conflict with or obstruct a State or local plan for renewable energy or energy efficiency? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Discussion

The following analysis is based on project data provided by the applicant, the AQIA (Trinity Consultants, 2023), and available energy resource consumption data.

Impact #3.4.6a – Would the project result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

The proposed project would involve the use of energy during construction and operation. Energy use during the construction phase would be in the form of fuel consumption (e.g., gasoline and diesel fuel) to operate heavy equipment, light-duty vehicles, and machinery. The long-term operation of the proposed includes electricity and natural gas service to power internal and exterior building lighting, and heating and cooling systems. In addition, the increase in vehicle trips associated with the project would increase fuel consumption within the City.

Electricity service for the proposed project would be provided by Pacific Gas and Electric Company (PG&E). The PG&E and State of California 2021 power mix is detailed in Table 3.4.6-1. Energy usage by sector is outlined in Table 3.4.6-2.

PG&E also maintains approximately 42,141 miles of gas distribution pipelines and 6,438 miles of gas transmission pipelines (PG&E, 2021). Table 3.4.6-3 below presents natural gas consumption by sector for PG&E in 2021.

Table 3.4.6-1
PG&E and the State of California 2021 Power Mix

Energy Resource	PG&E Power Mix	California-Wide Power Mix
Eligible Renewable	31%	33%
<i>Biomass & Biowaste</i>	3%	3%
<i>Geothermal</i>	3%	5%
<i>Small Hydroelectric</i>	1%	1%
<i>Solar</i>	16%	13%
<i>Wind</i>	8%	11%
Coal	0%	3%
Large Hydroelectric	10%	12%
Natural Gas	16%	37%
Nuclear	43%	9%
Other	0%	0%
Unspecified ¹	0%	5%
Total	100%	100%

Source: (PG&E, 2021)

¹ Electricity from transactions that are not traceable to the specific generation source

Table 3.4.6-2
Electricity Consumption in PG&E Service Area (2021)

Agricultural and Water Pump	Commercial Building	Commercial Other	Industry	Mining and Construction	Residential	Total Streetlight	Usage
7,446	26,009	3,869	9,958	1,764	29,229	310	78,587

Source: (California Energy Commission, 2021)

Note: All usage is expressed in millions of kWh (GWh).

Table 3.4.6-3
Natural Gas Consumption in PG&E Service Territory (2021)

Agricultural and Water Pump	Commercial Building	Commercial Other	Industry	Mining and Construction	Residential	Total Usage
52	834	50	1,428	223	1,876	4,467

Source: (California Energy Commission, 2021)

Note: All usage expressed in Millions of Therms

In 2005, Kings County consumed 1,286 million kWh of electricity. Non-residential users were responsible for about 75 percent of all electricity consumption in the County, and users overall (residential and non-residential) consumed an average of 8,858 kWh per capita (City of Lemoore, 2010).

The proposed project's estimated energy usage calculated using CalEEMod and shown in the CalEEMod output files in Appendix A is summarized and compared to statewide usage in

Table 3.4.6-4. As shown in 3.4.6-4, the proposed project would make a minimal contribution to statewide energy consumption in these categories.

**Table 3.4.6-4
Estimated Project-Related Energy Usage**

Land Use	Energy Type	Energy Usage	Annual StateWide Energy Use	Project % of StateWide Energy
Gas Station/Mini-Mart/Fast Food Restaurant w/ Drive Thru	Natural Gas (kBTU/yr)	666,341	-	-
	Electricity (kWh/yr)	135,092	-	-
Light Industrial	Natural Gas (kBTU/yr)	1,986,300	-	-
	Electricity (kWh/yr)	881,100	-	-
Total Energy Usage	Natural Gas (kBTU/yr)	2,652,641	189,082,861,453 (California Energy Commission, 2021)	0.0014%
	Electricity (kWh/yr)	1,016,192	280,738,000,000 (California Energy Commission, 2021)	0.00036%

Source: Appendix A

The construction and operation of the project would comply with all applicable federal, State, and local regulations regulating energy usage. The project will implement Title 24 Energy Efficiency Standards and CalGreen Code requirements for new construction that may include rooftop solar, double-pane windows, electric vehicle charging, LED lights, low-flow toilets, faucets drip irrigation, and the use of drought-tolerant landscaping to increase water conservation.

The project would comply with the SJVAPCD requirements regarding the limitation of vehicle idling, and the use of fuel-efficient vehicles and equipment, to the extent feasible. Energy-saving strategies will be implemented where possible to further reduce the project's energy consumption, during the construction phase. Strategies being implemented include those recommended by the California Air Resources Board (CARB) that may reduce both the project's energy consumption, including diesel anti-idling measures, light-duty vehicle technology, usage of alternative fuels such as biodiesel blends and ethanol, and heavy-duty vehicle design measures to reduce energy consumption. As such, impacts would be less than significant.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.6b – Would the project conflict with or obstruct a State or local plan for renewable energy or energy efficiency?

See Impact #3.4.6a.

The proposed project would be in compliance with all applicable federal, State, and local regulations regulating energy usage. The project will comply with Title 24 Energy Efficiency Standards and CalGreen Code requirements for double-pane windows, electric vehicle charging, LED lights, low-flow toilets, and faucets to increase water conservation. Energy would also be indirectly conserved through water-efficient landscaping requirements consistent with the City's adopted Water Efficient Landscaping Ordinance with the use of drip irrigation and drought-tolerant landscaping.

Stringent solid waste recycling requirements applicable to both project construction and operation would reduce energy consumed in solid waste disposal. In summary, the project will implement all mandatory federal, State, and local conservation measures, and project design features, and voluntary energy conservation measures will further reduce energy demands. Therefore, the project will not conflict with or obstruct a State or local plan for renewable energy or energy efficiency. Project-related impacts are less than significant.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

3.4.7 - GEOLOGY AND SOILS

Would the project:

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
a. Directly or indirectly cause 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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"/>
f. 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"/>

Discussion

Impact #3.4.7a(i) – Would the project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving 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?

According to the City of Lemoore 2030 General Plan, there are no known major fault systems within Lemoore (City of Lemoore, 2008). The greatest potential for geologic disaster in the City is posed by the San Andres Fault, which is located approximately 60 miles west of the Kings County boundary line within Monterey County.

The project site is not located within an Alquist-Priolo earthquake fault zone (California Department of Conservation, 2023). There are no active fault traces in the project vicinity. Accordingly, the project area is not within an earthquake fault zone.

The General Plan contains a number of policies that would minimize impacts relating to the rupture of a known fault. Development of the proposed gas station/mini-mart and the future industrial area would adhere to all applicable policies of the General Plan and California Building Code for accepted structural standards and minimize the risk of loss, injury, or death. Therefore, impacts would be less than significant.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.7a(ii) – Would the project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking?

See response to Impact #3.4.7a.

Secondary hazards from earthquakes include ground shaking/rupture. Since there are no known faults within the immediate area, ground shaking/rupture from surface faulting, seiches, and landslides would not impact the area. Liquefaction potential (sudden loss of shear strength in saturated cohesionless soil) should be low since groundwater occurs below 180 feet (RMA Geoscience, 2023). Lastly, deep subsidence problems may be low to moderate according to the conclusions of the Five County Seismic Safety Element. However, there are no known occurrences of structural or architectural damage due to deep subsidence in the Lemoore area. While such seismic shaking would be less severe than an earthquake that

originates at a greater distance from the project site, the side effects could potentially be damaging to buildings and supporting infrastructure. The project is required to design commercial and industrial buildings and associated infrastructure to withstand substantial ground shaking in accordance with all applicable State laws and applicable codes included in the California Building Code (CBC) Title 24 for earthquake construction standards and building standards code including those relating to soil characteristics (California Building Standards Commission, 2022). The project shall adhere to all applicable local and State regulations to reduce any potentially significant impacts to structures resulting from strong seismic ground shaking at the project site. Therefore, project impacts would be less than significant.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.7a(iii) - Would the project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction?

See discussion of Impacts #3.4.7a(i) and a(ii) above.

The potential magnitude/geographic extent of expansive liquefaction erosion was deemed 'negligible' and its significance 'low' throughout the City (City of Lemoore, 2021). Liquefaction is possible in local areas during a strong earthquake or other seismic ground shaking, where unconsolidated sediments coincide with a high-water table. However, the groundwater occurs below 90 feet which means liquefaction potential would be low. Therefore, impacts would be less than significant.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.6a(iv) – Would the project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving landslides?

See Impact #3.4.6a(ii).

The land is relatively flat with no significant topological features. As such, there is no potential for rock falls and landslides to impact the project in the event of a major earthquake, as the area has no dramatic elevation changes.

The site's topography would not change substantially as a result of project development since the site is essentially flat in nature with no surrounding slopes, and it is not considered to be prone to landslides. The project would not expose people or structures to potential substantial adverse effects from landslides. Therefore, there would be no impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

There would be *no impact*.

Impact #3.4.7b – Would the project result in substantial soil erosion or the loss of topsoil?

Construction activities associated with the proposed project will disturb surface vegetation and soils during construction and would expose these disturbed areas to erosion by wind and water. To reduce the potential for soil erosion and loss of topsoil, the project would comply with the State Water Resources Control Board's (SWRCB) National Pollutant Discharge Elimination System (NPDES) General Permit (No. 2012-0006-DWQ) during construction. Under the NPDES, the preparation and implementation of a Stormwater Pollution Prevention Plan (SWPPP) are required for construction activities that would disturb an area of one acre or more. A SWPPP must identify potential sources of erosion or sedimentation as well as identify and implement Best Management Practices (BMPs) that ensure reduce erosion. Typical BMPs intended to control erosion include sandbags, retention basins, silt fencing, street sweeping, etc. The project includes the development of a retention basin in the northeast portion of the site to maintain stormwater onsite as required by the City.

Mitigation Measure MM GEO-1 requires the approval of a SWPPP to comply with the NPDES General Construction Permit. The project will comply with all the grading requirements as outlined in Title 24 and Appendix J of the California Building Code (UpCodes, 2022). The project is not expected to result in substantial soil erosion or the loss of topsoil with the incorporation of Mitigation Measure MM GEO-1.

Once constructed, the project will have both impermeable surfaces as well as permeable surfaces. Impermeable surfaces would include roadways, driveways, parking lots, and building sites. Permeable surfaces would include any landscaped areas and open spaces. As noted above, the project will include the installation of a retention basin and stormwater will be directed to the basin.

Overall, the development of the project would not result in conditions where substantial surface soils would be exposed to wind and water erosion. Therefore, impacts would be less than significant with the incorporation of MM GEO-1.

MITIGATION MEASURE(S)

MM GEO-1: If the proposed development will disturb an area of one or more acres, prior to issuing of grading or building permits, the project applicant shall submit to the City: (1) the approved Stormwater Pollution Prevention Plan (SWPPP) and (2) the Notice of Intent (NOI) to comply with the General National Pollutant Discharge Elimination System (NPDES) from the Central Valley Regional Water Quality Control Board. The requirements of the SWPPP and NPDES 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 existing storm drain inlets and stabilizing disturbed areas.
- Implementing erosion controls.
- Properly managing construction materials.
- Managing waste, aggressively controlling litter, and implementing sediment controls.

Evidence of the approved SWPPP shall be submitted to the Lead Agency.

LEVEL OF SIGNIFICANCE

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

Impact #3.4.7c – Would the project 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?

See discussion in Impacts #3.4.7a(iii) and 3.4.7a(iv) above

As previously discussed, the site soils are considered stable in that there is not a potential of onsite or offsite landslides, lateral spreading, subsidence, or collapse. As discussed in Impact #3.4.7a(iii), the project site soils have a low overall potential for significant liquefaction to occur at the site. All structures would be subject to all IBC and CBC earthquake construction standards, including those relating to soil characteristics. Additionally, the site is not located near any areas with a sufficient slope that could result in offsite landslides. Moreover, the project will be designed by an engineer to resist potential side-effects of spreading, subsidence, liquefaction, or collapse.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.7d – Would the project 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?

See Impacts #3.4.7b and c.

Expansive clay soils are subject to shrinking and swelling due to changes in moisture content over the seasons. These changes can cause damage or failure to foundations, utilities, and pavements. During periods of high moisture content, expansive soils under foundations can heave and result in structures lifting. In dry periods, the same soils can collapse and result in the settlement of structures.

There are two types of soil found within the project site, these are Grangeville sandy loam and Lemoore sandy loam (Natural Resources Conservation Service, 2023). Generally, clay soils are considered to be expansive in nature, while loam and sandy soils drain well, which makes them non-expansive. Given that the soils are sandy loams, they would not be expansive. There are no other known soil types adjacent to the project site. The project would comply with all applicable safety regulations and building codes. Therefore, there would be less-than-significant impacts.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.7e – Would the project 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?

Refer to *Section 3.4.19 - Utilities and Service Systems*.

The proposed project does not include the development or use of septic tanks or alternative wastewater disposal systems as the project would connect to the City's existing sewer system. Future development of the industrial zoned parcels would be subject to review and permit by the City of Lemoore and require connection to City services. Therefore, there would be no impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

There would be *no impact*.

Impact #3.4.7f – Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

The project intends to use undisturbed land; all construction will be conducted within the footprint of the existing campus. There are no unique geological features or known fossil-bearing sediments expected to be 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. Therefore, this would be a potentially significant impact. However, MM GEO-2, requires that if unknown paleontological resources are discovered during construction activities, work within a 25-foot buffer would cease until a qualified paleontologist determined the appropriate course of action. With implementation of MM GEO-2, the project will have a less-than-significant impact.

MITIGATION MEASURE(S)

MM GEO-2: If any paleontological resources are encountered during ground-disturbance activities, 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 Natural History Museum of Los Angeles County or another 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.

LEVEL OF SIGNIFICANCE

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

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

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

Discussion

Analysis of greenhouse gases (GHG) is based on the AQIA prepared for the project (Trinity Consultants, 2023), which is included in Appendix A of this document.

Impact #3.4.8a – Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

The project would generate GHGs from electricity use and the combustion of gasoline/diesel fuels, each of which is regulated near the top of the supply-chain. As such, each citizen of California (including the operator of the project) will have no choice but to purchase electricity and fuels produced in a way that is acceptable to the California market. Thus, project GHG emissions will be consistent with the relevant plan (i.e., AB 32 Scoping Plan). The project would meet its fair share of the cost to mitigate the cumulative impact of global climate change because SHP is purchasing energy from the California market. Thus, the project would have a less-than-significant impact on applicable GHG reduction plans.

Several new laws and executive orders were adopted that require additional reductions in years after 2020. For instance, Senate Bill 32 requires that GHG emissions be 40 percent less than 1990 levels by 2030. More drastic still, Senate Bill 100 which was signed by the Governor recently requires 100 percent zero-carbon electricity by 2045. On the day SB 100 was signed into law, the Governor also signed Executive Order B-55-18 which commits California to total, economy-wide carbon neutrality by 2045 (Trinity Consultants, 2023).

The SJVAPCD does not have thresholds or guidance regarding the significance of GHG emissions. However, South Coast Air Quality Management District (South Coast AQMD), adopted an Interim GHG Significance Threshold. For these reasons, project GHG emissions levels presented in Table 3.4.8-1 are primarily for disclosure purposes because impact analysis for the project follows the approach certified by South Coast. The approach used by

South Coast AQMD to assess GHG impacts recognizes that consumers of electricity and transportation fuels are, in effect, regulated by requiring providers and importers of electricity and fuel to participate in the GHG Cap-and-Trade Program and other programs (e.g., low carbon fuel standard, renewable portfolio standard, etc.). Each such sector-wide program exists within the framework of AB 32 and its descendant laws the purpose of which is to achieve GHG emissions reductions consistent with the AB 32 Scoping Plan.

The construction and operation of this project will result in GHG emissions. The project as a whole is not expected to generate GHGs either directly or indirectly that may have a significant impact on the environment. The project's GHG emissions are primarily from mobile source activities and are shown in Table 3.4.8-1.

Table 3.4.8-1
Estimated Annual Greenhouse Gas Emissions (MT/Year)

	CO ₂ Emissions	CH ₄ Emissions	N ₂ O Emissions	CO ₂ e Emissions
Construction Emissions				
Total	528.97	0.12	0.01	533.80
Operational Emissions				
Area Emissions	0.00	0.00	0.00	0.00
Energy Emissions	235.58	0.02	0.00	237.35
Mobile Emissions	2,620.50	0.26	0.22	2,693.67
Water Emissions	33.70	1.99	0.00	83.50
Waste Emissions	20.09	0.80	0.02	45.73
Total Project	2,909.87	3.07	0.25	3,060.25
Operational Emissions				
Annualized Construction Emissions	17.63	0.00	0.00	17.79
Project Emissions	2,909.87	3.07	0.25	3,060.25

Source: (Trinity Consultants, 2023)

Because climate change is a global issue, a development project like the proposed project, on an individual basis, does not have a reasonable potential to result in a measurable significant impact on global warming or climate change. However, the project would contribute to cumulative GHG emissions that cumulatively result in environmental and health effects associated with climate change across California, the country, and the world. The project's emissions would only be a very small fraction of the statewide GHG emissions. Regardless, given the position of the legislature in AB32 which states that global warming poses serious detrimental effects, and the requirements of CEQA for the Lead Agency to determine if a project would have a cumulatively considerable contribution, the effect of the project's CO₂ contribution may be considered cumulatively considerable. The strategies currently being implemented by CARB can help in reducing the project's GHG emissions and are summarized below:

- Vehicle Climate Change Standards – AB 1493 (Pavley required the State to develop and adopt regulations that achieve the maximum feasible and cost-effective reduction of climate change emissions emitted by passenger vehicles and light-duty trucks. Regulations were adopted by CARB in September 2004.
- Diesel Anti-Idling - In July 2004, CARB adopted a measure to limit diesel-fueled retail motor vehicle idling to five minutes or less.
- Other Light-Duty Vehicle Technology – New standards would be adopted to phase in beginning in the 2017 model year.
- Alternative Fuels: Biodiesel Blends – CARB would develop regulations to require the use of one percent to four percent biodiesel displacement of California diesel fuel.
- Alternative Fuels: Ethanol – Increased use of ethanol fuel.
- Heavy-Duty Vehicle Emission Reduction Measures – Increased efficiency in the design of heavy-duty vehicles and an educational program for the heavy-duty vehicle sector.

Any further feasible emissions reductions would be accomplished through CARB regulations adopted pursuant to AB 32. Overall, the impacts to occur during the construction would be short-term and temporary in nature. As there are no current significance thresholds to quantify construction emissions and because construction-related impacts are considered temporary they are, therefore, generally considered less than significant. In addition, the construction and operation of the proposed project would still have to comply with the SJVAPCD's regulations and requirements as discussed in the air quality section.

The project will not result in the emissions of hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), or sulfur hexafluoride (SF₆), the other gases identified as GHG in AB32. The proposed project will be subject to any regulations developed under AB32 as determined by CARB. Therefore, it is anticipated that the project will not generate significant long-term GHG emissions over its lifetime, and impacts would be less than significant for GHG emission impacts.

MITIGATION MEASURES

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*

Impact #3.4.8b – Would the project conflict with any applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

See response to Impact #3.4.8a.

The analysis above takes into account the cumulative nature of the energy industry and recognizes that consumers of electricity and diesel fuel are in effect regulated by higher-level emissions restrictions on the producers of these energy sources. Therefore, the project's contribution to cumulative global climate change impacts would not be cumulatively

considerable. The proposed project is not expected to result in significant GHG emissions and would not conflict with State GHG emission reduction goals.

MITIGATION MEASURES

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
3.4.9 - HAZARDS AND HAZARDOUS MATERIALS				
Would the project:				
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<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 checked="" type="checkbox"/>	<input 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 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 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. Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. Expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires??	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion

Analysis in this section is based on the Phase I Environmental Site Assessment (ESA) prepared for the project (RMA Geoscience, 2023), which is included in Appendix C of this document.

Impact #3.4.9a –Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Construction

Project construction-related activities may involve the use and transport of hazardous materials. These materials may include fuels, oils, mechanical fluids, and other chemicals used during construction-related activities. As such, these materials could expose human health or the environment to undue risks associated with their use and no significant impacts will occur during construction activities.

Transportation, storage, use, and disposal of hazardous materials during construction activities will be required to comply with applicable federal, State, and local statutes and regulations. Transportation of hazardous materials is regulated by the U.S. Department of Transportation and Caltrans. Additionally, the City's routes that have been designated for hazardous materials transport would be used. Any hazardous waste or debris that is generated during the construction of the proposed project would be collected and transported away from the site and disposed of at an approved offsite landfill or another such facility. In addition, sanitary waste generated during construction would be managed through the use of portable toilets, which would be located at reasonably accessible onsite locations.

Operation of the proposed facilities would involve the routine use and storage of hazardous materials, which includes storage of gasoline in the project's underground fuel storage tanks (UST), as well as delivery of gasoline and subsequent refilling of the tanks. Gasoline is considered a hazardous waste, and therefore, the installation and operation of underground fuel storage tanks are regulated by a variety of State and local agencies.

Development of the gas station/mini-mart would include the installation of UST which would be regulated by the State Water Resources Control Board (SWRCB) and Kings County Department of Public Health, which is the Certified Unified Program Agency (CUPA). The installation and operation of UST will be in compliance with local and State regulations related to UST and hazardous materials. Therefore, the construction of the gas station/mini-mart would not create a hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials. Development of uses associated with the industrial park portion of the project site would be subject to the same regulations and permitting standards as noted above.

Operation

The California Environmental Protection Agency (CalEPA) oversees the statewide implementation of the Hazardous Materials Business Plan (HMBP), which aims to prevent or minimize harm to public health and safety, and the environment from the release or threatened release of hazardous material. The minimum reporting quantities for hazardous materials is 55 gallons for liquids, 500 pounds for solids, or 200 cubic feet for compress gas. If a business handles hazardous materials at or in excess of the minimum thresholds, a HMBP is required to be prepared and approved by the State and local jurisdictions. The project developer/operator will be required to submit information to the California Environmental Reporting System (CERS), Kings County Department of Public Health, and the City of Lemoore regarding the use and storage of hazardous materials. Both the proposed gas station/mini-mart and future industrial uses would be subject to the HMBP requirements if they handle hazardous materials in excess of minimum reporting quantities.

Based on the analysis above, project construction and operation are not anticipated to result in significant impacts as a result of the transportation, use, or disposal of hazardous materials. Therefore, impacts would be less than significant.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.9b – Would the project 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?

See Impact #3.4.9a.

The preparation of the Phase I ESA included a site reconnaissance of the subject property, a review of historical documents related to land use, and a database search of federal, State, and local regulatory agencies. Historical land use was determined that by 1927, the subject property was occupied with agricultural land, and by 1994 the subject property appeared to be vacant land (RMA Geoscience, 2023). A review of federal, State, and local databases indicated that the subject site is not listed on any database. The Phase I ESA concluded that no Recognized Environmental Conditions (REC) in connection to the subject site were found.

There are no active Geologic Energy Management Division (CalGEM) identified oil or gas fields in the project vicinity, and there are no known existing or historical oil wells on the project site (CalGEM, 2023). As such, it is not expected that any wells would be impacted by the project.

Hazardous materials handling on the project site during construction activities may result in soil and groundwater contamination from accidental spills. The proposed gas station/mini-mart, construction would be required to prepare and implement a SWPPP as required per MM GEO-1.

As discussed under response Impact #3.4.9a, the project would involve the routine use and storage of hazardous materials, which includes storage of gasoline in UST, as well as delivery of gasoline and subsequent refilling of the tanks. As such, the installation and operation of underground fuel storage tanks are regulated by a variety of State and local agencies. The project will comply with the applicable regulations and codes during operation, and the impacts would be less than significant.

In addition, construction and operational activities will also be required to comply with the California Fire Code to reduce the risk of potential fire hazards. The City's Fire Department will be responsible for enforcing provisions of the Fire Code and will review project plans and specs prior to the issuance of building permits. The proposed project is not anticipated to create a significant hazard to the public or the environment and impacts would be less than significant.

MITIGATION MEASURE(S)

Implementation of MM GEO-1.

LEVEL OF SIGNIFICANCE

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

Impact #3.4.9c – Would the project emit hazardous emissions or involve handling hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

P.W. Engvall Elementary School is approximately 0.51 miles north, and Lemoore Union Elementary School is approximately 0.67 miles northeast of the project site.

Construction of the project would require the use of minimal hazardous materials and require implementation of BMPs when handling any hazardous materials, substances, or waste. As noted in Impact #3.4.3a–b, emissions of criteria pollutants during construction and operational activities are expected to be less than significant.

Operation of the project is anticipated to follow State and local requirements for the handling and disposal of hazardous materials as outlined in Impact #3.4.9a–b. Future development and operation of industrial uses would be subject to similar development and operation practices as noted above. The development of the gas station/mini-mart and future industrial uses would be more than one-quarter mile of a school and would, therefore, result in less-than-significant impacts.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.9d – Would the project 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?

There are no REC identified on the property, and the property is not included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and the Department of Toxic Substances Control (RMA Geoscience, 2023). Therefore, there would be a less-than-significant impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.9e – 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 or excessive noise for people residing or working in the project area?

Naval Air Station Lemoore (NAS Lemoore) runways are located approximately nine miles to the west of the project site. The project is not within the identified Air Installations Compatible Use Zones and would not conflict with military operations (Department of the Navy, 2010).

There are no public airports within two miles of the project site. The closest public airport is the Hanford Municipal Airport, located approximately nine miles east of the project. The project is not within an airport land use compatibility plan area. The construction and operation of the project would not result in the generation of noise levels beyond those that exist in the surrounding area. Therefore, the project would not expose people residing or working in the project area to excessive noise levels due to proximity to an airport, and there would be no impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

There would be *no impact*.

Impact #3.4.9f – Would the project impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?

The 2015 Kings County Emergency Operations Plan (EOP) establishes emergency procedures and policies and identifies responsible parties for emergency response in the County and includes the incorporated City of Lemoore (Kings County, 2015). The EOP includes policies that would prevent new development from interfering with the emergency response of evacuation plans.

The General Plan also provides guidance to City staff in the event of extraordinary emergency situations associated with natural disasters and technological incidents (City of Lemoore, 2008). The project would also comply with the appropriate local and State requirements regarding emergency response plans and access. The proposed project would not inhibit the ability of local roadways to continue to accommodate emergency response and evacuation activities. The project would also comply with the appropriate local and State requirements regarding emergency response plans and access. The proposed project would not inhibit the ability of local roadways to continue to accommodate emergency response and evacuation activities.

The proposed gas station/mini-mart and future industrial development would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan. Therefore, the project would have a less-than-significant impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.9g – Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?

The majority of the City is considered to have either little or no threat or a moderate threat of wildfire. Only one percent of the area within Lemoore city boundaries currently has a high threat of wildfire. Wildfire hazard present in the City should decrease as vacant parcels become developed (City of Lemoore, 2008).

The project site is in an unzoned area of the Kings County Fire Hazard Severity Zone Map Local Responsibility Area (LRA) (California Department of Forestry and Fire Protection, 2007). However, Cal Fire has determined that portions of the City of Lemoore are categorized

as a moderate fire hazard severity zone in the LRA. The project site is not located within proximity of a wildland area.

Project-related activities at the project site are not expected to increase the risk of wildfires. The General Plan includes policies that would protect the project and the community from fire dangers. These include the enforcement of fire codes during project-related activities. In addition, developers are required to pay impact fees that offset the impact of development on public services, such as fire protection.

The Lemoore City Fire Department, located approximately one mile away, would provide fire protection services to the project. The project will comply with all applicable State and local building standards as required by local fire codes, as well as impact fees to support additional fire protection services. The project would not expose people or structures to a significant risk of loss, injury, or death involving wildland fires. Therefore, impacts would be less than significant.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

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

3.4.10 - HYDROLOGY AND WATER QUALITY

Would the project:

- | | | | | | |
|------|---|--------------------------|-------------------------------------|-------------------------------------|--------------------------|
| a. | Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface water quality? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| b. | Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" 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 or through the addition of impervious surfaces, in a manner which would: | | | | |
| i. | Result in substantial erosion or siltation on or offsite? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| ii. | Substantially increase the rate of amount of surface runoff in a manner which would result flooding on or offsite? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| iii. | Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff? | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| iv. | Impede or redirect flood flows? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| d. | In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| e. | Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Discussion

Impact #3.4.10a – Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?

See Impact #3.4.9a–b. Project construction would cause a 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 a polluted runoff, which is also a potentially significant impact. Construction activities involving soil disturbance, excavation, cutting/filling, stockpiling, and grading activities could result in increased erosion and sedimentation to surface waters. However, the potential consequences of any spill or release of these types of materials are generally minimal due to the localized, short-term nature of such releases. 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.

Accidental spills or disposal of potentially harmful materials used during construction could possibly wash into and pollute surface water runoff. Mitigation Measure MM GEO-1 requires the preparation and implementation of a SWPPP to comply with the Construction General Permit requirements. With implementation of MM GEO-1, the proposed project would not violate any water quality standards or waste discharge requirements, and construction-related impacts are less than significant.

Once constructed, the project would drain water into the existing City sewer system and would not degrade surface or groundwater quality and impacts would be less than significant. In addition to compliance for preparation of a SWPPP, a HMBP shall be completed and submitted to the State and local jurisdiction for the gas station/mini-mart related to the UST. Any future industrial uses that handle or store hazardous materials at or in excess of minimum reporting thresholds will also be required to comply with these regulations. The HMBP would provide for emergency response plans and procedures to be followed in the event of a reportable release or threatened release of a hazardous material. With implementation of MM GEO-1, operational impacts would be less than significant.

MITIGATION MEASURE(S)

Implementation of Mitigation Measure MM GEO-1.

LEVEL OF SIGNIFICANCE

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

Impact #3.4.10b – Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

The water purveyor for the project is the City of Lemoore. The City has adopted an Urban Water Management Plan (UWMP) (City of Lemoore, 2017). This document is a planning tool that was created to help generally guide the actions of urban water suppliers in successfully preparing for potential water supply disruptions and issues. It provides a framework for long-term water planning and informs the public of a supplier's plans for long-term resource planning that ensures adequate water supplies for existing and future demands.

The City currently utilizes local groundwater as its sole source of municipal water supply. The City's municipal water system extracts its water supply from underground aquifers via six active groundwater wells within the city limits. The City maintains four ground-level storage reservoirs within the distribution system, with a total capacity of 4.4 million gallons (MG) (City of Lemoore, 2017). The groundwater basin underlying the City is the Tulare Lake Basin as defined in the Department of Water Resources Bulletin 118 for construction and operation would come from the City of Lemoore's existing water system. Per the City's 2015 UWMP, 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, 2017).

According to the City's UWMP, projected water use for 2025 was determined to increase up to 123 MG for commercial uses and 1,098 MG for industrial uses. By the year 2040, the projected water use is anticipated to be 203 MG for commercial uses and 1,812 MG for industrial uses. Assuming an average water demand of 820 gallons per day per acre (gpda) for regional commercial and 610 gpda for light industrial uses, the estimated water use resulting from the project would be approximately 3,386.6 gallons per day (gpd) for the proposed 4.13-acre regional commercial site and approximately 9,168.3 gpd for the proposed 15.03-acre industrial area that does not include the 1.34-acre basin located in the northern portion of the project site. Therefore, once constructed, the proposed gas station/mini-mart could result in an estimated water demand of 1.24 MG per year (3.8 acre-feet/year (afy)). The anticipated water demand for the proposed industrial uses at full buildout would be approximately 10.2 afy (3.35 MG/year). As noted, the estimated water demand for potential light industrial uses is average at the full building; however, the development would occur incrementally as the light industrial portion would not be developed all at once. The City's anticipated groundwater supplies were determined to be sufficient to meet all demands through the year 2040, even under multiple dry-year drought conditions (City of Lemoore, 2017). Therefore, the project will have a less-than-significant impact related to groundwater demand.

Water would be used for purposes of dust control during grading and construction as well as for minor activities such as the washing of construction equipment and vehicles. Water demands generated by the project during the construction phase would be temporary and not substantial. It is anticipated that groundwater supplies would be adequate to meet construction water demands generated by the project without depleting the underlying aquifer or lowering the local groundwater table. Therefore, project construction and full buildout would not deplete groundwater supplies and impacts would be less than significant.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.10c(i) – Would the project 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 onsite or offsite?

The project site is relatively flat and would require minimal grading. 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. The rate and amount of surface runoff is determined by multiple factors, including the following: topography, the amount and intensity of precipitation, the amount of evaporation that occurs in the watershed, and the amount of precipitation and water that infiltrates to the groundwater. The proposed project would alter the existing drainage pattern of the site, which would have the potential to result in erosion, siltation, or flooding onsite or offsite. The disturbance of soils onsite during construction could cause erosion, resulting in temporary construction impacts. In addition, the placement of permanent structures onsite could affect drainage in the long-term. Impacts from construction and operation are discussed below.

As discussed in Impact #3.4.10(a) above, potential impacts on water quality arising from erosion and sedimentation are expected to be localized and temporary during construction. Construction-related erosion and sedimentation impacts as a result of soil disturbance would be less than significant after implementation of a SWPPP (MM GEO-1) and BMPs required by the NPDES. A retention basin is also proposed at the northern end of the proposed industrial park area and would be developed in accordance with City development standards for basins. No existing drainages or other water bodies are present on the project site, and therefore, the proposed project would not change the course of any such drainages.

Once constructed, the project would contain areas of impervious surfaces that would reduce the rate of percolation at the site, but areas of open space and the proposed retention basin will allow for the percolation of stormwater to recharge the aquifer, or the water would be directed into the City's existing stormwater sewer system. The project would comply with applicable City development standards and codes. Therefore, the project would have a less-than-significant impact on drainage patterns and would not cause substantial erosion or siltation on or off the site.

MITIGATION MEASURE(S)

Implementation of MM GEO-1.

LEVEL OF SIGNIFICANCE

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

Impact #3.4.10c(ii) – Would the project 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 onsite or offsite?

No drainages or other water bodies are present on the project site and therefore, development of the site would not change the course of any such drainages that may potentially result in onsite or offsite flooding. Water would be used during the temporary construction phase of the proposed project (e.g., for dust suppression). However, any water used for dust control would be mechanically and precisely applied and generally infiltrate or evaporate instead of running off the site.

The project site is flat, and grading would be minimal. The topography of the site would not change because of grading activities, and it does not contain any water features, streams, or rivers. The potential for the construction of the proposed project to alter existing drainage patterns would be minimized through compliance with the preparation of a SWPPP (MM GEO-1). With implementation of such measures, the project would not substantially increase the amount of runoff in a manner that would result in flooding onsite or offsite. Impacts would be reduced to less-than-significant levels.

MITIGATION MEASURE(S)

Implementation of MM GEO-1.

LEVEL OF SIGNIFICANCE

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

Impact #3.4.10c(iii) – Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

Please see Impacts #3.4.9a–b and #3.4.10a–c above.

The project would comply with all applicable State and City codes and regulations. The retention basin will be constructed based on engineering calculations to ensure that once operational, the project does not 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. Therefore, the project would not 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. Impacts would be less than significant.

MITIGATION MEASURE(S)

Implementation of MM GEO-1.

LEVEL OF SIGNIFICANCE

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

Impact #3.4.10c(iv) – Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would impede or redirect flood flows?

As discussed above in Impact #3.4.10a through c(iii), the project site does not have a stream, river, or other water feature.

The project would develop the site with facilities that would add areas of impervious surfaces and thus increase the rate and amount of potential runoff. This increase in runoff would be accommodated by the stormwater control project design feature that has been developed for the project to minimize impacts to existing drainage patterns of the area such that a substantial increase in the rate or volume of surface runoff and resultant flooding would not occur. The proposed retention basin would decrease surface runoff rates such that flooding onsite or offsite would not occur. Therefore, associated impacts would be less than significant.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.10d – Would the project, in flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

The project site is not located near the ocean or a steep topographic feature (i.e., mountain, hill, bluff, etc.). Additionally, there is no body of water within the vicinity of the project site. The proposed project's inland location makes the risk of tsunami highly unlikely. The probability of a seiche occurring in the City is also considered negligible.

As shown in Figure 3.4.10-1, the project is not located within a FEMA 100-year floodplain as mapped on a federal flood hazard boundary or flood insurance rate map, or other flood hazard delineation map.

The project site is located approximately 45 miles from the Pine Flat Dam, which is managed by the U.S. Army Corps of Engineers. In the case of dam failure, flood waters would not reach the City for hours. The extremely low probability of dam failure, the large volume of flood water available for dilution of potential pollutants, and the relatively long warning period to prepare indicate that inundation due to dam failure would not have a significant impact on the project (City of Lemoore, 2008).

There is no potential for inundation of the project site by seiche. Therefore, the project would not contribute to inundation by seiche, tsunami, or mudflow.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.10e – Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

Please see Impact #3.4.10b above.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

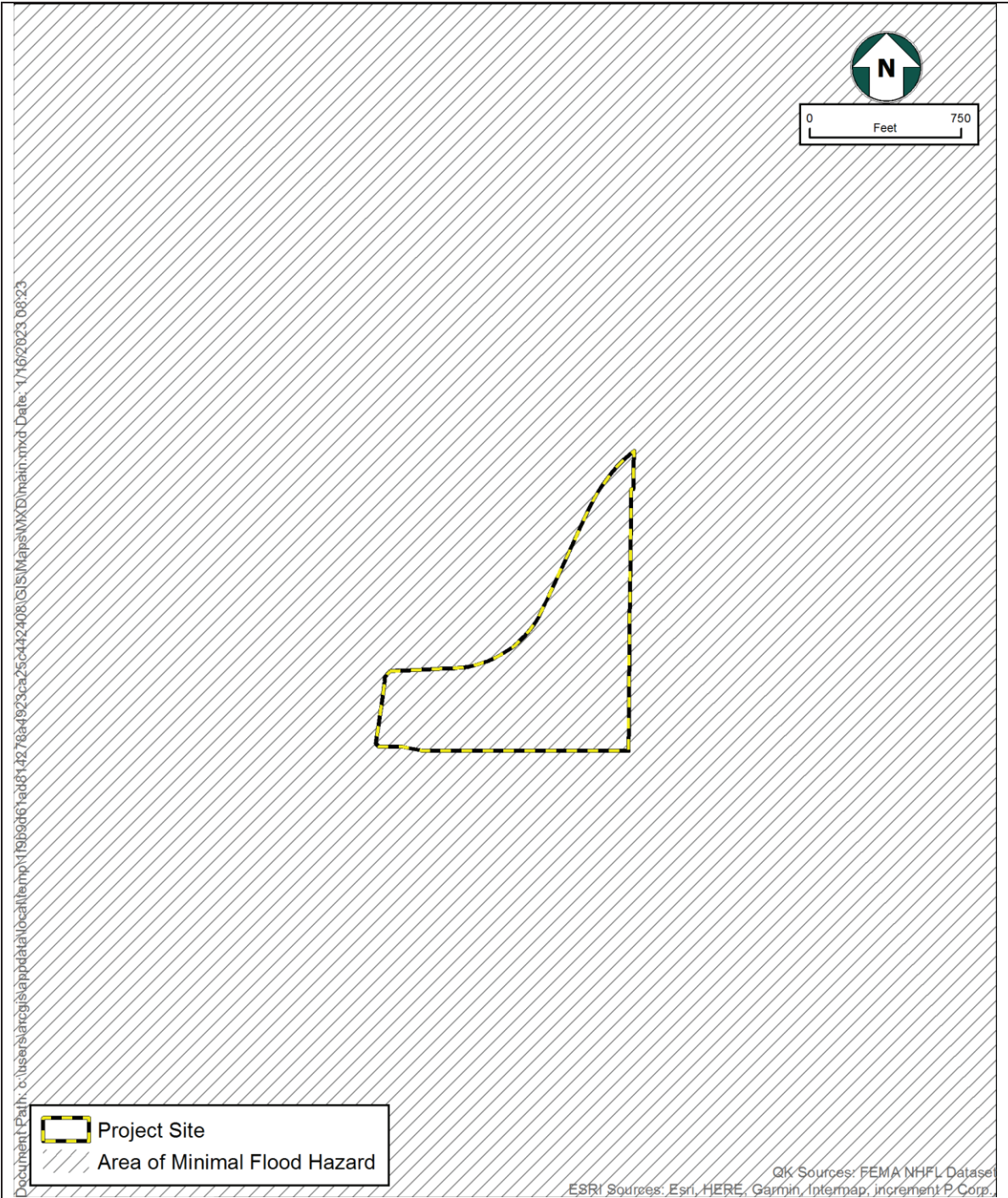


Figure 3.4.10-1
100-Year Floodplain

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
3.4.11 - 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. Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion

Impact #3.4.11a – Would the project physically divide an established community?

There is existing residential development to the east and commercial and industrial land uses to the west and south; SR 198 is to the north. The project will not physically divide an established community. There would be no impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

There would be *no impact*.

