



General Plan ▶ Plan Comments: SB375



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Tags &
Notes

Comment Name	SB375
Commenter First Name	Michael A.
Commenter Last Name	Lopez
Commenter Company	Sheet Metal Workers Local 104
Stakeholder Type	Uncertain/Not Known
Status	New
Project	General Plan
MEIR Comment Topic	
MEIR Comments	No existing entries.
MEIR Response	
GP Comment Topic	General
GP Comments	James Anders (9/4/2014 4:20 PM): How does SB375 fit in the "General Plan"
GP Response	
APNNo	

Content Type: Discussion

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Created at 9/4/2014 4:20 PM by [James Anders](#)Last modified at 9/4/2014 4:20 PM by [James Anders](#)

Close



Development and Resource Management Department

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Jennifer K. Clark AICP
Director

August 28, 2014

Arnoldo Rodriquez, AICP
Planning Manager
Development and Resource Management Department
2600 Fresno Street
Fresno, CA 93721

Dear Mr. Rodriguez:

At the July 28th, 2014 public meeting, the City's Historic Preservation Commission reviewed the "Historic and Cultural Resources Element" of the *Public Review Draft of the Fresno General Plan*. The Commission, pursuant to its duties under FMC 12-1606(b)(4), held a lengthy discussion related to revisions made in two policies in the document: HCR-2-j and HCR-2-m.

Working in a charrette mode with preservation and planning staff, the Commission revised the language of the two policies. Following the Commission hearing, commissioners and staff worked in tandem to edit the language of the revised policies in order to be consistent with the language in the General Plan and to be as clear and accessible as possible.

The Commission thus submits the following revisions and additions to Chapter 8 of the draft General Plan:

HCR-2-j Window Replacement. City staff will evaluate potential actions for identification of window replacement to ensure historic integrity is maintained while encouraging sustainability. In addition, city staff will evaluate window replacements in federally funded housing projects on a project-to-project basis with consideration for health, safety, historic values, sustainability, and financial feasibility.

HCR-2-m Local Register Listing. Recommend that property owners, who receive funds from the City of Fresno for rehabilitation of a property, consent to listing it on the Local Register of Historic Resources if the property meets the criteria for age, significance, and integrity. Publicly funded rehabilitation properties which may meet Local Register criteria will be presented to the City's Historic Preservation Commission for review.

Sincerely,

A handwritten signature in black ink, appearing to read "Karana Hattersley-Drayton".

Karana Hattersley-Drayton, M.A.
Historic Preservation Project Manager
Secretary, Historic Preservation Commission
City of Fresno
(559) 621-8520



Development and Resource Management Department

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Jennifer K. Clark AICP
 Director

August 26, 2014

Arnoldo Rodriguez, AICP
 Planning Manager
 Development and Resource Management Department
 2600 Fresno Street
 Fresno, CA 93721

Dear Mr. Rodriguez:

At the August 25th, 2014 public meeting, the City's Historic Preservation Commission reviewed the Cultural Resources Chapter of the Draft Master Environmental Impact Report (DMEIR) for the General Plan and Development Code Update. The Commission, pursuant to its duties under FMC 12-1606(b)(6), passed a resolution (5-0) supporting staff recommendations for revisions and corrections as outlined in the staff report:

5.5.2: "reviewing literature of the resources" should be amended to say, "review of primary and secondary sources of information, such as Sanborn Fire Insurance maps, building permits and the like."

5.5-6: Paragraph 1 and 2: The Easterby Farm/Ranch was **not** located in what is now downtown Fresno. An article in the *Fresno Weekly Expositor* July 10, 1872 noted that Easterby's Farm was within 4½ miles of Fresno (Clough and Secrest, p. 118). It was considerably east of what is now Fresno.

5.5-7 Paragraph 4: Early development straddled the rail corridor, thus was located both "east" and "west" of the tracks. Fresno's Chinatown was well developed by the date of incorporation in 1885. The Central Pacific Railroad Depot was by 1885 the Southern Pacific Railroad Depot as the official name change for the company officially occurred in 1884.

Paragraph 4: The reference to early ethnic groups is a tad simplistic. Chinese, Scandinavian farmers and "Americans" were the earliest settlers from 1872 on. Armenians began to arrive in Fresno in 1881, Volga Germans in 1887, Japanese in the late 1890s. A sentence we used in the GP might work as it is inclusive of time and ethnicity: "Emigrants from Scandinavia, China, Japan, Armenia, Russia (Volga Germans), Mexico, and most recently Southeast Asia have contributed to the character and cultural heritage of the area."

p. 5.5-8 Second paragraph... Section on prior historic surveys is out of place in the

middle of a chronological narrative about Fresno's history and development. This should be relocated to a section on methods or environmental review.

Third paragraph: Paragraph about streetcars is largely redundant with the first paragraph on this page. Should probably be deleted or additional information melded into first.

p. 5.5-9 paragraph 2, would be appropriate to briefly mention that Japanese were relocated and detained in two assembly centers; one located at the Fairgrounds the other at the former Sugar Pine Lumber Company.

Paragraph 4: "Victorian" is not an architectural style, it does refer accurately to an era. Suggest what we used in the General Plan: "As with many California towns of the nineteenth century, Fresno has a wealth of residential architectural styles. Due to fires and redevelopment in Downtown, the earliest building stock is gone, with a few notable exceptions. Examples of the late Queen Anne style survive, while the "Victorian" city has largely disappeared. Other residential styles that are well represented in Fresno include Craftsman bungalows, Neoclassical cottages, American Foursquare, and Period Revival buildings, such as Tudors and Spanish Eclectic."

p. 5.5-10 As of August 19, 2014 there are 29 National Register resources within the Fresno City limits. They are **not** all located in the downtown core (e.g. Tower Theatre, Forestiere Underground Gardens, Kindler Home, etc.)

p. 5.5-12 Table of Known Cultural Resources. How are "Historic-era Buildings and Structures" defined? Does this refer to designated resources, potentially eligible resources or just resources that are over 50 years of age? If the later, the number would be significantly higher.

p. 5.5-14 Paragraph 3. As of August 19, 2014 there are 271 designated properties on Fresno's Local Register of Historic Resources and 15 Heritage Properties. We recommend using a date, "as of" as these numbers change quickly. Also "structures" refers to a very specific category of resources (like canals), best to use the generic term, "properties." Also "Local Register" in the last line of this paragraph should be capitalized.

Paragraph 4. The Historic Preservation Ordinance was also amended in 2009 and 2012. The City's Historic Preservation database has close to 5,000 entries (4965 as of today). Also regarding the database it is more appropriate to say "buildings" not "structures," as structures under the HP Ordinance, California Register and the National Register refer to resources such as bridges and canals.

p. 5.5-19 Third paragraph, The Historic Preservation Ordinance was also amended in 2009 and 2012.

p. 5.5-20 Only a portion of the policies and goals from the 2025 General Plan for Historic Resources is included. They all need to be included.

p. 5.5-22 last paragraph, As of August 19, 2014 there are 271 designated properties on Fresno's Local Register of Historic Resources and 15 Heritage Properties.

p. 5.5-23-24 Not all the draft policies and objectives from the General Plan Update (Chapter 8, Historic and Cultural Resources) are listed. They all need to be included.

p. 5-25. Mitigation Measure Cul-1 for sub-surface historic resources is a typical "late discovery" mitigation measure. This measure should parallel that for pre-historic resources (CUL-2).

5.25. 5.27 We cannot legally compel private property owners to part with any artifacts that have been discovered on their property.

Additionally, the Commission asked that the importance of the watershed date of 1769 be more fully discussed in the historic overview. To wit, the establishment of the first Franciscan mission in California is considered the beginning of the "historic era" for archaeological resources and yet the date is not discussed again in the historic context. (It is assumed that this is because there were no missions in the Project Area and thus this earlier history is not germane to this study). The Commission also seconded the staff concern noted above about private property owners and artifacts.

Sincerely,



Karana Hattersley-Drayton, M.A.
Historic Preservation Project Manager
Secretary, Historic Preservation Commission
City of Fresno
(559) 621-8520



August 18, 2014

Jennifer K Clark, Director
 Re: Draft General Plan
 Development and Resource Management
 2600 Fresno Street, Room 3065
 Fresno, CA 93722

RECEIVED

AUG 18 2014

DEVELOPMENT DEPARTMENT
CITY OF FRESNO

Dear Ms. Clark,

Thank you for the opportunity to comment on the City of Fresno's Draft General Plan Update. Aquarius Aquarium Institute is the nonprofit 501(c)(3) organization working to build the Fresno Aquarium along Highway 99 overlooking the San Joaquin River.

In 2009, the Fresno Local Agency Formation Commission (LAFCo), approved the Institute's 10-acre Aquarium property's inclusion into the City's adopted Sphere of Influence (SOI). At that time, the City designated the as property as Public/Quasi-Public Facility in the 2025 General Plan in order to accommodate the future Fresno Aquarium. Although our property's Public/Quasi-Public Facility designation is correctly identified on the General Plan Land Use Diagram on page 111 (Figure LU-1), it appears to be incorrectly designated as Open Space on page 221 on the San Joaquin River Parkway Path and Trail Access Points map (Figure POSS-2).

In order for there to be consistency in our property's designation throughout the document, we respectfully request that the map depicting the San Joaquin River Parkway Path and Trail Access Points map on page 221 (figure POSS-2) reflect the LAFCo-approved Public/Quasi-Public designation. We are pleased to have our entrance driveway identified as a possible future Access Point to the San Joaquin River Path and Trail System.

Thank you for your attention to this matter, which we feel will help future planners avoid any ambiguity with regard to our parcel's planned development.

Very truly yours,

Tom Lang
 Executive Director
 Aquarius Aquarium Institute





EDMUND G. BROWN JR.
GOVERNOR

STATE OF CALIFORNIA
GOVERNOR'S OFFICE *of* PLANNING AND RESEARCH
STATE CLEARINGHOUSE AND PLANNING UNIT



KEN ALEX
DIRECTOR

October 23, 2014

Eric VonBerg
City of Fresno
2600 Fresno Street, Room 3065
Fresno, CA 93721-3604

Subject: City of Fresno General Plan and Development Code Update
SCH#: 2012111015

Dear Eric VonBerg:

The enclosed comment (s) on your Draft EIR was (were) received by the State Clearinghouse after the end of the state review period, which closed on October 9, 2014. We are forwarding these comments to you because they provide information or raise issues that should be addressed in your final environmental document.

The California Environmental Quality Act does not require Lead Agencies to respond to late comments. However, we encourage you to incorporate these additional comments into your final environmental document and to consider them prior to taking final action on the proposed project.

Please contact the State Clearinghouse at (916) 445-0613 if you have any questions concerning the environmental review process. If you have a question regarding the above-named project, please refer to the ten-digit State Clearinghouse number (2012111015) when contacting this office.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott Morgan".

Scott Morgan
Director, State Clearinghouse

Enclosures
cc: Resources Agency



DEPARTMENT OF CONSERVATION

Managing California's Working Lands

DIVISION OF LAND RESOURCE PROTECTION

801 K STREET • MS 18-01 • SACRAMENTO, CALIFORNIA 95814

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October 21, 2014

late

10/9/14
e

Via Email: newplan@fresno.gov

Jennifer K. Clark, Director

Reg: DMEIR

Development and Resource Management Department

2600 Fresno Street, Room 3065

Fresno, CA 93722



CITY OF FRESNO GENERAL PLAN AND DEVELOPMENT CODE UPDATE, DRAFT
MASTER ENVIRONMENTAL IMPACT REPORT (SCH #2012111015)

Dear Ms. Clark:

The Department of Conservation's (Department) Division of Land Resource Protection (Division) monitors farmland conversion on a statewide basis and administers the California Land Conservation (Williamson) Act and other agricultural land conservation programs. The Division has reviewed the Draft Master Environmental Impact Report (DMEIR) for the City of Fresno General Plan and Development Code Update project and offers the following comments and recommendations.

PROJECT DESCRIPTION

The proposed project is a comprehensive update and implementation of the City of Fresno's General Plan and Development Code, providing new policy guidelines for future physical development and conservation of resources in the City through the year 2056.

The project site consists of a planning area that encompasses all land within the City of Fresno and the City's Sphere of Influence, which equals approximately 106,027 acres. The project area contains approximately 1,615 acres of land under active Williamson Act contracts. Full build-out of designated urban areas within the proposed planning area would result in the loss of 15,903 acres of Important Farmland.

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DIVISION COMMENTS

WILLIAMSON ACT

The DMEIR notes that the Planning Area contains 1,650 acres under active Williamson Act Contract. Pursuant to Government Code §51230 the general plan and zoning applied to lands subject to Williamson Act contracts, as well as lands located within an agricultural preserve (which may have a greater extent than those areas under contract), must be consistent with Williamson Act statute and be compatible with the agricultural use of the land. The project proposes 82 acres of agricultural land designated for Open Space Conservation, and allows existing agricultural uses to continue as legal non-conforming land uses¹. The Department recommends that the Final MEIR clarify how the General Plan and Development Code Update will remain consistent with the conditions set upon existing Williamson Act contracts as potentially legal, non-conforming uses; particularly while parcels remain under active contracts. If the update will not remain consistent, the document should describe the steps the City will take to resolve the inconsistencies, and evaluate how any proposed contract cancellations that may be involved in this project would (or would not) meet the required findings for cancellation under Government Code § 51282².

In addition, the Final MEIR should include information, to the degree possible, regarding the anticipated dates that contracted land in the Planning Area will either be cancelled or will complete the non-renewal period. If there will be conflicts with scheduled development, the Final MEIR must explain the impact and identify any feasible actions which would reduce the significance, such as prohibiting the issuance of grading and building permits until the contracts have expired via nonrenewal³ or terminated via cancellation.⁴ The Department's preferred method of contract termination is via nonrenewal.

MITIGATION MEASURES

The DMEIR's discussion regarding mitigation measures for agricultural land conversion states:

*No feasible measures in addition to the above policy are available.*⁵

In response to the project's Notice of Preparation, the Department's December 17, 2012 comment letter emphasized that the General Plan Update process provides the best

¹ Agricultural Resources, City of Fresno General Plan and Development Code Update Master Environmental Impact Report (DMEIR), page 5.2-14. City of Fresno, July 2014.

² or Government Code § 51297 for Farmland Security Zone contracts.

³ Government Code §51245

⁴ Government Code §51280 et seq.

⁵ Agricultural Resources, DMEIR at 5.2-13. The policy referenced, Policy RC-9-b, states that the City will express opposition to premature conversion of agricultural land outside the City's Sphere of Influence, but within or adjacent to the Planning Area.

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opportunity for the City to incorporate General Plan Policies and Ordinances to create agricultural mitigation programs. These Policies and Ordinances create a blanket approach for all subsequent projects that provide for compensatory mitigation as the later site-specific projects move through individual review⁶ (see attached). The Department recommends the agricultural mitigation program found in Merced County's 2030 General Plan as a template to provide compensatory mitigation⁷ (see attached).

Direct conversion of agricultural land is often an unavoidable impact under CEQA. However, the impact is not addressed merely by avoiding agricultural land conversion (either via purchase or by relocating the project). Rather, the criterion is any feasible mitigation that lessens a project's impacts. Pursuant to CEQA Guideline §15370, mitigation includes measures that avoid, minimize, rectify, reduce or eliminate, or compensate for the impact (emphasis added). Therefore, all potentially feasible mitigation measures which could lessen a project's impacts should be included in the Final MEIR for the City's General Plan and Development Code Update project. A measure brought to the attention of the lead agency should not be left out unless it is infeasible based on its elements. The Department has brought to the City's attention the recommendation to include agricultural conservation easements as feasible mitigation measures in the previous comment letter⁸.

The Department understands that various factors can affect the feasibility of potential mitigation measures. Because agricultural conservation easements have become more commonly accepted by jurisdictions at the local and state level, they are an available mitigation tool that should be considered. The Department highlights this measure because of its acceptance and use by lead agencies as an appropriate mitigation measure under CEQA. As such, the Division recommends that the City review permanent agricultural easements as a mechanism to protect remaining land resources in Fresno County and lessen project impacts in accordance with CEQA Guideline §15370.

Should the Final MEIR choose not to analyze any mitigation measures for farmland conversion, then the City must consider mitigation measures when subsequent Focused EIRs are reviewed, i.e. during a Specific Plan proposal CEQA analysis. As the Master EIR would not contemplate any mitigation measures, the City would then need to analyze them on a project-by-project basis for any subsequent project. CEQA Guidelines § 15178(c)(1) states that a Focused EIR must include the following:

⁶ Letter from Molly Penberth, Manager of Conservation Program Support Unit, Cal. Dep't of Conservation, to Keith Bergthold, Assistant Dir., City of Fresno (December 17, 2012) (on file with author).

⁷ Implementation Program AG-J: Agricultural Conservation Easement Program. CEQA Findings of Fact and Statement of Overriding Considerations of the Merced County Bd. of Supervisors for the 2030 Merced County General Plan Program EIR, pages 29-30. December 2013, available at http://www.co.merced.ca.us/pdfs/planning/generalplan/AdoptedGP/findings_mcgpu_121013_final.pdf

⁸ Letter from Molly Penberth, Manager of Conservation Program Support Unit, Cal. Dep't of Conservation, to Keith Bergthold, Assistant Dir., City of Fresno (December 17, 2012) (on file with author).

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The focused EIR shall incorporate by reference the Master EIR and analyze only the subsequent project's additional significant environmental effects and any new or additional mitigation measures or alternatives that were not identified and analyzed by the Master EIR. (emphasis added)

In addition, the 6th District Court of Appeals found in *Save Panoche Valley v. County of San Benito* (43 ELR 20143, No. H037599, (Cal. Ct. App. 6th Dist., 06/25/2013)):

*Save Panoche Valley's insistence that the mitigation measures fail because there is no creation of additional agricultural lands to compensate for the ones utilized for the project site are unsubstantiated. We are unaware of any case law that supports Save Panoche Valley's position. The goal of mitigation measures is not to net out the impact of a proposed project, but to reduce the impact to insignificant levels. (See *Banning Ranch Conservancy, supra*, 211 Cal.App.4th at p.1233).*

Mitigation via agricultural conservation easement can be implemented by at least two alternative approaches: the outright purchase of easements or the donation of mitigation fees to a local, regional, or statewide organization or agency whose purpose includes the acquisition and stewardship of agricultural conservation easements. The California Council of Land Trusts (CCLT) and the California Farmland Conservancy Program (CFCP) are two sources of information on the mechanisms and fees associated with conservation easements as well as their use in mitigating for agricultural land conversion. Their web site addresses are:

<http://www.calandtrusts.org>

<http://www.conservation.ca.gov/DLRP/CFCP/Pages/Index.aspx>

The conversion of agricultural land should be deemed an impact of at least regional significance. Hence, the search for replacement lands need not be limited strictly to lands within the surrounding area, but should be roughly equivalent in proximity, acreage, and agricultural characteristics to the affected property.

Of course, the use of conservation easements is only one form of mitigation that should be analyzed. Any other feasible mitigation measures should also be considered, analyzed on record, and presented in the Final MEIR.

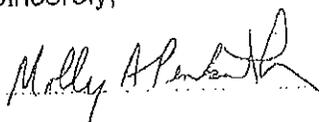
Finally, when presenting any mitigation measures in the Final MEIR, it is important to note that mitigation should consist of specific, measurable actions that allow monitoring to ensure their implementation and evaluation of success. A mitigation consisting only of a statement of intention or an unspecified future action may not be adequate pursuant to CEQA.

Thank you for the opportunity to provide comments. Please provide this Department with notices of any future hearing dates as well as any staff reports pertaining to this project. If you have any questions regarding our comments, please contact Heather

Ms. Jennifer Clark
October 21, 2014
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Anderson, Environmental Planner at (916) 324-0869 or via email at
Heather.Anderson@conservation.ca.gov.

Sincerely,



Molly A Penberth, Manager
Division of Land Resource Protection
Conservation Support Unit

cc: State Clearinghouse

NATURAL RESOURCES AGENCY



DEPARTMENT OF CONSERVATION

Managing California's Working Lands

DIVISION OF LAND RESOURCE PROTECTION

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December 17, 2012

Keith Bergthold, Assistant Director
City of Fresno
2600 Fresno Street, Room 3065
Fresno, CA 93721-3604

Subject: Notice of Preparation for the City of Fresno General Plan and Development Code Update - SCH # 2012111015

Dear Mr. Bergthold:

The Department of Conservation's (Department) Division of Land Resource Protection (Division) has reviewed the Notice of Preparation (NOP) for the City's General Plan and Development Code Update. The Division monitors farmland conversion on a statewide basis and administers the California Land Conservation (Williamson) Act and other agricultural land conservation programs. We offer the following comments and recommendations with respect to the proposed project's potential impacts on agricultural land and resources.

Project Description

The project consists of a planning area that encompasses 106,000 acres and includes the current City limits, the City's Sphere of Influence, and several other areas, all within Fresno County. The proposed project is a comprehensive update and implementation of the City of Fresno's General Plan and Development Code. Development of the project within the proposed study area will result in the loss of 10,978 acres of farmland.

The project also contains land under Williamson Act contract, and the NOP acknowledges that the Development Code update will remove agricultural zoning districts from the planning area. This will result in potential impacts to contracted land. Implementation of the proposed project would convert this farmland to urban uses and would preclude future agricultural uses on the site.

Division Comments

Per the 2008 Important Farmland Map for Fresno County, produced by the Farmland Mapping and Monitoring Program (FMMP), the planning area contains approximately 11,000 acres of Prime Farmland, 2,700 acres of Farmland of Statewide Importance, and 3,200 acres of Unique Farmland. The conversion of this land is a material consideration for the California Environmental Quality Act (CEQA). Therefore, the Division recommends that the Draft EIR address the following items to provide a comprehensive discussion of potential impacts of the project on agricultural land and activities:

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Agricultural Setting of the Area

- Location and extent of FMMP Important Farmland in the project area and other types of agricultural land adjacent to the project area.
- Current and past agricultural use of the project areas. Please include data on the types of crops grown.

To help describe the full agricultural resource value of the soils on the site, the Department recommends the use of economic multipliers to assess the total contribution of the site's potential or actual agricultural production to the local, regional, and state economies. Two sources of economic multipliers can be found at the University of California Cooperative Extension Service and the United States Department of Agriculture (USDA).

Impacts on Agricultural Land

Land use conversion statistics from the Important Farmland Data Availability webpage¹ documents a net decrease of more than 102,000 acres of irrigated Important Farmland² in Fresno County between 2000 to 2008; an average loss of more than 12,750 acres per year. This cumulative loss represents a significant impact to the agricultural resources of the County and the State, and shows why the remaining prime agricultural resources should be protected whenever feasible.

When determining the agricultural value of the land, it is important to recognize that the value of a property may have been reduced over the years due to inactivity, but it does not mean that there is no longer any agricultural value. The inability to use the land for agriculture, rather than the choice not to do so, is what could constitute a reduced agricultural value. The Division recommends the following discussion under the Agricultural Resources section of the DEIR:

- Type, amount, and location of farmland conversion resulting directly and indirectly from the General Plan and Development Code updates.
- Impacts on any current and future agricultural operations; e.g., land-use conflicts, loss of agricultural support infrastructure such as processing facilities, increases in land values and taxes, etc.
- Incremental impacts leading to cumulative impacts on agricultural land. This would include impacts from projects in process at the time the Master EIR is analyzed, as well as impacts from past and likely future projects.

In 2010, approximately \$ 5.9 billion in farm sales was generated in Fresno County³, which demonstrates the high productivity of available agricultural lands in this top-ranked region. The

¹ http://redirect.conservacion.ca.gov/dlrp/fmmp/product_page.asp

² Important Farmland consists of Prime Farmland, Farmland of Statewide Importance, and Unique Farmland.

³ California Agricultural Resource Directory 2010-2011.

http://www.cdffa.ca.gov/statistics/PDFs/ResourceDirectory_2011-2012.pdf

Mr. Keith Bergthold
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City of Fresno proposes changes to, and adjacent to, some of the highest quality and longest producing agricultural land in the County.

Any loss of this agricultural land should be avoided or mitigated whenever possible. Under Title 14 of the California Code of Regulations, Section 15064.7, impacts on agricultural resources may also be both quantified and qualified by use of established thresholds of significance. As such, the Department has developed a California version of the USDA Land Evaluation and Site Assessment (LESA) Model. The California LESA model is a semi-quantitative rating system for establishing the environmental significance of project-specific impacts on farmland. The model may also be used to rate the relative value of alternative project sites. The LESA Model is available on the Division's website at:

http://www.consrv.ca.gov/DLRP/qh_les.htm

Williamson Act

The Williamson Act enables local governments to enter into contracts with private landowners for the purpose of restricting specific parcels of land to agricultural or compatible uses. California Government Code § 51230 enables local governments to enter into Williamson Act contracts, which have an initial term of 10 years. Section 51296 enables local governments to enter into Farmland Security Zone (FSZ) contracts (also known as "super Williamson Act" contracts), which have an initial term of 20 years. Both kinds of contracts are entered into between private landowners and the County, and both are present in Fresno County. In return, restricted parcels are assessed for property tax purposes at a rate consistent with their actual use (i.e. farming, grazing, and/or open space), as opposed to potential market value.

We recommend that the Draft EIR include a discussion of how the Development Code Updates will remain consistent with the conditions set upon existing Williamson Act contracts, and if not, how any cancellations that may be involved in this project would (or would not) meet the required findings of Government Code § 51282 Cancellation, or § 51287 Cancellation of Farmland Security Zone Contract.

Mitigation Measures

Although direct conversion of agricultural land may be an unavoidable impact under CEQA analysis, mitigation measures, including compensatory mitigation, must be considered and adopted if feasible. This Master EIR has noted that at least 10,978 acres of agricultural land would be developed, with full buildout within the Planning Area sometime after the year 2035⁴.

The document states that there will be a further analysis of these potential impacts, and that "mitigation measures will be provided, if available"⁵. This interpretation of the City's responsibility for the Master EIR does not address Public Resources Code § 21100(b)(3), which

⁴ Introduction, Section 1.4.4 – Comparison of Existing Development to the City of Fresno General Plan update, page 28, Table 4. City of Fresno General Plan and Development Code Update, Initial Study. November 6, 2012.

⁵ Discussion of Environmental Evaluation, Section 3 – 2. Agriculture and Forestry Resources, page 45. City of Fresno General Plan and Development Code Update, Initial Study. November 6, 2012.

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 December 17, 2012
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mandates the inclusion of "mitigation measures proposed to minimize significant effects on the environment" in the CEQA document. The approval and use of a Master EIR provides a mechanism for mitigating the overall project, thus allowing subsequent, identified projects to meet a lower threshold when examining irreversible significant environmental impacts.

CEQA Guideline § 15370 defines mitigation measures as those that "avoid, minimize, rectify, reduce or eliminate, or compensate" for project impacts. Given the City's location, it may not be feasible to completely avoid agricultural land conversion; nor does CEQA require that impacts be reduced to a level below significance. Rather, CEQA's criterion is feasible mitigation that lessens a project's impacts.

The General Plan Update stage of the land use planning process provides the best opportunity for the City to incorporate General Plan Policies and Ordinances to create agricultural mitigation programs. These Policies and Ordinances create a blanket approach for all subsequent projects that provide for compensatory mitigation as the later site-specific projects move through their individual review. Mitigations such as conservation easements and in-lieu mitigation fee banking are considered viable tools for achieving impact reduction under CEQA.

Should the City decide not to incorporate available, feasible mitigation measures into their Master EIR, then they must consider mitigation measures when a subsequent Focused EIR is reviewed, i.e. during a Specific Plan proposal CEQA analysis. As the Master EIR would not contemplate any mitigation measures, the City must analyze them on a project-by-project basis for any anticipated subsequent project. CEQA Guidelines § 15178(c)(1) states that a Focused EIR must include the following:

The focused EIR shall incorporate by reference the Master EIR and analyze only the subsequent project's additional significant environmental effects and any new or additional mitigation measures or alternatives that were not identified and analyzed by the Master EIR. "Additional significant environmental effects" are those project-specific effects on the environment which were not addressed as significant in the Master EIR. (emphasis added)

Therefore, all potentially feasible mitigation measures which could lessen impacts from the General Plan and Development Code Update should be included in the Master EIR for the City of Fresno. A measure brought to the attention of the Lead Agency should not be left out unless

it is infeasible based on its elements. Agricultural conservation easements are an available mitigation tool that should be considered in the CEQA process. Finally, when presenting mitigation measures in the Master EIR, it is important to note that a mitigation consisting only of a statement of intention or an unspecified future action may not be adequate pursuant to CEQA.

The loss of agricultural land represents a permanent reduction in the State's agricultural land resources. As such, the Department recommends the use of permanent agricultural conservation easements on land of at least equal quality and size as compensation for the direct loss of agricultural land. Conservation easements will protect a portion of those remaining

Mr. Keith Bergthold
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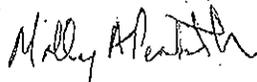
land resources and lessen project impacts in accordance with CEQA Guideline § 15370. The Department highlights this measure because of its acceptance and use by lead agencies as an appropriate mitigation measure under CEQA and because it follows an established rationale similar to that of wildlife-habitat mitigation:

Mitigation via agricultural conservation easements can be implemented by at least two alternative approaches: the outright purchase of easements or the donation of mitigation fees to a local, regional, or statewide organization or agency whose purpose includes the acquisition and stewardship of agricultural conservation easements. The conversion of agricultural land should be deemed an impact of at least regional significance. Hence, the search for replacement lands need not be limited strictly to lands within the project's surrounding area, but should be roughly equivalent in proximity, acreage, and agricultural characteristics to the affected property.

A number of agricultural conservation easements currently exist in Fresno County; additional easement projects are potentially feasible. If the City were not able to make arrangements for easement mitigation through one of these or many other land trusts operating in California, the Department would be glad to help. Of course, the use of conservation easements is only one form of mitigation that should be considered. Any other feasible mitigation measures should also be considered.

Thank you for giving us the opportunity to comment on the NOP for the City of Fresno's General Plan and Development Code Update. Please provide this Department with the date of any hearings for this particular action, and any staff reports pertaining to it. If you have questions regarding our comments, or require technical assistance or information on agricultural land conservation, please contact Meri Meraz, Associate Environmental Planner, at 801 K Street, MS 18-01, Sacramento, California 95814, or by phone at (916) 445-9411.

Sincerely,



Molly A. Penberth, Manager
Division of Land Resource Protection
Conservation Program Support Unit

cc: State Clearinghouse

development. As a result, it is inevitable that some farmland conversion would occur to accommodate long-term development needs. Proposed policies would permit the loss of farmland to urban development both within designated urban areas and as a result of the growth of developed uses at scattered locations outside designated communities. While some proposed policies would fully protect the amount of farmland equal to that removed, no policy would prohibit urban development of farmlands or result in an increase in the acreage of protected agricultural land. Although the Agricultural Land Mitigation Program (Program AG-B) would mitigate the loss of productive agricultural land, the actual viability of such a program remains unknown because the program has not yet been developed or adopted. Until the details of the mitigation land management program that would oversee and monitor the mitigated land is developed and approved, the proposed 2030 General Plan is assumed to continue to lead to the conversion of agricultural uses to non-agricultural uses and result in a net loss of important farmland over time (Draft PEIR and RDPEIR, p. 6-28).

Finding on Significance of Impact

Based on the analysis contained within the Draft PEIR, RDPEIR and Final PEIR, other considerations in the record, and the impact evaluation criteria, the Board finds that while the 2030 General Plan would protect the majority of important farmlands, specifically under the Agricultural land use designation and via the Agricultural Element goals and policies, because the 2030 General Plan would allow for some conversion of farmlands to non-agricultural use to accommodate future urban development, infrastructure necessary to serve such development, and developed rural land uses (energy facilities, agriculturally related industries, mining, scattered rural residences) located on farmlands, this would be a significant impact. The Board has been presented with no evidence to contradict its conclusion in this regard.

Proposed Mitigation

Mitigation Measure AG-1a:

Amend Policy AG-2.2: Agricultural Land Mitigation, as follows:

Protect productive agricultural areas from conversion to non-agricultural and urban uses by establishing and implementing an agricultural mitigation program that matches acres converted with farmland acres of similar quality to those converted preserved at a 1:1 ratio. Coordinate with the six cities in Merced County and the Merced Local Agency Formation Commission (LAFCo), consistent with LAFCo's statutory mission to preserve agricultural land and open space, to establish consistent standards and mitigation for the loss of farmland. In addition, the Land Evaluation and Site Assessment Model (LESA model) may be used to determine whether the conservation land is of equal or greater value than the land being converted.

Mitigation Measure AG-1b:

Add the following program:

Implementation Program AG-J: Agricultural Conservation Easement Program

In conjunction with the Policies AG-2.2, AG 2.4, and AG 2.8 and Program AG-B, the County shall develop and adopt an Agricultural Land Mitigation Program ordinance. The ordinance shall ensure that agricultural mitigation is required for the conversion or change from an agricultural use to a predominantly non-agricultural use prior to, or concurrently with, approval

of a zone change from agricultural to non-agricultural zoning designation, or other discretionary action by the County. Additionally, the ordinance shall require that for each acre of agricultural land changed or converted, one acre of equivalent agricultural land shall be preserved (1:1 ratio). The ordinance shall define the term "equivalent agricultural land." The ordinance shall provide for mitigation via a conservation easement. The ordinance shall outline that where a conservation easement is funded or dedicated, an endowment for the on-going monitoring and maintenance of the agricultural conservation easement must also be required. Finally, the ordinance shall require that prior to the approval of a final subdivision map, or issuance of the first building permit, whichever comes first, a project proponent shall provide written evidence to the County that a conservation easement and endowment has been secured (by the County or other qualifying entity) to mitigate for the permanent loss of agricultural land.

Mitigation Measure AG-1c:

Amend Policy NR-3.13: Agricultural Land Disturbance, as follows:

Require mining projects to obtain agricultural conservation easements consistent with Implementation Program AG-J at a minimum of 1:1 ratio for each acre of productive agricultural land converted as a result of mining and not returned to agricultural production.

Mitigation Measure AG-1d:

Amend Policy AG-3.11, Solar and Wind Energy Production Facilities, as follows:

Encourage the installation of solar and wind energy production facilities in agricultural areas so long as they do not result in a tax burden to the County, do not result in permanent water transfers off of productive agricultural land, or do not require cancellation of Williamson Act contracts, and do not conflict with sensitive habitats or other biological resources. In addition, approval of such facilities shall require dedications of agricultural land and habitat mitigation when impacts to these resources have been determined to be significant pursuant to CEQA, and measures to control erosion, and assurances for financing decommissioning activities.

Mitigation Measure AG-1e:

Amend Policy NR-2.3, Biomass-to-Energy Production, as follows:

Encourage the use of biomass facilities to capture untapped local energy sources from dairies, farmland, and other industrial sources, provided that such uses do not interfere with agricultural practices, or conflict with sensitive habitats or other biological resources consistent with Policies AG-3.11 and LU-2.7.

Findings on Proposed Mitigation

The Board finds that the above-stated mitigation measures are incorporated into the 2030 General Plan project. The Board further finds that the above measures are appropriate and feasible, and would substantially lessen, but not avoid the adverse environmental effects associated with the 2030 General Plan project by amending existing policies and adding a new program that would promote the preservation of agricultural lands. However, the agricultural land use designations and the policies would not prevent the overall net loss of important farmlands within the county associated with future urban and rural development within agricultural areas. There are no additional or technically feasible mitigation measures available to reduce the net loss of farmland and reduce this impact below a level of significance (Public Resources Code Section 21002; CEQA Guidelines Sections 15091, 15126.4, subd. (a)(2)). The Board has been presented with no evidence to contradict



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August 14, 2014

Jennifer Clark, Director
Development and Resource Management Department
City Hall, 3rd Floor
2600 Fresno Street
Fresno, CA 93721

Re: SWC West Herndon and North Milburn Avenues
2035 General Plan Update Public Comments
APNs: 507-020-54, 77-85, 88, 90, 94-96; (exhibit map enclosed)

Dear Ms. Clark:

Our firm represents WG Enterprises the owner/developer of properties located southwest of the intersection referenced above. The property is bounded by West Herndon on the north, North Milburn on the east, the BNSF R/R on a portion of the west and a veterinary facility on the south. This is a request for a land use designation of two portions of the approximately 30 acre property at the above location to **General Commercial** instead of Community Commercial as depicted on the Figure LU-1: Fresno General Plan Land use Diagram in the FRESNO General Plan Public Review Draft dated July 2, 2014.

The combined properties contain +/- 30 acres with +/- 13 acres, with frontage on West Herndon and North Milburn having been completely developed as a shopping center anchored by a SaveMart grocery store. This portion of the property has a current zoning of C-2 Community Shopping Center District. The development of the shopping center left two triangular shaped portions of the property: One to the west (+/- 13 acres) and another to the south (+/- 4 acres) of the shopping center, both abutting the BNSF railroad tracks. These properties are currently zoned M-1 Light Manufacturing and C-M Commercial-Manufacturing respectively ("Subject Properties")

When this 30-acre site was first considered in the formulation of the current 2025 General Plan, staff recommended a Light Industrial land use designation (and subsequently supported the M-1 and C-M zone districts) for the Subject Properties west and south of the C-2 shopping center

as a railroad buffer, to accommodate additional uses and services not generally provided for elsewhere along this part of the West Herndon corridor, and to "right-size" the retail center to meet anticipated demand. Following adoption of the current 2025 General Plan and subsequent rezoning to C-2, M-1 and C-M, all three components of the original +/- 30 acre site have received significant development: As previously stated, the corner C-2 shopping center is completely developed, approximately half of the west M-1 area is developed or currently under construction, and the south C-M area is fully approved for development of several structures, at least two of which are currently in plan check. In addition, all onsite infrastructure serving the entire +/- 30 acres is now installed or nearing completion, including a drive loop connecting all components of the development.

For the Subject Properties, buildings completed, under construction or in plan check include the completed GB3 fitness facility and an under-construction automotive service facility along West Herndon (C-13-037) in the M-1 zone district and a carwash facility (S-13-070), dialysis center and additional medical offices along North Milburn in the C-M zone district. Beyond this, the Subject Properties can accommodate approximately 75,000 square feet of additional development.

Since there are existing uses in buildings and approved entitlements, it is reasonable to expect the Subject Properties to be allowed to develop with the originally planned land use designations and zonings. If the land use designation is changed to Community Commercial under the new General Plan Update, some of the current uses would become non-conforming and continued operations and business expansions may not be allowed without additional discretionary land use and zoning entitlements.

Concern by the property owners about the land use designation of Community Commercial in the 2035 General Plan Update for the entire +/-30 acres has been expressed since mid-2012 when a draft Update Land Use Map was composed under the direction of former Assistant Director Keith Bergthold. Please see my enclosed letter to Mr. Bergthold dated September 12, 2012, which provided a detailed explanation of the same issues outlined herein and specifically requested that the Subject Properties be designated General Commercial instead of Community Commercial, with the existing corner shopping center remaining Community Commercial. Several discussions were held with Mr. Bergthold at that time and subsequently where indications were that the current 2025 General Plan land use designations for the Subject Properties would be accommodated in the General Plan Update process. No written confirmation of this was ever received.

Then, approximately one year ago, one of the WG Enterprises partners, Rick Ginder, sent the enclosed email letter dated September 04, 2013 to Mr. Bergthold regarding this matter. A conference call was held on that date with Mr. Bergthold while Mr. Ginder met with Councilmember Brandau where once again indications were that the current land use designations would remain in place in the 2035 General Plan. However, there was no subsequent contact from Mr. Berthold or other staff pursuant to that email and meeting, and thus no written confirmation by the City of the understandings the property owners believed were communicated in the meeting.

Now, upon release of the new 2035 FRESNO General Plan Public Review Draft the property owners again have become concerned because the above noted Figure LU-1: Fresno General Plan Land use Diagram still has the land use designation of Community Commercial for the entire +/- 30 acres. Thus, in spite of two previous written communications to the City specifically requesting that the Subject Properties, (which are the triangular areas abutting the railroad tracks west and south of the corner shopping center), receive a General Commercial land use designation, so as to protect existing and planned development, and statements by the City that there would be no change in the General Plan Update disallowing the uses allowed under the current General Plan land use designations and current zonings for the Subject Properties, this is not reflected in the Draft 2035 General Plan document.

The property owners are particularly concerned about preserving the uses allowed under current M-1 and C-M zoning and under the current Light Industrial General Plan land use designation for the remaining phases of the project that are yet to be built. These final phases are all located in the back of the project against the BNSF railroad tracks, with no visual exposure from West Herndon or North Milburn. Thus, they are not suitably located or sited for most of the uses contemplated under the new Community Commercial designation in the proposed 2035 General Plan. Our research indicates that the new General Commercial land use designation represents the best "fit" for the Subject Properties.

Therefore, to summarize, for all of the reasons cited in this letter, in our previous two written communications and in previous meetings and discussions with the City, we hereby repeat our request that the Subject Properties be designated General Commercial, with the existing corner shopping center to remain Community Commercial, in the 2035 General Plan.

If you have any questions or require additional information please contact me at your convenience. If a meeting is desired, I will make every effort to accommodate your schedule. I look forward to fulfillment of this request for a revised land use designation for the Subject Properties in the 2035 General Plan.

Respectfully submitted,



William V. Robinson, Principal

Enclosures:

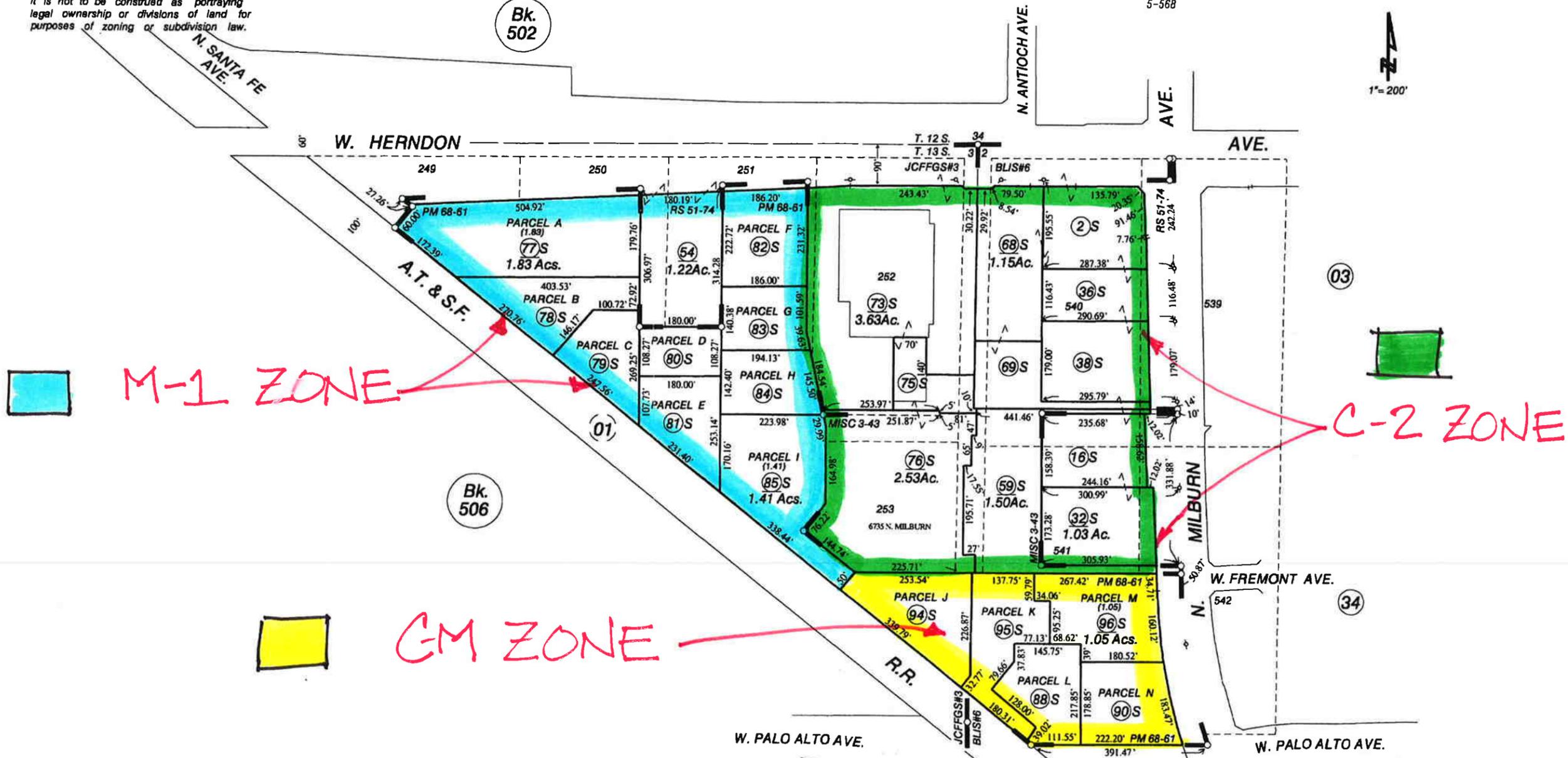
--- NOTE ---
 This map is for Assessment purposes only.
 It is not to be construed as portraying
 legal ownership or divisions of land for
 purposes of zoning or subdivision law.

SUBDIVIDED LAND IN POR. SEC.'S 2 & 3, T. 13 S., R. 19 E., M.D.B. & M.

