



County of Fresno

DEPARTMENT OF PUBLIC WORKS AND PLANNING
STEVEN E. WHITE, DIRECTOR

NOTICE OF EXEMPTION

TO: ☐ Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

☒ County Clerk, County of Fresno
2221 Kern Street
Fresno, CA 93721

For County Clerk's Stamp

FROM: Fresno County Department of Public Works and Planning
Development Services and Capital Projects Division
2220 Tulare Street (corner of Tulare and "M") Suite "A", Fresno, CA 93721

PROJECT TITLE: Environmental Review Application No. 7797

PROJECT APPLICANT/SPONSOR: Christian Montoya, Design Division

PROJECT LOCATION – COUNTY: The project site is public right-of-way on Colonial Avenue, north of West San Ramon Avenue.

DESCRIPTION OF PROJECT: Vacate approximately 8,802 square feet of public road right-of-way in the cul-de-sac of North Colonial Avenue, north of San Ramon Avenue at the entrance to a private road.

NAME OF PUBLIC AGENCY APPROVING PROJECT: Fresno County Board of Supervisors

NAME OF PERSON OR AGENCY CARRYING OUT PROJECT: County of Fresno

EXEMPT STATUS: Categorical exemption: Section 15061(b)(3)

REASONS WHY THE PROJECT IS EXEMPT: The subject application proposes to vacate right-of-way (ROW) along Colonial Avenue where it ends in a cul-de-sac provides access to a private road that services a residential development. The project proposes to removed the ROW from the County's mileage system. No construction or ground-disturbance is involved with this project, therefore no impacts are seen on cultural or historical resources. The project will change the legal status of the subject land from ROW to private land. Therefore, the project will not have an impact on the environment.

LEAD AGENCY

CONTACT PERSON: Thomas Kobayashi

AREA CODE/TELEPHONE: (559) 600-4224

If filed by the applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project?
☐ Yes ☐ No

Signature: M. MOLLRING
Marianne Mollring, Senior Planner

Date: 2-4-20

- ☒ Signed by Lead Agency Date received for filing at OPR: _____
☐ Signed by Applicant

G:\4360Devs&P\In\PROJSEC\PROJDOCS\Environmental\Exemptions - Exclusions - CE(N)ST\7000-7999\ER 7797 - Road Vacation - N. Colonial Avenue\ER 7797 NOE.docx

DEVELOPMENT SERVICES AND CAPITAL PROJECTS DIVISION
2220 Tulare Street, Sixth Floor / Fresno, California 93721 / Phone (559) 600-4497 / 600-4022 / 600-4540 / FAX 600-4200
The County of Fresno is an Equal Employment Opportunity Employer



Inter Office Memo

DATE: February 5, 2020

TO: Christian Montoya, Design Division

FROM: Thomas Kobayashi, Development Services and Capital Projects Division ^{TK}

Subject: ER No. 7797 – Colonial Avenue Road Vacation

PROJECT DESCRIPTION:

The project proposes to vacate approximately 8,802 square feet of public road right-of-way in the cul-de-sac of North Colonial Avenue, north of West San Ramon Avenue at the entrance to a private road.

Determination:

The proposed project is categorically exempt from the provisions of California Environmental Quality (CEQA) under Section 15061(b)(3) *Common Sense Exemption*.

The following support this determination:

Section 15061(b)(3) indicates that a project is exempt from CEQA when the activity is covered by the common sense exemption that CEQA only applies to projects which have the potential to cause a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

The project proposes to vacate right-of-way along Colonial Avenue north of West San Ramon Avenue in a cul-de-sac at the entrance to a private road. At this location, Colonial Avenue is paved and ends into a cul-de-sac that provides access to a private road. The subject right-of-way is included in the County's maintained mileage system, however public use is limited to the residents of the private road, which is not included in the County's maintained mileage system. The private road services residents of the Village Gardens Condominium complex. The proposed right-of-way vacation will be connected to the private road. The proposed vacation will not cause adverse impacts to the existing circulation system as the right-of-way is utilized mostly by the residents of the private road.