Impact #3.4.11b – Would the project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

The project requests approval of a General Plan Amendment/Zone Change, a Conditional Use Permit, and a Subdivision Map to allow for the development of the gas station/mini-mart on the western portion of the site and future industrial uses on the eastern portion of the site. With the approval of the associated entitlements, the proposed uses would be consistent with the proposed land use designation. The project would also comply with the pertinent development standards and criteria such as height limitations and setbacks as designated in City's Municipal Code.

General Plan policies found in the Land Use Element and other elements of the City of Lemoore General Plan were reviewed and did not identify any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. There would be no impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

There would be *no impact*.

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

3.4.12 - 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"/> |

Discussion

Impact #3.4.12a – Would the project 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?

The California Department of Conservation, Geological Survey classifies lands into Mineral Resource Zones (MRZs) based on guidelines adopted by the California State Mining and Geology Board, as mandated by the Surface Mining and Reclamation Act of 1974. These MRZs identify whether known or inferred significant mineral resources are present in areas. Lead agencies are required to incorporate identified MRZs resource areas delineated by the State into their General Plans.

The City of Lemoore and the surrounding area have no mapped mineral resources and no regulated mine facilities (City of Lemoore, 2008). Additionally, per the California Department of Conservation – Geologic Energy Management Division (CalGEM), the project site is not within a CalGEM-recognized oilfield. The project design does not include mineral extraction. The project would not 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 and would therefore have no impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

There would be *no impact*.

Impact #3.4.12b – Would the project 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?

See Impact #3.4.12a above. The project would not 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 and would therefore have no impact.

MITIGATION MEASURES

No mitigation is required.

LEVEL OF SIGNIFICANCE

There would be *no impact*.

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

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

Discussion

Impact #3.4.13a – Would the project result in 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?

Land uses deemed sensitive receptors include schools, hospitals, rest homes, and long-term care and mental care facilities, which are considered to be more sensitive to ambient noise levels than others. The nearest sensitive land uses include residential homes bordering the site to the east.

Stationary noise sources can also influence the population, and unlike mobile, transportation-related noise sources, these sources generally have a more permanent and consistent impact on people. These stationary noise sources involve a wide spectrum of uses and activities, including various industrial uses, commercial operations, agricultural production, school playgrounds, high school football games, HVAC units, generators, lawn maintenance equipment, and swimming pool pumps.

The City of Lemoore 2030 General Plan Section 8.6-Noise provides land use compatibility for community noise environment thresholds for low density single-family residential acceptable up to 70 dB (City of Lemoore, 2008).

During the construction phase of the project, noise-generating activities will be present, however, they will be temporary in nature and any machinery used as a part of the

construction of the project will be muffled. Construction activities would be temporary in nature and are anticipated to occur during normal daytime working hours. Implementation of the Mitigation Measure NSE-1 will further reduce the temporary noise impacts from construction-related activities to levels that will not exceed the thresholds established in the City of Lemoore 2030 General Plan.

Operation of the proposed gas station/mini-mart would generate noise levels in a similar fashion to the existing gas station directly west of the site and is not anticipated to exceed noise thresholds established by the General Plan. However, the development of industrial uses along the eastern boundary near existing residences could generate higher noise levels. General Plan Policy SN-I-40 requires developers to mitigate noise impacts of new development on adjacent properties as a condition of approval through appropriate means, including screening and controlling noise sources, increased setbacks for noise sources from adjacent dwellings, and using open space, building orientation and design, landscaping and running water to mask sounds. Development of the light industrial area would be subject to the City Municipal Codes and includes minimum front and rear yard setbacks. A minimum of 25 feet for the rear yard setback will be required for the proposed light industrial zoned lots (City of Lemoore, 2021). The residential development to the east is separated from the adjacent project site by an approximately 20-foot-wide utility easement. The residences are further set away from the project property by backyards, therefore providing an additional noise attenuation buffer from the proposed industrial park.

Additionally, commercial, industrial, and multi-family zone districts shall be screened from abutting residential zone districts by masonry walls or similar solid walls with a minimum height of six feet. The inclusion of development of a minimum six-foot wall is included as a mitigation measure to further buffer and reduce noise generated from potential industrial uses. Additional requirements under the City of Lemoore's Municipal Code for further noise buffering would be applicable for circumstances related to industrial equipment use and would ensure that industrial uses would not exceed established noise thresholds.

Activities that could be expected to generate noise include cars entering and exiting the development, as well as mechanical systems related to heating, ventilation, and air conditioning systems, or industrial equipment. This noise would be similar to those generated by the nearby existing industrial development and would not be of a level that exceeds thresholds with implementation of Mitigation Measure NSE-2, NSE-3, and compliance with applicable development standards for the development of industrial uses abutting residential uses. NSE-2 will require the installation of a masonry or solid wall to buffer noise between proposed light industrial uses, and NSE-3 would prohibit the storage of materials in excess of six feet within the building setbacks to ensure storage and equipment activities do not generate noise in excess of City threshold.

Therefore, these increases in ambient noise are considered less than significant and consistent with applicable standards.

LEVEL OF SIGNIFICANCE

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

MITIGATION MEASURE

MM NSE-1: During construction, the contractor shall implement the following measures:

- a. All stationary construction equipment on the project site shall be located so that noise-emitting objects or equipment face away from any potential sensitive receptors.
- b. The construction contractor shall ensure that all construction equipment is equipped with manufacturer-approved mufflers and baffles. During construction, stationary construction equipment shall be placed such that emitted noise is directed away from sensitive noise receivers.
- c. Construction activities shall take place during daylight hours, when feasible.

MM NSE-2: Prior to the issuance of an occupancy permit for the first building permit(s), the proposed light industrial zoned parcels abutting residential zone districts along the eastern property line shall be screened with a minimum six-foot masonry wall or similar solid wall.

MM NSE-3: No materials related to an industrial operation shall be stored within the yard setback to a height of more than six feet within 25 feet of property lines adjacent to the residential zone district.

Impact #3.4.13b – Would the project result in exposure of persons to or generate excessive groundborne vibration or groundborne noise levels?

The proposed project is expected to create temporary groundborne vibration as a result of the construction activities (during site preparation and grading). According to the U.S. Department of Transportation, Federal Railroad Administration, vibration is sound radiated through the ground. The rumbling sound caused by the vibration is called groundborne noise. The ground motion caused by vibration is measured as particle velocity in inches per second and is referenced as vibration decibels (VdB). The background vibration velocity level in residential areas is usually around 50 VdB. A list of typical vibration-generating equipment is shown in Table 3.4.13-1. However, the project does not propose to use this specific equipment. The table is meant to illustrate typical levels of vibration for various pieces of equipment.

The vibration velocity level threshold of perception for humans is approximately 65 VdB. A vibration velocity level of 75 VdB is the approximate dividing line between barely perceptible and distinctly perceptible levels for many people.

Table 3.4.13-1
Different Levels of Groundborne Vibration

Vibration Velocity Level	Equipment Type
94 VdB	Vibratory roller
87 VdB	Large bulldozer
87 VdB	Caisson drilling
86 VdB	Loaded trucks
58 VdB	Small bulldozer

Source: (Federal Transit Administration, 2006)

Note: 25 feet from the corresponding equipment.

The Federal Transit Administration (FTA) has published standard vibration velocities for construction equipment operations (Federal Highway Administration (FHWA), U.S. Department of Transportation, 2017). In general, the FTA architectural damage criterion for continuous vibrations (i.e., 0.2 inch/second) appears to be conservative even for sustained pile driving. Building damage can be cosmetic or structural. Ordinary buildings that are not particularly fragile would not experience any cosmetic damage (e.g., plaster cracks) at distances beyond 30 feet. This distance can vary substantially depending on the soil composition and underground geological layer between the vibration source and receiver. In addition, not all buildings respond similarly to vibration generated by construction equipment. The typical vibration produced by construction equipment is illustrated in Table 3.4.13-2.

Table 3.4.13-2
Typical Vibration Levels for Construction Equipment

Equipment	Reference peak particle velocity at 25 feet (inches/second) ¹	Approximate peak particle velocity at 100 feet (inches/second) ²
Large Bulldozer	0.089	0.011
Loaded Trucks	0.076	0.010
Small Bulldozer	0.003	0.000
Auger/drill Rigs	0.089	0.011
Jackhammer	0.035	0.004
Vibratory Hammer	0.070	0.009
Vibratory Compactor/roller	0.210	0.026

Notes:

1 – Federal Transit Administration, Transit Noise and Vibration Impact Assessment Guidelines, May 2006. Table 12-2.

2 – Calculated using the following formula: $PPV_{equip} = PPV_{ref} \times (25/D)^{1.5}$

where: PPV (equip) = the peak particle velocity in in/sec of the equipment adjusted for the distance PPV (ref) = the reference vibration level in in/sec from Table 12-2 of the FTA Transit Noise and Vibration Impact Assessment Guidelines
D = the distance from the equipment to the receiver

As indicated in Table 3.4.13-2 based on the FTA data, vibration velocities from typical heavy construction equipment that would be used during project construction range from 0.076 to

0.210 inch-per-second peak particle velocity (PPV) at 25 feet from the source of activity. With regard to the project, groundborne vibration would be generated during site clearing and grading activities onsite facilitated by implementation of the proposed project. As demonstrated in Table 3.4-13-2, vibration levels at 25 feet would range from 0.003 to 0.210 PPV. Therefore, the anticipated vibration levels would not exceed the 0.2 inch-per-second PPV significance threshold during construction at the nearest receptors, which is approximately 50 feet to the east of the proposed industrial uses.

Typical outdoor sources of perceptible groundborne vibration are construction equipment and traffic on rough roads. For example, if a roadway is smooth, the groundborne vibration from traffic is rarely perceptible.

Typically, groundborne vibration generated by construction activity attenuates rapidly with distance from the source of the vibration. Therefore, vibration issues are generally confined to distances of less than 500 feet (U.S. Department of Transportation, 2005). Potential sources of temporary vibration during the construction of the proposed project would be minimal and would include the transportation of equipment to the site.

Construction activity would include various site preparation, grading, fabrication, and site cleanup work. Construction would not involve the use of equipment that would cause high groundborne vibration levels such as pile-driving or blasting. Once constructed, the proposed project would not have any components that would generate high vibration levels. Thus, the construction and operation of the proposed project would not result in any vibration, and impacts would be less than significant.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.13c – For a project located within the vicinity of a private airstrip or 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?

There are no public airports within two miles of the project site. The NAS Lemoore runways are located nine miles west of the project site. The closest public airport is the Hanford Municipal Airport, also located approximately nine miles west of the project. The project is not within an airport land use compatibility plan area (Department of the Navy, 2010). Therefore, the project would not expose people residing or working in the project area to excessive noise levels. Therefore, there would be no impact.

MITIGATION MEASURES

No mitigation is required.

LEVEL OF SIGNIFICANCE

There would be *no impact*.

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

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

Discussion

Impact #3.4.14a – Would the project 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)?

According to the U.S. Census Bureau, estimates of the City's population was 26,631 in 2021 (U.S. Census Bureau, 2021). The City anticipates an annual increase in population, with an estimated population of 34,719 in 2025 and 47,115 by 2035 (City of Lemoore, 2017).

The City's General Plan goals include providing appropriately located areas for a broad range of employment-generating uses to strengthen the City's economic base and provide employment opportunities for residents to achieve a jobs-housing balance. The project intends to develop a gas station/mini-mart and light industrial uses within an area that has generally been utilized for similar commercial and industrial uses. Construction of the project would be of short duration and likely be completed by construction workers residing in the City or the surrounding area; they would not require new housing.

It is anticipated that the jobs created by these businesses will be filled by existing residents of the City or nearby towns. It is unlikely these jobs would attract a large influx of new residents that would require increased City services. The project would not induce substantial population growth in an area, either directly or indirectly.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.14b – Would the project displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

The project site is undeveloped with no structures and no displacement of existing housing would occur. Therefore there would be no impacts.

The proposed project would not require the demolition of any housing, as the project site is currently undeveloped. Therefore, there would be no need to construct replacement housing elsewhere. There would be no impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

There would be *no impact*.

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

3.4.15 - 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 checked="" type="checkbox"/>	<input type="checkbox"/>
v. Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion

Impact #3.4.15a(i) – Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or to other performance objectives for any of the public services – fire protection?

The closest station to the project site is located at 210 Fox Street, approximately one mile north of the project site. The proposed project will comply with Title 24 of the California Building Code and local development standards. Additional provisions under the City's adopted Fire Code including an approved water system capable of supplying required fire flow for fire protection purposes may be required by the City.

Development of the project will increase the need for fire protection services and expand the service area and response times of the local City Fire Department. By incorporating the fire standards and the required design features in the project design, fire protection services will be required to provide coverage for both the gas station/mini-mart and future industrial

uses. Because the project will increase both the need and the demand for fire protection services in the City, the project will comply with adopted City municipals for fire requirements, which can include the requirement of impact fee payment and provision of fire suppression equipment, which would reduce impacts to fire protection to less-than-significant levels.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.15a(ii) – Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or to other performance objectives for any of the public services – police protection?

The City's police station is located at 657 Fox Street, approximately 1.2 miles north of the project site. The proposed project would be located adjacent to residential subdivisions that are served by the City police station. The project may result in environmental impacts related to acceptable service ratios, response times, or other performance objectives specific to police protection services, and expanded police coverage may be required. The project proposes a gas station/mini-mart and industrial development in a previously undeveloped location, which will increase the need for police services. However, the project will pay appropriate development fees based on the adopted fee calculations and is responsible for constructing any infrastructure needed to serve the project. Impacts would be less than significant.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.15a(iii) – Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response

The project intends to develop a new gas station/mini-mart and future light industrial development. The Project does not result in a change in population where the need for governmental facilities including school sites is necessary to maintain acceptable service

ratios and response times. The project will not result in the need for the provision of new or physically altered governmental facilities.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.15a(iv) – Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or to other performance objectives for any of the public services – parks?

The project is within the boundaries of the Lemoore Parks and Recreation District. The proposed project does not include uses that would increase the use of park and recreation facilities in the area. The City presently owns and maintains seven parks. The nearest park to the site is Kings Lions Complex, approximately 300 feet north. The project does not significantly affect park and recreation facilities. Impacts would be less than significant.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.15a(v) – Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or to other performance objectives for any of the public services – other public facilities?

Community facilities are the network of public and private institutions that support the civic and social needs of the population. They offer a variety of recreational, artistic, and educational programs and special events. New community facilities are not specifically sited on the General Plan Land Use Diagram. Small-scale facilities are appropriately sited as integral parts of neighborhoods and communities, while existing larger-scale facilities are generally depicted as public/semi-public land use, as appropriate (City of Lemoore, 2008).

Other public facilities include libraries, refuse pick-up, and other services. All jurisdictions collect planning and building fees as well as impact fees for new development, as necessary.

Property owners would also pay property taxes, some of which are used to pay for improvements to other City services and facilities. Therefore, the project would not 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 other performance objectives for other public facilities.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
3.4.16 - RECREATION				
Would the project:				
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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion

Impact #3.4.16a – Would the project Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

See Impact #3.4.15a(ii) above.

The proposed project does not include use that would increase the use of park and recreation facilities in the area. The proposed project will not result in the physical deterioration of existing parks or recreational facilities. With the payment of the development impact fees, there would be a less-than-significant impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.16b – Would the project include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?

See Impact #3.4.15a above.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

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

3.4.17 - TRANSPORTATION AND TRAFFIC

Would the project:

a.	Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b.	Conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c.	Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d.	Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion

A Traffic Impact Study (TIS) was prepared for this project (Ruettgers and Schuler, 2023) and is included in Appendix D.

Impact #3.4.17a – Would the project conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

Transit

The Kings Area Rural Transit (KART) operates two transit routes in Lemoore. Route 12, KART Transit Center to Skyline and Union, has stops at Bush and Belle Haven and West Hills College (WHC). The route operates Monday through Friday with three a.m. and two p.m. stops starting around 8:10 a.m. and stopping at 5:00 p.m. Route 20, KART Transit Center to WHC, likewise, has stops at Bush and Belle Haven and WHC. This route operates Monday through Friday from approximately 6:10 a.m. to 10:40 a.m. with 30-minute headways. The project construction and operation will not create any delays or closures to the transit system.

Bike

Per the City of Lemoore 2030 General Plan, the project site is located approximately 0.5 miles west of the nearest existing bike path located along Golf Links Drive. The construction and operation of the project would not interfere with the bike lane.

Roadways

The City of Lemoore has an adopted level of service standard of LOS “C” or better. Caltrans endeavors to maintain a target LOS at the transition between LOS “C” and LOS “D” on State highway facilities.

The project trip generation and design hour volumes shown in Table 3.4.17-1 were estimated using the Institute of Transportation Engineers (ITE) Trip Generation Manual, 11th Edition.

**Table 3.4.17-1
Project Trip Generation**

Land Use			Daily Trips			AM Peak Hour Trips			PM Peak Hour Trips	
ITE Code	Development Type	Variable	ADT Rate	ADT	Rate	IN Split Trips	OUT Split Trips	Rate	In Split Trips	OUT Split Trips
934	Fast-food Restaurant w/Drive-thru	2.87 1,000 sq. ft. gross floor area (GFA)	467.48	1,342	44.61	51% 65	49% 63	33.03	52% 49	48% 46
945	Convenience Market/Gas Station	20 Vehicle Fueling Positions	345.75	6,915	31.6	50% 316	50% 316	26.9	50% 269	50% 269
950	Truck Stop	5 Vehicle Fueling Positions	224	1,120	13.97	49% 34	51% 36	15.42	53% 41	47% 36
110	General Light Industrial	70 1,000 sq. ft. GFA	Eq	314	Eq	88% 45	12% 6	Eq	14% 4	86% 27
150	Warehousing	30 1,000 sq. ft. GFA	Eq	86	Eq	77% 21	23% 6	Eq	29% 8	72% 22
Subtotal				9,776		481	427		371	400
Reductions										
Capture				469		21	21		18	18
Pass-by				1,407		62	62		54	53
Total				7,900		398	344		299	329

Source: Appendix D

Table 3.4.17-2 below depicts the intersection LOS for both AM and PM peak hours. As depicted in Table 3.4.17-2 below, the LOS on the southbound 19th Avenue and Iona Avenue intersection would operate below a LOS "C" level.

Table 3.4.17-2
Intersection Level of Service

Intersection		Control Type	2023	2023+Project	2043	2043+Project	2043+Project w/Mitigation
19th Avenue & SR 198 WB Ramps	AM	Signal	B	B	B	B	-
	PM		B	B	B	B	-
19th Avenue SR 198 EB Ramps	AM	Signal	B	C	B	C	-
	PM		C	C	C	C	-
19th Avenue & Iona Avenue	AM	NB	B	B	C	C	-
		SB	B	D (31.9)	C	F (233.8)	-
	PM	Signal					C
		NB	B	B	C	C	-
		SB	B	E (35.5)	F (134.5)	F (>300)	-
		Signal					C

Notes: Intersection delay in seconds per vehicle is shown in parentheses

Source: Appendix D

As shown in Table 3.4.17-2, with the development of near-term projects and the proposed project, the intersections at 19th Avenue and Iona Avenue would operate below an acceptable level of service. It is anticipated that these intersections would also operate below LOS D in the year 2043. The remaining intersections within the scope of the study are anticipated to operate at acceptable levels of service during the peak hour.

To mitigate the intersection that is projected to operate below the appropriate adopted level of service standard, MM TRA-1 should be implemented. As determined in the TIS, the implementation of a traffic signal at the 19th Avenue and Iona Avenue intersection would allow the intersection to operate at an acceptable LOS.

MITIGATION MEASURE(S)

MM TRA-1: Prior to the issuance of building permits for the commercial development and subsequent industrial development, the developer and any future developer shall pay its pro rata share for:

- Signalization of the 19th Avenue and Iona Avenue intersection based on 49.7 percent.

The pro rata share for signalization of the 19th Avenue and Iona Avenue intersection, for each phase of development associated with the project, shall be determined by the City of Lemoore and shall be paid prior to the issuance of building permits.

LEVEL OF SIGNIFICANCE

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

Impact #3.4.17b – Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?

The State of California Governor’s Office of Planning and Research document entitled *Technical Advisory on Evaluating Transportation Impacts in CEQA* (Technical Advisory; TA) provides guidance for determining a project’s transportation impacts based on VMT. Under CEQA, lead agencies have the authority to establish their own VMT significance thresholds and analysis methodologies or rely on thresholds and methodologies recommended by other agencies, provided such guidelines are supported by substantial evidence. The City of Lemoore has not developed or adopted a VMT policy, so the VMT analysis for the prepared TIS was conducted following OPR technical advisory recommendations.

According to OPR TA recommendations, land development with mixed uses may be analyzed either based on individual project land uses or the project’s dominant land use. The dominant project land use in terms of trip generation is the convenience market/gas station which will generate approximately 9,377 daily trips, whereas the proposed industrial uses would generate approximately 400 daily trips. Therefore, the convenience market/gas station was analyzed as the dominant use. According to OPR TA, stores with less than 50,000 square feet of floor space may be presumed to create a less-than-significant VMT impact since such “local-serving” retail developments typically provide closer shopping destinations resulting in shorter trip lengths (Ruettgers and Schuler, 2023). Therefore, consistent with OPR guidelines, project-related traffic would not result in a significant transportation impact related to VMT and would not be inconsistent with CEQA Guidelines, Section 15064.3, subdivision (b).

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.17c – Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

The project will be designed to the current City of Lemoore development standards and safety regulations. All-access points from public right-of-way will be constructed to comply

with the City and Caltrans regulations, and design and safety standards of Chapter 33 of the California Building Codes (CBC) and the guidelines of Title 24 in order to create safe and accessible roadways.

Vehicles exiting the development will be provided with a clear view of the roadway without obstructions. Landscaping associated with the entry driveways could impede such views if improperly installed. Specific circulation patterns and roadway designs will incorporate all applicable safety measures to ensure that hazardous design features or inadequate emergency access to the site or other areas surrounding the project area would not occur.

Therefore, with the incorporated design features and all applicable rules and regulations, the project will have a less-than-significant impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.17d – Would the project result in inadequate emergency access?

See the discussion in Impact #3.4.9f.

State and City Fire Codes establish standards by which emergency access may be determined. The proposed project would have to provide adequate unobstructed space for fire trucks to turn around. The proposed project site would have adequate internal circulation capacity, including entrance and exit routes to provide adequate unobstructed space for fire trucks and other emergency vehicles to gain access and to turn around. The proposed project would not inhibit the ability of local roadways to continue to accommodate emergency response and evacuation activities. Therefore, impacts would be less than significant.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

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

Discussion

Impact #3.4.18a(i) – 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 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)?

Please see Impacts #3.4.5a, #3.4.5b, and #3.4.5c above.

In accordance with SB 18 and AB 52, a NAHC Sacred Land Files records search was requested. A positive response from the NAHC was received on March 15, 2023, which is included in Appendix B of this document. The lead agency also sent out early consultation letters to the appropriate tribal groups as listed in the NAHC list. To date, no comments have been received from a tribal representative.

It was determined with the implementation of Mitigation Measures MM CUL-1 through MM CUL-3, the project would not cause a substantial adverse change in the significance of a tribal cultural resource that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources.

MITIGATION MEASURE(S)

Implement MM CUL-1 through MM CUL-3.

LEVEL OF SIGNIFICANCE

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

Impact #3.15.17a(ii) - 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 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?

Please see Impacts #3.4.5a, #3.4.5b, and #3.4.5d above.

With implementation of Mitigation Measures MM CUL-1 through MM CUL-3, the project would not cause a substantial adverse change in the significance of a tribal cultural resource that is a resource determined by the Lead Agency, in its discretion and supported by substantial evidence, be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1.

MITIGATION MEASURE(S)

Implement MM CUL-1 through MM CUL-3.

LEVEL OF SIGNIFICANCE

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

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

3.4.19 - UTILITIES AND SERVICE SYSTEMS

Would the project:

a. Require or result in the relocation or construction of new or expanded water, wastewater treatment, or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. 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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Comply with federal, State, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

Impact #3.4.19a – Would the project require or result in the relocation or construction of new or expanded water, wastewater treatment, or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

The proposed project will require construction infrastructure to connect to the existing utility infrastructure. This will include water, wastewater, and stormwater drainage connections, all of which would be constructed to meet City development standards. Additionally, the project will include connections for electric power, natural gas, and telecommunications facilities. The installation of this infrastructure will not require any

major upsizing or other offsite construction activities that would cause a significant impact. The new infrastructure would be connected to existing infrastructure that is adjacent to the project site. Electrical, natural gas, and telecommunications facilities would be placed by the individual serving utilities; these entities already have in place safety and siting protocols to ensure that the placement of new utilities to serve new construction would not have a significant effect on the environment.

See Section #3.4.10- *Hydrology and Water Quality* for a discussion of water services wastewater disposal. The project will not require the construction of new water or wastewater treatment facilities. Water usage for dust control during construction-related activities will be minimal due to the small footprint and short duration of construction-related activities of the proposed project.

The proposed project would be subject to the payment of any applicable connection charges and/or fees and extension of services in a manner that is compliant with the Lemoore standards, specifications, and policies. All applicable local, State, and federal requirements and Best Management Practices will be incorporated into the construction and operation of the project. Impacts would be considered less than significant.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.19b – Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

See Impact #3.4.10b.

Once constructed, the proposed gas station/mini-mart could result in an estimated water demand of 1.24 MG per year (3.8 acre-feet/year (afy)). The anticipated water demand for the proposed industrial uses at full buildout would be approximately 10.2 afy (3.35 MG/year).

As noted, the estimated water demand for potential light industrial uses is average at the full building which would occur incrementally as the light industrial portion would not be developed all at once. The City's anticipated groundwater supplies were determined to be sufficient to meet all demands through the year 2040, even under multiple dry-year drought conditions (City of Lemoore, 2017). Therefore, the project will have a less-than-significant impact related to groundwater demand.

Water would be used for purposes of dust control during grading and construction as well as for minor activities such as the washing of construction equipment and vehicles. Water

demands generated by the project during the construction phase would be temporary and not substantial. It is anticipated that groundwater supplies would be adequate to meet construction water demands generated by the project without depleting the underlying aquifer or lowering the local groundwater table. Therefore, project construction and full buildout would not deplete groundwater supplies and impacts would be less than significant.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.19c – Would the project 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?

The project will connect to the existing City sewer system. The generation of wastewater and water would be consistent with the City's requirements. The proposed increase in water and wastewater usage at the project site is not anticipated to require the construction of new water or wastewater treatment facilities or the expansion of existing facilities. Impacts would be less than significant.

The project will connect to the existing storm drain lines. The site engineering and design plans for the proposed project would be required to implement BMPs, comply with requirements of the City Building and Development Standards, and comply with the NPDES General Permit during construction. Implementation of MM GEO-1 would reduce impacts to less than significant.

Therefore, the project would not require or result in the construction of new stormwater drainage facilities or the expansion of existing facilities.

MITIGATION MEASURE(S)

Implementation of MM GEO-1.

LEVEL OF SIGNIFICANCE

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

Impact #3.4.19d – Would the project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

Implementation of the proposed project would result in the generation of solid waste on the site, which would increase the demand for solid waste disposal. During construction, these

materials, which are not anticipated to contain hazardous materials, would be collected and transported away from the site to an appropriate disposal facility.

Solid waste disposal for Lemoore is managed by Kings Waste and Recycling Authority (KWRA). The City's PWD Refuse Division is responsible for solid waste collection services. The majority of the City's solid waste is taken to the Kettleman Hills non-hazardous landfill facility, owned by Chemical Waste Management (CWMI). The facility is located south of Lemoore and has an available capacity of 15.6 million cubic yards as of 2020 (Cal Recycle , 2020). KWRA is currently studying the future needs of solid waste services, including building a new landfill to be operated by CWMI near the existing site. The County has a 25-year contract with CWMI to handle its solid waste until 2023 (City of Lemoore, 2008).

The project, in compliance with federal, State, and local statutes and regulations related to solid waste, would dispose of all waste generated onsite at an approved solid waste facility. The project does not, and would not conflict with federal, State, or local regulations related to solid waste. The proposed project would be served by a landfill with the sufficient permitted capacity to accommodate the project's solid waste disposal needs in compliance with federal, State, and local statutes and regulations related to solid waste. Therefore, the project would have a less-than-significant impact.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.19e – Would the project comply with federal, State, and local management and reduction statutes and regulations related to solid waste?

See discussion for Impact #3.4.19d.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
3.4.20 - WILDFIRE				
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a. Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

Impact #3.4.20a – Would the project substantially impair an adopted emergency response plan or emergency evacuation plan?

See Impact #3.4.9g regarding emergency response.

The project is located south of SR 198 and east of SR 41 in an area planned for industrial and commercial uses. Access for emergency vehicles to the site would be maintained throughout the construction period. The project would not interfere with any local or regional emergency response or evacuation plans because the project would not result in a substantial alteration to the circulation system.

The City has established emergency response and evacuation plans based on the Lemoore Emergency Operations Plan. Impacts related to fire hazards and emergency response plans would be less than significant.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.20b – Would the project, due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire?

Wildfire hazard data for the Lemoore Planning Area, which includes the project, is provided by the California Department of Forestry and Fire Protection, as summarized in Table 3.4.20-1. The majority of the City is considered to have either little or no threat or a moderate threat of wildfire. Only one percent of the Planning Area currently has a high threat of wildfire. Wildfire hazard present in the Planning Area should decrease as vacant parcels become developed.

**Table 3.4.20-1
Existing Wildfire Hazards**

Fire Hazards	Acreage	Percent of City Area
Little or No Threat	5,648	46
Moderate	6,494	53
High	85	1
Very High	0	0
Total	12,227	100

The risk of wildfire is related to a variety of parameters, including fuel loading (vegetation), fire weather (winds, temperatures, humidity levels, and fuel moisture contents), and topography (degree of slope). Steep slopes contribute to fire hazards by intensifying the effects of wind and making fire suppression difficult. Fuels such as grass are highly flammable because they have a high surface area to mass ratio and require less heat to reach the ignition point.

Per the 2007 Fire Hazard Severity Zones in the LRA map, the project site and surrounding area are not identified as being in a fire hazard severity zone (California Department of Forestry and Fire Protection, 2007). The site is located in an area that is predominately urban with some ongoing industrial and commercial activities, which is not considered a significant risk of wildfire. There are no other factors of the project or the surrounding area that would exacerbate wildfire risks, and thereby expose project occupants to pollutant

concentration from a wildfire or the uncontrolled spread of a wildfire. Therefore, impacts would be less than significant.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.20c – Would the project, require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines?)

See Impacts #3.4.20a and b above.

The project includes connection of the project with City infrastructure (water, sewer, electrical power lines, and storm drainage) required to support the proposed gas station/mini-mart. The project site is surrounded by existing and future urban development. The development of the gas station/mini-mart and future development of light industrial uses would be constructed in accordance with all local, State, and federal regulations regarding power lines and other related infrastructure, as well as fire suppression requirements. Therefore, the project would not exacerbate fire risk or result in temporary or ongoing impacts to the environment, and impacts would be less than significant.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

Impact #3.4.20d – Would the project, expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

The project site is not located near the ocean or a steep topographic feature (i.e., mountain, hill, bluff, etc.). Additionally, there is no body of water within the vicinity of the project site. The project is not located within a FEMA 100-year floodplain.

Landslides include rockfalls, deep slope failure, and shallow slope failure. Factors such as geological conditions, drainage, slope, vegetation, and others directly affect the potential for landslides. The project site is relatively flat; therefore, the potential for a landslide in the project site is essentially non-existent. Impacts would be less than significant.

Therefore, the project will not expose people or structures to risks of flooding, landslides, runoff, slope instability, or drainage changes.

MITIGATION MEASURE(S)

No mitigation is required.

LEVEL OF SIGNIFICANCE

Impacts would be *less than significant*.

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less-than- Significant Impact	No Impact
3.4.21 - 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"/>

Discussion:

Impact #3.4.21a – 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?

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 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 MEASURE(S)

Implement MM BIO-1 through MM BIO-6; MM CUL-1 through MM CUL-3; and GEO-2.

LEVEL OF SIGNIFICANCE

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

Impact #3.4.21b - 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)?

As described in the impact analyses in Sections 3.4.1 through 3.4.20 of this IS/MND, any potentially significant impacts of the proposed project would be reduced to a less-than-significant level following the incorporation of the mitigation measures. 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 in compliance with 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 MEASURE(S)

Implement MM BIO-1 through MM BIO-6, MM CUL-1 through MM CUL-3, MM GEO-1, MM GEO-2, MM NSE-1 through MM NSE-3, and MM TRA-1.

LEVEL OF SIGNIFICANCE

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

Impact #3.4.21c - Does the project have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly?

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. The project will have the 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 MEASURE(S)

Implement MM BIO-1 through MM BIO-6, MM CUL-1 through MM CUL-3, MM GEO-1, MM GEO-2, MM NSE-1 through MM NSE-3, and MM TRA-1.

LEVEL OF SIGNIFICANCE

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

SECTION 4 - REFERENCES

Cal Recycle . (2020, April). *SWIS 16-AA-0023 Kettleman Hills B18 Nonhaz Codisposal site*. Retrieved from SWIS Facility/Site Search: <https://www2.calrecycle.ca.gov/SWFacilities/Directory>

CalGEM. (2023). *Well Finder*. Retrieved from <https://maps.conservation.ca.gov/doggr/wellfinder/#openModal/-119.79403/36.28606/16>

California Building Standards Commission. (2022). *California Code of Regulations*.

California Department of Conservation. (2023). Retrieved from CA Geologic Survey Regulatory Maps: <https://maps.conservation.ca.gov/cgs/DataViewer/index.html>

California Department of Fish and Wildlife. (2023, March). *RareFind 5*. Retrieved from California Natural Diversity Database: <https://www.wildlife.ca.gov/Data/CNDDDB/Maps-and-Data>

California Department of Forestry and Fire Protection. (2007). *2007 Draft Fire Hazard Severity Zones in LRA*.

California Department of Transportation. (2023). *California Scenic Highway Mapping System*. Retrieved from Caltrans Scenic Highways, California State Scenic Highways: <https://caltrans.maps.arcgis.com/apps/webappviewer/index.html?id=465dfd3d807c46cc8e8057116f1aaca>

California Energy Commission. (2021). *California Energy Commission*. Retrieved from Gas Consumption by Entity: <http://www.ecdms.energy.ca.gov/gasbyutil.aspx>

California Energy Commission. (2021). *Electricity Consumption by Entity*. Retrieved from <http://www.ecdms.energy.ca.gov/elecbyutil.aspx>

California Native Plant Society. (2023, March). *Rare Plant Inventory*. Retrieved from <http://rareplants.cnps.org/>

City of Lemoore. (2008). *2030 General Plan*.

City of Lemoore. (2008). *2030 General Plan*.

City of Lemoore. (2008). *2030 General Plan*.

City of Lemoore. (2010). *2030 Lemoore General Plan: Draft Environmental Impact Report*.

City of Lemoore. (2017). *2015 Urban Water Management Plan*.

- City of Lemoore. (2021). *City Code of Lemoore California*. Retrieved from City Code of Lemoore California: https://codelibrary.amlegal.com/codes/lemooreca/latest/lemoore_ca/0-0-0-1
- City of Lemoore. (2021). *Community Profile Information- Hazards*. Retrieved from http://www.cityofhanfordca.com/document_center/Government/Local%20Hazard%20Mitigation%20Plan/Local%20Hazard%20Mitigation%20Plan%20-%20Lemoore%20Community%20Profile.pdf
- Department of the Navy. (2010). *Air Installations Compatible Use Zones Report- Naval Air Station Lemoore, CA*.
- Federal Highway Administration (FHWA), U.S. Department of Transportation. (2017). *Highway Traffic Noise Analysis and Abatement Policy and Guidance*. https://www.fhwa.dot.gov/enviroNment/noise/regulations_and_guidance/.
- Federal Transit Administration. (2006). *Transit Noise and Vibration Impact Assessment*.
- Kings County. (2015). *Kings County Emergency Ooperations Plan*.
- Natural Resources Conservation Service. (2023). *USDA Natural Resources Conservation Service*. Retrieved from Web Soil Survey: <https://websoilsurvey.nrcs.usda.gov/app/WebSoilSurvey.aspx>
- PG&E. (2021). *PG&E*. Retrieved from Where Your Electricity Comes From: https://www.pge.com/pge_global/common/pdfs/your-account/your-bill/understand-your-bill/bill-inserts/2020/1220-PowerContent-ADA.pdf
- PG&E. (2021). *PG&E*. Retrieved from Company Profile: https://www.pge.com/en_US/about-pge/company-information/profile/profile.page
- QK. (2023). *Cultural Resources Records Search- Maverik Gas Station*.
- RMA Geoscience. (2023). *Phase I Environmental Site Assessment- Maverik Gas Station*.
- Ruettgers and Schuler, Civil Engineers. (2023). *Traffic Impact Study*.
- SJVAPCD. (2015). *Guidance for Assessing and Mitigating Air Quality Impacts*.
- Spencer, W.D., et al. (2010). *California Essential Habitat Connectivity Project - A Strategy for Conserving a Connected California*. Caltrans.
- Trinity Consultants. (2023). *Air Quality Impact Analysis- Maverik Gas Station Project*.
- U.S. Census Bureau. (2021). *U.S. Census Bureau, American Community Survey*. Retrieved from U.S. Census Bureau:

<https://data.census.gov/table?q=Lemoore,+CA&g=0100000US&tid=ACSST5Y2021.S0101>

U.S. Department of Transportation, F. R. (2005). *High-Speed Ground Transportation Noise and Vibration Impact Assessment*.

UpCodes. (2022). *Appendix J Grading*. Retrieved from <https://up.codes/viewer/california/ca-building-code-2022/chapter/J/grading#J>

US Fish and Wildlife Service. (2023, Nov). *List of Endangered Species*. Retrieved from <https://www.fws.gov/endangered/>

USFWS. (2023b, March). *Critical Habitat Portal*. Retrieved from <https://ecos.fws.gov/ecp/report/table/critical-habitat.html>.

SECTION 5 - LIST OF PREPARERS

5.1 - Lead Agency

City of Lemoore

- Nathan Olson – City Manager
- Steve Brandt– City Planner

5.2 - Technical Assistance

QK

- Jaymie L. Brauer – Project Manager
- Thomas Kobayashi– Lead Technical Writer

SECTION 6 - MITIGATION MONITORING AND REPORTING PROGRAM

APPENDIX A

AIR QUALITY IMPACT ANALYSIS

APPENDIX B

CULTURAL RESOURCE RECORDS SEARCH

APPENDIX C

PHASE I ENVIRONMENTAL SITE ASSESSMENT

APPENDIX D

TRAFFIC IMPACT STUDY



711 W. Cinnamon Drive • Lemoore, California 93245 • (559) 924-6744

Staff Report

To: Lemoore Planning Commission **Item No. 5**
From: Steve Brandt, City Planner
Date: April 14, 2023 **Meeting Date:** April 24, 2023
Subject: Discussion of Proposed Vehicle Miles Traveled (VMT) Thresholds and Implementation Guidelines for use in preparing future CEQA documents for the City of Lemoore.

Proposed Motion:

No action is required. This is an information item to discuss this proposed CEQA implementation procedure. The VMT Thresholds and Implementation Guidelines are scheduled to be taken to the City Council for them to adopt on May 16, 2023.

Description:

The State adopted a new law (SB 743) that changed the way that the California Environmental Quality Act (CEQA) quantified environmental impacts from vehicle traffic. Previously, traffic was evaluated by measuring the Level of Service (LOS) of major intersections near a proposed project to see if the new traffic from the proposed project would increase traffic congestion to an unacceptable level. LOS was graded A through F, with A be totally unhindered traffic flow and F being complete traffic gridlock. The City has a threshold of D set in the General Plan.

However, with the new law, environmental impacts from traffic are now to be measured using a Vehicle Miles Traveled metric, or VMT. A project is considered to have an environmental effect if its estimated VMT is higher than the average VMT of all the other uses in the vicinity. This changes the nature of the impact analysis from looking at intersection congestion to looking at reducing individual vehicle trips and their associated air pollution and greenhouse gas emissions. Uses that produce lower VMT are going to have less of an impact.

Since most individual vehicle trips are local, the location of the proposed development in relation to the rest of the city will have an effect on VMT. For example, a new development in the middle of Lemoore is going to have a lower VMT than a development on the outskirts of the city. The EIR for the Lacey Ranch development determined that VMT from that

development was clearly a significant environmental effect. However, just where the threshold is between not significant and significant was not known. It can be different for each city. This VMT Thresholds study determines where the threshold can be reasonably set for Lemoore so that future CEQA documents can use that threshold when they evaluate projects.

The document describes the methodology used to determine the threshold, and then set the procedures for conducting the evaluation. Some smaller projects will be able to be “screened out” of having to conduct a more detailed study. This document can be used by City staff to determine which projects can be screened out and which ones will need a more detailed analysis.

The study was prepared by LSA, within funding from the City’s LEAP grant that it received. Staff has been meeting with LSA on video conferences for about 4 months to assist in the preparation of the study.

