

From: Betty Van Valkenburg
 Date: 2014/10/09 4:01 PM (GMT-08:00)
 To: Trai Her
 Subject: General Plan comments

This is my second letter of comment on the General Plan. Since the first, I have had even more time to try to study it and also more time to learn about other important documents that are inter-related with the Plan but are not available.

- There are too many major documents that are to be considered and voted on at different times. They are all inter-related and, it seems to me, need to be considered as one package. That includes the General Plan, all EIRs, the Downtown Plan, the Implementation and Infill Report, the huge Housing Element, and most importantly, the Development Code. And are there other area specific plans that are not included in the General Plan?
- Actually, since the Development Code is to be the law that implements the General Plan, I don't know how it, the Code, could have been written and nearing completion when the Plan has not yet been considered by nor passed by the Council. Seems to me the Plan should be adopted and then the Code written according to the Plan.

Barring that, I agree with the Fresno Chamber of Commerce that, at the very least, the General Plan and Development Code should be considered and voted on by the City Council at the same time.

- I also agree with the Chamber that the commentary should be deleted from the General Plan. Who wrote that, anyway? I would go further and state that at least half the text consists of a self-serving sales pitch. If stripped to just the facts, it would be much shorter and easier for the public to read and absorb, and the book wouldn't have to cost over \$60.
- I object to spending millions of dollars to return Fulton Mall to a street, when the mall would be the perfect place for what is visualized in the General Plan as a "neighborhood" where people can walk to amenities and socialize. (Yes, that is stated.) The artwork could be left in place and the mall left in place. When the hoped-for development does occur, then the builders/developers could pay for upgrade of their infrastructure.

As it stands now, we taxpayers will pay for the new street and upgrading the infrastructure, thus increasing developers'/investors' property values; then they will be further incentivized (with our tax dollars?) to build according to the General Plan. Developers: 1 - Taxpayers: 0

Let me say that, like everyone else, I want the best for Fresno. Good luck.

Sincerely,

Betty Van Valkenburg

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PURCHASING DIVISION
CITY OF FRESNO

October 9 2014

Jennifer K. Clark, AICP
Director, Development and Resource Management Department
2600 Fresno Street, Room 3065
Fresno, CA 93721

RE: General Plan Update

ATT: Miss Clark

We appreciated the opportunity to discuss some of the specifics of the General Plan update at the recent meeting at Sunnyside High School but continue to have serious concerns related to the change in land use designations for the Kings Canyon corridor.

While a 2012 Fresno Council of Government's (FCOG) Travel Demand Model identified less than one percent (0.86) of the Fresno County population as using transit, the City continues to focus on transit-orientated development. The proposed land use in the updated General Plan is Corridor Center/Mixed Use; an ambiguous term requiring a combination of a minimum 40% residential at a density of 16-30 units/acre and commercial uses that have yet to be defined in buildings up to three stories high.

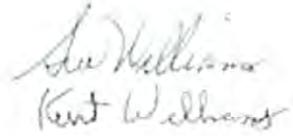
Without the benefit of the update to the Development Code it is very difficult, if not impossible to determine if the proposed Corridor Center/Mixed Use Land designation will be compatible with existing low density uses, specifically as it relates to the two parcels on the southeast corner of Minnewawa Avenue and Kings Canyon Road

Both parcels are currently located in the County, zoned for Residential/Professional (R/P) Single Story Office only. The parcel on the corner is developed with a single family home and the parcel to the east is vacant. The remainder of the block to the east and the entire block to the south is developed with single family homes and is designated as low-density residential with R1AH zoning (minimum 20,000 square foot parcels, horses allowed). R/P is compatible with the residential area and would serve the community with additional office space depending on the preference of the landowner. The adopted City General Plan designates the two parcels as office.

Careful consideration is needed to ensure that the proposed land use will be consistent with one of the primary goals of the General Plan update, to preserve neighborhood character and protect community values.

We request an opportunity to comment further on the appropriateness of land use designations in the General Plan update when the update to the Development Code becomes available.

Respectfully,



Sue and Kurt Williams
5437 E. Montecito Avenue
Fresno, CA 93727

Cc: Councilman Sal Quintero

From: Robert Merrill [geolbob@yahoo.com]
Sent: Thursday, October 09, 2014 4:38 PM
To: General Plan
Subject: General Plan Update comments

From: Robert D. Merrill, PhD, email: geolbob@yahoo.com
 Subject: Comments on Draft General Plan Update
 To: newplan@fresno.gov

Date: October 9, 2014
 To: Jennifer K. Clark, ACIP, Director, Development and Resource Management Department
 From: Robert D. Merrill PhD, 8540 N. Colfax, Fresno, CA 93720
 Re: Comments on City of Fresno Draft General Plan

I am commenting on the City of Fresno Draft General Plan Update as a resident and taxpayer in the city of Fresno for the last 44 years and as a professional in the scientific community with knowledge in geology, water, and land use.

Comments on City of Fresno General Plan Update

Submitted by Robert D. Merrill, PhD., October 9, 2014

1. The Economic Development and Fiscal Sustainability section of the General Plan Chapter 2 section ED-3-f needs an additional note involving a historical review of how Fresno's urban sprawl has impacted its tax base, as developers changed the city's land use zoning development code due to City Council approval of these changes, which violated past General Plans. What is needed is for City Planners to explain to the public the financial impact when zoning change requests by developers are made to the City Council. Unless City Planners are able to clearly present the fiscal impacts of developer requests to its citizens there is little chance of this General Plan improving the city's tax base and moving in a more positive direction.
 - a. Presentations to the city Council and the public must make clear this connection, especially when the Development Code and Zoning regulations are presented to the City Council. The City spent funds to bring Joe Minicozzi to town to help us understand this issue, now it is up to City staff to use his analysis.
 - b. The City also needs to argue before the Fresno County Board of Supervisors for protection from urban/suburban sprawl on County land in areas outside the City's Sphere of Influence.
2. The General Plan needs to strongly explain the connection between land use, urban/suburban sprawl, transportation, and resultant air quality. The City needs to also engage with the County of Fresno on this issue.
 - a. Holding to the General Plan's Complete Neighborhoods Policy and infill development will enhance these connections. Describe that connection more directly in the General Plan.
 - b. Add a section to chapter 10, Healthy Communities that gives a range of estimates for changes in air quality and associated increased or decreased asthma rates, and other specific health impacts.
3. Consider adding a section to the General Plan's chapter 7 regarding the connection between climate change and water resources, as well as their impact on per capita water use under different population growth projections. Remember that water supply is a finite resource and that climate change is most likely going to reduce the Sierra Nevada snowpack reservoir, plus climate change models include more erratic storm patterns (floods and droughts). So the City's surface water contracts may not be as guaranteed as current City staff assumes.
4. Perhaps Chapter 8 Historical and cultural Resources ought to include a section or a reference to an appendix that describes previous General Plans and evaluates their success or lack thereof. It's important to give context to how the City got to its present state, and this could also help citizen readers understand the need for the new directions.
5. Mathematical errors in General Plan Chapter 2 page 7 Table 2-4 Economic Sector Comparisons.

