

## 5.10 - Land Use and Planning

### 5.10.1 - Introduction

This section describes the environmental setting of the use of land for various activities such as residential, commercial, office, public facilities, mixed use, industrial, open space, agriculture, and other uses. The land use patterns influence the interactions of land uses. In addition, this section discusses the applicable plans and policies. The potential impacts from the implementation of the project are described, and mitigation measures are provided, if required.

### 5.10.2 - Environmental Setting

#### Study Area for Project Impacts

The study area for project impacts regarding land use and planning is the City of Fresno Planning Area because potential development under the City of Fresno General Plan and Development Code Update is limited to areas within the Planning Area.

#### Study Area for Cumulative Impacts

The study area for the analysis of cumulative land use and planning impacts is the City of Fresno Planning Area, the unincorporated areas of the County of Fresno and County of Madera located immediately adjacent to the Planning Area, and the areas within the City of Clovis located immediately adjacent to the Planning Area.

#### The Planning Area

The City of Fresno Planning Area encompasses the City of Fresno incorporated area (approximately 113 square miles) and unincorporated areas located in Fresno County (approximately 53 square miles). The incorporated area of the City is primarily contiguous except for approximately 5.1 square miles that contains the Fresno-Clovis Regional Wastewater Reclamation Facility located southwest of the City's contiguous area.

Table 5.10-1 identifies the existing land uses within the Planning Area as of 2010.

**Table 5.10-1: Existing Land Uses within the City of Fresno Planning Area**

Land Use	Existing Development du/msf (acres) <sup>1</sup>	Percent of Planning Area
Single-Family Residential	118,897 (26,147)	24.7
Multiple-Family Residential	67,943 (3,496)	3.3
Commercial/Office/Public Facility	66.4 (14,804)	14.0
Mixed Use	0.1 (10)	0.0
Industrial	72.8 (6,765)	6.4
Open Space	(12,288)	11.6

**Land Use**

Land Use	Existing Development du/msf (acres) <sup>1</sup>	Percent of Planning Area
Agriculture	(11,714)	11.0
Vacant	(12,522)	11.8
Other	(18,281)	17.2
<b>TOTAL</b>	<b>(106,027)</b>	<b>100</b>

du – dwelling units are used for the residential uses  
msf – million square feet is used for non-residential uses  
<sup>1</sup> Information obtained from Table 3-3 in Section 3.2.3 of this Master EIR.  
Source: FirstCarbon Solutions 2014

Brief discussions of the primary categories of existing land uses within the Planning Area are provided below.

*Residential Land Uses*

Residential land uses encompass approximately 28 percent of the Planning Area and are the predominant land use in the City. The total housing units within the Planning Area is approximately 186,840 dwelling units (approximately 64 percent are single family and 36 percent are multiple family units). Single family development is distributed fairly evenly throughout the incorporated area of the City. Multiple family units are concentrated in areas around Fresno State, Southwest Fresno, and north of Shaw, Woodward Park, River Park, Dominion Areas, the Internal Revenue Service, the Saint Agnes Medical Center, the Freeway 41 Corridor, and the Fig Garden Loop neighborhood (City of Fresno. 2011. Working Paper 2: Urban Form and Land Use).

*Commercial/Office/Public Facility Land Uses*

Commercial/Office/Public Facility Land Uses comprise approximately 14 percent of the Planning Area and mainly located within the incorporated area of the City of Fresno. Commercial land uses within the Planning Area include a wide range of retail and service establishments intended to serve local and regional needs. The Office land uses include administrative, financial, business, professional, medical, and public offices. Office uses are generally compatible with existing residential neighborhoods given the smaller level of noise and traffic generation than commercial uses. Retail uses include business services, food services and convenience goods for those who work in the area. Public Facility land uses include those uses owned by public entities, including City Hall and other City buildings, county buildings, schools, the municipal airports and hospitals. They also include public facilities such as fire and police stations, City-operated recycling centers and sewage treatment. In addition, public facilities include neighborhood, community and regional parks, recreational centers, and golf courses as well as regional and neighborhood multi-purpose trails.

*Mixed Use Land Uses*

The existing mixed use development in the Planning Area is located within the Cultural Arts Districts in the Downtown. This mixed use includes residential and commercial uses.

### *Industrial Land Uses*

Industrial land uses comprise approximately 6.4 percent of the Planning Area. These uses include light and heavy industrial and manufacturing uses. The majority of industrial land is located south of Downtown, along State Route 99 and near the Fresno Yosemite International Airport. Additionally, some heavy industrial uses are currently located adjacent to residential areas.

### *Open Space*

The Open Space uses within the Planning Area include ponding basins, recreational use, clear zone, flood control, golf course, canals, parks (neighborhood, community and regional), recharge basins, and open space. Open Space encompasses approximately 11.6 percent of the Planning Area.

The City's park system provides a wide-range of recreational opportunities. The park system contains several classes of park space, including: trails, regional parks, neighborhood parks, community parks, pocket parks, etc. The Planning Area currently includes 12,288 acres of Open Space. The Open Space acreage includes 7,742 acres of Open Space plus, 4,546 acres within the Open Space/Agriculture category for a total of 12,288 acres of existing open space. The Open Space under existing development is characterized as ponding basins, recreational use, clear zone, flood control, golf course, canals, parks, recharge basins, and open space.

### *Agriculture*

Although agricultural uses continue to dominate much of the regional landscape, there is only 11 percent of the Planning Area that contain agriculture. The majority of the existing agriculture within the Planning Area is located in the southeast.

### *Vacant*

Vacant land includes areas with no development and encompasses approximately 11.8 percent of the Planning Area.