Environmental Assessment:

Section 15064.7 of the California Environmental Quality Act (CEQA) Guidelines encourages cities to adopt thresholds of significance that can be used to determine the level of significance of an environmental effect as part of its environmental review. They should be adopted by ordinance or resolution. The City Council will be asked to adopt the VMT Thresholds and Implementation Guidelines by resolution at a future City Council meeting.

Attachments:

VMT Thresholds and Implementation Guidelines

VMT THRESHOLDS AND IMPLEMENTATION GUIDELINES



LSA

April 2023

This page intentionally left blank

VMT THRESHOLDS AND IMPLEMENTATION GUIDELINES



Prepared for:

City of Lemoore
711 W. Cinnamon Drive
Lemoore, California 93245

Prepared by:

LSA Associates, Inc.
1500 Iowa Avenue, Suite 200
Riverside, California 92507
(951) 781-9310

Project No. LMR2201

LSA

April 2023

This page intentionally left blank



EXECUTIVE SUMMARY

Senate Bill (SB) 743, which became effective July 1, 2020, changes the way transportation impacts are determined in California Environmental Quality Act (CEQA) documents. SB 743 replaces the metric for determining transportation impacts using motor vehicle delay and Level of Service (LOS) to Vehicle Miles Traveled (VMT) in CEQA traffic impact studies. As a result of the SB 743 final rulemaking, the City of Lemoore (City) is adopting a set of VMT thresholds to support the shift from a delay-based analysis to VMT. This document provides a detailed discussion on implementing the CEQA VMT metric as applicable to the City of Lemoore. Substantial evidence and explanation on establishing the “Region,” VMT screening criteria, and VMT analysis thresholds are also described.

The following is a brief summary of the City’s VMT guidelines as adopted by the City. Each topic is discussed in more detail in this report.

- **Definition of ‘Region’:** Based on Kings County Association of Governments (KCAG) Travel Demand Model (TDM), 95% of trips that start or end in the City of Lemoore are contained within Kings County. Therefore, Kings County has been established as the region for VMT analysis purposes.
- **Standardized Screening Methods:** The guidelines provide multiple screening criteria for both land use and transportation projects. Screening criteria for land use projects include:
 - Local-serving retail projects up to 50,000 square feet (sf).
 - Projects that are consistent with the City’s General Plan and generate fewer than 1,000 daily trips or projects that are not consistent with the City’s General Plan but generate fewer than 500 daily trips.
 - Residential, Office, Industrial, or mixed-use projects within low-VMT generating areas, and
 - Projects with 100 percent affordable housing units.

Detailed description about the screening criteria for development projects and transportation projects are described in detail in the guidelines.

- **Appropriate VMT Significance Thresholds for Development Projects, and Community/General Plans:** For all projects (except retail), a significance threshold of 87 percent of the existing regional average of the respective VMT metric will be the threshold. Therefore,
 - For residential projects, 87% of Kings County baseline VMT per capita will be the threshold.
 - For non-residential projects (except retail), 87% of Kings County baseline VMT per employee will be the threshold.
 - For retail projects, a significance threshold of no net increase in VMT will be the metric.
 - For mixed use projects, the VMT thresholds are based on the respective thresholds for the various land use components.
 - Finally, for land use plans, the existing Kings County average baseline VMT per capita, VMT per employee, and VMT per service population will be the thresholds of significance.





- **VMT Mitigation Strategies:** A list of VMT mitigation measures, in the context of the City of Lemoore, have been provided that are applicable to development projects and land use plans that would have a significant VMT impact. Additionally, implementation of a future VMT mitigation bank, VMT mitigation exchange, and/or VMT impact fee are discussed as potential future regional VMT mitigation mechanisms.

The City recommends using the KCAG TDM for VMT analysis purposes for most projects. The KCAG TDM is the regional travel demand model applicable to jurisdictions within Kings County including the City for evaluating project VMT. The appropriate use of the KCAG TDM for VMT calculations is further elaborated in subsequent chapters of this document. However, certain unique land uses may not be able to use KCAG TDM for evaluating a project's VMT impact. For those project's relevant empirical data from other sources should be utilized to evaluate the project VMT. The methodology for evaluating project's VMT for such projects needs to be confirmed with City staff.





This page intentionally left blank





TABLE OF CONTENTS

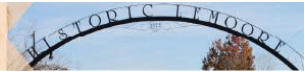
TABLE OF CONTENTS	iv
FIGURES AND TABLES	vi
FIGURES	vi
TABLES	vi
ABBREVIATIONS AND ACRONYMS.....	viii
1.0 INTRODUCTION	10
2.0 DEFINITION OF REGION: VEHICLE MILES TRAVELED CONTEXT	12
3.0 SCREENING CRITERIA	14
3.1 DEVELOPMENT PROJECTS	14
3.1.1 Average Daily Trips (ADT) Threshold	23
3.2 SCREENING BY PROJECT TYPE: tTRANSPORTATION pROJECTS	26
4.0 VMT THRESHOLD ANALYSIS FOR DEVELOPMENT PROJECTS	28
4.1 THRESHOLDS.....	28
4.2 IMPACT ASSESSMENT	30
4.2.1 Agency Communication	30
4.2.2 Project Screening	35
4.2.3 VMT Identification	35
4.3 MITIGATION MEASURES	36
5.0 VMT THRESHOLD ANALYSIS FOR TRANSPORTATION PROJECTS	38
6.0 VMT THRESHOLD ANALYSIS FOR LAND USE PLANS.....	42
7.0 MITIGATION STRATEGIES.....	44
7.1 DEFINITION OF MITIGATION.....	44
7.2 MITIGATION MEASURES AND PROJECT ALTERNATIVES.....	46
7.3 FUNDING MECHANISMS.....	47





This page intentionally left blank





FIGURES AND TABLES

FIGURES

Figure 1: 2019 GHG Emissions in California by Economic Sector	11
Figure 2: Percentage of Total Trips Having Origins/Destinations within the City of Lemoore and Terminating within the City of Lemoore, within Kings County, or outside the County	13
Figure 3: VMT per Capita Screening Map for City of Lemoore	17
Figure 4: VMT per Employee Screening Map for City of Lemoore	19
Figure 5: VMT per Service Population Screening Map for City of Lemoore	21
Figure 6: SB 375 Regional Plan Climate Targets for the 18 California MPOs	29
Figure 7: VMT Screening Methodology for Development Projects	31
Figure 8-A: VMT Analysis Methodology for Non-Screened Residential Projects	32
Figure 8-B: VMT Analysis Methodology for Non-Screened Non-Residential (Non-Retail) Projects	33
Figure 8-C: VMT Analysis Methodology for Non-Screened Non-Residential (Retail) Projects	34
Figure 9: Induced Travel – VMT Attributable to Project	39
Figure 10: Caltrans Induced Travel Calculator	40
Figure 11: Procedural Flow Chart – VMT Bank	49
Figure 12: Procedural Flow Chart – VMT Exchange	50
Figure 13: Procedural Flow Chart – VMT Impact Fee	51

TABLES

Table A: Representative VMT and GHG Emissions from CalEEMod	23
Table B: CO ₂ e Emission Rates by Land Use Type	24
Table C: VMT Screening Thresholds for Sample Land Uses	25
Table D: VMT Metrics for Land Use Projects	35
Table E: Significance Thresholds for VMT Analysis	36
Table F: Vehicle Miles Traveled Mitigation Measures for Land Development Projects	52





This page intentionally left blank





ABBREVIATIONS AND ACRONYMS

ADT	Average Daily Trips
CalEEMod	California Emissions Estimator Model
Caltrans	California Department of Transportation
CAPCOA	California Air Pollution Control Officers Association
CARB	California Air Resources Board
CEQA	California Environmental Quality Act
City	City of Lemoore
County	Kings County
CO ₂ e	Carbon Dioxide Equivalent
EIR	Environmental Impact Report
EO	Executive Order
GHG	Greenhouse Gas
GWP	Global Warming Potential
HOT	High-Occupancy Toll
HOV	High-Occupancy Vehicle
HQTA	High-Quality Transit Area
ITE	Institute of Transportation Engineers
KCAG	Kings County Association of Governments
LOS	Level of Service
MPO	Metropolitan Planning Organization
MT	Metric Ton
OPR	Governor's Office of Planning and Research
PRC	Public Resources Code
RTP	Regional Transportation Plan
SB	Senate Bill
SCS	Sustainable Communities Strategy
sf	Square foot/Feet
SOC	Statement of Overriding Considerations
SOI	Sphere of Influence
TA	Technical Advisory
TDM	Travel Demand Model
TPA	Transit Priority Area
VMT	Vehicle Miles Traveled





This page intentionally left blank





1.0 INTRODUCTION

Senate Bill (SB) 743, which became effective July 1, 2020, changes the way transportation impact assessments are conducted in California Environmental Quality Act (CEQA) documents. Most notably, rulemaking in support of SB 743 replaces motor vehicle delay, as measured by Level of Service (LOS), with Vehicle Miles Traveled (VMT) as the metric for use in CEQA transportation impact assessments.

In January 2019, the Natural Resources Agency and the Governor's Office of Planning and Research (OPR) codified SB 743 into the Public Resources Code (PRC) and the *State CEQA Guidelines*.

OPR published a Technical Advisory (TA) in December of 2018, as a resource to guide the assessment of the VMT metric, establish thresholds of significance, and recommends mitigation measures. The laws and rules governing the CEQA process are contained in the CEQA statute (PRC Section 21000 and following), the *State CEQA Guidelines* (California Code of Regulations, Title 14, Section 15000 and following), published court decisions interpreting CEQA, and locally adopted CEQA procedures. The TA is intended as a reference document; it does not have the weight of law. However, any decision to deviate from the TA recommendations must be supported by substantial evidence.

The State of California is committed to reducing greenhouse gas (GHG) emissions and achieving long-term climate change goals. As a means for achieving statewide sustainability and climate goals, California legislation is focused on reducing VMT to achieve statewide climate goals. Over the last 40 years, across the state, VMT has far exceeded that of the state's population increase during the same period. As shown in Figure 1, transportation is the single largest sector contributing to California's GHG emissions. Approximately 41 percent of statewide GHG emissions are generated by the transportation sector, primarily passenger cars and light-duty trucks. State mandates pertaining to GHG emissions include reducing the number of single-occupancy vehicle trips and the length of vehicle trips.

This report establishes the City of Lemoore's (City) VMT thresholds of significance for use in CEQA transportation studies and provides substantial evidence to support those thresholds. The report is organized into the following seven chapters:

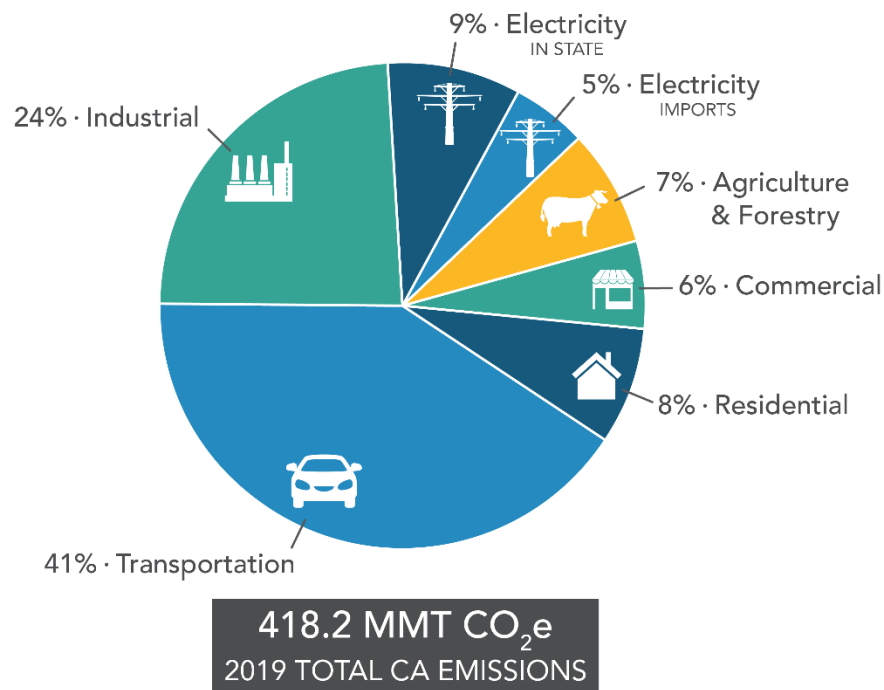
- **Chapter 1 – Introduction:** This chapter establishes the purpose and objective of this report.
- **Chapter 2 – Definition of Region:** This chapter describes the comparative geographic baseline of a region for analysis purposes.
- **Chapter 3 –Screening Criteria:** OPR acknowledges that certain projects are either low VMT generators, or, by virtue of their location, would have a less than significant impact. This chapter provides the screening criteria to identify potentially exempt projects.
- **Chapter 4 –VMT Threshold Analysis for Development Projects:** This chapter identifies the VMT thresholds of significance, which would result in a significant CEQA impact. The actual VMT metric (either an efficiency rate or total VMT) is described. The process of VMT analysis is also described in this chapter.
- **Chapter 5 – VMT Threshold Analysis for Transportation Projects:** This chapter describes the methodology used to evaluate significant CEQA impacts associated with transportation projects





in the City of Lemoore. Many non-capacity capital projects may be presumed to have a less than significant impact. Capacity-enhancing transportation projects may produce significant VMT impacts and would therefore be subject to a comprehensive VMT analysis including an induced travel assessment.

- **Chapter 6 – VMT Threshold Analysis for Land Use Plans:** This chapter provides guidance and substantial evidence to support the City’s treatment of land use plans and their related CEQA transportation impact analysis requirements.
- **Chapter 7 – VMT Mitigation Strategies:** The discussion provided in this chapter is intended as a reference and guide for use in the identification of feasible VMT mitigation options that may be used to offset project-related VMT impacts. It should be noted that this discussion is not intended to represent a full list of VMT mitigation measures available or feasible to the City. As in previous CEQA practice, it is generally the lead agency who identifies mitigation measures to offset the specific project-related impacts identified in an environmental document.



Source: <https://ww2.arb.ca.gov/ghg-inventory-data>

Figure 1: 2019 GHG Emissions in California by Economic Sector





2.0 DEFINITION OF REGION: VEHICLE MILES TRAVELED CONTEXT

To quantify a project's impact related to the VMT metric, a geographic context must be established. In the motor vehicle delay-based (LOS) analyses, a project study area is the geographic context for measuring a project's traffic impacts. A project study area is generally determined by the incremental increase in traffic generated by the project and the project's potential to create travel delays in the area. This generally includes intersections and roadway segments where the project would add a prescribed number of peak-hour trips. Lead agencies typically limit the LOS-based project study area boundaries within their jurisdictions.

Delay-based LOS analyses evaluate intersections or segments of roadways and so they consider portions of trips at specific locations and do not take into consideration the effect of entire trip length (from starting location to ending location). Hence, unlike delay-based LOS analyses, VMT produces a regional impact that is not limited by roadway, intersection, or jurisdictional boundaries. OPR acknowledges this in its TA (page 6), which states:

"Lead agencies should not truncate any VMT analysis because of jurisdictional or other boundaries, for example, by failing to count the portion of a trip that falls outside the jurisdiction or by discounting the VMT from a trip that crosses a jurisdictional boundary."

On a daily basis, majority of trips are generated by the residents of the community or by residential land uses. Commute and school trips are typically considered mandatory trips for the residents. Also, based on 2010 – 2012 California Household Travel Surveys (CHTS), commute trips are the longest among trips by residents. Additionally based on CHTS, the majority of trips are commute and shopping trips occurring between residential, office, and retail uses. Therefore, pursuant to the OPR TA, the recommendations for VMT thresholds for the three primary land use types (residential, office, and retail) are based on a comparison to a *regional average*. OPR does not explicitly define the regional average, and instead, recommends:

1. *In cases where the region is substantially larger than the geography over which most workers would be expected to live, it might be appropriate to refer to a smaller geography, such as the county, that includes the area over which nearly all workers would be expected to live. (page 16)*
2. *For residential projects in unincorporated county areas, the local agency can compare a residential project's VMT to (1) the region's VMT per capita, or (2) the aggregate population weighted VMT per capita of all cities in the region. (page 15)*

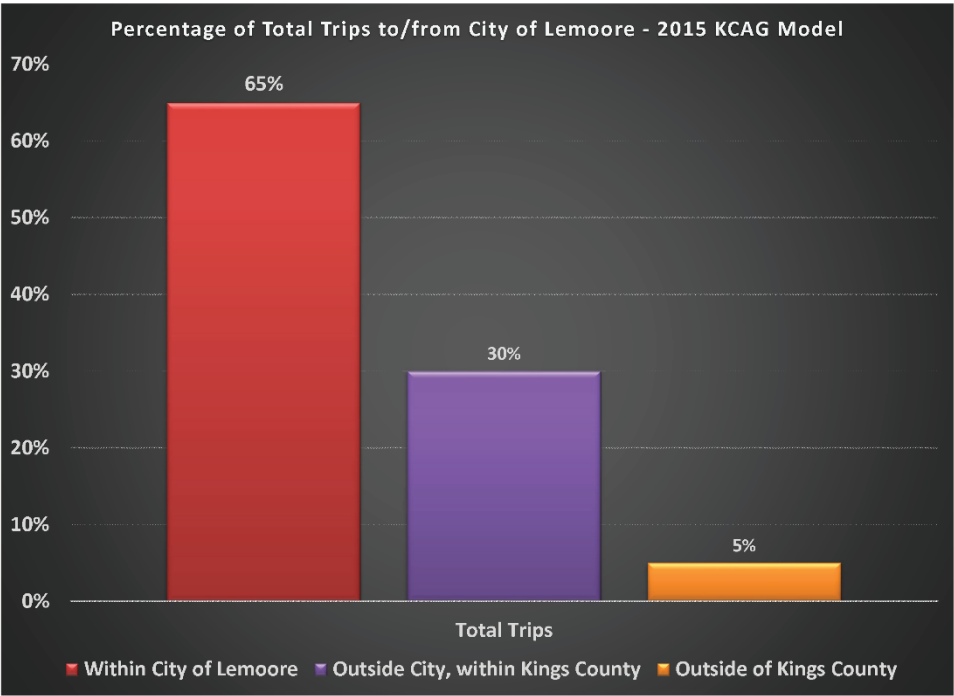
LSA surveyed other large urbanized areas around the state to identify what region has been established for VMT thresholds. In most cases, the county boundary has been identified as the region selected for VMT analysis. Mobility can be studied using a trip-based approach or a tour-based approach. The OPR TA states that "where available, tour-based assessment is ideal because it captures travel behavior more comprehensively. But where tour-based tools or data are not available for all components of an analysis, a trip-based assessment of VMT serves as a reasonable proxy." A regional travel demand model,



whether tour-based or trip-based, is one of the best available tools to estimate VMT. Given the current regional travel demand model is a trip-based model and as described before, project VMT evaluation shall be conducted using a relative comparison (project VMT metrics to the regional VMT metrics), the trip-based model serves as an appropriate tool for VMT evaluation.

Since the Kings County Association of Governments’ (KCAG’s) Travel Demand Model (TDM) is a trip-based model, a trip-based approach has been followed. LSA used the KCAG TDM to examine the trips into and out of Lemoore. As such, consistent with the OPR TA, only trips having origins or destinations or both within the City were considered. External pass-through trips were not considered.

As illustrated in Figure 2, out of the total trips, about 65 percent trips are contained within the City and its sphere of influence (SOI). Another 30 percent of trips originate or are destined within other jurisdictions in Kings County (County). The remaining 5 percent trips either originate or are destined outside Kings County. Because the majority of the trips (95 percent) are contained within Kings County, the County will be used to define the region.



Source: KCAG TDM (2015 Scenario)

Figure 2: Percentage of Total Trips Having Origins/Destinations within the City of Lemoore and Terminating within the City of Lemoore, within Kings County, or outside the County

The OPR guidance recommends consistency in approach; once a region is established, that region should be used for all subsequent traffic analyses.

It should be recognized the use of the County as the region defines the comparative, or the denominator, in the identification of project-related impact. The numerator is the project’s VMT contribution.



3.0 SCREENING CRITERIA

The OPR TA acknowledges that certain activities and projects may result in a reduction of VMT and GHG emissions and may therefore be assumed to produce a less than significant transportation impact. Due to a presumption of less than significant impact by meeting the following described criteria, a variety of projects may be screened out of SB 743-related VMT analysis requirements.

3.1 DEVELOPMENT PROJECTS

For development projects, screening factors may include a project's size, location, proximity to transit, and trip-making potential. One or more of the following project attributes may be presumed to produce a less than significant VMT impact:

- The project is within 0.5 mile (mi) of a transit priority area or a high-quality transit area and is consistent with the Regional Transportation Plan (RTP)/ Sustainable Communities Strategy (SCS), has a floor area ratio (FAR) equal or greater than 0.75, does not provide more parking than what is required by the City's Municipal Code, or does not reduce the number of affordable residential units. In accordance with SB 743, "transit priority areas" are defined as "an area within one-half mile of a major transit stop that is existing or planned, if the planned stop is scheduled to be completed within the planning horizon included in a Transportation Improvement Program. A "major transit stop" means: "a site containing an existing rail transit station, a ferry terminal served by either a bus or rail transit service, or the intersection of two or more major bus routes with a frequency of service of 15 minutes or less during the morning and afternoon peak commute periods." A high-quality transit area or corridor is a corridor with fixed route bus service with service intervals no longer than 15 minutes during peak commute hours. (See Pub. Resources Code, § 21099, subs. (a)(7), (b)(1).)

Currently, the city does not have any high-quality transit area. However, if such areas are established at a future date, this screening criteria would be applicable to projects if they meet the requirements stated above.

- The project includes local-serving retail with a combined area of less than 50,000 square feet (sf). Local-serving retail would include projects that serve the local community and visitors within the City. Local-serving retail projects would include projects such as grocery stores, restaurants, or any other commercial development. Whether a retail project is local-serving or not will be determined at the discretion of the City.
- Redevelopment projects that result in an equal or net reduction in VMT can be considered to have less than significant VMT impact. A net reduction in VMT would occur if the land use proposed by the project would generate less VMT than the existing land use.
- The project includes 100 percent affordable housing units. Affordable housing units consists of low-income households and research has shown that low-income households produce lower VMT compared to a market-rate housing unit¹.

¹ "Income, Location, Efficiency, and VMT: Affordable Housing as a Climate Strategy" by Gregory L. Newmark Ph.D and Peter M. Hass Ph.D, Center for Neighborhood Technology.





- A project consistent with the City's General Plan can be successfully screened if the project would generate fewer than 1,000 average daily trips (ADT), while a project not consistent with the City's General Plan can be screened if the project would generate fewer than 500 ADT. (See section 3.1.1 below.). Consistency with the General Plan is required because the GHG and therefore VMT reduction targets for MPOs were established by CARB and are included in the RTPs. The RTP utilizes the latest version of City's General Plan for analyzing GHG emissions.
- Institutional/government and public service uses that support community health, safety and welfare may also be screened from subsequent CEQA VMT analysis. These facilities (e.g., police stations, fire stations, government offices, utilities, public libraries, community centers, and refuse stations) would be a part of the community and, as public services, the VMT would be accounted for within the community. A decision whether a particular project can be categorized as a public service facility will be determined at the discretion of the City. Similarly, any other similar use not included in the list can be approved on a case-by-case basis by the City as applicable. As such, these uses would result in reduction in total VMT due to the proximity of these services within the community. Additionally, many of these facilities would generate fewer than 1,000 ADT and/or use vehicles other than passenger-cars or light-duty trucks. These other vehicle fleets are subject to regulation outside of CEQA, such as the California Air Resources Board (CARB) and San Joaquin Valley Air Pollution Control District.
- Local parks, daycare centers, student housing projects on or adjacent to a college campus, local-serving gas stations, banks, and K–12 public schools.
- Projects located in areas with low VMT may be screened out from further CEQA analysis. The TA acknowledges that residential and office projects located in areas having a low VMT, (which incorporate features such as density, mix of uses, transit accessibility), tend to exhibit similarly low VMT. Also, areas that are mapped as low VMT areas do not need to prepare any additional VMT analysis. Therefore, residential, office, industrial, or mixed-use projects that are consistent with the City's General Plan and located within low VMT areas (using the City of Lemoore VMT Screening Tool² and applying appropriate thresholds) can be presumed to have similar low VMT profiles and could be screened out from the need for further VMT analysis. It should be noted that if a project constitutes a General Plan Amendment or Zone Change, such projects will be evaluated on a case-by-case basis. Figures 3, 4, and 5 illustrate the VMT per capita, VMT per employee, and VMT per service population screening maps for the City.
- The 2022 *State CEQA Guidelines* Section 15007 (c) states that "if a document meets the content requirements in effect when the document is sent out for public review, the document shall not need to be revised to conform to any new content requirements in Guideline amendments taking effect before the document is finally approved." Therefore, if a development/land use plan/transportation project is already cleared by a certified Environmental Impact Report (EIR) or an adopted Negative Declaration/Mitigated Negative Declaration, then subsequent projects that are consistent with the approved project will not require a new VMT analysis unless mandated by another section of the CEQA Guidelines.

² City of Lemoore VMT Screening Tool: <https://gis1.lsa.net/LVMT/>

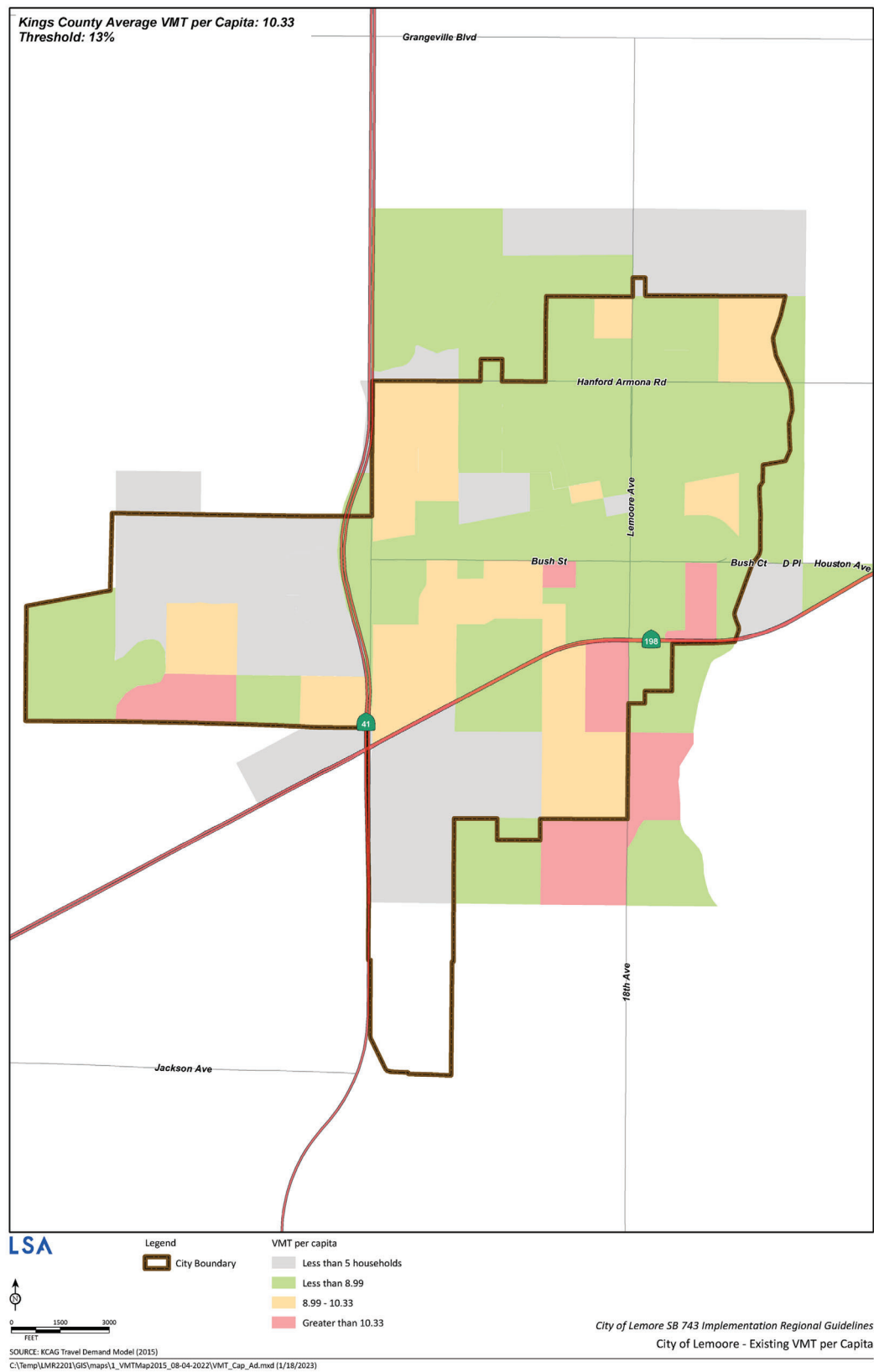




This page intentionally left blank



Figure 3: VMT per Capita Screening Map for City of Lemoore

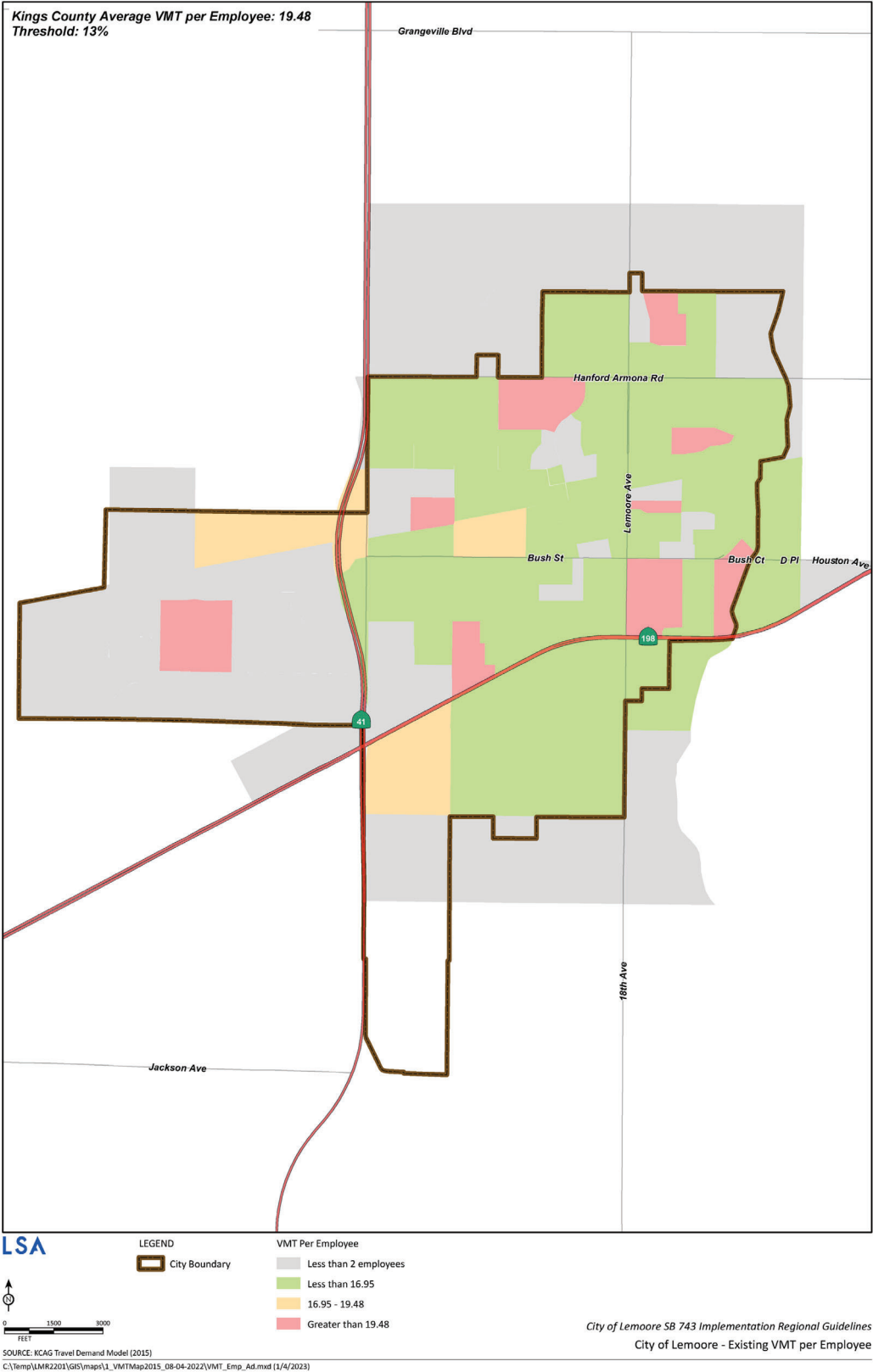




This page intentionally left blank



Figure 4: VMT per Employee Screening Map for City of Lemoore

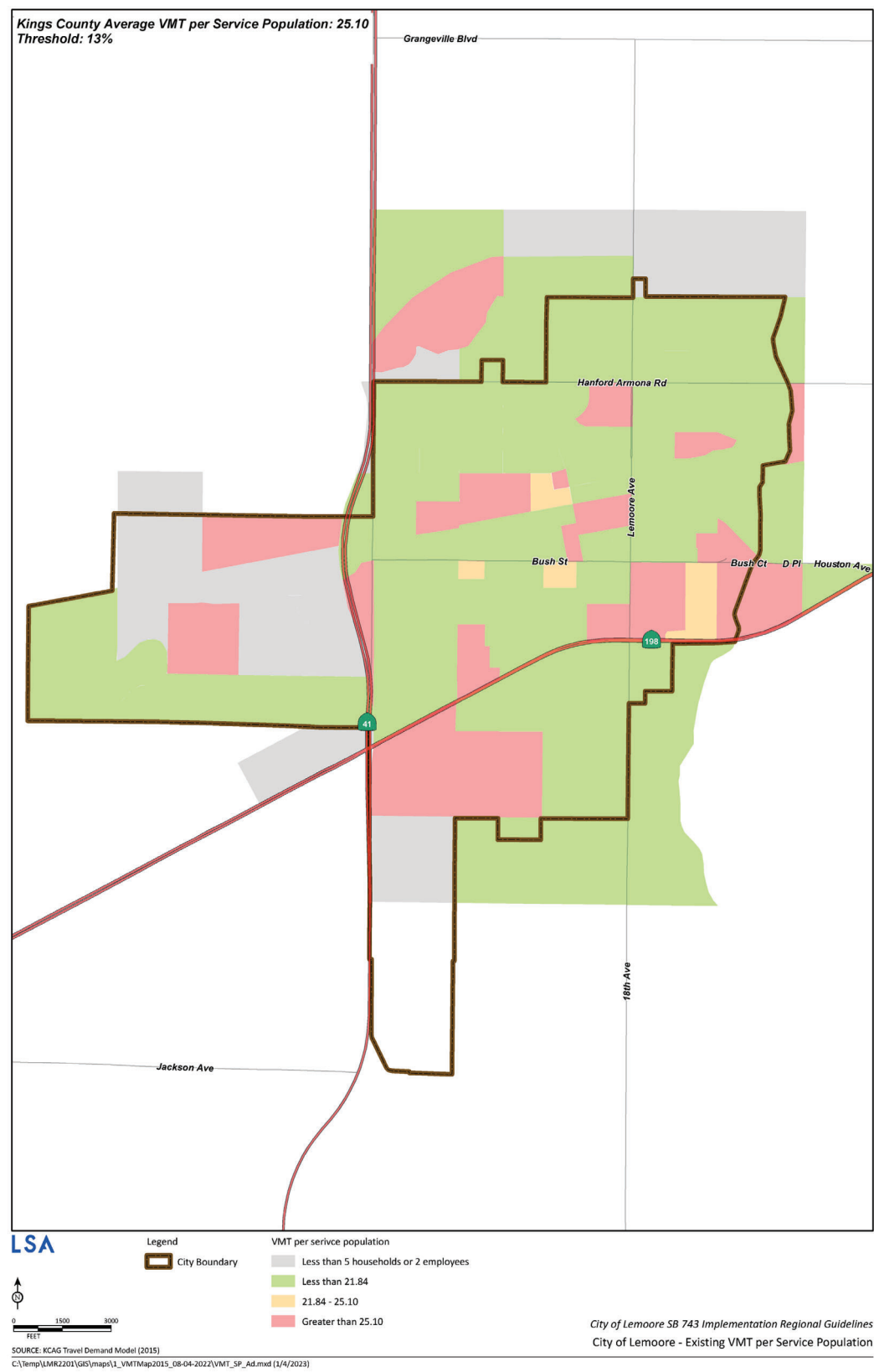




This page intentionally left blank



Figure 5: VMT per Service Population Screening Map for City of Lemoore





This page intentionally left blank





3.1.1 Average Daily Trips (ADT) Threshold

Under Section 15301(e)(2) of the *CEQA Guidelines*, existing facilities, including additions to existing structures of up to 10,000 sf are exempt from CEQA review if the project is located in an area where public infrastructure is available to allow for maximum planned development and the project is not located in an environmentally sensitive area.

The City's trip screening threshold is based on reduction of GHG emissions as further described below.

The California Emissions Estimator Model (CalEEMod) is a tool provided by CARB and is accepted as the statewide standard to evaluate air quality and GHG emission impacts for CEQA assessment. As such, CalEEMod was used to characterize the effect of changes in project-related ADT to the resulting GHG emissions. To account for geographical relevance to project location, LSA calculated trip lengths from the KCAG TDM as applicable for the City. The trip lengths were calculated for various trip purposes for single-family residential developments as example. Table A shows the resulting annual VMT and GHG emissions produced by incremental ADT for single-family residential projects.

Table A: Representative VMT and GHG Emissions from CalEEMod

Average Daily Trips (ADT)	Annual Vehicle Miles Traveled (VMT)	Vehicular GHG Emissions (Metric Tons of CO ₂ e per year)	Total Project GHG Emissions (Metric Tons of CO ₂ e per year)
100	1,796,375	799	1,133
200	3,592,751	1,597	2,266
300	5,389,126	2,395	3,398
400	7,185,502	3,194	4,531
500	8,981,877	3,992	5,664
750	13,472,815	5,989	8,496
1,000	17,963,754	7,985	11,328
1,500	26,945,631	11,977	16,991

Source: CalEEMod version 2022.1.0.

CalEEMod = California Emissions Estimator Model; GHG = Greenhouse Gas; CO₂e = carbon dioxide equivalent

GHG emissions threshold under CEQA can vary between 3,000 metric tons (MT) of carbon dioxide equivalent³ (CO₂e) per year (as recommended by South Coast Air Quality Management District (SCAQMD)) and 1,100 MT CO₂e (as recommended by Sacramento Metropolitan Air Quality Management District). For purposes of this analysis, the threshold of 3,000 MT CO₂e has been utilized. As shown in Table A, a project with an ADT lower than 1,500 would generally be expected to have a total project emission of less than 3,000 MT CO₂e/year. LSA conducted this exercise for several other land uses to identify appropriate GHG screening thresholds. Table B shows the potential maximum GHG screening thresholds (up to 3,000 MT) for these land uses.

³ CO₂e is a concept developed to provide one metric that includes the effects of numerous GHGs. The global warming potential (GWP) of each GHG characterizes the ability of each GHG to trap heat in the atmosphere relative to another GHG. The GWPs of all GHGs are combined to derive the CO₂e.



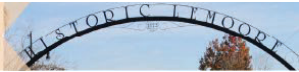


Table B: CO₂e Emission Rates by Land Use Type

Land Use	DU or TSF	Total MTCO ₂ e per year	Annual MTCO ₂ e per DU or TSF
Single Family Residential	270 DU	2,998	11.10
Low-Rise Multifamily Residential	385 DU	2,997	7.78
Mid-Rise Multifamily Residential	513 DU	2,997	5.84
Office	337 TSF	2,993	8.88
Warehouse	426 TSF	2,996	7.03
Light Industrial	507 TSF	2,998	5.91
Hotel	382 Rooms	2,971	7.78
Medical Office	142 TSF	2,993	21.08
Hospital	197 Beds	2,989	15.17
Shopping Plaza	82 TSF	2,993	36.50
Strip Retail Plaza	137 TSF	2,994	21.85

Source: California Emissions Estimator Model (CalEEMod) version 2022.1.0.