The approval of this project will result in a change of the legal status of land upon which the area dedicated for road purposes will become privately owned.

According to FEMA FIRM Panel C1560H, the project site is located in Zone X, Area of Minimal Flood Hazard. The project will not have an effect on flood zones as there is no development of the site proposed with the road vacation.

According to the National Wetlands Inventory, the project site is not located on any identified wetlands. There is no construction proposed with the project that could affect an off-site wetland.

A NEPAassist report generated for the project site shows that there are no hazardous waste facilities within the vicinity of the project site. The project will not be affected nor will it affect identified hazardous waste facilities as there is no construction involved and no hazardous waste facility being directly affected by the proposal.

No ground-disturbance is being proposed with this application. The intent of the project is to vacate a portion of right-of-way that directly services a private road for a residential development and remove the right-of-way from the County circulation system. The project site is already improved with paved right-of-way, therefore ground-disturbance has already occurred without evidence of cultural or historical resources being onsite. Therefore, based on the scope of the project, no ground-disturbing activities being proposed, and with no evidence of cultural or historical resources being present onsite from past ground-disturbing activities, no impact to cultural or historical resources is seen.

Therefore, it can be determined that ER 7797 – Colonial Avenue Road Vacation is not expected to have a significant impact on the environment and is exempt from the provisions of CEQA. If you have any questions, please call me at 600-4224.

National Flood Hazard Layer FIRMette



Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

SPECIAL FLOOD HAZARD AREAS		Without Base Flood Elevation (BFE) Zone A, V, A99
		With BFE or Depth Zone AE, AO, AH, VE, AR
		Regulatory Floodway
OTHER AREAS OF FLOOD HAZARD		0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone X
		Future Conditions 1% Annual Chance Flood Hazard Zone X
		Area with Reduced Flood Risk due to Levee. See Notes. Zone X
		Area with Flood Risk due to Levee Zone D
OTHER AREAS		NO SCREEN Area of Minimal Flood Hazard Zone X
		Effective LOMRs
		Area of Undetermined Flood Hazard Zone D
GENERAL STRUCTURES		Channel, Culvert, or Storm Sewer
		Levee, Dike, or Floodwall
OTHER FEATURES		20.2 Cross Sections with 1% Annual Chance Water Surface Elevation
		17.5
		Coastal Transect
		Base Flood Elevation Line (BFE)
		Limit of Study
		Jurisdiction Boundary
		Coastal Transect Baseline
MAP PANELS		Digital Data Available
		No Digital Data Available
		Unmapped



The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on **1/24/2020 at 3:20:07 PM** and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.





U.S. Fish and Wildlife Service




National Wetlands Inventory

ER 7797 NWI Map



January 24, 2020

Wetlands

	Estuarine and Marine Deepwater		Freshwater Emergent Wetland		Lake
	Estuarine and Marine Wetland		Freshwater Forested/Shrub Wetland		Other
			Freshwater Pond		Riverine

This map is for general reference only. The US Fish and Wildlife Service is not responsible for the accuracy or currentness of the base data shown on this map. All wetlands related data should be used in accordance with the layer metadata found on the Wetlands Mapper web site.