### *Other*

This category includes roads, water transport canals, trails, and railroad lines. Fresno has an elaborate canal system that was developed to transport water for agricultural uses. Fresno is served by two major railroad transportation companies: (1) Burlington Northern Santa Fe (BNSF) and (2) Union Pacific (UP). Each railroad has lines traversing the city and freight yards. Additionally, there are several spur lines that serve industrial areas within the Planning Area. This category encompasses approximately 17.2 percent of the Planning Area.

## **5.10.3 - Regulatory Setting**

### **Existing Policies Applying to the Planning Area**

Below are summaries of the major federal, state, and local plans and policies that are applicable to the Planning Area regarding land use planning.

### **Federal Policies/Regulations**

#### *Federal Aviation Administration – Federal Aviation Regulation Part 77*

The three existing airports located within the Planning Area are required to be consistent with Part 77 of the Federal Aviation Regulation (FAR) that defines airspace around civil airport. The airspace shall be free of obstructions to air navigation during critical flight phases. No obstructions shall penetrate the “imaginary surfaces” surrounding an airfield as defined in FAR Part 77. The “imaginary surfaces” are determined by runway length and type of navigational approach instrumentation available. The “imaginary surfaces” include the Runway Protection Zone, also known as the Primary Zone and Clear Zone, the Inner (Approach/Departure) Safety Zone, the Inner Turning Zone, the Outer (Approach/Departure) Safety Zone, the Sideline Safety Zone (Area parallel to the runways and extending to the end of the Runway Protection Zone), and the Traffic Pattern Zone.

The Fresno Yosemite International Airport (FYI) has more extensive “imaginary surfaces” than the Fresno-Chandler Downtown Airport (FCH) and Sierra Sky Park Airport because FYI is operated with precision instrument runways while the FCH and Sierra Sky Park Airport is classified as utility and visual runways.

The “imaginary surfaces” at the FYI rise from 200 feet beyond the ends of the runway surface and extend outward for a linear distance of 10,000 feet at a slope ratio of 50 horizontal feet to 1 vertical foot (50:1). This area includes the Runway Protection Zone and Inner Safety Zone. A linear distance of 10,000 feet surrounding the airport is the horizontal distance. Additional imaginary surfaces include an elevation of 150 feet above ground level within the 10,000 linear foot horizontal area and outside of the approach zones, the 4,000 linear feet of conical surface with a slope ratio of 20:1 extending beyond the horizontal surface, the 40,000 linear feet of outer approach zone that extends beyond the inner approach zone at a slope ratio of 40:1, and the transitional surfaces that extend on the sides of the primary surface and from the sides of the approach surfaces at a ratio of 7:1.

For the Fresno-Chandler Downtown Airport (FCH) and Sierra Sky Park Airport, the “imaginary surfaces” rise from 200 feet beyond the ends of the runway surface and extends outward for a linear distance of 5,000 feet at a slope ratio of 20:1. This area includes the Runway Protection Zone, the Inner Safety Zone, and the Outer Safety Zone. Additional imaginary surfaces include an elevation of 150 feet above ground level within the 5,000 linear foot horizontal area and outside of the approach zones, and the transitional surfaces that extend on the sides of the primary surface and from the sides of the approach surfaces at a ratio of 7:1.

### **State Policies**

#### *The Cortese-Knox-Hertzberg Local Government Reorganization Act*

The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 (Government Code Section 56300 et seq.) governs the establishment and revision of local government boundaries. The Act was a comprehensive revision of the Cortese-Knox-Hertzberg Local Government Reorganization Act of 1985. The Act is a policy of the state to encourage orderly growth and development that are essential to the social, fiscal, and economic well-being of the state. The intent of the Act is promote orderly development while balancing competing state interests of discouraging urban sprawl, preserving open space and prime agricultural lands, and efficiently extending government services.

The Act had previously established the County Local Agency Formation Commission (LAFCO), which gave it authority to consider and approve city and special district annexation, dissolution, and formation.

#### *California Land Conservation Act*

The California Land Conservation Act, better known as the Williamson Act, was enacted by the State Legislature in 1965 to encourage the preservation of agricultural lands. Under the provisions of the act, landowners agreeing to keep their lands under agricultural production for a minimum of ten years receive property tax adjustments. Williamson Contracts limit the use of the properties to agricultural, open space, and other compatible use, Williamson Act lands are assessed based on their agricultural value, rather than their potential market value under nonagricultural uses. A discussion of potential Impacts related to the Williamson Act is provided in Section 5.2, Agricultural Resources, Impact AG-2.

### **Regional Land Use Policies**

#### *Fresno County Local Agency Formation Commission*

Local Area Formation Commissions (LAFCOs) review proposals for the formation of new local governmental agencies and for changes in the organization of existing agencies. The objectives of the Fresno County LAFCO are to: encourage orderly formation of local governmental agencies, preserve agricultural land resources and to discourage urban sprawl. The Fresno County LAFCO assists in balancing the competing needs in the region for efficient services, affordable housing, economic opportunity, and conservation of natural resources. In addition, the Fresno County LAFCO considers effects that development may have on existing agricultural land and in doing so guides development toward vacant urban land and away from agricultural preserves. The Fresno County LAFCO also discourages urban sprawl (i.e. irregular and disorganized growth occurring without apparent design or plan). (Fresno County Local Area Formation Commission, 2012)

### **Local Land Use Plans and Policies**

#### *Airport Land Use Compatibility Plans*

Per Public Utilities Code sections 21670–21679.5, Airport Land Use Commissions (ALUCs) have the authority to regulate land use decisions in the vicinity of airports to “protect public health, safety, and welfare by ensuring the orderly expansion of airports and the adoption of land use measures that minimize the public's exposure to the extent that these areas are not already devoted to incompatible uses.” ALUCs protect public health, safety and welfare by ensuring that orderly development, and prevention of excessive noise and safety hazards near public use airports is followed in accordance with both state and local laws. ALUCs prepare Compatibility Land Use Plans (also referred to as Airport Land Use Compatibility Plans) to ensure that county and city plans are consistent. In addition, ALUCs establish land use policies for areas near airports to ensure that land uses are compatible with airport operations. Additionally, ALUC’s review individual development projects to ensure they are within the noise and safety standards in accordance with state laws (Fresno ALUC, 2012). The Fresno County ALUC has adopted airport land-use compatibility plans for the three airports located within the Planning Area.