DU = Dwelling Units; TSF = Thousand Square Feet; CO₂e = carbon dioxide equivalent

The 3,000 MTCO₂e per year threshold developed by the SCAQMD is based on a 90 percent emission “capture” rate methodology. The 90 percent emissions capture approach was one of the options suggested by the California Air Pollution Control Officers Association (CAPCOA) in their CEQA & Climate Change white paper from 2008. A 90 percent emission capture rate means that unmitigated GHG emissions from the top 90 percent of all GHG-producing projects within a geographic area – the Air Basin in this instance – would be subject to a detailed analysis of potential environmental impacts from GHG emissions, while the bottom 10 percent of all GHG-producing projects would be excluded from detailed analysis. A GHG significance threshold based on a 90 percent emission capture rate is appropriate to address the long-term adverse impacts associated with global climate change because medium and large projects will be required to implement measures to reduce GHG emissions, while small projects, which are generally infill development projects that are not the focus of the State’s GHG reduction targets, are allowed to proceed. Further, a 90 percent emission capture rate sets the emission threshold low enough to capture a substantial proportion of future development projects and demonstrate that cumulative emissions reductions are being achieved while setting the emission threshold high enough to exclude small projects that will, in aggregate, contribute approximately 1 percent of projected statewide GHG emissions in the Year 2050. SCAQMD’s selection of the threshold at 3,000 MTCO₂e per year was based on OPR’s database of projects containing 798 projects and information about their GHG emissions. 87 very large projects were eliminated from calculation because they would skew emissions values too high, leaving 711 as the sample population to use in determining the 90th percentile capture rate. The 711 projects analyzed by SCAQMD consisted of commercial, residential, and mixed-use projects and included warehouses and other light industrial land uses but did not include industrial processes (i.e., oil refineries, heavy manufacturing, electric generating stations, mining operations).⁴ SCAQMD calculated emissions from each project to provide a consistent method of emissions calculations across the sample population and from projects within the sample population. In calculating the emissions, the SCAQMD determined that the 90th percentile ranged between 2,983 to 3,143 MTCO₂e per year. The SCAQMD set the significance

⁴ South Coast Air Quality Management District – Draft Guidance Document – Interim CEQA Greenhouse Gas (GHG) Significance Threshold, October 2008.





threshold at 3,000 MTCO₂e per year to exclude small projects that are considered less than significant and do not need to provide further analysis. Substantial evidence supporting this emission level is provided in the 2008 document, Draft Guidance Document – Interim CEQA Greenhouse Gas Significance Threshold and the documentation from subsequent working group meetings.

The GHG analysis above concludes that projects with up to 1,500 ADT may be screened out from VMT analysis. As a conservative approach, the City of Lemoore *VMT Thresholds and Implementation Guidelines* document adopts a daily trip threshold of 1,000 ADT be applied to projects that are consistent with the City's General Plan. However, for projects that are not consistent with the City's General Plan, a screening threshold of 500 ADT will be applied. Historically, the City required traffic studies (LOS analysis) for projects that generate 50 or more peak hour trips. Since 1 peak hour trip equates to approximately 10 ADT, 50 peak hour trips would equate to approximately 500 ADT. It is prudent to take a conservative approach, and important to be consistent with previous methodologies and past precedence. Therefore, 500 ADT has been determined as the screening criteria for development projects that are not consistent with City's General Plan and takes precedence from previous transportation analysis procedures within the City. A sample list of size of projects generating fewer than 1,000 and 500 daily vehicle trips that are eligible for exemption from a VMT analysis are included in Table C.

Table C: VMT Screening Thresholds for Sample Land Uses

Land Use	Size of Projects (Requiring a General Plan Amendment)	Size of Projects (Not Requiring a General Plan Amendment)
Single-Family Residential ¹	53 DU	106 DU
Low-Rise Multifamily Residential ²	74 DU	148 DU
Mid-Rise Multifamily Residential ³	110 DU	220 DU
Office	46.125 TSF	92.250 TSF
Warehouse	292.397 TSF	584.795 TSF
Light Industrial	102.669 TSF	205.338 TSF
Hotel	62 Rooms	125 Rooms
Medical Office ⁴	13.888 TSF	27.777 TSF
Hospital	22 Beds	44 Beds

Notes: DU = Dwelling Units; TSF = Thousand Square Feet

Project sizes have been determined based on trip generation rates obtained from the ITE *Trip Generation Manual* (11th Edition).

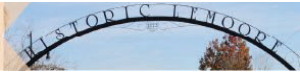
¹ The project sizes have been provided for single-family detached residential only.

² The project sizes have been provided for low-rise multifamily residential (not close to rail transit) only.

³ The project sizes have been provided for mid-rise multifamily residential (not close to rail transit) only.

⁴ The project sizes have been provided for stand-alone medical office buildings only.





3.2 SCREENING BY PROJECT TYPE: TRANSPORTATION PROJECTS

Transportation projects refer to capital improvement projects that relate to roadway widening, roadway infrastructure improvements, active transportation projects or operational improvements. The primary attribute to consider with transportation projects is the potential to increase vehicle travel demand, also referred to as ‘induced travel.’ While the City has discretion to continue to use a delay-based LOS analysis for CEQA disclosure of transportation projects, changes in vehicle travel must be quantified. To comply with SB 743, the City of Lemoore will use VMT analysis, and may also require a LOS analysis for design, traffic operations, and safety purposes to comply with the City’s General Plan Circulation Element. The State identifies the types of transportation improvement projects that would not likely to lead to a measurable and substantial increase in VMT and which therefore generally should not require an induced travel analysis per OPR’s Technical Advisory. These include the following:

- Rehabilitation, maintenance, replacement, safety, and repair projects designed to improve the condition of existing transportation assets (e.g., highways; roadways; bridges; culverts; Transportation Management System field elements such as cameras, message signs, detection, or signals; tunnels; transit systems; and assets that serve bicycle and pedestrian facilities) and that do not add additional motor vehicle capacity.
- Roadside safety devices or hardware installation such as median barriers and guardrails.
- Roadway shoulder enhancements to provide “breakdown space,” dedicated space for use only by transit vehicles, to provide bicycle access, or to otherwise improve safety, but which will not be used as automobile vehicle travel lanes.
- Addition of an auxiliary lane of less than one mile in length designed to improve roadway safety.
- Installation, removal, or reconfiguration of traffic lanes that are not for through traffic, such as left, right, and U-turn pockets, two-way left turn lanes, emergency truck pullovers, or emergency breakdown lanes that are not utilized as through lanes.
- Addition of roadway capacity on local or collector streets provided the project also substantially improves conditions for pedestrians, cyclists, and, if applicable, transit.
- Addition of a new lane that is permanently restricted to use only by transit vehicles.
- Reduction in number of through lanes.
- Grade separation to separate vehicles from rail, transit, pedestrians or bicycles, or to replace a lane in order to separate preferential vehicles (e.g., HOV, HOT, or trucks) from general vehicles.
- Installation, removal, or reconfiguration of traffic control devices, including Transit Signal Priority (TSP) features.
- Installation of traffic metering systems, detection systems, cameras, changeable message signs and other electronics designed to optimize vehicle, bicycle, or pedestrian flow.
- Timing of signals to optimize vehicle, bicycle, or pedestrian flow.
- Installation of roundabouts or traffic circles.
- Installation or reconfiguration of traffic calming devices.





- Initiation of new transit service.
- Conversion of streets from one-way to two-way operation with no net increase in number of general purpose or continuous through traffic lanes.
- Removal or relocation of off-street or on-street parking spaces.
- Adoption or modification of on-street parking or loading restrictions (including meters, time limits, accessible spaces, and preferential/reserved parking permit programs).
- Addition of traffic wayfinding signage.
- Rehabilitation and maintenance projects that do not add motor vehicle capacity.
- Addition of new or enhanced bike or pedestrian facilities on existing streets/highways or within existing public rights-of-way.
- Addition of Class I bike paths, trails, multi-use paths, or other off-road facilities that serve non-motorized travel.
- Installation of publicly available alternative fuel/charging infrastructure.
- Local and collector roads in rural areas that don't include sidewalks where there would be no pedestrian traffic to use them.
- Park and Ride facilities.
- Truck size and weight inspection stations.

While the above list is thorough, it is not necessarily comprehensive. There may be types of projects in addition to those listed that would not lead to a measurable and substantial increase in VMT. When concluding that a particular project may be screened out from further analysis, the practitioner should review and fully document the rationale supporting the conclusion that the respective project would not likely lead to a measurable and substantial increase in VMT.





4.0 VMT THRESHOLD ANALYSIS FOR DEVELOPMENT PROJECTS

4.1 THRESHOLDS

The TA states that SB 743 and all CEQA VMT transportation analyses refer to automobiles. Here, the term automobile refers to on-road passenger vehicles, specifically cars and light duty trucks (page. 4). Heavy-duty trucks can be addressed in other CEQA sections (air quality, greenhouse gas, noise, and health risk assessment analysis) and are subject to regulation in a separate collection of rules under CARB jurisdiction. This approach was amplified by Chris Ganson, Senior Advisor for Transportation at OPR, in a presentation to the Fresno Council of Governments (October 23, 2019) and by Ellen Greenberg, the California Department of Transportation (Caltrans) Deputy Director for Sustainability, at the San Joaquin Valley Regional Planning Agencies' Directors' Committee meeting (January 9, 2020).

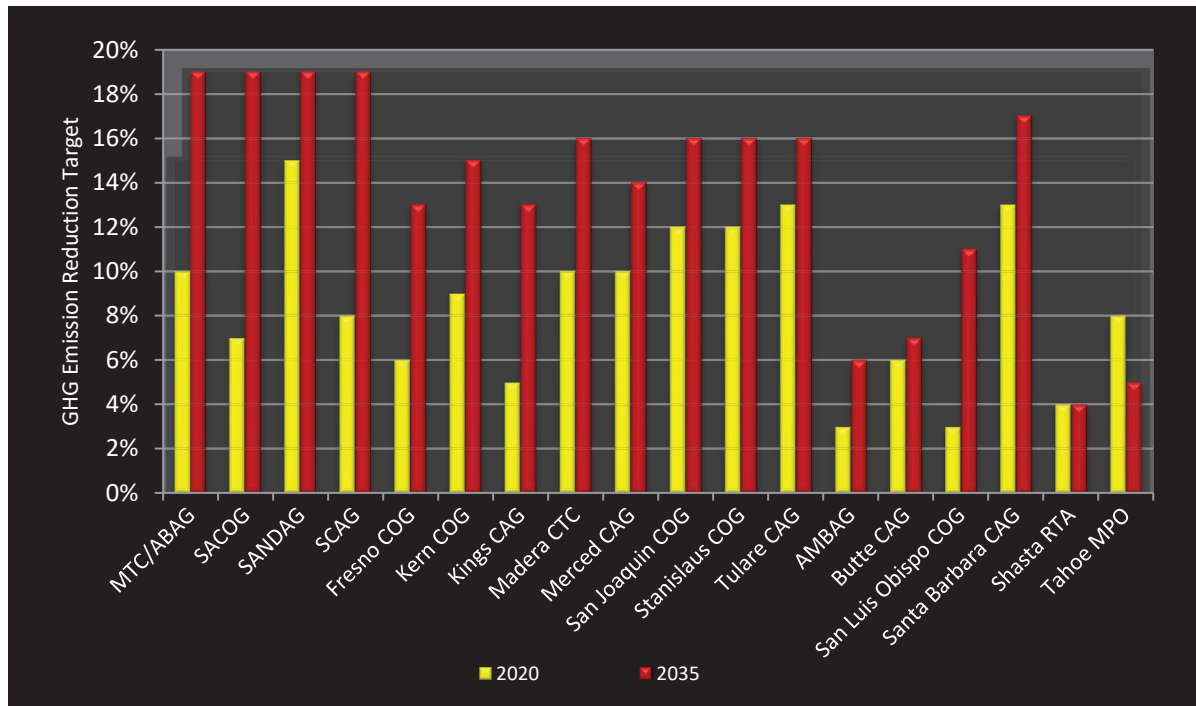
Trips in a travel demand model are categorized by trip purpose. Each trip has a starting and ending location. If either end of the trip (starting or ending locations) is the trip producer's home, the trip is identified as a home-based trip. The OPR has identified the subject of the thresholds as the primary trips in the home-based typology: specifically, home-based work trips. This includes residential uses, office uses, and retail uses. The home-based work trip type is the primary trip type during the peak hours of commuter traffic in the morning and evening periods.

The impact of transportation has shifted from congestion to climate change, and the purpose of the CEQA analysis is to disclose and ultimately reduce GHG emissions by reducing the number and length of automobile trips. As part of the SB 375 land use/transportation integration process and the GHG goal setting, the State and Regional Transportation Planning Agencies (RTPA) have agreed to reduce GHG through integrated land use and transportation planning by a statewide average of approximately 15 percent by 2035. Figure 6 illustrates the SB 375 regional GHG emission reduction targets for all 18 Metropolitan Planning Organizations (MPOs) in California that were established by the CARB in 2018. Furthermore, in its 2017 Scoping Plan-Identified VMT Reductions and Relationship to State Climate Goals, the CARB recommends total VMT per capita rates approximately 15 percent below existing conditions.

The TA therefore recommends:

- *A proposed (residential) project exceeding a level of 15 percent below existing regional average VMT per capita may indicate a significant transportation impact.*
- *A similar threshold would apply to office projects (15 percent below existing regional average VMT per employee).*
- *VMT generated by retail projects would indicate a significant impact for any net increase in total VMT.*





Source: <https://ww2.arb.ca.gov/our-work/programs/sustainable-communities-program/regional-plan-targets>

Figure 6: SB 375 Regional Plan Climate Targets for the 18 California MPOs

CARB establishes GHG targets for each of the 18 MPOs in the State, reviews the SCSs, and makes a determination of whether the SCSs would achieve GHG reduction targets if implemented. In the spring of 2018, CARB adopted new GHG targets for all the 18 MPOs in the State based on the 2017 Scoping Plan and other new data as illustrated in Figure 6. CARB established a 13 percent GHG reduction target for 2035 for Kings County. The State recognizes that Kings County's contribution to the aggregate 15 percent statewide GHG emission reduction is 13 percent. Other regions may achieve lower reductions to achieve the aggregate statewide goal.¹ As such, reduction in GHG directly corresponds to reduction in VMT (VMT is the biggest contributor of GHG emissions as shown in Figure 1). To reach the statewide GHG reduction goal of 15 percent, the region (KCAG) must reduce GHG by 13 percent. The method of reducing GHG by 13 percent is to reduce VMT by 13 percent as well.

Therefore, the City has established a threshold for land use developments, specifically residential and office, of 87 percent of the existing regional average as indicative of a significant transportation impact. For retail projects, increase in total regional roadway VMT with the implementation of the project would indicate a significant transportation impact. In general, addition of new retail redirects majority of trips from existing retail locations located further away. Given the potential redistribution of majority of trips rather than addition of trips, a comparison of total regional roadway VMT is appropriate to determine whether the retail project would benefit in overall reduction of regional VMT. Therefore, a net reduction in total VMT would be the appropriate metric to determine VMT

¹ The latest GHG targets by region can be found at <https://ww2.arb.ca.gov/our-work/programs/sustainable-communities-program/regional-plan-targets>.





impacts for such projects. Total roadway VMT needs to be calculated using the final roadway assignment outputs from the KCAG TDM.

Other distinct land uses are not identified for threshold development in the OPR TA. For other non-residential projects, a significance threshold of 87 percent of existing regional average VMT per employee has been established. The only exceptions would be hotels, hospitals, medical offices, and related projects. These land uses are service oriented facilities which includes both visitors and employees. Therefore, for such projects, VMT per service population (population/users + employment) has been established as the VMT metric. Any other similar use could be evaluated using the same metric subject to approval of the methodology by the City on a case-by-case basis. As such, a significance threshold of 87 percent of the existing regional average VMT per service population will be applied for these projects.

Evaluation of mixed-use projects shall be for each land use component of the project using the most appropriate VMT metric. Credit for internal trip capture shall be made. Internal trip capture may be calculated using the latest edition of the Institute of Transportation Engineers (ITE) *Trip Generation Manual*, the KCAG TDM, or other applicable sources approved by the City. The appropriate methodology for calculating a project's internal capture would be determined in consultation with the City's Traffic Engineer. The significance threshold for these projects would be the respective VMT thresholds for its different land use components.

4.2 IMPACT ASSESSMENT

Figure 7 illustrates the VMT screening methodology for development entitlement projects. Additionally, Figures 8-A through 8-C illustrate the VMT analysis methodology for non-screened projects. Every development application is unique and may create alternative or modified steps through the process described in the aforementioned figures. Each step that diverges from this standard process shall be accompanied with substantial evidence demonstrating compliance with other climate change and GHG emission reduction laws and regulations.

4.2.1 Agency Communication

As part of the site plan review process, the applicant shall provide a detailed project description, including area/number of units and potential number of residents/employees added or created by the project, and the applicable VMT analysis methodology. Key elements include a description of the project in sufficient detail to generate trips and the potential catchment area (i.e., trip lengths if no modeling is undertaken), estimated project VMT, project design features that may reduce the VMT from the project development, and the project location and associated existing regional VMT percentages. Further, the applicant or their consultant shall prepare a transportation analysis scope of work for review and approval by the City.





PROJECT SCREENING CRITERIA

- Transit Priority Area/High Quality Transit Corridor (within 0.5 miles of a transit stop, consistent with RTP/SCS, FAR>0.75, limited parking, does not reduce the number of affordable housing units)
- Local-serving Retail <50,000 SF
- Low Trip Generator (<1,000 ADT for projects consistent with the General Plan and <500 ADT for projects inconsistent with the General Plan)
- 100 Percent Affordable Housing Units
- Institutional/Government and Public Service Uses
- Projects located in low VMT zones

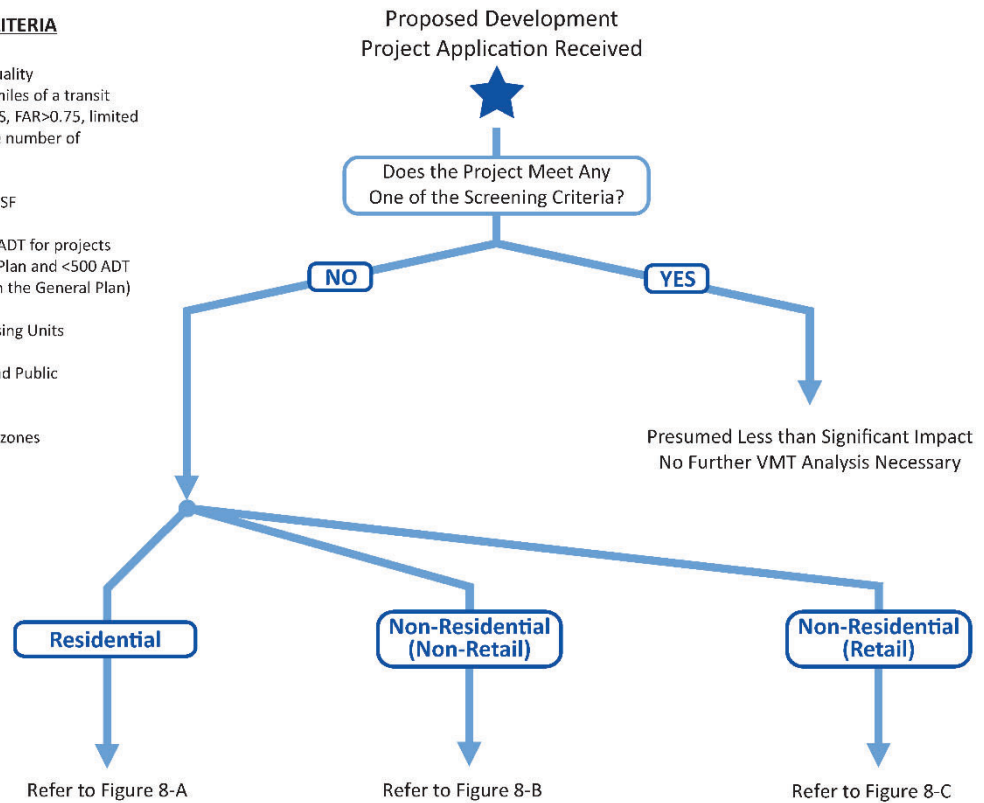


Figure 7: VMT Screening Methodology for Development Projects



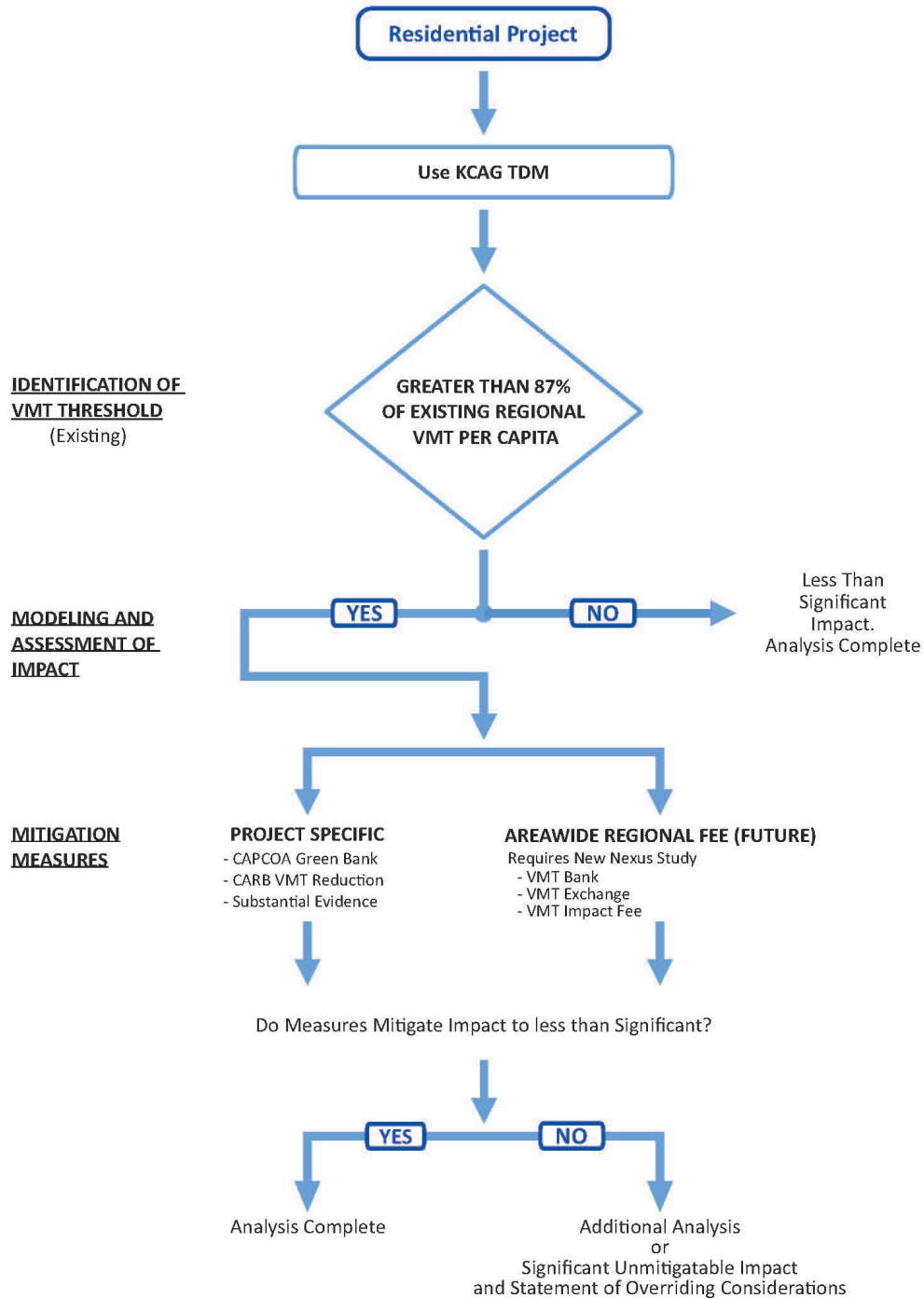


Figure 8-A: VMT Analysis Methodology for Non-Screened Residential Projects



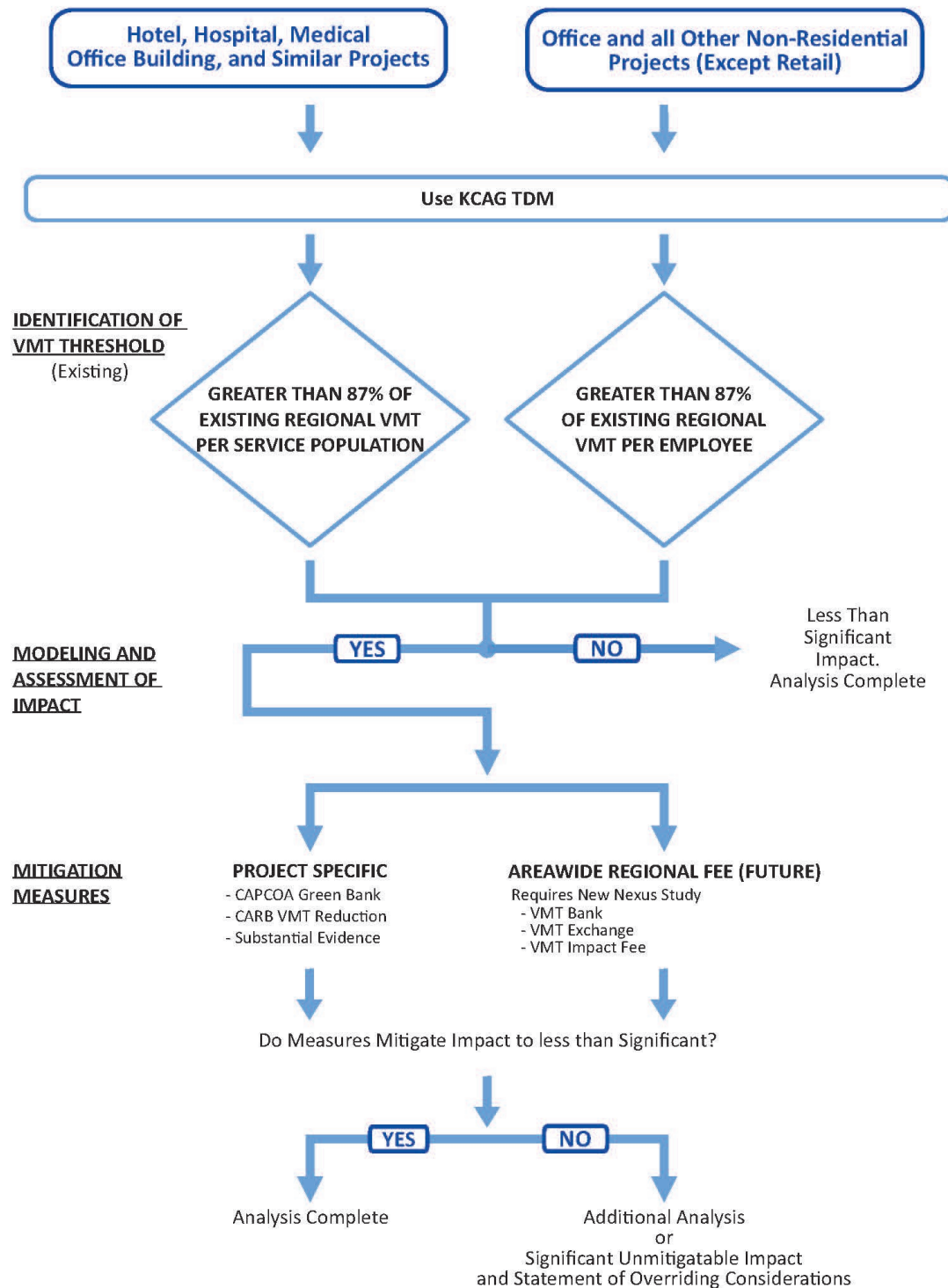


Figure 8-B: VMT Analysis Methodology for Non-Screened Non-Residential (Non-Retail) Projects



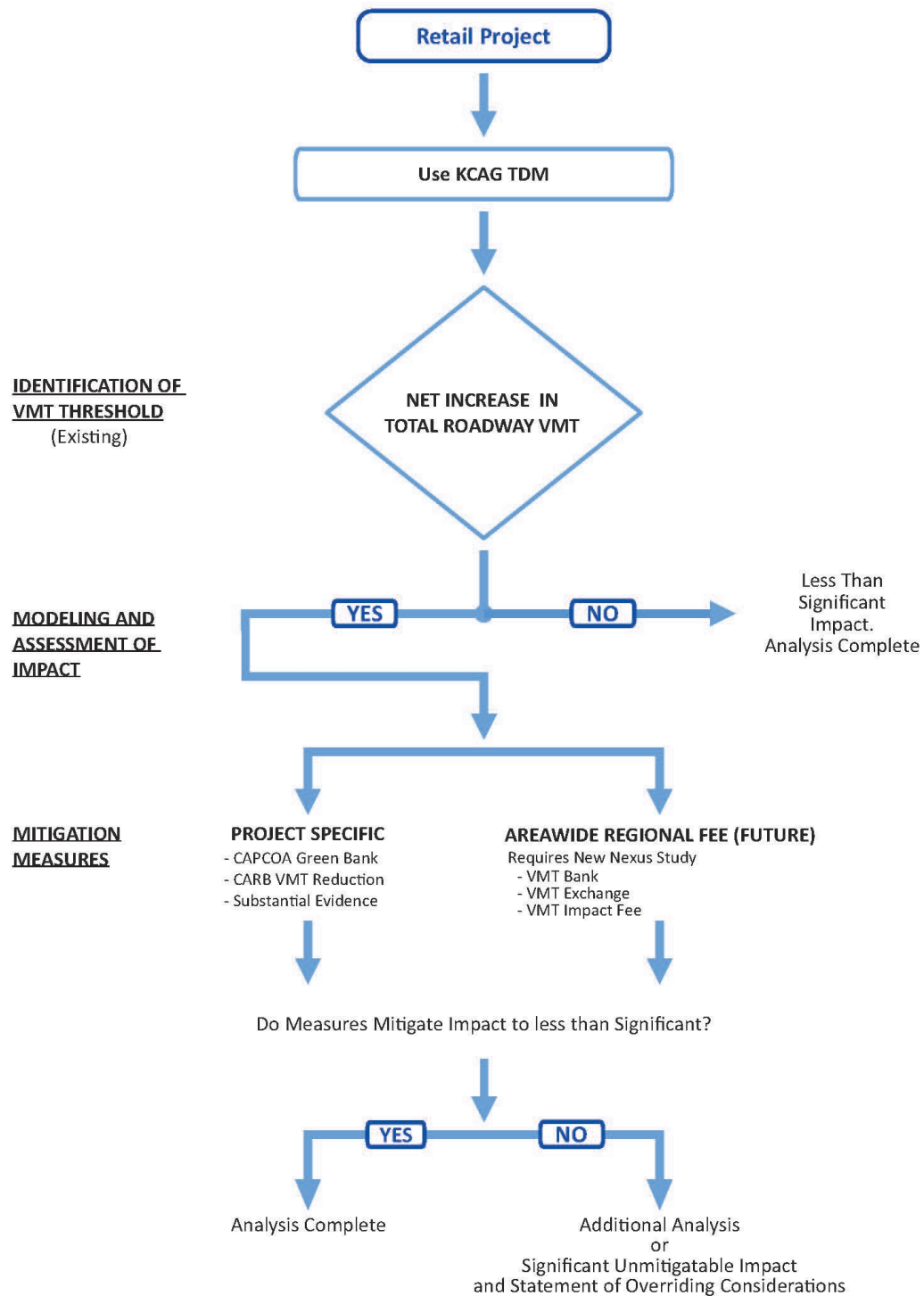


Figure 8-C: VMT Analysis Methodology for Non-Screened Non-Residential (Retail) Projects





Projects that will influence Caltrans facilities may be subject to the Caltrans Local Development-Intergovernmental Review program. As part of the program, Caltrans may review the VMT analysis methodology, findings, and mitigation measures to ensure consistency with statewide standards.

4.2.2 Project Screening

Once a development application is filed and determined to be complete for processing purposes, project screening may commence. If the project meets any one of the screening criteria, it may be presumed to have a less than significant transportation impact. No further VMT analysis would then be necessary, and a Notice of Exemption may be filed. The CEQA document shall enumerate the screening criteria and how the project meets or exceeds that applicable VMT threshold.

If project screening does not apply, a VMT analysis will be required. The extent of this analysis may be a simple algebraic demonstration or a more sophisticated traffic modeling exercise. This distinction is addressed later in this report.

4.2.3 VMT Identification

The project land use type will determine the appropriate metric to use (i.e., VMT per capita, VMT per employee, VMT per service population, or total VMT). Appropriate VMT metrics for different land uses are stated in Table D.

Table D: VMT Metrics for Land Use Projects

Land Use	VMT Metric
Residential	VMT per Capita
Office	VMT per Employee
Retail	Total VMT
Hotel, Hospital, Medical Office Building, or any similar use with approval from the City	VMT per Service Population
Mixed-Use, Land Use Plan (General Plan/Specific Plan)	Respective VMT metrics for its different land use components
Other Land Uses	VMT per Employee

VMT = Vehicle Miles Traveled

For all projects that require a VMT analysis, use of the KCAG TDM is required unless the project includes a special land use that is difficult to analyze using a travel demand model. For the latter, the City may require a qualitative analysis or an analysis using empirical data as applicable to the project.

Next, the project generated VMT (per capita, per employee, per service population, or total) is compared to the appropriate significance threshold provided in Table E. If the project VMT metric is less than the significance threshold, the project is presumed to create a less than significant impact. No further VMT analysis for CEQA purposes would be required.





Table E: Significance Thresholds for VMT Analysis

VMT Metric	Threshold	Regional Average
VMT per Capita	8.99	10.33
VMT per Employee	16.95	19.48
VMT per Service Population	21.84	25.10

Source: KCAG TDM (2015 Scenario)
VMT = Vehicle Miles Traveled

Should project VMT metrics exceed the significance threshold, mitigation measures will be required. It should be noted that the thresholds identified in Table E are based on the current version of the KCAG TDM (provided by KCAG in October 2021). These thresholds are subject to change when a newer version of the KCAG TDM is available.

4.3 MITIGATION MEASURES

State law requires the project applicant to identify feasible offsets to mitigate significant VMT impacts generated by the proposed project. These can come from the mitigation strategies provided in this document (as described in Table F at the end of Chapter 7.0) or selected by the applicant based on their CEQA project experience and expertise. A proposed mitigation measure must be supported by substantial evidence illustrating that the measure will mitigate VMT impacts to less than significant. The City must approve and accept the final VMT mitigation program ascribed to the project and the related VMT percentage reduction. A detailed discussion about project-specific mitigations is included in Section 7.2.

If it is determined that the selected VMT mitigation measures effectively reduce the project impact to less than the applicable threshold, the project is presumed to have an impact mitigated to a less than significant level for purposes of CEQA. No further VMT analysis is required in such case. If the project's VMT impact cannot be mitigated to less than significant, the City may (1) request the project be redesigned to reduce the VMT impact, or (2) require the preparation of an EIR with a Statement of Overriding Considerations (SOC) for the transportation impacts associated with the project. All feasible mitigation measures must be assigned to and carried out by the project even if an EIR and SOC are prepared.





This page intentionally left blank





5.0 VMT THRESHOLD ANALYSIS FOR TRANSPORTATION PROJECTS

A VMT assessment of a transportation project should disclose the VMT profile without the project and the difference in the VMT profile with the project. Any increase in VMT attributable to the proposed transportation project would result in a significant impact. A significant transportation project impact is presumed when VMT increases with the project as compared to the 'No Project' scenario.

Capacity improvement projects have the potential of producing significant transportation impacts because they tend to induce new travel. The State describes induced travel as the additional motor vehicle travel that is generated by the newly available capacity on the roadway. Induced travel may include route switching, time-of-day change, mode shift to single occupancy vehicle, longer trips, new trips to existing destinations, and additional travel due to new development. Current traffic models have limited abilities to forecast new trips and new developments associated with roadway capacity improvements, as land use or socioeconomic databases are fixed to a specific horizon date. OPR refers to a limited number of published studies that seek to define travel demand elasticities.

The most recent major study (Duranton & Turner 2011, p. 24) estimates an elasticity of 1.0, meaning that every one percent change in lane miles results in a one percent increase in VMT.

One method to quantify induced growth is recommended by the State:

To estimate VMT impacts from roadway expansion projects:

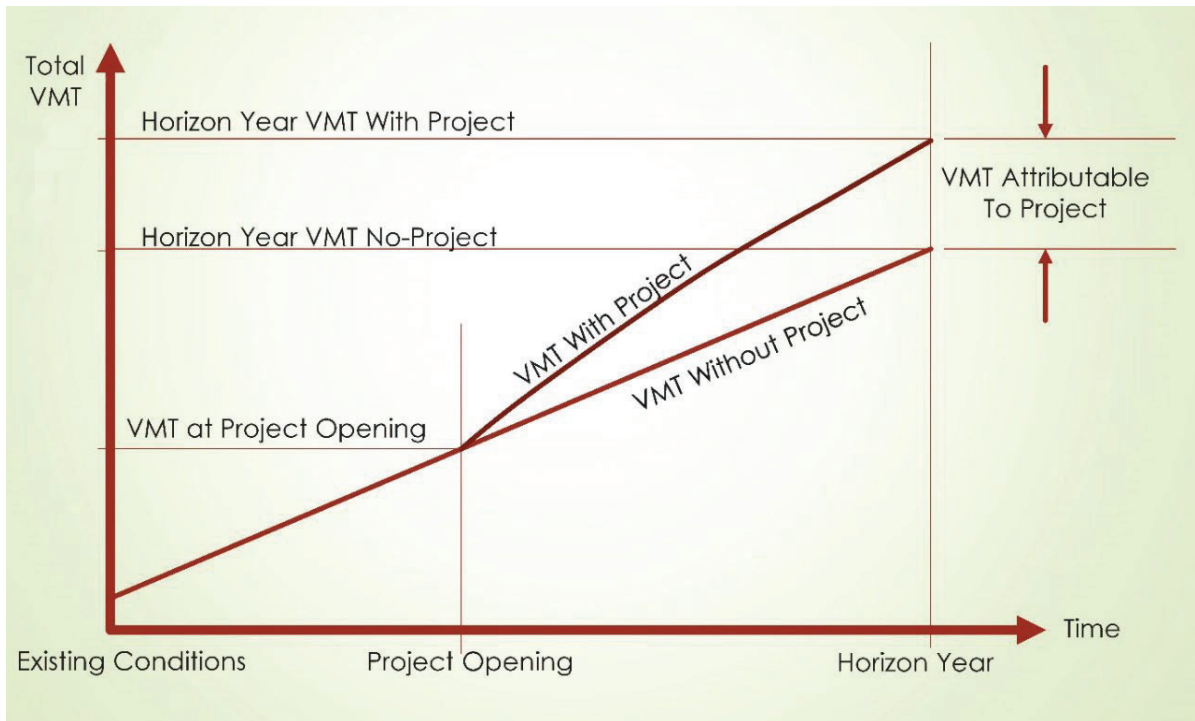
1. *Determine the total lane-miles over an area that fully captures travel behavior changes resulting from the project (generally the region, but for projects affecting interregional travel look at all affected regions).*
2. *Determine the percent change in total lane miles that will result from the project.*
3. *Determine the total existing VMT over that same area.*
4. *Multiply the percentage increase in lane miles by the existing VMT, and then multiply that by the elasticity from the induced travel literature:*

$$[\% \text{ increase in lane miles}] \times [\text{existing VMT}] \times [\text{elasticity}] = [\text{VMT resulting from the project}]$$

OPR assigns this induced growth to project-induced changes in land use; that is, new land uses that are not included in any approved general or area plan and not accounted for in any traffic-forecasting tool.

Figure 9 provides a representative illustration of induced VMT attributable to a project.





Source: Presentation: Caltrans Transportation Analysis under CEQA or TAC: Significance Determinations for Induced Travel Analysis (SHCC Pre-Release Session 2 Jeremy Ketchum, Division of Environmental Analysis, Caltrans; March 2, 2020)

Figure 9: Induced Travel – VMT Attributable to Project

Caltrans has identified a computerized tool to estimate VMT generation from transportation projects. The tool (<https://travelcalculator.ncst.ucdavis.edu>) was developed by the University of California, Davis and is based on travel demand elasticities and the relationship of lane mile additions with growth in VMT. It uses Federal Highway Administration (FHWA) definitions of facility type and ascribes VMT increases to each facility. Output data includes increases in million miles of VMT per year. Caltrans is investigating the use of this tool for all of its VMT analyses of capital projects on the State Highway System. Figure 10 provides an illustration of the tool.

Because of limitations in applying the NCST calculator to roadways within the City, the City recommends using the KCAG model to determine VMT impacts associated with transportation projects in case the project is not eligible to be screened out from a VMT analysis. The screening criteria for transportation projects is included under Section 3.2 of this report.





Overview

This calculator allows users to estimate the VMT induced annually as a result of adding general-purpose lane miles, high-occupancy vehicle (HOV) lane miles, or high-occupancy toll (HOT) lane miles to publicly owned roadways, like those managed by the California Department of Transportation (Caltrans), in one of California's urbanized counties (counties within a metropolitan statistical area (MSA)). The calculator applies only to facilities with Federal Highway Administration (FHWA) functional classifications of 1, 2 or 3. That corresponds to interstate highways (class 1), other freeways and expressways (class 2), and other principal arterials (class 3).