Comments on the MEIR

1. I did not find any discussion of soil hardpans in the Geologic Hazards section of the MEIR. While not a hazard generally, soil types with hardpans do present problems throughout Fresno for landscaping with regard to slow infiltration and in some areas these soils play a role in flooding through their slow infiltration or blockage of infiltration. Sincerely,

Robert D. Merrill

Fresno Youth Council for Sustainable Communities
1755 L Street, Fresno, CA 93721
T: (559) 445-0015 F: (559) 272-6125
www.cmcweb.org

October 2, 2014

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

Dear Ms. Clark:

On behalf of the Fresno Youth Council for Sustainable Communities (“Youth Council”), we thank you for the opportunity to comment on the City of Fresno’s General Plan. The Youth Council is made up of committed young people who have the passion to create sustainable communities in Fresno. We are housed at the Center for Multicultural Cooperation, a local non-profit organization. We are made up of members ages 16 to 24 whose mission is to advocate for positive changes throughout Fresno. We support open and equitable access to the San Joaquin River Parkway for those in the community, including those who are marginalized and underserved.

The Youth Council commends the City of Fresno’s efforts to provide residents of Fresno with greater access to parks through the General Plan Updates. Nonetheless, we are opposed to Policy POSS-7-g of Chapter 5 because it prevents the public from accessing the River Parkway by vehicle at Riverview Drive. We believe the public has the right to drive on public roads in order to enter and access the publically held land of the San Joaquin River Parkway. Thus, we oppose the policy as written, and ask you to amend it to reflect vehicular access at Riverview Drive to ensure that residents of Fresno who live beyond walking and biking distance from the Parkway may enjoy it.

Specifically, the Youth Council is opposed to Policy POSS-7-g and item 13 of Policy POSS-7-i of Chapter 5 for the following reasons:

1. Policy POSS-7-g limits vehicular traffic on Riverview Drive and surrounding neighborhoods which has the effect of excluding communities of color, and the majority of Fresno residents from using public roads to access the public lands of the San Joaquin River Parkway. This restriction prevents a substantial portion of the Fresno community from enjoying the benefits of the San Joaquin River Parkway.

2. POSS-7-I calls for multi-modal parking and access at Palm and Nees however, access to the Parkway and parking at this location is limited by easements which state that public access at Palm and Nees is only required to the extent public access is offered at Riverview Drive. Cliff Tutelian, owner of the easement at Palm and Nees, has publically declared that he will do everything in his power to ensure no vehicular access on his property by upholding the easements. Therefore, if the General Plan restricts public vehicular access at Riverview Drive under POSS-7-g, vehicular access at Palm and Nees is also limited to pedestrian and bicycle traffic only. In other words, the General Plan as drafted makes public access a nullity when all relevant facts are considered.
3. The Youth Council is also concerned with the alternative vehicle parking options for the public if Riverview Drive is not accessible by private vehicles because citizens of Fresno are left with traveling an additional 10 mile roundtrip out of the City of Fresno, into Madera County, just to circle back to park at Perrin Avenue on the Madera County side of the river. The environmental impact of each additional car traveling to the river will further exasperate the pollution problem in Fresno.
4. Currently, access at Woodward Park requires a one mile hike to access the River Parkway and traversing a steep staircase is necessary to access the River Parkway from Spano Park. According to the City Manager's River West General Plan recommendations from February 14, 2013, access at these locations is "only for the very strong." The Youth Council is concerned that the current plan results in the exclusion of disabled persons, families with small children, and the elderly as a result of inadequate parking and vehicular access.

For these reasons, the Youth Council asks you to amend POSS-7-g to allow vehicular access to the River Parkway through Riverview Drive in order to ensure access for all residents of Fresno. We thank you for providing us with the opportunity to comment on the Draft General Plan, and for your time and consideration.

Sincerely,

Christina Windover

Christina Windover

Program Coordinator

The Fresno Youth Council for Sustainable Communities

From: diane.b.merrill@comcast.net [diane.b.merrill@comcast.net]
Sent: Thursday, October 09, 2014 3:00 PM
To: General Plan
Subject: Comments from Diane Merrill on Draft General Plan

Date: October 9, 2014

To: Jennifer K. Clark, AICP, Director, Development and Resource Management Department

From: Diane Merrill, N Colfax Ave., Fresno 93720

Re: Comments on City of Fresno Draft General Plan

I am commenting on the City of Fresno Draft General Plan on my own behalf as a resident and taxpayer of the City of Fresno for last 32 years.

1).Traffic, Air Quality and Urban Sprawl

I live one block away from the Friant Road/Audubon Drive intersection. I am concerned that traffic safety and traffic congestion along Friant Road in the City of Fresno, will be made worse by increased urban sprawl if the City's sphere of influence (SOI) is extended beyond its current northeast SOI.

Another health and safety concern is the compromised air quality when cars idle in congested traffic conditions along Friant Road.

- The Friant/Audubon intersection's **F safety rating** is a safety concern for those living in the neighborhood that frequently pass through this intersection.
- Several years ago the off-ramp on the east side of Freeway 41 at Friant Road was enlarged. One of the reasons for the enlargement was to address a **hazardous situation** with cars on the off-ramp backing-up all the way onto the freeway. This resulted in rear end collisions involving cars that were stopped on the freeway due to the clogged off-ramp. I know of at least one teenager who totaled her family's car in one of these collisions.
- Fast-forward to the summer of 2014, and I have witnessed cars backing-up onto the freeway once again despite the enlarged off-ramp. This occurs intermittently during the evening rush hour. I could observe no other cause for the back-up other than the high volume of traffic exiting the freeway to head northeast on Friant Road. This situation has continued even after the synchronization of traffic signals along Friant Road.

The safety issues, gridlock, and poor air quality can only get worse if the General Plan allows for new development along the Friant Corridor beyond the City's current SOI. I urge the City to retain the current SOI.

I also urge the City to measure, and take into serious consideration in this General Plan, traffic and air quality conditions along Friant Road during peak morning and evening commute hours. This should be in addition to any measurements of daily air quality and traffic conditions.

2). Urban Heat Island

I would encourage the City to do more in the General Plan to address the impact of the urban heat island (UHI) effect, as evidenced by weather reports indicating that nighttime

high temperatures in the summertime in City of Fresno are frequently several degrees warmer than temperatures in other communities in the area. The urban heat island effect serves to increase nighttime air conditioning usage at the same time that electricity from solar photovoltaic installations is reduced or not available.

I support actions mentioned in the General Plan to reduce the UHI effect including:

- Green Street Tree Planting. (Buildings and Design Section 3.6)
- Complete Streets that include a substantial tree canopy. (Buildings and Design Section 3.6)
- Reduce surface parking through incentives to replace existing large surface parking lots in center with parking structures (Buildings and Design Section 3.6). This should be done in areas where the parking garages would have high levels of usage (unlike the parking garage near the Saroyan Theater).
- Placement of solar panels on shade structures over parking areas.

Note: Shading or other means of reducing heat build-up should be required in new parking lots, and encouraged through incentives or other means, in existing lots.

Trees are an important tool in reducing the UHI effect. **The City needs to implement water policies to assist residents and business owners to provide enough water to maintain valuable trees, especially street and parking lot trees, to keep them alive during drought conditions.** If the current drought continues through the winter and outside watering is prohibited during fall/winter months, many valuable trees will die. If large numbers of street trees die, will the City be faced with significant costs for removing trees to reduce the safety hazard to drivers and pedestrians?