The compatibility of the land uses in proximity to the two public airports (Fresno-Yosemite International Airport and the Fresno-Chandler Downtown Airport) and the privately owned, public use general aviation airport (Sierra Sky Park) are discussed and evaluated in Section 5.8, Hazards and Hazardous Materials in Impacts HAZ-5 and HAZ-6 in this Program EIR.

*City of Fresno 2025 General Plan Land Use Element*

**C-1 Objective:** Establish a comprehensive planning strategy to achieve the efficient and equitable use of resources; to provide for the optimum level of public facilities and services; and to realize an attractive and desirable living environment within the City of Fresno's moderately expanded sphere of influence and planned urban boundary.

**C-1-a Policy:** Support and pursue all reasonable efforts to include within the City of Fresno's incorporated boundaries the entire area contained within its present urban boundary and ultimately within the expanded urban boundary.

- Advocate appropriate Local Agency Formation Commission (LAFCO) policy changes and state legislative measures to facilitate the processing and successful completion of inhabited annexations.
- Advocate appropriate LAFCO policy changes to facilitate annexation of uninhabited areas within the City of Fresno's urban sphere, prior to the submission of development entitlement applications, in order to ensure the implementation of the city's general plan strategies in a comprehensive and consistent manner, and to permit the development of industrial parks that are supported by developed infrastructure and readily available for the development timelines of new businesses.

**C-1-b Policy:** Ensure that all portions of the metropolitan area receive a consistent and comparable level of public services and facilities; participate equitably in the cost of providing public services and facilities; and have equal access to the decision making processes that govern the quality of services and facilities enjoyed by the community.

- Insist that all new development (any permit for a new dwelling or commercial/industrial structure) within any unincorporated portion of the urban boundary be required to comply with all City of Fresno's development standards and policies.
- Insist that the County of Fresno adopt planning policies and development procedures that support the effort of the general plan update to efficiently use land and resources by prohibiting inconsistent or substandard development of property within the city's sphere of influence.

**C-2-I Policy:** Manage urban development to enhance the vitality, appeal, and value of the entire metropolitan area. The Council will evaluate and implement appropriate funding mechanisms and programs that will contribute to the construction of appropriate urban infrastructure improvements within the established urban core communities.

**C-4-b Policy:** Activity centers should include commercial areas, employment centers, schools, higher-density residential development, churches, parks, and other gathering points where residents may interact, work, and obtain goods and services in the same place.

**C-4-c Policy:** Place emphasis on pedestrian activities and linkages, and provide for priority transit routes and facilities to serve the activity centers.

**C-8 Objective:** Facilitate the development of mixed uses to blend residential, commercial and public land uses on one site.

**C-8-d Policy:** Ensure land use compatibility between mixed-use districts in activity centers and the surrounding residential neighborhoods.

**C-10 Objective:** Promote the development of more compact pedestrian friendly, single-family residential projects to aid in the conservation of resources such as land, energy, and materials.

**C-13-e Policy:** Gradually phase out incompatible uses from areas planned for heavy industrial activity.

#### *City of Fresno Community Plans*

The City of Fresno is divided into nine Community Plan areas that were updated during the adoption of the 2025 Fresno General Plan. The plans are tailored to the specialized needs and concerns of the identifiable Community Plan areas and provide and discuss existing conditions (i.e. trends planning issues, etc.), while also providing recommendations and/or guidelines that act as blueprints for the relative plan area.

#### *City of Fresno Specific Plans*

Unlike the General Plan or Community Plans that act as blueprints for relatively large geographic areas, Specific Plans focus on neighborhoods that contain certain characteristics that are deemed desirable or reflect a certain planning trend. It should be noted that only a small portion of the city is located within a Specific Plan area, although all areas are within a Community Plan. In addition, several of the Specific Plans have Plan Advisory Committees that review entitlements within the plan area.

#### *City of Fresno Neighborhood Plans*

The City of Fresno includes two neighborhood plans that address specific concerns expressed by residents. The plans focus on improvements to the neighborhoods based on a unified vision. These improvements include modifications to circulation, structures, utilities, public services, and aesthetics.

#### *County of Fresno 2000 General Plan - Land Use Element*

**Policy LU-C.6:** The County may allow the extraction of rock, sand, and gravel resources along the San Joaquin River consistent with the Minerals Resources section policies of the Open Space and Conservation Element.

**Policy LU-C.7:** The County, in approving recreational facilities in the San Joaquin River Parkway adjacent to residential uses, shall require a buffer of at least 150 feet and screening vegetation as necessary to address land use compatibility issues.

**Policy LU-G.1:** The County acknowledges that the cities have primary responsibility for planning within their LAFCO-adopted spheres of influence and are responsible for urban development and the provision of urban services within their spheres of influence.

**Policy LU-G.2:** Fresno County shall work cooperatively with all cities of the county to encourage each city to adopt and maintain its respective plan consistent with the Fresno County General Plan. The County shall adopt complementary planning policies through a cooperative planning process to be determined by the respective legislative bodies.

**Policy LU-G.4:** The County shall encourage orderly outward expansion of urban development by supporting only those city sphere of influence expansion proposals where the city has demonstrated a need for additional territory after documenting a good faith effort to implement an infill development program and minimize conversion of productive agricultural lands.