How to Use

To obtain an induced VMT estimate for a roadway capacity expansion project, enter the project length (in lane miles added), the geography (MSA for additions to interstates; county for additions to other Caltrans-managed class 2 or 3 facilities), and the base year (2016, 2017, 2018, or 2019). The base year indicates which year of VMT and lane mile data will be used to estimate the induced VMT.

[More about this calculator](#)

Calculator

1. Select Year

2019

2. Select facility type

- ☒ Interstate highway (class 1 facility)
☐ Class 2 or 3 facility

3. Select MSA

Riverside-San Bernardino-Ontario

4. Input total lane miles added

1 miles

Calculate Induced Travel

Results

5.0 million additional VMT/year

(Vehicle Miles Travelled)

In 2019, Riverside-San Bernardino-Ontario MSA had 3466.0 lane miles of Interstate highway on which 17.5 billion vehicle miles are travelled per year.

A project adding 1 lane miles would induce an additional 5.0 million vehicle miles travelled per year on average with a rough 95% confidence interval of 4.0 - 6.0 million VMT (+/-20%).

Riverside-San Bernardino-Ontario MSA consists of 2 counties (Riverside and San Bernardino).

This calculation is using an elasticity of 1.0

[Read more about this calculator](#)

Source: <https://blinktag.com/induced-travel-calculator/index.html>

Figure 10: Caltrans Induced Travel Calculator





This page intentionally left blank





6.0 VMT THRESHOLD ANALYSIS FOR LAND USE PLANS

The OPR TA provides guidance on the treatment of CEQA traffic analyses for land use plans (General Plan, Specific Plan) as follows:

- Analyze the VMT outcomes over the full area over which the plan may substantively affect travel patterns (the definition of region).
- VMT shall be counted in full rather than split between origins and destinations (the full impact of the project VMT).

Specifically, OPR states, “A general plan, area plan, or community plan may have a significant impact on transportation if proposed new residential, office or retail land uses would in aggregate exceed the respective thresholds recommended above.” (OPR TA page 18) This recommendation refers to a threshold of 15 percent lower than the existing regional average for residential and office uses and no net gain for retail land uses.

To assess a land use plan, use of a traffic-forecasting tool shall be applied. The total VMT for the plan shall be identified for all trips and all potential VMT contributors within the plan area. Model runs shall be conducted for the existing base year and the horizon year (the future year scenario analyzed in the Circulation Element of the City’s General Plan) with project (plan).

SB 375 establishes ambitious and achievable GHG reduction targets for the 18 Metropolitan Planning Organizations (MPOs) in the State. Achievement of these targets is to be accomplished through the improved integration of regional land use and transportation planning processes; not solely through the imposition of new regulation on passenger cars and light-duty trucks.

CARB reviews the SCS that is produced as part of the RTP produced by each of the State’s MPOs. The SCS details the strategies and programs the regional agencies are planning to implement to achieve its designated GHG emission reduction targets. CARB approved the new GHG reduction targets for all 18 MPOs in the State in the spring of 2018. The 2018 targets are applicable to the third SCSs for the MPOs.

Other legislative mandates and State policies are also supportive of GHG reduction targets. A sample of these include:

- Assembly Bill 32 (2006) requires statewide GHG emissions reductions to 1990 levels by 2020 and continued reductions beyond 2020.
- SB 32 (2016) requires at least a 40 percent reduction in GHG emissions from 1990 levels by 2030.
- Executive Order (EO) B-30-15 (2015) sets a GHG emissions reduction target of 40 percent below 1990 levels by 2030.
- EO S-3-05 (2005) sets a GHG emissions reduction target of 80 percent below 1990 levels by 2050.
- EO B-16-12 (2012) specifies a GHG emissions reduction target of 80 percent below 1990 levels by 2050 specifically for transportation.





These mandates suggest that a land use plan consistent with the regional RTP/SCS would generally help achieve the target GHG reductions for the region.

California PRC Section 15064.3(b)(4) states (in part) the following:

A lead agency has discretion to choose the most appropriate methodology to evaluate a project's vehicle miles traveled, including whether to express the change in absolute terms, per capita, per household, or in any other measure.

Since VMT is the largest contributor to GHG emissions, a land use plan consistent with regional RTP/SCS GHG reductions target does not constitute a significant VMT impact. Therefore, the methodology for conducting VMT assessments for land use plans shall be the comparison of existing VMT per capita, VMT per employee, and/or VMT per service population for the region with the respective expected horizon year VMT metrics for the different land use components (VMT per capita, VMT per employee, and/or VMT per service population) of the land use plan (project). If there is a net increase in the VMT metric under horizon year conditions, then the project will have a significant impact.





7.0 MITIGATION STRATEGIES

When a lead agency identifies a potentially significant CEQA VMT impact according to the thresholds described in this report, the agency must identify feasible mitigation measures to avoid or substantially reduce that impact. Unlike LOS impacts, which may be mitigated with location-specific motor vehicle delay improvements, VMT impacts typically require a more regional approach to mitigation, including the provision of incentives to effect changes in travel behavior. Enforcement of mitigation measures will still be subject to the mitigation monitoring requirements of CEQA, as well as the regular police powers of the agency. VMT mitigation measures may also be incorporated into the design of plans, policies, regulations, or projects.

7.1 DEFINITION OF MITIGATION

Section 15370 of the 2022 *State CEQA Guidelines* defines mitigations as follows:

“Mitigation” includes:

- a. Avoiding the impact altogether by not taking a certain action or parts of an action.*
- b. Minimizing impacts by limiting the degree or magnitude of the action and its implementation.*
- c. Rectifying the impact by repairing, rehabilitating, or restoring the impacted environment.*
- d. Reducing or eliminating the impact over time by preservation and maintenance operations during the life of the action.*
- e. Compensating for the impact by replacing or providing substitute resources or environments, including through permanent protection of such resources in the form of conservation easements.*

Section 15097 of the *CEQA Guidelines* states that, “the public agency shall adopt a program for monitoring or reporting on the revisions which it has required in the project and the measures it has imposed to mitigate or avoid significant environmental effects. A public agency may delegate reporting or monitoring responsibilities to another public agency or to a private entity which accepts the delegation; however, until mitigation measures have been completed the lead agency remains responsible for ensuring that implementation of the mitigation measures occurs in accordance with the program.”

VMT mitigations may not necessarily be physical improvements. Such improvements are complex in nature and will significantly depend on changes in traveler behavior. Therefore, it will be important that lead agencies develop an appropriate monitoring program to ensure the implementation of these mitigation measures throughout the life of a project, in compliance with CEQA. The City must also coordinate with other responsible agencies as part of the mitigation monitoring program to evaluate the ongoing feasibility and durability of the mitigations.

Historically, mitigation measures for LOS-based transportation impacts have addressed either trip generation reductions or traffic-flow-capacity enhancements. LOS mitigation measures typically





include physical infrastructure improvements adding capacity to intersections, roadways, ramps, and freeways. However, transportation demand management activities, active transportation amenities, and other measures designed to reduce the number of new single-occupancy vehicle trips are also potential LOS mitigation strategies.

VMT mitigation measures are significantly different. Most VMT mitigations may seem feasible from a theoretical perspective, but practical implementation of these strategies as formal CEQA mitigation measures in perpetuity is yet to be tested. Several of these mitigations are contextual and behavioral in nature. Their success will depend on the size and location of the project as well as expected changes in travel behavior. For example, a project providing a bike share program does not necessarily guarantee a travel mode change among the project's affected population; the level of improvement may be uncertain and subject to the travel preferences and attitudes of the population affected.

LOS mitigations (such as addition of turn lanes) focus more on rectifying a physical CEQA impact (strategy "c" of *State CEQA Guidelines* Section 15370). On the contrary, the majority of VMT mitigations (such as commute trip-reduction programs) aim at reducing or eliminating an impact over time through preservation and monitoring over the life of the project (strategy "d" of *State CEQA Guidelines* Section 15370). Additionally, some VMT mitigations (such as those focused on land use/location-based policies) aim at minimizing impacts by reducing the number of trips generated by the projects (strategy "b" of *State CEQA Guidelines* Section 15370).

Furthermore, it may be determined that some VMT impacts are not able to be feasibly mitigated at the project level. Most VMT impacts occur within the context of a regional scale of analysis. The incremental change in VMT associated with a project in its particular locational setting might indicate a greater VMT increase than individual mitigation strategies can offset. Only a regional solution (e.g., completion of a transit system, purchase of more transit buses, or gap closure of a bicycle lane network) may offer the incremental change necessary to reduce the VMT impact to an appropriate level of significance. Also, VMT, as a proxy for GHG emissions, may not require locational specificity. A project does not necessarily need to reduce the VMT at the project site to provide regional or statewide VMT and GHG reduction benefits. Offsets in an area where the benefit would be greater will have a more effective reduction in VMT and GHG and contribute to achievement of regional and statewide climate goals. This regional perspective provides the basis for cap-and-trade style VMT mitigation strategies.

The issues of regional scale, appropriate and timely fair share contributions from projects and/or local jurisdictions (partial versus comprehensive participation), and geographic ambiguity confound the certainty of the City's identification of an effective VMT mitigation strategy. Section 15126.4 of the *State CEQA Guidelines* states, "Where several measures are available to mitigate an impact, each should be discussed and the basis for selecting a particular measure should be identified. **Formulation of mitigation measures shall not be deferred until some future time.**" [Emphasis added.] Regional VMT mitigation is considered the most effective method for large-scale VMT reduction, as cost and implementation barriers are often greater than one project may feasibly accommodate. However, regionally scaled VMT mitigation strategies may be provided in the form of mitigation banks, fees, and/or exchanges, with individual projects subject to contribute to these programs consistent with applicable provisions to ensure compliance and consistency with CEQA and other legal requirements.





Section 21099 (b) (4) of the PRC states, “This subdivision [requiring a new transportation metric under CEQA] does not preclude the application of local general plan policies, zoning codes, conditions of approval, thresholds, or any other planning requirements pursuant to the police power or any other authority.” Hence, although automobile delay will no longer be considered a significant impact under CEQA, the City can still require projects to meet the LOS standards designated in its zoning code or general plan. Therefore, this report is not intended to supersede LOS assessment in the City’s evaluation of projects, and a project may still be required to propose LOS improvements for congestion relief in addition to the implementation of any VMT mitigation strategies as required by CEQA.

7.2 MITIGATION MEASURES AND PROJECT ALTERNATIVES

Mitigations and project alternatives for VMT impacts have been suggested by the OPR. VMT mitigations can be extremely diverse and can be classified under several categories such as land use/location, road pricing, transit improvements, commute trip reduction strategies, and parking pricing/policy. However, the issue with VMT mitigations is the quantitative measurement of the relief provided by the strategies. How much VMT reduction does a transportation demand management program, a bike share program, a transit route, or one mile of sidewalk provide? Improvements related to VMT reduction strategies have been quantified in sources such as the California Air Pollution Control Officers Association (CAPCOA) report *Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity (CAPCOA Manual) Final Draft*, December 2021, and by various resources provided by CARB. This information is generally presented with a wide range of potential VMT reduction percentages. This report does not, however, confirm the existence of substantial evidence supporting the application of any such mitigation measures to projects within the City. If a CAPCOA mitigation measure will be considered for a project, it must be determined, through substantial evidence, that the mitigation measure will result in VMT reduction in the manner suggested. For example, if a mitigation measure’s VMT reduction will be calculated by use of a mathematical formula, the formula, including each of its components, must be analyzed to confirm that they reflect the conditions existing in the City, and the analysis must be supported by substantial evidence. In other words, a mitigation measure, which is reliant upon a formula developed utilizing data from and conditions in a locale that is dissimilar to the City, may be inapplicable to a project within the City. Similarly, any mitigation measure suggested by CAPCOA that depends on cited reports or studies must be assessed to determine whether substantial evidence confirms that such reports and studies apply to the conditions under which a proposed project will be developed within the City. Mitigation measures will not be utilized merely because they are suggested by CAPCOA or another organization.

Table F provides a summary of various potential VMT mitigation measures and project alternatives presented in the *CAPCOA Manual* (only those strategies directly attributed to transportation) for development projects. For any VMT mitigation measure, the project applicant will be required to provide substantial evidence while identifying a project-specific value.

Additionally, the mitigation measures listed under Table F were compared with the City’s General Plan goals and policies. Mitigation measures that would be consistent with the City’s General Plan goals and policies have been noted in the table.





As for land use plans, the OPR TA does not specifically identify any VMT mitigations. The potential VMT mitigation measures for community/general plans are similar to those available for development projects, with certain modifications. Therefore, the mitigation measures provided in Table F can be used as appropriate. Additional measures may also be applied with substantial evidence.

It must be noted that Table F provides only summaries of the VMT mitigations provided in the sources indicated above. The reader shall refer to the original source for further details and for subsequent updates to the mitigation measures. Also, Table F does not provide an exhaustive list of VMT mitigation measures for offsetting CEQA transportation impacts. Other measures can also be accepted by the City based on the provision of substantial evidence.

As additional mitigation measures are evaluated to offset VMT impacts in the future for the *State CEQA Guidelines* process, linkages between a specific strategy and its quantified incremental VMT reduction effect must be established. This process may be based on the observations and measurements provided by other sources or by the City's experience in these practices. The key to effective VMT mitigation is to base its efficacy on real and substantial evidence.

7.3 FUNDING MECHANISMS

The change in methodology used for the assessment of CEQA transportation impacts from LOS to VMT will lead to a shift in and the scale of mitigation efforts from local and project-specific, to a more regional approach. OPR acknowledges the regional nature of VMT impacts and states that regional VMT reduction programs and fee programs (in-lieu fees and development impact fees) may be appropriate forms of mitigation. Fee programs are particularly useful to address cumulative impacts. It is very important for the City to coordinate with KCAG to develop such mitigation programs that may be used to fund new transit service or develop applicable active transportation plans or other regionally scaled VMT mitigation activities. These programs are regional in nature and best suited for administration by a regional agency. Projects may be able to pay into the fee program to offset project VMT impact. Regional agencies may also wish to coordinate with appropriate stakeholders, including participating local jurisdictions, developers, and other interests while conducting nexus studies and checking for rough proportionality and compliance with CEQA.

Most of the VMT mitigations included in Table F are applicable in urban areas. They are less effective in suburban and rural contexts, where traditional transportation demand management strategies are less feasible. Thus, site-specific strategies are more suitable in more densely urbanized areas, whereas program-level strategies may be more appropriate for some projects located in suburban or rural areas. In the latter approach, the cumulative VMT mitigation contributions provided in support of individual developments may be used to fund regional VMT reduction strategies that would not be feasible or cost-effective at the individual project scale. Apart from fee programs, program-based mitigation strategies may include VMT mitigation exchanges and/or VMT mitigation banks. The VMT mitigation exchange concept requires a developer to select and implement mitigation project(s) from a predetermined list of projects that would serve to reduce the excess new VMT generated by the proposed project. On the other hand, a mitigation banking program would assign monetary values for VMT reductions that would allow developers to purchase the applicable number of VMT reduction credits. These credits would be used to fund larger, regionally scaled VMT mitigation projects throughout the affected region.





As previously discussed, VMT impacts are regional in scope. Hence, there may at times be mitigation requirements that extend beyond the control of the City, and without the ability of the City to manage these mitigations, the impacts might remain significant and unaddressed. Additionally, the identification and management of regionally scaled improvements where developers contribute their fair share to mitigate impacts might prove to be difficult. Therefore, the City may choose to work collaboratively with other jurisdictions within the region to ultimately establish VMT mitigation fee programs, mitigation banks, or exchanges to establish a regional mitigation pathway where developers contribute to a regionally administered VMT mitigation funding pool in a manner commensurate to the impact of their individual project. Procedural flow charts for VMT mitigation banks, exchanges, and impact fees are illustrated in Figures 11, 12, and 13, respectively.



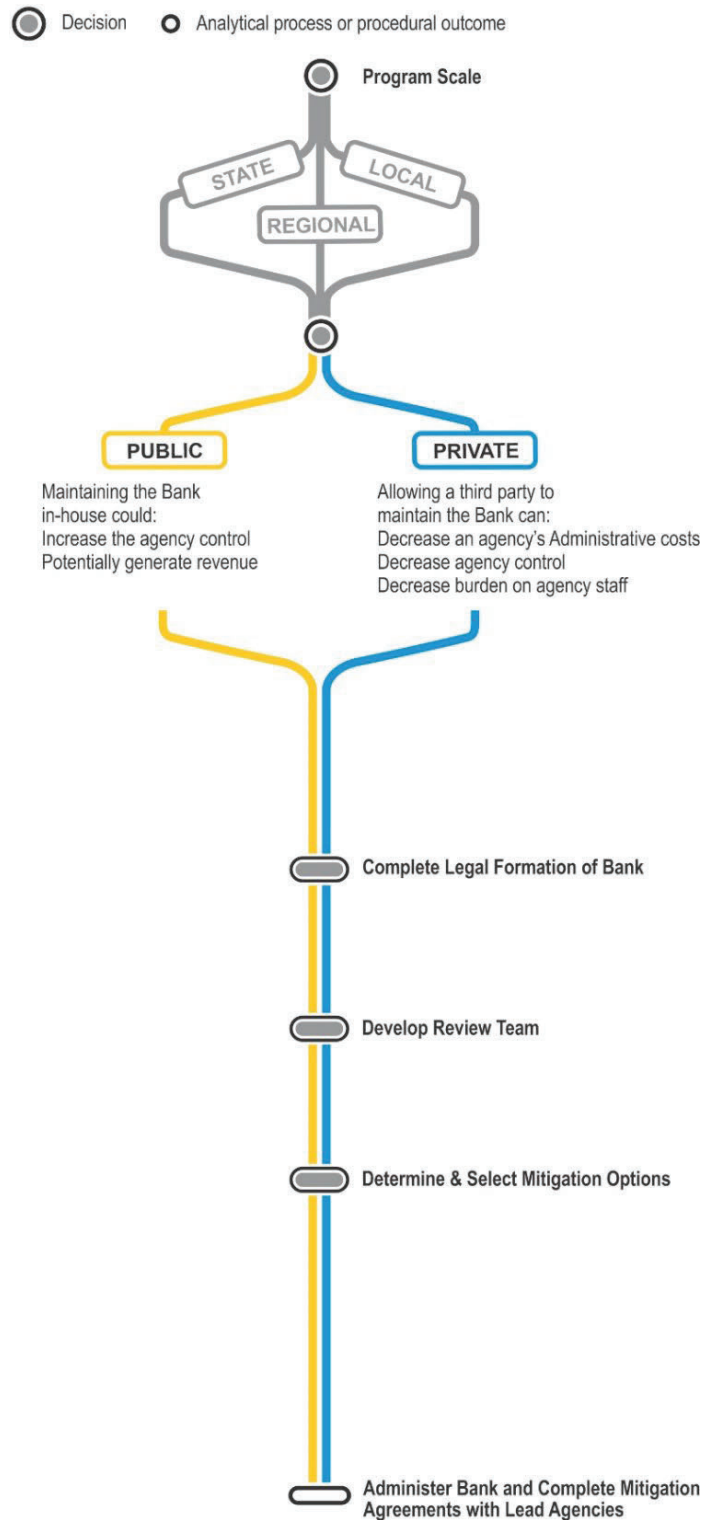


Figure 11: Procedural Flow Chart – VMT Bank

Source: VMT Mitigation Through Banks and Exchanges: Understanding New Mitigation Approaches. A White Paper by Fehr & Peers (January 2020).



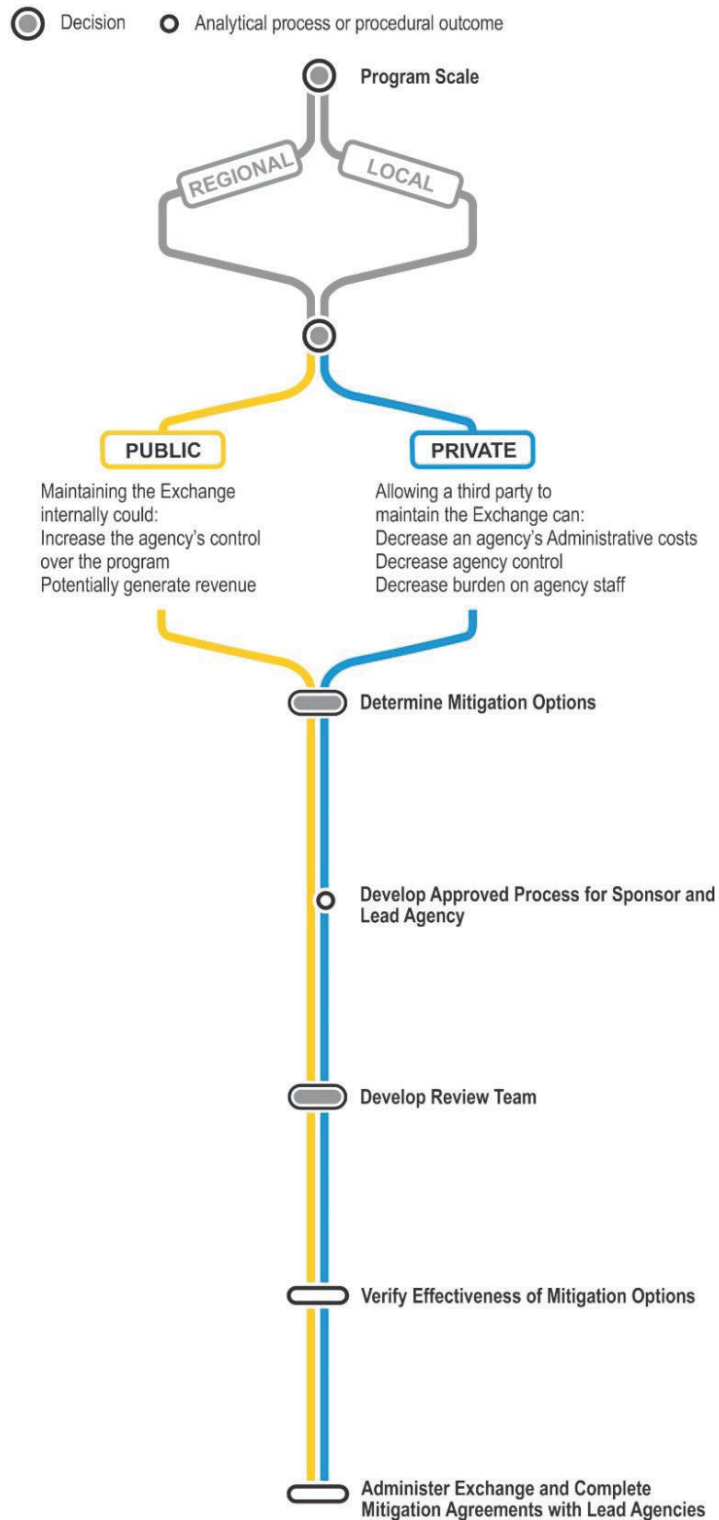


Figure 12: Procedural Flow Chart – VMT Exchange

Source: VMT Mitigation Through Banks and Exchanges: Understanding New Mitigation Approaches. A White Paper by Fehr & Peers (January 2020).



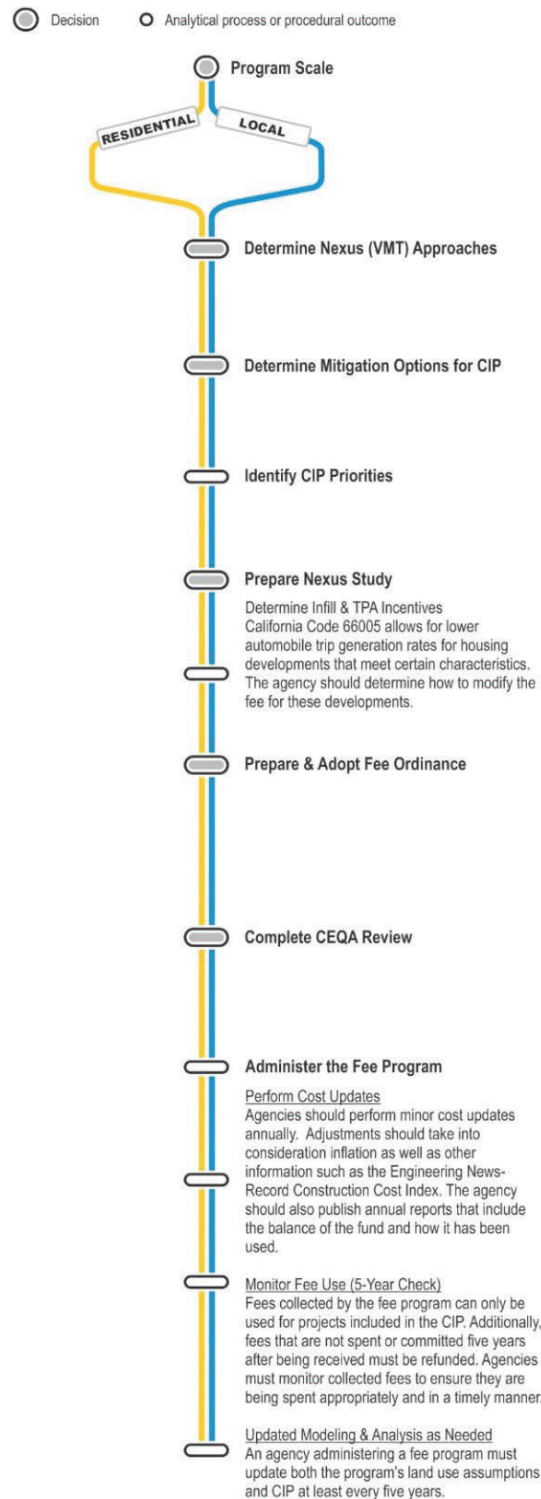


Figure 13: Procedural Flow Chart – VMT Impact Fee

Source: Understanding New Mitigation Approaches. A White Paper by Fehr & Peers (January 2020).



Table F - Vehicle Miles Traveled Mitigation Measures for Land Development Projects

No.	CAPODA Mitigation Measure No.	Mitigation Measure	Measure Description	Location/Context	Scale of Application	Implementation Requirements	Expanded Mitigation Options	Formula	VMT Reduction
1	T-1-Increase Residential Density	This measure accounts for the vehicle miles traveled (VMT) reduction achieved by a project that is designed with a higher density of dwelling units (DU) compared to the average residential density in the U.S. Increased densities affect the distance people travel and provide greater options for the mode of travel they choose. Increasing residential density results in shorter and fewer trips by single-occupancy vehicles and thus a reduction in GHG emissions. This measure is best quantified when applied to larger developments and developments where the density is somewhat similar to the surrounding area due to the underlying research being founded in data from the neighborhood level.	Urban, Suburban	Project/Size	This measure is most accurately quantified when applied to larger developments and/or developments where the density is somewhat similar to the surrounding neighborhood social equity.	When paired with Measure T-2, increase job density, the cumulative densification from these measures can result in highly walkable and bikeable areas, yielding increased co-benefits in VMT reductions, improved public health, and social equity.	Refer to California Air Pollution Control Officers Handbook for Analyzing Greenhouse Gas Emissions Reductions, Assessing Climate Change Impacts, and Improving Public Health Vulnerabilities, and Advancing Health and Environmental Justice, California Air Resources Board, December 2021, page 71.	Up to 30.0 percent project VMT in the study area	
2	T-2-Increase Job Density	This measure accounts for the VMT reduction achieved by a project that is designed with a higher density of jobs compared to the average job density in the U.S. Increased densities affect the distance people travel and provide greater options for the mode of travel they choose. Increasing job density results in shorter and fewer trips by single-occupancy vehicles and thus a reduction in GHG emissions.	Urban, suburban	Project/Size	This measure is most accurately quantified when applied to larger developments and/or developments where the density is somewhat similar to the surrounding neighborhood social equity.	When paired with Measure T-1, increase Residential Density, the cumulative densification from these measures can result in highly walkable and bikeable areas, yielding increased co-benefits in VMT reductions, improved public health, and social equity.	Refer to CAPQDA Manual, page 74.	Up to 30.0 percent project VMT in the study area	
3	T-3-Provide Transit-Oriented Development	This measure would reduce project VMT in the study area relative to the same project sited in a less transit-oriented location. Transit-oriented development (TOD) is a development pattern in walkable areas that have easy access to public transit, ideally in a location with a mix of uses, including housing, retail offices, and community facilities. Project site residents, employees, and visitors would have easy access to high-quality public transit, thereby encouraging transit and reducing the number of single-occupancy vehicle trips and associated GHG emissions.	Urban, suburban, Rural only if adjacent to commuter rail station or major transit corridor, or major employment center.	Project/Size	To qualify as a TOD, the development must be a residential or office project that is located within a half-mile radius of a transit station. The distance from the station to the development must be no more than 0.25 to 0.3 of a mile but could be up to 0.5 mile if the walking route to the station can be accessed by pedestrian-friendly routes. Users should confirm the definition of "Station" VMT does not include a credit for reductions from transit proximity.		Refer to CAPQDA Manual, page 77.	Up to 31.0 percent project VMT in the study area	
4	T-4-Integrate Affordable and Below Market Rate Housing	This measure requires below market rate (BMR) housing. BMR housing provides greater options for the mode of travel they choose. Increasing the number of affordable housing units near transit is a key to important strategy to address the limited availability of affordable housing that might force residents to bid far away from jobs or school, requiring longer commutes. The quantification method for this measure accounts for VMT reductions achieved by BMR housing in residential projects that are deed restricted or otherwise permanently dedicated as affordable housing.	Urban, suburban	Project/Size	Multifamily residential units must be permanently dedicated as affordable for lower income families. The California Department of Housing and Community Development defines "affordable" as housing that costs no more than 30 percent of gross household income or less.	Pair with Measure T-1, Increase Residential Density, and Measure T-2, Increase Job Density, to achieve greater population and employment density.	Refer to CAPQDA Manual, page 81.	Up to 28.6 percent project/size multifamily residential VMT	
5	T-5-Implement Commute Trip Reduction Program (Voluntary)	This measure will implement a voluntary commute trip reduction (CTR) program with incentives for alternative modes of transportation such as carpooling, taking transit, walking, and biking, thereby reducing VMT and GHG emissions. Voluntary implementation elements are described in this measure.	Urban, suburban	Project/Size	Voluntary CTR programs must include the following elements to apply the VMT reductions reported in literature: • Incentives for alternative modes such as carpooling, taking transit (Measure T-5), bicycling (Measure T-10), vanpooling (Measure T-11), and guaranteed ride home. • Informational, educational, and marketing for staff and services, infrastructure, and incentives (Measure T-7).	Other strategies may also be included as part of a voluntary CTR program, though they are not included in the VMT reductions reported by literature and thus are not incorporated in the VMT reductions for this measure. This includes strategies such as providing workplace parking (Measure T-12) or implementing employee parking "cash-out" (Measure T-13).	Refer to CAPQDA Manual, page 84.	Up to 4.0 percent project/size employee commute VMT	
6	T-6-Implement Commute Trip Reduction Program (Mandatory Implementation and Monitoring)	This measure will implement a mandatory CTR program with employers. CTR programs encourage single-occupancy vehicle trips and encourage alternative modes of transportation such as carpooling, taking transit, walking, and biking, thereby reducing VMT and GHG emissions.	Urban, suburban	Project/Size	The mandatory CTR program must include the following elements for Measures T-7 through T-11 described for the voluntary program (Measures T-5) plus include: • Mandatory trip reduction requirements (including penalties for non-compliance and regular monitoring and reporting to ensure the calculated VMT reduction matches the observed VMT reduction).	This program typically serves as a complement to the more effective workplace CTR measures, such as providing workplace parking (Measure T-12) or implementing employee parking "cash-out" (Measure T-13).	Refer to CAPQDA Manual, page 87.	Up to 26.0 percent project/size employee commute VMT	
7	T-7-Implement Commute Trip Reduction Marketing	This measure will implement a marketing strategy to promote the project site employer's CTR program. The strategy includes providing information to employees about the project site travel choices to the employment location beyond driving such as carpooling, taking transit, walking, and biking, thereby reducing VMT and GHG emissions.	Urban, suburban	Project/Size	The following features (or similar alternatives) of the marketing strategy are essential for effectiveness: • On-site or online commuter information services. • Employee transportation coordination. • On-site or online transit pass sales. • Guaranteed ride home service.	This measure could be packaged with other commute trip reduction measures (Measures T-4 through T-13) as a comprehensive CTR program (Measure T-5 or T-6).	Refer to CAPQDA Manual, page 90.	Up to 4.0 percent project/size employee commute VMT	

Table F - Vehicle Miles Traveled Mitigation Measures for Land Development Projects

No.	CAPODA Mitigation Measure No.	Mitigation Measure	Measure Description	Location Context	Scale of Application	Implementation Requirements	Expanded Mitigation Options	Formula	VMT Reduction
8		T-9 Provide Ridesharing Program	This measure will implement a ridesharing program and establish a permanent transportation management association with funding requirements for employees. Ridesharing encourages carpooling and reduces the number of single-occupied vehicle trips. One day reducing the number of trips, VMT, and GHG emissions.	Urban, suburban	Project/5 size	Ridesharing must be promoted through a multifaceted approach. Examples include the following: <ul style="list-style-type: none"> Designating a certain percentage of desirable parking spaces for ridesharing vehicles. Providing a designated parking space for carpooling and vanpooling. Providing an app or website for coordinating rides. 	When providing a ridesharing program, a best practice is to provide a designated parking space for ridesharing vehicles. In addition, providing a designated parking space for low-emission ridesharing vehicles (e.g., shared Uber Green). This measure could be paired with any combination of the other commute trip reduction strategies (Measures 1-7 through 1-13) for increased reductions.	Refer to CAPDOA Manual, page 98.	Up to 8.0 percent project/size employee commute VMT
9		T-10 Implement Subsidized or Discounted Transit Program	This measure will provide subsidized or discounted, or free transit passes for employees and/or residents. Reducing the out-of-pocket cost for choosing transit improves the competitiveness of transit against driving, increasing the total number of transit trips and reducing the number of single-occupied vehicle trips. One day reducing the number of trips, VMT, and GHG emissions.	Urban, suburban	Project/5 size	The project should be located within 1 mile of high-quality transit service (rail or bus with headways of less than 15 minutes), 0.5 mile of local or less frequent transit service, or along a designated transit route providing transit connections to all destinations within 1/2 mile of the project. If more than one transit agency serves the site, subsidies should be provided that can be applied to any of the agencies. Subsidies should be provided for transit service, all applicable transit modes, and for transit service on the project site. Subsidies should be provided below street-level parking only to the extent that is substantiated.	This measure could be paired with any combination of the other commute trip reduction strategies (Measures 1-7 through 1-13) for increased reductions.	Refer to CAPDOA Manual, page 98.	Up to 5.5 percent from employee/resident vehicles accessing the site
10		T-11 Provide End-of-Trip Bicycle Facilities	This measure will install and maintain end-of-trip facilities for employees use. End-of-trip facilities include bike parking, bike lockers, showers, and personal lockers. The provision and maintenance of secure bike parking and related facilities encourages commuting by bicycle, thereby reducing VMT and GHG emissions.	Urban, suburban	Project/5 size	End-of-trip facilities should be installed at a size proportional to the number of commuting bicyclists and regularly maintained.	Best practice is to include an on-site bicycle repair station and port signage on or near secure parking and personal lockers. These amenities should be paired with any combination of the other commute trip reduction strategies (Measures 1-7 through 1-13) for increased reductions.	Refer to CAPDOA Manual, page 101.	Up to 4.4 percent project/size employee commute VMT
11		T-12 Provide Employer-Sponsored Vanpool	This measure will implement an employer-sponsored vanpool service. Vanpooling is a flexible form of public transportation that provides groups of 5 to 15 people with a cost-effective and convenient ride-share option for commuting. The mode shift from long-distance, single-occupied vehicles to shared vehicles reduces overall commute VMT, thereby reducing GHG emissions.	Urban, suburban, rural	Project/5 size	Vanpool programs are more appropriate for the building occupant or tenant (i.e., employer) to implement and monitor than the building owner or developer.	When implementing a vanpool service, best practice is to provide a designated parking space for vanpools. Vanpools should be paired with any combination of the other commute trip reduction strategies (Measures 1-7 through 1-13) for increased reductions.	Refer to CAPDOA Manual, page 105.	Up to 20.4 percent project/size employee commute VMT
12		T-13 Prioritize Workplace Parking	This measure will prioritize parking for employees. Because free employee parking is a common benefit, employers tend to park employees first, even if it means that other employees must wait for a parking space. This measure encourages employers to prioritize parking for employees, thereby reducing associated GHG emissions.	Urban, suburban	Project/5 size	Implementation may include the following: <ul style="list-style-type: none"> Implementing a designated parking area for employees. Implementing a priority parking area for employees. Validating parking only for invited guests (or not providing parking validation at all). Not providing employee parking and/or transportation allowances. Providing a designated parking area for employees. Providing a designated parking area for employees. Providing a designated parking area for employees. 	Best practice is to ensure that other transportation options are available, convenient, and have competitive travel times (i.e., transit service near the project site, shuttle service, or a designated parking area for employees). This measure should be paired with any combination of the other commute trip reduction strategies (Measures 1-7 through 1-13) for increased reductions.	Refer to CAPDOA Manual, page 110.	Up to 20.0 percent project/size employee commute VMT
13		T-14 Implement Employee Parking Carpool	This measure will require project employers to offer employee parking carpool. Carpool is a parking for a car payment equivalent to or greater than the cost of the parking space. This measure encourages employees to use other modes of travel instead of single-occupied vehicles. This mode shift results in people driving less and thereby reduces VMT and GHG emissions.	Urban, suburban	Project/5 size	To prevent spill-over parking and continued use of single occupancy vehicles, residential parking in the surrounding area must be permitted, and public on-street parking must be market rate.	This measure could be paired with many other commute trip reduction strategies (Measures 1-7 through 1-13) for increased reductions.	Refer to CAPDOA Manual, page 114.	Up to 12.0 percent project/size employee commute VMT
14		T-15 Provide Electric Vehicle Charging Infrastructure	Install on-site electric vehicle chargers in an amount beyond what is required by the 2019 California Green Building Standards (CALGreen) at buildings with designated parking areas (i.e., commercial, educational, retail, multifamily). This will enable drivers of plug-in hybrid electric vehicles (PHEVs) and electric vehicles (EVs) to charge their vehicles. PHEVs and EVs are gasoline-powered modes, thereby displacing GHG emissions from gasoline consumption with a lesser amount of indirect emissions from electricity. Most PHEVs owners charge their vehicles at home overnight. When making trips during the day, the vehicle will switch to gasoline mode if it needs to maintain at least a 10% range.	Urban, suburban, rural	Project/5 size	Parking at the chargers must be limited to electric vehicles.	In addition to increasing the percentage of electric miles for PHEVs, the increased availability of chargers from implementation of this measure could mitigate consumer reluctance to purchase electric vehicles (BEVs), but this potential effect is not included in the calculations as a conservative assumption. Expanded mitigation could include identification of the effect of this measure on BEV use.		