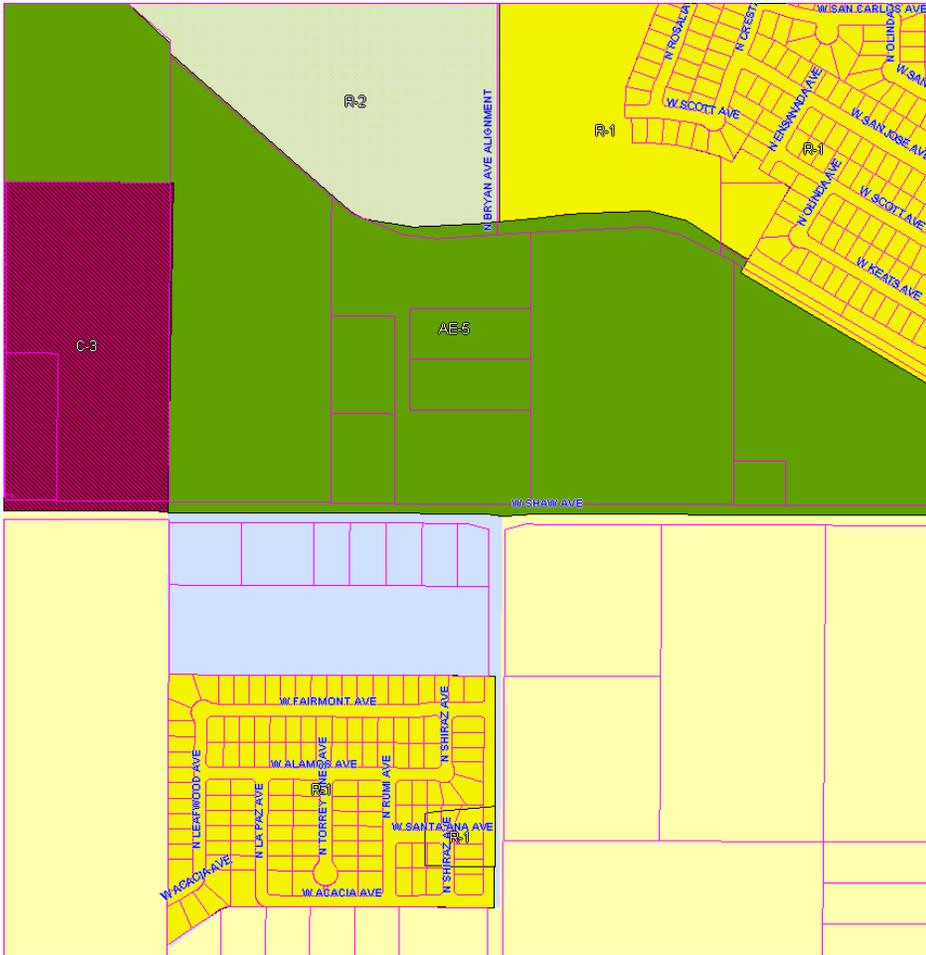
The City should adopt General Plan policies to move away from water hogging trees, such as coastal redwoods, and toward trees that use less water and are more adapted to our climate. The City should lead this effort by taking steps to phase in water conserving trees on City-owned properties, and should encourage property owners to do the same through incentives, or other means.

Respectfully submitted,

Diane Merrill

From: Bruce Barnes
Sent: Wednesday, September 03, 2014 4:43 PM
To: Arnolando Rodriguez
Cc: Mike Sanchez; Will Tackett; Jon Bartel
Subject: no zoning designation north of the yellow (R-1)

There are several areas in the city where LAFCO has brought in territory without the benefit of it being pre-zoned. I don't necessarily have an answer but it seems to me we should allow the Planning Director to assign a zone district to the territory consistent with the GP. I would not envision a hearing in front of the PC or CC, but we need some mechanism for these rare instances.





Building Industry Association
of Fresno/Madera Counties, Inc.

To: Jennifer Clark, Director
Development and Resource Management

From: Mike Prandini

Date: October 3, 2014

Subject: Comments on the Fresno General Plan Update and MEIR

The following are the BIA comments on the implementing policies contained in the 2035 General Plan and the Master Environmental Impact Report. Every effort has been made to comment on those policies and mitigation measures important to the building industry and, as such, these comments may not be all inclusive. We may have additional comments when the General Plan and MEIR are considered by the Planning Commission and City Council during the Public Hearings on the documents.

General Plan Goals

General Plan Goal #8 – Develop Complete Neighborhoods and districts with an efficient and diverse mix of residential densities, building types, and affordability which are designed to be healthy, attractive and centered by schools, parks, and public and commercial services to provide a sense of place and that provide as many services as possible within walking distance.

Intentionally plan for Complete Neighborhoods as an outcome and not a collection of subdivisions which do not result in Complete Neighborhoods.

Comment – This Goal is problematic for the development industry as it does not consider fragmented land ownership in large portions of the growth areas, market demands, or the autonomy of school districts in locating new schools, usually along collectors to enhance access. This Goal should be deleted or modified to recognize real world issues.

General Plan Goal #13 – Positively influence the same attributes in other jurisdictions of the San Joaquin Valley-and thus the potential for regional sustainability-and improve the standing and credibility of the City to pursue appropriate State, LAFCo, and other regional policies that would curb sprawl and prevent new unincorporated community

development which compete with and threaten the success of sustainable policies and development practices in Fresno.

Comment – This goal is directed at other cities in the county, the County of Fresno and the County of Madera. The goal encourages litigation against other jurisdictions. The phrase “to pursue appropriate State, LAFCo, and other regional policies that would curb sprawl and prevent new unincorporated community development which compete with and threaten” should be stricken.

Economic Development and Fiscal Sustainability

Policy ED-5-b – Fair and Proportional Payments - Require new residential and commercial development that requires annexation to the City (not including County Islands) to pay its fair and proportional share of needed community improvements through impact fees, assessment districts, and other mechanisms. Approve new residential and commercial development projects that require annexation to the City (not including County Islands) after making findings that all the following conditions are met:

- No City revenue will be used to replace or provide developer funding that has or would have been committed to any mitigation project;
- The development project will fully fund public facilities and infrastructure as necessary to mitigate any impacts arising from the new development.
- The development project will pay for public facilities and infrastructure improvements in proportion to the development’s impact; and
- The development will fully fund ongoing public facility and infrastructure maintenance and public safety and public service costs.

Comment – The development industry is accustomed to paying its fair share of infrastructure costs through impact fees and for ongoing maintenance through service delivery fees. However, the wording to prohibit City contributions to a project will limit the ability to attract investment in areas of the City that require economic assistance and incentives to be developed. The participation by the City should be subject to negotiation between the City and the developer so that the objectives of the City can be met. The phrase “unless waived by the City Council” should be added. The phrase “proportionate share” should be added to bullets 1, 2 and 4.

Policy ED-5-e - Fiscal Impact Analyses – Require fiscal impact analyses for development proposals requiring a General Plan amendment or annexation to assess citywide impacts and to identify any burden such projects might create for the City, any school district, and other public agencies with the City’s Sphere of Influence.

Comment – The fiscal impact analysis should be restricted to major projects that require a General Plan amendment. Requiring such analysis for annexations is unnecessary since annexations with not change the General Plan area or its expected impacts and identified by the MEIR. This Policy could effectively eliminate small projects that require annexation. If that is the City’s desire, then it should be stated clearly that projects

requiring annexation of less than a minimum acreage need not apply. This condition should be eliminated or changed to apply to projects greater than one-half mile from the City's existing City limits.

Urban Form, Land Use, and Design

Policy UF-1-a – Diverse Neighborhoods. Encourage development projects that provide a diversity of urban and suburban neighborhood opportunities.

Comment – The phrase “and accommodate market and cost constraints” should be added.

Policy UF-1-d – Range of Housing. Encourage and provide for a diversity of building types, density and scale to reinforce neighborhood identity and foster a variety of options for living and working.