**Policy LU-G.6:** The County shall encourage cities to incorporate in their general plans land use policies that minimize potential land use conflicts with agriculturally-related industrial operations and other agricultural activities at the urban interface through the provision of appropriate buffers or other measures.

**Policy LU-G.7:** Within the spheres of influence and two (2) miles beyond, the County shall promote consultation between the cities and the County at the staff level in the early stages of preparing general plan amendments and other policy changes that may impact growth or the provision of urban services. Staff consultations, particularly concerning community plans, shall provide for meaningful participation in the policy formulation process and shall seek resolution of issues prior to presentation to the decision-making bodies.

**Policy LU-G.10:** The County shall minimize potential land use conflicts at the interface between urban development and existing developed rural-residential areas. Provision for a graduated transition in density/lot size from higher to lower density between the two respective areas shall generally be required unless significant buffers or other measures are determined adequate to protect established rural residential developments. The County, while recognizing the cities' need to optimize use of land within their sphere boundaries, shall encourage cities to require buffering measures when urban development is proposed adjacent to existing developed rural-residential areas within their spheres-of-influence.

**Policy LU-G.11:** The County shall promote consultation between the cities and the County at the staff level when cities are developing proposed annexation boundaries or proposed sphere of influence expansions.

### *San Joaquin River Parkway Master Plan*

**Policy MRP1:** In public Parkway areas that have significant sand and gravel reserves that may be needed for the San Joaquin River Restoration Program or other habitat and floodplain restoration needs, site significant permanent structures where they will not preclude or interfere with future extraction of those resources.

**Policy RP3:** Minimize potential impacts to sensitive natural resources by grouping facilities and intensive uses or siting facilities and intensive uses in areas that are already disturbed or developed where feasible.

**Policy RO1:** Locate relatively intensive recreational activity sites away from natural resources that may be sensitive to those uses (such as rookeries, spawning beds, etc.) and private residences (see Buffers).

**Policy CP1:** Permit commercial activities needed to serve Parkway visitors, such as sales of food and beverages, camper's grocery items, and books, guides, and educational materials, under special use permits and consistent with other Parkway goals, objectives and policies.

**Policy NP8.1:** Provide a buffer zone of a width appropriate to the intensity of the planned land use or planned Parkway improvement as depicted in Figure 2.

**Policy BZ4:** During project-specific environmental review for Parkway improvements, delineate appropriate buffer zones based on site-specific investigations.

**Policy BZ2:** Provide native vegetation for screening wildlife from human activity as necessary to accommodate less width for a buffer zone.

**Policy BZ9:** Encourage local land use agencies to require where feasible buffer zones for the protection of wildlife habitat in natural reserves and wildlife/riparian corridors. From the river wildlife corridor encourage 100 foot buffers from agriculture/pasture; 150 foot buffers from low density housing (less than .05 unit per acre); 300 foot buffers from medium density housing (.05 units per acre to less than 1 unit per acre); and 600 foot buffers from business/industry or high density housing (more than 1 unit per acre, and 700 foot buffers for any development from sensitive habitat. (Sensitive habitat includes areas of special biological significance that provide habitat for locally unique biotic species/communities; that are adjacent to essential habitats of rare, endangered or threatened species; most wetland and riparian areas; or any natural community vulnerable to environmental effects of projects) See Figure 1.

### **5.10.4 - Thresholds of Significance**

In accordance with CEQA, the effects of a project are evaluated to determine if they will result in significant adverse impact on the environment. The criteria used to determine the significance of an impact to hazards and hazardous materials are based on the Environmental Checklist in Appendix G of the State CEQA Guidelines and identified below. Accordingly, land use and planning impacts resulting from the proposed project are considered significant if the project would:

- a) Physically divide an established community? (Analysis provided in Impact LUP-1, below.)
- b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? (Analysis provided in Impact LUP-2, below.)
- c) Conflict with any applicable habitat conservation plan or natural communities conservation plan? (Analysis provided in Impact LUP-3, below.)

### 5.10.5 – Impact Analysis, Mitigation Measures, and Level of Significance After Mitigation

#### Divide Established Community

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**Impact LUP-1**      **The project would not physically divide an established community.**

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##### ***Project Specific Impact Analysis***

Development in accordance with the General Plan and Development Code Update would result in a substantial amount of additional development throughout the Planning Area. This development would include infill and underutilized development within the existing City limit, revitalization of existing neighborhoods, new activity centers with mixed uses and neighborhoods, and development within rural/agriculture areas located outside the City and within the Planning Area.

As shown in Table 3-3 in Section 3, Project Description, buildout of the General Plan Update would result in the incremental increase of 60,626 single-family residences, 84,538 multiple-family residences, 63.3 million square feet of commercial/office/public facility, 20.8 million square feet of mixed uses, and 40.5 million square feet of industrial uses. Full buildout would result in development throughout the Planning Area.

The City of Fresno currently has nine community plans that had been previously established to provide more detailed planning to address specific concerns of the individual communities. The boundaries separating each of the communities range from various roadway widths, railroad, and freeways. Future development within the Planning Area could divide established communities. This division could result from corridors that are planned for higher intensities of uses compared to existing uses. The corridors that could divide existing established communities include Ventura-Kings Canyon Road, Clovis Avenue, and California Avenue. Development along the Blackstone, Shaw, and Herndon corridors would not divide an established community because these roadways currently form a physical boundary that separate communities.

In addition, future development could create divide established communities within rural communities that are located in the outer areas of the Planning Area. Irregular rural patterns have constrained efficient development in the Planning Area and has created lifestyle conflicts between the existing rural residents and the newly developed suburban communities. It is anticipated that as future development in accordance with the General Plan Update expands within the rural areas,

there could be continuing conflicts between existing and new land uses and could create a division of existing rural established communities.