PLU002021 Lemmoore VMT Guidelines, Report Table F VMT Mitigations_City of Lemmoore.xlsx, Land Dev Proj. (3/15/2022) 35

Table F - Vehicle Miles Traveled Mitigation Measures for Land Development Projects

No.	CAPOCA Mitigation Measure #	Measure Description	Location/Context	Scale of Application	Implementation Requirements	Expanded Mitigation Options	Formula	VMT Reduction
22	T-21-a Implement Conventional Carshare Program	This measure will increase carshare access in the user's community by deploying conventional carshare vehicles in areas with high density of users. This measure will also encourage carshare use for commuting purposes. This helps encourage transportation alternatives and reduces vehicle ownership, thereby reducing VMT and associated GHG emissions. A variation of this measure, electric carsharing, is described in Measure T-21-b, Implement Electric Carshare Program.	Urban, suburban	Plan/Community	The GHG mitigation potential is based, in part, on literature analyzing one-way carsharing service with a free-floating operational model. This measure should be applied with caution if using a different form of carsharing (e.g., roundtrip, peer-to-peer, restricted).	When implementing a carshare program, best practices is to discount carshare membership and provide priority parking for carshare vehicles to encourage use of the service.	Refer to CAPOCA Manual, page 151.	Up to 0.15 percent from vehicle travel in the plan/community
23	T-21-b Implement Electric Carshare Program	This measure will increase carshare access in the user's community by deploying electric carshare vehicles. Carsharing offers people convenient access to a vehicle for personal or commuting purposes. This helps encourage transportation alternatives and reduces vehicle ownership, thereby reducing VMT and associated GHG emissions. This measure will also encourage carshare use for commuting purposes. This helps encourage transportation alternatives and reduces vehicle ownership, thereby reducing VMT and associated GHG emissions. A variation of this measure, intensive fossil fuel energy with less emissions intensive electricity, electric carshare vehicles require more staffing support compared to conventional carshare programs for shuttling and maintenance. This measure is described in Measure T-21-a, Implement Conventional Carshare Program.	Urban, suburban	Plan/Community	The GHG mitigation potential is based, in part, on literature analyzing one-way carsharing service with a free-floating operational model. This measure should be applied with caution if using a different form of carsharing (e.g., roundtrip, peer-to-peer, restricted).	When implementing a carshare program, best practices is to discount carshare membership and provide priority parking for carshare vehicles to encourage use of the service.	Refer to CAPOCA Manual, page 151.	Up to 0.15 percent GHG emissions from vehicle travel in the plan/community. Please refer to CAPOCA Manual, page 151.
24	T-22-a Implement Pooled (Non-Electric) Bikeshare Program	This measure will establish a bike share program. Bike share programs provide users with on-demand access to electric pedal assist bikes for short-term rentals. This measure is described in Measure T-22-b, Implement Electric Bike share Program, and Measure T-22-c, Implement Scooter share Program.	Urban, suburban	Plan/Community	The GHG mitigation potential is based, in part, on literature analyzing docked (i.e., station-based) bike share programs. This measure should be applied with caution if using dockless (free-floating) bike share.	Best practice is to discount bike share membership and dedicate bike share parking to encourage use of the service. Also consider including space on the vehicle to store personal items while traveling, such as a basket.	Refer to CAPOCA Manual, page 160.	Up to 0.05 percent from vehicle travel in the plan/community
25	T-22-b Implement Electric Bike share Program	This measure will establish an electric bike share program. Electric bike share programs provide users with on-demand access to electric scooter for short-term rentals. This encourages a mode shift from vehicles to scooters, displacing VMT and thus reducing GHG emissions. Variations of this measure are described in Measure T-22-a, Implement Pooled (Non-Electric) Bike share Program, and Measure T-22-c, Implement Scooter share Program.	Urban, suburban	Plan/Community	The GHG mitigation potential is based, in part, on literature analyzing docked (i.e., station-based) bike share programs. This measure should be applied with caution if using dockless (free-floating) bike share.	Best practice is to discount electric bike share membership and dedicate electric bike share parking to encourage use of the service. Consider also including space on the vehicle to store personal items while traveling, such as a basket.	Refer to CAPOCA Manual, page 160.	Up to 0.05 percent from vehicle travel in the plan/community. This quantification methodology does not account for the slight increase in VMT from program employees picking up and dropping off bikes.
26	T-22-c Implement Scooter share Program	This measure will establish a scooter share program. Scooter share programs provide users with on-demand access to electric scooter for short-term rentals. This encourages a mode shift from vehicles to scooters, displacing VMT and thus reducing GHG emissions. Variations of this measure are described in Measure T-22-a, Implement Pooled (Non-Electric) Bike share Program, and Measure T-22-b, Implement Electric Bike share Program.	Urban, suburban	Plan/Community	The GHG mitigation potential is based, in part, on literature analyzing docked (i.e., station-based) bike share programs. This measure should be applied with caution given the likely higher frequency of scooter share compared to bike share.	Best practice is to discount scooter share membership and dedicate scooter share parking to encourage use of the service. Consider also including space on the vehicle to store personal items while traveling, such as a basket.	Refer to CAPOCA Manual, page 160.	Up to 0.05 percent from vehicle travel in the plan/community. This quantification methodology does not account for the slight increase in VMT from program employees picking up and dropping off scooters.
27	T-23 Provide Community-Based Travel Planning	This measure will target residences in the plan/community with community-based travel planning. Community-based travel planning involves providing residents with customized information, incentives, and support to encourage the use of transportation alternatives in place of single occupancy vehicles, thereby reducing household VMT and associated GHG emissions.	Urban, suburban	Plan/Community	CBTP involves teams of trained travel advisors visiting all households within a targeted geographic area, having tailored conversations about resident travel needs, and educating residents about the various transportation options available to them. Due to the personalized nature of this measure, communities are typically targeted in phases.	Pair with any of the Measures from T-17 through T-22-C to ensure that residents that are targeted by CBTP who want to use alternative transportation have the infrastructure and technology to do so.	Refer to CAPOCA Manual, page 172.	Up to 2.3 percent from vehicle travel in the plan/community
28	T-24 Implement Market Price Public Parking (On-Street)	This measure will price all on-street parking in a given community, with a focus on parking in areas with high density of users. This measure will also encourage carshare use for commuting purposes. This helps encourage transportation alternatives and reduces vehicle ownership, thereby reducing VMT and associated GHG emissions. A variation of this measure, intensive fossil fuel energy with less emissions intensive electricity, electric carshare vehicles require more staffing support compared to conventional carshare programs for shuttling and maintenance. This measure is described in Measure T-21-a, Implement Conventional Carshare Program.	Urban, suburban	Plan/Community	When pricing on-street parking, best practices is to allow for dynamic adjustment of prices to ensure approximately 85 percent occupancy, which helps prevent induced VMT due to cycling behaviors as individuals search for a vacant parking space. In addition, pricing on-street parking can encourage carshare use for commuting purposes. This helps encourage transportation alternatives and reduces vehicle ownership, thereby reducing VMT and associated GHG emissions. A variation of this measure, intensive fossil fuel energy with less emissions intensive electricity, electric carshare vehicles require more staffing support compared to conventional carshare programs for shuttling and maintenance. This measure is described in Measure T-21-a, Implement Conventional Carshare Program.	Pricing on-street parking also helps support residents of projects with priced on-street parking by encouraging potential alternative parking locations.	Refer to CAPOCA Manual, page 175.	Up to 30.0 percent from vehicle travel in the plan/community

Table F - Vehicle Miles Traveled Mitigation Measures for Land Development Projects

No.	CAPOCA Mitigation Measure No.	Mitigation Measure	Measure Description	Location/Context	Scale of Application	Implementation Requirements	Expanded Mitigation Options	Formula	VMT Reduction
29	2-2	Extend Transit Network Coverage or Hours	This measure will expand the local transit network by either adding or modifying existing transit service or extending the operation hours to enhance the service near the project site. Starting services earlier in the morning and/or extending services to late-night hours can encourage transit use and reduce VMT. This measure will encourage the use of transit and thereby reduce VMT and associated GHG emissions.	Urban, suburban	Plan/Community	There are two primary means of expanding the transit network: by increasing the frequency of service, thereby reducing average wait times and increasing convenience, or by extending or not to cover new areas and times.	This measure is focused on providing additional transit network coverage, with no changes to transit frequency. The measure can be paired with Measure 1-26, Increase Transit Service Frequency, for increased reductions.	Refer to CAPOCA Manual, page 179.	Up to 4.6 percent from vehicle travel in the plan/community
30	2-2	Increase Transit Service Frequency	This measure will increase transit frequency on one or more transit lines serving the plan/community. Increased transit frequency reduces waiting and overall travel time, which improves the user experience and increases the attractiveness of transit service. This results in increased transit use and reduces VMT and associated GHG emissions.	Urban, suburban	Plan/Community	Refer to measure description.	This measure is focused on providing increased transit frequency, with no changes to transit network coverage. The measure can be paired with Measure 1-26, Extend Transit Service Frequency, for increased reductions.	Refer to CAPOCA Manual, page 185.	Up to 11.3 percent GHG reduction from vehicle travel in the plan/community. Please refer to the CAPOCA Manual on the formula for VMT reduction on CAPOCA Manual, page 185.
31	2-3	Implement Transit-Supportive Roadway Treatments	This measure will implement transit-supportive treatments on the transit routes leaving the plan/community. Transit-supportive treatments incorporate a mix of roadway infrastructure improvements that encourage transit use and reduce VMT and associated GHG emissions. The results are a modal shift from single occupancy vehicles to transit, which reduces VMT and associated GHG emissions.	Urban, suburban	Plan/Community	Treatments can include transit signal priority, bus-only signal phases, queue jumps, car-pooling, and dedicated bus lanes.	This measure could be paired with other Transit subsector strategies (Measures 1-25 and Measure 1-29) for increased reductions.	Refer to CAPOCA Manual, page 189.	Up to 0.6 percent from vehicle travel in the plan/community
32	2-3	Provide Bus Rapid Transit	This measure will convert an existing bus route to a bus rapid transit (BRT) system. BRT includes the following additional components, compared to traditional bus service: exclusive transit lanes (e.g., transit priority lanes), transit signal priority, transit signal preemption, transit signal priority, automatic vehicle location system, advanced technology vehicles (e.g., articulated buses, low-floor buses), enhanced station design, efficient fare payment smart cards or fare-free transit, and dedicated transit lanes. BRT systems can increase transit use and reduce VMT and associated GHG emissions.	Urban, suburban	Plan/Community	The measure quantification methodology accounts for the increase in riding from (1) improved travel times from transit signal prioritization, (2) increased service frequency, and (3) the unique rider ship increase associated with a full featured BRT service. The measure is paired with Measure 1-25, Extend Transit Service Frequency, for increased reductions.	This measure could be paired with Measure 1-25, Extend Transit Service Frequency, for increased reductions.	Refer to CAPOCA Manual, page 193.	Up to 13.8 percent from vehicle travel in the plan/community. Please refer to the CAPOCA Manual on the formula for VMT reduction on CAPOCA Manual, page 193.
33	2-3	Reduce Transit Area	This measure will reduce transit fares on the transit lines serving the plan/community. A modal shift from single occupancy vehicles to transit, which reduces VMT and associated GHG emissions. This measure differs from Measure 1-5, Implement Subsidized or Discounted Transit Program, which can be offered through employer-based and benefits programs in which the employer fully or partially pays the employee's cost of transit.	Urban, suburban	Plan/Community	Transit fare reductions can be implemented systemwide or in specific fare-free or reduced fare zones.	This measure could be paired with other Transit subsector strategies (Measures 1-25, Extend Transit Network Coverage or Hours, and Measure 1-26, Increase Transit Service Frequency) for increased reductions.	Refer to CAPOCA Manual, page 200.	Up to 1.2 percent from vehicle travel in the plan/community
34	2-31	Use Cleaner-Fuel Vehicles	This measure requires use of cleaner-fuel vehicles in lieu of similar vehicles powered by gasoline or diesel fuel. Cleaner-fuel vehicles addressed in this measure include electric vehicles, plug-in hybrid electric vehicles, hydrogen fuel cell vehicles, and conventional diesel, ethanol, and renewable natural gas.	Not applicable	Project/State or Plan/Community		Using electric vehicles, pair with Measure 1-14 to ensure that the vehicles have sufficient access to charging infrastructure.		
35	2-31	Locate Project in Area with High Transit Access/Accessibility	The measure requires development in an area with high accessibility to destinations. Destination accessibility is measured in terms of the number of jobs or other attractions (e.g., schools, parks, shopping, etc.) within a specified distance of the project site. The measure encourages development in areas with high transit access and low travel distance, and tends to be highest at central locations and lowest at peripheral ones. When destinations are nearby, the travel time between them is less, thus increasing the potential for people to walk and bike to those destinations and, therefore, reducing the VMT associated with driving. This measure encourages development in areas with high transit accessibility by people of all functional abilities and incorporate design principles such as Universal Design.	Urban, suburban	Project/State	This is a variation of measure 2-31-b.			

P:\JMS2021\Leimore_VMT_Guideline\Report\Table F_VMT_Mitigations_City of Leimore.xlsx\Land Use Proj. (3/15/2021).xls

Table F - Vehicle Miles Traveled Mitigation Measures for Land Development Projects

No.	CMPOA Mitigation Measure No.	Mitigation Measure	Measure Description	Location/Context	Scale of Application	Implementation Requirements	Expanded Mitigation Options	Formula	VMT Reduction
43	7-3	Provide First and Last Mile TNC Incentives	The measure requires a first last mile partnership between a municipality/transport agency and a transportation network company (TNC) for suburban, shared TNC rides to or from the local transit station within a specific geographic area. This measure encourages a shift to transit mode for longer trips. Consider providing inclusive mechanisms so people without bank accounts, credit cards, a smart phone can access the incentives.	Urban, suburban, rural (city of the project is adjacent to a commuter rail station with convenient rail services to a major employment center)	Plan/Community	-	-	-	-
44	7-3	Implement Preferential Parking Permit Program	The measure requires projects provide preferential parking in terms of free or reduced parking fees, preferred parking spaces reserved for commuters (such as near public transit stations) and/or reduced parking fees for carpooling. Projects should also provide or use sustainably fueled vehicles. Projects should also provide wide parking spaces to accommodate various vehicles. Commercial preferential parking can accommodate workers who work non-traditional hours. Projects should consider providing preferential parking spaces for carpoolers. Projects should consider an equitable distribution of permits, giving priority to owners of sustainably fueled vehicles.	Urban, suburban	Project/Size	-	-	-	-
45	7-4	Implement School Bus Program	The measure will provide school bus service to requesting students to a school project. A school bus service can reduce the number of private vehicle trips to drop-off or pick-up students, thereby reducing VMT and associated GHG emissions, as well as on-site air pollution emissions, especially if the bus is zero emissions. Best practices include concentrating service for students who live in the same geographic area, providing service to students who live in the same geographic area, and encouraging parents to utilize the service. This measure is more effective at schools that draw students from a larger enrollment area, such as high schools or private schools.	Urban, suburban, rural	Project/Size	-	-	-	-
46	7-4	Implement a School Pool Program	This measure requires projects create a ride-sharing program for school children. Most school districts provide busing services to public schools only. School pool helps match parents to other parents who have children in the same school district. School pools can help reduce on-site air pollutant emissions at the school by reducing private vehicle trips, especially if the pool vehicle is zero emissions.	Urban, suburban, rural	Project/Size	-	-	-	-
47	7-4	Implement Telecommute and/or Alternative Work Schedule Program	The measure requires projects to permit employee telecommuting and/or alternative work schedules and monitor employee involvement to ensure forecasted participation matches observed participation. While this measure certainly reduces commute-related VMT, recent studies have shown that telecommuting can have other impacts on energy use and greenhouse gas emissions. In addition, telecommuting affects commercial and residential electricity use, complicating the calculation of the net effect and attribution of emissions. More specifically, an office with fewer employees could result in a decrease in the project's energy used to power the office, but the energy used to power the homes of the employees who telecommute could result in a net increase in energy for those same end uses and appliances. While this measure is currently not quantified and, according to some studies, could result in total VMT increases and other impacts, the measure is included in the project's mitigation measures to encourage project initiation to use if new findings more conclusively support a quantifiable emissions reduction.	Urban, suburban, rural	Project/Size	-	-	-	-
48	7-4	Provide Real Time Transit Information	The measure requires projects provide real-time bus/train/ferry arrival time, travel time, and other information. Real-time information can help commuters make more informed decisions about their travel choices, such as whether to wait for a bus or train or instead use a taxicab, wheelchair, or stable step. This real-time service more convenient and may result in a mode shift from auto to transit, which reduces VMT.	Urban, suburban, rural	Plan/Community	-	-	-	-

Table F - Vehicle Miles Traveled Mitigation Measures for Land Development Projects

No.	CMPOA Mitigation Measure No.	Mitigation Measure	Measure Description	Location/Context	Scale of Application	Implementation Requirements	Expanded Mitigation Options	Formula	VMT Reduction
49		T-4d) Provide Shuttles (Gas or Electric)	This measure will provide local shuttle service through coordination with the local transit operator or private contractor. The shuttles will provide service to and from commercial centers to nearby transit centers to help with first and last mile connectivity, thereby incentivizing a shift from private vehicles to transit, reducing associated GHG emissions. Shuttles that serve only the project residents and/or employees may be seen as compared to gas- or diesel-fueled shuttles due to their use of less emissions intensive electric power. Shuttles that serve only the project residents and/or employees may be seen as increasing gentrification and exclusionary. Consider allowing all people to use the shuttle, not just project residents and employees. Consider the shuttle as a part of the project scale by a large employer as part of a Trip Reduction Program.	Urban, suburban	Project/Site	-	-	-	-
50		T-4d) Provide On-Demand Microtransit	This measure will provide small-scale, on-demand public transit services that can offer fixed routes and schedules. On-demand microtransit services are typically provided by a third party in coordination with the local transit operator or private contractor. Microtransit aims to offer shorter wait times and improved reliability compared to the bus and rail system to further incentivize alternative transportation modes that are less emissions intensive than private vehicles. Microtransit services may be provided by a third party or by the project itself. Note that this measure may also be applicable at the Project/CS level for a large employer (e.g., Google's Vaux pilot) as part of a Trip Reduction Program.	Urban, suburban	Project/CS level Plan/Community	-	-	-	-
51		T-4d) Improve Transit Access, Safety, and Comfort	This measure requires projects improve transit access and safety through sidewalk/crosswalk safety enhancements, bus shelter improvements, improved lighting, and other features. Work with local transit agencies to determine barriers to use, most desired improvements, and other access challenges.	Urban, suburban, rural (only if the project is adjacent to a commuter rail station, or if there is a major employment center, or if there is a viable transit and the project is close to (within one mile))	Plan/Community	-	-	-	-
52		T-4d) Provide Bike Parking Near Transit	This measure requires the project to provide short-term and long-term bicycle parking near rail stations, transit stops, and freeway access points where there are commuter or rapid bus lines. The project should provide secure, covered bicycle parking for shared mobility services and for personal bicycles.	Urban, suburban	Plan/Community	-	-	-	-
53		T-4d) Implement Area or Cordon Pricing	This measure requires projects implement a cordon pricing scheme. The pricing scheme will set a cordon (boundary) around a specified area to charge a toll to enter the area by vehicle. The cordon location is usually the boundary of a central business district or urban center but could also apply to suburban development projects with limited points of access. The toll could be applied to vehicles entering the area during peak hours. The pricing scheme could be implemented in a number of ways. It is critical to have an existing, high-quality transit infrastructure for the implementation of this strategy to reach a significant level of effectiveness. The pricing signals could be implemented in a number of ways. The pricing signals could be implemented in a number of ways. The measure should provide an exception for low-income residents or workers within the pricing zone.	Urban	Plan/Community	-	-	-	-
54		T-4d) Reduce Traffic Controls with Roundabout	This measure requires projects install a roundabout as a traffic control device to smooth traffic flow, reduce idling, eliminate bottlenecks, and manage speed. In some cases, roundabouts can improve traffic flow and reduce emissions. The emission reduction depends heavily on what type of roundabout is installed. Roundabouts can be installed in a number of ways. Roundabout so cyclists have the option to join traffic or bypass the roundabout with an adjacent path.	Urban, suburban, rural	Plan/Community	-	-	-	-
55		T-5d) Required Project Contributions to Transportation Infrastructure Improvement	This measure requires projects contribute to traffic-flow improvements or other multi-modal infrastructure projects that reduce emissions and are not considered as substantially growth inducing. Projects that contribute to transportation infrastructure improvements may be required to contribute a proportionate share to the development and/or construction of a regional transit system. Contributions may consist of dedicated right-of-way, capital improvements, or easements. Ensure the jurisdictional fee system does not disadvantage small project over greenfield projects.	Urban, suburban, rural	Plan/Community	-	-	-	-

Table F - Vehicle Miles Traveled Mitigation Measures for Land Development Projects

CMPOA No.	Mitigation Measure No.	Mitigation Measure	Measure Description	Location/Context	Scale of Application	Implementation Requirements	Expanded Mitigation Options	Formula	VMT Reduction
56	7-53	Install Park and Ride Lots	This measure requires projects install park-and-ride lots near transit stops and high occupancy vehicle lanes. Park-and-ride lots also facilitate car- and vanpooling. Parking lots can also be used to store vehicles for carpooling. This measure can reduce the number of vehicles in the urban fast lane effect as well as evaporative emissions from parked vehicles and dedicated electric vehicle parking spots and/or charging infrastructure.	Suburban, rural	Plan/Community	-	-	-	-
57	7-54	Designate Zero Emission Delivery Zones	This measure requires the municipality to designate certain curbside locations as commercial loading zones exclusively available for zero-emission commercial delivery vehicles. Doing so can reduce the number of vehicles in the urban fast lane effect as well as evaporative emissions from parked vehicles and dedicated electric vehicle parking spots and/or charging infrastructure. This measure can also improve mobility for food and parcel delivery. Locations should be prioritized based on land use density and existing exposure to air pollution.	Urban	Plan/Community	-	-	-	-
58	7-55	Electrify Loading Docks	This measure will require that Transport Refrigeration Units and auxiliary power units (APUs) be replaced with electric power units (EPUs) for refrigerated trailers and trucks. This measure can reduce greenhouse gas emissions and other emissions from electricity generation can partially offset the emissions reduction from fuel reductions. Electrifying loading docks can reduce exposure to air pollutants for workers and diners.	Urban, suburban, rural	Project/Site	-	-	-	-
59	7-56	Install Hydrogen Fueling Infrastructure	This measure requires projects to implement accessible hydrogen fuel cell fueling infrastructure for heavy-duty vehicles. Hydrogen fuel cell vehicles can be used for long-haul truck fleets, will be able to refuel using this infrastructure. The expansion of hydrogen fueling locations indirectly supports the uptake of FCEV in place of the typical internal combustion engine vehicle which fueled by carbon-emitting gasoline and diesel.	-	Project/Site or Plan/Community	-	-	-	-

Source: Handbook for Analyzing Greenhouse Gas Emission Reductions, Assessing Climate Vulnerabilities, and Advancing Health and Equity, Final Draft, by the California Air Pollution Control Officers Association, December 2021.



711 W Cinnamon Drive • Lemoore, California 93245 • (559) 924-6744 • Fax (559) 924-9003

Staff Report

To: Lemoore Planning Commission **Item No.** 6
From: Steve Brandt, City Planner
Date: April 21, 2023 **Meeting Date:** April 24, 2023
Subject: Discussion of Potential Ordinance Changes to Encourage Housing Development

Proposed Motion:

No motion needed. This is an informational item for discussion. All proposed changes to the General Plan and to the text and map of the Zoning Ordinance will be formally proposed at a noticed public hearing later this year.

Summary:

The City received a grant from the California Department of Housing and Community Development (HCD) to update or modify City ordinances and procedures in a way that would encourage more housing development in Lemoore. Staff intends to bring these updates to the Planning Commission in the coming months, first as review sessions, and then as a public hearing to make a recommendation to the City Council. The first review session was held on March 13, 2023.

Proposed Changes:

The following list describes our main scope of changes Staff is planning to recommend. At this time, Staff requests a discussion to see if the Planning Commission has any questions, comments, or suggestions for Staff. If there are other topics or items in the Zoning Ordinance not listed here that you would like to open for discussion, there is still time to add them into these amendments.

General Plan and Zoning Map changes – The Mixed Use General Plan designation and related MU zone has not worked out as was intended by the General Plan when it was adopted in 2008. Developers have shied away from the sites zoned MU and there has been no development on them. Staff is going to propose elimination of the Mixed Use designation

(except in the downtown) and the MU zoning from the General Plan Map and the Zoning Map. After further discussion internally, we are recommending not to remove the chapter on Mixed Use just in case there is ever a desire to bring it back. The Chapter in the Zoning Ordinance would also be removed. The sites will be proposed for rezone to either High Density Residential, Medium Density Residential, Neighborhood Commercial, Professional Office, or Regional Commercial. Since the goal of the grant is to encourage more housing, preference will be given to change to residential zones except where commercial zoning is more appropriate due to existing or surrounding uses. City staff has met with one property owner with multiple vacant parcels zoned MU that has been trying to develop for several years. The property owner was fully supportive of this effort to change the zoning.

The existing and proposed General Plan and Zoning for the Mixed Use areas is shown in the attached maps. There are basically four areas, which the maps call Bush and D Streets, North of College, Lemoore Avenue & Cinnamon Drive, and Hanford-Armona Road east of Lemoore Avenue. For each area there is a general plan amendment map and a zoning amendment map. The map on the top-right of each page shows which parcels are affected. The map on the bottom-left shows the existing map while the map on the bottom-right shows the proposed changes.

One of the purposes of changing the designations and zoning is to plan for more housing. The tables below show the vacant acres in each of the four areas, and how the change will affect the number of housing units that could be constructed after the change. The density of each zone is based on the realistic density assumed in the Housing Element. The tables only show the acreages of vacant land being proposed to be changed.

Zone	Zone Name	Vacant Acres	Housing Element	HE Lower	HE Mod	HE Above Mod	Total Housing
			Realistic Density				
	Hanford-Armona Road east of Lemoore Ave.						
MU	Mixed Use	-0.27	9.00	-1	-1	0	-2
NC	Neighborhood Commercial	0.07	0.00	0	0	0	0
RMD	Medium Density Residential	0.20	14.00	3	0	0	3
TOTALS		0.00		2	-1	0	1

Zone	Zone Name	Vacant Acres	Housing Element	HE Lower	HE Mod	HE Above Mod	Total Housing
			Realistic Density				
	Lemoore Avenue and Cinnamon Drive						
MU	Mixed Use	-27.43	9.00	-123	-124	0	-247
NC	Neighborhood Commercial	5.87	0.00	0	0	0	0
RHD	High Density Residential	21.57	18.00	388	0	0	388
TOTALS		0.00		265	-124	0	141

Zone	Zone Name	Vacant Acres	Housing Element Realistic Density	HE Lower	HE Mod	HE Above Mod	Total Housing
North of College							
MU	Mixed Use	-6.56	9.00	-29	-30	0	-59
RLD	Low Density Residential	6.19	4.50	0	14	15	28
PR	Greenway	-0.70	0.00	0	0	0	0
CF	Community Facilities District	-3.57	0.00	0	0	0	0
RMD	Medium Density Residential	4.64	18.00	34	0	0	84
TOTALS		0.00		5	-16	15	53

Zone	Zone Name	Vacant Acres	Housing Element Realistic Density	HE Lower	HE Mod	HE Above Mod	Total Housing
Bush and D Streets							
MU	Mixed Use	-11.96	9.00	-56	-57	0	-108
RHD	High Density Residential	6.34	18.00	114	0	0	114
RMD	Medium Density Residential	-2.12	14.00	-30	0	0	-30
RMD	Medium Density Residential	4.37	14.00	61	0	0	61
NC	Neighborhood Commercial	3.37	0.00	0	0	0	0
TOTALS		0.00		89	-57	0	37

OVERALL TOTAL				361	-198	15	232
----------------------	--	--	--	------------	-------------	-----------	------------

The tables show that overall, the changes being considered could increase the capacity to approve housing units by a total of 232 units, with almost all of that being in the lower income range. The State considers lower income to be 50% or less than the median income of a community.

Residential development standards – Using comments heard at the Council study session about lot size that was held on February 7, Staff will propose a smaller by-right minimum lot size than the current 7,000 sq.ft. This should streamline the approval process because subdivision proposals that meet the new minimum lot size will not be required to obtain approval of a Planned Unit Development (PUD). Other cities in the Valley have changed their minimum lots sizes to 4,000 4500, 5000, or 6,000 sq.ft. Staff will also review the current building setbacks for residential uses and propose changes if we believe them appropriate and if it would encourage more housing growth.

Roughly half of the city is zoned Low Density Residential, which is where most single-family residential homes are located. One of the most important design standards for this zone is the minimum lot size. The standard minimum lot size is the smallest size, measured by square feet, into which land can be subdivided for sale by a developer, with each lot usually having one residence. Since 2012, the standard minimum lot size has been 7,000 square feet. However, the Zoning Ordinance allows developers to apply for a Planned Unit Development (PUD) when they submit a subdivision map, with which they can request approval for lots smaller than 7,000 square feet. In the last 10 years, only one subdivision map with a minimum lot size of 7,000-square-foot lots has been submitted. All others were submitted with smaller lots, so every subdivider has been required to also obtain a PUD. Using the PUD, a developer can propose their own minimum lot size for approval by the Planning Commission and City Council. Most have chosen 5,000 square feet or 6,000 square feet. Other cities in the region have minimum lot sizes below 7,000 square feet. The following table summarizes their Zoning Ordinances regarding minimum single-family lot size.

Minimum Lot Sizes in Other Cities

City	Minimum Lot Size Allowed by Right	Notes
Visalia	5,000	Lots can be approved as small as 3,600 sf. if 12 identified standards are met. Otherwise, a PUD can be requested.
Hanford	5,000	Lots can be approved as small as 3,600 sf. if 11 identified standards are met. Otherwise, a PUD can be requested.
Tulare*	5,000	There is a special zone that can be requested that allows lots as small as 3,200 sf. if 9 identified standards are met. Otherwise, a PUD can be requested. There are standard requirements for smaller lots.
Fresno	4,000	Lots can be approved as small as 2,500 sf. if at least 5 “enhanced streetscape” amenities from a specific list of 15 amenities are incorporated into the design of the project.
Clovis	4,500	A PUD can be requested for lot sizes smaller than 4,500 sf.
Selma*	7,000	A conditional use permit can be obtained for lots less than 7,000 sf., but only for up to 30% of the lots in the subdivision.

*Tulare and Selma are currently undergoing a comprehensive Zoning Ordinance update.

The proposed changes are shown in Table 9-5A-4A on Text Amendment Pages 18 and 19. The proposed changes show a minimum single-family lot size of 5,000 square feet. Developers that desire to have lots less than 5,000 square feet in size would be required to obtain a PUD. Lot size maximums would be removed as a requirement. The minimum front yard setback would be reduced to 15 feet and no longer require a 2-foot stagger in the front. Side yards would be a minimum of 5 feet and no longer require an additional 5 feet for the second story. There would be no change to the rear yard setback.

Site Plan and Architectural Review – Staff will be working on text changes that would make Site Plan Review a ministerial process that is always approved by the City staff. This would mean that projects that only need Site Plan Review approval would no longer go to the Planning Commission for review. Staff will also be proposing a new preliminary site plan process that is consistent with SB330, a 2019 law that limits what Cities can ask of developers that want to utilize a preliminary site plan review process. The process would also be completely managed by Staff.

The proposed text changes would be applied to Section 9-2B-12 as well as Table 9-2A-7-1. See Text Amendment Pages 3 and 4 for the text changes and Text Amendment Pages 1 and 2 for the table changes. Since there would no longer be two types of site plan review (minor and major) Section 9-2B-15 would be removed completely (see Text Amendment Pages 5 and 6.)

Accessory Dwelling Unit (ADU) Ordinance – Staff is updating the ADU Ordinance to ensure compliance with State law, which was changed in 2019 and again in 2020. The goal will be to make the process more understandable so as to encourage more ADUs. The changes are on Text Amendment Pages 13 through 17 and affect Section 9-4D-12. As per State law, a site could have both an accessory dwelling unit and a junior accessory dwelling unit (JADU). The new code is consistent with the standards allowed to be implemented by State law.

Cottage home ordinance – Staff is looking at adding a cottage home ordinance to the Zoning Ordinance. In the new ordinance text, a cottage would be considered a special type of accessory dwelling unit where the City provides the homeowner with preapproved building plans so that the homeowner does not have the expense of having an architect draw up building plans. It would have to meet both the ADU and the cottage home standards. The specific text can be found on Text Amendment Page 16.

Tiny house ordinance – Staff is looking at adding a tiny house ordinance to the Zoning Ordinance. In the new ordinance text, a tiny house would be considered a special type of accessory dwelling unit. It would have to meet both the ADU and the tiny house standards. The specific text can be found on Text Amendment Page 16 and 17.

SB9 Compliance – SB9 was a new 2021 State law that allows existing property owners (not developers) to add a second main home on their lot or to split their lot to accommodate a second home even if the lot split does not meet the minimum zoning requirements. At the time of adoption, this law was described in the press as “the end of single-family zoning in California.” While that may not be exactly true, the law does contain certain overrides of local zoning that Cities must allow. No one in Lemoore has tried to take advantage of this law yet.

This new law is being acknowledged with new text in the Allowed Uses Table 9-4B-2, which is found on Text Amendment Page 8. It is listed as “Dwelling, additional, meeting provisions of Government Code Section 66852.21.”

Other Definition Changes – On Text Amendment Page 7, there are revised definitions for large and small family day care. This is to bring the City's definition more in line with the State's definition. There is also a new definition for Short-term Rental Unit, more commonly known as an Airbnb or Vrbo rental. This use is being added to the zoning ordinance to distinguish it from a bed and breakfast or a hotel.

Other topics planned to be covered at a later date:

The following changes to policy or procedures are part of the grant funded work to encourage more housing. Only the Subdivision Ordinance Update will need a recommendation from the Planning Commission. The other items are related to Staff policies and do not need to be formally adopted.

Subdivision Ordinance Update – the Subdivision Ordinance was last updated in 2012. Antonio Westerlund, the City surveyor, and his surveyor team are reviewing the Ordinance with the intent on recommending updates to the text of the Ordinance. The Subdivision Ordinance describes the specific requirements for subdivision and parcel maps. The review team will be looking for ways to streamline the preparation and review process. This is the same team of surveyors that have been reviewing maps that have been submitted in the last few years and are using that understanding to recommend modifications to make processing of maps more streamlined for the land developer's surveyor and the City's reviewing surveyor.

Subdivision Improvement Agreement Update – Jeff Cowart, the City Engineer, and his team will be reviewing the standard wording of Lemoore's Subdivision Improvement Agreement. The intent is to locate ways to improve the agreement as a way of streamlining or shortening the approval process.

Residential plot plans – Staff has prepared an example standard plot plan that can be given to developers so that the first submittal of their plot plans are more likely to meet the City's standards for plot plans, which would shorten the time it takes to obtain a building permit for a new home.

Landscape Plan review – Staff is preparing an example landscape plan that can be given to developers so that the first submittal of their landscape plans is more likely to meet the MWELo and City standards.

Environmental Assessment:

No CEQA required at this time. This item is only for discussion.

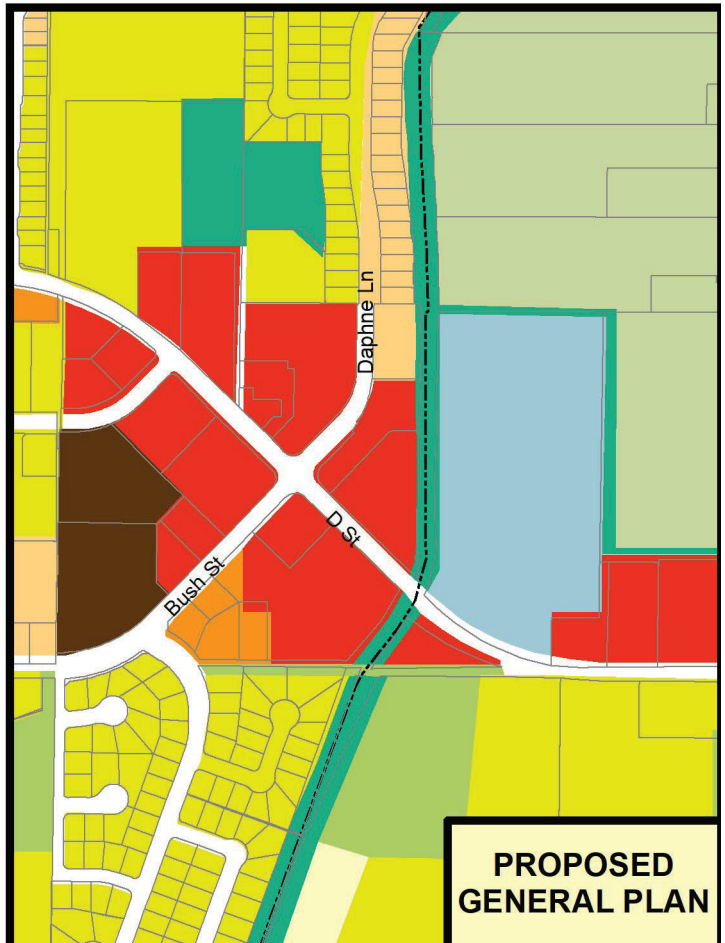
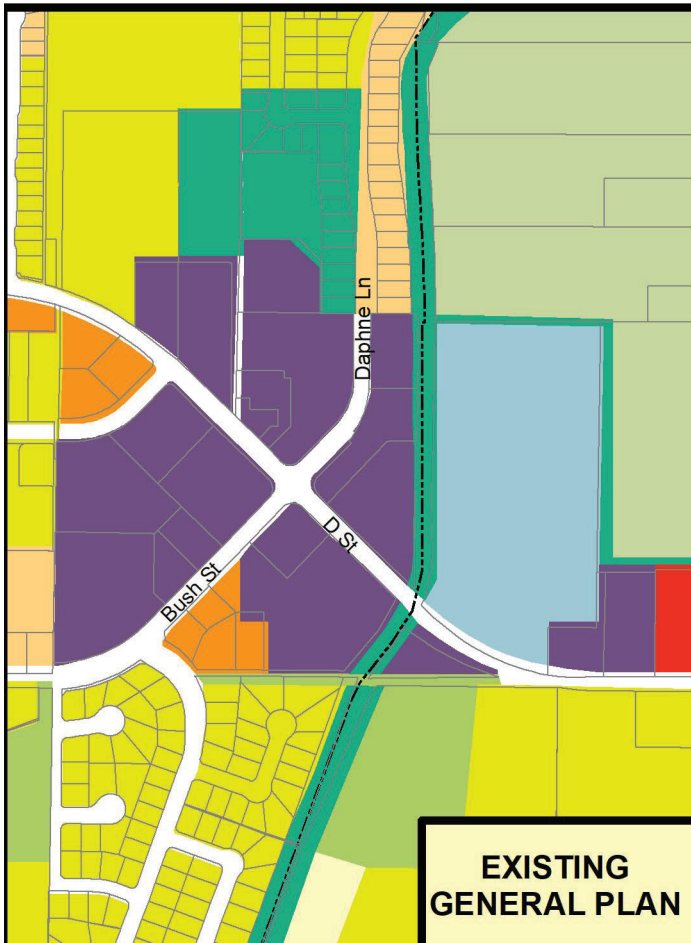
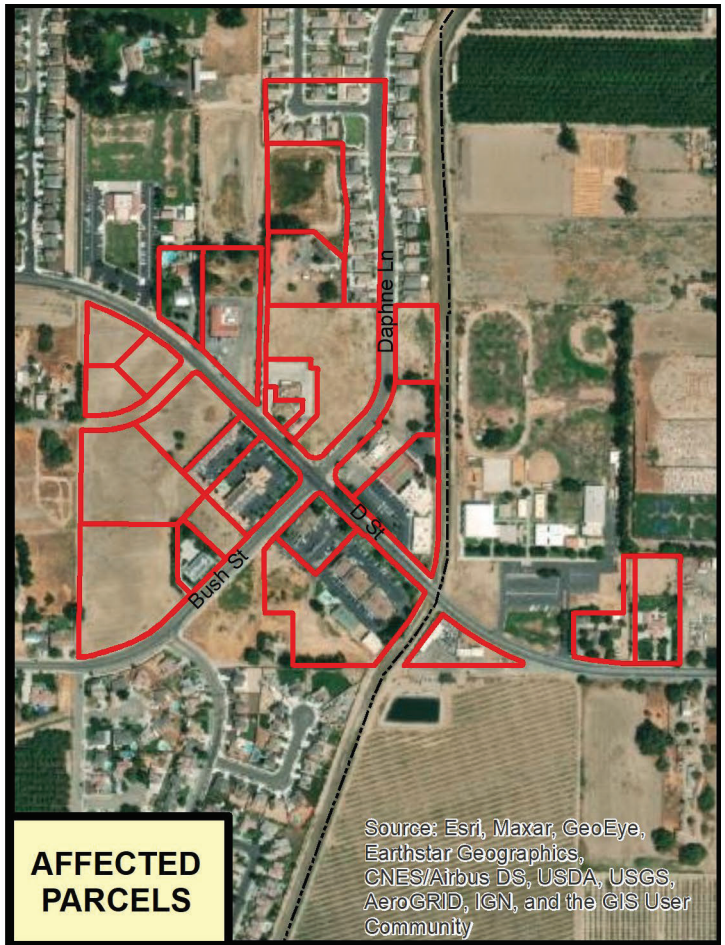
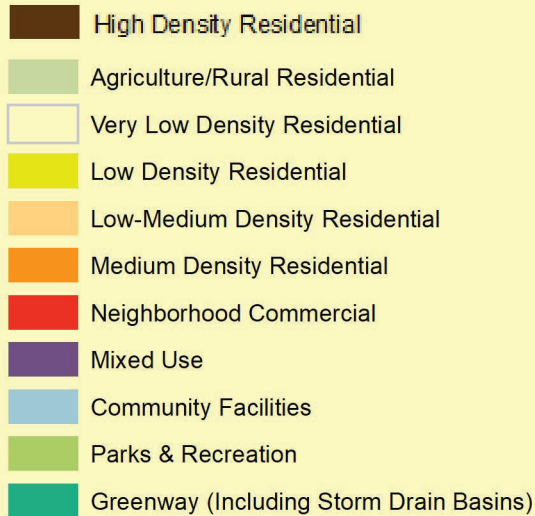
Attachments:

Existing and Proposed General Plan Amendments and Zoning Map Amendments
Proposed Zoning Ordinance Text Amendments