Tax Rate Area
 5-486
 5-568

507-02

Bk. 502



Bullard Lands Irrigated Subdivision No. 6 - Plat Bk. 8, Pgs. 25 - 26
 J. C. Forkner Fig Gardens Subdivision No. 3 - Plat Bk. 8, Pg. 79
 Lot Line Adjustment No. 2004-25 - Misc. Map Bk. 3, Pg. 43
 Parcel Map No. 2006-32 - Bk. 68, Pgs. 61 thru 65
 Record of Survey - Bk. 51, Pgs. 74 - 76

Assessor's Map Bk. 507 - Pg. 02
 County of Fresno, Calif.

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



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September 11, 2012

Keith Bergthold, Assistant Director
Development & Resource Management Department
Fresno City Hall
2600 Fresno Street
Fresno, CA 93721

Subject: 2035 General Plan Update land use designation
SWC West Herndon and North Milburn Avenues

Dear Keith:

The master-planned development at the southwest corner of West Herndon and North Milburn Avenues east of the BNSF rail lines consists of approximately 30 acres. Approximately 12 acres at the immediate corner is developed as a shopping center anchored by a Save Mart grocery store. The configuration of the shopping center is approximately a square leaving two triangular shaped pieces west and south of the shopping center. A George Brown Fitness Center ("GB3") is currently under construction west of the shopping center. A commercial development (CUP/Site Plan Review) has been previously approved for the triangular piece south of the shopping center, including a pad fronting on Milburn with a CUP approved drive-thru. Sol Development represents, and this letter is submitted on behalf of, the master-developers of the site, who currently continue to own property within the triangular sites referenced above.

The current General Plan designates the corner occupied by the existing shopping center as Community Commercial and the triangular properties to the south and west as Light Industrial. The Community Commercial property is currently zoned C-2, the Light Industrial property to the south is currently zoned CM and the Light Industrial property to the west is currently zoned M-1. As previously noted, all of the above properties have multiple approved Site Plan Review and CUP entitlements, and the entire site is subject to recorded reciprocal access and utility agreements.

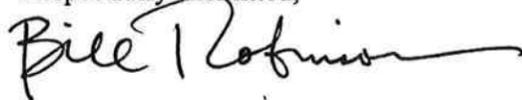
The most recent draft of the 2035 General Plan Update map designates the entire area between Herndon, Milburn and the railroad tracks as Community Commercial. Please see the enclosed portion of the Draft 2035 General Plan Update land use map.

Recognizing that the new land use designations are yet to be fully described for the 2035 General Plan Update, it is nevertheless of great concern to our client, particularly with respect to the westerly triangular site referenced above, that existing zoning (M-1) and other entitlements, including CUP/Site Plan Review approvals for a project currently under construction, may turn out to be inconsistent with the new Community Commercial land use designation in the 2035 General Plan Update. More specifically, our client's position is that while the new Community Commercial designation may very well be highly suitable for the southerly triangular site (currently zoned C-M), which has excellent frontage on, access to and visibility from North Milburn Avenue, the M-1 zoned westerly site, with no street-frontage access and limited visibility, should retain its M-1 zoning and be designated with a land-use category compatible with M-1 zoning and light industrial uses.

Our client is quite proud that, over several years in close collaboration with City staff, this challenging site is emerging as a well-designed master-planned commercial development with a vibrant mix of uses and effective site-wide pedestrian and vehicular circulation. Through this letter we respectfully request that City staff consider these comments and appropriately adjust the land-use designations in the 2035 General Plan Update to protect the careful planning that has gone into this project by the owners and the City over several years.

If you have any questions or require additional information regarding this matter please contact me at 497-1900.

Respectfully submitted,

A handwritten signature in black ink that reads "Bill Robinson". The signature is written in a cursive, flowing style with a long horizontal stroke at the end.

William V. Robinson, Principal

Enclosures

From: Rick Ginder

Sent: Wednesday, September 04, 2013 10:39 AM

To: 'Keith Bergthold (keith.bergthold@fresno.gov)'

Cc: 'Mark Knox'; 'mweil0777@aol.com'; 'Cazaly Jeff (jeff@jcazalyconsulting.com)'; 'Steve.Brandau@fresno.gov'

Subject: Re: Draft Fresno GP Update -- M-1/CM Property at Herndon/Milburn

Mr. Bergthold:

On behalf of WG Enterprises (of which I am a 50% owner) and other property owners of the M-1 and CM zoned land southwest of the intersection of West Herndon and North Milburn adjacent to the Burlington Northern railroad, this email is a request that this property be designated General Commercial, instead of Community Commercial, in the proposed 2035 General Plan update.

The subject property, depicted in the attached graphic, has been designated Light Industrial (in the current 2025 General Plan) and zoned M-1 and/or CM for over a decade, during which time our development team of owners, architects and engineers has worked closely and cooperatively with many members of City staff from multiple departments on various entitlements including multiple site plan reviews and CUPs.

The result is that this approximately 17-acre project, in conjunction with the adjacent Save Mart anchored community shopping center, is emerging as a dynamic master-planned commercial district encompassing a mix of uses and services ranging from those found in a retail shopping center to those found in a light industrial and service commercial district. Thus, within walking distance, one will be able to enjoy a cup of coffee, dine at a restaurant, do banking, shop for groceries, exercise at a gym and have a car washed and serviced. This is happening because City staff and the property owners recognized more than a decade ago that the property abutting the railroad, with limited access to major streets, should receive a different land use designation and zoning (M-1 and CM) than the corner property at the primary intersection (C-2).

Unfortunately, the land use designation in the 2035 General Plan update for the M-1 and CM property abutting the railroad as currently proposed, Community Commercial, prohibits a number of uses that have been attracted to this location and which reinforce the emerging mixed-use character of this development as complementary to the adjoining retail shopping center. Most notably, the Community Commercial designation prohibits automotive-service related uses, one of which already obtained CUP approval and several others of which are currently preparing entitlement applications for development within this project under the current M-1 and CM zoning. Even if entitled prior to adoption of the General Plan update, these projects could become unnecessarily hampered as eventual nonconforming uses. Just the prospect of this is putting a cloud over our pending transactions and entitlement efforts and hampering marketing of the project.

We believe the subject property may have been inadvertently "lumped together" with the corner shopping center under the Community Commercial designation because it was not immediately obvious to City staff and consultants that the 30-acre triangle bordered by the railroad and the Herndon-Milburn

intersection is not, in fact, being developed as one large retail shopping center but is, in fact, two separate but complementary and interrelated projects, each accommodating somewhat different uses. The entire property was master planned from the beginning with interrelated circulation such that the uses along the railroad complement and buffer the retail center, and that is exactly what is coming about under the current land use designation (in the 2025 General Plan) and the current zoning (M-1 and CM).

As the property owners, we propose to remedy the above by having the property currently zoned M-1 and CM designated General Commercial in the 2035 General Plan update. This is depicted in the graphic attached to this email.

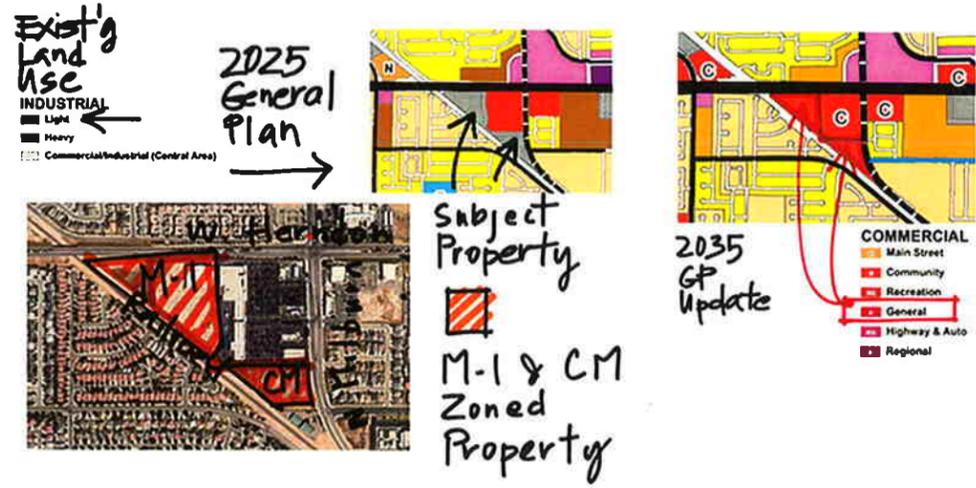
Please consider this email a formal request by the property owner/developer for the designation of our property as indicated herein.

Thank you for consideration of this communication, and please feel free to contact me with any questions or comments, or you may contact my partner Rick Ginder at Ginder Development.

At your convenience, a reply email acknowledging receipt of this email would be appreciated.

Richard C. Ginder, Jr., President
Ginder Development Corp.
759 W. Alluvial, Suite 102
Fresno, Ca 93711
phone 559-225-4500 fax 559-225-5739 cell 351-5101
rginder@ginderdevelopment.com

Property owner request for
GENERAL COMMERCIAL
land use designation (instead of
Community Commercial)
for existing CM and M-1
zoned property





130b

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August 15, 2014

Jennifer Clark, Director
Development and Resource Management Department
City Hall, 3rd Floor
2600 Fresno Street
Fresno, CA 93721

Re: **Figure MT-2: Paths and Trails**
2035 General Plan Update Draft
SWC West Herndon and North Milburn Avenues

Dear Ms. Clark:

The purpose of this letter, on behalf of our client who is the affected property owner, WG Enterprises, is to request that Figure MT-2 be corrected by deleting and relocating an incorrectly shown segment of path/trail along the BNSF railroad south of West Herndon Avenue. This path/trail segment was deemed infeasible approximately ten years ago by City Staff, with agreement by the property owner/developer, and has since been superseded by a fully completed path/trail installed in conjunction with North Milburn Avenue frontage improvements.

Figure MT-2 is located on Page 4-18 in the Mobility and Transportation Element section of the FRESNO General Plan Public Review Draft dated July 2, 2014. Figure MT-2 identifies a path/trail section as a "Class I or III Bicycle Facility" along the east side of an approximately 1300 foot long section of the BNSF R/R Right-Of-Way immediately south of West Herndon Ave. and west of North Milburn Ave. Please see the enclosed enlargement of Figure MT-2 with the section in question identified.

If this section of the path/trail system were to be constructed it would have to pass under the overcrossing on North Herndon. Over ten years ago, when development was proposed for the +/- 30 acres on the SWC of West Herndon and North Milburn by WG Enterprises, the Planning Department made a determination that passage under the overcrossing by pedestrians and bicyclists on a path/trail would be dangerous and not feasible. At the Herndon overcrossing, bridge abutments provide no additional right-of-way room, forcing the trail directly into the

existing railroad right-of-way. In addition to being unacceptable to the railroad, this way of crossing the Herndon alignment was obviously dangerous from a security and safety standpoint.

Therefore, it was agreed between the Planning Department and the property/owner developer that the only feasible route for a path/trail connecting to existing and planned portions of the path/trail system north of West Herndon is to locate it along with Milburn Avenue. This was accomplished by inclusion of a development requirement for installation of a paved path/trail section from the southernmost point of the +/- 30 acre triangular shaped property along the west side of North Milburn north to West Herndon. This construction was completed with installation of required street improvements for the development. Please see the enclosed aerial photo with the existing path/trail identified.

You will note this section of the path/trail south of West Herndon terminates at the SWC of the intersection allowing crossing of West Herndon at the signal light controlled intersection. Additionally, the photo shows existing sections of the path/trail system along the north side of West Herndon east and west of North Milburn. The path/trail section on the NWC of the intersection connects to the west with an existing frontage road which connects further west with North Santa Fe Ave north of West Herndon.

Therefore, on behalf of WG Enterprises, it is hereby requested that Figure MT-2 be corrected in the 2035 General Plan to show the existing section of path/trail along the west side of North Milburn and elimination of the approximately 1300 foot section of the path/trail along the BNSF Right-Of-Way south of Herndon Ave.

If you have any questions or require additional information, please contact me at your convenience.

Respectfully submitted,



William V. Robinson, Principal

Enclosure:

PATH/TRAIL SECTION
 ALONG BNSF R/R
 THAT WOULD PASS
 UNDER W. HERNDON
 OVERCROSSING.

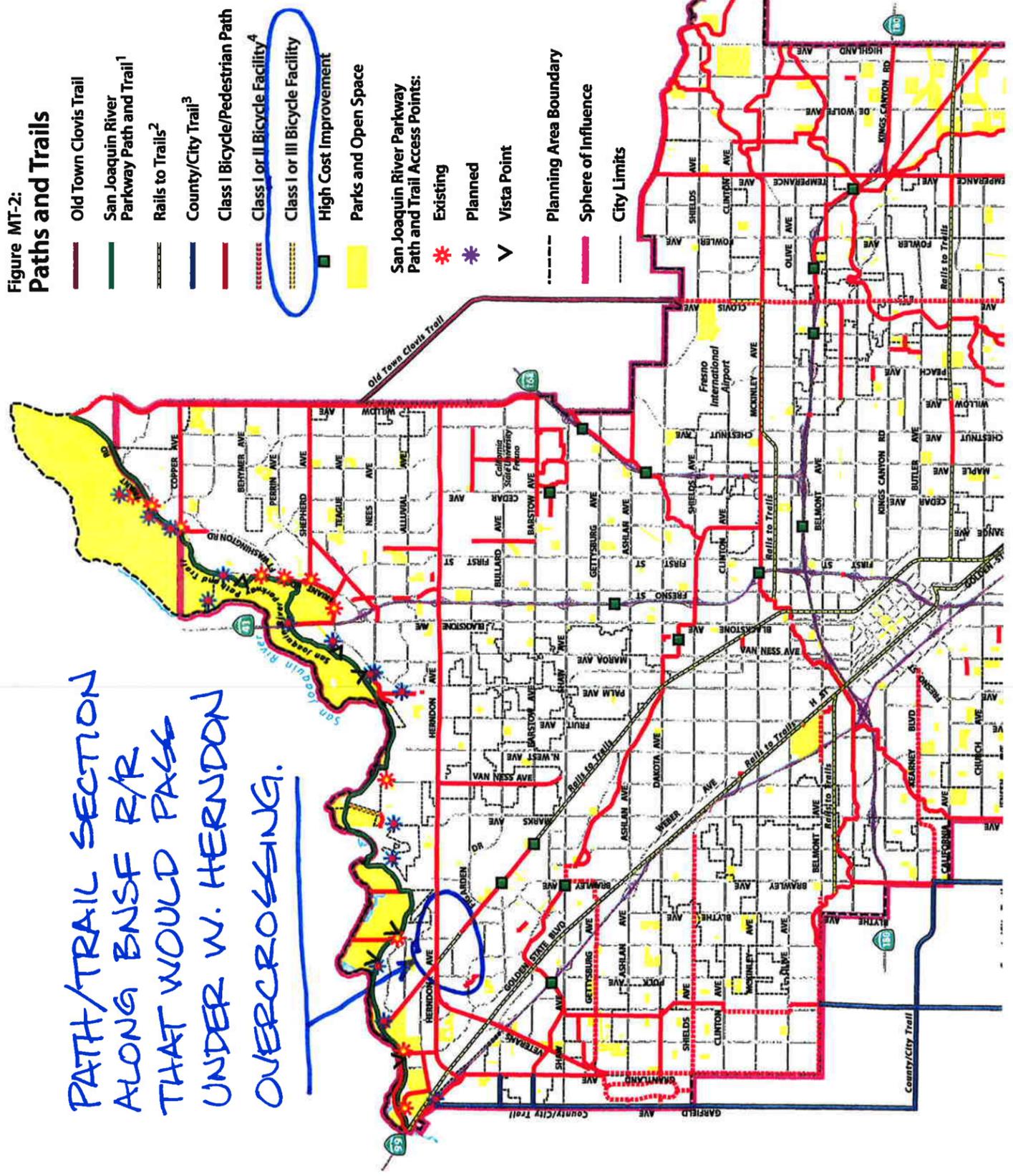


Figure MT-2:
 Paths and Trails

- Old Town Clovis Trail
 - San Joaquin River Parkway Path and Trail¹
 - Rails to Trails²
 - County/City Trail³
 - Class I Bicycle/Pedestrian Path
 - Class I or II Bicycle Facility⁴
 - Class I or III Bicycle Facility
 - High Cost Improvement
 - Parks and Open Space
- San Joaquin River Parkway Path and Trail Access Points:
- Existing *
 - Planned *
 - Vista Point V
- Planning Area Boundary
- Sphere of Influence
- City Limits

EXISTING PATH/TRAIL SECTIONS

OVERCROSSING

EXISTING PATH TRAIL SECTION

W Herndon Ave & N Milburn Ave, Fresno, CA 93722, USA



Sabina Gonzalez
2890 Huntington Blvd. #147
Fresno, CA
(559) 394-8752
sabina@cncedfund.org

General Plan Workshop
Edison High School, Fresno, CA
September 6, 2014

1. It was unfortunate that this workshop was not a priority for the District 3 staff and councilmember because they were noticeably absent.
2. The community here clearly identified the priority as being the redesignation of the M3 zoning in West Fresno into zoning that allows for a healthy community.

Who will help residents make this change happen?



September 12, 2014

Jennifer Clark
Director, City of Fresno Development and Resource Management Department
2600 Fresno Street, Room 3065
Fresno, CA 93721

RE: 2035 Draft General Plan Comments

Dear Ms. Clark,

Thank you for the opportunity to submit feedback on the 2035 Draft General Plan. The Fresno Chamber of Commerce appreciates your engagement with our Government Affairs Council during several meetings. Members appreciate being able to ask questions, receive answers and converse with you regarding this important document.

The Chamber supports the City's effort to update the General Plan, but can not complete its commentary on it until the new Development Code is released. When the code becomes available, we intend to review it and submit comments on it as well as additional comments on the General Plan. As we shared in one Task Force meeting, it is difficult to comment on the General Plan when there are so many unanswered questions regarding the code. We ultimately hope the deadline for comments on the plan are extended to reflect the same date as comments on code, since the two are symbiotic. The following is a partial list of concerns with the draft plan:

1. Not enough emphasis on job creation

After projected full buildout "well after 2035" (page 1-26), the estimated number of jobs per new resident declines slightly from 0.48 jobs per new resident to 0.45 jobs per new resident. With a General Plan goal being economic development, we do not understand why that is not reflected in these numbers.

2. Commentary should be removed

Overall, the plan is too long, verbose and expensive. The commentary is confusing and at times contradictory to the objectives. If the objective isn't clear, it should be rewritten rather than adding the commentary.

3. Implementation of the 2035 General Plan and Development Code should be on the same day.

One reason would be to avoid a "non-conforming" situation with regard to land use designations. Another reason is that these two documents work together and should be transparent at the same time before anyone is asked to vote on either the General Plan or the Development Code. It is not possible to make sense of one without the other.

4. The rate of infill versus greenfield development should be clearly defined or removed

The current description of “roughly half” can be interpreted several different ways, including as much as a 70/30 ratio. We’re concerned this ambiguity leaves the City vulnerable to lawsuits. We are also concerned with how a ratio will be monitored or enforced, e.g. will any new greenfield development be contingent upon completion of an infill development?

5. Plan Amendments should not be limited

It would be unfriendly to business to place a limit on the number of times each year Plan Amendments will be accepted/processed for projects, and would appear to slow progress and job creation in our City.

6. Cul de sacs should not be “discouraged” for residential development

If the market demands cul de sacs, the City should allow them. Cul de sacs do promote friendly neighborhoods and a sense of safety for residents.

7. Development shouldn’t be “paced” if the market supports it

The “pacing” of development could be interpreted as intentionally slowing down development and this is a concern.

8. Unclear terms should be removed

Terms like “complete streets,” “complete neighborhoods,” “diverse neighborhoods,” “balanced city”, etc., are undefined and leave room for interpretation. Is there a state definition?

9. Projects that require annexation should not fully fund public safety and service costs

This is an unprecedented rule and the costs associated with it are unknown. Any development already includes taxes/fees to cover public safety and services.

10. Levels of Service should remain a priority

The City’s high grades for Level of Service (LOS) are commendable and should be valued in the General Plan instead of disregarded. Short commute times are friendly to business because consumers can get around town quickly. Longer commutes and traffic as a result of bike lanes or fewer car lanes have a negative impact on air quality.

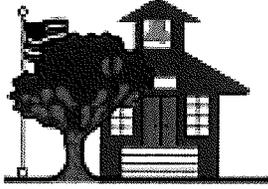
Thank you for considering these comments from the Fresno Chamber of Commerce. We’re excited to continue the discussion on the general plan as it pertains to the development code. Please let me know how we can be of help with this project in the future.

Sincerely,



Ruth Evans
Vice Chair Governmental Affairs

Cc: Nick Amendola
Bill Avakian
Brian Domingos
Austin Ewell
Sieg Fischer
Larry Fortune
Debbie Hunsaker
Ryan Jacobsen
Cam Maloy
Scott Miller
Lorraine Salazar
Victoria Salisch
Al Smith
John Taylor
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SANGER UNIFIED SCHOOL DISTRICT

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MATTHEW J. NAVO, SUPERINTENDENT

August 18, 2014

Jennifer Clark, AICP, Director
City of Fresno
Development & Resource Management Department
2600 Fresno Street, Room 3065
Fresno, CA 93721

Subject: Draft Fresno General Plan

Dear Ms. Clark:

Thank you for the opportunity to review and comment on the Draft Fresno General Plan. We submitted previous comments on an earlier version of the plan in the form of a letter to Keith Berghold in April 2013. We recommended changes to the text, Figure POSS-2 and Policy POSS-8-b within Chapter 5: Parks, Open Space and Schools. Changes were made as a result of our comments and we appreciate willingness of City staff to work with us.

There are, however, a several items that we wish to comment on in the current Draft Plan.

Our previous letter asked that the District's high school and middle school site at the northeast corner of Jensen and Fowler Avenues be changed from a "Special School" to a high school and middle school designation. In the current version of Figure POSS-2 (which should be labeled POSS-3 in the current Chapter 5 but is still labeled POSS-2), the high school and middle school site is designated with an E/M/H and purple color and also includes Sequoia Elementary school on the east side of Armstrong Avenue. The District would prefer that the high school and middle school site be designated with an "H" and an "M" as originally requested and that the existing Sequoia Elementary school on the east side of Armstrong Avenue be designated with an "E" and colored blue as an elementary school. This labeling also needs to occur on the General Plan Land Use Diagram.

Figure POSS-2 shows numerous "School with Park" site designations in the Sanger Unified portion of Southeast Development Area (SEDA): 12 in the portion of SEDA between Tulare and Jensen Avenues and 6 in the portion of SEDA south of Jensen and west of Temperance. We have understood from our previous interactions that these sites are conceptual in nature (except for the existing Lone Star Elementary School) and that the precise site locations would be determined nearer to the time when the sites would be needed.

----- *"A Tradition of Excellence"* -----

Trustees: Peter R. Filippi Ismael (Mike) Hernandez James D. Karle Kenneth R. Marcantonio
Marcy Masumoto Jesse Vasquez Tammy Wolfe

Jennifer Clark, AICP, Director
August 18, 2014
Page 2

The General Plan Land Use Diagram shows a 120 acre area north of North Avenue, located about $\frac{1}{4}$ east of Clovis Avenue, which is designated as "School with Park". Other than the community college site, which is located west of Clovis Avenue, we are not aware of any plans for a large school site in this area. We would appreciate it if you could provide us with information as to why this area is designated as shown.

Regarding Figure POSS-1, which depicts parks and open space lands, this figure shows most of the existing school sites in the Clovis and Central Unified School Districts as parkland (the playfield areas as are shown as parkland with the school building areas excluded). The Sanger Unified new high school and middle school site, as well as the adjacent Sequoia Elementary School, are not shown in this manner. There are also few, if any, Fresno Unified school sites shown. There appears to be a substantial inconsistency in the manner in which parkland is shown in Figure POSS-1 as it relates to schools.

Thanks you for the opportunity to comment on the proposed General Plan. Please let me know if you have any questions on this letter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Richard Sepulveda', with a long horizontal flourish extending to the right.

Richard Sepulveda
Chief Operations Officer

Casey Lauderdale

From: Arakel Arisian <arakel@arisiangroup.com>
Sent: Monday, August 18, 2014 5:44 PM
To: Jennifer Clark
Cc: Trai Her; Robyn Tusan
Subject: Fresno GP Update Comments - CMC

Hello Jennifer,

On behalf of Community Medical Centers, I would like to ensure that the previously submitted comments made by CMC regarding the proposed downtown development code are accounted for during the General Plan update process. As you mentioned during our August 1, 2014 meeting, we would like to confirm that the downtown land uses shown in the draft GP land use diagram are subject to refinement through the Downtown Neighborhoods Plan and Downtown Development Code.

As was included in our previous comments, the land use diagram (Figure LU-1) and the special use zone description (page 3-47) for the Special District-Hospital area are not consistent with the adopted master plan for the Community Regional Medical Center campus. The current master plans extends from Diana/RR tracks to west and south, McKenzie Avenue on the north, and Fresno Street on the east and south. We would like to meet with you to discuss this and other issues pertaining to the CRMC campus.

Additional comments will be submitted regarding the draft EIR in the near future. Thank you for your time and consideration.

Arakel A. Arisian
AICP, LEED AP
Arisian Group
389 Clovis Avenue, Ste. 200
Clovis CA 93612
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Mobile: 559-260-2070

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Barbara Hunt
24755 Walnut Ave.
Fresno, CA
(559) 477-5320

General Plan Workshop
Edison High School, Fresno, CA
September 6, 2014

Why is Southwest Fresno not listed in the General? Housing Element by law where are they? Where is all the bond money for Southwest Fresno? Merger #2? Where is Southwest Fresno locator? Where is the our money for our school children and parents and all the people for this are. West is the water no more people or construct. I want to know the property sharing we have is about. City and County (this is illegal all). I'm going to file a lawsuit. Is the Sphere of Influence legal? Why? We don't have a General Plan in place Illegal? I object to all.



Matthew Rodriguez
Secretary for
Environmental Protection



Department of Toxic Substances Control

Miriam Barcellona Ingenito
Acting Director
8800 Cal Center Drive
Sacramento, California 95826-3200



Edmund G. Brown Jr.
Governor

September 8, 2014

Ms. Jennifer K. Clark, Director
Reg: DMEIR
Development and Resource Management Department
2600 Fresno Street, Room 3065
Fresno, California 93721

NOTICE OF PREPARATION AND INITIAL STUDY FOR THE PROJECT DRAFT MASTER ENVIRONMENTAL IMPACT REPORT

Dear Ms. Clark:

The Department of Toxic Substances Control (DTSC) has reviewed the document described above that proposes rezoning some agricultural properties to residential and building residential housing on the land. DTSC recommends that additional research be conducted to determine whether pesticides were used on the proposed development sites. The sites should be evaluated to determine if and where storage, mixing, rinsing and disposal of pesticides may have occurred and whether contamination exists.

In addition, although DTSC does not regulate pesticides legally applied to crops, they have historically been used on some agricultural properties. We strongly recommend that these areas be tested for environmentally persistent pesticides such as organic pesticides and metals prior to development. The results of any testing should be evaluated to determine if concentrations present in soils will be protective of residents and workers.

Ms. Jennifer K. Clark
September 2, 2014
Page 2

Please contact me by email at dick.jones@dtsc.ca.gov or by telephone at (916) 255-3953 if you have any questions.

Sincerely,



Dick Jones
Environmental Scientist
San Joaquin Branch

cc. State Clearinghouse
Office of Planning and Research
1400 10th Street, Room 121
Sacramento, California 95814-0613
state.clearinghouse@opr.ca.gov

DIRK POESCHEL

923 Van Ness Avenue, Suite 200 • Fresno, California 93721

Land Development Services, Inc.

559/445-0374 • Fax: 559/445-0551 • e-mail: dpoeschel@dplds.com

August 19, 2014

Ms. Jennifer K. Clark, AICP, Director
Development and Resource Management Department
2600 Fresno Street, Room 3065
Fresno, Ca 93722

RECEIVED

AUG 19 2014

DEVELOPMENT DEPARTMENT
CITY OF FRESNO

SUBJECT: City of Fresno General Plan and Zoning Ordinance Update MIXED USE
PROJECTS

Dear Ms. Clark,

My firm represents various property owners who have an interest in developing mid to high rise multifamily mixed use projects within the City of Fresno. Based on my review of the proposed City of Fresno General Plan and the corresponding Zoning Ordinance Update, it appears that the definition of mixed use may be unnecessarily restrictive.

As currently proposed, it appears that the city contemplates mixed use as the vertical integration of commercial and residential uses. I respectfully suggest that a more liberal definition of what constitutes a mixed use project in our city would include residential, office *and* commercial components.

The ability of the city to reach its density goals and experience the advantages anticipated with the adoption of the plan requires, among other things, that mixed use properties develop. The plan seeks to create vibrant enclaves or activity centers found in all thriving and successful cities. A mixture of residential, office and commercial use projects could create self-contained micro neighborhoods that live and feel like the residential models of Europe and Asia that we seek to emulate. Travel to Europe or Asia is not necessary to find successful examples of fully integrated mixed uses in places like the Kierland Commons in Scottsdale or Santana Row in San Jose.

There appear to be numerous locations throughout the City of Fresno that could provide excellent opportunities for such fully integrated mixed residential, office and commercial developments. If the advantages of a mixture of residential and commercial uses are as positive as we believe they are to our community, why not enhance those advantages by being immediately proximate to work? Further, why limit the creativity of the market to convert traditional developments to a more efficient, attractive and livable truly mixed urban form?

August 19, 2014
Ms. Jennifer K. Clark
Page 2

Infill and rehabilitation of existing structures are also paramount goals of the plan. Both infill and rehabilitation efforts would be enhanced with a more encompassing definition of mixed use by providing by-passed or underutilized properties new opportunities for reinvestment.

For the reasons stated above, I respectfully urge that your plan and its implementing zoning ordinance be modified to allow greater flexibility in obtaining a fully integrated mix of residential, office and commercial uses within the City of Fresno.

Thank you for the opportunity to comment on the subject plan and zoning ordinance update. If you have any questions, please feel free to contact me.

Sincerely,



Dirk Poeschel, AICP

cc Mr. Robin Kane

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RECEIVED

AUG 19 2014

DEVELOPMENT DEPARTMENT
CITY OF FRESNO



San Joaquin River
Parkway and
Conservation Trust, Inc.

August 18, 2014
Sent via email

Jennifer K. Clark, AICP, Director
Development and Resource Management Department
2600 Fresno Street, Room 3065
Fresno, CA 93722

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Dowling Aaron Inc.
Christopher A. Brown
General Counsel

Dave Koehler
Executive Director

Subject: Comments – City of Fresno Draft General Plan

Dear Ms. Clark:

Thank you for the opportunity to provide comments on the City of Fresno's General Plan. The San Joaquin River Parkway and Conservation Trust has prepared these comments because of our organization's mission of implementing the San Joaquin River Parkway for the people of Fresno and the surrounding region.

We recognize the vital role the City of Fresno's has in establishing the Parkway and the critical relationship the Draft General Plan document has with its Draft Master Environmental Impact Report. Therefore, the Trust will be submitting additional comments on the Draft General Plan when it responds to the Plan's Draft Master Environmental Impact Report prior to the deadline for EIR comments.

With this writing, we ask for the City of Fresno's attention to correct a significant policy error in the Draft General Plan that restricts access to the San Joaquin River Parkway. The Trust is opposed to POSS-7-g in Chapter 5. As written, the policy will prevent the public from driving on a public road to enter and access public land of the San Joaquin River Parkway. Specifically, our concerns include the following summary:

1. Policies that prevent vehicular access at Riverview Drive disproportionately impact low income residents and communities of color in violation of Title VI of the Civil Rights Act, Government Code section 65008(a), and Government code 11135. The City of Fresno's General Plan and the San Joaquin River Parkway have received significant federal and state funds and thus must comply with these provisions.



CREATING AND PROTECTING THE SAN JOAQUIN RIVER PARKWAY

11605 Old Friant Road • Fresno, California 93730-9701 • 559.248.8480 • Fax 559.248.8474 • www.riverparkway.org

2. Limiting vehicular access and parking at Riverview Drive would increase environmental impacts to air quality, greenhouse gas emissions, and traffic by requiring Parkway users to travel 10 additional miles and cross the river into Madera County. Riverview Drive has ample width and capacity to provide access to Parkway users without causing traffic issues in the surrounding neighborhood.
3. The Draft Master EIR fails to adequately consider the inconsistencies of POSS-7-g with other plans for the San Joaquin Parkway, including the Parkway Master Plan, which calls for “recreational and educational opportunities to all segments of the population.”
4. Any limitation on public access to public streets for some users and not others violates state law. In addition, the City cannot prevent the public to access property at the end of Riverview Drive owned by the San Joaquin River Conservancy. This is public property acquired for public open space use.
5. Policies limiting vehicular access at Riverview Drive conflict with other provisions of the general plan calling for public access to the Parkway. Thus, POSS-7-g would result in an internally inconsistent general plan in violation of the State Planning and Zoning Law.
6. The San Joaquin River is held in public trust for the public. Limiting vehicular access at Riverview Drive interferes with the public’s ability to enjoy public trust property.
7. Because easement rights restrict public access at Palm and Ness to that allowed at Riverview Drive, the effect of limiting access at Riverview Drive will be to also restrict public access at Palm and Ness. This will only exacerbate the impacts described in 1, 2, 3, 5, and 6.

We ask that POSS-7-g be amended to eliminate the access restriction it places on Riverview Drive. Thank you for your attention to our concern and we stand ready to meet with the City to discuss this issue. Again, the Trust will be submitting additional comments on the Draft General Plan when we respond to the Plan’s Draft Master Environmental Impact Report prior to the deadline for EIR comments.

Sincerely,



Dave Koehler
Executive Director

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www.smwlaw.com

TAMARA S. GALANTER
Attorney
galanter@smwlaw.com

September 25, 2014

Via FedEx

Jennifer K. Clark
Director
Development and Resource Mgmt. Dept.
City of Fresno
2600 Fresno Street, Room 3065
Fresno, CA 93722

**Re: Fresno General Plan Update and Draft Master Environmental
Impact Report for the Fresno General Plan Update (SCH
2012111015)**

Dear Ms. Clark:

On behalf of the San Joaquin River Parkway and Conservation Trust (“Trust”), we thank you for the opportunity to comment on the City of Fresno’s General Plan Update and the Draft Master Environmental Impact Report (“Draft MEIR”) for the General Plan Update. The Trust is a non-profit organization with a mission to establish a continuous greenway along the San Joaquin River in the Fresno-Madera region and to ensure the San Joaquin River Parkway (“Parkway”) is accessible to all members of the community.

The Trust applauds the City for many of the General Plan Update’s goals and policies that seek to provide park opportunities to all Fresno residents. However, the Trust objects to the language in Policy POSS-7-g that limits “public access into the River View Drive Area/Neighborhoods . . . to cyclists and pedestrians with the exception of public safety, circulation, and/or other governmental/support service provider vehicles.” Gen. Plan at 5-39. The Trust also objects to the omission of automobile access and parking from the description of access at Riverview and Bluff Avenues in item 13 of Policy POSS-7-i. Gen. Plan at 5-40. These policies significantly limit the opportunity for Fresno residents who do not live near the Parkway to access it and undermine the General Plan’s goals of providing access to all members of the community.

Moreover, these policies conflict with both federal and state law. State law does not permit the City to limit vehicular use of Riverview Drive to local residents. Furthermore, because the City has received federal funds to prepare its General Plan Update, Title VI of the Civil Rights Act of 1964 requires the City to ensure that its policies do not result in disparate impacts to members of the community on the basis of race, ethnicity, or national origin. By significantly limiting access to the Parkway, a major regional park, to many people of color who do not live within walking or biking distance from the Parkway, the City has failed to meet its duty under Title VI.

In addition, the inclusion of these access restrictions creates internal inconsistencies in the General Plan Update in violation of the State Planning and Zoning Law, California Government Code section 65000 *et seq.* Limiting access to the Parkway also conflicts with the Public Trust Doctrine and its purpose of ensuring public access to public trust property such as the San Joaquin River.

Also, as a result of the access restrictions, the Draft MEIR fails to meet the requirements of the California Environmental Quality Act, Public Resources Code section 21000 *et seq.* First, the Draft MEIR incorrectly concludes that the General Plan Update is consistent with the San Joaquin Parkway Master Plan (“Master Plan”). Policies POSS-7-g and POSS-7-i, however, clearly conflict with several policies in the Master Plan aimed at ensuring the Parkway is accessible to all residents of Fresno. Second, the Draft MEIR fails to consider that allowing access to the Parkway from Riverview Drive, as well as parking at that entrance, could feasibly mitigate significant environmental impacts related to air, greenhouse gas emissions, and traffic.

All of the violations identified above are further exacerbated because any limitations on public access at Riverview Drive results in identical access limitations at Palm and Nees Avenues. The General Plan Update currently calls for “multi-modal access with parking” at Palm and Nees Avenues. Public access at Palm and Nees, however, cannot occur unless Riverview Drive also allows such public access.

Finally, the San Joaquin River Conservancy just last week decided to consider vehicular access and parking at both Riverview Drive and Palm & Nees Avenues as part of the Fresno River West, Eaton Trail Extension Project. Therefore, the General Plan Update’s access limitations at Riverview Drive (and hence at Palm and Nees) would not only violate the law, they would undermine the planning for an existing project.

To comply with federal and state laws and ensure that the General Plan is internally consistent, the Trust urges the City to: (1) remove the first bullet in Policy POSS-7-g; (2) change the access information in item 13 of Policy POSS-7i to “multi-modal access with parking” to mirror the access information for Palm and Nees Avenues (item 11); and (3) change Figure POSS-2 and any other figures or tables in the General Plan Update to show multi-modal access and parking at Riverview Drive. In addition, the Draft MEIR should consider access to the Parkway at Riverview Drive, including parking, to reduce the significant environmental impacts resulting from the General Plan Update.

I. General Plan Policy POSS-7-g Conflicts with State Law Regarding Public Streets.

Apparently, the City added the access limitations in the first bullet of POSS-7-g to address the concerns of a small group of influential residents living in the Riverview Drive area. As reported by news outlets, residents of Fresno’s Riverview Drive neighborhood want to restrict public access to their neighborhood to prevent traffic congestion. See Carmen George, *Parking an Issue for Eaton Trail Extension Proposal in Fresno*, Fresno Bee (June 17, 2014) (attached hereto as Exhibit A).

Policy POSS-7-g prohibits through traffic on Riverview Drive and limits vehicular access to neighborhood residents and emergency vehicles. Gen. Plan at 5-39. These restrictions violate state law and must be removed from the General Plan Update. Under California law, all residents have a right to use all public streets. The “streets of a city belong to the people of the state, and every citizen of the state has a right to the use” of these streets. *Zack’s, Inc. v. City of Sausalito* (2008) 165 Cal.App.4th 1163, 1183. Policy POSS-7-g calls for restricting the use of a public street, Riverview Drive, in direct conflict with this established principle.

Moreover, the State has regulatory authority over traffic control, and Fresno has no authority to limit access to a public street as it proposes to do under Policy POSS-7-g. See *Rumford v. City of Berkeley* (1982) 31 Cal.3d 545, 551-52, 550 (state law does not “permit a city to close a street to through traffic while allowing its use for neighborhood purposes.”) State law preempts the field of traffic control, including the regulation of public streets such as Riverview Drive. *Rumford*, 31 Cal.3d at 550; see also *Zack’s*, 165 Cal.App.4th at 1183 (the “right of control over street traffic is an exercise of a part of the sovereign power of the state . . .”). Unless the California legislature has “expressly provided” otherwise, Fresno “has no authority over vehicular traffic control.” *Rumford*, 31 Cal.3d at 550; see Veh. Code § 21. State law does not expressly allow the

City to limit use to a public street as it proposes to do in Policy POSS-7-g, and thus, the City has no authority to do so.¹

Courts have invalidated city actions with the same effect as Policy POSS-7-g. In *City of Lafayette*, Lafayette attempted to close a road to through traffic while permitting vehicular access to neighborhood residents. *City of Lafayette v. County of Contra Costa* (1979) 91 Cal.App.3d 749, 753-54. Contra Costa County challenged the ordinance, stating that the road “was the only convenient route for many persons of the traveling public in reaching recreational and other areas of the County including a state park.” *Id.* at 752. The court found that the city had no authority to limit access to the public road and overturned the ordinance. *Id.* at 752-53.

Following *City of Lafayette*, the California legislature codified the principles of the case, highlighting the importance of maintaining unrestricted streets in cities such as Fresno. Vehicle Code § 21101.6 provides that “local authorities may not place gates or *other selective devices* on any street which deny or restrict the access of certain members of the public to the street, while permitting others unrestricted access to the street.” (emphasis added). This statute further demonstrates that Fresno cannot restrict specific members of the public from using Riverview Drive through gates or *other devices*, such as street signs.

Policy POSS-7-g will not only impermissibly prevent public use of a public street, it will deny the public access to property owned by the San Joaquin River Conservancy – property that was purchased by the State for public use. The City must remove the first bullet of Policy POSS-7-g from the General Plan Update to avoid violating state law and preventing vehicular access to the Conservancy’s property.

II. Federal Law Requires the City to Ensure Its General Plan Does Not Result in Disparate Impacts Based on Race, National Origin, or Ethnicity.

The City has accepted federal funds to prepare and implement its General Plan Update. Accordingly, the City must comply with Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d *et seq.*, which requires that the City ensure that its General Plan

¹ The Vehicle Code does permit a city, in limited circumstances, to vacate a street when it is no longer needed for vehicular traffic. Veh. Code § 21101. But Policy POSS-7-g does not implicate section 21101(a): That section concerns streets no longer needed for vehicular traffic. It does not permit a city to close a public street to through traffic while allowing local residents use of the street. *Rumford*, 31 Cal.3d at 551-52.

Update does not result in disparate impacts to its residents on the basis of race, color, national origin, or ethnicity.

Title VI prohibits discrimination on the basis of race, color, and national origin in programs and activities receiving federal financial assistance. On March 29, 2012, the City Council authorized the use of ARRA funding from the U.S. Department of Energy (“DOE”) to prepare the General Plan Update. *See* City Council Agenda at General Administration Item B, March 29, 2012 (attached as Exhibit B). Therefore, the City must comply with Title VI and the DOE’s regulation implementing Title VI, 10 C.F.R. Part 1040, when preparing and implementing the General Plan Update.

Specifically, DOE regulations prohibit any recipient of funds from, on the basis of race, color, or national origin, “restrict[ing] an individual in any way in the enjoyment of any advantage or privilege enjoyed by others receiving any disposition, service, . . . or benefit under the program. 40 C.F.R. § 1040.13(b)(4). Moreover, discrimination on the basis of race, color or national original need not be intentional. Rather, “[i]n determining the site or location of facilities, a recipient . . . may not make selections with the purpose *or effect of* excluding individuals from, denying them the benefits of, or subjecting them to discrimination because of race, color, [or] national origin . . . or with the purpose *or effect of* defeating or substantially impairing the accomplishment of the objectives of Title VI or this subpart.” *Id.* at § 1040.13(d) (emphasis added).

In Fresno, neighborhoods with larger majorities of people of color have significantly less access to parkland than neighborhoods with residents that are primarily white. The General Plan itself recognizes that the provision of and access to parklands is uneven in the City, with many neighborhoods falling below the 3.0-acre of parkland per 1,000 resident standard set by the previous General Plan. Gen. Plan at 5-9. The neighborhoods with the least parkland are the neighborhoods south of Shaw Avenue (1.02 acres per 1,000 residents), the Combined Development Areas NW (0.92 acres per 1,000 residents), Combined Development Areas East (1.38 acres per 1,000 residents), and the South Industrial Area (1.79 acres per 1,000 residents). *Id.* at 5-11, Table 5-3. These are also the neighborhoods with the lowest percentage of white residents. *See id.* at 1-35, Figure 1-6. In contrast, the area of the City with the highest percentage of white residents – the established neighborhoods north of Shaw Avenue – have 4.62 acres of parkland per 1,000 residents. *See* Gen. Plan at 1-35, Figure 1-6; 5-11, Table 5-3.

West Fresno, which is composed of the DA-1 North and DA-4 West neighborhood indicated on Figure 1-3, has the lowest amount of parkland per 1,000

residents of all of Fresno (0.92 acres). *See* Gen. Plan at 1-23, Figure 1-3; 5-11, Table 5-3. West Fresno residents are primarily of minority racial and ethnic groups. Naomi Cytron, *The Enduring Challenge of Concentrated Poverty in America: Case Study of Fresno, California* (April 2009) at 9 (attached hereto as Exhibit C). Moreover, the immigrant population is higher in West Fresno than in the rest of Fresno; as of 2000, nearly 30 percent of residents were foreign-born. *Id.*

Regional parks, such as the Parkway, provide opportunities to decrease the deficits in parkland to underserved neighborhoods, and may in fact be the most straightforward and effective way of doing so. The General Plan acknowledges that creating neighborhood parks in established neighborhoods is difficult because the City may not be able to fund park development with development fees. Gen. Plan at 5-12. Many of these established neighborhoods, such as the neighborhoods south of Shaw Avenue and the South Industrial Area have significant parkland deficits. *Id.* Because these neighborhoods with substantial populations of residents of color are already underserved by the existing parkland and face uphill battles in creating new parkland, the City must ensure that these residents have access to regional parks, such as the Parkway. If the City does not, it is effectively denying its residents of color from enjoying the benefits of parkland and impairing the objectives of Title VI, in violation of federal law. 40 C.F.R § 1040.13(d).