Comment – The phrase “and accommodate market and cost constraints” should be added.

Policy UF-1-f – Complete Neighborhoods, Densities, and Development Standards – Use Complete Neighborhood design concepts, development standards, and project reviews outside the Downtown Planning Area to achieve the development of Complete Neighborhoods and the residential density targets of the General Plan.

Comment - This comment is the same as for General Plan Goal 8.

Objective UF-12 – Locate roughly one-half of future development in infill areas – defined as being within the City on December 12, 2012 – including the Downtown core areas and surrounding neighborhoods, mixed-use centers and transit-oriented development along major BRT corridors, and other non-corridor infill areas, and vacant land.

Comment – This is an unrealistic objective given the market in this area and should be changed to a goal instead of an absolute statement.

Growth Areas – This part of the Plan reemphasizes Policy UF-1a – Diverse Neighborhoods. The plan proposes that each quarter section with have a park, school, a mix of medium high single family and multi-family and with retail/commercial at the center of the section.

Comment – This is an effort by the City to force development of a specific type in each section of the City regardless of market conditions or cost and should be modified.

Objective UF-13 - Locate roughly one-half of future development in in the Growth Areas – defined as being unincorporated land as of December 12, 2012 SOI – which are

to be developed with Complete Neighborhoods that include housing, services, and recreation; missed-use centers; or along future BRT corridors.

Comment – This is the flip side of Objective UF-12. This is also an unrealistic Objective given the market in this area and should be changed to a goal instead of an absolute statement.

Policy UF-13-a – Master Planning to Require Design Principles – Utilize sub-area master planning for growth areas and BRT transit villages.

Comment – This should be done with major participation of the land owners and the development industry.

Policy UF-13-b – Complete Neighborhoods, Densities, and Development Standards – Complete Neighborhood design concepts, development standards and project review to achieve the development of Complete Neighborhoods and residential densities targeted for each quarter section.

Comment – This should be done with major participation of the development industry. This Policy is problematic for the development industry as it does not consider fragmented land ownership in large portions of the growth areas, market demands, or the autonomy of school districts in locating new schools, usually along collectors to enhance access. This Policy should be deleted or modified to recognize real world issues as mentioned previously.

Policy UF-14-a – Design Guidelines for Walkability – Use design guidelines and standards for a walkable and pedestrian-scaled environment with a network of streets and connections for pedestrians and bicyclists as well as transit and autos.

Policy UF-14-b – Local Street Connectivity – Design local streets to connect throughout neighborhoods and large private development with adjacent major streets and pathways of existing adjacent development.

Policy UF-14-c – Block Length – Create development standards that provide desired and maximum block lengths in residential, retail, and mixed use districts to enhance walkability.

Comment – These three policies are aimed at eliminating cul-de-sacs, shorting block length, eliminating walls that separate unrelated uses, eliminating street front parking lots that separate pedestrians from commercial operations, and eliminating retail that is automobile oriented. The phrase “encourage” and “work with the development industry” should be added to these three policies.

Land Use

Comment on Density and Intensity – The Plan proposes that density be calculated on net acreage, that is, land area remaining after considering major streets, schools, or regional trails. In addition, any public facility should be removed prior to calculating net acreage.

Objective LU-9 – Plan Land Uses and design development intensities to supplement and support, and compete with, the Downtown.

Comment – This Objective and its implementing provisions are intended to force development into the Downtown area and to limit additional competition with business and residential in the Downtown. The term “encourage” should be added to remove the unintended consequence of becoming a requirement.

Policy LU-10-a- Regional Land Use and Transportation Planning Program – Consider participation in a coordinated Regional Land Use and Transportation Planning Program, if funding is available, with the City of Clovis, County of Fresno and the County of Madera and other cities in the region.

This Policy contains a sub-statement to preserve agricultural land and prevent its premature conversion, including a requirement for an economic assessment, phasing plan, and criteria to prevent leapfrog development.

Comment – The purpose of this policy is to have the general plans of the other jurisdictions mirror and not compete with the Fresno General Plan. It needs to be made clear that this is advisory only.

Mobility and Transportation

Planned Improvements

Pedestrian – Continuous sidewalks will be required along public streets on both sides, within all new development. Sidewalks or alternative pedestrian routes will also be required within developments that utilize private street access.

Comment – The Building Industry Association opposed the requirement of sidewalks on both sides of private streets. The City for years has allowed the exclusion of sidewalks on private streets. It should be left to the discretion of the project developer. This requirement should be deleted.

Bicycle – Strives to ensure that major destinations are well-served by Class II bike lanes, well-marked Class III bike routes are extended into nearly all neighborhoods and a system of Class I bike paths is provided in new development areas along key corridors where right-of-way exists.

New Class I bikeways should be included as part of master planning for all new development areas and should be developed in existing parts of the city where opportunities to obtain right-of-way exist.

Comment – The result of this provision will increase development costs due to additional street construction and the reduction of net developable acres that will affect the development density. It will also increase annual maintenance costs for the Community Facilities Districts. Both of which make development more expensive and increases the cost of housing. There needs to be a commitment by the City to provide incentives to offset these cost features.

Policy MT-5-b – Sidewalk Requirement – Assure adequate access for pedestrian and people with disabilities in new residential developments, with sidewalks on both sides of the public streets and private streets or drives within residential planned developments.

Comment – This policy should be changed to allow for sidewalks on one side of the street only when subdivision design allows and not require sidewalks on private streets.

Policy MT-6-g – Path and Trail Development in Subdivisions – Require all new subdivisions to incorporate planned multi-purpose path and trail development standards and corridor linkage consistent with the General Plan, applicable law and case-by-case determinations as a condition of tentative map approval.

Comment – This policy creates design issues, especially for smaller subdivisions, with street and lot configuration and reduces the developable acreage. It is unrealistic to require all subdivisions to contain these paths and trails and “requirement” should be changed to “encouraged.”

Policy MT-6-j – Variety in Path and Trail Design – Provide for different levels and types of usable pedestrian and bicycle corridors, including broad, shaded sidewalks; jogging paths; paved and all-terrain bicycle paths; through-block passageways; and hiking trails.

Comment – This policy will increase costs for construction and will increase costs for maintenance for the Community Facilities Districts and reduce developable acreage. The ultimate impact will be to increase the cost of housing. Provisions need to be made to provide offsets for these costs.

Parks, Open Space & Schools

Policy POSS-1-a – Park Standard - Implement the City’s existing standard of at least three acres of public parkland per 1,000 residents for Pocket, Neighborhood, and Community parks throughout the city, while striving for a goal of five acres per 1,000 residents for all parks throughout the city, subject to identifying additional funding for regional parks and trails.

Comment – In the calculation of acres per 1,000 residents, does the City include the San Joaquin River Parkway? If not, it should since the Parkway is a public amenity.

Policy POSS-2-c – Open Space Dedication for Residential Development – Ensure new residential developments provide adequate land for parks, open space, landscaping, and trails through the dedication of land or otherwise providing for Pocket Parks, planned trails, and other recreational space, maintained by an HOA, CFD, or other such entity.

Comment – Not all residential developments are of sufficient size to provide these amenities. The phrase “if it is feasible to provide such amenities” should be added.

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

Comment – This should be changed to encourage rather than require, unless the City is prepared to provide incentives for such a requirement.

Policy POSS-5-d – Establish guidelines for habitat conservation and mitigation programs.

Comment – Although guidelines are helpful in determining what the objective is of the City’s program, in this highly urbanized and active agricultural area the City needs to carefully identify potential areas for habitat conservation so as not to unduly restrict planned development.