The General Plan Update includes objectives and policies to reduce these land use conflicts and provide for future orderly development to reduce the potential to divide established communities.

**Policy UF-8:** Develop each of Downtown’s neighborhoods and districts, according to its unique character.

**Policy UF-12-a:** BRT Corridors. Design land uses and integrate development site plans along BRT corridors, with transit-oriented development that supports transit ridership and convenient pedestrian access to bus stops and BRT station stops.

**Policy UF-12-b:** Activity Centers. Mixed-use designated areas along BRT and/or transit corridors are appropriate for more intensive concentrations of urban uses. Typical uses could include commercial areas; employment centers; schools; compact residential development; religious institutions; parks; and other gathering points where residents may interact, work, and obtain goods and services in the same place.

**Policy UF-12-d:** Appropriate Mixed-Use. Facilitate the development of vertical and horizontal mixed-uses to blend residential, commercial, and public land uses on one or adjacent sites. Ensure land use compatibility between mixed-use districts in Activity Centers and the surrounding residential neighborhoods.

**Policy UF-12-g:** Impacts on Surrounding Uses. Establish design standards and buffering requirements for high-intensity Activity Centers to protect surrounding residential uses from increased impacts from traffic noise and vehicle emissions, visual intrusion, interruption of view and air movement, and encroachment upon solar access.

**Policy LU-1-b:** Land Use Definition and Compatibility. Include zoning districts and standards in the Development Code that provide for the General Plan land use designations and create appropriate transitions or buffers between new development with existing uses, taking into consideration the health and safety of the community.

**Policy LU-1-c:** Provision of Public Facilities and Services. Promote orderly land use development in pace with public facilities and services needed to serve development.

**Policy LU-1-d:** Orderly Transition of Existing Uses. Consider updates to the Fresno Municipal Code to provide for the orderly transition of existing, legal non-conforming uses on the BRT Corridors to conforming uses by 2035.

**Policy LU-1-e:** Annexation Requirements. Consider implementing policies and requirements that achieve annexations to the City that conform to the General Plan Land Use Designations and open space and park system, and are revenue neutral and cover all costs for public infrastructure, public facilities, and public services on an ongoing basis.

**LU-1-f:** Coordination with Fresno County Land Use Planning. Seek a Memorandum of Understanding (MOU) with the County of Fresno to prohibit development inconsistent with this General Plan on unincorporated land within the City's (SOI).

**Objective LU-2:** Plan for infill development that includes a range of housing types, building forms, and land uses to meet the needs of both current and future residents.

**Policy LU-2-a:** Infill Development and Redevelopment. Promote development of vacant, underdeveloped, and redevelopable land within the City Limits where urban services are available by considering the establishment and implementation of supportive regulations and programs.

**Policy LU-2-e:** Neighborhood Preservation. Incorporate standards in the Development Code to preserve the existing small-scale residential quality of older neighborhoods.

**Objective LU-4:** Enhance existing residential neighborhoods through regulations, code enforcement, and compatible infill development.

**Policy LU-5-a:** Low Density Residential Uses. Promote low-density residential uses only where there are established neighborhoods with semi-rural or estate characteristics.

**Policy LU-5-b:** Medium-Low Density Residential Uses. Promote medium-low density residential uses to preserve existing uses of that nature or provide a transition between low and medium density residential areas.

**Policy LU-5-c:** Medium Density Residential Uses. Promote medium density residential uses to maximize efficient use and affordability of residential property through a wide range of densities.

**Policy LU-5-g:** Scale and Character of New Development. Allow new development in or adjacent to established neighborhoods that is compatible in scale and character with the surrounding area by promoting a transition in scale and architecture character between new buildings and established neighborhoods, as well as integrating pedestrian circulation and vehicular routes.

**Policy LU-6-a:** Design of Commercial Development. Foster high quality design, diversity, and a mix of amenities in new development with uses through the consideration of guidelines, regulations and design review procedures.

**Policy LU-6-c:** Appropriate Office Development. Promote the establishment of development standards for new offices, addressing location, size, and intensity necessary to meet the City's needs. Integrate and support employment in adjacent and proximate neighborhoods.

- Locate office projects to provide a transition between more intensive commercial uses and residential areas.
- Facilitate office uses in conjunction with, and adjacent to, institutions and employment centers.

- Avoid over concentrating office uses in any one part of Fresno when new office developments would create excessive vacancy rates in other established office areas.

**Policy LU-6-f:** Auto-Oriented Commercial Uses. Direct highway-oriented and auto-serving commercial uses to locations that are compatible with the Urban Form policies of the General Plan. Ensure adequate buffering measures for adjacent residential uses noise, glare, odors, and dust.

**Policy LU-8-a:** Civic and Institutional Use Compatibility. Protect civic and institutional areas from incompatible uses that could affect their vitality and contributions to the city.

**Policy D-1-j:** Lighting Standards. Update lighting standards to reflect best practices and protect adjoining uses from glare and spillover light.

**Objective D-4:** Preserve and strengthen Fresno's overall image through design review and create a safe, walkable and attractive urban environment for the current and future generations of residents.

**Policy D-4-f:** Design Compatibility with Residential Uses. Strive to ensure that all new non-residential land uses are developed and maintained in a manner complementary to and compatible with adjacent residential land uses, to minimize interface problems with the surrounding environment and to be compatible with public facilities and services.

**Objective D-5:** Maintain and improve community appearance through programs that prevent and abate blighting influences.

**Policy D-5-a:** Code Enforcement. Continue enforcement of the Fresno Municipal Code to remove or abate public nuisances in a timely manner.