NEPAssist Report

ER 7797



February 4, 2020

- Hazardous Waste (RCRAInfo)
- Override 1
- ER 7797

1:7,644
0 0.07 0.15 0.3 mi
0 0.1 0.2 0.4 km

Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Project Location	36.81397,- 119.803996
Within 0.5 miles of an Ozone 8-hr (1997 standard) Non-Attainment/Maintenance Area?	yes
Within 0.5 miles of an Ozone 8-hr (2008 standard) Non-Attainment/Maintenance Area?	yes
Within 0.5 miles of a Lead (2008 standard) Non-Attainment/Maintenance Area?	no
Within 0.5 miles of a SO2 1-hr (2010 standard) Non-Attainment/Maintenance Area?	no
Within 0.5 miles of a PM2.5 24hr (2006 standard) Non-Attainment/Maintenance Area?	yes
Within 0.5 miles of a PM2.5 Annual (1997 standard) Non-Attainment/Maintenance Area?	yes
Within 0.5 miles of a PM2.5 Annual (2012 standard) Non-Attainment/Maintenance Area?	yes
Within 0.5 miles of a PM10 (1987 standard) Non-Attainment/Maintenance Area?	yes
Within 0.5 miles of a Federal Land?	no
Within 0.5 miles of an impaired stream?	no
Within 0.5 miles of an impaired waterbody?	no
Within 0.5 miles of a waterbody?	no
Within 0.5 miles of a stream?	yes
Within 0.5 miles of an NWI wetland?	Available Online
Within 0.5 miles of a Brownfields site?	no
Within 0.5 miles of a Superfund site?	no
Within 0.5 miles of a Toxic Release Inventory (TRI) site?	no
Within 0.5 miles of a water discharger (NPDES)?	yes
Within 0.5 miles of a hazardous waste (RCRA) facility?	yes
Within 0.5 miles of an air emission facility?	no

Within 0.5 miles of a school?	yes
Within 0.5 miles of an airport?	no
Within 0.5 miles of a hospital?	no
Within 0.5 miles of a designated sole source aquifer?	yes
Within 0.5 miles of a historic property on the National Register of Historic Places?	no
Within 0.5 miles of a Toxic Substances Control Act (TSCA) site?	no
Within 0.5 miles of a Land Cession Boundary?	yes
Within 0.5 miles of a tribal area (lower 48 states)?	no

Created on: 2/4/2020 3:19:08 PM



Fresno County Department of Public Works and Planning

MAILING ADDRESS:

Department of Public Works and Planning
Development Services Division
2220 Tulare St., 6th Floor
Fresno, Ca. 93721

Date Received: 1/21/20

ER
7797

(Application No.)

LOCATION:

Southwest corner of Tulare & "M" Streets, Suite A
Street Level
Fresno Phone: (559) 600-4497
Toll Free: 1-800-742-1011 Ext. 0-4497

APPLICATION FOR:

- ☐ Pre-Application (Type) _____
- ☐ Amendment Application ☐ Director Review and Approval
- ☐ Amendment to Text ☐ for 2nd Residence
- ☐ Conditional Use Permit ☐ Determination of Merger
- ☐ Variance (Class)/Minor Variance ☐ Agreements
- ☐ Site Plan Review/Occupancy Permit ☐ ALCC/RLCC
- ☐ No Shoot/Dog Leash Law Boundary ☒ Other Env. Review
- ☐ General Plan Amendment/Specific Plan/SP Amendment)
- ☐ Time Extension for _____

DESCRIPTION OF PROPOSED USE OR REQUEST:

Vacation of a Portion of N Colonial
Avenue Public Road Right-of-Way

CEQA DOCUMENTATION: ☐ Initial Study ☐ PER ☒ N/A

PLEASE USE FILL-IN FORM OR PRINT IN BLACK INK. Answer all questions completely. Attach required site plans, forms, statements, and deeds as specified on the Pre-Application Review. Attach Copy of Deed, including Legal Description.

LOCATION OF PROPERTY: N/A side of N Colonial Avenue

between County line and end of the cul-de-sac

Street address: N/A

APN: N/A Parcel size: N/A Section(s)-Twp/Rg: S 9 - T 13 S/R 20 E

ADDITIONAL APN(s):

I, Christian Montoya Digitally signed by Christian Montoya
Date: 2020.01.15 11:17:57 -0800 (signature), declare that I am the owner, or authorized representative of the owner, of the above described property and that the application and attached documents are in all respects true and correct to the best of my knowledge. The foregoing declaration is made under penalty of perjury.