Unfortunately, Policies POSS-7-g and POSS-7-i exacerbate the existing disparities in access to parklands. The policy significantly limits access to the Parkway at Riverview Drive to those residents that can access the Parkway by foot or bicycle – namely, residents who live directly adjacent to the Parkway (i.e., the neighborhoods north of Shaw Avenue). *See* Gen. Plan at 1-23, Figure 1-3. These residents—who are primarily white—live within the “walk shed” (i.e. the area within which people can comfortably walk to an attraction) of the Project site. *See id.* at 1-35, Figure 1-6; *see also* Nelson/Nygaard Consulting Associates, Inc., *San Joaquin River Parkway Short Term Transportation Plan Final Report* (June 2011) at p. 2-1 (attached hereto as Exhibit D).² Residents outside the walk shed must access the Parkway by car, public transportation, or bicycle. *Id.* There is only one bus stop near the Parkway, which a survey showed most people are unaware of and would not use to access the Parkway. *Id.* at 2-18 – 2-19.

² These residents also tend to be of higher income than the average Fresno residents. People who live within the walk shed of the Parkway tend to have household incomes of greater than \$60,000 annually, compared to the average median household income of Fresno, which is \$44,773. Exhibit D at p. 2-1.

Therefore, most users not within walking or biking distance will access the Parkway by private car.

Policies POSS-7-g and POSS-7-i will result in inadequate parking and access for Fresno residents who must drive to the Parkway. Fresno residents who want to access the Parkway, particularly the Lewis S. Eaton Trail, by car must cross over the State Route 41 bridge to Madera County and circle back to access the parking lot at Perrin Avenue, adding approximately 10 miles of driving for each car. Therefore, by depriving residents of the opportunity to access the Parkway via Riverview Drive, policies POSS-7-g and POSS-i significantly discourage Fresno residents who must arrive by car from using the Parkway.

The policies would not only restrict access to the Parkway at Riverview Drive, but also at Palm and Nees Avenues. The easements that allow public access at Palm and Nees state that “[t]his easement will be available for public use only for so long as and such times as the Riverview Drive entrance is open for public access under not less than the same terms and conditions as outlined herein.” *See* Easements for Public Access Purpose § 5.c (attached hereto as Exhibit E). Thus, in order to have automobile access at Palm and Nees, as the General Plan contemplates (Gen. Plan at 5-21, Figure POSS-2), Riverview Drive must also allow automobile access to the Parkway at Riverview Drive. Limitations on public access at Riverview Drive will intensify the disparate impact residents of color will experience because the policy will not only prevent access to the Parkway at Riverview Drive but at Palm and Nees as well.

In short, the General Plan exacerbates the already disparate access to parklands in Fresno, wherein residents of color have significantly less access to parks in the neighborhood, as well as key regional parks, such as the Parkway. The City has an obligation to ensure that this disparate impact is not worsened by the General Plan Update. By prohibiting automobile access to the Parkway from Riverview Drive, the City fails to meet these obligations.

III. Policies POSS-7-g and POSS-7-i Result in an Internally Inconsistent General Plan in Violation of State Planning and Zoning Law.

The General Plan violates the State Planning and Zoning Law, Government Code section 65000 *et seq.*, because it includes internally inconsistent goals and policies related to access to the Parkway. Government Code section 65300.5 requires that a general plan must “comprise an integrated, internally consistent and compatible statement of policies for the adopting agency.” A general plan “that, on its face, displays

substantial contradictions and inconsistencies cannot serve as an effective plan because those subject to the plan cannot tell what it says should happen or not happen.” *Concerned Citizens of Calaveras Cnty. v. Bd. of Supervisors* (1985) 166 Cal.App.3d 90, 97.

The General Plan Update is internally inconsistent because it plans for automobile access to the Parkway at Palm and Nees, while prohibiting access at Riverview Drive. Gen. Plan at 5-39, 5-40. As explained above, any access at Palm and Nees is contingent on the same type of access at Riverview Drive. Therefore, the City cannot provide access at Palm and Nees without doing so at Riverview Drive. The City must revise the General Plan Update to remove this inconsistency.

In addition, restrictions on access at Riverview Drive contradict other public access goals in the General Plan. The General Plan recognizes the need to provide access to parklands for all Fresno residents. Gen. Plan at 5-6. It also recognizes that residents of particular neighborhoods are underserved by parks. *Id.* at 5-9, Table 5-3. The General Plan sets goals of providing 5 acres of parkland per 1,000 residents, two acres of which should be from regional parks, such as the Parkway. *Id.* at 5-12. Yet policies POSS-7-g and POSS-7-i work against these goals by limiting the ability of residents that do not live in neighborhoods directly adjacent to the Parkway to access it.

Moreover, the General Plan Update adopts the goals of the San Joaquin River Parkway Master Plan (“Master Plan”) and thus must be consistent with the Master Plan. *See* Gen. Plan at 5-39, 5-40 (stating that the General Plan Update “support[s] the extension of the Lewis Eaton Trail into the River West Fresno Project Area consistent with the San Joaquin River Parkway Master Plan” and “[s]trive[s] to provide public access to the parkway.”). A central goal of the Parkway is to “enhance the quality of life of its residents” as well as “provide recreational and educational opportunities to *all segments of the population.*” Master Plan at 9, 29 (emphasis added). In order to provide such opportunities to all community members, the Master Plan requires “sufficient on-site parking at each public recreational facility to provide adequate parking supply for the desired usage level during peak periods.” *Id.* at 32. Indeed, the San Joaquin River Conservancy recognizes the need for equal access and thus has included the option of vehicle access and parking at Riverview Drive and Palm and Nees Avenues as part of the River West project.

Restricting non-resident vehicular access to Riverview Drive is inconsistent with the Master Plan’s goals of providing access to the Parkway for all Fresno residents.

It also undermines the Conservancy's planning process for a River West project that complies with the Master Plan.

In addition, the City has established a goal of providing 5 acres of parkland per 1,000 residents; 3 acres of neighborhood, community and pocket parks and 2 acres of regional parks. Draft MEIR at 5.13-33. Regional parks are intended to serve 100,000 residents. Gen. Plan at 5-6. However, to serve this number of Fresno residents, the Parkway must be accessible. This requires adequate parking and convenient access points for those residents who do not live near the Parkway. If regional parks, such as the Parkway, are not accessible to the number of residents they are meant to serve, they do not meet the goals established by the General Plan Update. By preventing the public from accessing the Parkway by car at Riverview Drive and Palm and Nees, policies POSS-7-g and POSS-7-i thwart the General Plan goal to provide access for 100,000 residents at regional parks.

IV. The Draft MEIR Fails to Meet the Requirements of CEQA.

A. The Draft MEIR Incorrectly Concludes the General Plan Update Will Not Conflict with the Master Plan.

The Draft MEIR states that the General Plan Update will result in significant land use impacts unless “[t]he project would not conflict with any applicable land use plan, policy, or regulation with jurisdiction over the project . . . adopted for the purpose of avoiding or mitigating an environmental effect.” Draft MEIR at 5.10-14. The Draft MEIR concludes that the General Plan Update does not conflict with the Master Plan, which it defines as an “applicable land use plan.” *Id.* at 5.10-19. Yet, as discussed above, General Plan Policies POSS-7-g and POSS-7-i conflict with numerous goals and policies included in the Master Plan. The Final MEIR must discuss these conflicts and provide feasible mitigation measures to lessen the significant impact, or avoid the conflicts by removing the access limitations in these policies. Pub. Res. Code § 21002.

The Master Plan makes clear that the Parkway should be accessible to all residents of Fresno, and the surrounding communities, as indicated by the following goals and policies:

- Fundamental Goal 6: “Provide land use and management policies for the San Joaquin River and areas of the riverbottom included in the Parkway that will enhance the attractiveness of the Fresno-Madera metropolitan area and *enhance the quality of life of its residents.* Master Plan at 9 (emphasis added).

- Recreation Area Goal 2: “Provide recreational and educational opportunities to all segments of the population.” Master Plan at 29 (emphasis added).
- Recreation Parking Policy 1: “Develop sufficient on-site parking at each public recreational facility to provide adequate parking supply for the desired usage level during peak periods and to meet the parking requirements of the affected local jurisdiction, while avoiding excess parking which would increase environmental impacts of construction and promote overuse of the site. On-site parking design should consider harmony with the natural environment while ensuring safety and security for users.” Master Plan at 32.

By prohibiting the possibility of parking at Riverview Drive and, as a result, at the intersection of Palm and Nees, policies POSS-7-g and POSS-7-i conflict with these policies and goals. The policies will make it impossible to provide adequate parking for the Parkway, particularly to the Lewis S. Eaton Trail, the multi-use trail being developed by the San Joaquin River Conservancy that runs from Spano Park to SR-41.

Moreover, as explained above, cutting off parking and access at Riverview Drive and Palm and Nees means that residents who do not live within walking and biking distance must cross over the State Route 41 bridge to Madera County and circle back to access the parking lot at Perrin Avenue, adding approximately 10 miles of driving for each car entering and parking at Perrin Avenue. Further, parking at other areas is infeasible. The nearest parking lot to the Eaton Trail is located at Woodward Park, which is east of Perrin Avenue. However, this lot cannot provide adequate parking for the Eaton Trail because it is already at capacity during most weekends, when the Parkway is at its highest demand.

By cutting off access at Riverview Drive and Palm and Nees, policies POSS-7-g and POSS-7-i significantly obstruct access to the Parkway, specifically the Eaton Trail. This conflicts with the Master Plan’s goals of providing access and parking for all Fresno residents, and the Final MEIR must discuss and mitigate for this significant environmental impact, or revise the policy to avoid the impact.

B. The Draft MEIR Fails to Evaluate whether a Parking Lot at Riverview Drive Would Lessen the Project’s Significant Environmental Impacts to Air Quality, Greenhouse Gas Emissions, and Traffic.

CEQA prohibits a public agency from approving a project with significant environmental impacts if there are “feasible alternatives or feasible mitigation measures”

that “would substantially lessen the significant environmental effects” of the project. Pub. Res. Code § 21002. The Draft MEIR finds that the General Plan Update will result in significant and unavoidable impacts related to air quality, greenhouse gas emissions, and traffic. Prohibiting access to the Parkway from Riverview Drive and Palm and Nees adds to these environmental impacts because it forces Fresno residents driving to the Parkway to cross over the river on SR-41 and circle back. Although providing access and parking from Riverview Drive to the Parkway would help reduce these impacts, the Draft MEIR fails to evaluate this as a feasible mitigation measure, in violation of CEQA.

The Draft MEIR finds that the General Plan Update would result in a considerable net increase of criteria pollutants for which the region is in non-attainment and thus will result in a significant environmental impact. Draft MEIR at 5.3-38-50. The region is out of attainment for ozone. *Id.* at 5.3-8, Table 5.3-3. The precursors to ozone include reactive organic gases (ROG) and nitrous oxide (NOx). *Id.* at 5.3-39. Motor vehicles are a significant contributor to ROG and NOx, and indeed, motor vehicles are the largest contributor to air emissions generally in the area. *Id.* at 5.3-1, 5.3-42.

Although the General Plan Update includes policies to reduce these air pollutants, the policies do not reduce the impact to a less than significant level. Draft MEIR at 5.3-49-50. The Draft MEIR incorrectly states that no other measures are available that would reduce the impacts. *Id.* at 5.3-50. In fact, providing for a direct access point to the Parkway, from Riverview Drive and potentially Palm and Nees, would reduce vehicle emissions from a significant number of visitors arriving by car to the Parkway.

The Draft MEIR’s treatment of greenhouse gas emissions and traffic is similar to its air quality analysis. The Draft MEIR finds that greenhouse gas emissions after 2020 will result in a significant environmental impacts. Draft MEIR at 5.7-45-56. It also finds that there are no feasible mitigation measures to lessen this significant impact, so it concludes that impacts after 2020 are significant and unavoidable. *Id.* at 5.7-56. Like its air quality analysis, the Draft MEIR states that the General Plan includes policies to reduce greenhouse gas emissions, in particular from motor vehicles, and it finds that mitigation beyond these policies is infeasible. *Id.* at 5.7-52, 5.7-56.

As with its treatment of air quality impacts, the Draft MEIR also fails to include access at Riverview Drive as a possible way to lessen traffic congestion on the portion of SR-41 that crosses the San Joaquin River. The General Plan Update will increase demand for travel and thus congestion on streets and highways. Draft MEIR at 5.14-29. The Draft MEIR acknowledges that both the Project, as well as cumulative

conditions after the General Plan build-out, will result in unacceptable levels of service for the section of SR-41 that crosses over the San Joaquin River. *See id.* at 5.14-37-39, Exhibits 5.14-7, 5.14-8; *see also id.* at 5.14-53-57, 5.14-73-78. However, the Draft MEIR fails to include mitigation measures to reduce impacts from Parkway users. *Id.* at 5.14-79-80.

In both cases, the Draft MEIR should identify a mitigation measure that provides access to the Parkway via Riverview Drive and Palm and Nees. These access points would reduce both traffic on SR-41 and greenhouse gas emissions because Fresno residents would no longer need to drive over the San Joaquin River on SR-41 to access the Parkway. The failure to consider all feasible mitigation measures to reduce significant air quality, greenhouse gas, and traffic impacts violates CEQA.

V. Limiting Access to the Parkway Implicates the City's Responsibilities under the Public Trust Doctrine.

Finally, the City holds the San Joaquin River in trust for the public purposes of commerce, navigation, fishery, and recreation. *See Zack's*, 165 Cal.App.4th at 1174-75. The public trust restricts governmental authority in three ways: "first, the property subject to the trust must only be used for a public purpose, but it must be held available for use by the general public; second, the property may not be sold, even for a fair cash equivalent; and third, the property must be maintained for particular types of uses." Joseph L. Sax, *The Public Trust Doctrine in Natural Resources Law: Effective Judicial Intervention*, 68 MICH. L. REV. 471, 477 (1970). The General Plan Update conflicts with the first public trust restriction on the City's authority,

In accordance with the public trust doctrine, the City has an obligation to ensure the San Joaquin River is accessible so that the public may use the river for its trust purposes. *See Zack's*, 165 Cal.App.4th . at 1175 ("the public rights of commerce, navigation, fishery, and recreation are so intrinsically important and vital to free citizens that their unfettered availability to all is essential in a democratic society."). Thus, the public trust doctrine limits the ways in which an agency may restrict access and use of a public trust resource, such as the San Joaquin River. *See id.* at 1176. By cutting off access to the Parkway via Riverview Drive and Palm and Nees, the City limits the public's access to the river substantially. This action is contrary to the City's obligation to ensure "unfettered availability" to the San Joaquin River. *Id.* at 1175.

As explained by a leading scholar on the public trust, "certain historical interests are so intrinsically important to every citizen that their free availability tends to

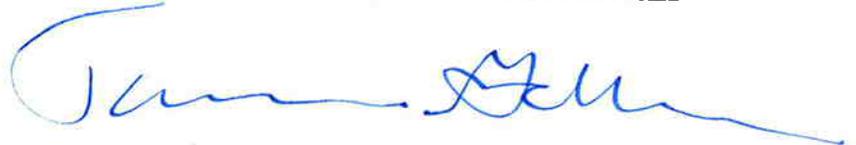
mark the society as one of citizens rather than of serfs [and that] ... certain interests are so particularly the gifts of nature's bounty that they ought to be reserved for the whole of the populace." Joseph L. Sax, *The Public Trust Doctrine in Natural Resources Law: Effective Judicial Intervention*, 68 MICH. L. REV. at 484. The restrictions on access to the San Joaquin River in the General Plan Update are inconsistent with these core principles of the public trust doctrine. Including parking and automobile access at Riverview Drive in the General Plan Update would help ensure that the City was not violating its obligations under the public trust doctrine.

VI. Conclusion

The City and General Plan Update recognize the importance of ensuring access to the Parkway for everyone in the community. Yet the proposed language in the General Plan Update would prevent vehicular access to the Parkway at two critical access points: Riverview Drive and Palm and Nees Avenues. As detailed above, this would violate numerous state and federal laws. The Trust urges the City to modify the current language in the General Plan Update to allow everyone to access the Parkway at Riverview Drive and not allow a small group of influential residents to prevent convenient Parkway access for the majority of Fresno residents.

Very truly yours,

SHUTE, MIHALY & WEINBERGER LLP



Tamara S. Galanter

cc (via U.S. mail):

Bruce Rudd, Fresno City Manager
Melinda Marks, Executive Officer, San Joaquin River Conservancy
John Laird, Secretary, California Natural Resources Agency
Claudia Polsky, Deputy Attorney General, California Attorney General's Office
United States Department of Energy, Office of Economic Impact and Diversity

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EXHIBIT A

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Parking an issue for Eaton Trail extension proposal in Fresno

By Carmen George

The Fresno Bee June 17, 2014

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Melinda Marks, executive officer of the San Joaquin River Conservancy, talks with community members about the proposed plan for the Lewis S. Eaton Trail extension during an open house Tuesday, June 17, 2014, at Pinedale Community Center.

CARMEN GEORGE / THE FRESNO BEE

The future of a popular paved trail that runs alongside Woodward Park in northeast Fresno is up for public discussion.

A hot issue regarding the proposed 2.5-mile addition to the Lewis S. Eaton Trail is centered around this question: Should the only designated parking lot for the trail be accessible by entering Madera County -- equating to about a 10-mile round trip from Fresno?

Many north Fresno homeowners near the proposed trail extension are happy with that parking arrangement, which is in the proposed plan.

Details about that plan, along with four alternatives, were on display Tuesday evening during an open house at the Pinedale Community Center in northwest Fresno. It was organized by the San Joaquin River Conservancy, the lead planning agency for the project which is under the state's jurisdiction.

The project would extend the Eaton trail from Highway 41 downstream to Spano Park within the San Joaquin River Parkway.

The conservancy is seeking public comment by July 8 before work starts on the environmental impact report. A draft is expected to be completed by the fall.

Dave Koehler, executive director of the nonprofit San Joaquin River Parkway and Conservation Trust, is happier with the first alternative, which includes an additional 40-stall parking lot in north Fresno along with the parking accessible through Madera County.

Currently, the proposed 50-stall parking lot is near the Woodward Bluffs Mobile Home Estates. To access it, motorists have to first drive into Madera County, get off at the first offramp toward Children's Hospital Central California, and then loop back on the road that runs parallel to Highway 41.

"We think it should have both vehicle access entrances," Koehler said. "The one that is proposed we are supportive of, but we really think Fresno deserves access from the Fresno side. It's a public road to public land. Where's the fairness in sealing the public out?"

In February 2013, right before the Fresno City Council decided to pass the Eaton trail planning responsibilities to the conservancy, the council recommended not to build a parking lot for the Eaton trail in residential north Fresno.

Melinda Marks, executive officer for the conservancy, said her agency took the council's recommendation to heart and didn't include that parking lot in its current proposal.

Resident Yolanda Partida, who lives a few blocks away from the proposed Eaton trail extension, said she's happy the proposed plan doesn't include a parking lot near her home. She said existing commercial parking lots nearby should be used. The proposed plan also provides for three pedestrian and bicycle access points at Spano Park, West Riverview Drive and Churchill Avenue.

Budget woes and a shifting of responsibilities have slowed the project in recent years. But the conservancy can dip into \$36 million in bonds, some of which can be used for planning and extending the Eaton trail -- although the bonds don't provide for long-term management costs, Marks said.

Koehler said the Eaton trail extension is long overdue. The last major leg was added in 1998, he said. The goal is a 22-mile riverside parkway stretching from Friant to Highway 99. The Eaton trail is currently four miles long.

Marks said all of the Eaton extension alternatives will be available by Thursday at www.sjrc.ca.gov.

Public comments can also be emailed to melinda.marks@sjrc.ca.gov or mailed to Melinda Marks, San Joaquin River Conservancy, 5469 E. Olive Ave., Fresno, CA 93727.

The reporter can be reached at (559) 441-6386, cgeorge@fresnobee.com or [@CarmenGeorge](https://twitter.com/CarmenGeorge) on Twitter.

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Join The Conversation

The Fresno Bee is pleased to provide this opportunity to share information, experiences and observations about what's in the news. Some of the comments may be reprinted elsewhere in the site or in the newspaper. We encourage lively, open debate on the issues of the day, and ask that you refrain from profanity, hate speech, personal comments and remarks that are off point. Thank you for taking the time to offer your thoughts.

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EXHIBIT B

City Council Agenda

Council President
Clinton J. Olivier

Councilmembers

Oliver L. Baines III
Andreas Borgeas
Lee Brand

Sal Quintero
Larry Westerlund
Blong Xiong – Acting President

City Manager
Mark Scott

City Clerk
Yvonne Spence, CMC

City Attorney
James C. Sanchez

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, sign language interpreters, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 621-7650. Please keep the doorways, aisles and wheelchair seating areas open and accessible. If you need assistance with seating because of a disability, please see Security.

The City Council welcomes you to the Council Chambers, located in City Hall, 2nd Floor, 2600 Fresno Street, Fresno CA 93721.

March 29, 2012

8:30 A.M. ROLL CALL

Invocation by Cambodian Monks of Wat Khmer Fresno

Pledge of Allegiance to the Flag

Ceremonial Presentations:

Proclamation of "FRESNO COIN GALLERY DAY" – Mayor's Office – Read and presented

Proclamation of "NATIONAL PURCHASING MONTH" and recognizing the Purchasing Division of the Finance Department - City Manager's Office – Read and presented

The agenda and related staff reports are available on (www.fresno.gov) as well as in the Office of the City Clerk. The Council meeting can also be heard live at the same web site address, and viewed live on Cable Channel 96 from 8:30 a.m. and re-played beginning at 8:00 p.m.

PROCESS: For each matter considered by the Council there will first be a staff presentation followed by a presentation from the involved individuals, if present. Testimony from those in attendance will then be taken. All testimony will be limited to three minutes per person. If you would like to speak fill out a Speaker Request Form available from the City Clerk's Office and in the Council Chambers. The three lights on the podium next to the microphone will indicate the amount of time remaining for the speaker.

The green light on the podium will be turned on when the speaker begins. The yellow light will come on with one minute remaining. The speaker should be completing the testimony by the time the red light comes on and tones sound, indicating that time has expired. A countdown of time remaining to speak is also displayed on the large screen behind the Council dais.

Following is a general schedule of items for Council consideration and action. The City Council may consider and act on an agenda item in any order it deems appropriate. Actual timed items may be heard later but not before the time set on agenda. Persons interested in an item listed on the agenda are advised to be present throughout the meeting to ensure their presence when the item is called.

Approve Council minutes of March 22, 2012

Action Taken: Approved

Approve Successor Agency to the Redevelopment Agency minutes of March 22, 2012

Action Taken: Approved

Councilmember Reports and Comments

Action Taken: Made

Approve Agenda

Action Taken: Approved, as amended

Adopt Consent Calendar

Action Taken: Adopted

1. **CONSENT CALENDAR**

All Consent Calendar items are considered to be routine and will be treated as one agenda item. The Consent Calendar will be enacted by one motion. Public comment on the Consent Calendar is limited to three (3) minutes per speaker. There will be no separate discussion of these items unless requested by a Councilmember, in which event the item will be removed from the Consent Calendar and will be considered as time allows.

A. Approve the appointment of Adrian Jones to the Fresno Housing Authority – Mayor's Office

Action Taken: Approved

B. * **RESOLUTION** – 56th amendment to the Annual Appropriation Resolution (AAR) No. 2011-133 appropriating \$146,000 in State of California Childhood Lead Poisoning Prevention Program (CLPPP) funds in the Development and Resource Management Department's budget to carry out eligible lead hazard control activities (***Requires 5 affirmative votes***) – Development and Resource Management Department

Action Taken: Resolution No. 2012-53 adopted

C. Documents pertaining to the construction of new manhole access sewer structures for the wastewater collection system (***Property located in Districts 1, 2, 4, 6, and 7***) – Department of Public Utilities

1. Approve a Finding of Class 3 and 4 Categorical Exemptions pursuant to Section 15303(d) (new construction or conversion of small structures) and 15304(f) (minor alterations to land) of the California Environmental Quality Act Guidelines for the construction of new manhole access sewer structures for the wastewater collection system

Action Taken: Approved

2. Award a \$213,200 contract to Floyd Johnston Construction Company, Inc. of Clovis, California, for new manhole access sewer structures

Action Taken: Approved

D. Approve a substitution of a listed subcontractor for the N. Polk Avenue and W. Shaw Avenue traffic signal modification, widening and striping (***Property located in Districts 1 and 2***) – Public Works Department

Action Taken: Approved

1. **CONSENT CALENDAR CONTINUED**

- E. Consideration of alignments and widths of proposed public streets for a 63-lot industrial parcel map for property located on the east side of N. Brawley Avenue between W. Gettysburg and N. Weber Avenues; North of W. Ashlan Avenue – Development and Resource Management Department
Action Taken: Considered
1. **RESOLUTION** – Adopting the Environmental Finding of Conformity to the 2025 Fresno General Plan Master Environmental Impact Report (WEIR) No. 10130 and the Mitigated Negative Declaration for Plan Amendment A-09-02 (Air quality MND), prepared for Environmental Assessment No. TPM-2011-10; and, approving the proposed street alignments and widths for Vesting Tentative Parcel Map No. 2011-10
Action Taken: Resolution No. 2012-52 adopted
- F. * **RESOLUTION** - 61st amendment to the Annual Appropriation Resolution (AAR) No. 2011-133 appropriating \$262,700 in sales tax revenues to fund the Fresno County Fire Protection District transition fee (**Requires 5 affirmative votes**) - Development and Resource Management Department
Action Taken: Resolution No. 2012-54 adopted
- G. Adopt Mitigated Declaration EA-11-008, by the City of Fresno, and the program for reporting or monitoring the mitigation measures contained therein pursuant to CEQA Guidelines 15074, and find that with the project specific mitigation imposed there is no substantial significant direct, indirect, or cumulative effect on the environment (**Property located in the County of Fresno**)- Public Works Department
Action Taken: Adopted
1. Approve acquisition of one (1) public street easement from a portion of one (1) parcel of property owned by Kyle and Kristin Kircher, in the amount of \$103,000 for widening and placement of associated frontage improvements along the south side of Nees Avenue and the west side of Willow Avenue at the southwest corner of the intersection of Nees and Willow Avenues
Action Taken: Approved
- H. Adopt Mitigated Declaration EA-11-008 and the program for reporting or monitoring the mitigation measures contained therein pursuant to CEQA Guidelines 15074, and find that with the project specific mitigation imposed there is no substantial significant direct, indirect, or cumulative effect on the environments (**Property located in the County of Fresno**) – Public Works Department
Action Taken: Adopted
1. Approve acquisition of one (1) public street easement from a portion of one (1) parcel of property owned by Donald L. Lacefield and Kimberly A. Lacefield Family Trust, in the amount of \$89,900 for widening and placement of associated frontage improvements along the south side of Nees Avenue and the west side of Willow Avenue at the southwest corner of the intersection of Nees and Willow Avenues
Action Taken: Approved

CONTESTED CONSENT CALENDAR

9:00 A.M. **GENERAL ADMINISTRATION**

- A. * **RESOLUTION** - Implementing the Fiscal Sustainability Policy" - City Manager's Office
Action Taken: Resolution No. 2012-55 adopted, as amended

- B. Document pertaining to preparing the Master Environmental Impact Report (MEIR) and related technical studies for Fresno Comprehensive Development Code and General Plan Update – Development and Resource Management Department
1. Authorize the Director of the Development and Resource Management Department to enter into a professional services agreement with the firm of Michael Brandman Associates in an amount not to exceed \$788,300 utilizing ARRA Funding from the U.S. Department of Energy (DOE), Energy Efficiency and Conservation Block Grant (EECBG) to prepare the Master Environmental Impact Report (MEIR) for the Fresno Comprehensive Development Code and Fresno General Plan Update
Action Taken: Authorized
 2. * **RESOLUTION** - 62nd amendment to the Annual Appropriation Resolution (AAR) No. 2011-133 appropriating \$788,300 to prepare the Master Environmental Impact Report (MEIR) and related technical studies for the Fresno Comprehensive Development Code and General Plan Update **(Requires 5 affirmative votes)**
Action Taken: Resolution No. 2012-56 adopted
- C. Documents pertaining to the Ashlan Avenue grind and overlay from Parkway Drive to Valentine Avenue project **(Property located in District 1)** – Public Works Department
1. Adopt Finding of Categorical Exemption per staff determination, pursuant to Section 15301 Class 1 (c) of the CEQA Guidelines, for the Ashlan Avenue grind and overlay from Parkway Drive to Valentine Avenue project
Action Taken: Adopted
 2. Award a construction contract with Menefee Construction of Fowler, California, in the amount of \$602,492.80 for the Ashlan Avenue grind and overlay from Parkway Drive to Valentine Avenue project
Action Taken: Awarded
- D. Documents pertaining to the Weber Avenue grind and overlay from Valentine Avenue to Clinton Avenue project **(Property located in District 1)** – Public Works Department
1. Adopt Finding of Categorical Exemption per staff determination, pursuant to Section 15301 Class 1 (c) of the CEQA Guidelines, for the Weber Avenue grind and overlay from Valentine Avenue to Clinton Avenue project
Action Taken: Adopted
 2. Award a construction contract with Agee Construction Corporation of Clovis, California, in the amount of \$711,711 for to Weber Avenue grind and overlay from Valentine Avenue, to Clinton Avenue project
Action Taken: Awarded
- E. * **RESOLUTION** – 60th amendment to the Annual Appropriations Resolution (AAR) No. 2011-133 appropriating \$1,020,000 in California High Speed Rail Authority (CHSRA) funding in the Development and Resource Management Department for the high speed rail station area planning grant **(Requires 5 affirmative votes)** – Public Works Department
Action Taken: Resolution No. 2012-57 adopted
- F. * **RESOLUTION** - 48th amendment to the Annual Appropriation Resolution (AAR) No. 2010-133 appropriating \$2,616,700 for operating programs and the completion of previously approved capital projects in the Public Works Department **(Requires 5 affirmative votes)** – Public Works Dept.
Action Taken: Resolution No. 2012-58 adopted
- G. * **RESOLUTION** - 509th amendment to Master Fee Schedule (MFS) Resolution No. 80-420 increasing green fees at Riverside Golf Course in the Parks Section **(Property located in District 2)** - PARCS
Action Taken: Resolution No. 2012-59 adopted

SCHEDULED COUNCIL HEARINGS AND MATTERS

10:15 A.M. **HEARING** to adopt the per-capita water use targets as required by the State Water Code as part of the 2010 Urban Water Management Plan – Department of Public Utilities

Action Taken: Held

- a. **RESOLUTION** - Approving a methodology for consumption calculation for determining urban water use targets and the associated per-capita water use targets for 2015 and 2020 as required by the State Water Code

Action Taken: Resolution No. 2012-60 adopted

1:30 P.M.

CITY COUNCIL

- A. Review of current Central California Society for the Prevention to Cruelty to Animals (CCSPCA) contract and discussion of possible amendment - Council President Olivier

Action Taken: Oliver and Baines appointed to Council Sub-committee to work with staff, Fresno County and community group leaders to find a solution

- B. * **RESOLUTION** - Approving the "High Speed Rail Business Impact Initiative" and establishing the "High Speed Rail Relocation Division" of the City of Fresno and establish a City policy for streamlined timelines and guidelines for entitlement and land use processing for properties affected by high speed rail – Councilmember Westerlund

Action Taken: Laid over one week

- C. **RESOLUTION** - Of the Mayor and City Council of the City of Fresno supporting the 144th Fighter Wing and the conversion of the F-15s to ensure that the Air National Guard continues to thrive in the City of Fresno – Councilmember Westerlund

Action Taken: Laid over one week

PLEASE NOTE: SCHEDULED AND UNSCHEDULED COMMUNICATIONS ARE NOT TIMED AND MAY BE HEARD ANY TIME DURING THE MEETING

SCHEDULED COMMUNICATION –

UNSCHEDULED COMMUNICATION – Members of the public may address the Council regarding items that are not listed on the agenda and within the subject matter jurisdiction of the Council. Each person is limited to a three (3) minute presentation. Anyone wishing to be placed on an agenda for a specified topic should contact the City Clerk's Office at least ten (10) days prior to the desired date. Council action on unscheduled items, if any, shall be limited to referring the item to staff for a report and possible scheduling on a future Council agenda.

SCHEDULED COUNCIL HEARINGS AND MATTERS

Apr.	5 -	10:00 A.M	HEARING for the Adoption of a Resolution of Public Use and Necessity –Burrow, Nella and Burrow
Apr.	5 -	10:15 A.M	HEARING re: Site Plan Review No. S-11-081, filed by Precision Engineering. (property located on the north side of W. Shaw Avenue between N. Gates and N. Jennifer Avenues)
Apr.	5 -	5:00 P.M	HEARING preferred alternative for the General Plan
Apr.	12 -		NO MEETING – EASTER BREAK
Apr.	19 -	1:00 P.M	MEETING
Apr.	19 -	1:15 P.M	HEARING – to consider adoption of resolutions related to the designation of properties to the Local Register of Historic Resources
Apr.	19 -	1:30 P.M.	HEARING re: City of Fresno Community Facilities District No. 16 and to authorize the levy of special taxes for the maintenance of certain public improvements associated with the Universally Accessible Park <i>(Property located in District 1)</i>
Apr.	26 –	10:15 A.M.	HEARING re: Plan Amendment No. A-11-14 and Rezone Application No. R-11-020, filed by Derrel's Mini Storage
May	3 -	8:30 A.M.	Presentation of P.R.I.D.E. Team Certificates for the Spring Quarter <i>(Reception immediately following – 2nd floor foyer)</i>
May	10-		NO MEETING – RECESS
May	17-	8:30 A.M	MEETING
May	24 -	10:00 A.M.	HEARING re: City of Fresno Community Facilities District No. 16 and to authorize the levy of special taxes for the maintenance of certain public improvements associated with the Universally Accessible Park <i>(Property located in District 1)</i>

EXHIBIT C



The Enduring Challenge of Concentrated Poverty in America

Case Study of Fresno, California

ACKNOWLEDGEMENTS

The author would like to thank the community stakeholders interviewed for this report for the insights they shared; their candor shed light on the issues facing West Fresno in ways unmatched by quantitative data alone. In addition, the author thanks Carolina Reid and David Erickson for their guidance in the research and writing of this report.

PHOTO CREDITS

California's San Joaquin Valley, south of Sacramento. Photo taken in 1983 by Helen Roach (Photo View Plus).

Kearney Palms Shopping Center in West Fresno, CA. Photo courtesy of Fresno West Coalition for Economic Development.

Boys & Girls Club of West Fresno. Photo courtesy of the Boys & Girls Club of West Fresno

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The Enduring Challenge of Concentrated Poverty in America

Case Study of Fresno, California

Naomi Cytron
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Community Development
Federal Reserve Bank of San Francisco*

April 2009

The views expressed herein are those of author. These views are not necessarily those of the Federal Reserve Bank of San Francisco or the Federal Reserve System.

ABOUT THIS STUDY:

In May of 2006, the Community Affairs Officers from the 12 Federal Reserve Banks and the Board of Governors heard a presentation on concentrated poverty from Alan Berube of the Brookings Institution and Paul Jargowsky of the University of Texas at Dallas. The context for the discussion was the question of how to rebuild New Orleans after Hurricane Katrina, particularly given the devastation of the housing stock in the city's low-income neighborhoods. Yet, as quickly became apparent during the meeting, underlying the conversation on rebuilding the city was a less tangible and potentially more difficult challenge. The storm revealed that, for individuals who reside in impoverished communities, replacing physical infrastructure alone may not be enough to generate and sustain community development and well-being.

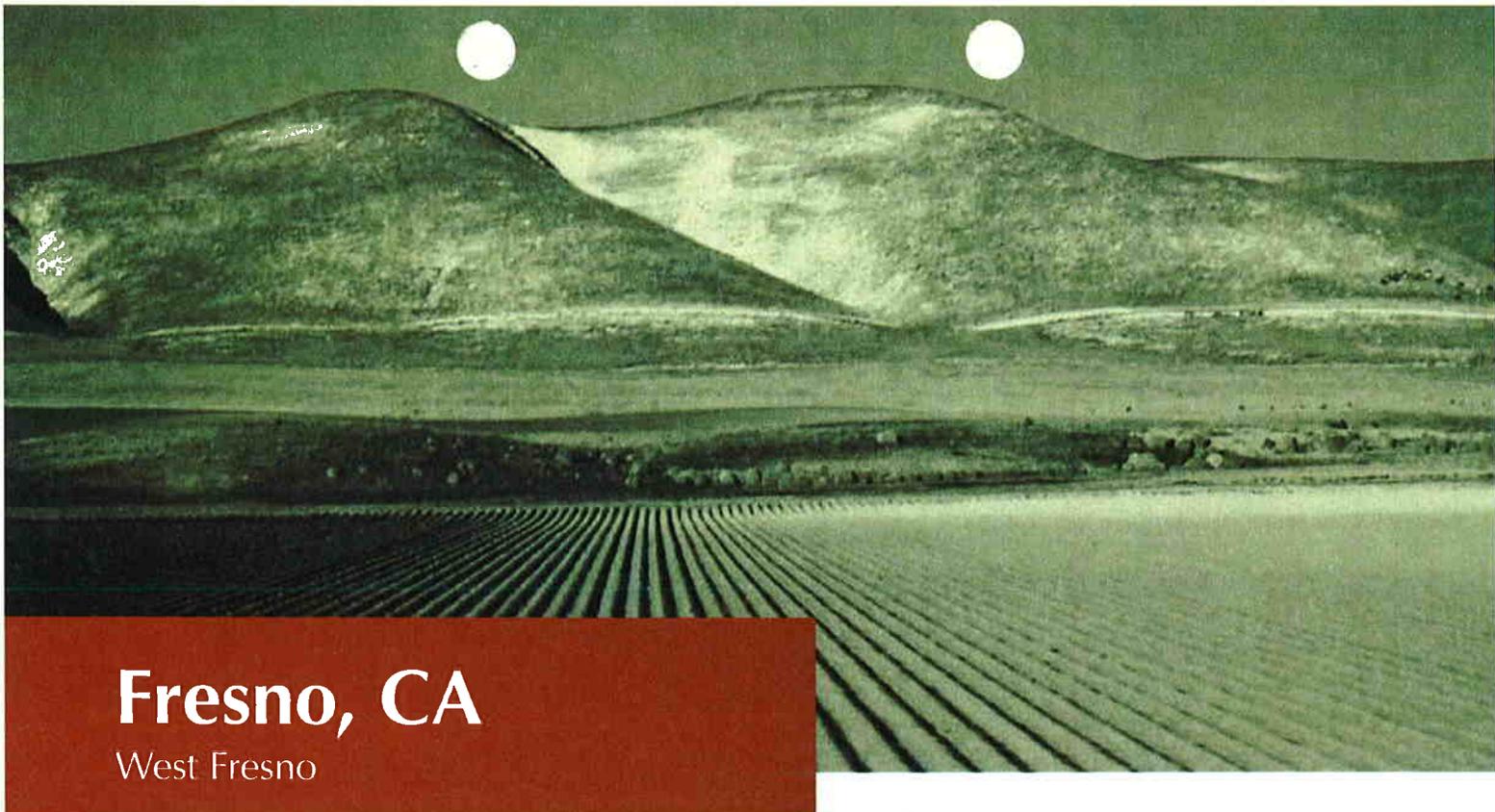
This need for a deeper understanding of the relationship between poverty, people, and place—not only in New Orleans but in communities across the country—struck a chord in us. The Community Affairs offices of the Federal Reserve System have a shared mission to support economic growth objectives by promoting community development and fair and impartial access to credit. Each of the 12 Reserve Banks establishes distinct programs and responds to local needs in its district. But as part of a nationwide entity, the Community Affairs offices also have the ability to collaborate on projects, to share information and resources, and to work together to support community development at regional and national levels. Given this unique structure, we saw an opportunity to study the issue of concentrated poverty in communities across the country—to draw on our local knowledge and, at the same time, pull the local stories together in a way that allowed us to share more broadly the commonalities and differences among places.

This report is an expanded version of a case study that appeared as one of 16 community profiles published in “The Enduring Challenge of Concentrated Poverty in America: Case Studies from Communities Across the U.S.,” a joint project of the Community Affairs Offices of the Federal Reserve System and the Metropolitan Policy Program at the Brookings Institution (the full report can be accessed online at <http://www.frbsf.org/cpreport/index.html>). The intent of this publication is not to explain poverty causation; poor people, and the communities they live in, have been the subject of serious study and debate for decades. Rather, our goal is to add texture to our understanding of where and how concentrated poverty exists by studying new areas and by interviewing local stakeholders—including residents, community leaders, and government representatives—to understand how concentrated poverty affects both individuals and communities. We hope this report will contribute to the public conversation among policymakers and practitioners about the relationship between people and place, and ultimately to a comprehensive policy discussion on poverty alleviation and community reinvestment.

Most important for us in Community Development, conducting this research has helped us identify new ways we can collaborate with our government, nonprofit, and for-profit partners to help address challenges in high-poverty communities. As this report demonstrates, poverty did not appear overnight; it will likely take comprehensive strategies and many years to successfully address it. In the meantime, we will continue to identify and act on opportunities to support and collaborate with communities across our districts in fulfilling our mission to promote economic development along with fair and impartial access to credit.