Policy POSS-5-g – Assistance in Valley Arboretum Master Planning – Assist community organizations that have raised grant funds to pursue the preparation of a Valley Arboretum Master Plan and Implementation Program, including funding, to be coordinated with community groups, as well as related plans and policies for older neighborhoods and other areas with park deficiencies.

Comment - It is indicated that the details need to be worked out before the concept is fully supported and will be implemented through an amendment to the General Plan. This concept should not even be considered unless the City is committed to establishing a city-wide financing mechanism on all residents to fund its implementation. The funding of this idea should not fall on the shoulders of the development community.

Public Utilities and Services

Policy PU-2-g – Community Facilities District for Emergency Services – Develop strategies to mandate Community Facilities District formations in new Development Areas to fund the staffing, operation, and maintenance of the primary response fire stations serving those areas so that such services do not overly impact the General Fund.

Comment – The implementation of this policy will require a nexus analysis to justify implementation of assessments on homeowners since no other residents pay for the cost of fire and police protection services. In addition, all new residential construction is required to install fire sprinkler systems that mitigate the demand for fire protection service.

Resource Conservation and Resilience

Policy RC-1-b – Capital Improvement Program – Prepare and consider adoption of a long-term Capital Improvement Program (CIP) that describes City-sponsored capital projects related to General Plan implementation.

Commentary – The CIP will define what development areas or projects it would enable, include funding sources covering the complete cost of the projects as well as intended phasing, and be updated annually and comprehensively reviewed every five years so that it accurately reflects the City’s priorities, community needs, fiscal realities, and State mandates. It also will include an analysis of how improvements implement the General Plan and how they reflect the City’s commitment “environmental justice” and fair share issues relative to individual neighborhoods.

Comment – The policy on the CIP is what is currently done and has been done for a long time. However, the commentary is something new and will allow the City to delay or exclude projects that serve new Greenfield development in favor of infill development. The policy needs to be clarified that it will not adversely affect new development within the sphere of influence.

Policy RC-1-c – Prioritize Revenues – Give priority for the purpose of increasing property tax and sales tax revenues by supporting, streamlining and providing incentives for projects that create the largest impacts on property values and the city’s retail base and also, to the extent feasible, support Downtown and older neighborhoods.

Commentary – These incentives could include giving priority to supporting redevelopment of vacant and underutilized land, particularly in mixed use and higher density corridors and Downtown, over the conversion of active farmland to urban uses.

Comment – This policy and the commentary have the likely potential to delay construction of projects that would serve Greenfield developments. The policy needs to be modified to state that it will not unduly delay new projects elsewhere within the sphere.

Policy RC-2-a – Land Use Link to Transportation – Promote mixed-use, higher density infill development in multi-modal corridors. Support land use patterns that make more efficient use of the transportation system and plan future transportation investments in areas of higher-intensity development. Discourage investment in infrastructure that would not meet these criteria.

Comment – This policy is the furtherance of other General Plan policies to discourage and delay Greenfield development in favor of infill development. The policy needs to be modified to state that it will not unduly delay new projects elsewhere within the sphere.

Policy RC-2-b – Infrastructure for Mixed-Use and Infill – Promote investment in the public infrastructure needed to allow mixed-use and denser infill development to occur in targeted locations, such as expanded water and wastewater conveyance systems, complete landscapes, parks and open space amenities and trails. Discourage investment in infrastructure that would not meet these criteria.

Comment – The last sentence in this policy is further evidence that the General Plan is designed to discourage development that is not infill. This is additional rationale to further restrict the ability to develop Greenfield areas. The policy needs to be modified to state that it will not unduly delay new projects elsewhere within the sphere.

Water Resources and Farmland

Policy RC-6-e – Protect Aquifer – Oppose urban development in unincorporated areas that are not served by a wastewater treatment/management system that is capable of preventing the buildup of compounds that would degrade the aquifer.

Policy RC-6-f – Regulate Sewage Disposal Facilities – Oppose the development of new sewage disposal facilities either within the Planning Area or up gradient (north and east) of the Planning Area, unless the treatment facilities produce effluent that:

- Will not degrade the aquifer in the long term;
- Will not introduce contaminants into surface water that would negatively affect its potential economic use for drinking water;
- Will not deleteriously affect downstream agriculture and urban uses, and
- Will not degrade sensitive riparian habitat.

Policy RC-9-b – Land Outside Sphere of Influence – Express opposition to residential and commercial development proposals in unincorporated areas (excluding County islands) within or adjacent to the Planning Area when these proposals would do any of the following:

- Make it difficult or infeasible to implement the General Plan;
- Contribute to the premature conversion of agricultural, open space, or grazing land; or
- Constitute a detriment to the management of resources and/or facilities important to the Fresno Metropolitan Area (such as air quality, water quantity and quality, traffic circulation, and riparian habitat).

Policy RC-9-c – Farmland Enrollment – Advocate for the enrollment of all prime farmland outside of the City’s SOI in agricultural land conservation programs.

Comment – These four policies are aimed at discouraging and possibly preventing development in the County, including expansion of existing County service areas. The

policy needs to be changed to promote cooperation amongst the public agencies to promote water conservation, development of water supply and improvement of water quality.

Historic & Cultural Resources

No Comments

Noise and Safety

Policy NS-1-a – Desirable and Generally Acceptable Exterior Noise Environment – Establish 60 dB LDN or CNEL as the standard for the desirable maximum average exterior noise levels for defined usable exterior areas of residential and noise-sensitive uses for noise, but accept 65 dB LDN or CNEL for noise generated by transportation sources.

Comment - The generally accepted noise range for residential should be 65dB. The standard should be set at 65dB.

Policy NS-1-h – Interior Noise Level Requirement – Comply with the state code requirement that any multifamily residential, hotel or dorm building exposed to exterior noise levels above 60dB must be designed to incorporate noise reduction measures to meet the 45dB interior noise criterion and apply this standard to all residential and noise sensitive uses.

Comment – The acceptable threshold needs to be set at 65dB.

Healthy Communities

Policy HC-3-a – Universal Design – Working with the Building Industry Association, update the Universal Design Standard of the Fresno Municipal Code to encourage and facilitate incorporation of universal, lifecycle design principles in new residential design options available to purchasers and to help community members stay in their homes and neighborhoods longer as they age.

Comment – This policy is acceptable as long as it remains at the option of the builder and the home buyer.

Policy HC-5-a – Healthy Grocery Incentives – Adopt regulations and incentives in the Development Code for locating healthy food grocery stores to increase communitywide healthy food access, with an emphasis on the attraction of grocery stores to established neighborhoods deficient in grocery stores and access to healthy and fresh food.

Comment – This policy is acceptable as long as it remains at the option of the developer and owner of the grocery store.

Master Environmental Impact Report

Archaeological Resource and Mitigation Measures

Impact CUL-2 - The project could cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5.

MM-CUL-2 – Subsequent to a preliminary City review of the project grading plans, if there is evidence that a project will include excavation or construction activities within previously undisturbed soils, a field survey and literature search for prehistoric archaeological resources shall be conducted.

Comment – This requirement is costly, contributes to unnecessary construction delays and is without merit. There is very little evidence that anything of archaeological value is present in any of the City’s growth areas. In addition, what is meant by “undisturbed soils”? Virtually all land within the growth areas has been disturbed in the last 100 years. Some is now fallow and some is underutilized, but it has been disturbed. Therefore, this condition is unnecessary. The requirement should only provide that if something is found construction will cease.