County of Fresno

Owner (Print or Type)	Address	City	Zip	Phone
Public Works & Planning, Design Division				
Applicant (Print or Type)	Address	City	Zip	Phone
Christian Montoya			00522	
Representative (Print or Type)	Address	City	Zip	Phone

CONTACT EMAIL: chmontoya@fresnocountyca.gov

OFFICE USE ONLY (PRINT FORM ON GREEN PAPER)

Application Type / No.: Fee: \$

Application Type / No.: Fee: \$

Application Type / No.: Fee: \$

Application Type / No.: Fee: \$

PER Initial Study No.: ER 7797 Fee: \$259.00

Ag Department Review: Fee: \$

Health Department Review: Fee: \$

Received By: Thomas H. Invoice No.: 126605 TOTAL: \$259.00

UTILITIES AVAILABLE:

WATER: Yes ☐ / No ☐

Agency: _____

SEWER: Yes ☐ / No ☐

Agency: _____

STAFF DETERMINATION: This permit is sought under Ordinance Section:

Sect-Twp/Rg: _____ - T _____ S/R _____ E

Related Application(s): _____

APN # _____ - _____ - _____

Zone District: _____

APN # _____ - _____ - _____

Parcel Size: _____

APN # _____ - _____ - _____

PROJECT DESCRIPTION

Vacation of a Portion of N Colonial Ave. Public Right-of-Way

(Vacation Application No. V19-08)

The Department of Public Works and Planning has initiated the process to vacate the public road right-of-way in the cul-de-sac of N Colonial Avenue north of W San Ramon Avenue at the entrance to the private road.

The subject right-of-way is a paved, cul-de-sac and is included in the County's maintained mileage system; however, public use is limited to the residents of the private road, which is not included in the County's maintained mileage system. The applicant wishes to install two sets of security gates at the Village Gardens Condominium complex; one at the northern terminus of north Colonial Avenue and the other at the eastern end of the project accessing west San Ramon Avenue.

Such limited use suggests it may not be essential for public transportation purposes. The vacation would not have an adverse impact on neighboring parcels. Approval of the proposed vacation would remove the excess right-of-way from the County's road system.

The project does not involve a well or sewage disposal and would not result in a threat of aquifer contamination or a hazard to public health.

The vacation area is located within FEMA Flood Zone X, an area of minimal flood hazard.

No construction activities are anticipated.

Public controversy is not anticipated.

ATTACHMENT A

EXHIBIT "A"

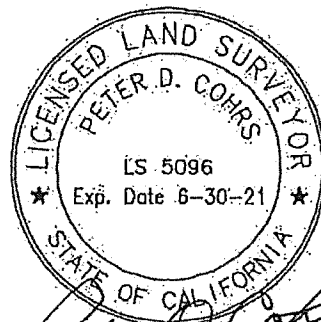
PORTION OF NORTH COLONIAL AVENUE TO BE ABANDONED

That portion of North Colonial Avenue lying within Tract No. 2245, according to the map thereof recorded in Volume 26, Pages 23 and 24, Fresno County Records, described as follows:

COMMENCING at the Center quarter corner of Section 9, Township 13 South, Range 20 East, MDB&M; thence South 89° 15' 20" West, along the North line of the Southwest quarter of said Section 9, a distance of 329.18 feet to a point on the northerly prolongation of the east line of Lot 54 of California Poultry Farm, recorded in Volume 26 of Plats, Pages 23 & 24, Fresno County Records; thence South 00° 00' 31" East, along said east line and its northerly prolongation, a distance of 626.88 feet to the Southeast corner of said Lot 45; thence South 89° 12' 48" West, along the south line of Lots 54, 55, 56 and 57 of said California Poultry Farm, a distance of 994.56 feet to a point on the easterly right of way line of North Colonial Avenue, said point being the TRUE POINT OF BEGINNING; thence