General Plan Amendment – Bush and D Streets

From: Mixed Use
Medium Density Residential
Greenway

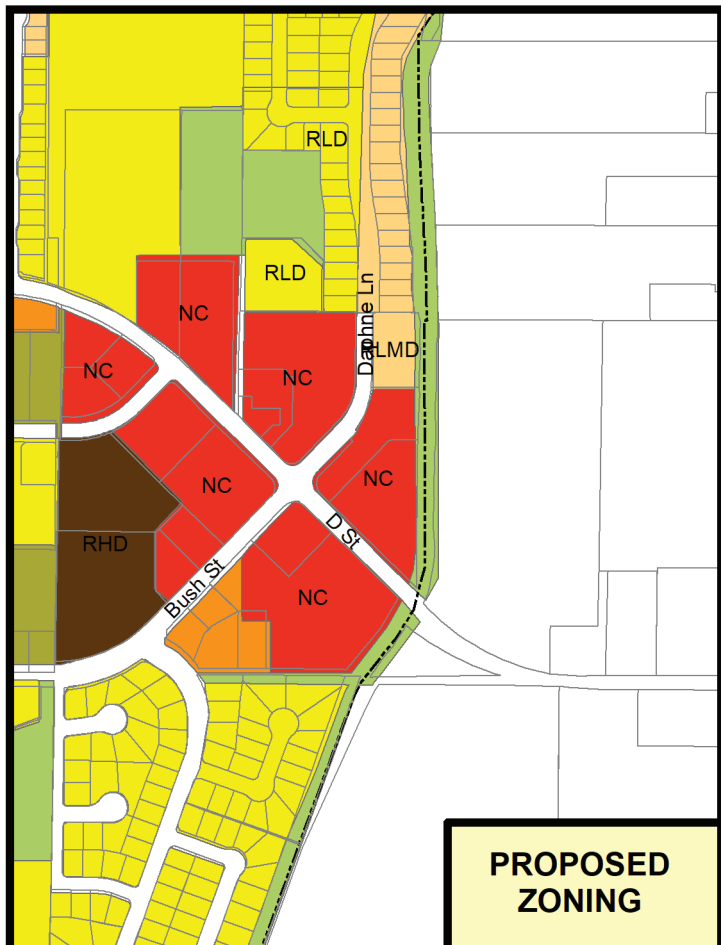
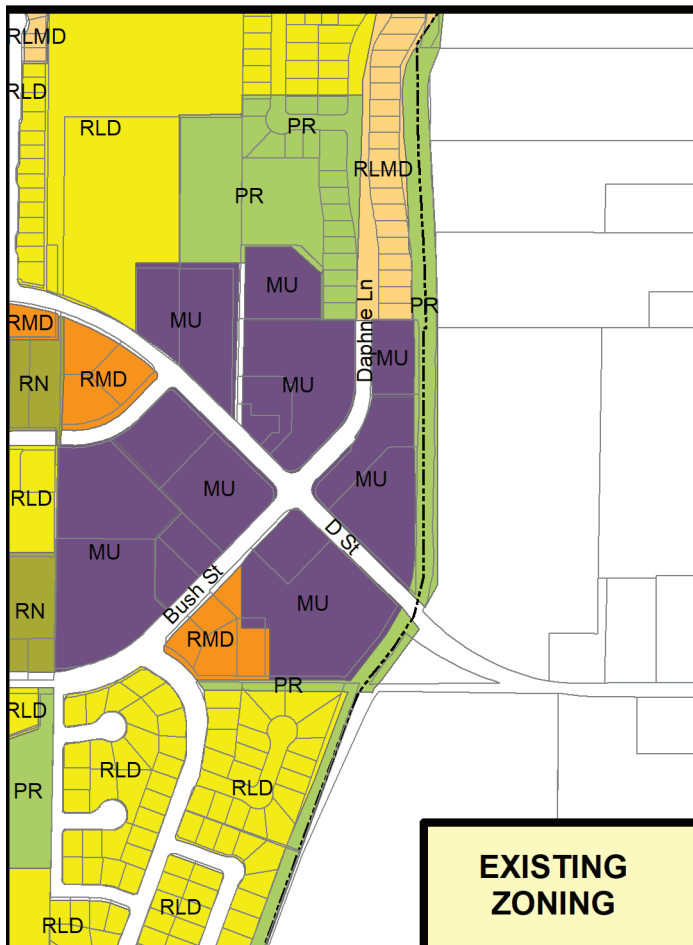
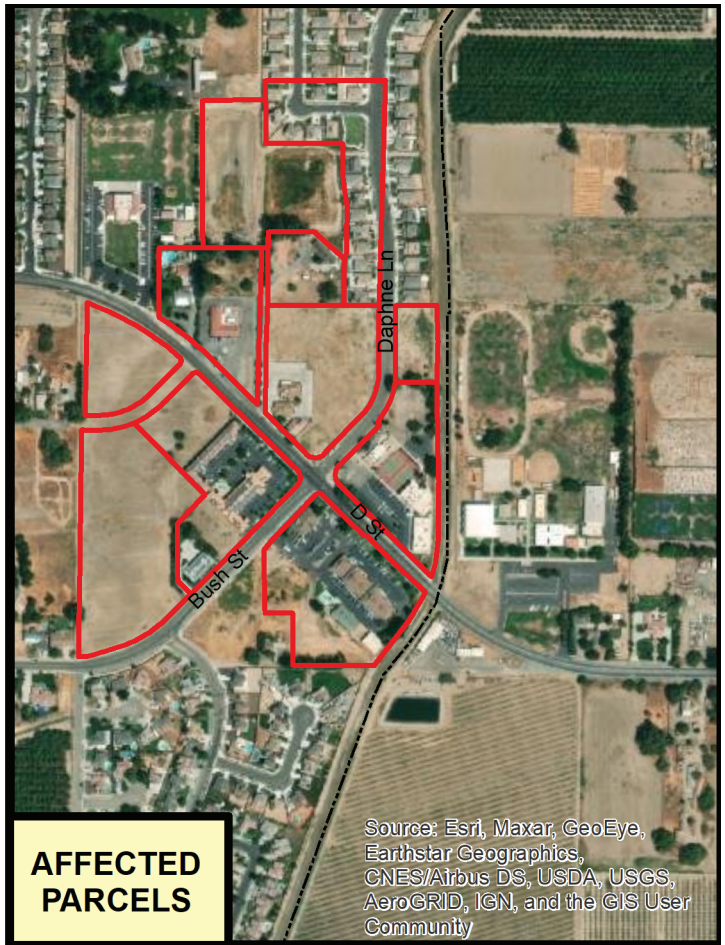
To: High Density Residential
Neighborhood Commercial
Low-Medium Density Residential
Low Density Residential



Zoning Map Amendment – Bush and D Streets

From: Mixed Use (MU)
 Medium Density Residential (RMD)
 Parks and Recreation/Ponding Basin (PR)

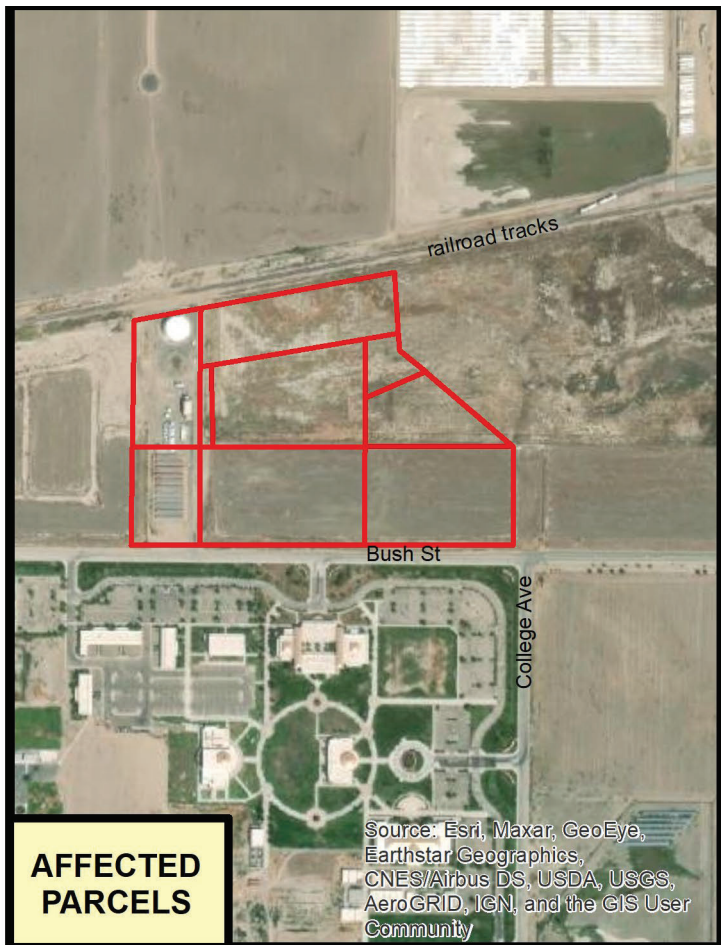
To: High Density Residential (RHD)
 Neighborhood Commercial (NC)
 Low-Medium Density Residential (RLMD)
 Low Density Residential (RLD)



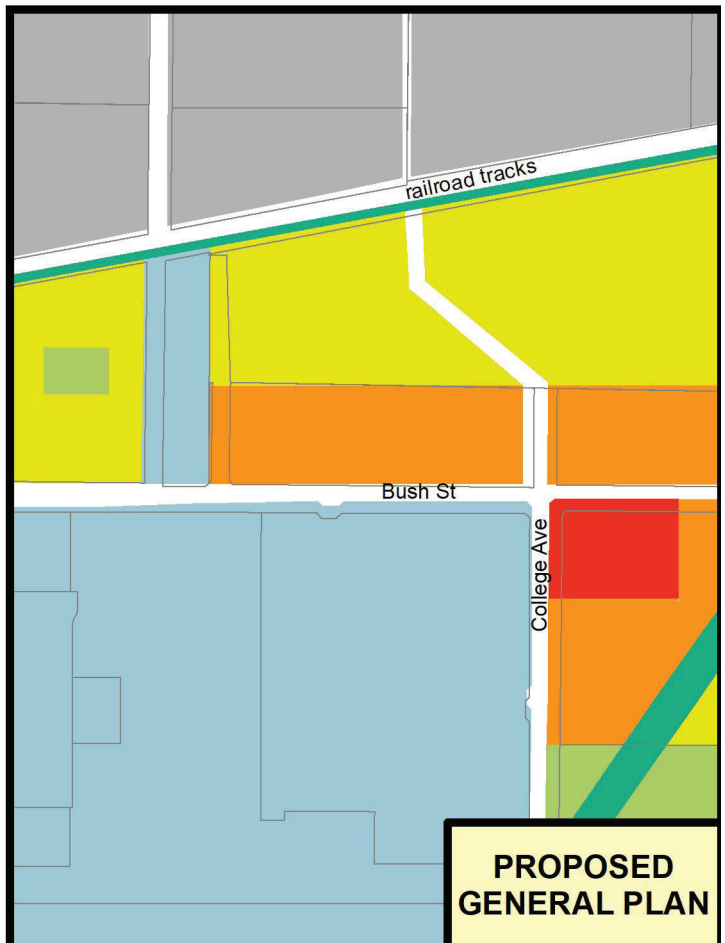
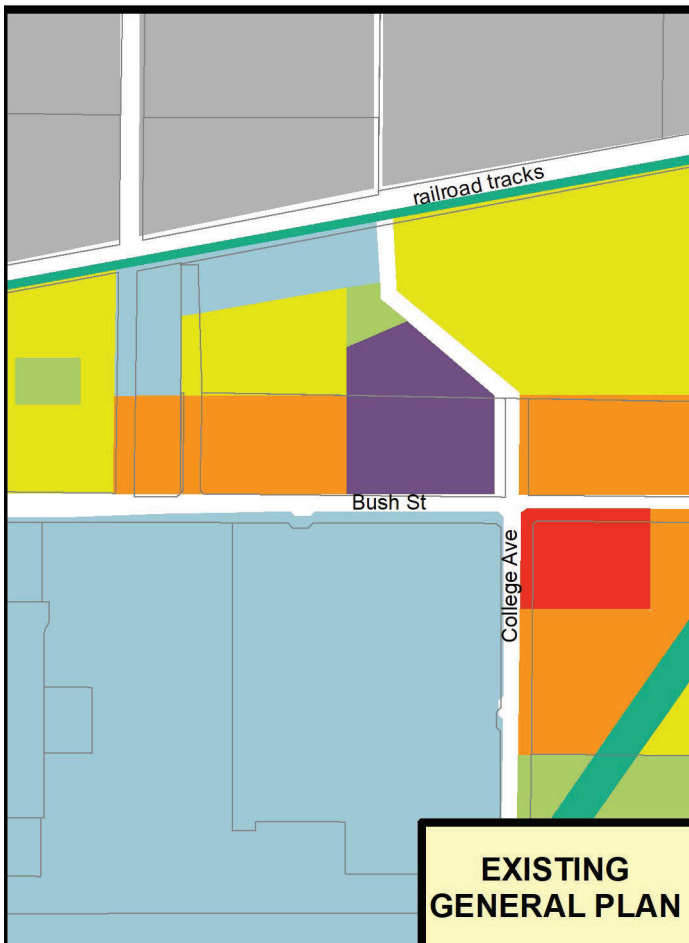
General Plan Amendment – North of College

From: Mixed Use
Medium Density Residential
Community Facilities
Greenway

To: Medium Density Residential
Community Facilities
Low Density Residential



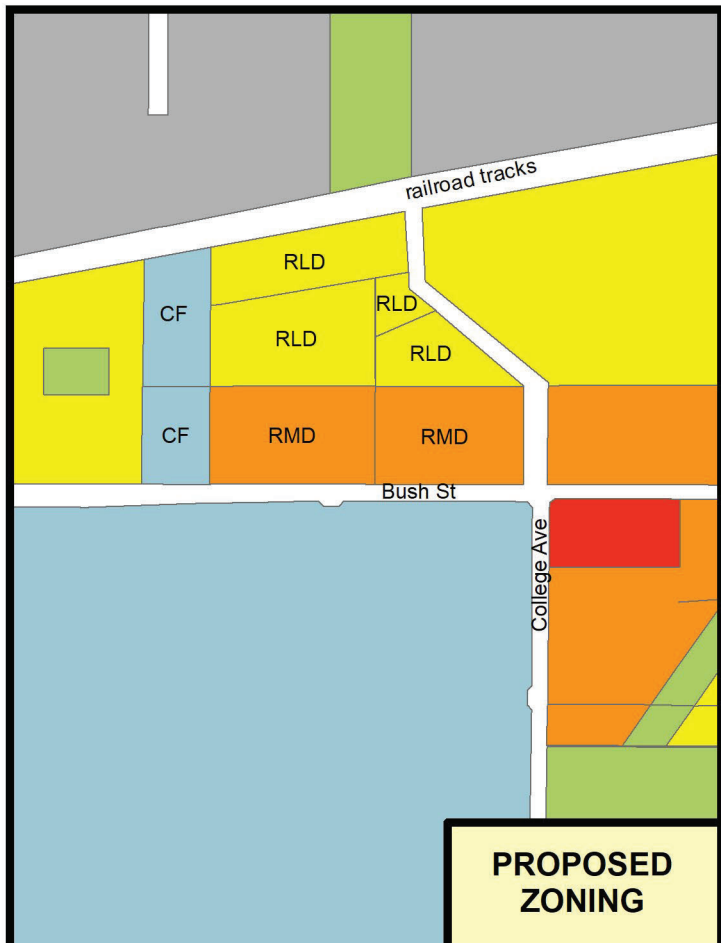
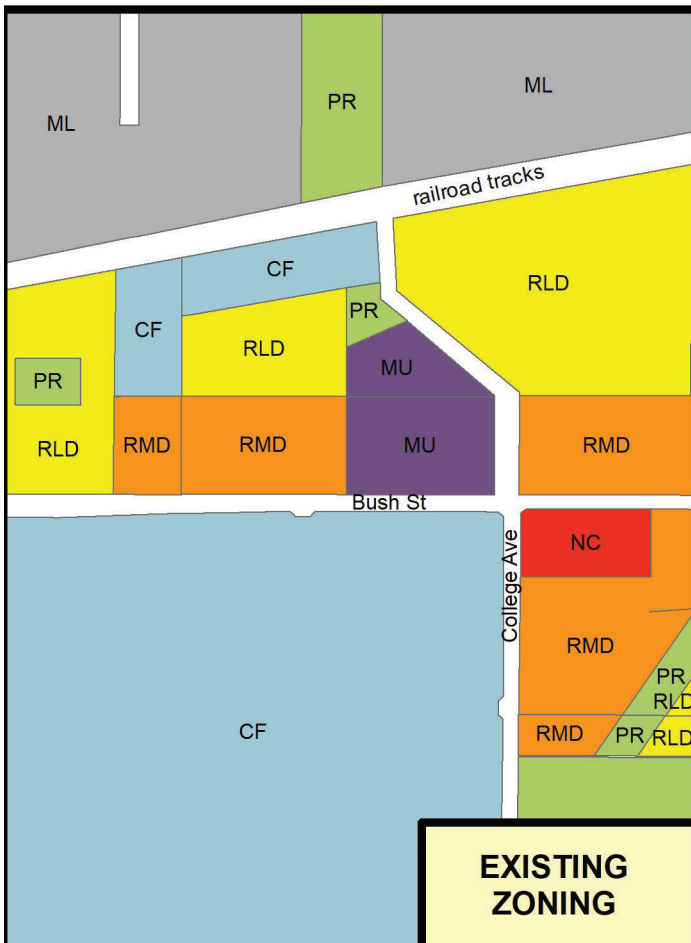
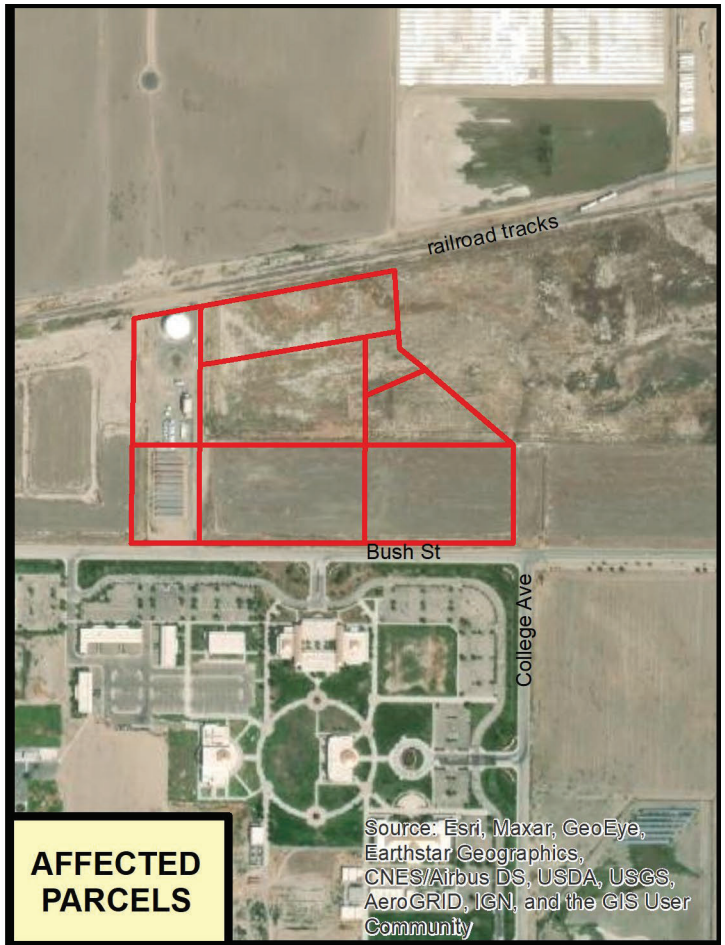
**AFFECTED
PARCELS**



Zoning Map Amendment – North of College

From: Mixed Use (MU)
Medium Density Residential (RMD)
Community Facilities (CF)
Parks and Recreation/Ponding Basin (PR)

To: Medium Density Residential (RMD)
Community Facilities (CF)
Low Density Residential (RLD)

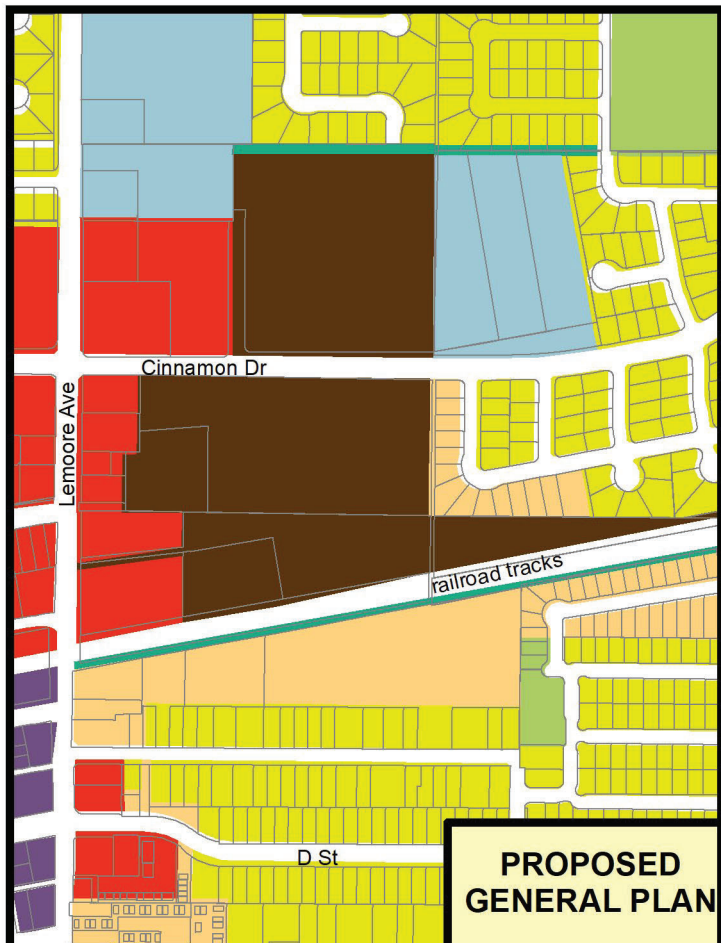
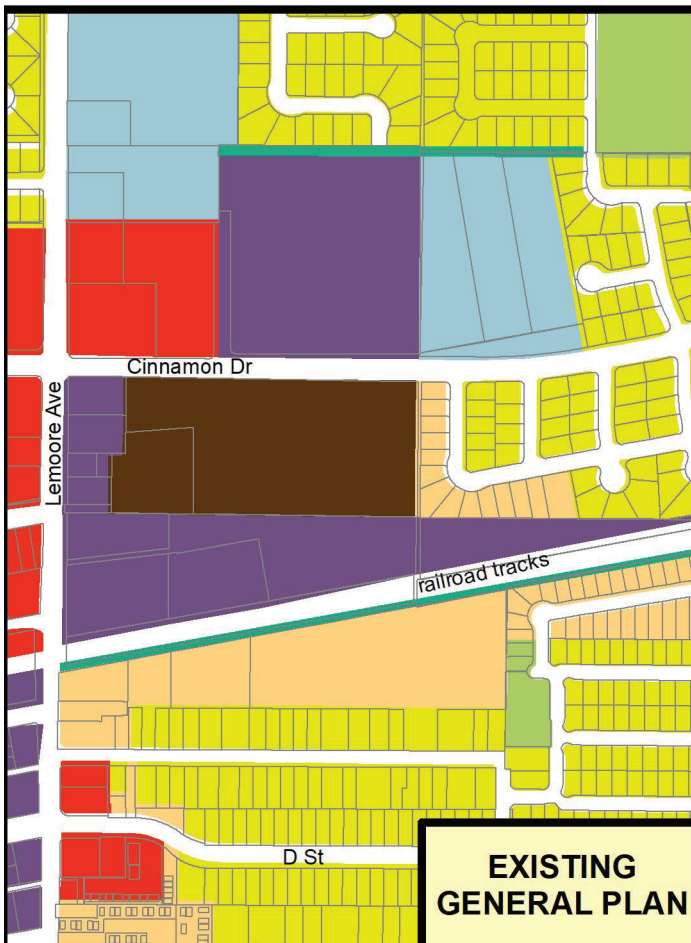


General Plan Amendment – Lemoore Avenue & Cinnamon Drive

From: Mixed Use

To: High Density Residential
Neighborhood Commercial

- Low Density Residential
- Low-Medium Density Residential
- Medium Density Residential
- High Density Residential
- Neighborhood Commercial
- Mixed Use
- Professional Office
- Community Facilities
- Parks & Recreation
- Greenway (Including Storm Drain Basins)



Zoning Map Amendment – Lemoore Avenue & Cinnamon Drive

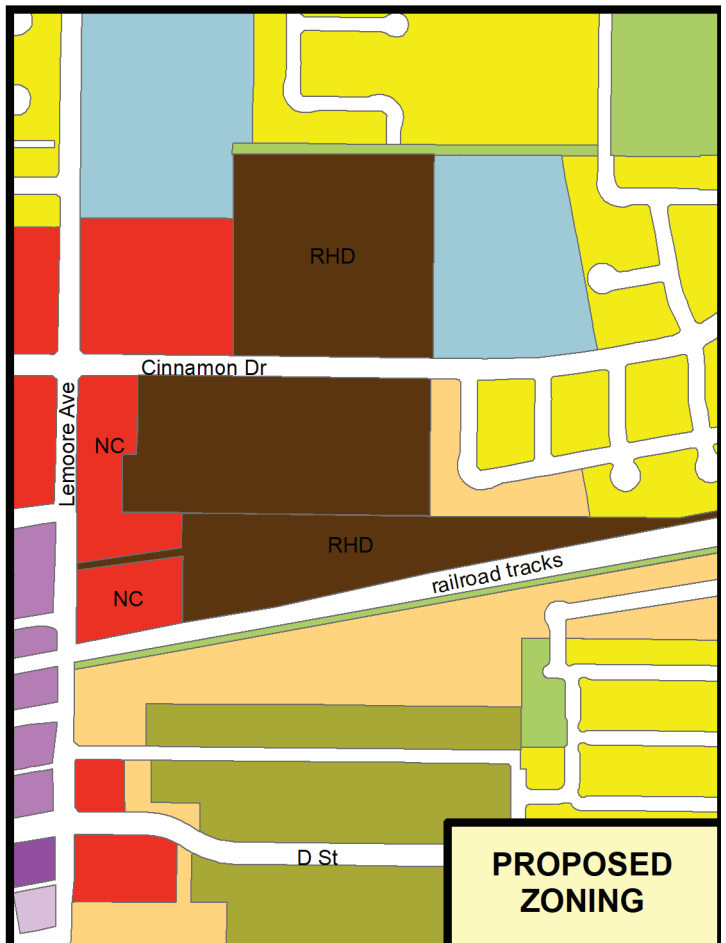
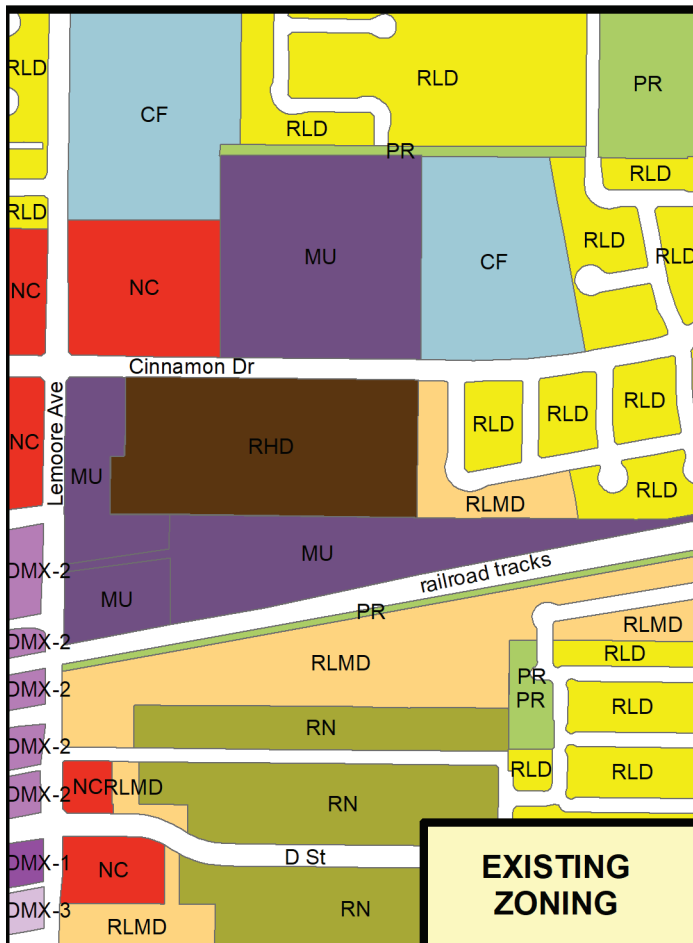
From: Mixed Use (MU)

To: High Density Residential (RHD)
Neighborhood Commercial (NC)

- Low Density Residential (RLD)
- Traditional Neighborhood Residential (RN)
- Low-Medium Density Residential (RLMD)
- Medium Density Residential (RMD)
- High Density Residential (RHD)
- Neighborhood Commercial (NC)
- Mixed Use (MU)
- Downtown Mixed Use, Core (DMX-1)
- Downtown Mixed Use, Auto-Oriented (DMX-2)
- Downtown Mixed Use, Transitional (DMX-3)
- Public Services and Community Facilities (CF)
- Parks and Recreation/Ponding Basin (PR)



**AFFECTED
PARCELS**



General Plan Amendment – Hanford-Armona Road east of Lemoore Avenue

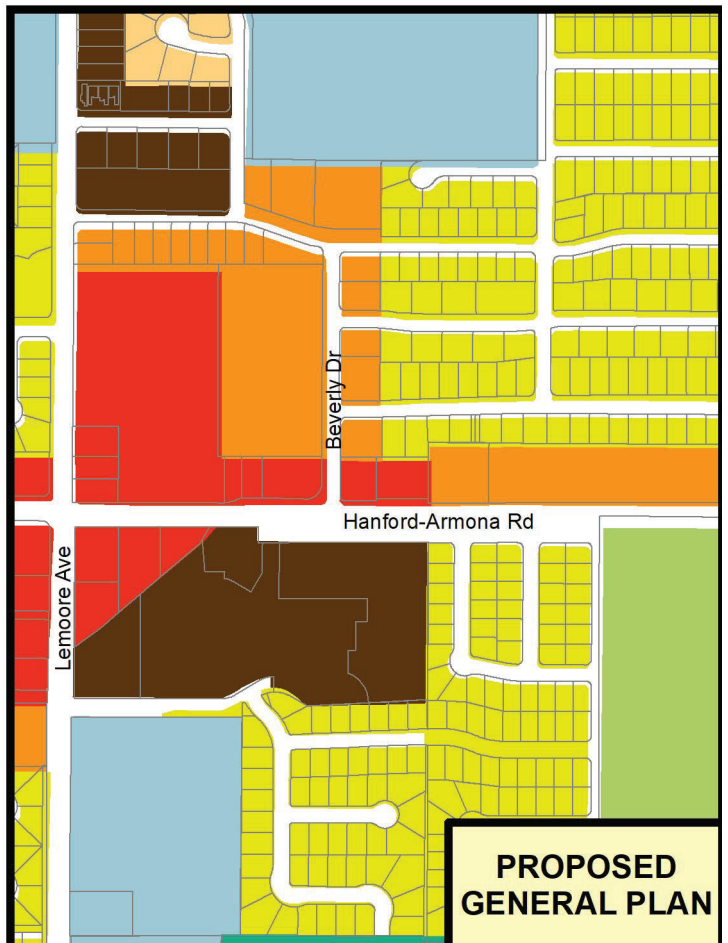
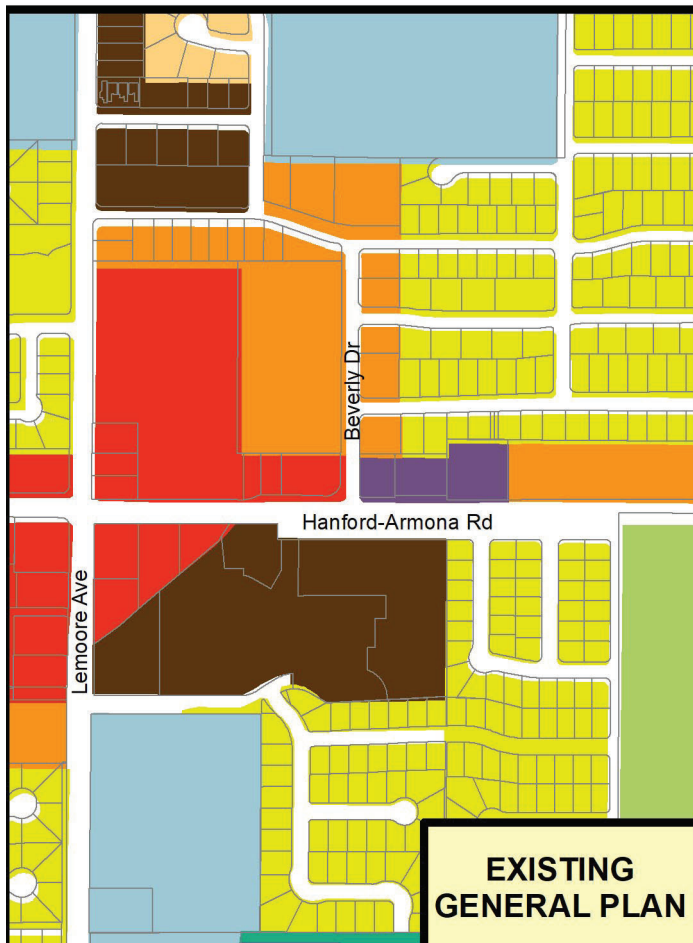
From: Mixed Use

To: Medium Density Residential
Neighborhood Commercial

- Low Density Residential
- Low-Medium Density Residential
- Medium Density Residential
- High Density Residential
- Neighborhood Commercial
- Mixed Use
- Community Facilities
- Parks & Recreation
- Greenway (Including Storm Drain Basins)

AFFECTED PARCELS

Source: Esri, Maxar, GeoEye,
Earthstar Geographics,
CNES/Airbus DS, USDA, USGS,
AeroGRID, IGN, and the GIS User
Community

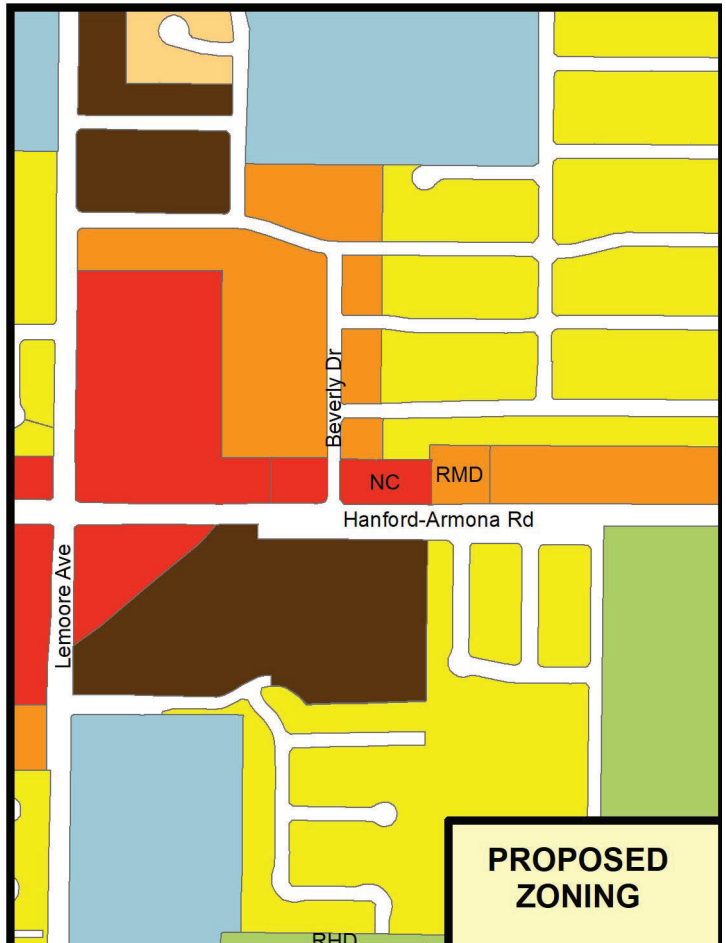
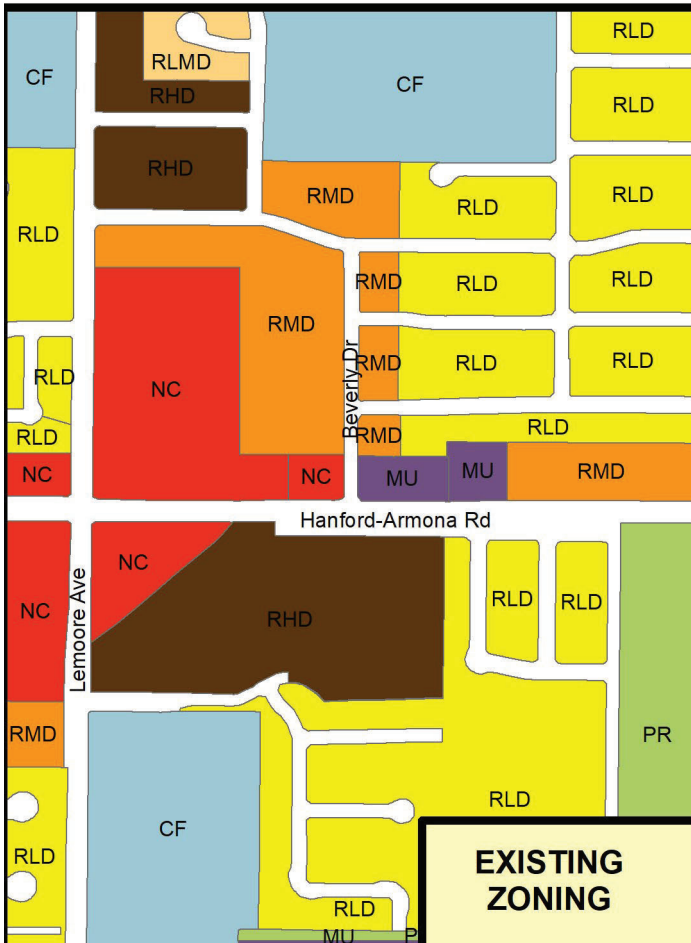


Zoning Map Amendment – Hanford-Armona Road east of Lemoore Avenue

From: Mixed Use (MU)

To: Medium Density Residential (RMD)
Neighborhood Commercial (NC)

- Low Density Residential (RLD)
- Low-Medium Density Residential (RLMD)
- Medium Density Residential (RMD)
- High Density Residential (RHD)
- Neighborhood Commercial (NC)
- Mixed Use (MU)
- Public Services and Community Facilities (CF)
- Parks and Recreation/Ponding Basin (PR)



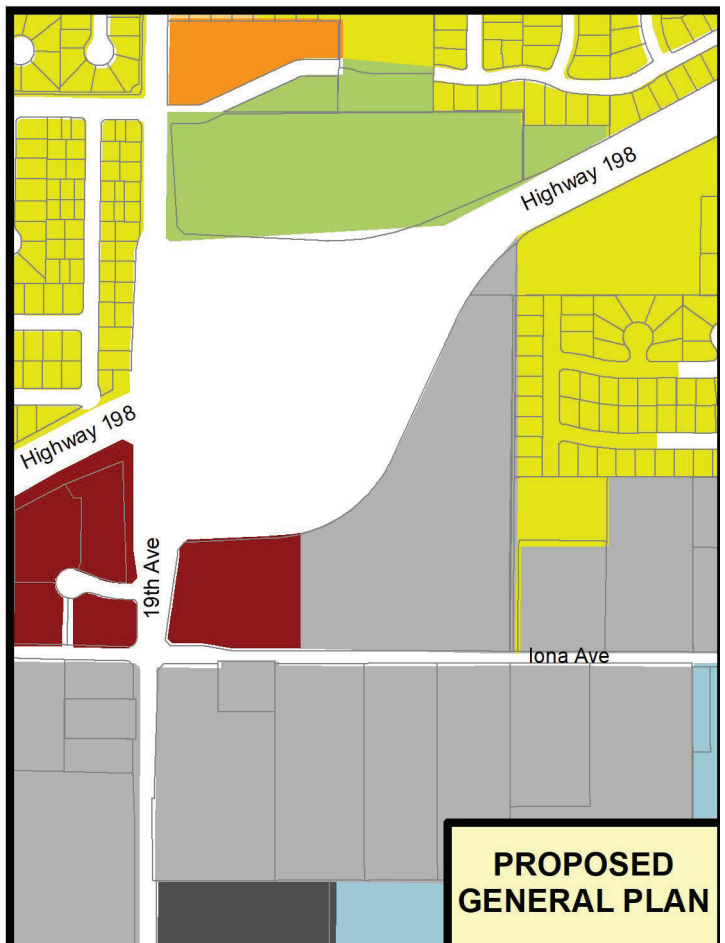
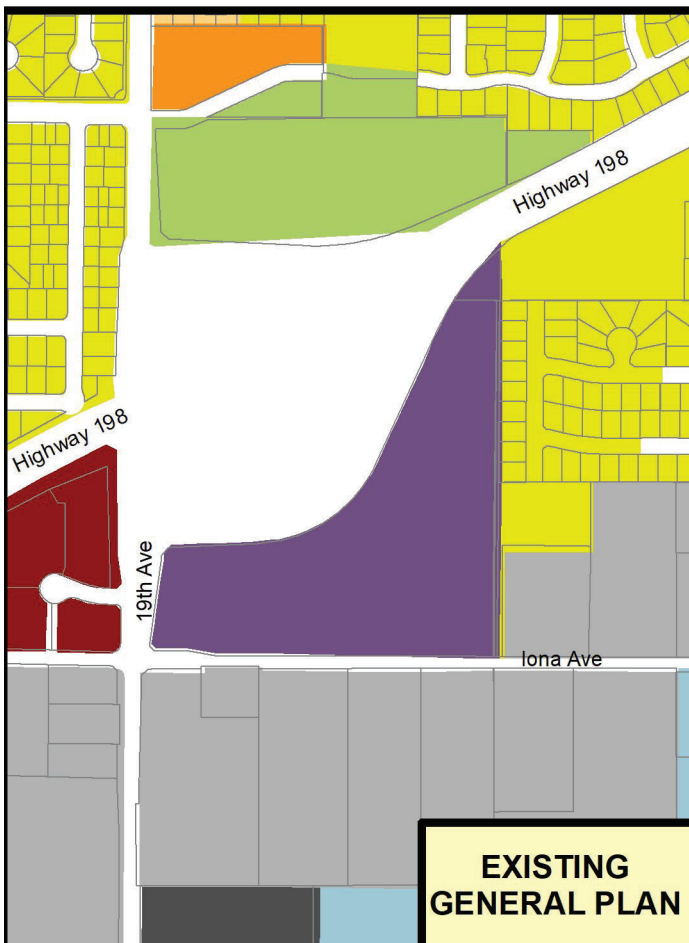
General Plan Amendment – Maverik/King