Unique Paleontological Resource/Site or Unique Geologic Feature and Mitigation Measures

Impact CUL-3 - The project could directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.

MM-CUL-3 - Subsequent to a preliminary City review of the project grading plans, if there is evidence that a project will include excavation or construction activities within previously undisturbed soils, a field survey and literature search for unique paleontological/geological resources shall be conducted.

Comment - This requirement is costly, contributes to unnecessary construction delays and is without merit. There is very little evidence that anything of paleontological or geologic value is present in any of the City’s growth areas. In addition, what is meant by “undisturbed soils”? Virtually all land within the growth areas has been disturbed in the last 100 years. Some is now fallow and some is underutilized, but it has been disturbed. Therefore, this condition is unnecessary. The requirement should only provide that if something is found construction will cease.



County of Fresno

Department of Public Works and Planning
Alan Weaver
 Director

October 9, 2014

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

Dear Ms. Clark:

SUBJECT: City of Fresno General Plan Update and Master Environmental Impact Report

The County of Fresno appreciates the opportunity to review and comment on the City of Fresno's General Plan Update and Master Environmental Impact Report (EIR). Based on the County's review of the project, the following comments are offered for your consideration:

Chapter 1: Introduction

13. Emphasize the City as a role model for good growth management planning, efficient processing and permit streamlining, effective urban development policies, environmental quality, and a strong economy. Work collaboratively with other jurisdictions and institutions to further these values throughout the region.

Positively influence the same attributes in other jurisdictions of the San Joaquin Valley—and thus the potential for regional sustainability—and improve the standing and credibility of the City to pursue appropriate State, LAFCO, and other regional policies that would curb sprawl and prevent new unincorporated community development which compete with and threaten the success of sustainable policies and development practices in Fresno.

It is important that the City recognize and acknowledge that existing County unincorporated communities exist and provide a full range of community services and employment opportunities similar to small incorporated cities, and offer an alternative for residents who desire to not live in a metropolitan area. While the County applauds the City for recognizing the inefficiencies of developing beyond its urban core, it seems premature to emphasize the City of Fresno as a role model for good growth management planning and effective urban development policies until the City demonstrates that the policies to curb urban growth expansion, promote infill development and promote investment in downtown and central Fresno have been effectively implemented.

The County is concerned with statements and inferences that development in the unincorporated communities of Fresno County is promoting sprawl which would compete and threaten the sustainability of the City's development policies. These communities have also adopted boundaries, as well as policies, seeking to guide residential, commercial, and industrial development. Moreover, the State Housing and Community Development Department mandates that the County provide housing units to accommodate population growth in the County for all income groups, just as cities are so mandated. The unincorporated

DEVELOPMENT SERVICES DIVISION

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communities are places where much of this housing development and associated facilities would occur.

Transportation & Traffic:

The General Plan Update proposes a number of street reclassifications that if approved would present potential inconsistencies with County classifications. These inconsistencies will impact development approved by the County within the Sphere of Influence (SOI) with regard to street improvements and requirements.

Incremental build-out of roadways may necessitate right-of-way acquisition from unincorporated parcels. These right-of-way acquisitions by the City on unincorporated areas should be for the minimum amounts required for incremental street improvements.

Roadway widening projects undertaken by the City should not negatively impact farming or livestock operations on remaining County parcels. The design of incremental roadway improvements should provide for continued unobstructed access for these County parcels, especially for any ongoing truck and trailer operations.

Individual projects within the SOI that require environmental review should be reviewed by Fresno County to ensure the proposed project does not significantly impact County transportation facilities. Projects that significantly impact County transportation facilities should pay their proportionate share for mitigation to reduce significant impacts to a less than significant level.

County-wide Services and Coordinated Planning Efforts:

The City's General Plan will have a direct fiscal impact on the County. The growth to be accommodated in the Plan will result in an additional population of approximately 425,000 persons by the year 2056. This significant increase in population will result in an increased service population for health services, social services, the justice system, and other county-wide services provided by Fresno County. The increased population will also impact and necessitate expansion of the County transportation system, recreational facilities, library system, and other County facilities to accommodate the increased growth.

The Fresno County General Plan promotes the updating of applicable County-adopted community plans following city adoption of a general or community plan. In this case, Fresno County has a number of adopted community plans for the City of Fresno. The greatest challenge to implementing this policy, however, is the lack of funding for the plan update process. Without funding, County staff does not anticipate initiating any community plan update process anytime soon. In staff's opinion, the only viable alternative, given the City's vested interest, is for the City to fund the County's community plan update process for lands within the City of Fresno's Sphere of Influence. This would ensure that the County's community plan update process occurs in a timely manner, and that the County can attempt to rely on the City's Master Environmental Impact Report to the extent possible.

The County is concerned that many existing rural parcels may be bypassed in favor of Greenfield parcels, thus potentially resulting in irregular urban growth patterns and rural/urban interface impacts. The City is encouraged to develop a comprehensive annexation program

City of Fresno
October 9, 2014
Page 3

that addresses annexation of both developed and undeveloped parcels. As previously expressed with certain City annexations, the County will be expecting the City to address coordination of services relating to code enforcement, emergency mutual aid response, traffic enforcement, illegally-dumped debris within County rights-of-way, and take responsibility for City-constructed infrastructure within County rights-of-way for by-passed unincorporated areas resulting from City annexations.

We appreciate the opportunity to comment on the project. If you have any questions you may email me at bsholars@co.fresno.ca.us or call me at (559) 600-4207.

Sincerely,

A handwritten signature in black ink, appearing to read "Briza Sholars for". The signature is written in a cursive, flowing style.

Briza Sholars, Planner III

cc. Alan Weaver, Director
Bernard Jimenez, Deputy Director
Dan Gibbs, Deputy Director
Will Kettler, Development Services
Chris Motta, Current Planning



Chinatown Revitalization Inc.

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PURCHASING DIVISION
CITY OF FRESNO

Director of Planning
City of Fresno

October 9, 2014

On behalf, of Chinatown Revitalization Inc. of Fresno, I am submitting the following comments to the General Plan 2014 for the City of Fresno.

Once again, a new overall plan leaves Fresno's Historic Chinatown as the "donut hole" in the plan. Our area, as the "hole", is to be address in a "specific plan" sometime in 2015. This plan and it's late date will be at best "too little - too late" to do sound planning in the light of the devastating impact of High Speed Rail on our community.

The General Plan was touted as one to "protect," "preserve", and "promote through economic investment and reinvestment". This planning process has none of these "focus points" for Fresno's Historic Chinatown. In reality it is completing the long range efforts of the former Redevelopment Agency in the destruction of our community.

It was stated at the last community meeting that the current planning staff was not involved in the past plans nor could they address them; it is, however, your shared responsibility to ensure the comprehensiveness of current and future plans.

Sincerely,

Kathleen S. Omachi, MSW
Vice President

559-213-1815

REC'D
4:50 PM
SMC
(COUNTER)

October 8, 2014

Jennifer K. Clark, Director
City of Fresno Development and Resource Management Department
2600 Fresno Street
Fresno, California 93721

Dear Ms. Clark,

SUBJECT: Council District 6 Plan Implementation Committee Comments on
the Draft General Plan Update and Draft Master EIR

The Council District 6 Committee has reviewed these documents and most of us have attended one or more public workshops on them. After a lot of time reviewing and considering the documents, we feel that we still can't make a final recommendation on the General Plan Update because the plan has new land use categories that would be implemented by new zone districts, but the new Development Code was not released in time for anyone to know exactly what types of uses, what housing densities, and what setbacks and other development standards would apply to the areas where the new plan designations (and zone districts) are proposed. We can't vote to recommend approval of the General Plan when we don't have all the information. Once the comment deadline passes on the General Plan and Draft EIR, how would we have any input on Development Code information released afterward?