Scott Turner
Vice President, Community Development
Federal Reserve Bank of San Francisco



Fresno, CA

West Fresno

OVERVIEW

In 1977, the Fresno City Council approved a community plan for West Fresno, then a neighborhood of just over 15,000 people in the largest city in California’s San Joaquin Valley. The plan noted that the neighborhood “has always been a unique community with a rich heritage,” but warned somewhat presciently that “the social and economic viability

which once existed has been damaged by forces which threaten to transform racial segregation into economic segregation.” Out-migration of the middle class was a trend that, if “allowed to continue, will eventually transform an ethnic community into a low-income ghetto.”¹

Nearly 30 years later, an article in the *Fresno Bee* grimly described West Fresno as “the neighborhood where dreams go to die” and “a forgotten corner of a sprawling city.”² While these characterizations may be journalistic hyperbole, West Fresno has in fact followed a different trajectory than other areas in the city. Physically cut off from the rest of the city by Highway 99, West Fresno appears to be increasingly isolated socially and economically as

well. It was one of the neighborhoods that accounted for Fresno’s 2005 ranking as home to the highest concentration of poverty in the nation.³ This statistic was particularly startling because of Fresno’s location—not in the Rust Belt or Appalachia, but in the richest farming region of a state that at the time had the world’s eighth-largest economy.⁴

BACKGROUND

The San Joaquin Valley (“the Valley”) is by all accounts an “agricultural paradise,” a fact that has shaped the regional character in considerable ways.⁵ Large-scale farming emerged in the region over the course of the early 20th

TABLE 1

Comparison Statistics

		West Fresno	Fresno MSA
Poverty Rate	Poverty rate 1970 ^a	43.5	18.9
	Poverty rate 2000 ^b	51.1	22.9
Income	Median household income ^c	\$18,257	\$34,725
Demographics	Population 2000 ^d	16,875	799,407
	% Population change, 1970 - 2000 ^e	6.8	93.5
	Racial/ethnic composition, 2000 ^f		
	% White	2.2	39.7
	% Hispanic/Latino	45.1	44.0
	% Black/African-American	38.0	5.0
	% Residents under age 18 ^g	39.7	32.1
	% Single-parent households ^h	30.1	12.7
	% Foreign born, 2000 ⁱ	29.3	21.1
	% Population in same house as five years ago ^j	55.0	51.0
Education	% Adults without a high school diploma, 2000 ^k	62.7	32.5
	% Adults with a college degree, 2000 ^l	3.1	17.5
	% Students proficient in reading, 2005 ^m	45.5	38.0
	% Students proficient in math, 2005 ⁿ	48.1	42.8
Labor Market	Unemployment rate, 2000 ^o	22.7	11.8
	% Adults in the labor force ^p	45.3	59.9
Housing	Homeownership rate, 2000 ^q	39.5	56.5
	% Renters with a housing cost burden ^r	58.7	47.6
	% Rental units that are HUD subsidized ^s	42.0	11.6
	Median value for owner-occupied units ^t	\$57,540	\$104,900
	Median year structure built ^u	1964	1974
Access to Credit	% Credit files that are thin, 2004 ^v	50.6	31.0
	% Credit files with high credit scores ^w	28.2	51.4
	% Mortgage originations that are high cost, 2005 ^x	55.4	33.0
	Mortgage denial rate, 2005 ^y	24.9	17.1

century as transportation and irrigation systems developed with the aid of federal and state funding. The expansion of agriculture brought dramatic population growth; between 1970 and 2000, the Valley's population doubled to 3.3 million. The Valley's long and varied growing season affords year-round employment in agriculture and farming-related industries, drawing the migrant and immigrant farm labor that made up a large share of this growth. Of note is that between 1970 and 1990, the leading source of growth was

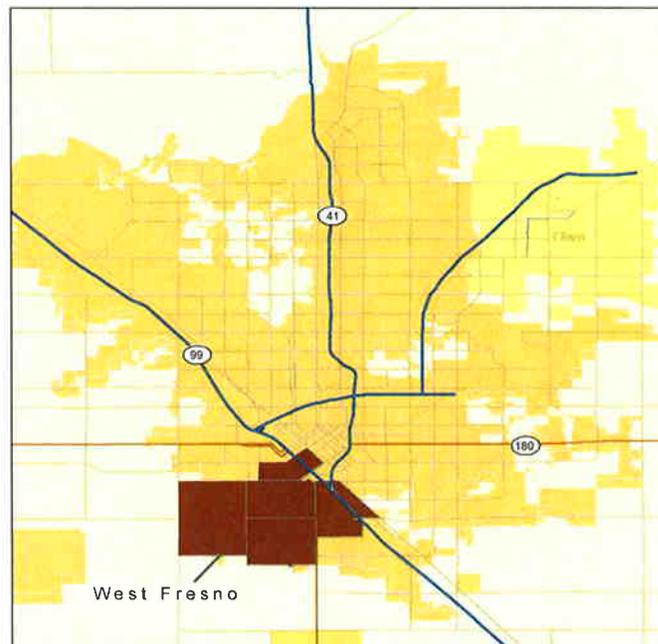
net migration. But from 1990-2000 the pattern shifted, and the proportion of population growth from natural increase rose 20 percentage points to 65 percent.⁶ These statistics are tied to the fact that the largest group immigrating to the Valley have been Latinos—mostly from Mexico and Central America—who tend to have larger families than other populations.⁷ These trends contribute to complicated dynamics as far as legal status is concerned; though it is unclear just how many of the immigrants to the region are undocumented, it

is certain that there are many, and it is not uncommon for undocumented parents to have children who are U.S. citizens. Another ripple in this story is that thousands of Hmong refugees have resettled in the Valley over the past 20 years.⁸

Not only has the Valley grown and diversified, the population has also become markedly more urbanized. In 1970, the census classified 70 percent of the Valley's population as urban; by 2000, this figure had risen to 87 percent. While this increase reflects some changes in the way the census determines urban and rural populations, the bulk of the Valley's population is now distributed among a number of urban centers located along Highway 99, a major transit and trucking corridor. The five largest of these cities combined grew 172 percent to 1.2 million people from 1970 to 2000. During this same period, the rest of the Valley grew 77 percent.⁹ Fresno is the largest of the Valley's cities; the population in the Fresno metropolitan statistical area (MSA) more than doubled between 1970 and 2005 to just over 877,000 residents.¹⁰

The Valley's population is projected to double again by 2040, raising questions about how the region can and should ready itself to accommodate additional growth. Already, the rapid demographic change has placed pressures on the region. Schools are straining to absorb the increasingly diverse student body. Traffic congestion has increased, and air quality has continued to diminish.¹¹ The regional economy has also not kept pace with population growth, and has struggled especially in creating well-paying jobs across a range of industries; while there has been some industrial diversification and job growth over the past few decades, agriculture and related services still represent a disproportionately large share of the region's economy relative to the state's.¹² Earnings are lower in the Valley than in California; this holds true even in the Fresno metropolitan area. Since 1990, average wages in the Fresno MSA have been only 65 to 75 percent of the state's.¹³ Unemployment has been a perennial issue in the Valley, and while unemployment figures were improving before the current recession, unemployment rates in both the Valley and Fresno have stood at nearly twice the state figures for the past 10 years.¹⁴ In addition, much of the workforce is lower skilled. Educational attainment is also low, a factor that feeds limitations in job prospects and earnings potential among Valley residents. In 2000, nearly 33 percent of those 18 and older in the Valley had less than a high school education, compared with 24 percent in the state.¹⁵ These figures reflect in part the fact that a high proportion of the migrants to the region, both from across the state and across borders, has had limited formal education.¹⁶

Fresno, CA



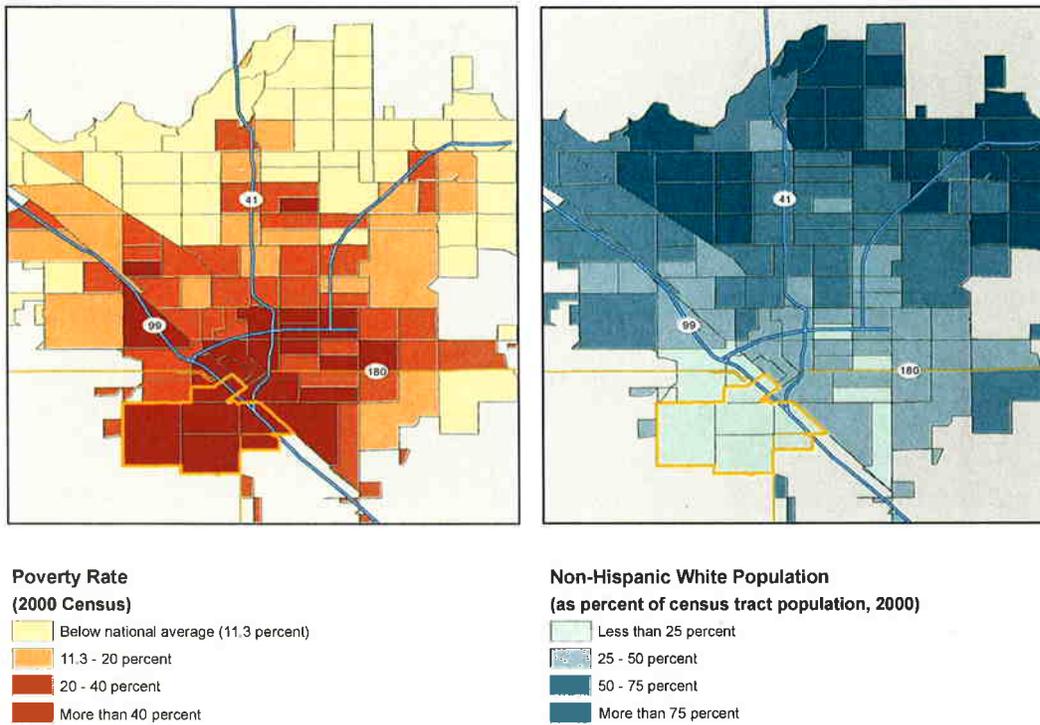
The West Fresno case study area is composed of five census tracts.

Historically, some of these factors have been used as a selling point for the region—lower wages translate into lower costs for operating businesses, for instance.¹⁷ But some of those interviewed for this report noted that, in some respects, this has led to a “race to the bottom,” and that the industrial and wage structures of the Valley, paired with limited skill and educational levels of its residents, have had significant negative implications for the overall economic health of the region. For instance, existing businesses have trouble filling jobs due to the low quality of the workforce in the Valley—an issue that also has implications for prospective businesses.¹⁸ In addition, the lack of local employment opportunities in well-paying sectors has contributed to a “brain drain” from the region.¹⁹ “The youth who leave for college see no reason to come back,” said one community advocate interviewed for this report. “They see no opportunity in Fresno.”²⁰

The interplay of low-wage jobs and limited educational attainment among residents is reflected in the Valley's poverty rate—which in 2000 exceeded that of every other region in California. In the Fresno MSA, the poverty rate was just over 23 percent, over one and a half times that of the state.²¹ Fresno is not, however, simply a uniformly poor city in a depressed region. Data from the 2000 census show stark socioeconomic contrasts between West Fresno, located on the city's southwestern-most edge, and

FIGURE 2

Geographic patterns of isolation in Fresno



the rest of the metropolitan area. (See Table 1) Indeed, the neighborhood of West Fresno is by a number of measures one of its most distressed areas, reflecting a distinct pattern of geographic separation and isolation. (See Figure 2)

The neighborhood of West Fresno, or the “Westside,” dates back to the 1880s. Since its beginnings, it has hosted successive waves of immigrant and minority settlers for a variety of reasons, including its relatively low housing costs, discrimination in Fresno’s housing market, and proximity to outlying agricultural employment opportunities.²² Historical records indicate that neighborhood residents operated and supported a vibrant and diverse set of business ventures located in nearby Chinatown. The area’s dance halls, restaurants, barbershops, pool halls, and bars were hubs for casual socializing, serving as a melting pot for immigrant settlers. As recorded by the Downtown Association of Fresno, “Walking down the streets of Chinatown, one could find a German feed shop, a Chinese herbalist, an African-American blacksmith shop, an Armenian hotel and a Basque restaurant and ball court. One could enjoy the tradition of Japanese Sumo Wrestling or see a live theater show and movie at a Mexican theater.”²³ However, the 1950s and 1960s saw the construction of Highway 99

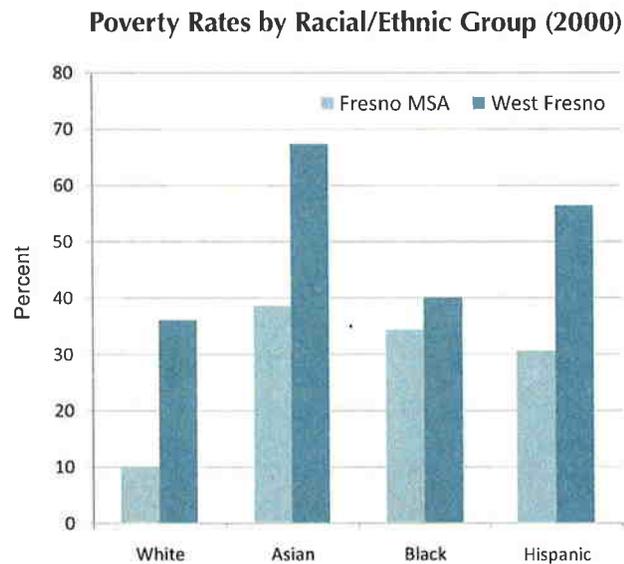
on the edge of the neighborhood and a downtown urban renewal program. Aimed at modernizing transportation infrastructure and maintaining the downtown core as the retail center for the city, both efforts ultimately resulted in the demolition of homes and businesses in and around Chinatown, leaving vacant lots and abandoned properties. The highway—described by one former Fresno County Board of Supervisors member as “Fresno’s Berlin Wall”²⁴—physically cut off the neighborhood from the northeasterly growth in Fresno that was to occur over the next several decades.

Historical records of the neighborhood are mixed, but point to a longstanding economic disconnect from the city. One researcher noted that in the years following World War II, disparities in education and skill levels, along with labor market discrimination, largely limited the predominantly black and Hispanic residents of the Westside to low-wage positions such as farm workers, janitors, and housekeepers.²⁵ Other historical records and personal accounts, though, offer a more nuanced account of neighborhood conditions. The city’s 1977 Edison Plan, for instance, noted that “although the [neighborhood’s] housing market may have been discriminatory, the local economic market was not.”²⁶ Long-time Fresno residents indicate that Westside residents historically

engaged in a variety of professions and achieved varying levels of economic success.²⁷ Prosperity in the neighborhood is most evident in the stretch of large homes built along Kearney Boulevard in the mid-1960s by black professionals committed to living in and improving the community.²⁸

Today, West Fresno is still composed primarily of minority racial and ethnic groups. Of significance is that the immigrant population is higher in the neighborhood than in the city as a whole. In 2000, nearly 30 percent of neighborhood residents were foreign-born; of those, almost half arrived in the United States after 1990.²⁹ But regardless of race, ethnicity, or nationality, neighborhood residents struggle with low wages, high unemployment, and limited educational attainment.³⁰ And there is an extremely high concentration of poverty in the neighborhood; the poverty rate in West Fresno has hovered around 40 percent for much of the past several decades, rising to 51 percent in 2000. The statistics are grim each way they are sliced: the child poverty rate in 2000 stood at 63 percent, and the elderly poverty rate at 29 percent—rates that were two to three times as high as they were throughout the Fresno MSA. Sixty-five percent of single mothers in West Fresno were below the poverty line, compared with 43 percent in the Fresno MSA.³¹ When looking across racial and ethnic groups, the poverty rate, at 67 percent, was highest among the relatively small Asian population living on the Westside. For the larger Latino and African American populations, the poverty rates were 56 and 40 percent, respectively.³² (See Figure 3)

FIGURE 3

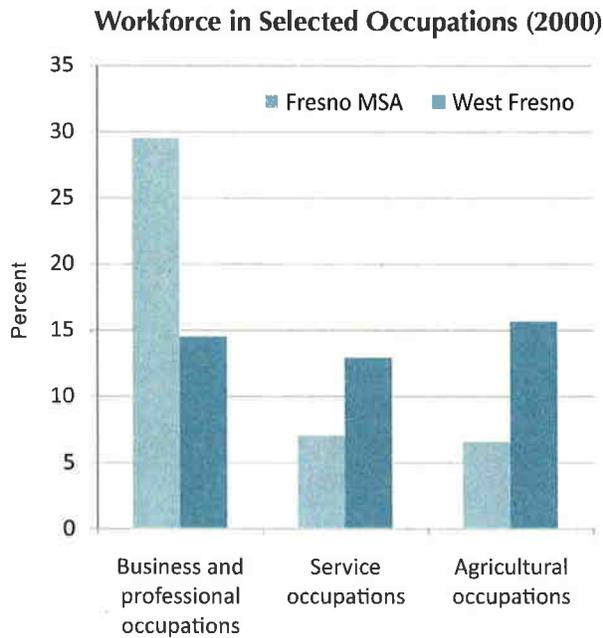


Interviews and data point to a number of issues that are linked to the neighborhood's high levels of poverty. Housing-related factors have played a significant role in fostering economic segregation, as publicly subsidized low-income housing units were historically concentrated in West Fresno and continue to be built there.³³ Participation in the formal labor force is low, and residents who are employed are more likely to be engaged in low-wage work. Census data show that in 2000, neighborhood residents were significantly more likely to be employed in farming and production—jobs which, more often than not, are seasonal, part-time, and without benefits—than in professional or managerial-level work. (See Figure 4) Regional job market issues play a role here, but community leaders interviewed for this report also noted that skills- and geographic-mismatches between workers and available jobs also serve as barriers to quality employment.³⁴ A number of other factors are associated with the high levels of poverty in the neighborhood: large numbers of both documented and undocumented immigrants³⁵; high rates of teen pregnancy and the prevalence of single-parent households in the neighborhood³⁶; poor physical and mental health³⁷; inadequate supportive services for the homeless³⁸; and increased gang activity and violent crime.³⁹ In addition, while those who grew up on the Westside recall its vitality and general feeling of community cohesion, the residents and community advocates interviewed for this report indicated that these elements have to some extent disappeared. "There used to be businesses—there used to be a sense of community," said one advocate. "Neighbors knew one another and would look out for one another's kids. Now, we can't say that. I don't know how to get that back."⁴⁰

ISSUES TO CONSIDER

Each of the factors noted in the preceding section are interrelated and contribute to high levels of poverty in West Fresno. But community leaders and residents interviewed for this case study consistently highlighted four issues that are particularly challenging for the community. First, the patterns of affordable housing development limit geographic settlement choices for low-income families. Second, for a number of reasons, the investment environment—for commercial development as well as for market-rate and mixed-income housing development—in the neighborhood is weak. Third, neighborhood youth are not being provided quality education and skill development opportunities, leading to difficulties in overcoming generational

FIGURE 4



poverty. Finally, overarching all these issues is the limited capacity of community organizations to address the range of challenges associated with concentrated poverty.

HOUSING

Housing related factors both created and continue to perpetuate the concentration of low-income households in West Fresno. Federally subsidized public housing units rose in the neighborhood in the 1940s and '50s; the Fresno Housing Authority built seven of 11 properties in West Fresno during those years. Today, this translates to a situation where over 60 percent of the units managed by the Housing Authority are located in West Fresno. While all of the properties underwent some form of upgrade in the late 1980s or early 1990s, anecdotal evidence suggests that Housing Authority units are moldy, crowded, and poorly maintained.⁴¹ Low Income Housing Tax Credits (LIHTC) properties and other HUD-subsidized properties have also been built in the neighborhood; notably, between 2000 and 2004, nearly 40 percent of all LIHTC units built in the city of Fresno as set-asides for low-income households were sited in West Fresno, even though only 3 percent of the total housing units in the city are located in the neighborhood.⁴²

The housing mix in the neighborhood thus contributes to a high degree of residential segregation along

economic lines. "The multifamily housing in the neighborhood is almost all income-restricted, which keeps young professionals from moving into the neighborhood," said one community advocate. "Until there is substantial mixed-income housing development, you won't see a change in dynamics in the neighborhood."⁴³

The first formal attempt to create mixed-income housing in the community is a HOPE VI project that is currently under development on the edge of the neighborhood. The HOPE VI program—a federal housing program launched in 1992—aims to improve the living conditions within and surrounding troubled public housing developments. The program provides funds to demolish or rehabilitate distressed projects and rebuild them using new building configurations, design standards, and lowered densities. HOPE VI supports the development of mixed-income communities in areas characterized by extreme concentrations of poverty, as well as enhancements in supportive services and neighborhood amenities. The HOPE VI plans for West Fresno include rental apartments and for-sale houses, roughly half of which will be priced for those earning below 80 percent AMI. The plan also calls for the construction of commercial and community facilities, which are intended to house social service agencies and serve as small business opportunities for residents.

However, some community residents have protested the development plans, reflecting on a very local scale some of problems with the federal HOPE VI program. "The community was not involved in the application process for the HOPE VI development—they did not understand that it was not the "Urban Renewal" program that had come through 30 years prior," said one community advocate.⁴⁴ Inadequacies in resident involvement, which result in a lack of trust, have been echoed at many other HOPE VI sites.⁴⁵ Additional concerns have also been voiced about the HOPE VI program in other cities, including critiques that relocation programs for original tenants have not fully supported residential transitions, that HOPE VI has resulted in a net loss of units for low-income households, and that the most vulnerable and hard-to-serve tenants have difficulty accessing units in new HOPE VI developments.⁴⁶ On the flip side, many HOPE VI sites have seen marked improvements across a range of quality-of life indicators, including health, education and safety, and have acted as catalysts for a range of neighborhood investments.⁴⁷ The HOPE VI project in West Fresno has potential to spur these latter improvements, but in order to realize—and maximize—the community benefits that could be afforded by the

project, close attention must be paid to the range of supportive services and linkages to economic opportunity available through the new development. Experiences at other HOPE VI sites suggest that service provision is extremely complicated, demanding long-range planning, careful coordination of services, and a feedback mechanism that could be used to monitor the effectiveness and efficiency of services offered.⁴⁸

West Fresno also faces issues within its private sector housing stock. The majority of properties in the community are rental units: overall, sixty percent of the housing in West Fresno is rental housing, as compared to 44 percent in the Fresno MSA. But this split is not due to a higher number of multifamily apartment complexes in the neighborhood; rather, many single family homes are rented to tenants by siblings or children of former owners who moved out of the neighborhood, or even the city, years ago.⁴⁹ Anecdotal evidence also suggests that many properties are poorly maintained, and that it is common for multiple families to share one house in order to make ends meet. This “doubling-up” of families in housing has led to what the Census shows as overcrowding in units; in 2000, 17 percent of West Fresno’s housing units—twice the rate in the MSA—were severely crowded. One community advocate noted that these conditions contribute to issues of transience and residential instability in the neighborhood, as families move frequently to find better or more affordable living conditions. This is an issue of particular concern for families with school-age children, as frequent moves can disrupt children’s educational track and social development.⁵⁰

Not surprisingly, the value of the housing stock in West Fresno is considerably lower than housing in the rest of the MSA. In 2000, 95 percent of the owner occupied housing in West Fresno had a value below \$99,000; in the MSA, over half the housing was valued higher than this figure. However, in the first half of this decade, Fresno rode the housing boom, and values of housing all over the city, including West Fresno, rose dramatically. On average, the city saw home price appreciation of 143 percent between 2001 and 2005; for comparison, the U.S. saw 56 percent appreciation in this same period.⁵¹ Housing affordability—both in terms of rental and ownership—thus eroded. One indicator here is the first-time homebuyer affordability index from the California Association of Realtors⁵²; while in 2003, 64 percent of Fresno County households could afford to purchase a home, by mid-2006, this share had dropped to 39 percent. However, the housing bust has hit Fresno with particular force. As of the fall of 2008, Fresno ranked 12th in the na-

tion in terms of year over year house price depreciation, with prices falling by nearly 18 percent.⁵³ The implications of the recent declines in house values, coupled with the concomitant rise in foreclosure, are still unfolding, but it is likely that West Fresno will have to grapple with the negative spillover effects of the high rate of foreclosures in the region.

A number of housing initiatives targeting low-income households were launched over the past five years. The Fresno Housing Alliance—composed of citizens and leaders committed to strategic development and improvement of affordable housing—was established in 2004. This group helped to develop former Mayor Alan Autry’s 2006 “10 x 10” initiative—a plan to foster the creation of 10,000 new affordable housing units by 2010. “The 10 x 10 plan was the first attempt at a housing goal—before that there were no systematic or strategic goals in place,” noted one government leader.⁵⁴ However, the implementation of this program has been slow, and minimal progress was made over the course of the last two years in improving and expanding the affordable housing stock in Fresno. And with the exception of one senior housing complex, all of the city-sponsored affordable housing that has been recently planned or built is sited south of Highway 180, with 40 percent of those units planned in West Fresno. As the body of research on the importance of housing as a means of expanding access to opportunities (including jobs and good schools) grows, it becomes particularly important to ensure that quality affordable housing is made available not only in West Fresno, but in other areas of the city as well. The tools for developing a more equitable distribution of affordable housing—including housing vouchers, mixed-income developments, and inclusionary zoning—are increasing, and should be emphasized as Fresno seeks ways to tackle concentrated poverty.

INVESTMENT ENVIRONMENT

Starting in the 1970s, most private and public investments were made in the areas northwest of downtown Fresno. According to one community leader, this signaled “the beginning of the demise of the downtown area, which also directly impacted West Fresno.”⁵⁵ Businesses that existed in West Fresno before the implementation of the urban renewal plans were not rebuilt, and for many years, traditional market analysis deemed the neighborhood an area that could not support new commercial and retail offerings.^{56,57} Housing development and commercial investment moved toward new developments in the Northern



Kearney Palms, which opened in 1999, was the first major commercial project in West Fresno in decades.

areas of the city, in part because developers shied away from West Fresno due to the poor quality of both the schools and the physical infrastructure in the neighborhood.⁵⁸

The city has attempted to reverse this trend and stimulate business development and job creation through longstanding Enterprise and Empowerment Zones that encompass West Fresno.⁵⁹ In addition, a new Municipal Restoration Zone program was established in late 2006 to offer further incentives for businesses locating in the city's disinvested neighborhoods. Though there are some small success stories to tell, on the whole, these programs have not fostered large scale business attraction and job creation in targeted areas. But this outcome is not unique to Fresno. Indeed, many researchers have examined the effectiveness of incentive zones programs, and overall, there is limited evidence demonstrating that they achieve their intended goals of spurring renewed investment and creating jobs for residents of low-income areas.⁶⁰ A host of issues are at play here, but in Fresno, one interviewee noted that the various development zone programs have been seen by businesses as cumbersome and more trouble than they are worth.⁶¹ This raises important questions about the efficacy of incentive zone programs for South and West Fresno, and points to a need to assess their

ease of use. In addition, it may be important for the city to explore complementary public policy avenues for both incentivizing business development and mitigating the mismatches—both in terms of skills and geography—between workers and jobs. These include focusing on infrastructure and education as a means to address both worker employability and mobility, as well as other place-based community development tactics to diminish the disincentives associated with locations suffering from long-term disinvestment.

A significant investment disincentive that community leaders point to in West Fresno is criminal activity—particularly gang and drug-related crime. West Fresno is widely considered to be a high-crime area, although police department data indicate that its overall levels of crime are not significantly higher than in other areas of the city, indicating that there are both perceptions and realities at play here. However, crimes in this neighborhood are more frequently violent and tend to generate wide community concern, according to the district police captain.⁶² Residents say that criminal and gang-related activity is a serious issue in the neighborhood and that many forbid their children to play outside because of safety concerns.⁶³ This indication that families live in fear is clearly troubling. And from a community reinvestment angle, community leaders point out that notions of risk—overblown or not—have contributed to the neighborhood's struggles in attracting new businesses and housing development.⁶⁴ There have been some efforts in the neighborhood to address safety concerns through community-based policing and neighborhood watch programs, but in 2006, a Department of Justice Weed and Seed grant expired, which resulted in the termination of most community-based safety programming. Current tactics include increased police patrol and vehicle stops as a means to diminish the perception that the neighborhood is a “safe haven” for criminal activity.

Despite these challenges in fostering a widely attractive investment environment, there is a success story to tell. In 1999, following extensive community organizing efforts and lobbying by community advocates, a new shopping center opened on the edge of the Westside.⁶⁵ Kearney Palms, the first major commercial construction project in the neighborhood in decades, includes West Fresno's first supermarket. Kearney Palms is thriving, and its anchor supermarket outperforms the chain's other regional stores.⁶⁶

At the outset, though, obtaining financing for the development was a challenge because the project was perceived as an overly risky venture. Banks in particular were wary of financing the project for multiple reasons, includ-

ing that at the time, there were no comparable ventures in the neighborhood that could be used to assess feasibility of the project, and there was not a well-established community development corporation in the neighborhood to lead the effort. Additionally, the Community Reinvestment Act (CRA)—an important tool for community development—has not historically played a significant role in engaging banks in community development in Fresno.

As such, local leaders noted that the difficulties in obtaining financing for development projects like Kearney Palms reflect the rule rather than an exception.⁶⁹ In part, this is because Fresno—along with the rest of the Central Valley—has been seen by large banks as a relatively small market as compared to other nearby markets such as Los Angeles and San Francisco. This translates into less scrutiny under CRA examinations and potentially lowered resource allocation to the region. Of note, however, is that under Wells Fargo's current CRA examination, the bank's community development activities in Fresno are subject to the more intensive "full scope" examination procedures, breaking a trend for the more typical "limited-scope" exam employed in the region by bank regulators. This heightened scrutiny may have implications for the level and type of CRA activity in the region should the Office of the Comptroller of the Currency, the reviewing regulator, similarly upgrade the exam type under which other banks operating in the region are reviewed.

Though Kearney Palms has been successful, similar development projects have yet to be replicated in the neighborhood. In response, Fresno West Coalition for Economic Development (FWCED), a community development corporation (CDC) that grew from the activism surrounding the development of Kearney Palms and which remains the neighborhood's only CDC, has advocated a re-examination of residents' purchasing power.⁷⁰ "We are not looking at anything radical here," said the coalition's director. "We're looking to demonstrate the business-case argument that this neighborhood can support more projects like Kearney Palms."

Efforts are taking shape to improve the ways that market conditions and investment opportunities in West Fresno are measured and perceived. Social Compact is slated to provide a market analysis of Fresno to help uncover hidden markets and promote investment opportunities.⁷¹ In addition, a number of entities, including the Office of Community and Economic Development at California State University, Fresno, and the newly formed Fresno Works for Better Health Advocacy Center, are joining forces to develop an asset map of the neighborhood and its surroundings that will be

Financial Services

The banking activity in the neighborhood is limited in other ways as well. There are also no bank branches in the neighborhood; until 2006, the neighborhood was without even an automated teller machine.⁶⁷ The lack of financial services has many consequences; residents have limited access to tools to save and build wealth, or to financial education services that might help them repair damaged credit histories and gain a better understanding of the long-term costs of using payday lenders and rent-to-own shops.⁶⁸

used to design a strategic plan for West Fresno. Asset mapping is a general term that encompasses efforts to identify the resources—individual, cultural, economic, organizational, and/or physical—in a given place, with a view toward aligning and mobilizing assets for community betterment. It does not necessarily have a spatial component—though it can. The aim is to uncover assets and capacities, and then use the information gathered to determine how to better connect people and organizations to the assets already present. Knowing the neighborhood's assets will go a long way in helping local groups define strategies to build on them, e.g., drawing on residents' entrepreneurial spirit, uncovering hidden purchasing power that can be used to attract new businesses, or tapping into social networks to better reach underserved neighborhood residents.

YOUTH AND EDUCATION

West Fresno faces significant issues concerning its young people. Neighborhood advocates note that generational cycles of poverty are perpetuated by the limited range of constructive educational and leadership building activities for children and youth.⁷² "Our youth have so much talent," said one community advocate, "but they are not being nurtured in a positive way. They all have skills, but someone needs to help bring those out."⁷³

This issue has a number of facets. For starters, the West Fresno Elementary school district is in a period of transition after mismanagement triggered a state government takeover in 2003.⁷⁴ While improvement plans are underway,⁷⁵ some interviewees pointed out that the district schools still struggle to provide basic materials, such as textbooks, and to attract



The Boys and Girls Club in West Fresno provides a safe, positive environment for area youth, offering a range of activities from sports and games to after-school tutoring.

and retain qualified teachers.⁷⁶ Academic achievement in local schools diverges notably from city and state averages. At West Fresno Elementary School, only 14 percent of students in 2000 were reading at grade level, compared with 29 percent in the Fresno Unified School District and 45 percent in California. District data indicate that both math and reading proficiency levels have increased somewhat over the past few years, but West Fresno Elementary still lags considerably behind the city and the state.⁷⁷ The exception is Edison High School, the Fresno Unified school district magnet school in the neighborhood, which posts above-average test scores. However, neighborhood students attending the school have not performed as well as students who are bused in from other areas of the city.⁷⁸ "The education piece is very complicated," said one community leader. "But not enough resources are being put into [West Fresno] schools from Fresno Unified, and they don't have good leadership...or enough recruitment of good teachers—perhaps through an incentive program—to get them to teach there and stay there."⁷⁹

The high immigrant population in the neighborhood is associated with significant challenges in the schools. Many neighborhood students are new to the U.S. and are just learning English, a factor that ties into school readiness and proficiency scores. Limitations in English language skills affect one-fifth of West Fresno residents versus one-tenth of residents citywide⁸⁰; 40 percent of elementary schoolchildren are learning English in school.⁸¹ But larger issues associated with school demographics are also at hand. "The school dis-

trict has not ever done a good job of dealing with racism and ethnic tension," said one community advocate, "not to mention the gangs and the physical violence. And kids have given up—just look at the drop-out rates. And they continue to experience failure and alienation outside of school, as the jobs they can get don't provide them a place to feel valued."⁸²

Student drop-out rates are indeed a problem in West Fresno, as they are throughout the Fresno Unified School District.⁸³ Recent data from the state Department of Education indicated that over a four-year period ending in the 2006-07 school year, 35 percent of Fresno Unified's students dropped out; this rate was second highest in the state, just behind Oakland Unified.⁸⁴ There is some debate about the accuracy of these dropout figures; while it is acknowledged that it is very difficult to assess true drop-out rates, there is no doubt that rates are very high, especially for minority students. Interviewees suggested that in West Fresno, high drop-out rates are tied to the lure of gang activity as well as the prevalence of teen pregnancy—in 2001, West Fresno had the second highest rate of teen pregnancy of all communities in the San Joaquin Valley.⁸⁵ While both issues can have a lifelong impact on teens, the gang issue has extreme consequences: advocates noted that not only do many of West Fresno's youth become gang members, but also that they often get caught—literally—in crossfire in the neighborhood.⁸⁶ Gang-related issues have other impacts on youth behavior and outlook. "Kids are always on the defensive, no matter what," said one youth worker in the neighborhood. He explained that kids generally distrust both adults and peers and are cautious about whom they interact with, as there are risk factors in associating, even distantly, with those in rival gangs.⁸⁷

Youth engagement is thus an uphill and complicated battle. One of the institutions that has been successful in navigating this difficult terrain is the West Fresno unit of Boys and Girls Club. The Boys and Girls Club provides one of the few positive and safe environments for neighborhood youth, and offers leadership and skill-building activities like after-school tutoring, sports, games, and life-skills classes for kids aged six to 18. Since reopening in late 2006 after a major renovation, the club operates at capacity and, on average, reaches 100 to 150 kids each day—a small number, considering that in 2000, there were 6,700 residents under age 18 in the neighborhood.⁸⁸ There are few other social and recreational facilities—for example, libraries, malls, movie theaters, and swimming pools—in the neighborhood, and local jobs where youth could gain preparedness skills for participating as adults in the workforce are limited or nonexistent.

Ultimately, these conditions contribute to the barriers faced by neighborhood youth and adults seeking employment. “It’s not necessarily a shortage of jobs feeding high unemployment in the neighborhood,” said one community leader. “It’s a lack of skills—basic reading and math, as well as softer skills like showing up on time.”⁸⁹ In interviews, stakeholders emphasized that tackling issues related to both hard and soft skills development earlier rather than later was key to the longer term economic well-being of the neighborhood itself and breaking the cycle of intergenerational poverty. “The first rule of thumb is early intervention,” one community leader said. “Kids drop out in high school, but we need to get to them in the fifth and sixth grade because it’s during those years that they start to lose interest in school. We need to think outside the box—find ways keep kids interested and help them find a path they can stick to and enjoy, and that ultimately leads to a job that pays well.”⁹⁰

ORGANIZATIONAL CAPACITY

“[I]f Bill Gates wanted to give \$1 billion to the neighborhood, could we use it?” asked one community advocate. “Do we have a vision as far as how we’d use it for comprehensive development? Do we have an action plan?”⁹¹ This quote is indicative of an overarching challenge in West Fresno. Tackling the complex set of issues that have contributed to neighborhood poverty will require the engaged and coordinated efforts of public, private and nonprofit sector actors at the local, city, regional, and state levels. However, nearly all community leaders interviewed for this report indicated that there is a real lack of capacity to address any of West Fresno’s issues, let alone to craft a strategic plan that would coordinate efforts across agencies.

This is a particular problem given larger trends in the community development industry. Over the past 25 years, the planning and implementation of community development and housing programs have shifted from a centralized management system to one where most activities are carried out by local players. In other words, local governments and nonprofits have increasingly been tasked with addressing challenges associated with concentrated poverty. This devolution of authority offers some benefits, as it allows localities to be flexible and responsive to their own needs. However, the success of this type of arrangement depends in large part on local organizational strength, and as such, can disadvantage areas like West Fresno that do not have a well-resourced, long-lived, or exten-

sive community development infrastructure in place.

While West Fresno does have a CDC that serves the neighborhood, it was formed less than 10 years ago. A few other community centers, advocacy groups and faith-based organizations serve the neighborhood, but by and large, these organizations operate at a very small scale. In addition, city agencies—the planning department, the economic development department—have not devoted particular attention or resources to West Fresno. It is only in the past few years, for instance, that efforts have begun to draft a new specific plan for the neighborhood that would update the 1977 community plan quoted at the opening of this report. Similarly, business and corporate sector representatives in the city have only recently started to see poverty-related issues as having a relationship to the overall economic health of the city and the region. On the whole, interviewees noted that there has been a long-standing disconnect between local practitioners and policymakers working on community and economic development.

Fragmented leadership and limited political will to work on changing the status quo certainly play a role here. Interviewees also noted that existing resources are not always effectively spent, are not easily aligned and that follow-through—even on good ideas—is often lacking.⁹² The funding issue is significant—both for city agencies and local-serving nonprofits. Community Development Block Grant (CDBG) dollars are a particularly contested source of funding. In many communities, CDBG funds are distributed to a variety of local nonprofits for program activities—e.g., employment training and literacy programs, youth and senior services, or commercial corridor enhancements. In Fresno, though, only a small fraction of CDBG dollars have been granted over the past decade to nonprofit agencies. Rather, a significant amount of funding has been allocated to the police department and other city agencies for crime suppression, code enforcement and infrastructure improvements.⁹³ While representatives of nonprofit organizations agreed that these services are important to high-poverty areas, they expressed frustration that CDBG funds were being primarily directed in these ways.⁹⁴

In many ways, the insufficient funding received by local nonprofits is reinforced by gaps in organizational capacity. “Nonprofits here can’t compete with [San Francisco] Bay Area organizations on funding proposals,” one community advocate said. “The writing is not as sophisticated and the applications aren’t as strong.”⁹⁵ Another community leader said, “Fresno lacks visibility. We’re subsumed under

L.A. and the Bay Area and, along with the rest of the Valley, are left out of consideration for philanthropic funds as well as state and federal dollars. It's hard to change concentrated poverty with limited resources."⁹⁶ Indeed, a study of philanthropic activity in the Valley, for instance, showed that while there has been some improvement since the mid-1990s, the region received just over \$17 per capita in grant dollars in 2002, compared with \$47 statewide.⁹⁷ Not only is funding low, though; another challenge arises from the fact that the streams of funding that are received are often not consistent. "Grant-funded programs happen in fits and starts by their nature, which is part of the problem," said another community advocate. "It means that we've ended up with siloed, uncoordinated programs that end when the funding ends."⁹⁸

Taken together, these comments are indicative of a negative feedback loop, wherein limited capacity keeps local nonprofits from securing long-term streams of funding that would allow them to build staff skill levels and implement sustainable and transformative programs. "There is wonderful leadership at many places," said one community advocate.

"But organizations here often don't have the dollars to bring in a deputy or an administrative person to help do all the things that need to get done, so they never get an opportunity to plan long-term."⁹⁹ In other words, within many nonprofits, important areas that might contribute to organizational growth and sustainability are neglected: board recruitment and development, continuity and stability of staffing patterns, collaboration among groups, as well as data collection and analysis—not just for reporting to funders, but for evaluating and strengthening programs and targeting resources internally. These issues are tied to the shortcomings among nonprofits and community builders noted by interviewees, including gaps in technical skills and the need for resources devoted to strategic planning as well as for sophisticated financial management and budgeting.¹⁰⁰ "There are all sorts of examples of well-intentioned groups that are good at delivering services on a day-to-day basis," she continued. "But to take it to the next level we need to help build their organizational capacity—build an ongoing training and mentoring program for local nonprofits. The problem is that nobody wants to fund that."¹⁰¹

Community Capacity

There are many different capacities that need to be built in the neighborhood; not only do in-office skills need to be enhanced, but also skills that would improve outreach by community-serving agencies to neighborhood residents. "The neighborhood population is transient, and there are language and cultural barriers between neighborhood residents, which makes it hard to reach everyone," said a neighborhood service provider.¹⁰² A number of interviewees noted that the diversity—both in terms of population and needs—within the community creates several challenges. The diversity of needs means that low resources must be spread across a wide range of programs and issue areas. But the lack of community cohesion, as well as fears that are associated with immigrant status, fuel other kinds of problems. "Neighborhood residents just don't trust anyone, and they certainly don't want to be affiliated with anything connected to government," said another service provider.¹⁰³ These issues have widespread consequences, creating difficulties in community organizing efforts, diminishing the use of community centers and limiting participation in parent-teacher associations and police-sponsored neighborhood watch groups. In other words, the uptake of whatever services are available is limited to some extent by the delivery channels. There is thus a need to achieve a new level of "cultural competency" in the work conducted in the neighborhood. In addition, community organizing efforts must be strengthened as a means to empower and build trust among residents. "When I was growing up in West Fresno, our parents were community volunteers. That mindset has changed for whatever reason," said one advocate. "We need to think more creatively about how we engage parents, gather up the community and strengthen the power base."¹⁰⁴

CONCLUSION

Many community leaders spoke optimistically about Fresno's future, saying that despite its challenges, leaders and community workers are activated toward positively addressing community and economic development issues.¹⁰⁵ "Essentially what's happening is that people are starting to go after the major systems—schools, human services, criminal justice—and really trying to transition them from being disabling to empowering, all for the sake of improving neighborhoods of concentrated poverty," said one civic leader.¹⁰⁶ A couple of efforts that are broad in scope but targeted to high-poverty geographies are gaining momentum. One, the Human Investment Initiative (HII), is being spearheaded by the Fresno Business Council and is targeting the education, justice, health and social service systems in order to improve both prevention and intervention services at the neighborhood level. Another set of transformations will be prompted by the California Endowment, which has recently selected Fresno as one of its "Building Healthy Communities" sites. This long-term, place-based initiative will support programs and policies that enhance health systems and the physical, social, and economic structures within a geographic area in Fresno that includes the Westside. There are also many capable and dedicated community leaders and advocates in Fresno who are working diligently within their own organizations for the betterment of the community.

But there is much work to be done. The data collected for this report point to a number of areas that merit increased attention and strategic action. The need to strengthen capacity to achieve systemic transformation is of utmost importance. Many sectors will need to be part of the process of forging and implementing solutions to any of the challenges facing West Fresno, and therefore skills must be developed and enhanced among community residents, neighborhood advocates, nonprofit agencies, business leaders, and government agency representatives. Evaluations of various comprehensive community initiatives that have been implemented across the nation indicate that long-term success is particularly contingent on building both resident leadership skills and capacity within community-based organizations. While more difficult to measure and evaluate than physical improvements or changes in service provision—e.g., new housing, businesses, health clinics, or public safety measures—and therefore more difficult to fund, improvements in capacity can yield significant benefits. Community

organizing, resident empowerment, and skill building within organizations can contribute to enhanced political power as well as improved community cohesion and restoration of community pride and hope for the future. Of critical significance is that capacity building can enhance the sustainability of programs, as it engages those most invested in outcomes and builds the internal resources that will stay in place if and when external resources diminish.¹⁰⁷

Collaboration must also be improved among stakeholders. Community transformation is an extraordinarily difficult and complex task requiring the active and coordinated engagement of many players. Private, public and nonprofit sector agents from local, city, regional, and state agencies will all need to be at the table with dedicated resources committed to both enlivening West Fresno and reconnecting it to the city and regional economy. Interviewees suggested that while various agencies in Fresno are starting to work collaboratively, there is some friction—owed to conflicting goals, territoriality, perceived competition, or simple misunderstanding—between local groups. Regularly scheduled cross-sector convenings could be a productive step in building trust among agencies and organizations working toward similar goals, and could serve as a platform for developing new partnerships and sharing workloads. Many stakeholders spoke of the need to "align resources"—in essence, making a call for improved coordination of service delivery across a number of agencies and across issue areas. Moving forward, this kind of coordination will necessitate flexibility within agencies. It will also require creating mutually agreed-upon decision making mechanisms. If it is determined that agency-specific policy issues or funding streams are serving to inhibit cross-sector collaboration, new measures should be pursued to both prioritize and incentivize partnerships.

Action must also be taken to ensure that residents of disadvantaged and underserved neighborhoods like West Fresno are included in any vision for economic recovery and expansion in the region. To this end, educational opportunities—both for youth and adults—must be enhanced in West Fresno and other high poverty areas. This means determining how to restructure and support educational and afterschool programs so that they better meet the needs of students and help them gain the skills and knowledge they'll need to succeed as adults. A number of different types of experiments in school reform are taking place in underperforming school districts across the nation, some of which are showing promising results. These programs include boosting availability of early childhood education,

decreasing classroom or even total school size, augmenting training for principals, and establishing a range of public charter schools. Certainly, the growing body of research indicating that investments in early childhood education can yield significantly positive returns—both for individuals and for society at large—should inform any school reform effort in West Fresno. Increased availability of high-quality early education programs that aim to better prepare students for schooling may be particularly important for the many children growing up in West Fresno households where the primary language spoken is not English or whose parents have limited educational attainment.

Efforts must also be made to improve economic opportunity for adults in the neighborhood who face barriers to employment—those with limited English proficiency, with limited educational attainment, and ex-offenders, to name a few. A comprehensive approach to workforce training for adults—one that addresses gaps in both soft and hard skills, that focuses on upskilling the large and growing Latino population, and that connects trainees to work opportunities in well-paying industries—will be needed. There is evidence that workforce programs that integrate some or all of these aspects are producing positive impacts. For instance, a number of programs around the nation are successfully integrating both targeted vocational training and language skills training for immigrant job-seekers. In Chicago, the Instituto del Progreso Latino provides both basic English as a Second Language (ESL) classes as well as vocation-specific ESL (VESL) classes to prepare workers to participate in bilingual courses in advanced manufacturing, and then places trained workers in area firms. The Instituto also offers classes that help transition limited English-proficient students into Licensed Practical Nursing positions. In Milwaukee, the Spanish Track Project offers skills training in Spanish for industrial maintenance and computer-based mechanics jobs, paired with VESL classes to help workers succeed on the job. The program, though small in scale, has a 91 percent placement and retention rate for those who complete the

16-19 week course. Many of these types of programs also offer ancillary supportive services, such as childcare and assistance with transportation, to ease participation.

There will also need to be effective ways to measure change in West Fresno and in other high poverty areas in the city. Significant transformations will likely take place over the next decade in the city—through the HII, the work of the California Endowment, and other efforts that might be generated by the Mayor's office—and some concern was voiced by interviewees about being able to demonstrate the improvements that will stem from the investments that will be made. Engaging faculty and students of local universities in an ongoing data collection and synthesis project—one that tracks not only quantitative information but qualitative data as well—is one avenue to enable analysis of progress. An example of this type of project is NEO CANDO—the Northeast Ohio Community and Neighborhood Data for Organizing—out of the Center on Urban Poverty and Community Development, a research institute housed at Case Western Reserve University's Mandel School of Applied Social Sciences. It is a free and publicly accessible social and economic data system that compiles data from a variety of sources, and allows users to access that data for the entire 17 county Northeast Ohio region, or for specific neighborhoods within that region. This kind of system is invaluable for practitioners, public agencies, business leaders, researchers and others seeking to track community and economic development indicators and target resources appropriately.

The types of approaches to community and economic development outlined above do not suggest a silver bullet; rather, they are geared toward improving the ability of residents, advocates, service providers, policymakers, and funders to both respond to opportunity and be resilient and resourceful in the face of crisis. Ultimately, resources directed toward these and other similarly oriented efforts can help all stakeholders to be creative, nimble, and entrepreneurial in the ways and means in which they seek to tackle the host of interrelated challenges in West Fresno and beyond. ■

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EXHIBIT D

San Joaquin River Parkway and Conservation Trust

Short Term Transportation Plan



FINAL REPORT

June 2011



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Chapter 1. Introduction and Context

The San Joaquin River Parkway and Conservation Trust (SJRPT), founded 1988, is a non-profit land trust formed to preserve and restore San Joaquin River lands of ecological, scenic or historic significance; to research issues affecting the river; and to promote educational, recreational and agricultural uses of the river bottom which are consistent with protection of the river's resources. Establishing the San Joaquin River Parkway (Parkway) was central to the Trust's overall mission. The Parkway consists of public space along the river, straddling the Fresno/Madera County border between Highway 99 and Friant Dam. The Parkway currently includes over 4,000 acres of public land and six miles of multi-purpose trails.