**Objective D-7:** Continue applying local urban form, land use, and design policies to specific neighborhoods and locations.

The objectives and policies provided above would reduce the potential to physically divide an established community to less than significant.

### ***Cumulative Impact Analysis***

Development of cumulative projects would occur primarily outside of the Planning Area. The High Speed Rail project is a cumulative project that will be extended along the existing railroad tracks that currently separate communities within the Planning Area. The implementation of cumulative projects would not separate established communities within the Planning Area. As identified above, the implementation of the proposed General Plan and Development Code Update would result in a less than significant impact on the division of established communities with the implementation of the objectives and the policies within the General Plan Update. Therefore, the project's contribution to cumulative impacts associated with dividing established communities is less than cumulatively considerable, and thus less than cumulatively significant.

### **Mitigation Measures**

#### *Project Specific*

No mitigation measures are required.

#### *Cumulative*

No mitigation measures are required.

### **Level of Significance After Mitigation**

#### *Project Specific*

Less than significant impact.

#### *Cumulative*

Less than significant impact.

### **Conflict with Applicable Plans, Policies, or Regulations**

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<b>Impact LUP-2</b>	<b>The project would not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect.</b>
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### **Project Specific Impact Analysis**

Development in accordance with the General Plan and Development Code Update would require consistency with various federal, state, and local plans, policies, and regulations. Many of the plans, policies, and regulations are addressed in various locations within Section 5 of this Master EIR. Below is a discussion of certain land use plans, policies, and regulations that are applicable to the future development in accordance with the General Plan and Development Code Update.

#### *Federal Aviation Administration – Federal Aviation Regulation Part 77*

Section 5.8, Hazards and Hazardous Materials, within this Master EIR evaluated safety impacts based on land use type within safety zones adjacent to the three existing airports located within the Planning Area. No land use conflicts with the proposed land uses were identified adjacent to the Fresno-Yosemite International Airport and Sierra Sky Park Airport; however, there are potential land use conflicts adjacent to the southeast runway at the Fresno Chandler Downtown Airport. Although there is currently a land use inconsistency, future development in this area would be required to comply with Part 77 of the Federal Aviation Regulation (FAR) that defines airspace around civil airport. Similar to any development within airport safety zones, an evaluation of the proposed structures in relation to the “imaginary surfaces” would be required and reviewed by the Airport Land Use Commission. Compliance with this current requirement would reduce potential impacts to less than significant.

#### *The Cortese-Knox-Hertzberg Local Government Reorganization Act*

The proposed General Plan and Development Code includes various objectives and policies to provide for the future orderly growth and development of the Planning Area. The project includes

retaining the sphere-of-influence boundary at its current location to prevent urban sprawl and impacting prime agricultural lands beyond the Planning Area. Since the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 governs the establishment and revision of local government boundaries, the implementation of the project would provide for orderly growth to ensure that adequate services are available to serve the new development. The following policies within the General Plan Update would ensure consistency with the Act.

Policies LU-1-c, LU-1-e, and LU-1-f as described above. In addition, the following policy would prevent urban sprawl.

**Policy LU-1-g: SOI Expansion.** Maintain the City's current SOI boundaries without additional expansion, except to allow for the siting of a maintenance yard for the California High Speed Train project and related industrial and employment priority areas proximate to and south of the SOI boundary between State Route 41 and State Route 99. Prohibit residential uses in the expansion area.

The implementation of the above policies as development occurs would result in consistency with the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

*California Land Conservation Act*

As stated above, potential impacts associated with the Williamson Act is provided in Section 5.2, Agricultural Resources Impact AG-2.

*Fresno County Local Agency Formation Commission*

As identified above, the proposed General Plan and Development Code includes policies to provide for the future orderly growth and development of the Planning Area. This orderly growth would be consistent with LAFCO's objectives to encourage orderly formation of local governmental agencies, preserve agricultural land resources and to discourage urban sprawl. The following policies within the proposed General Plan Update would result in consistency with LAFCO's general policies.

**Policy LU-1-a:** Promote Development within the Existing City Limits as of December 31, 2012. Promote new development, infill, and rehabilitation of existing building stock in the Downtown Planning Area, along BRT corridors, in established neighborhoods generally south of Herndon Avenue, and on other infill sites and vacant land within the City.

**Policy LU-1-c:** Provision of Public Facilities and Services. Promote orderly land use development in pace with public facilities and services needed to serve development.

**Policy LU-1-e:** Annexation Requirements. Consider implementing policies and requirements that achieve annexations to the City that conform to the General Plan Land Use Designations and open space and park system, and are revenue neutral and cover all costs for public infrastructure, public facilities, and public services on an ongoing basis.

**Policy LU-1-g:** SOI Expansion. Maintain the City's current SOI boundaries without additional expansion, except to allow for the siting of a maintenance yard for the California High Speed Train

project and related industrial and employment priority areas proximate to and south of the SOI boundary between State Route 41 and State Route 99. Prohibit residential uses in the expansion area.

#### *Airport Land Use Compatibility Plans*

The compatibility of the land uses in proximity to the two public airports (Fresno-Yosemite International Airport and the Fresno-Chandler Downtown Airport) and the privately owned, public use general aviation airport (Sierra Sky Park) are discussed and evaluated in Section 5.8, Hazards and Hazardous Materials in Impacts HAZ-5 and HAZ-6 in this Program EIR.

#### *City of Fresno 2025 General Plan Land Use Element*

Implementation of the General Plan Update would replace the existing goals, objectives and policies within the 2025 General Plan, including the Land Use Element. Since the existing goals, objectives and policies would be replaced, the implementation of the project would not be inconsistent with the 2025 General Plan, including the Land Use Element, and potential impact would be less than significant.