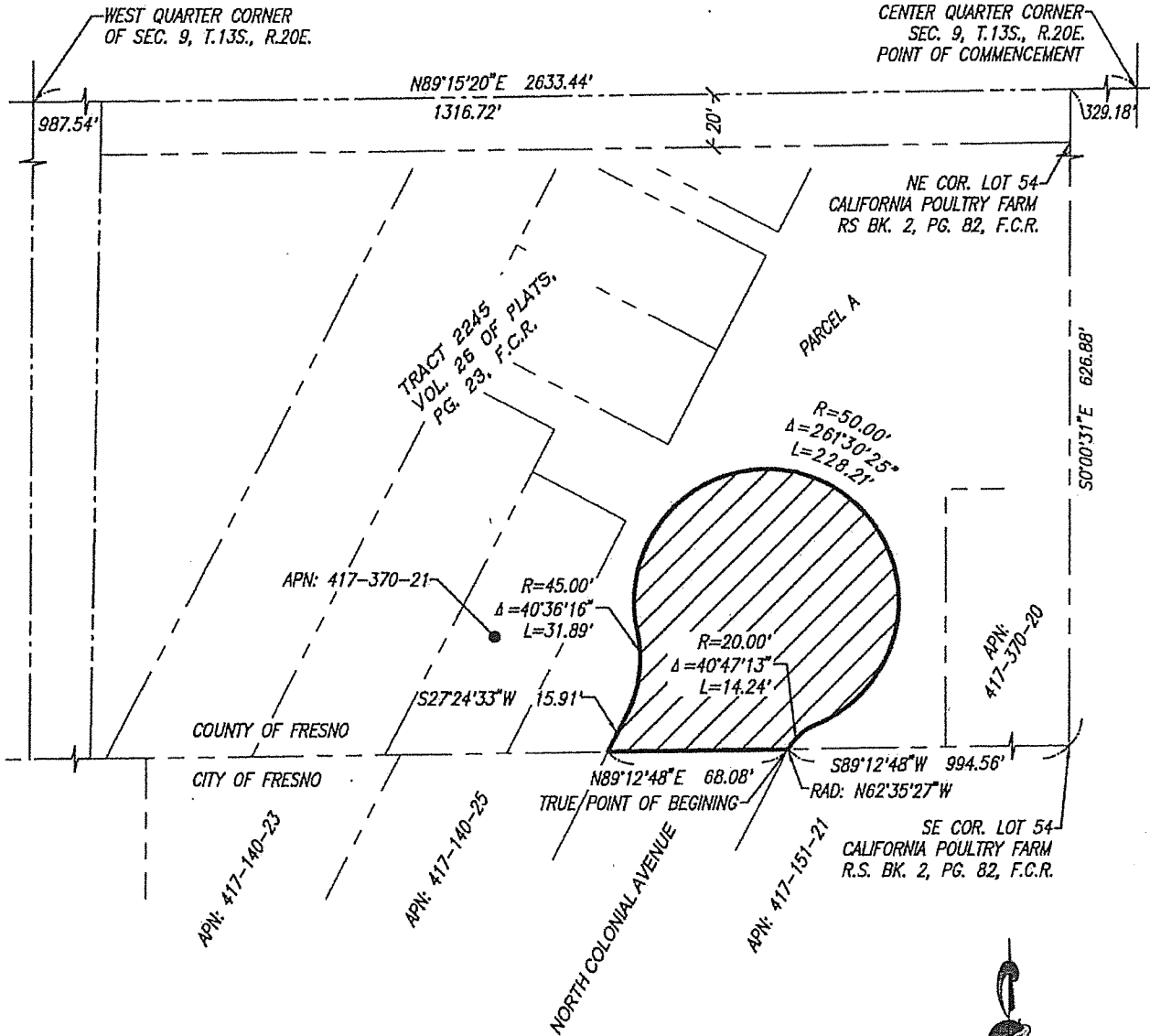
- 1) Northeasterly along a non-tangent curve concave to the southeast, having a radius of 20.00 feet, the radius point of which bears South 62° 35' 27" East, through a central angle of 40° 47' 13", an arc distance of 14.24 feet to a point of reverse curvature; thence
- 2) Northeasterly, northerly, northwesterly, westerly, southwesterly and southerly, along a curve concave to the southwest, having a radius of 50.00 feet, through a central angle of 261° 30' 25", an arc distance of 228.21 feet to a point of reverse curvature; thence
- 3) Southerly along a curve concave to the northwest, having a radius of 45.00 feet, through a central angle of 40° 36' 16", an arc distance of 31.89 feet; thence
- 4) South 27° 24' 33" West, a distance of 15.91 feet to a point on South boundary line of said Tract No. 2245; thence
- 5) North 89° 12' 48" East, along said south line, a distance of 68.08 feet to the True Point of Beginning.