We do have some feedback on things that we have reviewed:

There is a lot of monotony in Fresno's commercial development—same chain stores, same earth-tone stucco on buildings that are designed the same.

Fresno is too open to fast food franchises (so much so that our city is a nationwide testing site for every new fried food concept).

Neighborhoods are where we live, and neighborhood shopping centers should reflect local character to preserve local identity. Neighborhood shopping centers should also offer a wider range of uses to serve the residential areas around them. Single-tenant neighborhood shopping centers should not be allowed, because a single store offers an incomplete range of goods. These single-store "shopping centers" don't reduce driving trips, because most customers drive to them (the customer draw areas of these larger stores go beyond a neighborhood); also because people who live in the neighborhood have to drive to get the goods and services they need that aren't provided by the single store. That situation increases congestion and pollution.

Small lots, small setbacks, short driveways only 6 to 8 feet long, and small garages are not a good idea. They force people who cannot park in their garages to park on the street, so new home developments with these lots are littered with cars on both sides of the street. The narrow roads are even narrower with cars parked on both sides. You cannot see when backing out of your garage, and you cannot see kids running out into the street in time. You can't walk with your kids or your dog in neighborhoods built like that, without running into cars that stick out across the sidewalk and into the streets. Houses need adequate space in between each other, to protect people's privacy. Garbage containers also wind up too close to neighboring homes' windows when the side yard setbacks aren't large enough.

Fresno needs to plan for areas where fully integrated, senior communities can be built, with a requirement to include full amenities for active seniors to preserve their health in a safe setting (something on the order of a “Del Webb” community).

It might make some sense to add apartments above commercial square footage along commercial corridors, but is there enough market demand to build all these high density complexes shown in the plan?

There does not seem to be a way for the infrastructure to handle all the high density, especially on older corridors like Blackstone Avenue— the sewers can’t take it, the roads can’t take all the traffic, etc.

Higher density housing causes excessive traffic, especially in areas where the roads are not fully widened. Are the traffic flows and congestion being examined properly in the EIR? Traffic congestion is not desirable. High density doesn’t necessarily cut down on the number or length of car trips. It is not certain that people will stop driving when congestion gets too bad. People can’t always get a job near their home, and the bus system isn’t capable of serving commuters. If you don’t offer homes that people want to buy, with houses and yards large enough to enjoy, people will just buy homes in Madera County and the small towns around Fresno, where they don’t have to fight congestion in their neighborhoods. Then they will commute many miles into Fresno to their jobs, making pollution worse in the area, and traffic worse on the highways.

The current FAX bus system is not financially self-sustaining and does not serve all areas of Fresno where public transit is needed (there are no bus lines to the Clovis Unified and State Center Community College major educational centers on North Willow Avenue, and none on the whole “Bullard Loop” area). When the initial grant funding for Bus Rapid Transit runs out, how will that level of transit service be supported financially? If Bus Rapid Transit cannot sustain its planned level of service, what will all the residents of the intensified corridor do for transportation?

Also, the General Plan should provide guidance on improving Fresno’s road maintenance, which is a daily problem we all face. The General Plan has a lot of detail and strategies for new goals to improve people’s health and sustainability. Those are worthy goals, but there isn’t any strategy in the General Plan to improve the City’s performance in addressing long-term issues like road maintenance, or landscape and median island maintenance. The appearance (streetscape) of Blackstone Avenue needs to be updated and improved. The General Plan should provide some strategy for drought-tolerant landscape rules to be enforced.

There is a need for more parks, including pocket parks. The City should keep the Naylor Act in mind when planning parks and evaluating school sites. Trails need to be planned and built in other parts of Fresno besides the north end. There have to be other useful trail routes other than old railroads.

The City should strongly consider adding a Parks & Recreation Commission to help achieve improvements in parks, trails, streetscapes, etc. Please see the attached description of things that a Parks & Recreation Commission could assist the City with.

We hope these comments are useful, and we look forward to reviewing the Development Code.

The [City of Sunnyvale] Parks and Recreation Commission is a model for what could be done in Fresno. Sunnyvale has five-member commission that acts in an advisory capacity to the City Council in matters and services pertaining to parks, open space, playgrounds, entertainment, other cultural and recreational activities. Its specific duties include:

- Study, evaluate and recommend to the City Council policies relating to parks and recreation activities, such as Community Center Use Policy, Park Building Use Policy, Picnic Facility Use Policy, and License Agreements.
- Review master plan of park development or expansion for adequacy, appearance and other appropriate criteria in an attempt to assure good design and make recommendations to the Council.
- Review and make recommendations regarding agreements with parks and recreation related outside groups and recommend funding allocations.
- Study, evaluate and recommend to the City policies relating to human rights and human relations issues that may arise when addressing issues such as inclusion in the use of City parks and recreation facilities, program accessibility and cultural diversity.

[Please also see the full web page for the Sunnyvale Parks & Recreation Commission, <http://sunnyvale.ca.gov/CityGovernment/BoardsandCommissions/ParksandRecreationCommission.aspx>]



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August 18, 2014

City of Fresno
 ATTN: Jennifer K. Clark, AICP,
 Director, Development and Resource Management Dept.
 2600 Fresno Street, Third Floor, Rm. 3043
 Fresno, CA 93721

Dear Ms. Clark:

City of Fresno General Plan Comments

The San Joaquin River Conservancy is a regionally governed state agency formed to implement and manage the San Joaquin River Parkway, a planned 22-mile regional natural and recreation area in the floodplain extending from Friant Dam to Highway 99. The Conservancy's mission includes acquiring approximately 5,900 acres from willing sellers; developing, operating and maintaining those lands for public access and recreation; and protecting, enhancing, and restoring riparian and floodplain habitat.

The Conservancy generally supports the City's proposed San Joaquin River Parkway policies presented in the Draft General Plan. City staff worked cooperatively with the Conservancy to review and revise the policies, incorporating many of the Conservancy's draft policies from its concurrent San Joaquin River Parkway Master Plan update.

The Conservancy offers the following comments and proposed revisions for specific policies:

1. *Recommended revision:*

POSS-6-a San Joaquin River Parkway Master Plan

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

2. *Recommended revision:*

POSS-7 (No Title)

Support the San Joaquin River Conservancy in its collaborative, multiagency efforts to develop a ~~river parkway~~ the San Joaquin River Parkway.

3. *Comment:*

POSS-7-c Monitoring River Corridor Conditions

Undertake periodic monitoring to determine the status of conditions and mitigation measures required for projects within, and in the vicinity of, the river corridor.

- Pursue a Memorandum of Understanding (MOU) or other agreement so that the San Joaquin River Conservancy can perform, or participate in, this monitoring program in order to furnish additional expertise, provide for cost efficiency, and to ensure consistency throughout the river corridor.

Comment: The project developer/owner must bear the costs and responsibility for mitigation monitoring. The proposed MOU may not be practical in the near term, depending on the role the City envisions the Conservancy would fulfill. The Conservancy's management jurisdiction does not extend beyond public lands acquired, conserved, and/or developed for San Joaquin River Parkway purposes.