#### *City of Fresno Community Plans, Specific Plans, and Other Plans*

The proposed project includes amendment of the following Plans:

- Bullard Community Plan (this will be renamed to the Pinedale Neighborhood Plan)
- Sierra Sky Park Land Use Policy Plan (formatting revisions for consistency with the ALUC's Sierra Sky Park Plan)
- Tower District Specific Plan
- Butler-Willow Specific Plan
- North Avenue Industrial Plan
- Sun Garden Acres Specific Plan
- Hoover Community Plan (this will be renamed the El Dorado Park Neighborhood Plan)

Additionally, the proposed project includes repeal of the following Plans:

- West Area Community Plan
- Roosevelt Community Plan
- Fulton/Lowell Specific Plan
- Woodward Park Community Plan
- Central Area Community Plan
- McLane Community Plan
- Fresno-High Roeding Plan
- Yosemite School Area Specific Plan
- Dakota-First Street Specific Plan
- Edison Community Plan
- Civic Center Master Plan
- Highway City Specific Plan

The General Plan Update serves as a consolidated location for many current Community, Specific and other Plan types, and is consistent with the intent of the underlying purpose of the goals, policies and objectives of the portions of the Plans designed to avoid or mitigate environmental effects. While in a different format, the underlying goals, objectives and policies serving as mitigation for applicable environmental effects have been carried forward, incorporated or otherwise addressed in the General Plan Update. As such, implementation of the project would not be inconsistent with these Plans, and potential impacts would be less than significant.

#### *County of Fresno Land Use Element*

The policies within the County of Fresno Land Use Element were reviewed to determine the consistency of the proposed project with the existing policies. As identified in Section 5.10.3 above, the County includes policies regarding development within the San Joaquin River corridor and ensuring adequate buffers are provided. Additional policies relate to planning and development within existing spheres-of-influence, orderly outward expansion of land uses, and minimization of potential land use conflicts. Furthermore, the County has policies related to cooperative planning between the City and the County. Based on a review of the County policies, the following policies within the proposed General Plan Update would be consistent with the existing County policies and less than significant impacts would occur.

#### **San Joaquin River Corridor**

The County includes policies regarding development within the San Joaquin River corridor. These policies include LU-C.6., LU-C.7. The implementation of the following policies from the proposed General Plan Update would result in land use consistency with the County's policies.

**Policy RC-10-b:** Zoning in San Joaquin Riverbottom. Maintain zoning consistent with on-going mineral extraction in the San Joaquin Riverbottom that also allows multiple open space uses in conformance with State law, and the City's Surface Mining Ordinance.

**Policy LU-1-b.** Land Use Definition and Compatibility. Include zoning districts and standards in the Development Code that provide for the General Plan land use designations and create appropriate transitions or buffers between new development with existing uses, taking into consideration the health and safety of the community.

#### **Planning and Development**

The County includes policies regarding planning and development within unincorporated areas. These policies include LU-G.1., LU-G.2., LU-G.7, and LU-G.11. The implementation of the following policies from the proposed General Plan Update would result in land use consistency with the County's policies.

**Policy LU-1-c:** Provision of Public Facilities and Services. Promote orderly land use development in pace with public facilities and services needed to serve development.

**Policy LU-1-e.** Annexation Requirements. Consider implementing policies and requirements that achieve annexations to the City that conform to the General Plan Land Use Designations and open

space and park system, and are revenue neutral and cover all costs for public infrastructure, public facilities, and public services on an ongoing basis.

**Policy LU-1-f:** Coordination with Fresno County Land Use Planning. Seek a Memorandum of Understanding (MOU) with the County of Fresno to prohibit development inconsistent with this General Plan on unincorporated land within the City's (SOI).

**Policy LU-11-c:** General Plan Consistency. Pursue coordinated planning and development project reviews with relevant federal, State, and local public agencies to ensure consistency with this General Plan.

#### **Orderly Outward Expansion**

The County includes a policy regarding orderly outward expansion from City limits to within unincorporated areas. This policy is LU-G.4. The implementation of the following policies from the proposed General Plan Update would result in land use consistency with the County's policies.

**Policy LU-1-a:** Promote Development within the Existing City Limits as of December 31, 2012. Promote new development, infill, and rehabilitation of existing building stock in the Downtown Planning Area, along BRT corridors, in established neighborhoods generally south of Herndon Avenue, and on other infill sites and vacant land within the City.

**Policy LU-1-c:** Provision of Public Facilities and Services. Promote orderly land use development in pace with public facilities and services needed to serve development.

**Policy LU-1-g:** SOI Expansion. Maintain the City's current SOI boundaries without additional expansion, except to allow for the siting of a maintenance yard for the California High Speed Train project and related industrial and employment priority areas proximate to and south of the SOI boundary between State Route 41 and State Route 99. Prohibit residential uses in the expansion area.

#### **Minimization of Land Use Conflicts**

The County includes policies regarding minimizing land use conflicts as development occurs. These policies include LU-G.6 and LU-G.10. The implementation of the following policy from the proposed General Plan Update would result in land use consistency with the County's policies, and potential impacts would be less than significant.

**Policy LU-1-b:** Land Use Definition and Compatibility. Include zoning districts and standards in the Development Code that provide for the General Plan land use designations and create appropriate transitions or buffers between new development with existing uses, taking into consideration the health and safety of the community.

#### *San Joaquin River Parkway Master Plan*

The policies within the San Joaquin River Parkway Master Plan were reviewed to determine the consistency of the proposed project with the existing policies. As identified in Section 5.10.3 above, the Master Plan includes policies regarding development within the parkway and providing buffers.

Based on a review of the Master Plan policies, the following policies within the proposed General Plan Update would be consistent with the existing Master Plan policies, and potential impacts would be less than significant.