Contains an area of: 8802 Feet, more or less.

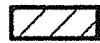


ATTACHMENT A

PORTION OF NORTH COLONIAL AVENUE TO BE ABANDONED



LEGEND



INDICATES PORTION OF NORTH COLONIAL AVENUE TO BE ABANDONED AREA: 8802 FT. MORE OR LESS

NOTES

BEARINGS AND DISTANCES ARE SHOWN OR DERIVED FROM FROM TRACT MAP NO. 2245

SCALE 1" = 60'



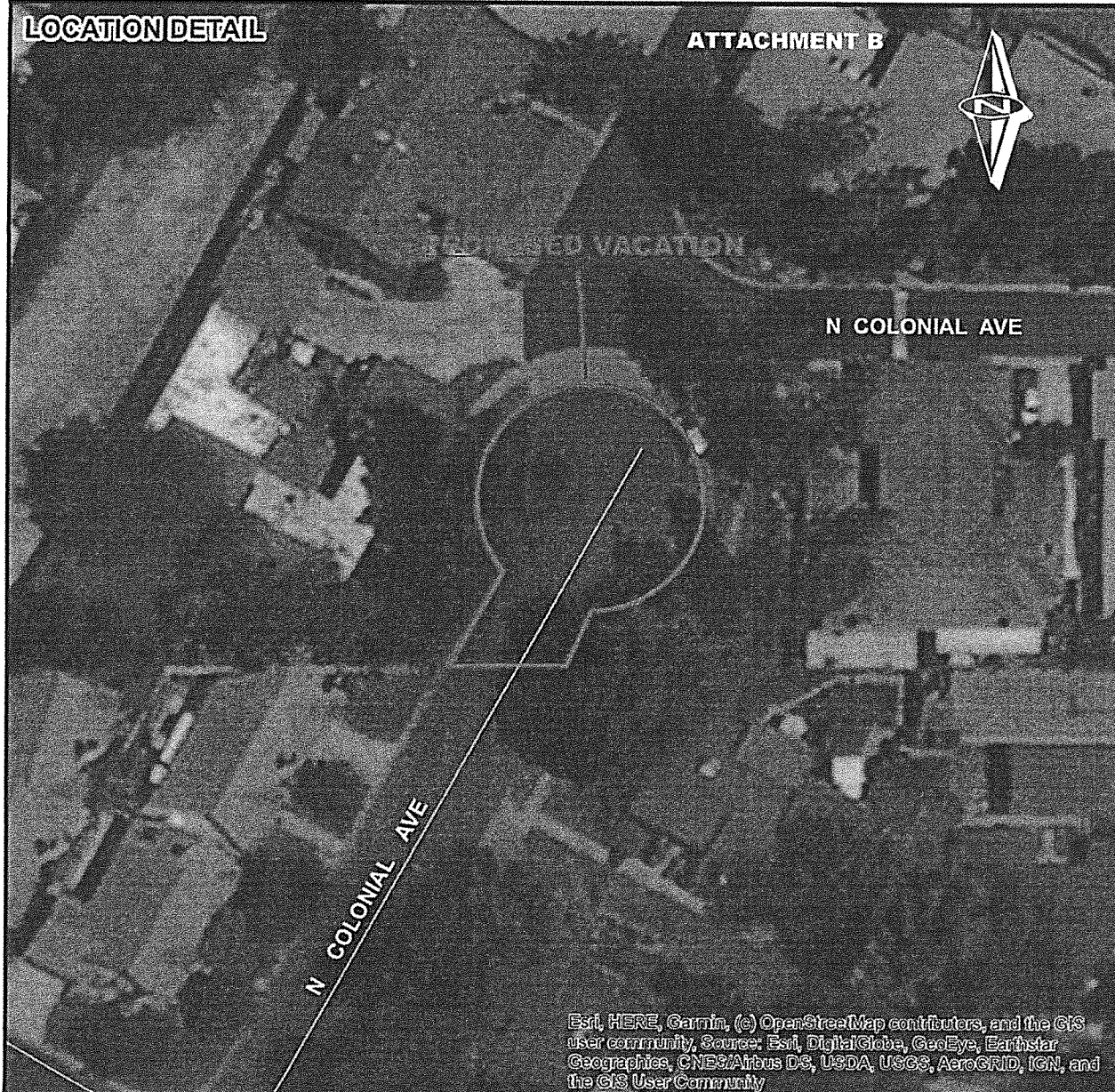
County of



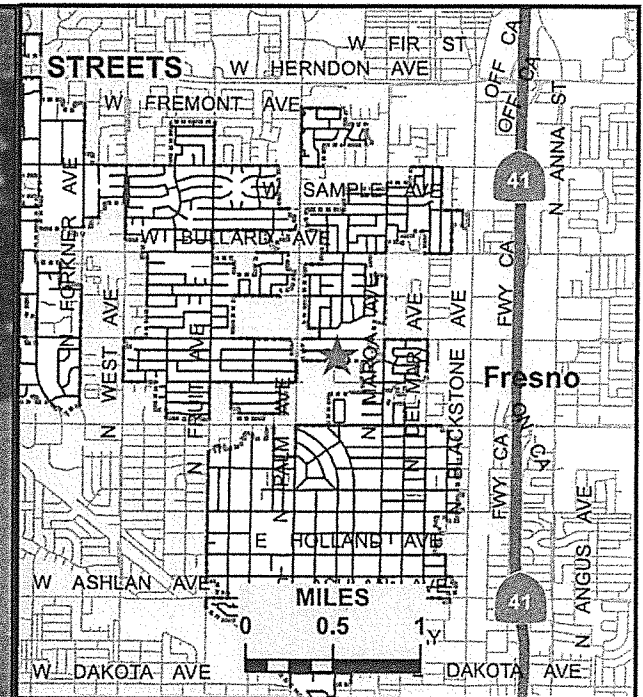
DEPARTMENT OF PUBLIC WORKS AND PLANNING