The Trust's education programs have grown considerably over the past years. Approximately 10,000 children now come to the river each year for field trips or summer camp excursions. Even more children are expected to visit the River over the coming years now that the Fresno County Office of Education is offering its own field trip program.

The Parkway has a number of areas which are currently open for public use including trail segments (walking/hiking/horse and bicycles), picnic sites, fishing holes and of course the river itself (canoeing and kayaking). Unfortunately many of these areas cannot be accessed without a private vehicle, and this limits who can use the Parkway and its facilities. The closest public transit connection to the Parkway is FAX's Route 30 which stops near the Lewis S. Eaton Trail adjacent to Woodward Park. There is no public transit service to the River Center on Old Friant Rd. Lastly, bicycle access to the parkway is also quite limited due to poor or missing connections with the regional trail system.

In 2010 The Trust received a grant to increase civic engagement on issues surrounding the San Joaquin River Parkway. A portion of this grant was set aside to fund this Short Term Transportation Plan, which identifies opportunities for improving public transit, bicycle and general access to the Parkway for residents and visitors.

Context

The Parkway serves as an important asset for local residents and regional visitors. It offers a variety of recreational activities such as canoeing, kayaking, fishing, picnicking, outdoor exploration, and bicycling. Approximately 10,000 children come to visit the river for field trips or summer camp excursions on an annual basis.

In order to safeguard its current success, and support efforts to increase visitor usage, the Parkway needs to develop a transportation program that: 1) improves access for users and 2) organizes internal circulation in an easy to navigate manner. To that end, this plan has two primary areas of focus:

1. Improve access for all groups to the River and Parkway facilities (Both on their way to the Parkway and once they arrive)
2. Improve organization of transportation movements within the Parkway itself (when appropriate)

These two focus areas will help guide development of recommendations that can be implemented during the five year planning horizon. Some longer-term recommendations will also be provided that may offer the Trust items to consider beyond the next five years.

Figure 1-1 View of River from Spano Park Overlook



Chapter 2. Existing Conditions and Projected Transportation Needs

This chapter outlines the Parkway's existing conditions and includes:

- A summary of existing planning documents and their transportation goals and objectives
- The consulting team's site assessment
- Results of an online survey
- Stakeholder interviews

The chapter concludes with an overview of opportunities and constraints.

Income Levels and Transportation Access

Figure 2-1 and 2-2 display maps showing median household income and existing transportation connections to the Parkway. These will help frame the discussion of transportation access issues covered later in this chapter.

Income levels are important in this study because they directly influence the concept known as the Parkway's "walk shed." A walk shed refers to the area in which people can comfortably walk to an attraction. It assumes that the terrain is essentially flat, walking paths are fairly direct or straight and the street environment is, for the most part, pedestrian friendly. It assumes that the average person can/will walk about 15 to 20 minutes to reach an attraction. This works out roughly to a distance of 1 mile.

There is little to no development within 1 mile of the parkway on the northern (Madera County) side of the river and thus the concept of a walk shed is moot. On the south side of the river (Fresno) the walk shed might logically extend down to Herndon Avenue.

As of 2009, the average median household income for the City of Fresno was \$44,773.¹ The northern portion of Fresno along the banks of the San Joaquin River tend to be of higher income (greater than \$60,000 annually), particularly those areas that fall between the Riverbottom Park area and Fruit Avenue. Higher incomes are also found adjacent to the San Joaquin River Parkway along Friant Road (near the Eaton Trail).

What this household income information is telling us is that tells us is that Parkway's walk shed consists primarily of upper income households. There are a few lower income census tracts within a half mile of Blackstone on the Northside of Herndon but that's about it. South of Herndon there are more low income tracts, especially south of Bullard into the central, southern and eastern portions of the city. Unfortunately all of these areas are outside of the walk shed and almost all of them are outside a reasonable bicycle ride distance to the parkway. That means that the low income areas can probably only access the parkway via public transit or private auto. As noted in Figure 2-2, public transit access to the Parkway is very limited.

¹ 2009 American Community Survey Estimates

Existing Parkway Literature and Planning Documents

Several existing documents outline the plans and goals for the Parkway. This section will briefly describe these documents and their relevance to this Short Term Transportation Plan. These documents include the following:

- Cottonwood Creek Corridor Conservation Area Plan (2010)
- Crossing the San Joaquin River (2009)
- Jensen River Ranch Public Access Concept (2000)
- Lost Lake Park Master Plan (2009)
- River West Open Space Area Project Description (2005)
- San Joaquin River Parkway Master Plan (2000)

In addition to these Parkway specific plans, several other city and regional planning documents were reviewed because they relate to nearby context and Parkway access issues. These include:

- City of Fresno Bicycle, Pedestrian and Trails Master Plan (2010)
- FAX Short Range Transit Plan 2010-2014 (2009)
- Fresno County Regional Transportation Plan (2007)
- Fresno County Measure C Expenditure Plan
- Madera County Regional Bicycle Transportation Plan (2004)

Cottonwood Creek Corridor Conservation Area Plan

The Cottonwood Creek Corridor Conservation Area Plan was prepared by The Trust in late 2010. This document outlines goals for protecting the area, tools to complete that protection and additional recommendations for parties involved in protecting the corridor in the future. While the land is vastly uninhabited now, development pressure exists on the horizon. However, the document itself does not provide any additional information that will directly influence this Short Term Transportation Plan.

Crossing the San Joaquin River

This plan provides details of a new river crossing (at the Eaton Trail) initially outlined in the San Joaquin River Parkway Master Plan. The intent of this bicycle pedestrian bridge would be to provide safe, non-motorized access to the Parkway from both Madera and Fresno counties. Under present conditions, pedestrians and bicyclists coming from Madera County must cross the Old Highway 41 Bridge with vehicular traffic. The new bridge would be located in the River West Open Space Area just to the west of Highway 41. It would have a cantilevered suspension design that would span approximately 440 feet. It would include a 16 foot minimum trail width that would expand to 20 feet to enable viewing over its main span. It would also be fully ADA accessible. At the present time there is no construction timeline. The construction of the bridge is contingent upon completion of the trail in the River West Open Space on both the Fresno County and Madera County sides of the River.

Jensen River Ranch Public Access Concept

The Jensen River Ranch Public Access Concept Plan addresses the need to maximize public access to the Jensen River Ranch (adjacent to Woodward Park) while also ensuring consistency with the Parkway Master Plan. The plan notes that parking for the Jensen River Ranch would occur at the existing parking facilities at Woodward Park and that users would also access the facility via the Eaton Trail. The final circulation plans for the Ranch show a setting that would be similar to what exists today with the exception that trails would extend north of the existing channel and that the Tom MacMichael Sr. Loop trail would be completed and paved. The Ranch would also include appropriate signage that would provide “share the trail” messages and other use restrictions.

Lost Lake Park Master Plan

The project team was able to review an illustrative plan of the Lost Lake Park Master Plan which displays planned land uses for the park area. With respect to transportation, there does not appear to be any major circulation changes. However, the plan does show some additional paved parking lots and walking/hiking trails. It is not clear if bicyclists will be able to use these denoted trails. Canoe/Kayak river access will be made available at three new locations.

River West Open Space Area Project Description

The River West Open Space Area Project Description builds upon the Parkway Master Plan and provides further detail in the River West Open Space area which is just to the west of Highway 41 (the proposed bicycle/pedestrian bridge would also be part of this planning area). Key components to this document include its vision for providing initial public access for recreational uses and an initial plan to extend the Eaton Trail westward from Woodward Park. The Project Description notes that public access improvements would be limited to vehicular access and staging areas, the extension of the Eaton Trail from Woodward Park and internal trails to allow for hiking, bicycling and equestrian uses. As part of the Plan, it was noted that three access points are currently available (one in Madera County and two in Fresno County). At each of these access points, formal parking would be provided that could accommodate vehicles and equestrian trailers. However, it is unclear if these parking areas would be constructed due to neighborhood concerns. Bicycle parking racks would be provided at each of these parking areas. Additional bicycle and pedestrian access would be possible at the West Riverside Drive entrance and from a stairway that would lead to/from the Spano Park overlook.

San Joaquin River Parkway Master Plan

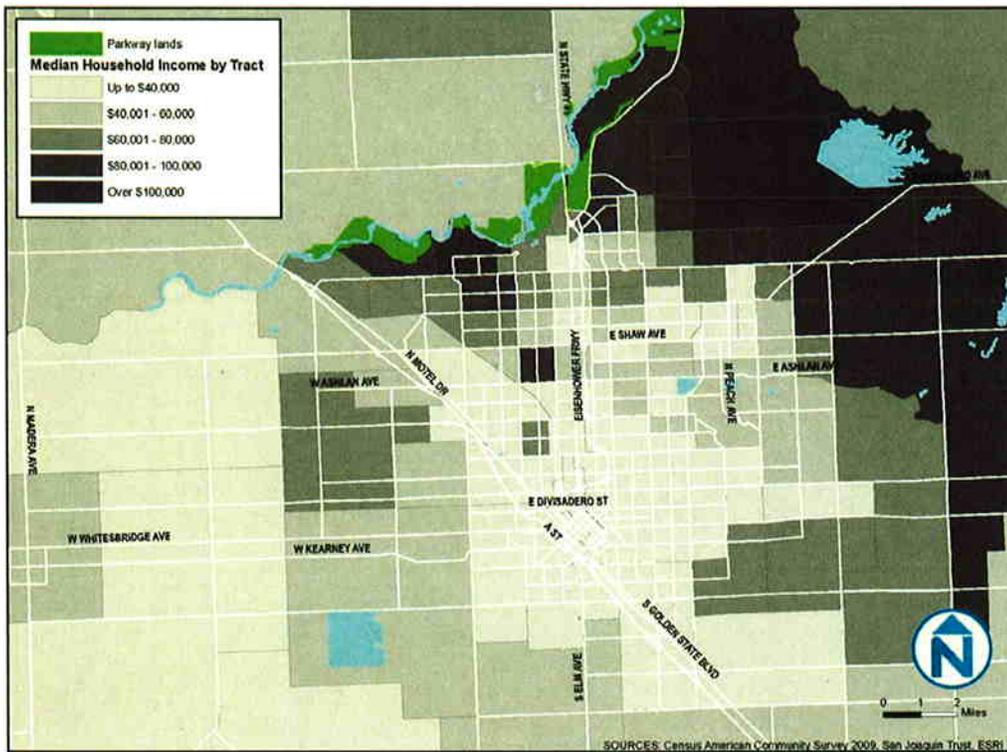
The San Joaquin River Parkway Master Plan (Parkway Master Plan) was adopted in July of 2000. It includes the goals, objectives and policies for the San Joaquin River Parkway and serves as a policy document to guide decisions by local government agencies and the public. With regard to transportation, the Recreational Elements section provides the most pertinent information. The following paraphrased list provides a summary of these objectives:

- *Objective R-03:* Recreational areas and natural reserves between Highway 99 and Friant Dam should be linked with a continuous, multipurpose trail. This trail should also be linked with other portions of the local and regional trail network (including bikeways).
- *Policy RP-11:* Sign standards should be uniform throughout the River Parkway

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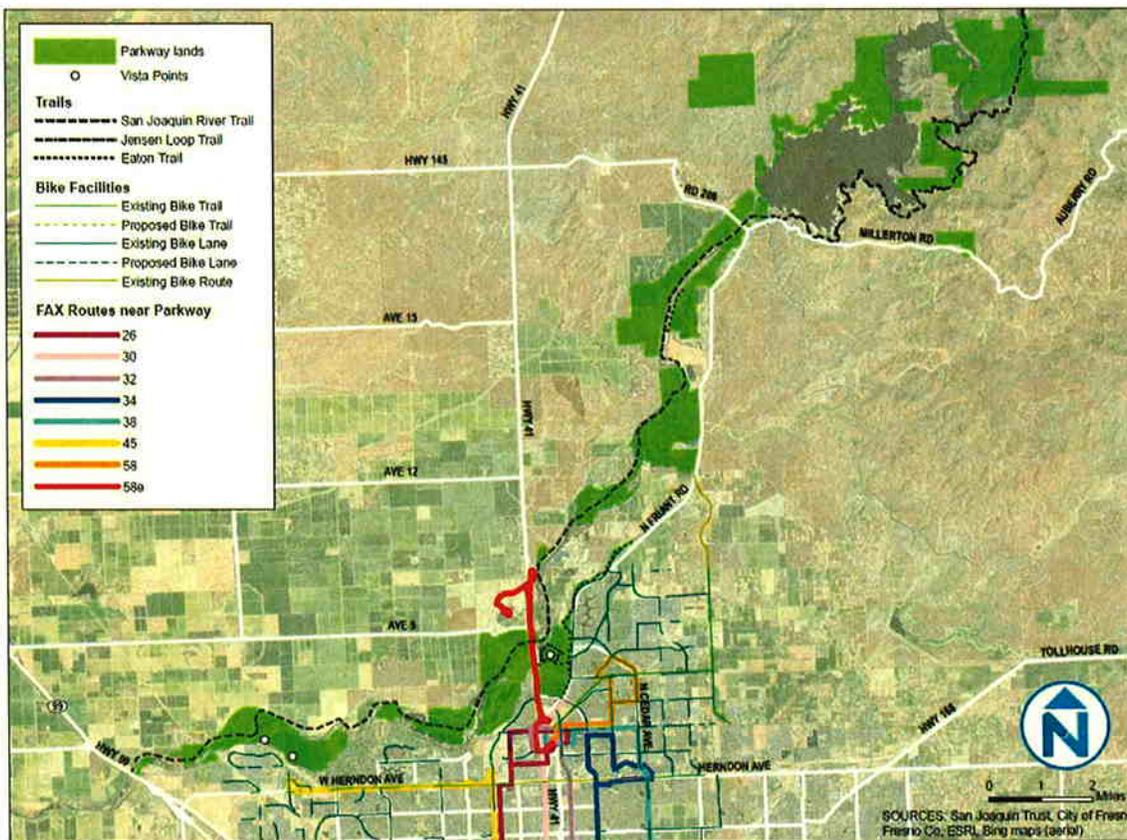
- *Policy RPT-2:* Parkway visitation should be regulated to certain areas to ensure acceptable levels of service on particular corridors (Friant Road and Herndon Avenue) to prevent excessive traffic congestion
- *Policy RTP-3:* At the time of expansion and development of the Wildwood Site and Woodward Park, measures should be provided to enable efficient access to SR 41 and SR 99 to reduce strain on Friant Road and Herndon Avenue
- *Policy RPP-1:* Sufficient on-site parking will be provided to meet the usage levels during peak periods
- *Policy RPC-4:* Alternative transportation access should be promoted by developing a Parkway Access Program that includes a regional transit access map that illustrates links to recreational and educational facilities. This should be done in coordination with local transit providers to facilitate Parkway access.
- *Policy RTPP-2:* Participate in and promote planning efforts by Fresno Area Express (FAX) and other public transit operators in the region to serve the Parkway and to also promote and advertise available transit services and facilities among private and public event sponsors.
- *Policy RDP-2:* Provide adequate bicycle parking facilities at key “fixed” recreational and educational facilities.
- *Under Recreational Management:* The Parkway should consider their potential role for transportation as well as recreation and should provide feeder trail connections with both uses in mind.

Figure 2-1 Median Household Income City of Fresno and portions of Madera County²



² 2000 Census data extrapolated to 2009.

Figure 2-2 Transportation Access to the Parkway



City of Fresno Bicycle, Pedestrian and Trails Master Plan (2010)

The Bicycle, Pedestrian and Trails Master Plan (BPTMP) was completed in 2010 and provides guidance and design standards for bicycle facilities and amenities within the City of Fresno. The plan provides information about the existing bicycle network and its connectivity, or gaps, with the Parkway. Based on existing bicycle infrastructure, Class II bicycle facilities currently exist adjacent to the Parkway on portions of Friant Road, Cooper Avenue, Champlain Drive, Fort Washington Road and Audubon Drive. As part of the Master Plan, bicycle facility upgrades are planned for several of these corridors in addition to other access points along the Parkway. Additional information about bicycle connections can be found in Figure XX below.

FAX Short Range Transit Plan 2010-2014 (2009)

The FAX Short Range Transit Plan (SRTP) provides a glimpse of near-term actions and targets for Fresno Area Express (FAX) during the next five years. Of note, Route 30 that currently serves Woodward Park is among the top 5 performing routes in terms of passengers/hour and passengers/mile. Route 30 is one of several routes in the system that will be transitioning into a Bus Rapid Transit (BRT) service during the next 2 to 3 years. The route currently terminates near Woodward Park (a half mile walk from Jensen River Park). The new BRT route will likely terminate at River park Shopping Center or at the shopping center on Palm and Nees. Terminating at River Park will make access to the Parkway more difficult while terminating at Palm/Nees might make access to the parkway a bit easier.

Fresno County Regional Transportation Plan (2011)

The Fresno County Regional Transportation Plan (RTP) was developed to be a comprehensive assessment of all modes of transportation that serve Fresno County. This review covers the Needs Assessment and Action Element of the Plan. While a broad wealth of information is captured as part of the plan, only a handful of elements are relevant for this Short-Term Transportation Plan. One project of particular interest is the Fresno-Madera East-West Corridor Study that would extend Copper Avenue through the Parkway, across the San Joaquin River and into Madera County. This roadway, if implemented, would clearly have significant impacts on the Parkway.

Fresno County Measure C Expenditure Plan

In 2006, the voters of Fresno County approved an extension of the Measure C Program (originally approved by voters in 1986). This extension of this program is guided by the Measure C Expenditure plan that details how Measure C funds can be spent over the next twenty years (2007-2027). The expenditure plan was designed to include multiple modes of transportation and to fund programs that maintain and improve the quality of life in Fresno County. The Expenditure Plan provides funds for a variety of programs, but there are several that may benefit the San Joaquin River Parkway including Local Transportation Program (34.6% of funds), Street and Highway Transportation Program (30.4%), Administration and Planning (1.5%).

Madera County Regional Bicycle Transportation Plan (2004)

While the Madera side of the San Joaquin River is still predominately rural, there remain ample opportunities for improved bicycle facilities on the flat roads that could be very attractive for recreational cyclists. According to the Master Plan, Avenue 9, just to the north of the San Joaquin River is slated for Class 2 bicycle facilities (bicycle lanes) between Highway 41 and Highway 99. In addition, the plan makes note of future potential development areas including

Gunner Ranch West and Rio Mesa. Both of these new potential development zones include improved bicycle facilities as part of their proposed development

Future Parkway Sites

There are several areas currently under public ownership which could be added to the Parkway in the coming years, depending upon funding and the public's willingness to turn over the land:

- River Vista (Madera County)
- River West and Spano Property (Madera and Fresno County)
- Jensen River Ranch Habitat Enhancement Phase Two
- Fish Hatchery Visitor Improvements
- Lost Lake Park Phase Two
- Eaton Trail Riverside Segment (westward towards end of property)
- Ball Ranch (Fresno County)

River Parkway Site Assessment

The following section outlines the consultant's initial site assessment of several developed facilities in the Parkway. Generally speaking, these facilities provide basic access and have been well maintained. The Eaton Trail, as an example, provides users a very pleasant experience through smooth pavement, trail-side amenities and safe, signalized pedestrian crossings. However, several access improvements could be made, and these are discussed in Chapter 4. The sites below are in spatial order starting from the Parkway's northeast corner, moving southward towards Fresno.

Friant Area / Friant Cove

The primary point of access to the San Joaquin River in Friant is at Friant Cove. This is the farthest upstream point for water access within the Parkway's boundaries (Wagner Ranch is not yet open to the public). The facility includes a parking lot with a paved sidewalk that provides accessible access to the River. At the time of the site visit (mid-day Thursday), the parking lot was nearly empty and there were no cyclists nearby and no bicycles parked in the racks.

From a cyclist's perspective, Friant Cove would serve as a good stopping point for the recreational ride along Friant Road Expressway up to the Friant Dam as it has public restrooms and water. Picnic tables are also available and are easily accessible.

Figure 2-3 Aerial Image of Friant Cove



Source: Google Images (2011)

The Friant Cove sign notes that it also serves as a Park and Ride facility, but it did not appear that it was being used for this purposes, nor is it clear if this facility is ever used in such a way. Pedestrian access to the facility is adequate given the low traffic volumes in the surrounding area and limited sidewalks. There are no formal sidewalks that provide pedestrian access to the facility nor are the pedestrian connections to Friant very appealing for general pedestrian traffic.

Lost Lake Park

Lost Lake Park, a few miles southwest of the dam, provides unrestricted access to the San Joaquin River for recreational activities such as birding, fishing, hiking, picnicking and biking. At the time of the site review there wasn't much activity at this location.

However, it was noted by several local residents that during the summer months, hundreds go to the Park during evenings and weekends. The park's internal road network has numerous paved and unpaved paths that provide vehicles access to the water's edge.

We have some concerns about the dirt paths. While they do provide good access to all corners of the park, it is unclear if during times of high usage, they increase the chance for collisions with other vehicles and pedestrians as they are unmarked and unregulated. In addition, it is unclear during times of high usage if patrons understand exactly where they should park.

Most users probably come to Lost Lake via auto, and formal parking lots are available at the Park, but it would seem that individuals could also park in most places off the paved roadway which could lead to potential safety hazards (e.g. children running out from behind parked cars into traffic). However, without seeing the site during peak periods, it is challenging to fully understand the potential issues.

Figure 2-4 Lost Lake Park's Informal Road Network



Lewis S Eaton Trail

The Lewis S Eaton Trail connects Woodward Park and the Jensen River Ranch on its southwestern terminus to the River Center. At the Woodward Park terminus, one can also connect to public transportation via FAX Route 30. The Trail is a well maintained and a well sized mixed-use path for pedestrians, cyclists, and individuals on horseback. It makes two crossings of roadways; Old Friant Rd and Rice Rd. At these crossings, a bicycle/pedestrian bridge allows uninhibited movement while those on horseback are required to make an at-grade crossing.

The trail itself offers pleasant views of the River Valley and provides amenities such as educational signage and restrooms. However, the trail does not have any regulatory signage that may be seen on other mixed-use trails such as giving of right-of-way information, nor are there any wayfinding signage or mileage markers. During the time of review, there did not seem to be any user conflicts on the trail. However, in times of greater use, this may become more of an issue. Users of the trail appeared to either drive/park, bicycle or walk directly to the trail. Trail users could conceivably park anywhere along the trail's alignment (on surface streets other than

Friant Rd), however, parking seemed to be concentrated on several key locations including the following:

- River Center (gates close at 3PM)
- Intersection of Old Friant Rd and Friant Rd (informal gravel lot)
- East Champlain Dr (next to Holy Spirit Church/School)
- River View Shopping Center Parking Lot (Parking is intended to be for retail patrons but clearly some individuals accessing the trail are parking here and walking across the street to the trail)
- Woodward Park Parking Lots (\$5.00 day fee)
- East Perrin Road (at Lewis S Eaton Trail Gate)

It is unclear during periods of high use which of these parking facilities sees the most usage. Among all of these parking locations, none of them (except perhaps River Center) was clearly defined for Parkway users. The small gravel parking area at Old Friant Rd and Friant Rd posed potential safety hazards as the parking lot is situated at a blind curve where numerous heavy trucks travel. It is not clear if individuals wishing to use the Parkway avoid Woodward Park parking lots due to the cost of parking. Parking at East Perrin Road consisted of any available space on the road as it dead ended into the trailhead gate.

Crossings onto the Trail for pedestrians and bicycles appeared to be well designed with appropriate treatments such as pedestrian countdown signals and marked crosswalks. All major crossings were also signalized, allowing for safe crossings of high-speed Friant Rd. One exception was at Old Friant Road and Friant Road where it could be seen that pedestrians were making the crossing at the T-intersection (the signalized intersection is slightly to the north at East Copper Avenue). At both the crossings at Old Friant Rd. and Rice Rd, individuals on horseback are directed to an at-grade crossing. At Old Friant Rd the placement of the horseback crossing is precarious due to the blind curve of Old Friant Rd and the potentially fast moving right turn traffic coming off of Friant Rd.

Figure 2-5 Junction of Old Friant Road and Friant Road (Photo A)



Source: Google Images (2011)

Figure 2-6 Junction of Old Friant Road and Friant Road (Photo B)



Figure 2-7 Jensen River Ranch Trails



Jensen River Ranch

The Jensen River Ranch is adjacent to Woodward Park and offers unimproved hiking trails with direct access to the river. Trust staff noted that most individuals access the River Ranch without realizing they've left Woodward Park. Users can access the River Ranch by parking at the East Perrin Road gate or by walking through Woodward Park.

Since there are no direct access issues for River Ranch, it was not reviewed in detail as part of the site visit.

Spano Park

Near the northern end of Palm Ave at Spano Park, there is a small access road (deemed Gravel Haul Rd) that provides direct access to the River. Portions of this area are part of the Parkway but are currently unmanaged. According to the Trust this land is owned by several different parties. This has led to differences in opinion over responsibilities and the need to provide increased regulation. Presently, individuals that use Gravel Haul Road have access to various off-road trails and some use the location as a boat ramp.

Figure 2-8 Below Spano Park at River Haul Road



Riverbottom Park \ Eaton Trail Segment

At the corner of Santa Fe Ave and Bluff Ave in a residential neighborhood, there is a small access road which leads down to the River where there are some informal trails and even a short paved segment of the Eaton Trail. It was observed that individuals park on-street and walk through a pulled-back fence to access the River. Even though this area is marked as a park on the Parkway map, you wouldn't really know it when walking up to the fence. It looks more like private property. There's no signage on the street to indicate the area is open to the public and once through the fence, there are no signs to indicate how to access the existing paved trail.

The paved trail runs along the River until it reaches the back of the Riverside Municipal Golf Course Clubhouse. It is unclear if individuals wishing to use the trail can park at the golf course.

Figure 2-9 Access to Riverbottom Park at Eaton Trail Segment



Other Points of Access

There are several small recreation areas on the north side of the San Joaquin River.

Wildwood Nature Park

Located just north of the San Joaquin River on Old Highway 41 is Wildwood Nature Park. This is a small recreational area with a dedicated parking lot that provides access to the river and activities such as birding and hiking. The Park is accessed via an access road for Cobb's Tree Farm. It is challenging to locate without explicit directions from the Parkway Visitor's Guide (see Appendix D).

Sycamore Island Ranch

Sycamore Island Ranch is located well off of the main road and is primarily used for fishing and hiking. The facility is open seasonally and is accessed predominately by private vehicles. The Ranch has a day use fee. Finding the Ranch is somewhat challenging as specific directions are not provided on the Visitor's Guide and only a small sign exists off the main road to direct users to the Ranch.

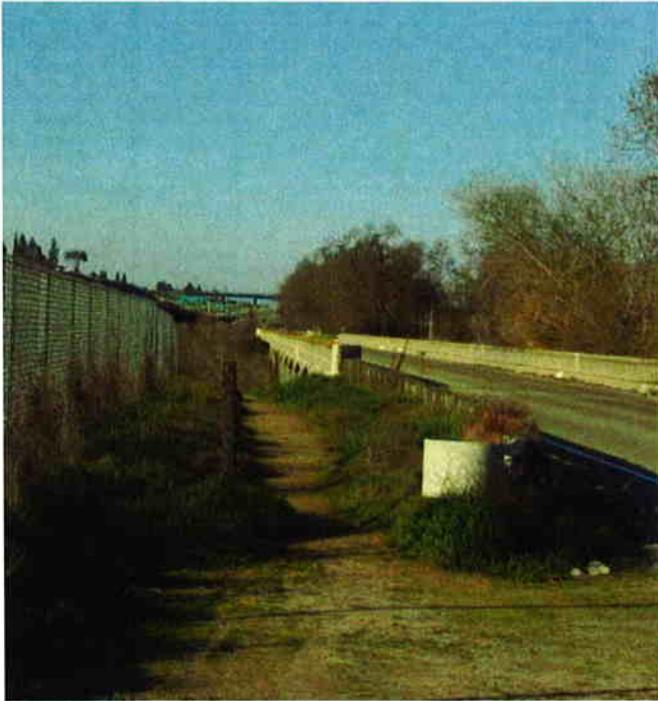
Figure 2-10 Sycamore Island Ranch



Old Highway 41

Along Old Highway 41 (just to the east of present-day Highway 41) there is a small access point where individuals can follow an unmarked trail leading down to the River. This access point is not far from the East Perrin Road gate. Near this gate, parking is available along the roadside and at time of review, a couple of vehicles were parked in this area.

Figure 2-11 River Access from Old Highway 41



Public Outreach

The project team conducted an outreach program consisting of stakeholder interviews plus an online survey in order to better understand local issues and perceptions about access to the Parkway. Note - This outreach plan was not designed to provide a representative sample of users or the general population but was instead intended to simply capture as much input as possible at sample.

Stakeholder Interviews

Stakeholder interviews are an important part of any research process. In the case of the Parkway, a number of individuals spanning several different organizations were contacted to obtain personal and work-related accounts and concerns related to the Parkway. These interviews lasted between 15-45 minutes and covered basic questions regarding perceptions of Parkway access, existing transportation issues, and other items as appropriate. Recommendations for interview candidates were obtained from Trust staff and other stakeholders.

The following list reflects the individuals contacted to be part of the stakeholder interviews for the Short-Term Transportations Plan. Unfortunately, not all were available during the short outreach period.

- Bart Bohn, San Joaquin River Parkway and Conservation Trust Board Member
- Coke Hallowell, San Joaquin River Parkway and Conservation Trust Board Member
- George Folsom, San Joaquin River Parkway and Conservation Trust Board Member
- Karen Maroot, Tree Fresno
- Kearns and West, Communications consultants for other projects along the San Joaquin River
- Krista Tomlinson, Department of Fish and Game
- Maika Yang, Stone Soup Fresno
- Mark Keppler, Former Executive Director for the Coalition for Community Trails
- Mary Savala, San Joaquin River Parkway and Conservation Trust Board Member
- Matt Stewart, Fresno County Office of Education
- Melinda Marks, San Joaquin River Conservancy
- Richard Sloan, River Tree Volunteers
- Steve Fretz, Frequent river user

A qualitative summary of these comments and issues is provided below:

More access points are needed

Generally, all parties contacted noted that there is limited number of River access points for both general usage and boat launch, and that additional sites for public to access the River are needed. Appropriate signage and/or information also should be provided about any new river access locations.

Vehicles will continue to be the primary access mode

Like most other activity generators in the Fresno area, vehicles will continue to be the primary mode for accessing the parkway over the next few years. Many people commented that despite the high usage levels at Los Lake, few if any people would likely use a shuttle service if it was provided, primarily because people tend to bring lots of gear with them (bicycles, grills, baskets, etc) and it's difficult to bring these items on a bus.

Need to control improper activity

Some individuals noted that all-terrain vehicles (ATV) and off-road motorcycles are frequently seen along the Parkway. These types of vehicles are prohibited within the Park and stakeholders emphasized the need for further enforcement of the Parkway regulations. The river access area near the intersection of Palm and Needs was often cited as a location where improper activities were occurring in addition to problems related to littering and overcrowding from too many parked vehicles.

Information for accessing the Parkway should be improved

Many stakeholders noted that although maps of the Parkway and its facilities do exist, they do not provide adequate information about directions, parking, and boat launch facilities. It was noted that amongst river users (mostly kayakers), information is passed by word-of-mouth, especially about river "put-in and take-out points" which change throughout the year. It was noted that this type of information needs to be conveyed to the general public both online and in print form.

Online Survey

In addition to stakeholder interviews, an online survey was created as a means of collecting feedback for the Short-Term Transportation Plan. While the feedback from the survey does not present a statistically valid sample of Parkway users, it does illuminate a wide range of opinions and potential transportation suggestions that provide input for potential recommendations.

The online survey consisted of 13 questions asking about use of the Parkway, typical mode of access, demographic information and suggestions for improvements. A copy of the survey can be found in Appendix A of this report.

The survey link was distributed by email to a number of community and group email lists throughout Fresno.³ The list below includes some of the groups targeted in this effort.

- Trust's Twitter Followers and Facebook Page (approximately 750 individuals)
- Fresno community list servers (approximately 2,000 individuals)
- List servers at Fresno State University (approximately 400 individuals)
- Parkway volunteers and members (2,900 individuals)
- Fresno Bicycle Coalition Facebook Page

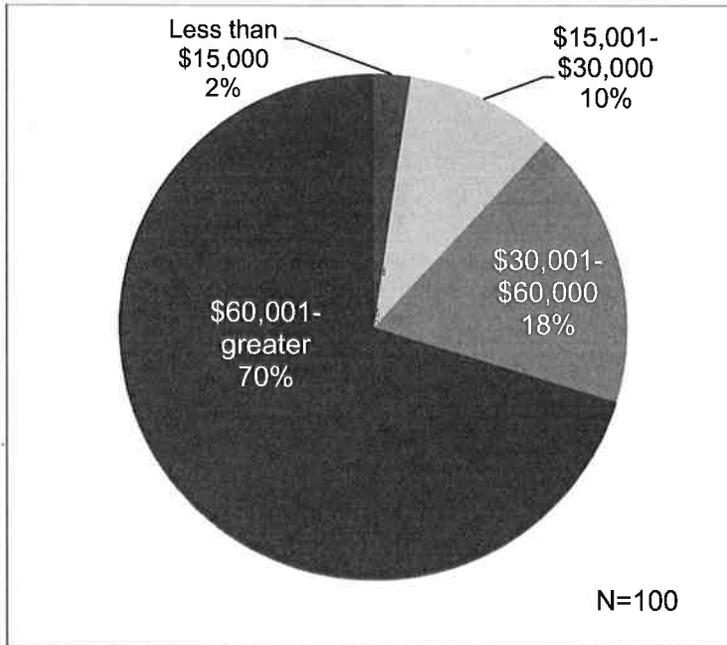
The online survey was available from February 3rd until mid-March. Approximately 100 responses were collected from a wide variety of users. Given the inherent high household income bias associated with on-line surveys, it wasn't surprising to see that a higher percentage of users

³ Lists were provided by Trust staff.

came from medium to high income households. During the analysis of results the consultant was clear to differentiate survey responses based on income group. Figure 2-12 below shows the distribution of the 100 survey respondents. The majority of respondents earned more than \$60,000 annually. As a note, the median household income in Fresno from the 2000 census was \$34,725. It should be noted that only two respondents said they had annual household incomes below \$15,000/year income group.

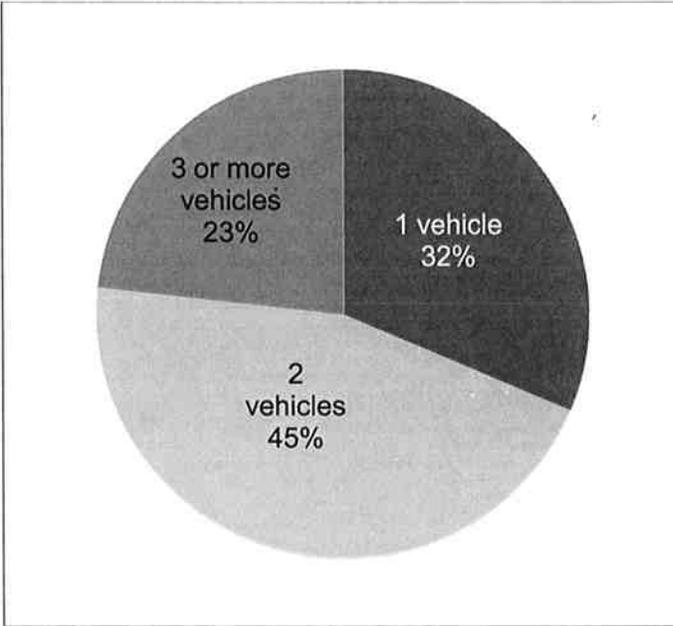
Only respondents who indicated they have used the Parkway within the past 12 months were included in the figures below.

Figure 2-12 Income distribution for online survey respondents



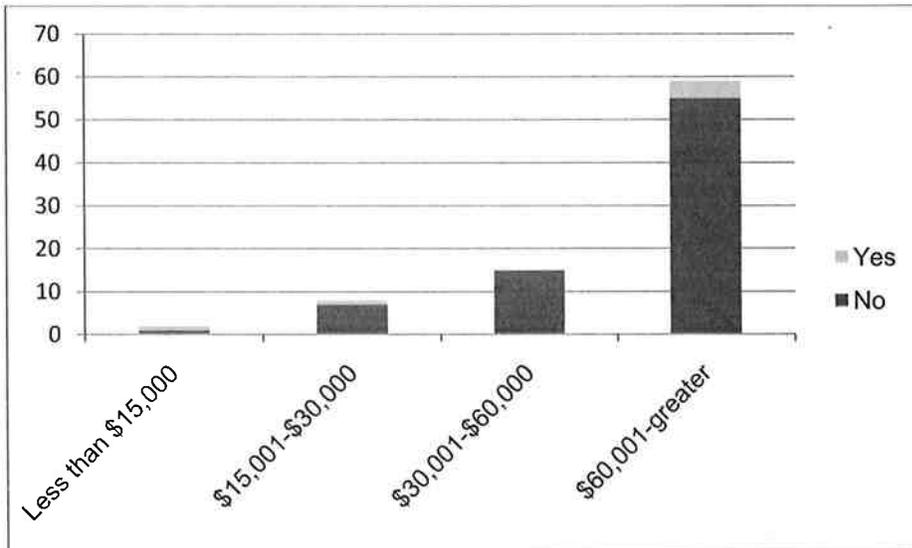
Respondents were then asked to provide information about vehicle access (which is a proxy for understanding individual mobility and transit-dependence). All respondents indicated they had access to at least one vehicle, with the majority having access to two or more vehicles.

Figure 2-13 Vehicle access among survey respondents



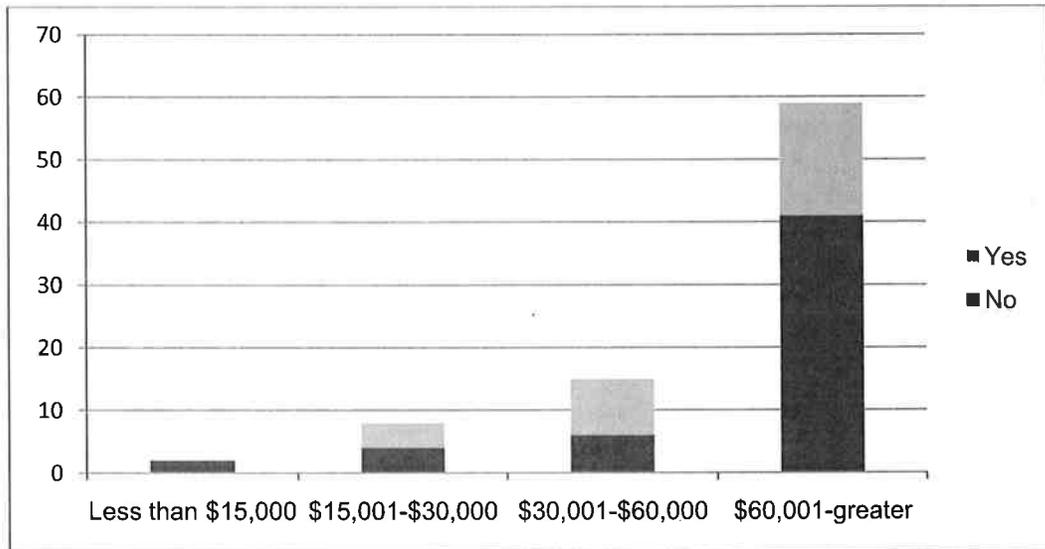
Respondents were asked about public transit accessibility. Currently, FAX Route 30 connects to the beginning of the Eaton Trail in Woodward Park. However, it was believed that many people were unaware of this connection and/or do not use this location as an access point to the Parkway. The results of this question are found in Figure 2-14.

Figure 2-14 Are you aware that FAX currently accesses the River Parkway Trail System?



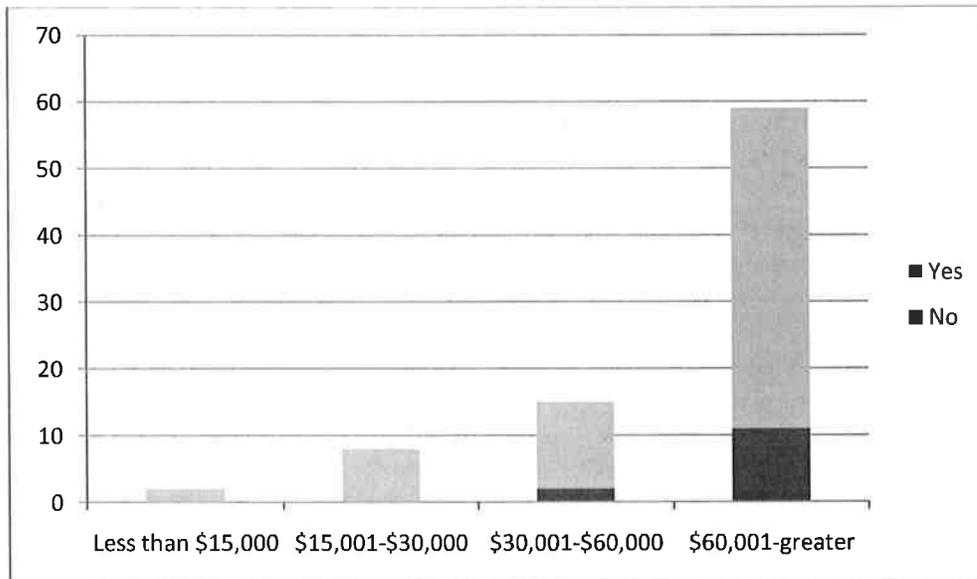
Respondents were asked if they would consider taking FAX or a shuttle bus to access the Parkway. The results were not completely conclusive with the majority of individuals with incomes over \$60,000 stating they would not consider taking transit to the Parkway, while other income groups were mixed.

Figure 2-15 Would you consider taking FAX or a shuttle bus to access the Parkway?



In another question, respondents were asked their opinion on whether or not they would consider bicycling or walking to access the parkway. Based on responses, an overwhelming majority stated they would (if it were within reasonable distance from their home or place of origin).

Figure 2-16 Would you consider bicycling or walking to access the Parkway?



The following section groups the qualitative feedback into themes/areas.

Improve Public Knowledge of Existing Access Points

Many respondents noted that information about existing access points is very limited. Upon arrival at the access points it is often unclear which land is public and which is private. This leads some to believe they're accessing the Parkway illegally. It was continually emphasized that improved published information and better signage would help improve access to the Parkway.

Expansion and Improvement of Vehicle Parking Facilities

Suggestions were made that parking facilities were not adequately provided for some areas of the Parkway and that some existing parking areas needed improvement. Respondents did comment that they understand the provision of parking balances a fine line between providing easy access with the desire to ensure ecological preservation and impacts.

Improve Bicycle Path Access and Bicycle Amenities

Some respondents noted the importance of ensuring safe bicycle access from other portions of the City. At this time, this likely means ensuring safe crossings from the various bicycle paths that intersect Friant Road and the Parkway. It likely also means continued advocacy for improved bicycle paths and other infrastructure (sensors at traffic signals specifically for bicycles) that enhance bicycle travel and convenience from various part of the City to the Eaton Trail. In addition, there were several suggestions that the Parkway should invest in additional bicycle racks at key destinations to provide secure bicycle parking. Another suggestion included working to improve connections between the Spano Vista Point (and potential for the extension of the Eaton Trail) and the Sugar Pine Trail that ends at Blackstone Ave. and Nees Ave.

Van/Shuttle Service from Community Centers/Schools/Churches during certain times of year

It was suggested that some type of van or shuttle service be implemented for weekends or on a seasonal basis. The purpose of this shuttle would be to bring families and/or community groups from low income areas to the Parkway.

Establish Bicycle Rental Program

The idea of a bicycle rental program was raised a few times by survey respondents. Bicycle rental would give individuals without a bicycle or those without a means to transport a bicycle an opportunity to more easily explore much of the Parkway and nearby recreational facilities.

The complete list of suggestions can be found in Appendix B of this report.

Projected Summary of Primary Transportation Needs

Using the data collected from the document review, site assessment, stakeholder interviews and on-line survey, the consultant developed a summary of the transportation needs that exist in the Parkway today and/or are likely to exist over the next several years. Based on a preliminary evaluation of all potential needs, the consultant believes that the following four should be evaluated in more detail due to their potential for success during the short term.

Improve Informational Signage, Wayfinding and Access Information

A common theme amongst all users is the challenge in just locating Parkway access points. For users arriving by private vehicle, a secondary challenge at some locations is finding parking that is both public and permissible. For facilities along the Eaton Trail, this is less of an issue since the trail is in clear site of Friant Road and several signalized crossings are provided for safe crossings. However, at other locations such as Sycamore Island Ranch, Riverbottom Park and the Eaton Trail Riverside segment, access points are often minimally marked and may not have any defining signage at all. In addition, much of the access information as of present (such as times of operation and parking) is not available online and is not presently clearly defined in the Parkway's Visitor's Guide (Appendix D).