**Development within the Parkway**

**Policy RC-10-b:** Zoning in San Joaquin Riverbottom. Maintain zoning consistent with on-going mineral extraction in the San Joaquin Riverbottom that also allows multiple open space uses in conformance with State law and the City's Surface Mining Ordinance.

**Policy POSS-5-c:** Buffers for Natural Areas. Require development projects, where appropriate and warranted, to incorporate natural features (such as ponds, hedgerows, and wooded strips) to serve as buffers for adjacent natural areas with high ecological value.

**Policy POSS-6-a:** San Joaquin River Parkway Master Plan. Support the San Joaquin River Conservancy in its efforts to update the San Joaquin River Parkway Master Plan by working with the other jurisdictions and the River Conservancy to create a comprehensive and feasible plan for preservation, conservation, and development.

**Policy POSS-7-d.** Buffer Zones near Intensive Uses. Protect natural reserve areas and wildlife corridor areas in the San Joaquin River corridor whenever more intensive human uses exist or are proposed on adjacent lands. Use buffer zones to allow multiple uses on parts of the parkway while still protecting wildlife and native plants.

- Require studies of appropriate buffer widths to be approved by State and federal wildlife agencies before variances from standard buffer zone widths are granted.
- Maintain natural riparian buffer zones with appropriate native plants (seed material and cuttings locally derived).
- Incorporate open space uses such as pasture, low-intensity agricultural activities, and the "rough" or marginal areas of golf courses, into buffer zones when they constitute an improvement in habitat over a previous use or degraded area. Evaluate and address the potential impacts of construction, cultural, and operational practices (such as grading, number of livestock per acre, lighting, and use of pesticides, herbicides, and fertilizers) before these uses are approved for buffering.
- For nearby areas of the San Joaquin River corridor outside of the exclusive jurisdiction of the City, support efforts to work with other jurisdictions to achieve this policy.

**Provide Buffers**

**Policy POSS-5-c:** Buffers for Natural Areas. Require development projects, where appropriate and warranted, to incorporate natural features (such as ponds, hedgerows, and wooded strips) to serve as buffers for adjacent natural areas with high ecological value.

**Policy POSS-7-d:** Buffer Zones near Intensive Uses. Protect natural reserve areas and wildlife corridor areas in the San Joaquin River corridor whenever more intensive human uses exist or are

proposed on adjacent lands. Use buffer zones to allow multiple uses on parts of the parkway while still protecting wildlife and native plants.

- Require studies of appropriate buffer widths to be approved by State and federal wildlife agencies before variances from standard buffer zone widths are granted.
- Maintain natural riparian buffer zones with appropriate native plants (seed material and cuttings locally derived).
- Incorporate open space uses such as pasture, low-intensity agricultural activities, and the “rough” or marginal areas of golf courses, into buffer zones when they constitute an improvement in habitat over a previous use or degraded area. Evaluate and address the potential impacts of construction, cultural, and operational practices (such as grading, number of livestock per acre, lighting, and use of pesticides, herbicides, and fertilizers) before these uses are approved for buffering.
- For nearby areas of the San Joaquin River corridor outside of the exclusive jurisdiction of the City, support efforts to work with other jurisdictions to achieve this policy.

**Policy LU-1-b:** Land Use Definition and Compatibility. Include zoning districts and standards in the Development Code that provide for the General Plan land use designations and create appropriate transitions or buffers between new development with existing uses, taking into consideration the health and safety of the community.

### ***Cumulative Impact Analysis***

Development of cumulative projects in the vicinity of the Planning Area could have the potential to result in inconsistencies within the jurisdictions of the cumulative projects such as the County of Fresno, County of Madera, and City of Clovis. These potential inconsistencies resulting from cumulative projects could result in significant cumulative impacts on plans and policies within the jurisdictions of the proposed cumulative project as discussed above, the implementation of the proposed General Plan would be consistent with federal, state, regional, and local plans. Since the proposed General Plan would be consistent with these plans, the potential environmental impacts associated with these plans from buildout of the proposed General Plan would be less than significant. Therefore, the project’s contribution to potential cumulative impacts on these plans would be less than cumulatively considerable. Thus, the project would result in a less than significant cumulative impact.

### ***Mitigation Measures***

#### *Project Specific*

No mitigation measures are required.

*Cumulative*

No mitigation measures are required.

**Level of Significance After Mitigation**

*Project Specific*

Less than significant impact.

*Cumulative*

Less than significant impact.

**Conflict with Conservation Plans**

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<b>Impact LUP-3</b>	<b>The project would not conflict with any applicable habitat conservation plan or natural communities conservation plan.</b>
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**Project Specific Impact Analysis**

The City of Fresno Planning Area does not occur within the boundaries of any approved or draft Habitat Conservation Plan (HCP), Natural Community Conservation Plan (NCCP) or other adopted local, regional or state HCP. Therefore, development within the Planning Area will not result in any impacts to an adopted HCP or NCCP.

**Cumulative Impact Analysis**

Although outside the cumulative impact study area for land use and planning, the nearest NCCP is the Metropolitan Bakersfield Habitat Conservation Plan (MBHCP). No City of Fresno development activities are proposed that would conflict with either the goals of the MBHCP or any HCP/NCCP in the study area. No HCPs or NCCPs occur within the cumulative impact study area. In addition, cumulative development within the cumulative impact study area would not result in an impact to any HCP/NCCP. Therefore, the proposed project and cumulative projects would result in no cumulative impacts on any HCP/NCCP.

**Mitigation Measures**

*Project Specific*

No mitigation measures are required.

*Cumulative*

No mitigation measures are required.

**Level of Significance After Mitigation**

*Project Specific*

No impact.

*Cumulative*

No impact.