From: Mixed Use

To: Light Industrial
Neighborhood Commercial



**AFFECTED
PARCELS**

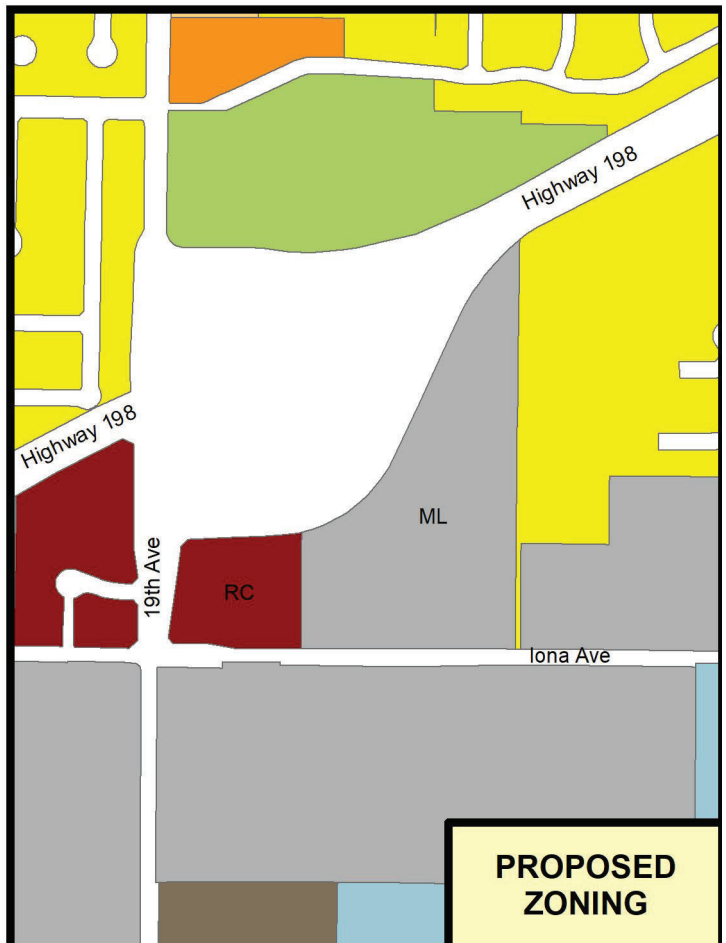
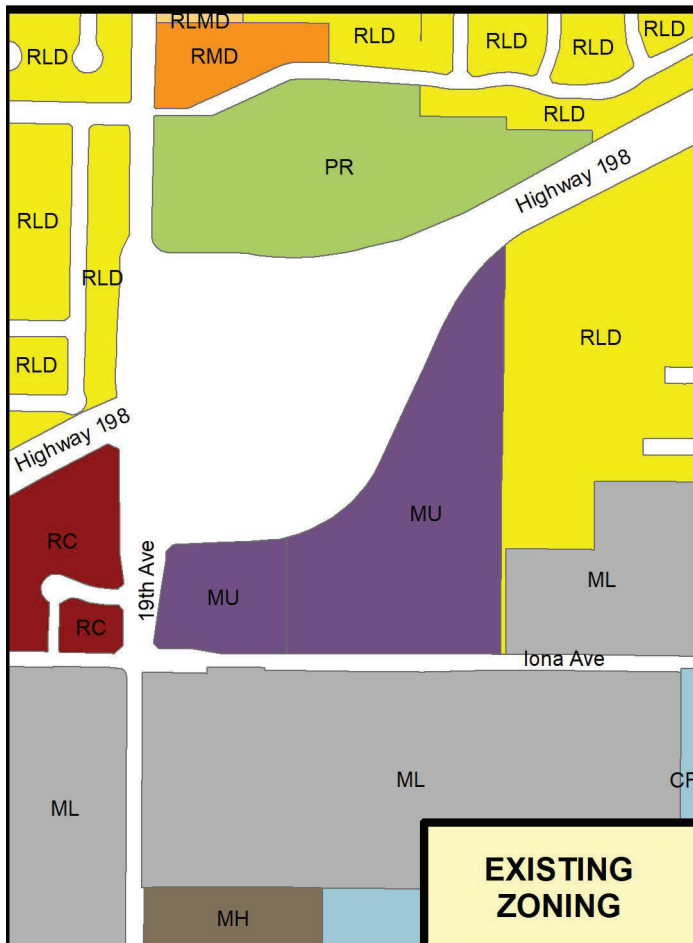


Zoning Map Amendment – Maverik/King

From: Mixed Use (MU)

To: Light Industrial (ML)
Neighborhood Commercial (NC)

- Low Density Residential (RLD)
- Low-Medium Density Residential (RLMD)
- Medium Density Residential (RMD)
- Regional Commercial (RC)
- Mixed Use (MU)
- Light Industrial (ML)
- Heavy Industrial (MH)
- Public Services and Community Facilities (CF)
- Parks and Recreation/Ponding Basin (PR)



April 24 Planning Commission Version

PROPOSED ZONING ORDINANCE TEXT AMENDMENTS

New text is underlined. Text to be removed is in ~~strikeout~~ format.

**TABLE 9-2A-7-1
PLANNING PERMIT AND ENTITLEMENTS AND REVIEW AND APPEAL AUTHORITY¹**

Planning Permit Or Entitlement	Notice/Hearing Requirement	Authority		
		Planning Director	Planning Commission	City Council
Administrative permits:				
Zoning clearance (e.g., building permit, signs, business license)	None	Final	<u>Appeal-</u>	Appeal
Temporary use permit	None	Final	<u>Appeal-</u>	Appeal
Tree permit for trees on private property	None	Final	<u>Appeal-</u>	Appeal
Reasonable accommodation	None	Final	<u>Appeal-</u>	Appeal
Similar use determination	None	Final	<u>Appeal-</u>	Appeal
Official zoning interpretation	None	Final	<u>Appeal-</u>	Appeal
Minor home occupation permit	None	Final	<u>Appeal-</u>	Appeal
Highway oriented sign permit	None	Final	<u>Appeal-</u>	Appeal
Administrative use permit	None	Final	<u>Appeal-</u>	Appeal
Minor deviation	None	Final	<u>Appeal-</u>	Appeal
Minor site plan and architectural review	None	Final	-	Appeal
Sign program	None	Final	<u>Appeal-</u>	Appeal

<u>Site plan and architectural review</u>	<u>None</u>	<u>Final</u>	<u>Appeal</u>	<u>Appeal</u>
Quasi-judicial permits and entitlements:				
Conditional use permit	Public hearing	Recommending	Final	Appeal ²
Major home occupation permit	Public hearing	Recommending	Final	Appeal
<u>Major site plan and architectural review</u>	<u>Public hearing</u>	<u>Recommending</u>	<u>Final</u>	<u>Appeal</u> ³
<u>Planned unit development</u>	<u>Public hearing</u>	<u>Recommending</u>	<u>Final</u>	<u>Appeal</u> ³
Variance	Public hearing	Recommending	Final	Appeal ²
Public convenience or necessity	Public hearing	Recommending	Final	Appeal ²
Legislative approvals:				
Specific plan	Public hearing ³	Recommending	Recommending	Final
Development agreement	Public hearing ³	Recommending	Recommending	Final
<u>Planned Unit Development</u>	<u>Public hearing</u> ³	<u>Recommending</u>	<u>Recommending</u>	<u>Final</u>
Zoning amendment	Public hearing ³	Recommending	Recommending	Final
Prezoning	Public hearing ³	Recommending	Recommending	Final
General plan amendment	Public hearing ³	Recommending	Recommending	Final

9-2B-12: ~~MINOR~~ SITE PLAN AND ARCHITECTURAL REVIEW:

A. Purpose: The purpose of ~~minor~~-site plan and architectural review is for the review of the design and layout of new development in the City to ensure that it is consistent with the regulations of this title, other relevant titles in the Lemoore Municipal Code, and all relevant City policies, requirements, and development standards that would apply to the project prior to the issuance of subsequent permits, such as discretionary actions required by the City Zoning Ordinance or City Subdivision Ordinance, improvement plans, and building permits. It is the intent that site plan and architectural review be a ministerial action limited to review of the project development project for conformance with City of Lemoore ordinances, policies, requirements, and development standards. (Ord. 2013-05, 2-6-2014)

B. Applicability: ~~Minor-site~~Site plan and architectural review shall be required prior to the issuance of any ministerial building permits or site improvement plans and prior to ~~or in conjunction with any~~ discretionary action of corresponding development applications (e.g., conditional use permit, variance). Site plan and architectural review may serve as the preliminary application for housing development projects seeking vesting rights pursuant to SB 330, the Housing Crisis Act of 2019.

1. Review Required: ~~Minor-site~~Site plan and architectural review is required for all of the following activities:

a. New nonresidential or mixed-use developments ~~of less than twenty thousand (20,000) gross square feet;~~

b. ~~Additions Nonresidential building additions greater than 1,000 square feet; of less than twenty thousand (20,000) square feet to existing commercial, office, and industrial buildings;~~

c. Conceptual plan for a mixed-use center as required by chapter 7, "Mixed Use Development Standards", of this title.

d. New multi-family residential developments of more than two units (e.g., apartments, condominiums, townhomes) ~~of less than thirty (30) units on a single site.~~ (Ord. 2018-03, 5-15-2018)

e. The design and layout of new residential subdivisions as part of the tentative subdivision map process as provided in title 8, chapter 7, "Land Division", of the Municipal Code;

f. Demolition or exterior alterations and additions to nonresidential buildings that are more than seventy five (75) years old.

2. Exemptions: The following activities are specifically exempt from ~~minor~~-site plan and architectural review:

a. Single-family ~~residential custom~~ homes and duplexes on an existing lot;

b. Additions to or the exterior remodels of single-family residential homes within normal setbacks;

c. Accessory structures consistent with the provisions of section 9-4D-18, "Residential Accessory Structures", of this title;

- d. Changes to the exterior facade of existing buildings;
- e. Painting existing buildings in the DMX zoning districts with historic color palettes as described in subsection 9-6-4C, "Colors And Painting", of this title;
- f. Repairs and maintenance to the site or structure that do not add to, enlarge, or expand the area occupied by the land use, or the floor area of the structure and that employ the same materials and design as the original construction;
- g. Interior alterations that do not increase the gross floor area within the structure, or change/expand the permitted use of the structure (including solar collectors); and
- h. Construction, alteration, or maintenance by a public utility or public agency of underground or overhead utilities intended to service existing or nearby approved developments.
- i. Nonresidential building additions of 1,000 square feet of gross floor area or less;

C. Approval Authority: The designated approval authority for ~~minor~~-site plan and architectural design review shall be the Planning-Community Development Director.

D. Process: The applicant shall provide a completed application on a form prepared by the City, a site plan and, if new non-residential buildings or multi-family dwellings are proposed, an elevation plan. No public hearing or notice is required for a ~~minor~~-site plan and architectural review. Site plan and architectural review is a ministerial process conducted by City staff to determine compliance with existing City of Lemoore ordinances, policies, requirements, and development standards and is therefore exempt from the requirements of the California Environmental Quality Act (CEQA) per State CEQA Guidelines Section 15268.

E. Approval ~~Findings~~: A ~~minor~~-site plan and architectural review permit, or any modification thereto, shall be granted only when the designated approving authority ~~makes a finding~~finds that the proposed project is consistent with the objectives of the general plan and complies with applicable zoning regulations, specific plan provisions, and policies and improvement standards adopted by the City, or that a general plan amendment or zoning amendment is going to be subsequently applied for by the developer. If the site plan submitted requires major changes before this finding can be made, the developer may be required to make changes and submit the site plan again.

F. Post approval Implementation: A ~~minor~~-site plan and architectural design review permit is ministerial in nature. As such, the Planning Director may not impose discretionary conditions on the issuance of the permit. If the proposed development project requires approval of a discretionary action after completion of the site and architectural design review process, conditions of approval can be placed on the discretionary approval (Ord. 2013-05, 2-6-2014)

G. Appeals. If the applicant disagrees with the interpretation or application of a City ordinance, policy, requirement, or development standard, they may appeal the interpretation per procedures in Section 9-2A-7 and 9-2A-8.

H. Expiration. A site plan and architectural design review permit shall expire one (1) year after issuance unless an application for a related discretionary approval or a building permit is submitted. Upon written request by the applicant prior to expiration, the Community Development Director may extend the expiration for an additional six (6) months.

~~9-2B-15: MAJOR SITE PLAN AND ARCHITECTURAL REVIEW:~~

~~—A.—Purpose: The purpose of major site plan and architectural review is for the review of the design and layout of new development in the City to ensure that it is consistent with the regulations of this title and will not result in a detriment to the City or the environment. The City desires to maintain and enhance Lemoore's sense of place; design commercial and mixed-use centers to be of pedestrian scale so people can feel comfortable and congregate in these areas; promote visually appealing architecture and high quality developments that promote a small town atmosphere; and protect and accentuate Lemoore's environmental assets, its surrounding natural landscape, agricultural farmland, open canals, and wetlands. (Ord. 2013-05, 2-6-2014)~~

~~—B.—Applicability: Major site plan and architectural review shall be required prior to the issuance of any ministerial building permits or site improvement plans and prior to or in conjunction with discretionary action of corresponding development applications (e.g., conditional use permit, variance).~~

~~—1.—Review Required: A major site plan and architectural review is required for the following items:~~

~~—a.—New nonresidential or mixed-use developments of twenty thousand (20,000) gross square feet or more;~~

~~—b.—Additions of twenty thousand (20,000) square feet or more to existing commercial, office, and industrial buildings;~~

~~—c.—New multi-family residential developments (e.g., apartments, condominiums, townhomes) except where there are less than thirty (30) units on a single site;~~

~~—d.—The design and layout of new residential subdivisions as part of the tentative subdivision map process as provided in title 8, chapter 7, "Land Division", of the Municipal Code;~~

~~—e.—Demolition or exterior alterations and additions to nonresidential buildings that are more than seventy five (75) years old. (Ord. 2018-03, 5-15-2018)~~

~~—2.—Exemptions: Those activities exempt from minor site plan and architectural design review as provided in subsection 9-2B-12 B2 of this article shall also be exempt from major site plan and architectural design review.~~

~~—C.—Approval Authority: The designated approval authority for major site plan and architectural design review shall be the Planning Commission.~~

~~—D.—Public Hearing And Notice: Public hearing and notice are required for a major site plan and architectural review pursuant to section 9-2A-6, "Public Notice, Hearings, And Decisions", of this chapter.~~

~~—E.—Approval Findings: A major site plan and architectural review permit, or any modification thereto, shall be granted only when the designated approving authority makes all of the following findings:~~

~~—1.—The proposed project is consistent with the objectives of the general plan and complies with applicable zoning regulations, specific plan provisions, and improvement standards adopted by the City;~~

~~—2.—The proposed architecture, site design, and landscape are suitable for the purposes of the building and the site and will enhance the character of the neighborhood and community;~~

~~—3. The architecture, character, and scale of the building and the site are compatible with the character of buildings on adjoining and nearby properties;~~

~~—4. The proposed project will not create conflicts with vehicular, bicycle, or pedestrian transportation modes of circulation; and~~

~~—5. In the case of proposed alterations, additions, or demolitions to nonresidential buildings that are more than seventy five (75) years old:~~

~~— a. Alterations And Additions: The alteration or addition is compatible with the downtown revitalization plan.~~

~~— b. Demolitions: The applicant has demonstrated that the existing use cannot generate a reasonable rate of return; the existing building constitutes a hazard to public safety and is economically infeasible to rehabilitate, the design quality of the replacement building will be superior to the existing building and will be compatible with adjacent buildings and the character of downtown Lemoore, or the proposed demolition or removal is necessary to allow a project that will have public benefits outweighing the public benefits of retaining the existing building.~~

~~—F. Conditions Of Approval: The designated approving authority may impose conditions and/or require guarantees in order to ensure compliance with this title and to prevent adverse or detrimental impact to the surrounding neighborhood. (Ord. 2013-05, 2-6-2014)~~

9-4A-5: DESCRIPTION OF LAND USES:

CHILD DAYCARE FACILITY: Facility that provides nonmedical care and supervision of minor children for periods of less than twenty four (24) hours for an individual child. These facilities include the following, all of which are required to be licensed by the State:

1. Child Daycare Center: Commercial or nonprofit child daycare facility operated outside of a home, typically able to accommodate fifteen (15) or more children, including infant centers, preschools, sick child centers, daycare centers, and school age daycare facilities. These may be operated in conjunction with a school or church facility, apartment complex, or as an independent land use. Also includes employer sponsored childcare centers.

2. Family Daycare Home, Large: A ~~single-family residence~~home that regularly provides ~~daycare care, protection, and supervision while the parents or guardians are away~~ for seven (7) to fourteen (14) children, inclusive, including children under the age of ten (10) years who reside at the home. This description is consistent with section 1596.78 of the Health and Safety Code.

3. Family Daycare Home, Small: A ~~single-family residence~~home that regularly provides ~~daycare care, protection, and supervision while the parents or guardians are away~~ for ~~six (6) eight (8)~~ or fewer children, including children under the age of ten (10) years who reside at the home, or up to eight (8) children if the conditions of section 1597.44 of the Health and Safety Code are met. Per State law, ~~these small family daycare~~ uses may not be regulated differently than single-family dwellings. This description is consistent with section 1596.78 of the Health and Safety Code.

~~DWELLING, ACCESSORY UNIT: An attached or detached dwelling unit which provides complete independent living facilities for one or more persons, with permanent provisions for living, sleeping, eating, cooking, and sanitation sited on the same parcel as the primary dwelling unit. This definition includes granny flats.~~

DWELLING, ACCESSORY UNIT (ADU): An attached or a detached residential dwelling unit that provides complete independent living facilities for one or more persons with permanent provisions for living, sleeping, eating, cooking, and sanitation. An accessory dwelling unit may be an efficiency unit, as defined in Health and Safety Code Section 17958.1, and a manufactured home, as defined in Health and Safety Code Section 18007.

DWELLING, JUNIOR ACCESSORY UNIT (JADU): A dwelling unit that is no more than five hundred (500) square feet in size and contained entirely within a single-family residence that includes a separate entrance from the main entrance to the single-family residence, separate sanitation facilities, and an efficiency kitchen consisting of a cooking facility with appliances, a food preparation counter, and storage cabinets of reasonable size in relation to the size of the unit.

SHORT-TERM RENTAL UNIT: Residential structure where all or a portion of the structure is rented for overnight lodging for a period of less than 30 days. A short-term rental unit or site that provides a meal as part of its service is considered a bed and breakfast inn and is included under the definition of "bed and breakfast inn".

**TABLE 9-4B-2
ALLOWED USES AND REQUIRED ENTITLEMENTS FOR BASE ZONING DISTRICTS**

P	=	Permitted by right		N	=	Not permitted
A	=	Administrative use permit required		C	=	Conditional use permit required

Land Use/Zoning District	Residential Zoning Districts								Special Purpose Zoning Districts				Mixed Use Zoning Districts				Office, Commercial, And Industrial Zoning Districts				
	AR	RVLD	RLD	RN	RLMD	RMD	RHD	W	AG	PR	CF	DMX- 1	DMX- 2	DMX- 3	MU	NC	RC	PO	ML	MH	
Residential uses:																					
Caretaker housing	C	P	P	P	P	P	P	C	N	C	C	P	P	P	P	C	C	P	P	P	
Child daycare facility - family daycare home, large ¹	N	A	A	A	A	A	A	N	N	N	N	A	A	A	A	N	N	N	N	N	
Child daycare facility - family daycare home, small	N	P	P	P	P	P	P	N	N	N	N	P	P	P	P	N	N	N	N	N	
Dwelling, multi-family	N	N	N	N	P	P	P	N	N	N	N	P ²	P	P	P	P ²⁷	N	C	N	N	
Dwelling, second unit accessory unit ³	A	A	A	A	A	A	A	N	N	N	N	N	A	A	N	N	N	N	N	N	
Dwelling, single-family	P	P	P	P	P	P	N	N	N	N	N	N	A	P	N	N	N	N	N	N	
Dwelling, two-family	N	N	A	P	P	P	N	N	N	N	N	N	P	P	N	N	N	N	N	N	
Dwelling, additional, meeting provisions of Government Code Section 66852.21	P	P	P	P	P	N	N	N	N	N	N	N	N	P	N	N	N	N	N	N	
Emergency shelter	N	N	N	N	N	N	N	N	N	N	P	N	N	N	N	N	N	N	C	N	
Employee housing, large	P	C	N	N	N	N	N	N	P	N	N	N	N	N	N	N	N	N	N	N	
Employee housing, small	P	P	P	P	P	P	N	N	P	N	N	N	P	P	N	N	N	N	N	N	
Gated residential community	C	C	C	C	C	C	C	N	N	N	N	N	N	N	N	N	N	N	N	N	
Group residential	N	N	N	N	N	P	P	N	N	N	C	P	P	P	P	N	N	N	N	N	
Guesthouse	P	P	P	P	P	P	N	N	N	N	N	N	P	P	N	N	N	N	N	N	
Live-work facility ⁵	N	N	N	N	N	N	A	N	N	N	N	A	A	A	A	A	N	N	N	N	

[illegible]

Notes:

1

1. See additional regulations for large family daycare homes in section [9-4D-7](#) of this chapter.
2. Only permitted on the first floor when located along an alley or side street, otherwise must be on an upper floor.
3. See additional regulations for [second-accessory dwelling](#) units in section [9-4D-12](#) of this chapter.
4. Reserved.
5. See additional regulations for live-work facilities in section [9-4D-9](#) of this chapter.
6. See additional regulations for mobilehome parks in section [9-4D-10](#) of this chapter.
7. Minimum lot size shall be 20,000 square feet.
8. All activities and storage shall be located within an enclosed structure(s).
9. See additional regulations for community gardens in section [9-4D-3](#) of this chapter.
10. See special permit requirements in title 3, chapter 4, article C of the Municipal Code.
11. Maximum tenant space shall be 10,000 square feet.
12. See additional regulations for wireless telecommunication facilities in section [9-4D-15](#) of this chapter.
13. Facilities less than 75 feet tall are permitted by right, except that major site plan and architectural review is still required. Otherwise, a conditional use permit is required in addition to major site plan and architectural review.
14. See additional regulations for alcoholic beverage sales in section [9-4D-2](#) of this chapter.
15. Use is permitted by right when located on the ground floor. Otherwise, a conditional use permit is required.
16. See additional regulations for drive-in and drive-through facilities in section [9-4D-4](#) of this chapter.
17. See additional regulations for massage therapy in section [9-4D-9](#) of this chapter. Additionally, see additional permit requirements in title 4, chapter 7 of the Municipal Code.
18. Maximum tenant space shall be 30,000 square feet; however, store size may be larger upon approval of an administrative use permit.
19. See additional regulations for semipermanent mobile food vendors in section [9-4D-13](#) of this chapter.
20. See additional regulations for sexually oriented businesses in section [9-4D-14](#) of this chapter.
21. See additional regulations for thrift stores in section [9-4D-16](#) of this chapter.
22. See additional regulations for fueling stations in section [9-4D-6](#) of this chapter.
23. Use is permitted by right when located more than 500 feet from a residential use or district.
24. See additional regulations for recreational vehicle parks in section [9-4D-11](#) of this chapter.
25. This "sensitive receptor" use shall not be located within:
 - a. 500 feet of a freeway, urban roads carrying 100,000 vehicles per day, or rural roads carrying 50,000 vehicles per day.
 - b. 1,000 feet of a distribution center (that accommodates more than 100 trucks a day, more than 40 trucks with operating transport refrigeration units [TRUs] a day, or where TRU operation exceeds 300 hours per week).
 - c. 300 feet of any dry cleaning operation that uses toxic chemicals. For operations with 2 or more machines, a minimum 500 feet shall be provided. For operations with 3 or more machines, a larger distance may be required based upon consultation with the Kings County Air District.
 - d. 300 feet of a "large gas station", defined as a facility with a throughput of 3.6 million gallons or more per year.
26. If developed incidental to an existing charitable operation, this use is allowed subject to approval of an administrative use permit.
27. Permitted on second floors above retail and neighborhood serving office when ancillary in size and does not interfere with primary retail use.
28. Use is permitted as allowed by State law and as authorized in title 4, chapter 8 of the Municipal Code.

9-4D-12: ACCESSORY DWELLING UNITS AND JUNIOR ACCESSORY DWELLING UNITS:

~~A.— Purpose And Applicability: This section applies to accessory dwelling units within the City. Accessory dwelling units are permitted upon issuance of an administrative use permit in the agricultural and residential zoning districts subject to the standards of this section. The purpose of this section is to regulate accessory dwelling units in residential zoning districts and on residential property consistent with State law. Implementation of this section is intended to expand housing opportunities for low income and moderate income or elderly households by increasing the number of rental units available within existing neighborhoods while maintaining the primarily single-family residential character of the area.~~

~~—B.— Development Standards: Pursuant to Government Code section 65852.2, accessory dwelling units shall be permitted on agricultural and residential parcels when the following conditions are met:~~

~~—1. The parcel contains an existing single-family dwelling.~~

~~—2. No more than one (1) accessory dwelling unit shall be allowed per parcel.~~

~~—3. The property owner shall occupy either the primary unit or accessory dwelling unit. The property owner shall record a declaration acknowledging owner occupancy, recorded with the property as a condition of the administrative permit.~~

~~—4. An accessory dwelling unit shall not exceed:~~

~~— a. Fifty percent (50%) of the existing living area of the primary dwelling when attached to the primary dwelling. For purpose of this standard, "living area" shall mean the interior habitable area of a dwelling unit, including basements, attics, bedrooms, kitchens, living room, etc. It does not include a garage or any accessory structure; or~~

~~— b. One thousand two hundred (1,200) square feet when detached from the primary dwelling.~~

~~—5. Building setbacks for attached accessory dwelling units shall comply with all required building setbacks for the primary dwelling unit.~~

~~—6. The maximum height of a detached accessory dwelling unit shall not exceed the height of the primary dwelling unit.~~

~~—7. No accessory dwelling unit may be sold separately from the primary dwelling unit. (Ord. 2017-06, 5-16-2017)~~

A. Purpose and intent. This section is intended to meet the requirements of State law in providing for accessory dwelling units ("ADUs") and junior accessory dwelling units ("JADUs") as required by and in compliance with Government Code Sections 65852.2 and 65852.22, as either may be amended from time to time. The standards established by this section shall be interpreted and applied consistent with the standards set forth in Government Code Sections 65852.2 and 65852.22. To the extent there is a conflict between the provisions of this section and the provisions of either Government Code Section 65852.2 or 65852.22, including as either may be amended, the applicable provision(s) of Government Code Sections 65852.2 and 65852.22 shall apply. The requirements and exceptions specified in

Government Code Sections 65852.2 and 65852.22 shall apply to the construction of ADUs and JADUs pursuant to this section.

This section is not intended to regulate multigenerational dwelling units, which are dwelling units that do not include a kitchen, contained entirely within the walls of a proposed or existing single-family residence where access is not restricted between areas of the residence.

B. Determinations. ADUs and JADUs are residential uses. ADUs and JADUs that comply with this section are considered accessory uses and accessory buildings and therefore do not exceed the allowable density for the lots upon which ADUs and JADUs are located. ADUs and JADUs that comply with this section are considered to be consistent with the general plan and zoning designations for the lot. ADUs and JADUs, and the availability to construct ADUs and JADUs, will be counted for purposes of identifying adequate sites for housing in the City's housing element, as provided in Government Code Section 65583.1(a), and to reduce the City's share of the regional housing need, as provided in Government Code Section 65583.1(d).

C. Designated areas. ADUs and JADUs are allowed in all residential zoning districts, including mixed-use zones where residential uses are permitted. ADUs and JADUs are not permitted in nonresidential zoning districts where residential uses are not allowed.

D. Development standards. ADUs may be constructed on single-family and multifamily lots with a proposed or existing dwelling. ADUs may be attached, detached, or located within existing primary residences, or accessory structures. JADUs shall only be allowed on lots zoned for single-family residential use, and which are contained within a proposed or existing single-family dwelling.

E. ADUs and JADUs are subject to the normal requirements of the zoning district where the ADU and/or JADU will be constructed. Unless otherwise stated in this section, the requirements and standards of this Title that apply to the lot and the primary dwelling shall apply to any ADU and/or JADU, including parking, height, setback, floor area ratio, open space, and landscaping. All Fire and Building Code requirements that apply to detached dwellings and accessory structures generally shall apply to ADUs and JADUs.

1. Number of units. One ADU and one JADU are allowed per single-family residential lot. Lots with existing multifamily dwellings may construct up to two (2) detached ADUs, or ADUs up to twenty-five (25) percent of the number of existing multifamily dwelling units in nonlivable space (e.g., storage rooms, boiler rooms, passageways, attics, basements, or garages).

2. Unit size. Detached ADUs may have a total floor area of 1,200 square feet or less. ADUs attached to an existing primary dwelling may have a total floor area of fifty (50) percent or less of the area of the existing primary dwelling or 1,200 square feet, whichever is greater. ADUs and JADUs shall be at least 220 square feet. JADUs may not be more than 500 square feet in size.

3. Setbacks. A setback of four (4) feet from the side and rear lot lines is required for an ADU, unless the ADU is constructed within an existing primary dwelling or permitted accessory structure, or in the same location and to the same dimensions as an existing permitted accessory structure.

4. Building standards.

a. ADUs and JADUs shall not exceed a single story and 16 feet in height, unless constructed above an attached or detached garage, in which case the ADU/JADU shall not exceed the height limit of the applicable zoning district.

b. ADUs and JADUs must be architecturally compatible with the primary dwelling, having similar materials, colors, and style of construction. The design and size of ADUs and JADUs shall conform to all applicable standards of the building, health, and other codes adopted by the City.

c. Attached ADUs and JADUs shall be compatible with and made structurally a part of the primary dwelling (e.g., share a common wall with the primary dwelling, rely partially on the primary dwelling for structural support, or be attached to the primary dwelling).

d. Adequate provisions shall be made for the water and sewer service and drainage generated by the occupancy of the accessory dwelling unit as determined by the City Engineer. The ADU/JADU can either have shared or separate services for electric, gas, sewer, and water.

e. There shall be at least one (1) parking space per ADU, except as allowed by Government Code Section 65852.2. Additional parking is not required for JADUs.

f. Fire sprinklers are required for ADUs/JADUs if fire sprinklers are required for the primary residence.

5. Exception. All of the standards provided in this section may be relaxed or waived in order to allow construction of an attached or detached ADU that is at least 800 square feet and 16 feet in height with four-foot side and rear yard setbacks; provided, that the ADU is constructed in compliance with all Fire and Building Code requirements and applicable standards of the Development Code necessary to protect the public health and safety.

F. Connection, impact, and other fees.

1. Except as provided in Government Code Sections 65852.2 and 65852.22, ADUs and JADUs are subject to all fees and assessments required by the Lemoore Municipal Code for new residential construction, including connection fees, capacity charges, and impact fees.

2. An inspection fee shall be assessed for any inspection to determine if an ADU or JADU complies with applicable building standards.

G. Occupancy and ownership.

1. A certificate of occupancy shall be issued for the primary dwelling unit before a certificate of occupancy is issued for an ADU or JADU on the lot.

2. An ADU or JADU may be rented separate from the primary residence but may not be sold or otherwise conveyed separate from the primary residence. Rentals of ADUs and/or JADUs for less than thirty (30) days must comply with the requirements for short-term rentals units.

3. Owner-occupancy is not required for ADUs. Owner-occupancy is required for a single-family residence with a JADU. The owner may reside in either the single-family residence or the newly created JADU. Owner-occupancy is not required if the owner is a governmental agency, land trust, or housing organization.

4. A JADU may not be sold separate from the sale of the single-family residence. A deed restriction prohibiting the sale and restricting the size and attributes of the JADU, as provided by Government Code Section 65852.22, is also required.

H. Permit approval. A permit must be obtained for the construction or installation of an ADU or JADU. An application, together with the required fee in compliance with the City's fee schedule, shall be filed with the Department and accompanied by detailed and fully dimensioned plans, architectural drawings/sketches, elevations, floor plans, landscape plans, and/or any other data/materials identified in the Department handout for ADU/JADU applications. Following receipt of a completed application, the Director shall make an investigation of the facts bearing on the case to determine compliance with this section and ministerially approve a compliant application in accordance with (Gov. Code, 35852.2 subd. (a)(3) and (b)).

If the permit application to create an ADU or a JADU is submitted with a permit application to create a new single-family dwelling on the lot, the City may delay acting on the permit application for the ADU or the JADU until the City acts on the permit application to create the new single-family dwelling. The applicant may request a delay in the time available for the City to act on the application, as provided by State law.

I. Cottage home program standards. This section provides locational and general standards for the cottage home program which is allowed in the applicable residential areas, subject to the following criteria and standards. This subsection does not supplant the remainder of this section for ADU and JADU construction.

1. Cottage home. A cottage home is a type of ADU made available by the City and constructed in compliance with this subsection. A cottage home shall count towards the limit on the number of ADUs permitted on a single lot.

2. Zone districts. A cottage home is allowed in zones that allow an ADU.

3. Application procedures. Applications for the cottage home program shall be filed with the Community Development Department.

4. Developmental standards. A cottage home shall be constructed in compliance with the following developmental standards:

a. Only one cottage home unit shall be created on a single-family parcel.

b. The cottage home shall be built using plans provided by the City.

c. Adequate provisions shall be made for the water and sewer service and drainage generated by the occupancy of the cottage home unit as determined by the City Engineer. The cottage home can have either shared or separate services for electric, gas, sewer, and water.

J. Tiny house standards. A tiny house may be approved for use as an accessory dwelling unit if the following requirements are met:

1. The tiny house meets all the requirements for an accessory dwelling unit.

2. The tiny house has at least 100 square feet of first floor interior living space and includes basic functional areas that support normal daily routines such as cooking, sleeping, and toiletry.

3. The tiny house is designed and built to look like a conventional building structure.

4. The tiny house is licensed and registered with the California Department of Motor Vehicles and meets ANSI 119.2 or 119.5 requirements.
5. The tiny house is towable by a bumper hitch, frame-towing hitch, or fifth-wheel connection and cannot (nor is it designed to) move under its own power.
6. The tiny house is no larger than allowed by California State Law for movement on public highways.
7. No mechanical equipment is located on the roof of the movable tiny house.
8. When sited on a lot for more than 72 hours at a location visible from the public street, the tiny house shall have skirting that covers the wheels and undercarriage and that extends to ground level.
9. When sited on a lot for more than 72 hours, water and sewer connections shall be made permanent prior to occupancy. Shut-off valves, meters, and regulators shall not be located beneath the tiny house.

**TABLE 9-5A-4A
DEVELOPMENT STANDARDS FOR RESIDENTIAL ZONING DISTRICTS**

Measurement/Zoning District	Residential Zoning Districts						
	AR	RVLD	RLD	RN	RLMD	RMD	RHD
Site area per dwelling unit, minimum (square feet)	No minimum	15,000	6,000 <u>5,000</u>	3,000	3,000	2,500	1,700
Lot dimensions:							
Lot size, minimum (square feet)	40,000	15,000 <u>10,000</u>	7,000 <u>5,000</u>	3,000	3,000	2,000	2,000
Lot size, maximum (square feet)	No maximum	40,000	15,000	7,000	7,000	5,000 ⁴	No maximum
Lot width, minimum ¹⁰	150'	150' <u>100'</u>	60' <u>50'</u>	50'	60'	60'	60'
Lot depth, minimum	200'	150'	100'	90'	90'	80'	80'
Setbacks, minimum:							
Front yard:							
Generally ^{2,12}	60'	40' <u>25'</u>	18' <u>15'</u>	15'	20' <u>15'</u>	20' <u>15'</u>	20' <u>15'</u>
To garage, front facing	-	-	20'	20'	20'	20'	20'
To garage, side load	-	-	15'	-	-	-	-
To porch	-	-	12'	12'	12'	12'	-
Side yard:							
Interior side	15'	10'	5' ⁴	5' ⁴	5'	10'	10'
Street side ¹²	25'	15'	15' <u>10'</u>	15' <u>10'</u>	15' <u>10'</u>	15'	15'
Combined both sides	-	-	10'	10'	10'	-	-
Rear yard:							
Generally	10' ⁴	10' ⁴	10' ⁴	10' ⁴	10'	10'	10'
To detached alley loaded garage	5'	5'	5'	0'	0'	0'	0'
Abutting a street ¹¹	20'	20'	20'	20'	20'	-	-
Separation between buildings, minimum ⁷	10'	10'	10'	10'	10'	10'	10'
Height, maximum	40'	40'	35'	35'	35'	45'	60'

Notes:

- ~~1. Reserved. Larger lot sizes may be permitted through site plan and architectural review for condominiums, townhomes, and similar attached developments.~~
- ~~2. Reserved. For single family residential subdivisions, the front yard setback of adjacent homes shall have a minimum 2 foot stagger between adjacent lots. Reduced setbacks may be approved as part of a planned unit development overlay zoning district or master home plan approval as a way to provide varied setbacks.~~

3. For every 1 foot in additional height, an additional 1 foot in setback is required.
4. Additional 5 feet is required for each additional story.
5. Required setback is 10 feet when adjacent to any residential zoning district.
6. Required setback is 15 feet when adjacent to any residential or mixed use zoning district.
7. Separation requirements apply to buildings on the same site as well as separation between buildings on adjacent parcels.
8. Also see subsection [9-5D1-2E](#), "Special Landscape Requirements", of this chapter for corresponding minimum landscaping and pervious surface requirements.
9. Additional building height may be allowed through site plan and architectural review when additional height is necessary for mechanical equipment as part of an industrial operation.
10. For flag lots, the minimum width for the access corridor shall be 10 feet. The lot width shall be measured from the front property line as described in section 9-5A-3, "Setback Determination And Requirements", of this article.
11. See section 9-5B-7, "Urban-Rural Edge", of this chapter.
12. 15 foot landscape buffer required along arterial and collector streets in addition to minimum setback. These 2 standards are not cumulative and may overlap. See subsection 9-5D1-2E2, "Landscape Buffers Required Along Arterial And Collector Streets", of this chapter.

(Ord. 2013-05, 2-6-2014; amd. Ord. 2015-08, 1-5-2016)

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

The standards contained in this section shall apply to new residential development, including single-family residential subdivisions, master home plans, and multi-family residential developments. These standards are intended to implement the design concepts described above.

2. Building Placement And Orientation: Create diverse residential streetscapes that facilitate interaction between residents and include homes and residential structures that orient to the street.

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

ba. Multi-unit residential buildings (e.g., townhomes, condominiums, apartments) shall be designed with different building setbacks and facade variations when multiple buildings are provided.

eb. Orient home and building sites to take advantage of solar heating and opportunities for solar energy generation.

~~-dc.~~ Residential development adjacent to open space/parks and other public spaces shall maintain visual access from residential units and common buildings to provide "eyes on the street" surveillance opportunities.

ed. Buildings shall be designed with structural and spatial variety along the front facades to avoid monotonous appearance.