Improve Vehicle and Bicycle Parking Facilities

High quality parking areas are either: a) not available in many locations or b) not consistently available. Parking facilities do not necessarily need to be paved (other permeable materials could be used to reduce run-off impacts), but they should provide the user with a consistently available location and relatively flat surface area, particularly if they need to be ADA compatible.

Bicycle parking/storage facilities could be increased throughout the Parkway with the anticipation that an extended trail network would induce additional demand for recreational and commuter bicyclists.

Shuttle Service and Bicycle Rental Program

If funds become available, the Trust should consider implementing a bicycle rental program and possibly a seasonal/weekend shuttle service.

Coordination with Adjacent City/County Organizations

As a means to ensure seamless transportation connections and coordinated wayfinding, future efforts should include outreach to appropriate city and county organizations to ensure mutual goals can be met in a collaborative manner.

Chapter 3. Peer Review

Peer reviews are an excellent way to collect information about what works or doesn't work in similar environments. Nelson\Nygaard conducted a peer review of regional park facilities thought to be similar in nature (either present or future) to the San Joaquin River Parkway. The peer facilities included in this review include:

- American River Parkway (Sacramento)
- Katy Trail State Park (Missouri)
- Tilden Regional Park (Berkeley)
- Muir Woods National Monument (Marin County, CA)
- Acadia National Park (Bar Harbor, ME)
- Tuolumne River Regional Park (Modesto)
- Santa Ana River Trail and Parkway (Southern CA)
- Guadalupe River Trail (San Jose)

American River Parkway (Sacramento)

The American River Parkway (ARP) near Sacramento is likely the park that is most similar in nature to the ultimate vision for the San Joaquin River Parkway.⁴ The American River Parkway is 23 miles long and runs along the American River from Folsom Lake on its eastern terminus to the Sacramento River and Sacramento on its western terminus. The Parkway encompasses a number of smaller parks and recreational facilities and provides access to nature centers, picnicking, boating, bicycling, hiking, golfing, bird watching, and fishing. The ARP has become a very popular bicycling destination for cyclists of all ranges and skills. Its unimpeded paved bicycle trails that stretch across the county provide both ample space for recreational cyclists and also a safe and pleasant cycling link between the various communities along the American River.

The American River Parkway has numerous access points. The majority are geared towards automobile access, especially parking facilities. In addition to vehicle access points, the Parkway has numerous pedestrian/bicycle-only access points which usually connect with lower volume streets, residential neighborhoods and other regional bicycle routes. These access points are clearly marked on the ARP map.

Public transit provides access to numerous parts of the ARP, but these intersecting routes are not explicitly marked on the ARP map, nor is the ARP listed as a destination on Sacramento Regional Transit's system map. It is unclear on how many people access the Parkway via public transportation links, but based on proximity to transit routes, it is certainly possible to use transit on the western portion of the Parkway that resides within Sacramento County.

Park entrance fees are collected on vehicles (fee varies depending on vehicle size). Individuals accessing the park by foot, on bicycle, or other non-motorized mode do not pay an entrance fee.

There are numerous elements of the 2008 American River Parkway Plan Public Access and Trails section that are relevant for the San Joaquin River Parkway and Conservation Trust. This

⁴ This isn't surprising as the SJRPCT has used the American River Parkway as a model.

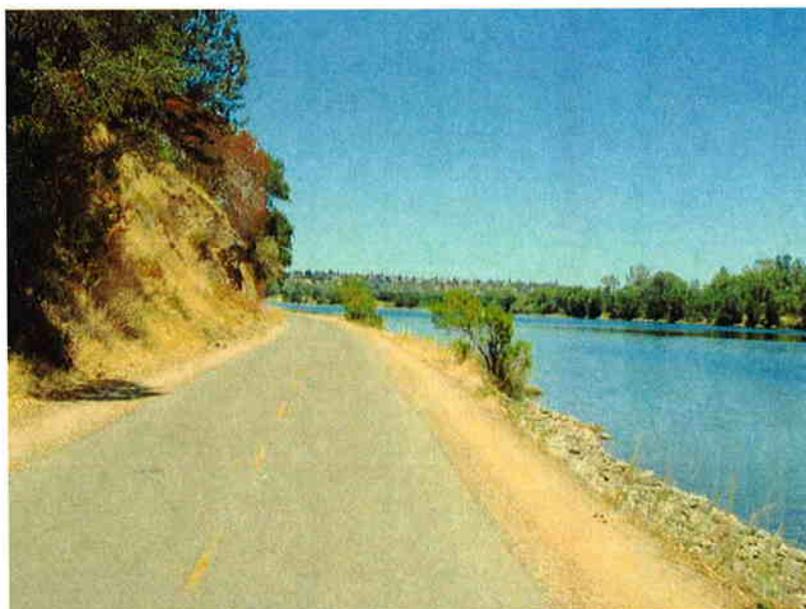
includes guidance on informational and directional signage that may aid individuals in finding their way to or through the facility, a summary of five types of access points (pedestrian, vehicular, etc.) and some of the support facilities associated with each. The report also mentions concern for bicycle commuters and integration of public transportation in Parkway planning. As of now, ARP wayfinding signage includes only internal wayfinding and mileage markers. However, it has been discussed in the future to add nearby transit and street connections to these wayfinding signs to improve external orientation.

One section outlined existing public transportation and shuttle services that currently operate in or near the Parkway. Currently, the only dedicated shuttle services that operate in the American River Parkway are those that serve raft rental customers (seasonal). While the ARP has no direct influence over these services, they continue to be promoted as a means of reducing demand on Parkway parking facilities. Public transportation access currently exists via bus routes that intersect the ARP, but no special considerations have been made for route alignment changes to better serve the Parkway. Future plans for a light rail project to connect Downtown Sacramento to the Airport include a crossing over the Parkway. In this situation, it was advised that while the light rail station should not be physically located within the ARP boundaries, it should be in close proximity and a bicycle and pedestrian path should provide a direct connection to the ARP facilities.

Sacramento County, like Fresno County, has sales tax funds that are dedicated towards transportation projects. One million dollars of Sacramento Measure A funds are dedicated to the ARP on an annual basis and can be used for capital projects or operating costs. Additional funds are also obtained through Environmental Enhancements and Mitigation Program (EEMP) funds. These funding sources are in addition to any county funding that is allocated to the ARP.

With respect to other general policies, The ARP also had significant development pressure along its boundaries (similar to the Parkway). In response to this pressure, and as a means to ensure consistent practices in the future, the American River Parkway Combining Zone was created that outlines specific development criteria for any new development adjacent to the ARP. It was noted that a similar policy may be useful for the San Joaquin River Parkway in the future.

Figure 3-1 Riverview along the ARP



Katy Trail State Park (Missouri)

The Katy Trail State Park is a 225 mile long mixed-use trail that spans central and eastern Missouri. The trail follows the former rail right-of-way of the Missouri-Kansas-Texas (MKT) Railroad from which the park receives its name. The majority of the trail follows the northern bank of the Missouri River in Missouri and provides an exclusive right-of-way for pedestrians, cyclists, and horseback riders. The Katy Trail connects over twenty-five different cities along its path.

Figure 3-2 Amenities along the Katy Trail



Bicyclists account for a significant number of users on the Katy Trail, and there are many amenities that cater to this group including mileage and information markers at each city and wayfinding signage to help direct people to/from the trail into city centers. Furthermore, numerous private shuttle services cater to touring and recreational cyclists and assist them in traversing the trail. These shuttles are mostly operated by local taxi companies, bicycle shops/bicycle rental outlets or bed and breakfasts and do not have regular schedules.

The majority of the Katy Trail passes through rural areas and thus there are limited public transportation connection points along the trail. However, at the Trail's terminus in Saint Charles, Missouri, St. Charles Area Transit (SCAT) does provide some access to the trail. In addition, Amtrak does serve several locations along the Trail.

Tilden Regional Park (Berkeley)

Tilden Regional Park, located in the East Bay Hills just east of Berkeley, provides convenient recreational offerings to nearby residents in Berkeley and Oakland. The Park contains trails for hiking, horseback riding and bicycling, and has facilities for swimming, golfing, and educational programs. Due to its close proximity to residential areas, many people can walk or bicycle directly into the park via local roads. However, its location on top of a ridgeline makes it a challenging walk or ride for some users.

The park itself is served directly via public transportation. On weekdays and weekends, AC Transit provides service from the Downtown Berkeley BART Station to the periphery of Tilden Regional Park. This service runs from approximately 6AM-8PM on weekdays and 8AM-7PM on weekends. On weekends, the route changes slightly to run through the middle of the park to better serve patrons. This route passes by several park attractions such as the Merry-Go-Round, Golf Course and Environmental Education Center.

In addition to general public transportation service, the park offers a Parks Express Transportation Program which is coordinated through the East Bay Regional Park District. This program provides low-cost transportation to all of the East Bay Regional Parks for low-income schools, groups serving children from low-income families, seniors, and individuals with

disabilities. To be eligible for this program, schools and other organizations must check their eligibility status based on program requirements.⁵ This program can offer groups school buses, coach buses, and/or lift vans depending on user group needs. However, most trips require a minimum number of passengers. This program is operated as needed and does not offer any regularly scheduled service.

Tilden Regional Park provides an example of an existing public transportation network being augmented to provide specific service to provide access to a major park facility, that otherwise, would be challenging to access without a private vehicle.

Muir Woods National Monument

Muir Woods National Monument, located approximately 12 miles north of San Francisco, offers visitors hiking, bicycling, and educational programs throughout the year. While it is in relative close proximity to other Marin County cities, its physical location and topography create access challenges for those without a private vehicle. In addition, in busy months, congestion on Muir Woods Road often becomes problematic.

As an alternative to driving, a shuttle service was initiated to connect visitors from nearby Sausalito and Marin City. The shuttle typically operates on weekends from late May through late September with service operating every 20-30 minutes. Riders can transfer from stop locations to Golden Gate Transit which provides connections to/from San Francisco and other points in Marin County. As of 2010, fares on the service were \$3 round trip and \$1 for persons with disabilities and seniors (65+). Funding for the Muir Woods Shuttle is provided by Marin Transit and the National Park Service.

The Muir Woods Shuttle service is a useful model to illustrate how weekend shuttle service can be used to provide a last-mile connection from existing transit services to a park that is difficult to access without a private automobile. However, it should be noted that the high park attendance and somewhat constrained roadway access to Muir Woods provides significant differences as compared to the San Joaquin River Parkway. Public transit is an attractive option for Muir Woods primarily because of key disincentives to driving like traffic congestion and limited parking.

Figure 3-3 Muir Woods is served by Golden Gate Transit



⁵ Eligibility information can be found here:
http://www.ebparcs.org/files/ebrpd_2010_Parks_Express_Info_Sheet_App_Combo.pdf

Tuolumne River Regional Park (Modesto)

The Tuolumne River Regional Park, as proposed, will provide recreational facilities along a seven mile stretch of the Tuolumne River in Ceres and Modesto, CA. Presently several sections of the larger park facility are already open to the public. These facilities provide local residents with access to walking/bicycling trails, the river and sports facilities. When completed, the Park will provide uninterrupted recreational access to over 500 acres on the north bank of Tuolumne River.

The Gateway site, which is the largest piece of the Park near downtown, will have a Riverwalk, an “Amphimeadow”, Boardwalk, Farmers’ Market, and educational facilities.

Presently there is a relatively good level of public transit access transportation access to this site due to the existing transit routes and the good street connectivity on the north side of the River. Parking facilities, while not yet complete, have been designed to best fit the intended use of the facility (e.g. short-term facilities for cyclists and picnickers and longer-term, un-paved facilities for individuals attending various events). Of particular interest for this facility is the opportunity to improve north-south non-motorized connections across the Tuolumne River. These are reflected in the proposed bicycle/pedestrian bridges connecting Modesto on the north with Ceres on the south.

Upon discussion with local officials, access to the Parkway will be relatively good considering the facilities close proximity to downtown. The distance between Modesto City Hall and the Gateway site is short and the corridor (10th Street) will be designed in the future as a pedestrian-priority corridor. While no dedicated shuttles have been considered at this time, shuttles have been discussed to help cater to large events at the Gateway site. The intent of these shuttles would be to ferry people from various parking lots and downtown to the event grounds. If shuttles were to be implemented, they would most likely be operated by the City of Modesto.

Similar to the San Joaquin River Parkway, the Tuolumne River Regional Park has ownership of various parcels of land, some of which are not yet developed. However, the Tuolumne River Regional Park currently lists these areas as “future locations” and does not open them to the general public.

Santa Ana River Trail and Parkway (Southern CA)

The Santa Ana River Trail and Parkway is a 110 mile trail and bicycle corridor that, at completion, will stretch from Big Bear Lake to the Pacific Ocean. The trail passes through both urban and rural environments, including the cities of Huntington Beach, Costa Mesa, Santa Ana, Orange, Chino and Riverside among others. The trail is managed by a Policy Advisory Group (PAG) that is comprised of eight elected representatives from county and city governments and other relevant local bodies. Compared to the San Joaquin River Parkway, the Santa Ana River Trail and Parkway is focused primarily on the trail itself as opposed to the trail and the adjacent river environment. Cyclists, runners, walkers, and horseback riders all use the trail. Several parks along the trail have facilities for formal outdoor team sports. In the upper portions of

Figure 3-4 Aerial View of Santa Ana River Trail



the trail near the San Bernardino National Forest, the trail activities also includes skiing, camping, hiking, rock climbing and fishing.

For the portions of the trail that pass through urban areas, the trail is in very close proximity to residential neighborhoods and existing public transportation networks. It is unclear if any of the existing transit that passes the Parkway was a result of collaborative service planning to service the facility. The River Trail and Parkway does not provide boating access.

Guadalupe River Trail (San Jose)

The Guadalupe River Trail in San Jose, CA is an 11 mile paved pedestrian and bicycle path that runs along the Guadalupe River through downtown San Jose and into San Francisco Bay. It provides access for walkers, joggers and cyclists. The trails are well linked to the existing street network and also have several parking areas. The trail is linked to other regional trails such as the Bay Area Ridge Trail and the San Francisco Bay Trail. Compared to the San Joaquin River Parkway, the Guadalupe River is quite narrow and does not provide any boating access. Since the River Trail is in such close proximity to downtown San Jose and many other dense neighborhoods, it is easily accessible through existing public transportation networks.

Figure 3-5 View Along Guadalupe River Trail near Downtown San Jose⁶



⁶Image Source: Grey3k (Wikipedia Commons)

Chapter 4. Recommendations

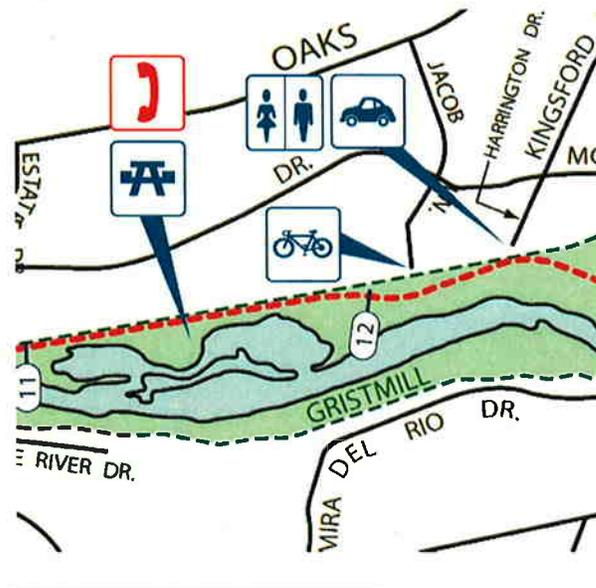
The consultant has developed a list of transportation recommendations that respond to the issues and needs outlined in Chapter 3. The consultant believes that a multimodal approach is most appropriate to improve access for all users. The recommendations in the following section include suggestions for bicycle, pedestrian, public transportation as well as parking improvements for 2012 through 2016.

A note about the relationship of the recommendations to the original project scope of work– This Short Range Transportation Plan, as originally scoped, was supposed to focus primarily on identifying opportunities for improving access to the park for low income individuals in Fresno. However, once the consultant begin working on the project, exploring the area and talking with Trust staff it became apparent that the project objectives should be broadened and refocused. To that end, Nelson\Nygaard approached the study with the objective of identifying opportunities to improve general transportation services and access to/from and within the Parkway, to all potential user groups.

Program #1 - Map and Information Enhancements

Context/Existing Condition: The most commonly cited complaint about access to the Parkway is about the lack of information about how to reach various Parkway facilities and the policies surrounding access points. The current version of the Parkway Visitor Guide (Appendix D) provides a list of Parkway facilities and potential activities at each. However, additional critical access information (such as parking instructions, times of open access) is not provided for each location. Furthermore, certain properties are listed as being under public ownership and upon arrival, yet when someone arrives at the site they might find it fenced off and that can lead to a feeling of trespassing. Some of the common put-in points for boaters (such as Friant Cove) are not listed as boat launch sites.

Figure 4-1 Portion of the American River Parkway Map⁷



⁷ Source: American River parkway (Sacramento County Regional Parks Department)

Many of these issues can be mitigated or even eliminated simply by providing an improved map that provides clear, concise and comprehensive access information. Additional Visitor's Guide improvements are noted in the recommendations section below. In addition, site specific information at key locations around the Parkway should be implemented (such as bus stops, directional signage off of primary roads, Parkway entrances, etc).

Recommendation: Update the Visitor's Guide to distinguish between developed and undeveloped Parkway facilities and provide clear information about transit routes/connectivity, parking lots, bicycle paths and trails and pedestrian access points for all for developed sites. The Guide should also provide specific instructions for water users – indicating boat launch facilities and policies about potential pull-out points. Signage should also be considered for transit stops near the Parkway as well as directional signage towards the Parkway on major roadways (Highway 41). All access points should have "brochure boxes" to hold copies of the Visitor's Guide, similar to what can be found at the Jensen River Ranch and the entrance of the Eaton Trail adjacent to Woodward Park.

Action Items:

1. Update Visitor Guide Map (printed and on-line version)
 - Cost - \$8,000 for camera ready original (printing copies is extra)⁸
 - Timeline – 2 to 3 weeks
2. Create new trail and access signs
 - Cost - \$15,000 for 50 24"x24" signs, poles and brochure boxes⁹
 - Cost - \$20,000 for installation labor (\$100/hr * 2 hrs *50 locations)¹⁰
 - Cost - \$2,000 for design work¹¹
 - Timeline – 2 weeks to finalize sign design, 2 months to order and 2 weeks to install

Total Program Cost - \$45,000

Figure 4-2 Wayfinding Signage



Source: City of Berkeley, CA

⁸ Source – Nelson\Nygaard cost estimate

⁹ Source - http://www.barcoproducts.com/store/index.asp?DEPARTMENT_ID=44

¹⁰ Source - Nelson\Nygaard cost estimate

¹¹ Source - Nelson\Nygaard cost estimate

Program #2 - Parking Facility Enhancements

Context/Existing Condition: Parking needs vary depending on the specific facility. At some locations such as Wildwood Native Park or Friant Cove, existing parking is ample and appropriate for the uses. However, other locations such as Lost Lake Park and points along the Eaton Trail may warrant parking facility improvements.

The existing parking supply at Lost Lake is likely more than adequate. However, much of this parking is on unimproved land (as compared to developed parking lots). This type of parking provides good overflow capacity in times of high usage. However, these lots can be a bit chaotic or dangerous at times of high usage simply because they are by design, somewhat unorganized. The consultant is concerned about the safety of small children in these lots during peak periods.

Other Parkway facilities simply need to have some type of parking made available to users. This doesn't necessarily mean creating a formal paved lot. In most cases it might just require adequate signage to direct users to the nearest available formal or informal parking area(s). Informal parking is already occurring along the Eaton Parkway at places such as the intersection of Old Friant Road and Friant Road. The location does have some safety issues due to the blind curve on Old Friant Road. People do park vehicles on the corner where high speed right turns from southbound Friant Road onto Old Friant are occurring. This location appears to be a popular access point and it would benefit from either: 1) installation of a formal parking lot or 2) signage that directs people to nearby parking areas.

New Parkway facilities may need parking as they open to the public. In most cases this might require nothing more than signage directing people to nearby parking facilities. In some cases it might require the construction of new lots. At this time there is no reasonable way for the consultant to estimate the cost for new parking facilities because it is still unclear at what pace the new facilities will come on line and how much, if at all, they will add to parking demand.

Recommendations:

1. Complete a Parking Management plan during 2011/12
 - Cost - \$20,000
 - Timeline – 90 to 120 days
2. Design/Purchase/Install new signage for parking areas¹²
 - Cost - \$15,000 for 50 24"x24" signs, poles and brochure boxes¹³
 - Cost - \$20,000 for installation labor (\$100/hr * 2 hrs *50 locations)¹⁴
 - Cost - \$2,000 for design work¹⁵
 - Timeline – 2 weeks to finalize sign design, 2 months to order and 2 weeks to install

Total Program Cost - \$57,000

¹² This is very similar to the recommendation for Program #1. The two programs could be combined and this would result in a total cost reduction of 15-25%.

¹³ Source - http://www.barcoproducts.com/store/index.asp?DEPARTMENT_ID=44

¹⁴ Source - Nelson\Nygaard cost estimate

¹⁵ Source - Nelson\Nygaard cost estimate

Program #3 - Establish Shared Parking Facilities with Nearby Facilities

Context/Existing Condition: Presently, there are several neighboring parking lots that could potentially serve as shared parking facilities for the Parkway. The creation of shared lots is typically more cost effective and much quicker to implement than building new parking lots. It also has a much lower ecological impact on the environment. However, developing shared parking agreements isn't always as easy as it might seem. The highest use period for the Parkway's facilities is likely to be the weekends. Some of the lots the consultant identified as possible shared use lots (Riverside Municipal Golf Course, the River View Shopping Center and Holy Spirit Catholic Church adjacent to Woodward Park) are also at their peak utilization during weekends. That's not to say that they don't have excess capacity on weekends, but rather that it might be difficult to arrange a shared use program unless those facilities can be assured of having enough parking for all of their patrons.

A business park would be an ideal candidate for a shared use parking program. Unfortunately, the only potential business park candidate identified by the consultant was the office park at the intersection of Palm and Nees and that one has limited physical capacity.

Recommendation:

1. Identify existing parking facilities that are within close proximity of River Parkway and initiate discussions to determine if shared parking arrangements would be possible in the future.
 - Cost – Mostly staff time (less than \$2,000)
 - Timeline – Several months

Total Program Cost – Up to \$2,000

Program #4–Traffic Operations and Public Transit or Shuttle Services

Context/Existing Condition: The City of Fresno has an important role to play in enhancing access to the parkway. The City's Public Works Department has the ability to: 1) designate and/or improve bicycle routes that connect with the Parkway's access points, 2) improve sidewalks next to the Parkway, and 3) provide appropriate traffic countermeasures to ensure safety for Parkway users.

Fresno Area Express (FAX) is the local transit system that comes closest to the Parkway. FAX is about to introduce a new Rapid Bus Service.¹⁶ One of the routes (Blackstone Corridor) will have a terminal point at or near (within ½ mile) Woodward Park or Spano Overlook. Regardless of where the terminal point is physically located, there should be information and signage at the stop to direct patrons to the closest Parkway access point.

Although the consultant does not foresee public transit playing a significant role in providing access to the Parkway, the Trust might want to consider partnering with FAX to test passenger demand to the Trust's River Center on Old Friant via either a weekend extension of a FAX route

¹⁶ This route will provide service every 15 minutes on weekdays and weekends. It will travel the length of Blackstone and will connect with most other FAX routes in downtown Fresno. Source: Fresno Bus Rapid Transit Master Plan (2008), Kimley-Horn & Associates.

or a demonstration shuttle program.¹⁷ Buses could stop at Woodward Park along the way, which would provide a fairly close access point for both the Eaton Trail and Jensen River Ranch.

Extending one of the FAX hourly routes like Route 45 will require lengthening the round-trip cycle time, which in turn means adding a bus to the route. Service would be provided via a standard 30' to 40' heavy-duty transit coach. It currently costs about \$95/hour to provide FAX service. Adding a bus from 10:00am to 6:30pm on Saturdays and Sundays between April 1 and October 31 will require 476 hours of annual revenue service.¹⁸ At \$95/hour, the annual cost will be just over \$45,220. Fare revenue will offset some of the cost (roughly 20%) and thus the net cost would drop to approximately \$36,000 per year.

The other option is to implement a demonstration stand-alone weekend shuttle service that would directly connect certain parts of Fresno with the Parkway. This service could be targeted at low income groups. The service could be contracted to FAX or a third party provider including non-profit groups in a low income areas of Fresno (e.g. Boys and Girls Club or YMCA/YWCA, etc). The shuttle would operate from April 1 to October 31. Service would be provided from 10:00am to 6:30pm on Saturdays and Sundays. A small cutaway bus (light duty 16 passenger vehicle) could be used.

Based on recent Nelson\Nygaard projects in similar cities throughout California, a third party operator, if asked to provide the vehicle, would charge between \$60 and \$75 per revenue hour of service. If the shuttle services provides the same total amount of service as the proposed weekend extension of FAX service (476 annual hours), then the total cost would range between roughly \$29,000 and \$36,000. Assuming the same farebox revenue ratio as noted above (20%), the net annual cost should fall in the range of \$23,000 to \$29,000.

Recommendations:

1. Continue working with the Fresno Public Works Department to identify and implement potential street and sidewalk improvements adjacent to the Parkway.
2. Explore opportunities for creating a demonstration seasonal shuttle service using a local non-profit service provider.
 - Cost – Annual operating contract \$29,000 up to \$40,000
 - Timeline – Service could be set up in time for April 2012 rollout

Total Program Cost –Up \$40,000/year

Demand for Transit/Shuttle Services

Based on our previous work on transit and shuttle services that serve regional parks and similar attractions, and given what we already know about travel patterns in Fresno and the attractions at the Parkway, we believe that the demand for transit or shuttle service to the park will be very limited. We are estimating that an extension of a FAX Route or a new demonstration shuttle service will attract only 6 to 10 passengers per revenue hour. That's approximately 45 to 70 passengers per day or roughly 2,800 to 4,800 per year.

¹⁷ Our peer review confirmed what NN already knows...most people prefer to access regional parks via walking, bicycle or private auto. Transit does not provide the flexibility that people want and need when they visit this kind of attraction.

¹⁸ 1 bus x 8.5 hrs/day x 2 weekday days x 28 weekends = approximately 476 annual revenue hours

Figure 4-3 Cutaway Style Shuttle Bus



Program #5 - Marketing to Nearby Neighborhood Associations for Walking Programs

Context/Existing Condition The portion of the Eaton Trail that is adjacent to nearby residential neighborhoods has the distinct benefit of having many potential Parkway users living within walking distance of the access points. The Parkway should capitalize on this group's proximity and encourage events on the Eaton Trail that could be similar to the current nature walks.

Recommendation:

1. Conduct outreach to nearby neighborhood groups and Homeowner Associations such as The Dominion, Woodward Lake and Cooper River Ranch and establish walking programs or walking groups.
 - Cost – Mostly staff time (less than \$1,000)
 - Timeline – Could begin immediately and would be an on-going process

Total Program Cost - \$1,000+/year

Program #6 – Improve access to the Parkway near Palm Ave and Nees Ave

Context/Existing Condition: Parkway patrons can visit the Spano Park Vista Point for picnicking or general relaxation. This site does not offer a true access point to the river and yet people can frequently be seen walking down Gravel Haul Road, or hopping the fence in order to get to the River. This location seems to be a natural access point. Given its proximity to the street network (Palm/Nees), transit service (FAX routes 26 and 45) and the retail center (potential parking) it seems only logical to create a formal access point at some point in the future.

Recommendation:

1. Develop a formal river access point with appropriate signage and trail access.
2. Work with local businesses to utilize existing parking facilities to conserve lands near the River and ensure that local public transit routes are noted as a means of Parkway access.
3. Restrict vehicle access on Gravel Haul Road if possible for purposes of utilizing area for recreation and not parking.
 - Cost – Unable to determine at this time
 - Timeline - Unknown

Program #7 - Provide Bicycle Rental Facilities

Context/Existing Condition: It was noted by several survey participants that they would be interested in seeing bicycle rental facilities at the Parkway in the future. Bicycle rental would enable individuals who either do not own or have a means of transporting a bicycle to be able to traverse up and down the Parkway by bike for a nominal fee.

Fresno boasts numerous bicycle shops. However, there are no current places to rent bicycles for short periods of time, particularly near the Parkway. Bicycle rental facilities would have varying requirements depending on the size of the operation. Basic needs would include bicycle storage, place to conduct transactions and finally a liability waiver policy. Bicycle rental facilities could create another attraction for the existing Parkway facilities by giving individuals who do not own a bicycle an opportunity to experience all of the Parkway, up through the River Center and potentially up Friant Road to Lost Lake Park or Friant Cove.¹⁹ By enabling users to experience a greater portion of the Parkway by bicycle, they may become familiar with other portions of the Parkway that, without a bicycle, they might not have the opportunity to experience.

It is likely that demand for bicycle rentals would only occur during peak times such as during the weekends and during the summer. Thus, it would be most appropriate for such a service to be offered only during peak periods.

Recommendation:

1. Investigate potential for offering small-scale bicycle rental program during peak periods at the termini of the Eaton Trail (at Woodward Park). This could begin as a limited-time pilot program.
 - Cost - \$2,000 to \$10,000 for kiosk and storage equipment
 - Cost – Labor, could be free if staff by bicycle volunteers
 - Timeline – Four to six months to order and install equipment

Total Program Cost – Up to \$10,000

Figure 4-4 Shared Bicycle – Rental Kiosk



¹⁹ This would require additional safety improvements on Friant Road for novice cyclists.

Chapter 5. Funding Opportunities

This chapter outlines the potential funding sources that could be used to pay for the recommendations in Chapter 4. The current economic climate may require the SJRPCT to devise “creative” funding solutions and thus the funding concepts and programs outlined in this chapter were not limited to typical transportation funding sources. The funding opportunities described in this Chapter include those that the SJRPCT can apply for directly plus others that may require additional governmental or agency support.

The Parkway's status as a regional park/preserve, a non-profit (501c3), an educational venue, and regional transportation facility allow it to present itself as a unique applicant for various types of potential funding sources. Figure 5-1 provides a recap of some of the transportation recommendations provided in Chapter 4.

Figure 5-1 Summary of Transportation Recommendations and Associated Costs

Program	Description	Cost Category	Approximate Cost
Map and Information Enhancements	Update visitors guide and create new trail and access signage	Capital	\$8,000
Parking Facility Enhancements	Develop parking management plan and install new signage	Planning / Capital	\$57,000
Establish Shared Parking Facilities	Establish agreements with existing parking facilities	Planning	\$2,000
Traffic Operations and Public Transit Services	Improvement of nearby street and sidewalk improvements and explore seasonal shuttle service	Capital / Operational	\$40,000
Marketing to Nearby Neighborhood Associations	Outreach to nearby neighborhoods to establish walking programs	Planning	\$1,000
Improve Spano Park Access (Palm and Nees Ave)	Develop formal river access point and facility improvement	Planning / Capital	N/A
Provide Bicycle Rental Facilities	Offer small-scale bicycle rental program during peak seasons	Capital / Operational	\$10,000
Total			\$ 118,000+

Existing Funding Sources

Based on discussions with SJRPCT staff, it was determined that none of the existing funding sources, can be used for new or future programs\capital facilities. Thus new funding sources are needed to pay for the transportation recommendations suggested in this report.

Potential Funding Programs

Local and Regional Funding Sources

The table below outlines potential sources for local and regional funds that could potentially be used for transportation improvements within the SJRPCT. The list includes funding from both public and private sources. These funds are primarily derived from sources within Fresno and Madera Counties.

East Bay Regional Park District Funding Case Study

In comparing the existing funding sources of the San Joaquin River Parkway, consultant staff also conducted a review of the existing East Bay Regional Park District's 2011 Operating Budget and Five-Year Expenditure Plan. The East Bay Regional Park District (EBRPD) includes Tilden Regional Park in Berkeley, CA, which is one of the peer facilities included in this report. While the annual budget for the EBRPD is substantially larger than the budget of the Parkway, its composition and diversity of funding sources provides valuable information and ideas for potential Parkway funding.

As reviewed in the Expenditure Plan it was found that EBRPD funding sources are spread across 30 different categories that are comprised of 107 different funders. The majority of the system's operating funds come from taxes and assessments, while numerous other categories exist for district fees, investment earnings, property usage fees and other miscellaneous sources. In closer review of some of the specific funding sources, it should be noted that numerous include transportation related funding such as local transportation sale tax measures, Caltrans Grant Programs, regional trail programs and FHWA grants.

Figure 5-2 Local and Regional Funding Programs for Parkway Improvements

Agency	Program	Description
Public Funds		
City of Fresno Department Public Works (DPW)	Fresno General Fund	The San Joaquin River Parkway falls within Fresno Council District 2 and District 6. Based on the Department's Capital Improvement Program, there will be planned improvements within both of these districts within the next several years, including improvements adjacent to the Parkway. (as an example, there is a planned repaving of a portion Friant Rd. in 2014). The SJRPCT should work with DPW to collaborate on improvements to ensure that if work is being done, Parkway improvements could also be implemented during the same time period. Parkway improvements may be able to be bundled together with the City's improvements for a reduced cost. Funding: capital
Local Governments	Local Bond Measure	SJRPCT staff noted that the San Joaquin River Conservancy has a significant amount of bond funding that may be used for capital improvements and environmental review. These funds total to approximately \$42 million. Additional funding could be garnered through a local bond measure. As an example in 1988, voters in Alameda and Contra Cost County passed Measure AA, a \$225 million dollar bond measure that helped provide funds for park expansion and matching funds for other grant programs. Funding: capital and environmental planning
Fresno Council of Governments (FCCOG)	Measure C	Local funds include the reauthorized Measure C approved by voters in November 2006, extending the half-cent sales tax measure for twenty years. In the Expenditure Plan for Measure C, 24% is for regional public transit programs. 35% percent is intended for the local transportation program for maintaining and improving local streets and roads. Also included in the local transportation program are programs for bicycle facilities and pedestrian trails programs. Additional information on how to access these funds can be found in the Measure "C" Transportation Sales Tax Extension 2007 Local Agency Handbook Funding: capital and operations
Fresno / Madera County or City or Public Agency (Local units of government)	Parcel Tax	Parcel taxes are often used in California to provide special funding for any type of public need. Often, parcel taxes are levied to supplement school funding. Parcel taxes are required to be presented to the voters and then passed by 2/3 of the vote in local elections. Parcel taxes are often paid at a flat rate per parcel within a specified existing political boundary (city or county limits). Funding: capital, operations, planning

SAN JOAQUIN RIVER PARKWAY AND CONSERVATION TRUST

Agency	Program	Description
San Joaquin Valley Air Pollution Control District	REMOVE II	The REMOVE II Program provides incentives for specific projects that will reduce motor vehicle emissions within the District. This is accomplished by allocating funds to cost-effective projects that have the greatest motor vehicle emission reductions resulting in long-term impacts on air pollution problems in the San Joaquin Valley. Two specific programs within REMOVE II include the Bicycle Infrastructure Component and the Public Transportation and Commuter Vanpool Subsidy Component Funding: capital and operations
Fresno County Public Works and Planning	Road and Bridge Construction and Transit Funds	The FY 2010-2011 Road Fund includes nearly \$950,000 in funds for pedestrian trails, bicycle trails and ADA compliance projects and the Transit Services Fund includes approximately \$2.8 million in public transit funds. While these funds are currently programmed, they could potentially be tapped in the future for SJRPCT projects. Funding: capital
Fresno County Public Works and Planning	Community Development Block Grants (CDBG)	In the past, CDBG funds have been used in Fresno County to improve the lives for low and moderate-income residents of Fresno. This funding source may be relevant for the SJRPCT due to its focus in providing recreational opportunities to low income individuals. Funding: capital
Fresno County Redevelopment Agency	Community Redevelopment Funds	County redevelopment funds are intended for the Friant Redevelopment Area (adjacent/within the Parkway). While limited funding is available (<\$40,000), these funds are intended for public improvements and low to moderate income housing. If funds have not been expended by December 2012, funds will be available for use in areas outside of the Friant Redevelopment Area. Funding: capital and operations
Fresno / Madera County	Inclusion of parkway funding in Measure C Expenditure Plan	One million dollars of Sacramento Measure A (transportation) funds are dedicated to the American River Parkway on an annual basis and can be used for capital projects or operating costs. It is possible a similar provision could be provided within the next Measure C expenditure plan in Fresno County or a similar Measure could begin in Madera County. Funding: capital and operations

Agency	Program	Description
Private Funds		
Local businesses	Corporate Sponsorship	The SJRPCT currently has a sponsorship program that as of 2010 has approximately 25 corporate sponsors. While it is unclear if these funds are used in the SJRPCT's general budget, it is possible that future sponsorship could be focused on specific improvements (e.g. improvements could be branded with the sponsor's logo or similar). If provided a specific improvement, it is possible companies may be interested in providing additional funding. Funding: capital, operations, planning
Local businesses or individuals	Adopt a Mile/Segment	One recommendation includes providing additional signage or mileage markers along the Eaton Trail. A potential concept to raise additional funds is an "adopt-a-mile" program that could help pay for trail improvements/signage in return for trail advertising. Funding: capital, operations, planning
Private foundations	Grants	Private foundations may be able to provide funds for some of the transportation recommendations noted in this report. While numerous foundations exist, a good starting point is the http://foundationcenter.org/ search website which provides research and database functions for its users. Some of the recommendations noted above may be able to be merged into programs for active living and preventative health to make them more competitive for funding. Funding: capital, operations, planning
San Joaquin River Conservancy	Grants	SJRPCT staff had noted that smaller grants (<\$5000) may be able to be funded through the Conservancy. Funding: capital, operations, planning

State and Federal Funding Sources

In addition to local and regional programs, state and federal programs may offer potential sources of funding for Parkway transportation improvements. Most of these funds are from Caltrans and the Federal Highway Administration (FHWA). At the federal level, there are numerous programs that can directly or indirectly provide transportation funding, yet a small number of them provide the majority of funding. Federal funding sources are likely to be the most competitive and tend to have the most requirements including requirements for matching funds. Thus, local matching funds such as those noted above are typically a strong prerequisite before obtaining funding from sources below.

Figure 5-3 State and Federal Funding Sources

Agency	Program	Description
US Department of Transportation Federal Highway Administration (and Caltrans)	Transportation Enhancement Activities (TEA)	Three of the twelve eligible activities within the TEA program are directly related to non-motorized modes. They are: 1) pedestrian and bicycle facilities, which include: sidewalks, walkways or curb ramps; bike lane striping, wide paved shoulders, bike parking and bus racks; off-road trails; bike and pedestrian bridges and underpasses; 2) pedestrian and bicycle safety and educational activities; and 3) conversion of abandoned railway corridors to trails. Funding: capital
Bikes Belong	Bikes Belong Grant Program	The Bikes Belong Grant Program strives to put more people on bicycles more often by funding important and influential projects that leverage federal funding and build momentum for bicycling in communities across the U.S. These projects include bike paths and rail trails, as well as mountain bike trails, bike parks, BMX facilities, and large-scale bicycle advocacy initiatives. Since 1999, Bikes Belong has awarded 225 grants to municipalities and grassroots groups in 46 states and the District of Columbia, investing \$1.8 million in community bicycling projects and leveraging more than \$650 million in federal, state, and private funding. Funding: capital, operations
Caltrans and the California Natural Resources Agency	Environmental Enhancement and Mitigation Program (EEMP)	<p>The Environmental Enhancement and Mitigation Program (EEMP) was established by the Legislature in 1989. It offers a total of \$10 million each year for grants to local, state, and federal governmental agencies and to nonprofit organizations for projects to mitigate the environmental impacts caused by new or modified public transportation facilities. Eligible projects must be directly or indirectly related to the environmental impact of the modification of an existing transportation facility or construction of a new transportation facility.</p> <p>Grants are awarded in three categories:</p> <p><i>Highway Landscaping and Urban Forestry Projects</i> are designed to offset vehicular emissions of carbon dioxide through the planting of trees and other suitable plants.</p> <p><i>Resource Lands</i> includes projects for the acquisition, restoration, or enhancement of resource lands (watersheds, wildlife habitat, wetlands, forests, or other significant natural areas) to mitigate the loss of or detriment to such lands within or near the right of way for transportation improvements.</p>

Agency	Program	Description
		<p><i>Roadside Recreation Projects</i> provide for the acquisition and/or development of roadside recreational opportunities. Funding: capital</p>
<p>Caltrans Division of Local Assistance</p>	<p>Bicycle Transportation Account</p>	<p>The Bicycle Transportation Account (BTA) provides state funds for city and county projects that improve safety and convenience for bicycle commuters. To be eligible for BTA funds, a city or county must prepare and adopt a Bicycle Transportation Plan (BTP) that complies with Streets and Highways Code Section 891.2. The BTP must be approved by the local agency's Regional Transportation Planning Agency. Fresno currently has an eligible Bicycle Master Plan. Funding: capital</p>
<p>Caltrans Division of Mass Transportation</p>	<p>Jobs Access and Reverse Commute (JARC)</p>	<p>The Job Access and Reverse Commute Program (JARC) goals are to improve access to transportation services to employment and employment related activities for low-income individuals and welfare recipients and to transport residents of urbanized areas and non-urbanized areas to suburban employment opportunities. The SJRPCT could work with FAX as applicants must be a transit agency. Funding: capital, operations, planning</p>
<p>Federal Emergency Management Association (FEMA)</p>	<p>Non Disaster (ND) Grant Programs</p>	<p>Due to the Parkway's role in water management, it may be eligible for several FEMA Grant Programs including the Buffer Zone Protection Program (eligibility requirements include proximity to dams, such as the Friant Dam) and the Nonprofit Security Grant Program. These programs offer preparedness program funding in the form of Non-Disaster Grants to enhance the capacity of state and local emergency responders to prevent, respond to, and recover from a weapons of mass destruction terrorism incident involving chemical, biological, radiological, nuclear, and explosive devices and cyber attacks. Funding: capital</p>

Agency	Program	Description
US Department of Transportation Federal Highway Administration (FHWA) (and Caltrans)	Congestion Mitigation and Air Quality (CMAQ) Improvement Program	The CMAQ program was designed to enable "non-attainment" areas under the Clean Air Act to fund certain types of transportation programs to improve air quality. Eligible projects include both construction and non-construction activities, such as: bicycle facilities (planning, engineering and construction), bicycle racks on buses, bicycle parking, trails, bicycle route maps, bicycle-activated traffic lights, bicycle safety and education programs and bicycle promotional programs. In the Fresno region, CMAQ funds are distributed through various funding programs via the Fresno COG. The federal share for most CMAQ projects, generally, has been 80%. Funding: capital
US Department of Transportation Federal Highway Administration (FHWA) (and Caltrans)	Highway Safety Improvement Program (HSIP)	The overall purpose of this program is to achieve a significant reduction in traffic fatalities and serious injuries on all public roads through the implementation of infrastructure-related highway safety improvements Funds may be used for projects on any public road or publicly owned bicycle and pedestrian pathway or trail. Funding: capital
US Department of Transportation Federal Highway Administration (FHWA) (and Caltrans)	Recreational Trails Program	The Statewide Trails Section provides education and technical assistance to trail managers, recreation providers, open space managers and non-governmental trails and greenways advocates on non-motorized trail planning, design, construction, funding and management throughout California. Funding: capital, operations, planning
US Department of Transportation Federal Highway Administration (FHWA) (and Caltrans)	Surface Transportation Programs	This funding program is intended to be the primary federal source for pedestrian and bicycle projects. Eligible bicycle activities include on-road facilities, off-road trails, sidewalks, crosswalks, bicycle and pedestrian signals, bike parking and other ancillary facilities. "Non-construction" projects are also eligible and include maps, brochures or public service announcements. STP funds also may be used to bring sidewalks and intersections into compliance with the Americans with Disabilities Act (ADA). For the near future, these funds are most likely to be used by the City for pavement rehabilitation, however could be used for non-motorized needs in the future. Funding: capital

Sources: Respective agency websites and online materials

The funding programs described above are meant to provide a generalized summary of potential funding sources. These do not necessarily include all possible sources, as the SJRPCT may be able to position itself to obtain other funds due to its unique characteristics previously described.

Summary of Recommendations

Each of the seven recommendations included in this report have differing needs as well as different logical matches with regard to funding sources. In Figure 5-4 below, each recommendation has been matched with the most likely funding source (with respect to local, state or federal source of funds) as well as next steps for implementation. Limited research was conducted about each specific funding source listed above, thus, we are unable to provide an exact match for the given recommendations.