LOCATION DETAIL

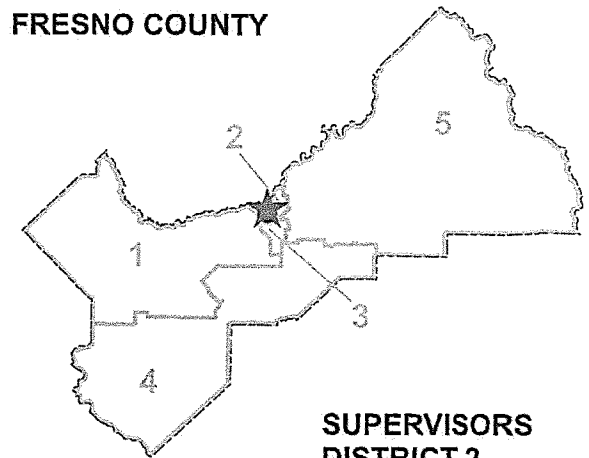
ATTACHMENT B



Esri, HERE, Garmin, (c) OpenStreetMap contributors, and the GIS user community. Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community



FRESNO COUNTY



SUPERVISORS DISTRICT 2

DATE:

SCALE IN FEET



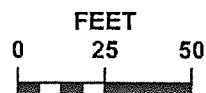
DEPARTMENT OF PUBLIC WORKS & PLANNING

DESIGNED: C.M.

01/15/2020

DRAWN: C.M.

01/15/2020



STATE BRIDGE NO. N/A

VACATION OF A PORTION OF
NORTH COLONIAL AVENUE
IN FRESNO COUNTY