Figure 5-4 Summary of Recommendations, Funding and Next Steps

Program	Cost Type	Approximate Cost	Potential Funding Source	Next Steps
Map and Information Enhancements	Capital	\$8,000	Local (sponsors who would benefit from visual marketing)	Work internally or hire consultant to update visitor guide (to be more customer friendly) and design and install new trail/access signage
Parking Facility Enhancements	Planning / Capital	\$57,000	All (Local/State /Federal)	Develop parking management plan with consultant assistance and procure new signage for parking areas
Establish Shared Parking Facilities	Planning	\$2,000	Local (potentially volunteer time to work with local businesses)	Work with local businesses to establish parking agreements
Traffic Operations and Public Transit Services	Capital / Operational	\$40,000	Local/State	Work with Fresno DPW to coordinate street/sidewalk access improvements and work with transportation provider (FAX or private shuttle service) to further explore additional transit service
Marketing to Nearby Neighborhood Associations	Planning	\$1,000	Local (potentially volunteer time to work with local neighborhoods)	Develop outreach program to local neighborhood groups (could be volunteer activity)

SAN JOAQUIN RIVER PARKWAY AND CONSERVATION TRUST

Program	Cost Type	Approximate Cost	Potential Funding Source	Next Steps
Improve Spano Park Access (Palm and Nees Ave)	Planning / Capital	N/A	All (Local/State /Federal)	Work with existing stakeholders to finalize agreement regarding site, develop formal river access point with appropriate signage and trail access
Provide Bicycle Rental Facilities	Capital / Operational	\$10,000	All (Local/State /Federal)	Develop bicycle rental program in coordination with local bicycle shops and case studies of other bicycle rental operations

APPENDIX A

ON-LINE SURVEY FORM

San Joaquin River Parkway and Conservation Trust

We are conducting a brief study on transportation access to the San Joaquin River Parkway and would like to have your input. This survey is a brief 13 questions and will take approximately 5-7 minutes to complete. Before taking the survey, please refer to the map (link below) which describes the River Parkway's boundaries.

[Click here for a River Parkway Map](#)

*** 1. In the past 12 months, have you accessed the San Joaquin River Parkway (see map above for boundaries).**

Yes

No

2. If "YES" to the last question, where did you access the parkway?

Lost Lake Park

Sycamore Island

Friant Cove

Woodward Park/Jensen River Ranch

Wildwood Native Park

Scout Island

end of Palm/Nees (unmanaged access)

Other (please specify)

3. If "YES" for the previous question, how did you access the parkway? (please choose all responses that apply)

Drove alone

Drove with others

Public Transportation

Bicycle

Walked

Other (please specify)

*** 4. Were you aware that Fresno Area Transit (FAX) currently accesses the River Parkway trail system?**

Yes

No

San Joaquin River Parkway and Conservation Trust

*** 5. Would you consider taking FAX or a shuttle bus to access the parkway?**

Yes

No

6. Why or why not?

	5
	6

*** 7. Would you consider bicycling or walking (from your home or origin of your trip) to access the parkway?**

Yes

No

8. Why or why not?

	5
	6

9. What is your current household income level? (optional)

Less than \$15,000

\$15,001-\$30,000

\$30,001-\$60,000

\$60,001-greater

*** 10. How many vehicles to you have access to for personal use?**

3 or more

2

1

0

11. Do you have any suggestions on how to improve general transportation access to the parkway?

	5
	6

12. Please provide any additional thoughts or comments.

	5
	6

San Joaquin River Parkway and Conservation Trust

**13. Would you be willing to be contacted by project staff to provide additional feedback?
If so, please provide your name and contact info.**

	5
	6

Thank you for your thoughts, if you know of others who have accessed the San Joaquin River Parkway that may be interested in this survey, please feel free to pass this survey link onto them. If you have further questions, please contact psupawanich@nelsonnygaard.com

APPENDIX B

SUGGESTIONS FROM ON-LINE SURVEY

Appendix B. Suggestions from On-Line Survey

- Access to the Parkway will not be improved by buses. Make access points more known to the public.
- Because getting to trail heads without driving is awesome. Is there a map of the trail heads anywhere? I only know about a couple. Honestly though I prefer to bike. I don't take the FAX much.
- Fix sensors at stoplights to trigger for bikes. South of Herndon, very few lights register when I cross the sensor. Getting in & out of pedestrian crossings is more dangerous. Better to just stay in traffic lanes.
- I live near the River, Yet have no easy access point. It seems lame to take the City Bus to go fishing with your kids. I can't imagine walking a mile with fishing poles and tackle boxes to a bus stop, then catching the bus to a closed (camp Pashayan). That's ridiculous!
- I would say that there is almost no advertisement for the parkway.
- I wouldn't over emphasize the need for significant improvements for access, but just signage for public to know the access is open for public use and confirmation of the pathway to the parkway.
- I'd not drive and primarily use public transportation. I thus far have found the Parkway area pretty much inaccessible due to poor public transportation in extreme north Fresno.
- Majority of Fresno area residents do not know where the river is or how to get to it. Most are not aware that water in Woodward Park is river water.
- More general public access points to the river. Also, there may be places to access the river, but most of the general public do not know about them. It's hard to know where you can and can't go because of private property.
- Once I went back and forth on my bicycle trying to find the library event at the River Center, but I hadn't gone far enough. I recommend more complete signage.
- Signage. The only access points I know of are somewhat hidden—and give the impression that they're illegal access points.
- We do field trips with parent chaperones. Our only difficulty is getting to Scout Island in enough time so we can get through all our centers. Waiting for a bus or shuttle probably would put us even more behind schedule. It would have to be very convenient for me to consider this.
- When you purchase land for the parkway, it's absurd that Parking was not considered. It seems that one has to park on private property just to gain access to the parkway. Even residents North of Herndon have difficult time accessing the parkway.

APPENDIX C

PARKWAY EXPANSION POSTER

The River Parkway: Today

The Lewis S. Eaton Trail

The Lewis S. Eaton Trail

The Lewis S. Eaton Trail, 6+ miles of paved trail extending past Woodward Park, is used by over 30,000 people a year for walking, running, cycling and horseback riding. With sweeping views of the river bottom lands and the Sierras in the distance, trail users can see wildflowers in the spring, migrating geese in the fall, and hawks soaring overhead.

Public Access

Located between the City of Fresno and Madera County, the Parkway provides opportunities for outdoor activities in a natural setting and access to our greatest public resource, the San Joaquin River. Areas offering amenities for the whole family include: Friant Cove, Lost Lake Park and the Lost Lake Nature Trail, Coke Hallowell Center for River Studies and the Hidden Homes Nature Trail, Sportsman's Club, Wildwood Native Park, Tom MacMichael, Sr. Loop Trail at Jensen River Ranch, Sycamore Island Ranch, and Riverside Golf Course.

Recreation

Although the Parkway lies within a large metropolitan area, the trails and green spaces offer a respite from the stress of urban living. The lure of open land invites young and old alike to enjoy the exploration and discovery that nature provides. In addition to trails, recreational opportunities along the Parkway include guided canoe tours, bald eagle viewing, and nature walks. Lost Lake and Sycamore Island are favorite fishing spots, and birding is rewarding anywhere along the Parkway. All public access areas have picnic tables and several have barbeque facilities.



Photo: Al Knecht



- Paved Trail
- San Joaquin River
- Public Land
- Private Land with Access

From Our Community. For Our Community. The Parkway is part of Our Community.

1985 to 2003
The San Joaquin River Parkway and Conservation Trust (River Parkway Trust), a non-profit public benefit corporation, was established in 1988 in response to citizens' concerns in the mid '80s about the threat of unprecedented urban growth to the San Joaquin River. The concept of a parkway was put forward as a way to protect land from urban development and provide public access to the river. The River Parkway Trust was charged with making the vision of a 22-mile parkway from Friant Dam to Highway 99 a reality.

To accomplish the task, the River Parkway Trust set about building private support and leveraging it to attract public grants needed for the large capital expenses associated with establishing the Parkway, including acquiring land from willing sellers and transferring it into public ownership, and constructing trails. Partnerships were formed with public agencies and with the City of Fresno, which agreed to maintain the Parkway's Lewis S. Eaton Trail. Although essential to the establishment of the Parkway, public partnerships have always been subject to the ups and downs of economic and political climates and these fluctuations effect progress on the Parkway.

By 2003, significant private support for the River Parkway Trust and resources from public agencies enabled the addition of over 3,200 acres to the Parkway and the construction of 6 miles of Parkway trail, including 5 miles of the multi-purpose Lewis S. Eaton Trail through Woodward Park, linking to the Coke Hallowell Center for River Studies.

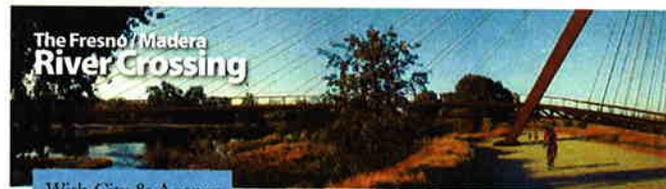
2004 West Expansion Planning
With the acquisition of 1,000+ acres downstream from the Highway 41 crossing of the river, which included Spano River Ranch in Fresno and Sycamore Island Ranch and the Proctor-Broadwell Cobb property in Madera County, planning began for the next big expansion of the Lewis S. Eaton Trail and new river access points on the property. The new plan was called the River West Open Space Area Plan.

2004 to 2010
With support from community donations, the River West Open Space Area Plan was completed by the River Parkway Trust in 2004. In 2006, the San Joaquin River Conservancy formally initiated project planning by granting funds to Madera County and the City of Fresno to conduct public review and permitting required for the project.

Soon after the planning process began, the State froze all bond-funded grant projects, halting progress on the River West expansion. However, with the state's recent resumption of bond sales, it is now possible for the permitting process for River West to begin again. The completion of the planning and permitting phase will allow the project to move forward once more.

Your voice is needed to help get the River West planning and permitting phase started again. We are asking you to support the plan by contacting the City and County of Fresno now.

With City & Agency Approval Our Community Will Have One Of The Largest Public Recreational Areas Of Its Kind. Anywhere.



The Fresno / Madera River Crossing

With City & Agency Approval Our Community Will Have One Of The Largest Public Recreational Areas Of Its Kind. Anywhere.

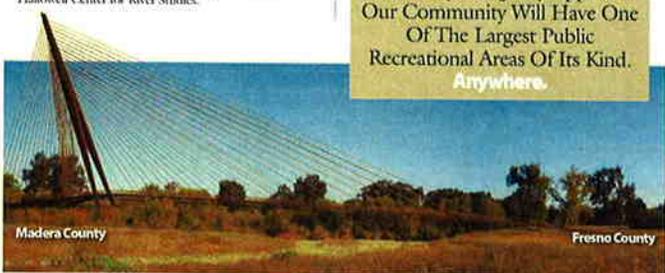
The River Parkway Adding...

- 6.6 Miles in the Parkway Trail System
- River Access to Over 1,000 Acres
- 3 Equestrian Staging Areas
- 3 Vehicle Access Points
- River Crossing Suspension Bridge

From Our Community. For Our Community.



11605 Old Friant Road, Fresno, CA 93730-9101



From Our Community. For Our Community.

APPENDIX D

PARKWAY VISITOR'S MAP

San Joaquin River Parkway and Surrounding Areas

- | | |
|------------------------------------|---|
| 1. Skagg's Bridge Park | 18. Owl Hollow |
| 2. Wallenberg Easement | 19. Rank Island Ecological Reserve |
| 3. Camp Pothayns | 20. River Center - Ciske Hollowell Center for River Studies |
| 4. Schmeier Property | 21. Riverband Ranch |
| 5. Riverside Restoration Area | 22. Willow Lodge |
| 6. Riverbottom Park | 23. Willow Unit Ecological Reserve |
| 7. Liddell Property | 24. Bell Ranch |
| 8. Milburn Unit Ecological Reserve | 25. Ledger Island |
| 9. Hansen Farm | 26. Back - Lost Lake Addition |
| 10. Scott Island | 27. Lost Lake Recreation Area |
| 11. Sycamore Island Ranch | 28. River Vista |
| 12. Spano River Ranch | 29. San Joaquin Fish Hatchery |
| 13. Proctor, Broadwell, Cobb | 30. Front Cove |
| 14. Wildwood Native Park | 31. Wagner Ranch |
| 15. Woodward Park | 32. Hallowell Ranch |
| 16. Jensen River Ranch | 33. Millerton Lake State Recreation Area |
| 17. Fort Wimbington Ranch | |



Map created by Openland Institute
 Based on data provided by the San Joaquin River Parkway and Conservation Study
 December 7, 2007

- ★ Overlook
- Pathway Trail
- County Line
- Public Ownership
- Conservation Easement
- Private Ownership with Public Access



EXHIBIT E

COPY

Recording Requested by and
When recorded Please Return to:

Public Works Department
CITY OF FRESNO
2600 Fresno Street
Fresno, California 93721
Attention: Bruce Abbott

This Instrument Benefits City Only.
No Fee Required

FRESNO County Recorder
Robert C. Werner
DOC- 2006-0226503
Tuesday, OCT 24, 2006 09:22:04
Ttl Pd \$0.00 Nbr-0002331968
CRR/R2/1-7

This Space for Recorder's Use Only

APN:405-530-02 (Portion)

PW-2006-14525

EASEMENT FOR PUBLIC ACCESS PURPOSE

FOR A VALUABLE CONSIDERATION; receipt of which is hereby acknowledged, PARK PLACE HOLDINGS, LP, a California limited partnership (the "Owner"), hereby grants to the CITY OF FRESNO, a municipal corporation, in the County of Fresno, State of California, an easement and right-of-way for public access purposes, subject to the limitations outlined below, across that certain real property situated in said City of Fresno and more particularly described as follows:

LEGAL DESCRIPTION OF THE EASEMENT AND RIGHT-OF-WAY
Attached Hereto as Exhibit "A"

Plus

LOCATION OF EASEMENT
Attached Hereto as Exhibit "B"

1. The easement and right-of-way may be used by public agencies as necessary for fire, rescue, police, and other public safety purposes.

The easement and right-of-way may be used for access by City vehicles and City personnel to maintain City facilities in a clean and safe condition. Without the express written approval of the owner, routine use will be limited to waste and litter collection, restroom maintenance, oversight (checking for vandalism, graffiti, checking gates and signs, performing minor repairs, etc.), and other management activities accomplished with vehicles not to exceed one-half ton. Routine maintenance service, excluding urgent circumstances such as a water line failure or vandalism (including graffiti) incidents necessitating immediate repairs, will not be performed between 11A.M. and 2:00 P.M or 5:00 P.M. and 8:00P.M.

2. No construction equipment will enter through the easement and right-of-way except to construct and install City improvements within the easement and within 500 feet of the Owner's property boundary. The Owner will be notified in writing no less than thirty (30) days in advance of the scheduled construction and will approve the construction schedule in order to minimize the impact to area businesses, such approval will not be unreasonably withheld.

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2006-232
15-A-8133

1/7

3. Bus access will be limited to two (2) buses through the easement and right-of-way for educational programs, with such access to be limited to Tuesdays, Wednesdays and Thursdays between the hours of 8:00 A.M. and 11:00 A.M. and 2:00 P.M. to 4:30 P.M. Buses already on easement may park between 11:00 A.M. and 2:00 P.M. on the above three days. Buses must leave by 4:30 P.M. on the above days.

4. This easement and right-of-way grants no right to parking on the Owner's property.

5. The easement and right-of-way will be available for general public access under the following conditions:

a. Public access, via vehicles, bicycles, and pedestrians will be limited to the period between sunrise and sunset of each day.

b. Owner will have the right to place signage informing the public of the limitations of its rights of use subject to Park Director's written approval.

c. This easement will be available for public use only for so long as and such times as the Riverview Drive entrance is open for public access under not less than the same terms and conditions as outlined herein.

d. If a public nuisance is present on the easement, Owner shall notify the City Manager who will review the conditions and take actions as necessary to remedy the nuisance or dangerous condition. In any action taken to enforce the terms of this easement, the prevailing party will be entitled to receive reimbursement for its actual costs and damages, including attorney's fees.

e. This easement and right-of-way will not connect with any public roadway that extends across the San Joaquin River.

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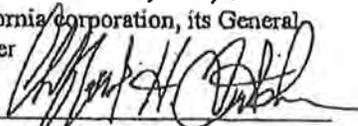
C-04-318
2006-232
15-A-8133

f. The total number of available parking spaces on this easement shall not exceed twenty (20) spaces. All such parking shall be in accordance with all applicable City parking laws.

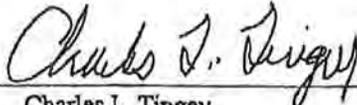
Signed this 14 day of SEPTEMBER, 2006

PARK PLACE HOLDINGS, LP, a
California limited partnership

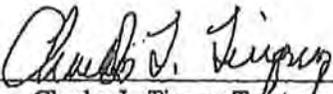
By: TUTELIAN & CO., INC., a
California corporation, its General
Partner

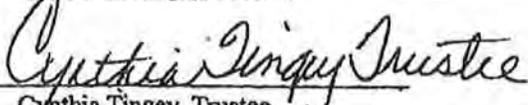
By: 
Clifford H. Tutelian
Its: President

CHARLES L. TINGEY, a married man

By: 
Charles L. Tingey

CHARLES L. TINGEY and CYNTHIA
TINGEY, Trustees of the Charles L. Tingey
and Cynthia Tingey Living Trust dated July
15, 2005

By: 
Charles L. Tingey, Trustee

By: 
Cynthia Tingey, Trustee

C-04-318
2006-232
15-A-8133

STATE OF CALIFORNIA
COUNTY OF FRESNO

ON Sept. 14, 2006, BEFORE ME, Kelly G. Swertfager, a notary public, personally appeared CLIFFORD H. TUTELIAN, personally known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Kelly G. Swertfager
Signature



STATE OF CALIFORNIA
COUNTY OF FRESNO

ON Sept. 14, 2006, BEFORE ME, Kelly G. Swertfager, a notary public, personally appeared CHARLES L. TINGEY, personally known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Kelly G. Swertfager
Signature



STATE OF CALIFORNIA
COUNTY OF FRESNO

ON Sept. 14, 2006, BEFORE ME, Kelly G. Swertfager, a notary public, personally appeared CYNTHIA TINGEY, personally known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Kelly G. Swertfager
Signature



C-04-318
2006-232
15-A-8133

4/7

State of California)
County of Fresno)

On _____ before me, _____
DATE NAME

Notary Public, personally appeared, _____
NAME(S) OF SIGNER(S)

personally known to me - OR - proved to me on the basis of satisfactory evidence, to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal

SIGNATURE OF NOTARY

OPTIONAL SECTION

TOP OF THUMB

INDIVIDUAL(S)
 CORPORATE OFFICER(S)

TITLE(S)

PARTNERS LIMITED
 GENERAL

ATTORNEY-IN-FACT
 TRUSTEE(S)
 GUARDIANSHIP/CONSERVATOR
SIGNER IS REPRESENTING
NAME OF PERSON(S) OR ENTITY(IES)

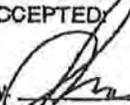
TOP OF THUMB

FOR CITY OF FRESNO USE ONLY

CERTIFICATE OF ACCEPTANCE (Officer)

In accordance with Section 27281 of the Government Code, this is to certify that the interest in real property conveyed hereby is accepted by the undersigned officers on behalf of the Council of the City of Fresno pursuant to authority conferred by Resolution No. 92-210A of said Council, adopted June 9, 1992 and the grantee consents to the recordation thereof by its duly authorized officer.

Public Works Director
ACCEPTED:

By:  _____ Date: 10-10-06
DEPUTY

CERTIFICATE OF ACCEPTANCE (Council)

In accordance with Section 27281 of the Government Code, this is to certify that the interest in real property conveyed by this instrument to the City of Fresno, a municipal corporation, is hereby accepted by order of the Council of the City of Fresno made on the date hereafter set forth and the grantee consents to the recordation thereof by its duly authorized officer.

Item No./Resc. No. _____

Date of Council Order: N/A

City Clerk

By: N/A _____ Date: _____
DEPUTY

APPROVED AS TO FORM:
City Attorney

By:  _____ Date: 9/28/06
DEPUTY

RECOMMENDED FOR ACCEPTANCE:

By: Bruce Abbott
Title: Sr. Engr. Tech
Date: 9/27/06

Log No. 2006-232 Drawing No. 15-A-8133

CHECKED:

By: Alan James
Title: SUPERVISING ENGR. TECH.
Date: 9/27/06

5/7
COP-04-818

APN: 405-530-42 (portion)
Public Access Easement

EXHIBIT "A"

That portion of the Northeast Quarter of Section 32, Township 12 South, Range 20 East, Mount Diablo Base and Meridian, described as follows:

BEGINNING at a point on the North line of said Northeast Quarter, said point being North 89°57'16" West, a distance of 1105.02 feet from the Northeast corner of said Section 32; thence North 89°57'16" West along said North line, a distance of 521.80 feet; thence Southwesterly along a non-tangent curve, whose radius point bears South 16°38'53" East, having a radius of 261.00 feet, through a central angle of 26°15'18", a distance of 119.60 feet; thence South 47°05'49" West, a distance of 30.30 feet; thence Southwesterly along a tangent curve, concave to the Southeast, having a radius of 511.00 feet, through a central angle of 6°06'18", a distance of 54.45 feet; thence South 40°59'31" West, a distance of 159.68 feet; thence Southwesterly along a tangent curve, concave to the Northwest, having a radius of 239.00 feet, through a central angle of 31°43'10", a distance of 132.31 feet; thence South 72°42'41" West, a distance of 66.90; thence Southwesterly along a tangent curve, concave to the Northwest, having a radius of 614.00 feet, through a central angle of 5°41'40", a distance of 61.02 feet to the intersection with the West boundary of Parcel A of Lot Line Adjustment No. 15-99, said Parcel A being described in a grant deed recorded April 7, 2000 as Document No. 2000-0041451, Fresno County Records, said West boundary being the centerline of the Old San Joaquin Canal; thence South 31°25'30" West along said West boundary and centerline, a distance of 29.65 feet; thence Northeasterly along a non-tangent curve, whose radius point bears North 9°46'18" West, having a radius of 636.00 feet, through a central angle of 7°31'01", a distance of 83.44 feet; thence North 72°42'41" East, a distance of 66.90 feet; thence Northeasterly along a tangent curve, concave to the Northwest, having a radius of 261.00 feet, through a central angle of 31°43'10", a distance of 144.49 feet; thence North 40°59'31" East, a distance of 159.68 feet; thence Northeasterly along a tangent curve, concave to the Southeast, having a radius of 489.00 feet, through a central angle of 6°06'18", a distance of 52.10 feet; thence North 47°05'49" East, a distance of 30.30 feet; thence Northeasterly along a tangent curve, concave to the Southeast, having a radius of 239.00 feet, through a central angle of 42°56'55", a distance of 179.15 feet; thence South 89°57'16" East parallel with and 11.00 feet South of the North line of the Northeast Quarter of said Section 32, a distance of 447.91 feet to the intersection with the West boundary of the easement for public street purposes recorded December 18, 1998 as Document No. 98183521, Fresno County Records; thence North 5°34'38" West, along the West boundary of said easement, a distance of 11.05 feet to the Point of Beginning.

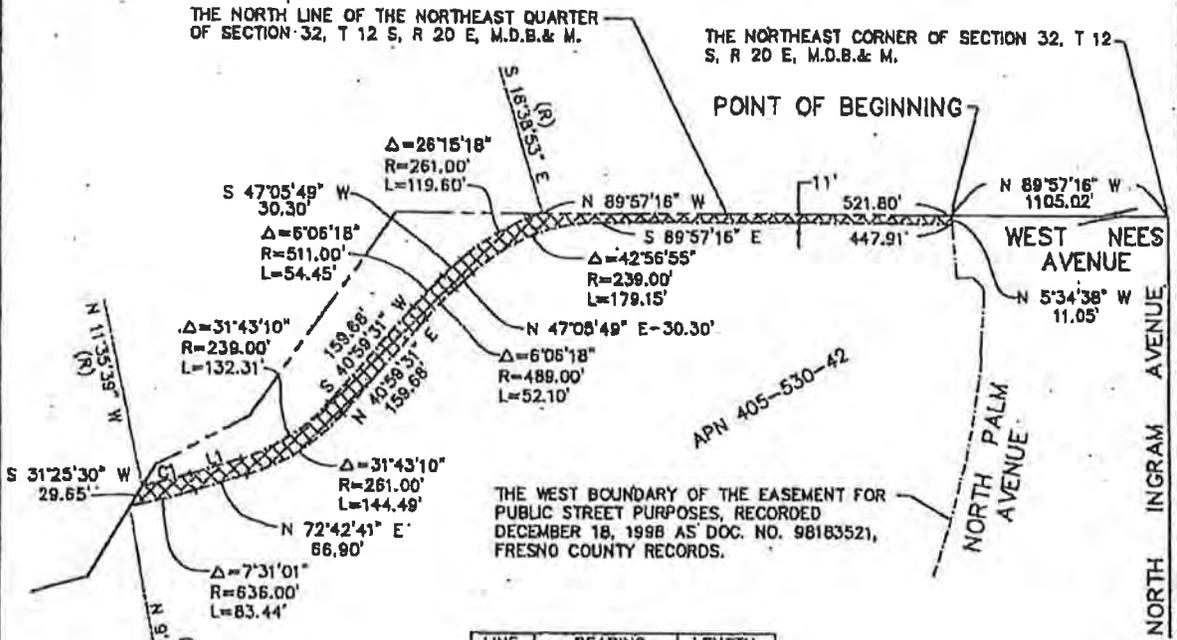
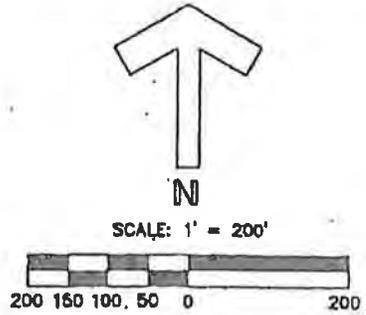
Contains an area of 19,949 square feet more or less.

C-04-318
R-04-104
2006-232
PLAT 1154
15-A-8133



G/G

EXHIBIT "B"



LINE	BEARING	LENGTH
L1	S 72°42'41" W	66.90'

CURVE	RADIUS	LENGTH	DELTA
C1	614.00'	61.02'	5°41'40"

HATCHED AREA TO BE DEEDED FOR PUBLIC ACCESS EASEMENT PURPOSES
 AREA = 19,948 SQ. FT.

RECORD OWNER:
 A.P.N. 405-530-42
 PARK PLACE HOLDINGS, LP
 2300 TULARE STREET, SUITE 300
 FRESNO, CALIFORNIA 93721
 (559) 266-8000

PREPARED BY:
 GARY GIANNETTA
 1119 "S" STREET
 FRESNO, CA 93721
 (559) 264-3580

REF. & REV. C-04-318 R-04-104 2006-232 PLAT 1154	CITY OF FRESNO	PROJ. ID. _____ FUND NO. _____ ORG. NO. _____	7/7
	A PORTION OF THE NORTHWEST QUARTER OF SECTION 32, T 12 S, R 20 E, M.D.B. & M. FOR PUBLIC ACCESS EASEMENT PURPOSES	DR. BY: B. GIANNETTA CH BY: _____ DATE: 9/22/08 SCALE: AS NOTED	SHEET NO. 7 OF 1 SHEET 15-A-8133

<i>Recording Requested by and</i>)	
<i>When recorded Please Return to:</i>)	
)	
Public Works Department)	
CITY OF FRESNO)	
2600 Fresno Street)	
Fresno, California 93721)	
Attention: Bruce Abbott)	
)	
This Instrument Benefits City Only.)	
No Fee Required)	This Space for Recorder's Use Only

EASEMENT FOR PUBLIC ACCESS PURPOSE

FOR A VALUABLE CONSIDERATION, receipt of which is hereby acknowledged, RIVERVIEW ESTATES, a California partnership (the "Owner"), hereby grants to the CITY OF FRESNO, a municipal corporation, in the County of Fresno, State of California, an easement and right-of-way for public access purposes, subject to the limitations outlined below, across that certain real property situated in said City of Fresno and more particularly described as follows:

LEGAL DESCRIPTION OF THE EASEMENT AND RIGHT-OF-WAY
Attached Hereto as Exhibit "A"

Plus

LOCATION OF EASEMENT
Attached Hereto as Exhibit "B"

1. The easement and right-of-way may be used by public agencies as necessary for fire, rescue, police, and other public safety purposes.

The easement and right-of-way may be used for access by City vehicles and City personnel to maintain City facilities in a clean and safe condition. Without the express written approval of the owner, routine use will be limited to waste and litter collection, restroom maintenance, oversight (checking for vandalism, graffiti, checking gates and signs, performing minor repairs, etc.), and other management activities accomplished with vehicles not to exceed one-half ton. Routine maintenance service, excluding urgent circumstances such as a water line failure or vandalism (including graffiti) incidents necessitating immediate repairs, will not be performed between 11 A.M. and 2:00 P.M. or 5:00 P.M. and 8:00 P.M.

2. No construction equipment will enter through the easement and right-of-way except to construct and install City improvements within the easement and within 500 feet of the Owner's property boundary. The Owner will be notified in writing no less than thirty (30) days in advance of the scheduled construction and will approve the construction schedule in order to minimize the impact to area businesses, such approval will not be unreasonably withheld.

3. Bus access will be limited to two (2) buses through the easement and right-of-way for educational programs, with such access to be limited to Tuesdays, Wednesdays and Thursdays between the hours of 8:00 A.M. and 11:00 A.M. and 2:00 P.M. to 4:30 P.M. Buses already on easement may park between 11:00 A.M. and 2:00 P.M. on the above three days. Buses must leave by 4:30 P.M. on the above days.

4. This easement and right-of-way grants no right to parking on the Owner's property.

5. The easement and right-of-way will be available for general public access under the following conditions:

a. Public access, via vehicles, bicycles, and pedestrians will be limited to the period between sunrise and sunset of each day.

b. Owner will have the right to place signage informing the public of the limitations of its rights of use subject to Park Director's written approval.

c. This easement will be available for public use only for so long as and such times as the Riverview Drive entrance is open for public access under not less than the same terms and conditions as outlined herein.

d. If a public nuisance is present on the easement, Owner shall notify the City Manager who will review the conditions and take actions as necessary to remedy the nuisance or dangerous condition. In any action taken to enforce the terms of this easement, the prevailing party will be entitled to receive reimbursement for its actual costs and damages, including attorney's fees.

e. This easement and right-of-way will not connect with any public roadway that extends across the San Joaquin River.

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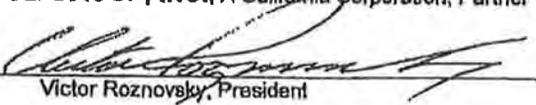
f. The total number of available parking spaces on this easement shall not exceed twenty (20) spaces. All such parking shall be in accordance with all applicable City parking laws.

Signed this ^{17th} day of OCTOBER, 2006

RIVERVIEW ESTATES, A California partnership

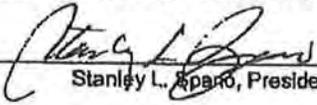
By: **THE ROZ GROUP, INC.**, A California Corporation, Partner

By: _____


Victor Roznovsky, President

By: **BETTER HOMES, INC.**, A California Corporation, Partner

By: _____


Stanley L. Sparo, President

By: **FRESNO SUPREME, INC.**, A California Corporation, Partner

By: _____


Hubert Hoffman, President

STATE OF CALIFORNIA
COUNTY OF FRESNO

TERESA BOWLAND T.B.

ON OCTOBER 4, 2006^{T.B.}, BEFORE ME, Teresa Bowland, a notary public, personally appeared HUBERT HOFFMAN, STANLEY L SPANO and VICTOR ROZNOVSKY, personally known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

Teresa Bowland
Signature TERESA BOWLAND

(seal)



APN: 402-030-70 (portion)
Public Access Easement

EXHIBIT "A"

That portion of the Southeast Quarter of Section 29, Township 12 South, Range 20 East, Mount Diablo Base and Meridian, lying within the remainder parcel as shown on Parcel Map No. 2004-07, recorded in Book 65, pages 88 and 89 of Parcel Maps, Fresno County Records, described as follows:

BEGINNING at a point on the South line of said Southeast Quarter, said point being South $89^{\circ}37'08''$ West, a distance of 1626.82 feet from the Southeast corner of said Section 29; thence Northeasterly along a non-tangent curve, whose radius point bears South $17^{\circ}04'29''$ East, having a radius of 261.00 feet, through a central angle of $16^{\circ}41'37''$, a distance of 76.04 feet; thence North $89^{\circ}37'08''$ East, parallel with and 11.00 feet North of the South line of said Southeast Quarter, a distance of 255.80 feet to the intersection with the boundary of the easement for public street purposes recorded March 14, 1996 as Document No. 96033747, Fresno County Records; thence Southwesterly along said boundary and along a non-tangent curve, whose radius point bears South $16^{\circ}15'05''$ East, having a radius of 1062.50 feet, through a central angle of $2^{\circ}02'30''$, a distance of 37.86 feet to the intersection with the South line of said Southeast Quarter; thence South $89^{\circ}37'08''$ West, along the South line of said Southeast Quarter, a distance of 294.55 feet to the Point of Beginning.

Contains an area of 3,162 square feet more or less.

P.M. 2004-07
2006-
15-A-

LAW OFFICES OF
DEWAYNE ZINKIN
5 East River Park Place West, Suite 203
FRESNO, CALIFORNIA 93720
TELEPHONE: (559) 224-8100
FACSIMILE: (559) 224-8111

DEWAYNE ZINKIN
ATTORNEY AT LAW

RICHARD L. FAIRBANK
ASSOCIATE

August 26, 2014

Jennifer Clark, Director
Development and Resource Management
2600 Fresno Street
Room 3065
Fresno, Ca 93721

Re: Fresno General Plan Update, Public Review Draft, July 2, 2014

Dear Ms. Clark,

I am writing to you out of concerns that I have regarding the proposed General Plan Update, as outlined in the Public Review Draft dated July 2, 2014 (herein referred to as the "Update"). DeWayne Zinkin and various members of his family, through different entities and organizations which I will refer in this letter collectively as the Zinkin Parties, have made long term financial commitments related to properties north of Herndon, based upon long term City policies as set forth in the City's General Plan, various Community Plans, Zoning Ordinance and Codes. I am concerned that there may be contemplated some fundamental changes in the proposed General Plan Update that could jeopardize these projects and which could result in very significant economic losses. As is explained below the projects are in various stages of entitlement and development.

The projects that are of particular concern are following three properties:

1. **The Fresno 40 Multiuse Project.** This roughly 40 acre project is a multiuse project consisting of 209,650 s.f. of retail commercial, 279,200 s.f. of multistory and single story office buildings, and 24 residential units. The project is bounded by Friant Road, Fresno Street, Audubon Ave and the Sugar Pine Trail along Cole Ave. The project's existing approved entitlements include Resolution 2008-357 certifying EIR No. 10142; Resolution 2008-358 approving Plan Amendment No. A-08-10 amending General Plan from office to community commercial for approximately 15.94 acres; Ordinance Bill 2008-79 approving Rezone Application No. R-08-14 to rezone approximately 15.94 acres from CP/UGM/cz and RP/UGM/cz to C-2/UGM/cz and Resolution 2008-359 approving Conditional Use Permit Application No. C-08-157 for the 209,650 s.f. of retail commercial, 279,200 s.f. of office and 24 residential units. On December 12, 2012 by letter from Mark Scott, Interim Director, City of Fresno Development and Resource Management Department, Conditional Use Permit No. C-08-157 was found to be in full force and effect. CUP Amendment Application No. C-12-032 requesting authorization to construct a 25,000 s.f. specialty food store within the C-2 district on the project was approved and a Notice of Determination filed with the Fresno County Clerk on

October 22, 2012. C-12-032 was found to be within the scope of EIR No. 10142. This week we have filed with the City an application for Site Plan Review (minor adjustment) related to the rearrangement of the buildings within the approved site plan, however, the revision does not increase the amount of square footage within the project and maintains the general circulation previously approved. Simultaneously, two separate applications were filed for CUP's to permit two buildings within the CP zone to be developed with restaurant uses, pursuant to Fresno City Municipal Code section 12-216.3 (B) subsection 16. The owners have entered into a lease agreement with one major retail commercial tenant and are negotiating leases with several other retail commercial tenants at the current time. The project currently contains all undeveloped property, however, the first phase of the project is expected to break ground this fall with approximately 60,000 s.f. of retail commercial. In addition to the single story office buildings, the project also includes entitlements for three multistory office buildings, each of four stories in height, and which will contain, when constructed, 65,000 s.f., 83,100 s.f. and 100,000 s.f. respectively. The Owners have received interest in those buildings as well. There has also been an interest expressed in the residential units. This project is within the Mid-Rise/High-rise corridor.

2. **Fresno/Nees Multi-use Project.** This project consists of approximately 12 acres all of which is zoned CP and located on the south west corner of North Fresno and West Nees Avenues. The planned and approved project consists of two three story buildings of approximately 53,697 s.f., a two story mixed or multi-use building of approximately 45,662 s.f., and additional stand-alone buildings under Conditional Use Permit No. C-06-74. Pursuant to Conditional Use Permit No. C-12-023, a minor adjustment in the location of two of the buildings as well as a reduction in approved retail square footage of 18, 236 s.f., and an increase in office space in the amount of 19,000 s.f. was approved. The first three story office building was completed last summer and is the current office of the McCormick Barstow law firm. One retail pad is also in the course of development. This project is within the Mid-Rise/High-Rise corridor.

3. **The Park Place Development,** located within the River Park Business Park. This project consists of approximately 26.83 acres of property zoned CM. The project includes two multistory office buildings that have been completed, the three story building commonly known as 5 Park Place, and the six story office building commonly known as 45 Park Place. This project is within the Mid-Rise and High-Rise Corridor. On May 15, 2013 the City Council approved Rezone Application No. R-09-012, Conditional Use Permit Application no. C-09-161 and the accompanying environmental assessment which permits the construction of a 234,723 s.f. 10-story office building at a maximum height of 150 feet pursuant to section 12-321 of the Fresno Municipal Code related to Mid-Rise and High-Rise Buildings. Construction of that building has not commenced

Upon reviewing the Fresno General Plan Update, Public Review Draft, dated July 2, 2014, there were a number of sections that raised some concerns about how they will affect these three projects. Specifically, those concerns are as follows:

a. I did not find any mention of the Mid-Rise/High-Rise Corridor in the Update. However, the Update provides for the repeal of a number of Community Plans, including the Woodward Park Community Plan and the Local Planning Procedures Ordinance (LPPO). I did not see any reference in the Update that the Corridor was to be eliminated, however, I did not see any reference to any continuation of that policy either. That corridor has been a long standing policy of the City of Fresno and the above projects have been planned and partially developed in accordance with and in reliance upon that policy. Substantial time, effort, and resources have been invested in the planning and development of these three projects. If the

development standards and/or uses which are permitted by right or by conditional use permit are changed, there will be significant economic losses incurred and so the Zinkin Parties would appreciate confirmation that the development standards, uses, and policies of the City of Fresno are not being changed with respect to these three projects. Is it the intent of the Update to eliminate the Mid-Rise/ High-Rise Corridor north of downtown, or to continue it? It has been rumored that the Mid-Rise/ High-Rise Corridor would not be eliminated north of Herndon, but I have not found any statement to that effect in the Update and would appreciate clarification of that. The statement in section 3.6 "Buildings and Design" on pages 3-62 and 3-63 of the Update states: "For the most part, higher density and high-rise buildings are focused in Downtown." I would interpret the words "for the most part" to mean not entirely. However, it does not provide a clear indication of where, other than Downtown the focus would be and to what extent. The Implementing Policies serving Objection LU-9 on page 3-60 of the Update include references to maintaining the tallest buildings Downtown, requiring new development to preserve existing sightlines to Downtown to the extent feasible and promotion of view corridors that highlight the Downtown skyline. These statements suggest to me that there may be a shift in policy with respect to Mid-Rise and High-Rise Corridor, and it is important for the Owners of the above projects to clearly understand the proposed policy going forward and how that will impact, if at all, the entitlements that have been obtained, and the flexibility that may be maintained with respect to the height, density, and uses of buildings within these projects. Please explain what, if any, changes are being contemplated in the height limitations, densities, and uses within the above three projects. How will these changes affect the flexibility that the current General Plan and Zoning Ordinance provide for development within the three above projects? Will there be limitations on the height of the buildings or the number of stories that can be developed in the above projects? If so, it is vital that we understand what is being proposed and how it will affect these projects.

b. The Update makes reference to the Floor Area Ratio (FAR). If I understand correctly, densities within Business Parks will have a maximum FAR of 1.0 and other densities are assigned to other types of uses. How does this affect, if at all, the maximum height and densities for the three projects above? I had a little difficulty in tracking the designations of uses in Table 3.1, City Wide Standards for Density and Development Intensity, and the current zoning categories. Is there any planned change in the building density and or the permitted uses and the uses subject to conditional use permit for the zone districts in which the three projects listed above are located? If the Zinkin Partners were to propose parking structures so that one or more of these projects could warrant higher density, what will be the policy with respect to that proposal? Two of the above projects have traffic generation limitations upon them, and it is unclear to me how the densities and traffic limitations will interplay. Is it intended that the densities be more restrictive than the current limitations on daily trips? What is the intended FAR for each of these three projects? It is extremely important to know exactly what the differences will be and how they will affect these three projects.

As is obvious, years of effort and millions of dollars have been spent by the Zinkin Partners in the planning, zoning, and development of the above three projects in reliance upon the long term policies of the City of Fresno, particularly to height, uses and densities. Changing the applicable standards and permitted flexibility in development of these properties at this late date could bring about disastrous results if newly enacted policies defeat or inhibit the entitlements that have been put in place, or no longer allow the flexibility of development currently permitted under the existing

General Plan and codes so that the projects can be adjusted under varying market conditions. Therefore, it is imperative that the Owners of the above three projects have immediate clarification of what is being contemplated and how it will affect these projects.

I appreciate your attention to this matter and look forward to having an opportunity to discuss these points with you.

Sincerely,

Richard L. Fairbank
Attorney at Law

RLF/kc

Casey Lauderdale

From: Arnolando Rodriguez
Sent: Tuesday, November 04, 2014 8:49 AM
To: Casey Lauderdale
Subject: FW: Environmental Impact

Categories: Purple Category

[Let's add this to the list as a late submittal.](#)

From: General Plan
Sent: Monday, November 03, 2014 5:44 PM
To: Jennifer Clark; Daniel Zack; Arnolando Rodriguez; Michelle Zumwalt; Casey Lauderdale
Subject: FW: Environmental Impact

[See received comment below.](#)

From: nk [mailto:neptuneskey2you@yahoo.com]
Sent: Sunday, November 02, 2014 4:06 PM
To: General Plan
Subject: Environmental Impact

Greetings,

I'm not sure if you are still accepting comments from Fresno citizens about the draft General Plan and Draft Master Environmental Impact Report that you advertised in the Fresno Bee Newspaper last month, but I am interested in giving my two cents in hopes of influencing positive change in our growing city.

Throughout the years I've lived in Fresno, not until this year have I become the most affected and concerned about our air quality. First to the necessity of water, fresh air is becoming more and more scarce. With global climate change on the rise and Fresno being in the location it is, it is only a matter of time before we are no longer able to see the trees at the other end of the field. Therefore, it is extremely disgruntling to witness most every day of the week, yard maintenance workers mindlessly blowing their electronic air equipment to transfer settled dust and leaves from one area outside to another, while allowing it to drastically pollute the air around them.

In order to prevent our air quality from worsening, along with our quality of life since breathing defines our existence, we can simply eliminate the use of lawn blowers all around town and have people rake instead for the sake of our health. I say "simply" because it is the least we can do before something bigger happens which we cannot control as well.

Sometimes using technology only for its convenience, can be a greater threat to our lives than we realize.

In this case, common sense is showing me that the cons of lawn blowers far outweigh the pros for obvious reasons we can see and feel directly from our own windows. Unfortunately, this one problem creates a domino effect when left unhelped. If we are at all concerned about obesity, endangered species, or newborn babies getting the chance to reach their full potential in society, we would at least try to provide them with a safe experience outdoors.

I hope these words resonate with someone in control of planning Fresno's future.

Thank you for your time.

The following page numbers (P. 6-12 and 6-16) have paragraphs that need to be modified in the General Plan Draft.

P. 6-12

Key issues

Ability to Meet Response Time Standards

The city of Fresno Fire Departments target response time for its service area is 5 minutes and 20 seconds for 90 percent of emergency incident response. This time standard measures unit response from the time the unit was alerted to the emergency incident to the time the first unit arrived at the emergency incident. This response time standard is critical to saving lives before flashover occurs at fire incidents and arriving in time to provide basic life support in situations such as sudden cardiac arrest, trauma, impaired breathing and other severe medical emergencies. In 2013, the Fire Department response time was 6 minutes 26 seconds to 90 percent of fire and medical emergencies.

P. 6-16

PU-2-e

Service Standards. Strive to achieve a community wide risk management plan that includes the following service level objectives 90 percent of the time:

- *First Unit on Scene* – First fire unit arriving with a minimum of three firefighters within 5 minutes and 20 seconds from the time the unit/s was alerted to the emergency incident to the time the first unit arrived at the emergency incident.
- *Effective Response Force* – Provide sufficient number of firefighters on the scene of an emergency within 9 minutes and 20 seconds from the time of unit alert to arrival. The effective response force is measured as 15 firefighters for low risk fire incidents and 21 firefighters for high risk fire incident and is the number of personnel necessary to complete specific tasks required to contain and control fire minimizing loss of life and property.

BAKMAN WATER COMPANY

TELEPHONE (559) 255-0324 • P.O. BOX 7965 • 5105 E. BELMONT • FRESNO, CA 93747

August 18, 2014

Jennifer K. Clark, Director
Development and Resource Management Department
2600 Fresno Street, Room 3065
Fresno, California 93722

RE: Draft General Plan Comments

To whom it may concern:

I am writing on behalf of Bakman Water Company ("Bakman") in response to the City of Fresno's (the "City") Draft General Plan (the "Plan"). Based on a review of the Plan, it appears that the Plan could potentially impact Bakman and its customers. Specifically, Bakman is a Class B water utility that provides water service to a population of approximately 14,000 customers in southeast Fresno. According to the California Public Utilities Commission (CPUC) Tariff Book set forth for Bakman, Bakman's service area is bounded by Olive Avenue to the North, Fowler Avenue to the East, Winery Avenue to the West, and Kings Canyon Road to the South (the "Bakman Service Area").

Unfortunately, the General Plan is misleading in its portrayal of the "Existing Water Distribution System." Specifically, Figure PU-2 of the Plan represents itself to be the City's Water Distribution System. However, the depiction includes water pipelines and well sites that are not the property of the City of Fresno but, instead, belong to Bakman. This representation is misleading to the public who is reviewing the Plan and does not properly depict or describe the present ownership of the water distribution system.

Bakman will review the Draft Environmental Impact Report and will provide comments to that document as well. However, this comment letter is submitted to allow for the City to consider revising its depiction and representation of the City's water distribution system to allow for the residents of the City and other interested parties to be able to conduct an accurate and meaningful review of the planned changes to the City's general plan.

Best Regards,
BAKMAN WATER COMPANY



By: Richard Tim Bakman
Its: President

Bakman Water Company
Fresno County

Canceling Revised Cal. P.U.C. Sheet No. 511-W
Revised Cal. P.U.C. Sheet No. 484-W

Service Area Map



— = Bakman Water Company Service Area Tariff Boundary (Zip Codes 93727 – 93747)

Advice Letter No. 71
Decision No. _____

Issued by
Richard T. Bakman
President

Date Filed DEC 11 2013
Effective JAN 10 2014
Resolution No. _____



Preparing Career Ready Graduates



**Facilities Management &
Planning**

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Michael E. Hanson

August 18, 2014

Jennifer Clark, AICP, Director
City of Fresno
Development & Resource Management Department
2600 Fresno Street, Room 3065
Fresno, CA 93721

Subject: Draft Fresno General Plan

Dear Ms. Clark,

This letter provides our comments on the Draft Fresno General Plan. We commented previously on an earlier draft of the plan by way of a letter to Keith Berghold in July 2013. We note that changes were made as a result of that letter with respect to Chapter 5 background text and Policy POSS-8-b and we are appreciative to City staff for making those modifications.

There were a number of comments made in the previous letter regarding modifications needed to Figure POSS-2 and the General Plan Land Use Diagram. (Note: Figure POSS-2 has been changed to POSS-3 in Chapter 5, but is still labeled as POSS-2). The table below shows the comments and whether modifications were made in response to the comments:

Comment	Fig POSS-2 Change Made?	GP Diagram Change Made?
1. An elementary school is designated on the west side of Marks Avenue, south of Ashlan Avenue. There is no school at this location. Designation should be removed.	Yes	No
2. Tenaya Middle School, located at the northeast corner of Fruit and Bullard Avenues, should be designated as a middle school rather than an elementary school.	Yes	No
3. Cooper and Fort Miller Middle Schools are designated with a "J", which, although there is no "J" in the figure legend, denotes a junior high school. For consistency, all middle schools should be denoted with an "M".	Yes	Yes
4. Addicott School, a school for students with disabilities, is shown correctly with a "special school" designation on the General Plan Land Use Diagram but not on Figure POSS-2. (Addicott is located on the southwest corner of Chestnut and Dayton Avenues adjacent to Scandinavian Middle School.)	No	Previously correct

5. Gaston Middle School, located at the southeast corner of Church Avenue and Martin Luther King Boulevard, should be designated as a middle school rather than an elementary school.	No. Also, school site size is not shown correctly	No
6. Sunset Elementary School, located at the southeast corner of Crystal and Eden Avenues, should be designated as an elementary school rather than a middle school.	Yes	No
7. A new school site is shown in a future development area of southwest Fresno, west of West Avenue and south of California Avenue. The site is labeled as a "Special School" and should be labeled as an elementary school ("E"). (Note: The District currently does not have any plans for a school at this location and understands this is a conceptual site designated by the City that would potentially be needed if the residential land use designations build out as shown.)	No	School site is blank and should be labeled with an "E".
8. Sequoia Middle School, located at the southwest corner of Cedar and Hamilton Avenues, should be designated as a middle school rather than an elementary school.	No	No
9. Vang Pao Elementary, located at the southwest corner of Cedar and Heaton Avenues, is not shown.	Yes, but needs to be labeled with an "E".	No
10. Bakman Elementary School, located at the northeast corner of Belmont and Helm Avenues, is not shown.	No	No
11. An elementary school is shown at the northwest corner of Willow and Belmont Avenues. There is no elementary school at this location.	Yes	No
12. No schools are shown in the inset area identified as "The Downtown Planning Area." Numerous elementary schools, two high schools (Roosevelt and Edison), and Tehipite Middle School are located in this area. The District's schools in this area should be shown on the map.	Yes	No

For the changes requested in the table that were not made in response to our previous comments, we ask that the changes be made prior to plan adoption.

As mentioned on page 5-42 of Chapter 5, the District's Facilities Master Plan indicates a need for a new high school in the southeast portion of the District. The District has not adopted a specific site for the high school but can identify the general area in which it would likely be located. Therefore, we recommend that Figure POSS-3 show a symbol near the intersection of Church and Peach Avenues with corresponding text that indicates that a new Fresno Unified high school could be located in the general vicinity.

Jennifer Clark, AICP Director
August 18, 2014
Page 2

We would also like to comment on Figure POSS-1, which depicts parks and open space lands. This figure shows most of the existing school sites in the adjacent Clovis and Central Unified School Districts as parkland (the playfield areas as are shown as parkland with the school building areas excluded). Aside from Yosemite Middle School and Burroughs Elementary School, none of the schools in Fresno Unified are shown in this manner. Why is there a major inconsistency in the manner in which parkland is shown in Figure POSS-1 as it relates to schools?

We appreciate the opportunity to comment. Please contact me if you have any questions regarding this letter.

Sincerely,

A handwritten signature in black ink, appearing to read "Lisa LeBlanc". The signature is fluid and cursive, with a large initial "L" and "B".

Lisa LeBlanc, Executive Officer
Facilities Management & Planning



August 15, 2014

Jennifer Clark, AICP, Director
 City of Fresno
 Development & Resource Management Department
 2600 Fresno Street, Room 3065
 Fresno, CA 93721

Subject: Draft Fresno General Plan

Dear Ms. Clark:

This letter provides our comments on the Draft Fresno General Plan. We have commented twice previously by way of letters to Keith Bergthold dated April 22, 2013, and August 12, 2013. The matters brought up in these letters have largely been addressed, except for several items listed below.

- Our analysis indicates that full development of the existing City of Fresno service area west of Locan Avenue will likely result in the need for two additional elementary schools. Figure POSS-2 correctly shows an elementary school site at the southeast corner of Clinton and Temperance Avenues.¹ This will be the next elementary school constructed by the District. An additional school site will be needed and probably should be located in the SW quadrant of the area between Armstrong, Fowler, Clinton, McKinley Fowler and Clinton. This is an area that was formerly planned largely for light industrial development and is now proposed for residential development. There is currently a designation on the land use map for a park in this area. We recommend this designation be changed to show a school with a “P” designation to denote a “School with Park” at this location,
- Figure POSS-2 shows three elementary schools (School with Park) designations in the Clovis Unified portion of the Southeast Development Area (north of Tulare Avenue), as well as the future educational center, which will include an elementary school. The map previously designated a total of four elementary sites plus the educational center with two of the school sites shown along Olive Avenue, one east of DeWolf Avenue and one west of DeWolf Avenue. Our recommendation was to delete the site east of DeWolf; however, the revised Figure POSS-2 eliminated the site west of DeWolf. We would like the site east of DeWolf removed and the site west of DeWolf reinstated as the western site is an area with more development potential.²
- In a meeting with Keith Bergthold on April 19, 2013, he indicated that the “SS” (Special School) designation shown on the earlier Figure POSS-2 for approximately 40 acres at the northwest corner of Temperance and Olive Avenues was incorrect as it was intended to be designated as a future water treatment plant. This site is still shown as a Special School on the

¹ The General Plan Land Use Map does not show an elementary school site at the southeast corner of Clinton and Temperance Avenue as does Figure POSS-2. This should be corrected.

² The General Plan Land Use Map is not consistent with Figure POSS-2 in that it shows both elementary (School with Park) sites along Olive Avenue.

Governing Board

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Administration

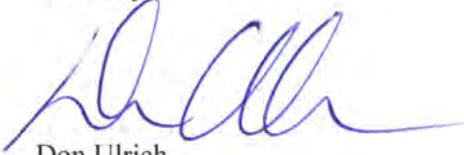
Janet L. Young, Ed.D.
Superintendent
 Carlo Prandini, Ph.D.
Deputy Superintendent
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Associate Superintendent
 Barry Jager
Associate Superintendent
 Michael Johnston
Associate Superintendent

current Figure POSS-2, which needs to be corrected. We note that the District's Temperance-Kutner Elementary School is located at the southeast corner of the Temperance/Olive intersection, diagonally across from the future water treatment plant site. We would like to have assurance that the treatment plant will be compatible with the school and not pose any hazard or problem to the school. Along these lines, we would expect to be kept in the loop in terms of planning for the plant and to receive any future draft CEQA documents on the treatment plant for our review and comment.

In closing, we would like to thank you and your staff for being accessible and responsive to our input. In particular, we appreciated a change in a previous draft policy (POSS-8-b) that required a plan amendment and rezoning for new schools sites. This has been revised in the current draft to provide for collaboration with school districts to plan and implement new school sites in a manner that supports and reinforces objectives to develop walkable Complete Neighborhoods.

Please let me know if you have any questions regarding this letter.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Don Ulrich', with a stylized, cursive script.

Don Ulrich
Assistant Superintendent
Facility Services



CENTRAL UNIFIED SCHOOL DISTRICT

Facilities

4200 N. Grantland Ave. • Fresno California 93723
Phone: (559) 275-9560 • FAX: (559) 275-9565

Bert Contreras, Director

FAX

TO: Jennifer Clark

FAX NUMBER: 559-457-1316

DATE: 8/18/14

RE: Attached

TOTAL PAGES (including cover) 4

Please see attached Draft Fresno General Plan.

If there are any problems receiving this Facsimile, do not hesitate to call us at 559-275-9560. Thank you!



CENTRAL UNIFIED SCHOOL DISTRICT

FACILITIES PLANNING

4200 N. Grantland Avenue • Fresno California 93723
 Phone: (559) 275-9560 • FAX: (559) 275-9565

Bert Contreras, Director, Facilities Planning
Joe Martinez, Facilities Planning Manager

August 18, 2014

Jennifer Clark, AICP, Director
 City of Fresno
 Development & Resource Management Department
 2600 Fresno Street, Room 3065
 Fresno, CA 93721

Subject: Draft Fresno General Plan

Dear Ms. Clark:

This letter provides the comments of the Central Unified School District on the Draft Fresno General Plan. We commented previously on an earlier draft of the plan in a letter to Keith Bergthold dated June 25, 2013. We indicated in that letter that there were a number of school site designations on Figure POSS-2 and the General Plan Land Use Diagram that needed to be modified. (Note: Figure POSS-2 has been changed to POSS-3 in Chapter 5, but is still labeled as POSS-2). The table below shows the previous comments and whether modifications were made in response to the comments.

Comment	Fig. POSS-2 Change Made?	GP Diagram Change Made?
1. A special school designation is shown on the east side of Veterans Boulevard, south of Barstow Avenue. The District does not own property or have plans for a school at this location.	Yes	No
2. The Deran Koligian Educational Center, located east of Grantland and north of Ashlan Avenue, is designated as a special school. This site should be designated as a high school, middle school and elementary school	Yes	No. School type not indicated.
3. The school site shown at the northwest corner of Grantland and Dakota Avenues should be designated as an elementary school rather than a special school.	Yes	No. School type not indicated.

District Administration

Michael A. Berg, Superintendent

*Laurel Ashlock, Ed.D., Assistant Superintendent, Educational Services, Chief Academic Officer · Kelly Porterfield, Assistant Superintendent, Chief Business Officer
 Keri Davis, Assistant Superintendent, Professional Development · Chris Williams, Assistant Superintendent, Human Resources
 Jamie Russell, Administrator, Special Education and Support Services · Kevin Wagner, Administrator, Human Resources and Child Welfare & Attendance
 Paul Birrell, Director, 7-12 and Adult Education · Karen Garlich, Director, K-6 Education*



CENTRAL UNIFIED SCHOOL DISTRICT

FACILITIES PLANNING

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Bert Contreras, Director, Facilities Planning
Joe Martinez, Facilities Planning Manager

4. The school site shown on the north side of Shields Avenue between Bryan and Hayes Avenues should be designated as an elementary school rather than a special school.	Yes	Yes
5. The elementary school site shown at the southeast corner of Shields and Valentine Avenues should be removed from the map. The District does not plan to build a school in the vicinity of this intersection.	Partially. Site removed but "E" remains on figure.	No
6. The elementary school site shown on the north side of McKinley Avenue between Brawley and Valentine Avenues should be removed from the map. The District owns an elementary school site nearby at the northeast corner of Valentine and Weldon Avenues; therefore, the site designation on McKinley is not needed.	Yes	No
7. Madison Elementary School, located at the northeast corner of Brawley and Madison Avenues, is designated as a special school. This site should be designated as an elementary school.	No. Shown as Middle School.	No. School type not indicated.
8. The elementary school site shown on the west side of Brawley Avenue between Belmont and Olive Avenues should be removed from the map. This site is close to another future site shown on the north side of Olive Avenue between Brawley and Blythe Avenues and is not anticipated to be needed.	Yes	No
9. The elementary school site shown on the north side of California Avenue between Belmont and Olive Avenues should be removed from the map. This site is close to Madison Elementary and is not anticipated to be needed.	Yes	No

For the changes requested in the table that were not made in response to our previous comments, we ask that the changes be made prior to plan adoption.

District Administration

Michael A. Berg, Superintendent

Laurel Ashlock, Ed.D., Assistant Superintendent, Educational Services, Chief Academic Officer · Kelly Porterfield, Assistant Superintendent, Chief Business Officer

Kelli Davis, Assistant Superintendent, Professional Development · Chris Williams, Assistant Superintendent, Human Resources

Jamie Russell, Administrator, Special Education and Support Services · Kevin Wagner, Administrator, Human Resources and Child Welfare & Attendance

Paul Birrell, Director, 7-12 and Adult Education · Karen Carlisch, Director, K-6 Education



CENTRAL UNIFIED SCHOOL DISTRICT

FACILITIES PLANNING

4200 N. Grantland Avenue • Fresno California 93723
Phone: (559) 275-9560 • FAX: (559) 275-9565

Bert Contreras, Director, Facilities Planning
Joe Martinez, Facilities Planning Manager

We also have a comment on the text of Chapter 5, specifically the third full paragraph on page 5-43, which is shown below:

Combined, the public school districts have the capacity to serve 144,000 school aged children between the grades of K-12, and private schools can serve another 4,200 students. With 136,000 students currently in the public school districts, there remains space for up to 8,000 additional students. Most of the available capacity is in Central USD while Fresno USD and Sanger USD are oversubscribed. Clovis, Fresno, and Sanger USDs are planning new schools to increase student capacities as they plan for future growth in the Fresno Planning Area.

First of all, the numbers shown in this paragraph are not consistent with the numbers in the Draft Master EIR (see Table 5.13-3). Second, the text indicates that Central Unified has most of the stated available capacity for 8,000 additional students, which is not the case. Table 5.13-3 in the EIR shows an available capacity for about half this number of students in Central Unified and we will be checking the accuracy of these numbers as we review and comment on the Draft Master EIR. Finally, in addition to Clovis, Fresno and Sanger Unified, Central Unified is also planning new schools in the Fresno Planning Area.

Thank you for the opportunity to comment. Please contact me if you have any questions regarding this letter.

Sincerely,

Bert Contreras
Director,

District Administration

Michael A. Berg, Superintendent

Laurel Ashlock, Ed.D., Assistant Superintendent, Educational Services, Chief Academic Officer • Kelly Porterfield, Assistant Superintendent, Chief Business Officer

Ketti Davis, Assistant Superintendent, Professional Development • Chris Williams, Assistant Superintendent, Human Resources

Jamie Russell, Administrator, Special Education and Support Services • Kevin Wagner, Administrator, Human Resources and Child Welfare & Attendance

Paul Birrell, Director, 7-12 and Adult Education • Karen Garlick, Director, K-6 Education

Jennifer Clark, AICP Director
 Development and Resource Management Department
 2600 Fresno Street, Room 3065
 Fresno, CA 93722

August 18, 2014

Comments to Fresno Draft General Plan and Master EIR

These comments are related to Chapter 3, Land Use Classifications, in particular the Business Park and Regional Business Park land use designations in the new growth areas known as the South East Development Area (SEDA) formally known as SEGA and the proposed sequencing of growth. The descriptions of these land uses relative to the SEDA area, as taken from the General Plan, are as follows:

BUSINESS PARK

The Business Park designation provides for office/business parks in campus-like settings that is well suited for large offices or multi-tenant buildings. This designation is intended to accommodate and allow for the expansion of small businesses. Given its proximity to residential uses, only limited outdoor storage will be permitted, while adequate landscaping is imperative to minimize the visual impacts. Typical land uses include research and development, laboratories, administrative and general offices, medical offices and clinics, professional offices, prototype manufacturing, testing, repairing, packaging, and printing. No freestanding retail is permitted, except for small uses serving businesses and employees. The maximum FAR is 1.0.

REGIONAL BUSINESS PARK

The Regional Business Park designation is intended for large or campus-like office and technology development that includes office, research and development, manufacturing, and other large-scale, professional uses, with limited and properly screened outdoor storage. Permitted uses include incubator-research facilities, prototype manufacturing, testing, repairing, packaging, and printing, as well as offices and research facilities. Small-scale retail and service uses serving local employees and visitors are permitted as secondary uses. The maximum FAR is 1.0.

According to the land use map Figure LU-1 there are roughly 440 acres of Regional Business Park north of Jensen Ave and about 850 acres south of Jensen Ave. They are very close together and amount to a total of about 1,300 acres, all with this designation. I am not aware of any business park in Fresno now that even approaches this many acres all in one place, even the Palm Bluffs Development. We believe by designating this large of an area as a regional business park, especially with a vague description of the acceptable businesses described as "incubator-research facilities, prototype manufacturing, testing, repairing, packaging, and printing, as well as offices and research facilities" is a mistake. This description will certainly require many variances and land use change applications to be filed and will require new costly EIR and CEQA work to be done by prospective developers and land owners. Reading both the description of Business Park and Regional Business Park, they are almost exactly the same. We suggest doing away with the Regional Business Park designation for this very large area and designating it Business Park as well as adding some other land uses such as larger commercial land uses, both of which create significant jobs, as we assume this is what is

intended. Allowing only very large Incubator-research type development will permanently stall development in this area and will serve to make a large roadblock to development of the community centers planned such as the one at DeWolf and California Avenues. There may likely be a tendency for development to leapfrog over the regional business park due to the inability to conform to this regional business park designation. If the regional business park designation cannot change for reasons not apparent to us, we propose that it be revised to a much broader description allowing other job producing uses including some commercial and retail uses. An area of 1,300 acres will never develop as a singular business park. Note that other medium to small size business parks such as the Belmont Ave/Fowler Ave/SR180 Business Park are struggling as well as the business parks at the Fresno Airport and at the Clovis Business Park.

Also enclosed with this letter are copies of previous letters we have sent objecting to the land use designations put forth in the SEGA plan and in the recent Initial Study for the General Plan EIR.

Finally we would also like clarification on the Figure IM-2 Sequencing of Development, which shows Growth Areas 1 and 2 at the perimeter of the city and the language below taken from the General Plan regarding sequencing of Growth Area 2.

Growth Area 2 needs critical infrastructure improvements, and the City does not anticipate that funding for Growth Area 2 can be committed in the near-term. To this end, the City will need to establish a way to monitor investment within the city limits and Growth Area 1 before approving the opening of Growth Area 2. The Administration will prepare options for the Council to consider for such a program.

The recommendations for sequencing growth in the City will comply with the City/County Memorandum of Understanding (MOU) which governs annexation. Whatever form is ultimately adopted, the City should implement an easy-to-track, objective, transparent measurement that can be used to determine the appropriate timing for opening Growth Area 2 for new growth. The City will use "strategic phasing" to achieve the overall goals of the plan, as opposed to annual limits of some sort that place unrealistic controls on the local market.

We understand the need for orderly development and funding for infrastructure to support growth, but drawing a line between Areas 1 and 2 seems arbitrary and may cause confusion and a stumbling block for development. In the past the city had an Urban Growth Management Plan with distinct funding mechanisms in place that covered infrastructure to support growth. Why would that not also be appropriate for these growth areas instead of dividing into two separate large areas that seems unnecessary? Also, at all the meetings over the last four years which we have attended that served to discuss and gain public input to the SEGA land areas, there was never a mention of dividing the area into two growth horizons or similar justification for this concept. To include it now, without more public input seems incongruous.

We appreciate the opportunity to review and provide comments to this critical public planning document.

Sincerely,

Mark Reitz PE
Enclosures



*Mark Reitz, PE
246 E. Denise Avenue
Fresno, CA 93720
(559) 905-4523*

December 4, 2012

Jamie Holt
City of Fresno Planning Commission
2600 Fresno Street
Fresno, CA 93721

Initial Study – General Plan and Development Code Update

Enclosed are copies of correspondence sent to the City of Fresno Planning Department related to an approximately 200-acre area within the SEGA bounded by Temperance Avenue on the west, the railroad on the north, the Briggs Canal on the east, and Church Avenue on the south. The correspondence dates back to August 18, 2008 and November 20, 2008.

Modifications were requested from the land use designation of Industrial/Flex R&D as proposed under the SEGA plan. This was requested in an application with a fee paid to the City Planning Department, which was acknowledged in the enclosed letter dated October 2, 2008.

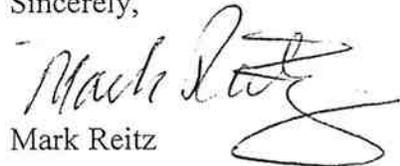
Based on our attendance at many planning meetings since then, we understand that this area is now proposed as a Regional Business Park (RBP) and no longer the Industrial/Flex R&D per SEGA.

The landowners within this 200-acre area are also not in favor of the RBP land use designation for this area and would prefer the alternatives proposed in our correspondence for the environmental and planning reasons stated.

We would appreciate your consideration in incorporating our proposed land uses or something similar and more flexible for this area in the new General Plan.

Please call if you have any questions.

Sincerely,


Mark Reitz

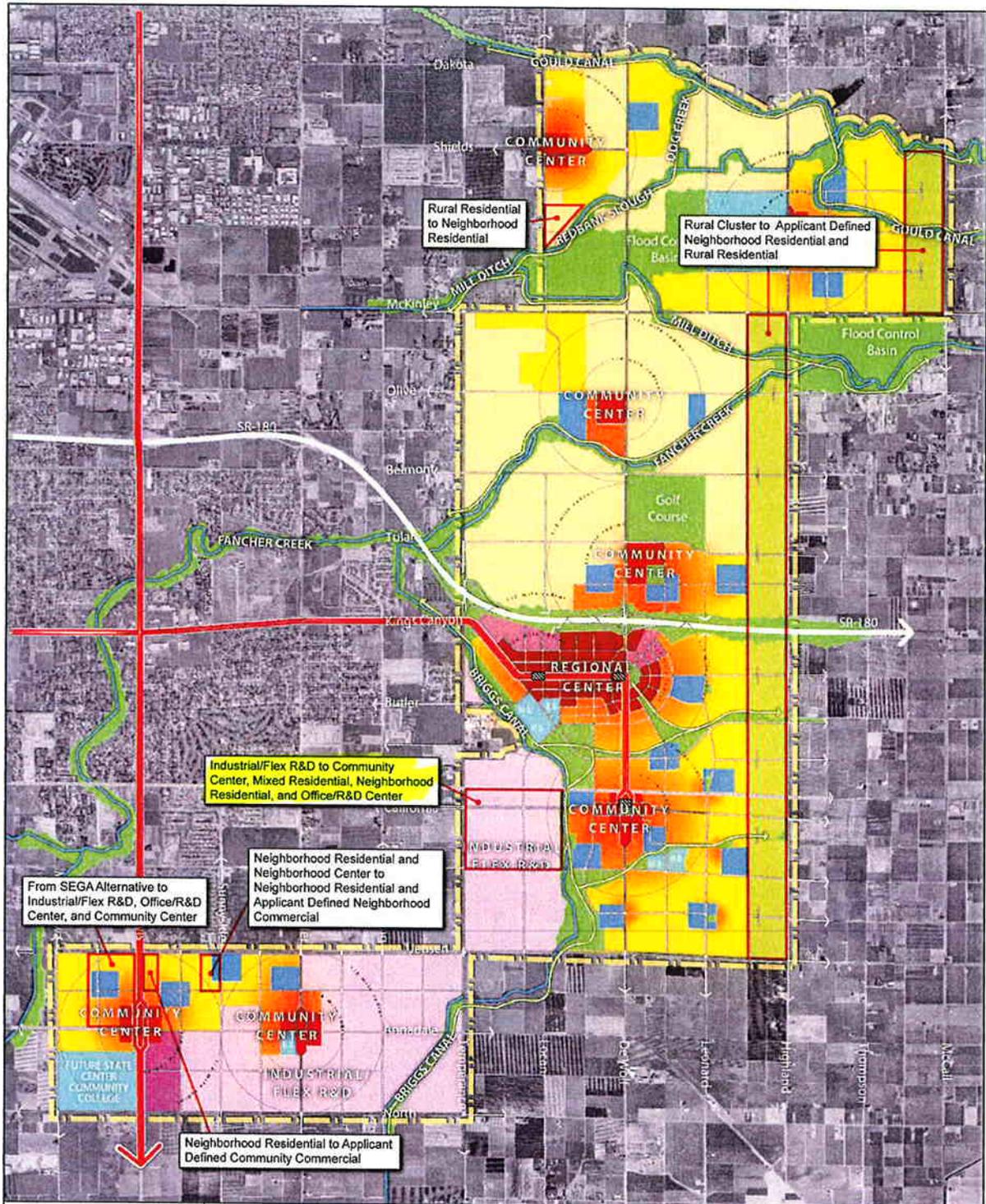


Exhibit 3
Proposed Landowner Modifications

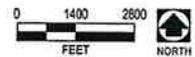
LAND USE

- Regional Center
- Community Center
- Neighborhood Center
- Office/R&D Center
- Industrial/Flex R&D
- Institutional*
- Mixed Residential
- Neighborhood Residential
- Rural Residential
- Rural Cluster Residential
- Park/Open Space/Flood Control
- Waterway

INFRASTRUCTURE

- Highway
- Transit Boulevard
- Commuter Rail
- Bike/Pedestrian Trail
- Walking Radii
- Transit Station
- Planning Area Boundary

* Institutional includes the planned State Center Community College, the planned Clovis USD Education Center, the Sanger USD Lone Star Elementary School, and new high and middle schools. It does not include the elementary schools and other civic uses in the SEGA Plan, which are integrated into other Districts.



November 20, 2008

City of Fresno
Attn: Mr. Keith Bergthold
Planning and Development Department
2600 Fresno Street, Room 3065
Fresno, CA 93721-3604

SEGA Plan
Response to Notice of Preparation and Initial Study EIR

This letter is in follow-up to our letter of August 18, 2008 submitted with the Alternative Modification Process application and comments made at the City of Fresno presentation on November 13, 2008.

Following are environmentally-related reasons that we believe favor zoning the approximately 200-acre area (bounded by Temperance Avenue on the west, the railroad on the north, the Briggs Canal on the east, and Church Avenue on the south) as Community Center, Mixed Residential, Neighborhood Residential and Office/R&D Center instead of Industrial/Flex R&D, which is tentatively proposed.

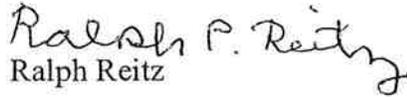
1. A community center and the office/R&D center and similar job-creating uses at this site will serve the proposed residential and mixed residential areas as well as the very large residential areas (4 square miles) to the west of Temperance between Kings Canyon Road and Jensen Avenue. Currently there are no shopping/commercial areas for over 3 driving miles to the Kings Canyon/Clovis Avenue center. Adding a community center/office/R&D center would greatly reduce trip miles, air pollution, and noise. These uses would not conflict with the community center proposed at DeWolf and California Avenue and would complement it by reducing trip miles between shopping/office space needed in both of these areas. The proposed four-lane California Avenue would support both of these developments and conveniently connect the Temperance and DeWolf arterial streets for both bicycle and foot traffic with the Briggs Canal green space as the centerpiece.
2. There will be significant pressure/demand on this area to develop with these land uses soon as SR 180 will be completed to Temperance Avenue within a year, and Temperance will be a major connector between SR 180 and Jensen Avenue for communities to the south and east such as Sanger, Del Rey, Reedley, Parlier, and Selma. There are no services, such as gas stations, grocery stores, drug stores, restaurants, etc., to serve this traffic volume. The streets and community centers proposed over a mile to the east will not develop for 15 to 20 years or more and will not be able to serve the immediate needs. This will create more trip miles, air pollution, and noise.

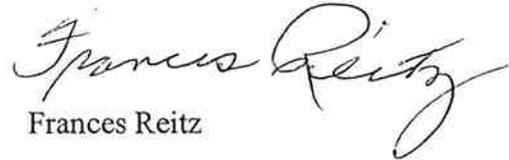
3. More jobs would be created by the uses we propose than industrial land uses. If industries ever develop in this area, it would be primarily warehouses, storage areas, or agricultural-related processing industries. There are already many large industrial areas in the Fresno area along Jensen Avenue to the west, at the Fresno airport only 5 miles away, and in Clovis. There is no demand in this area for this land use, and it would cause this area to develop last, if ever. By making this area Industrial/R&D, it will essentially stop or severely slow development of this area and cause the areas east of the Briggs Canal to leapfrog over it. This would cause an expensive and undesirable situation for City services, such as roads, water, sewer, storm drainage, gas, and electrical, to be extended far to the east without development west of the Briggs Canal. This would cause unnecessary environmental impacts to the area.
4. The areas west of the Temperance/California intersection are entirely residential and would be incompatible with the various types of industrial uses that will develop here (noise from large trucks, traffic safety issues, air pollution, visual impacts, etc.). When the residential areas to the west were approved for development, the current General Plan showed the area to the east to be residential, commercial, or businesses – not industrial. Property owners to the west may feel this land use would negatively impact their property values and quality of life.
5. The industrial area to the north of the railroad at Temperance up to Butler Avenue is primarily an agricultural/wet industry (La Destria, formerly Bonner Packing). This is a significant industrial development that has existed for over 100 years at this large site. Zoning of Flex R&D may not be consistent with this existing use due to significant odors, noise, rail (double rail spur), truck traffic, and similar environmental impacts. We suggest that this entire area north of the railroad up to Butler Avenue be kept as industrial only. The railroad would provide a good buffer transition to the community center/office/R&D uses we are proposing.
6. If it is necessary to have a certain number of Industrial/Flex R&D acres in the plan, we suggest moving this zoning to a buffer strip north of Jensen Avenue between the Briggs Canal and Highland Avenue. The present plan shows residential in these areas, which would be an environmental unsound choice due to the heavy traffic noise, and air quality impacts created by a future six-lane roadway such as Jensen Avenue. An example of this undesirable situation can now be found on the north side of Jensen between Clovis and Fowler Avenues, where homes are being built adjacent to this busy highway. Another option that would better support Industrial/Flex R&D would be in the vicinity of nearby SR 180 or the new proposed Kings Canyon alignment.
7. As evidenced by the proposed application for this modification, over 70 percent of the property owners (17 parcels) in this area do not want the Industrial/Flex R&D zoning in this area. These property owners have owned and paid taxes on these properties for many years, in some cases over 75 years. Many of the parcels are small (less than 10 acres) and are not conducive to developing the larger parcels necessary for Industrial/Flex R&D,

which would further hamper the sales and development of the area for these uses. This would cause further leapfrogging over this area.

Thank you for your consideration of these environmental reasons to support our proposed alternative land use.

Sincerely,


Ralph Reitz


Frances Reitz

October 9, 2014

jennifer.clark@fresno.gov

Jennifer K Clark
Director of Development and Resource
Management Department
2600 Fresno Street Room 3065
Fresno, CA 93721

Dear Ms. Clark:

The Downtown Fresno Coalition submits the following comments on the Draft of the 2035 General Plan.

p. 3-69 Implementing Policy D-7-a:

Regarding the list of Community and Specific plans to be amended or repealed, the following should be added:

Due process must be followed in amending or repealing any of the listed plans. The process must be preceded by full environmental review in accordance with CEQA .

pp. 8-1 —8-16

This chapter on Historic and Cultural Resources presents a commendable collection of principles and policies to carry out its stated purpose “to provide policy guidance to protect, preserve, and enhance the city’s cultural and historic resources.” The existence of such high-minded intentions, however, only serves to highlight a glaring inconsistency in the Draft 2035 General Plan that we find offensive: the acceptance without question of the plan to destroy the Fulton Mall, the City’s most widely acclaimed historical resource, under the guise of “reconstructing” it. We refer to the Objective on page 3-16: UF-11 Revitalize the Fulton Corridor consistent with the reconstruction project.

We urge you to omit UF-11 from the 2035 General Plan.

Sincerely yours,

Harold Tokmakian, AICP

Linda Zachritz

Ray McKnight

I want One Healthy Fresno

RECEIVED

Fresno City Council
2600 Fresno Street, 2nd Floor
Fresno, CA 93721

2014 OCT -9 PM 3: 30

PURCHASING DIVISION
CITY OF FRESNO

RE: Comments on the Fresno General Plan

Date: _____

Dear Fresno City Council,

As a resident of Fresno, I ask that you make certain that our General Plan—which determines how we use our land— create One Healthy Fresno. The Fresno General Plan should prioritize investment in neighborhoods located in the heart of our city with the most need, ensure that quality affordable housing is available throughout Fresno, invest in current parks and create healthy places to walk and play, keep industrial developments out of our neighborhoods and away from our families, ensure that all young people have access to healthy opportunities throughout our city, and invest in more and better public transportation that helps everyone in our city get to where they need to be.

Additional Comments:

Signature: _____



Name: _____

Charlie Rojas

Address: _____

710 N Second St Apt A.

#OneHealthyFresno
#MyCityMyPlan



I want One Healthy Fresno

Fresno City Council
2600 Fresno Street, 2nd Floor
Fresno, CA 93721

2014 OCT -9 PM 3: 30

PURCHASING DIVISION
CITY OF FRESNO

RE: Comments on the Fresno General Plan

Date: 9/30/14

Dear Fresno City Council,

As a resident of Fresno, I ask that you make certain that our General Plan—which determines how we use our land— create One Healthy Fresno. The Fresno General Plan should prioritize investment in neighborhoods located in the heart of our city with the most need, ensure that quality affordable housing is available throughout Fresno, invest in current parks and create healthy places to walk and play, keep industrial developments out of our neighborhoods and away from our families, ensure that all young people have access to healthy opportunities throughout our city, and invest in more and better public transportation that helps everyone in our city get to where they need to be.

Additional Comments:

Signature: Sergio Gonzalez

Name: Sergio Gonzalez

Address: 2225. E. Peralta Way
Fresno, CA 93703

#OneHealthyFresno
#MyCityMyPlan



I want One Healthy Fresno

Fresno City Council
2600 Fresno Street, 2nd Floor
Fresno, CA 93721

2014 OCT -9 PM 3:30

PURCHASING DIVISION
CITY OF FRESNO

RE: Comments on the Fresno General Plan

Date:

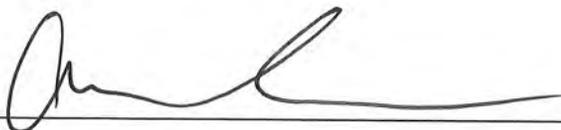
9/30/14

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Additional Comments:

Signature:



Name:

Alex Gutierrez

Address:

1749 L street

Fresno CA 93721

#OneHealthyFresno
#MyCityMyPlan



I want One Healthy Fresno

Fresno City Council
2600 Fresno Street, 2nd Floor
Fresno, CA 93721

2014 OCT -9 PM 3: 29

RE: Comments on the Fresno General Plan **PURCHASING DIVISION
CITY OF FRESNO**

Date: 9-20-14

Dear Fresno City Council,

As a resident of Fresno, I ask that you make certain that our General Plan—which determines how we use our land— create One Healthy Fresno. The Fresno General Plan should prioritize investment in neighborhoods located in the heart of our city with the most need, ensure that quality affordable housing is available throughout Fresno, invest in current parks and create healthy places to walk and play, keep industrial developments out of our neighborhoods and away from our families, ensure that all young people have access to healthy opportunities throughout our city, and invest in more and better public transportation that helps everyone in our city get to where they need to be.

Additional Comments:

Blight to Light!
Make the changes we need for a better
community as
a whole.

Signature: Alexis DeBoer

Name: Alexis DeBoer

Address: 807 E. Brighton Ln

Fresno, CA 93720

#OneHealthyFresno
#MyCityMyPlan



I want One Healthy Fresno

RECEIVED

Fresno City Council
2600 Fresno Street, 2nd Floor
Fresno, CA 93721

2014 OCT -9 PM 3: 29

RE: Comments on the Fresno General Plan

PURCHASING DIVISION
CITY OF FRESNO

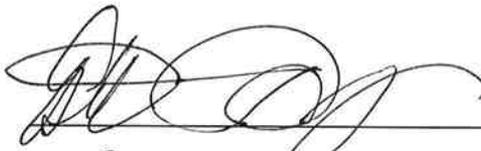
Date: 9/20/14

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Additional Comments:

Signature:



Name:

Esther Delahay

Address:

1130 E Franklin Ave
Fresno CA 93704

#OneHealthyFresno
#MyCityMyPlan



I want One Healthy Fresno

RECEIVED

Fresno City Council
2600 Fresno Street, 2nd Floor
Fresno, CA 93721

2014 OCT -9 PM 3:29

RE: Comments on the Fresno General Plan

PURCHASING DIVISION
CITY OF FRESNO

Date:

9/20/14

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Additional Comments:

Signature:

Kim Arroyo

Name:

Kim Arroyo

Address:

1690 E. Fir Ave Apt 112
Fresno, CA 93720

#OneHealthyFresno
#MyCityMyPlan



I want One Healthy Fresno

RECEIVED

Fresno City Council
2600 Fresno Street, 2nd Floor
Fresno, CA 93721

2014 OCT -9 PM 3:29

RE: Comments on the Fresno General Plan

PURCHASING DIVISION
CITY OF FRESNO

Date:

9/29/14

Dear Fresno City Council,

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Additional Comments:

Signature:

Sarah Allison

Name:

Sarah Allison

Address:

2345 E Shaw

Fresno, CA 93711

#OneHealthyFresno
#MyCityMyPlan



I want One Healthy Fresno

RECEIVED

Fresno City Council
2600 Fresno Street, 2nd Floor
Fresno, CA 93721

2014 OCT -9 PM 3:29

RE: Comments on the Fresno General Plan PURCHASING DIVISION
CITY OF FRESNO

Date:

9/20/14

Dear Fresno City Council,

As a resident of Fresno, I ask that you make certain that our General Plan—which determines how we use our land— create One Healthy Fresno. The Fresno General Plan should prioritize investment in neighborhoods located in the heart of our city with the most need, ensure that quality affordable housing is available throughout Fresno, invest in current parks and create healthy places to walk and play, keep industrial developments out of our neighborhoods and away from our families, ensure that all young people have access to healthy opportunities throughout our city, and invest in more and better public transportation that helps everyone in our city get to where they need to be.

Additional Comments:

Signature:

Juan Rodriguez

Name:

Address:

1690 E. Fir Ave Apt 112
Fresno, CA

#OneHealthyFresno
#MyCityMyPlan



I want One Healthy Fresno

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Additional Comments:

Signature:

Julissa Martinez

Name:

Julissa Martinez

Address:

2411 S. POPPY AVE.

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Additional Comments:

Signature:

Yolanda Skipper

Name:

Yolanda Skipper

Address:

2363 S. Lily Ave

Fresno, CA 93706

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#MyCityMyPlan



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2600 Fresno Street, 2nd Floor
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Date: September 20, 2014

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Additional Comments:

Signature: Ronald J. Martin

Name: Ronald J. Martin

Address: 4721 N. ~~Fresno~~ Cedar Ave., apt. 113

Fresno, CA 93726-1081



I want One Healthy Fresno

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Additional Comments:

Signature: Laura Perez

Name: Laura Perez

Address: 314 N. Calaveras St.
Fresno, CA 93701

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Additional Comments:

Signature:

Martha Caudle

Name:

MARTHA CAUDLE

Address:

2202 S POPPY AVE

FRESNO, CA 93706

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Additional Comments:

Signature:



Name:

Angela Whitney

Address:

3774 W. Howard

Fresno CA 93722

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#MyCityMyPlan



health happens
here
In Neighborhoods



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Additional Comments:

Signature: 

Name: Liset Sandoval

Address: 1404 E. California Ave

Fresno, CA 93728

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Additional Comments:

Signature: Rachel Blackburn

Name: Rachel Blackburn

Address: 4303 E. Rialto Ave.

Fresno, Ca 93726

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#MyCityMyPlan



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Additional Comments:

Signature: 

Name: NATHAN DELAHAG

Address: 1130 E. FRANKLIN AVE.

FRESNO, CA 93701

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#MyCityMyPlan



Yo Quiero Un Fresno Saludable

RECEIVED

Fresno City Council
2600 Fresno Street, 2nd Floor
Fresno, CA 93721

2014 OCT -9 PM 3: 29

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PURCHASING DIVISION
CITY OF FRESNO

Fecha:

9-20-14

Estimado Ayuntamiento de Fresno,

Como residente de Fresno, les pido que aseguren que nuestro Plan General-que determina cómo usamos nuestra tierra-ayude a crear Un Fresno Saludable. El Plan General debería dar prioridad a la inversión en los vecindarios más necesitados ubicados en el corazón de nuestra ciudad, asegurar que haya viviendas asequibles y de calidad en todo Fresno, invertir en parques actuales y crear lugares para caminar y jugar, mantener el desarrollo industrial fuera de nuestros vecindarios y lejos de nuestras familias, garantizar que todos los jóvenes tengan acceso a oportunidades saludables en toda nuestra ciudad, e invertir en más y mejor transporte público que ayude a todos en nuestra ciudad llegar a donde tienen que estar.

Comentarios adicionales:

Firma:

Rogelio Sierra

Nombre:

Rogelio Sierra

Dirección:

2986 S. Clara Ave.

Fresno ca. 93706

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Comentarios adicionales:

Firma:

Angel Aguilar

Nombre:

Angel Aguilar

Dirección:

2326 S. Holly Av.
Fresno Ca. 93706

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CITY OF FRESNO

Fecha:

Sept. 20-14

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Comentarios adicionales:

Firma:

Gabriel Aguilar

Nombre:

Gabriel Aguilar

Dirección:

2328 S. holly av

Fresno Ca. 93700

#OneHealthyFresno
#MyCityMyPlan



October 8, 2014

Jennifer Clark
Director, City of Fresno Development and Resource Management Department
2600 Fresno Street, Room 3065
Fresno, CA 93721

RE: 2035 Draft General Plan Comments

Dear Ms. Clark,

Thank you for the opportunity to comment on the Fresno City 2035 General Plan and thank you for your hard work on the plan. I have several major concerns:

No Development Code

The plan is very long, but still incomplete lacking the Development Code. It seems this plan for the zoning/form-based code should be available before the vote on the General Plan is taken.

Increased High Density

Fresno already has a high density with 50% of its residents living in apartments. The high-density corridors along Kings Canyon, Shaw and Blackstone will contribute to an unhealthy lifestyle for the families of our city.

Privacy

Living in an apartment can be frustrating because the walls are thin, so it's very easy to hear the individuals who live below, above, or beside you. For families or individuals who like to stay private, an apartment or duplex can be a bad idea.

Yards

Single-Family homes provide opportunity for individual yards and outdoor space. Most parents prefer a safe backyard for their children to play, rather than a park down the street. Certainly, it is wonderful to have backyards and parks also.

Parking

Most apartments do not have garages, usually only a covered assigned parking spaces. Guest parking is often a problem. Storage is a problem. Vandalism is a problem.

Pests

In a large apartment house, roaches are a big nuisance and health concern. When a new tenant moves in, roaches often are brought in with their possessions. Pests spread to other apartments.

Noise

This can become even worse if you or nearby families have loud children or have some who like to play loud music. With a single family home, there is more peace and quiet. When people sleep better, they are healthier and do better at work and school.

Increased Crime

Studies show that criminals are uniquely attracted to apartment complexes. These properties offer plenty of targets and victims. Since the **crime rate** in Fresno is around twice the national average, maybe we should not increase apartment living---already 50%.

Many people prefer apartments and that should be their choice, but our goal should not be to increase the high-density living we already have in Fresno. A single-family home is part of the American dream. Governments do not have the right to take that freedom of choice away by decreasing the availability and increasing the costs through zoning, regulations, and unnecessary requirements to builders through mitigation.

Bike Lanes

Fresno has spent \$21 million on bike lanes. These are nice for recreation, but people do not want to give up their cars for bikes. Many streets have had reduced traffic lanes resulting in congestion and dangerous conditions. Please do not increase the problems by adding more bike lanes.

Thank you for taking the time to listen and read public comments.

Sincerely,
Kay Errotabere
Lifelong resident of Fresno