4. *Comment:*

POSS-7-g San Joaquin River Parkway—River West Fresno Project Area

Support the extension of the Lewis Eaton Trail into the River West Fresno Project Area consistent with the San Joaquin River Parkway Master Plan and the following criteria:

- Public access into the River View Drive Area/Neighborhoods should be limited to cyclists and pedestrians with the exception of public safety, circulation, and/or other governmental/support service provider vehicles.
- Proposed public parking facilities should be designed in order to accommodate as many vehicles as possible.
- Additional public parking should be located under and/or adjacent to the old San Joaquin Bridge and State Route 41 corridor.
- The feasibility of additional public parking and equestrian trailer parking near Spano Park should be considered and fully evaluated.
- The location of public parking should not conflict with other recommendations in this policy.
- The trail alignment should, at the greatest extent possible, be located along and/or near the river for maximum public enjoyment, view and access to the river by all users, and to allow for the best possible fire and public safety buffer for adjacent property owners while also taking into consideration environmental impacts, design and maintenance costs, historical and required water flows and flooding, and/or other events that result in increases to water levels.
- Full development or public access should be avoided until adequate and sustainable funding needed to support annual operations and maintenance has been identified.
- The San Joaquin River Bluff and Protection Ordinance should be implemented prior to the completion of the project.

Comment: The Conservancy is the lead agency for an Environmental Impact Report to evaluate the potential environmental impacts of the River West Fresno, Eaton Trail Extension Project. The potential impacts of the proposed project and alternative public pedestrian, bicycle, and vehicle access, parking, and trail alignments are being analyzed. Potential environmental impacts and measures to protect public safety, protect against elevating or obstructing floods, and conserve and enhance habitat are among the issues to be studied and included in the report.

Conservancy staff participated in the Fresno City Council hearing that resulted in directing City staff to include the proposed General Plan policy regarding the use of River View Drive for public vehicular access to the proposed River West project. The policy states the intent of the City to restrict the State's rights as a landowner to have full access via a public road to a public property purchased with public funds for the purposes of public recreational and educational access to the river and environs.

5. *Comment:*

It appears that the Public Services, Parks analysis in the General Plan Master Environmental Impact Report fails to evaluate the existing and planned contribution of the Parkway to parks and open space within the City limits, and the associated impacts. Implementation of the Parkway, as supported by General Plan policies, could substantially contribute to meeting the recreation needs of the residents and improve per capita park space. There are presently over 1,000 acres of conserved open space in the Parkway within the City sphere of influence, all with existing or planned public river access and low-impact recreation.

The overall support of the San Joaquin River Parkway in the City General Plan policies and coordination with your staff are truly appreciated. Please contact me at Melinda.Marks@sjrc.ca.gov or (559) 253-7324 ext. 3 if you have questions or require additional information.

Respectfully,



Melinda S. Marks
Executive Officer



San Joaquin Valley Office
894 East Divisadero Street #201
Fresno California 93721

October 9, 2014

Mayor Ashley Swearingin and Fresno City Councilmembers
2600 Fresno Street
Fresno, CA 93721

Re: City of Fresno General Plan Update, Infill Development and Farmland Conservation Policies

Since the inception of the City of Fresno's 2035 General Plan Update (GPU) process, American Farmland Trust (AFT) has recognized the precedent-setting potential offered when the San Joaquin Valley's largest metropolitan area meaningfully engages its residents in their city's strategy for long term economic development, setting land use policies and overall planning process. With Fresno at the center of the world's most productive agricultural region, Fresno's GPU offers a unique opportunity to improve farmland conservation policy and practice while structurally adjusting for past urban planning oversights that transformed the city from one of the nation's most livable places to one of its most impoverished.

As the foremost farmland conservation organization in the country, American Farmland Trust's work links the growth of the San Joaquin Valley's cities and urbanized areas to the need to conserve its natural and agricultural resources. For decades, we have championed these objectives throughout the region where historic precedent and recent trends prioritized the short-term financial gain of private interests at the expense of public policy for long-term sustainable growth. This scenario plays out most dramatically when prime farmland is converted into inefficient residential development. This pattern of development redirects investments away from existing urbanized areas while destabilizing real estate values throughout the county – thus, undermining the value of urban property while causing speculation in farmland. Decreased tax revenue and increased costs then undercut the fiscal foundation of municipalities, limiting their ability to provide adequate public services over time to ever more dispersed geographies.

The City of Fresno General Plan is an ideal opportunity to envision a new pattern of development and galvanize consensus around how future growth should be planned. Indeed, this process is well underway, represented in the broad, diverse coalition that advocated for "Alternative A" earlier in the process.

Infill Development

American Farmland Trust broadly supports the values and direction of the city's currently proposed General Plan Update. In particular, the plan's emphasis on mixed-use, transit-oriented infill development is a welcome change in a city that has historically been known for its inefficient pattern of development. The most recent draft document, however, has moderated the implementing language to the point where it threatens to undermine the integrity of the plan.

Originally, under Alternative A, a firm infill percentage was fixed at 57%, but Objective UF-12 states that "roughly one-half of future residential development" will be located in infill areas. This change in the framing of the infill policy is so vague that it undermines the infill development goal for the Plan. A clear and unequivocal infill percentage will assist future staff's interpretation of the objective.

In addition, the implementation mechanisms for achieving infill development can be improved. The concurrent City of Visalia General Plan Update, by comparison, has a unique way to achieve infill development priorities through three tiers of concentric growth rings within the city's current sphere of influence (the first being the existing city limit and the second and third being reserved for future development). The policy, as it is being finalized, will set a firm infill development target for each growth ring before opening the next to development. The City of Fresno's proposed GPU policy is currently premised upon Growth Areas 1 and 2, with the Plan stating, "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." This policy, as drafted, is passive and unclear as to how infill development will be implemented. Ideally, firmer policy mechanisms and triggers should designate when and how the city is going to achieve and monitor the Plan's infill development objectives.

Infill development is the foundation of reinvestment, renewal and renaissance which the City of Fresno is striving for in its General Plan Update. While General Plans are broad economic constitutions of how development is going to occur, they benefit from precise and detailed structures, particular for objectives that have historically been problematic to achieve. If the infill development policies in the GPU are too vague, unspecific or watered down to be implemented, then the integrity of the Plan as a whole is undermined from its inception.

Farmland Conservation and Mitigation

Agricultural conservation complements and strengthens the City of Fresno's infill development goals. One way to illustrate this is the City of Fresno's historic pattern of development, where rapid development of inexpensive farmland resulted in an oversupply of residential homes and commercial properties. Home values in the southern half of the city were subsequently undermined while abandoned storefronts became

characteristic of a number of the city's previously thriving business corridors. Today, illustrated by the city's own GPU mapping, its inner core has some of the highest poverty rates in the country.

A straightforward way to alleviate some of this market imbalance is to apply the California Environmental Quality Act's mitigation requirements to the conversion of farmland. A farmland mitigation program will not only incentivize infill development, but also address the current inadequacy of the Master Environmental Impact Report (EIR) for this General Plan Update to appropriately mitigate for the conversion of farmland. In the EIR, 15,903 acres of farmland are anticipated to be converted to urban uses. This is identified as a "significant impact" yet "no mitigation measures" are called for beyond an amorphous proposal for regional cooperation and enrollment of farmland into undefined agricultural land conservation programs.

Throughout the San Joaquin Valley and State of California, AFT recognizes the requirement of farmland mitigation for the conversion of productive farmland to non-agricultural uses on a permanent or long-term basis. These programs generally set a minimum standard of farmland mitigation at a one-to-one, like-kind basis (i.e. for every acre of developed farmland an equal number of acres of farmland will be permanently protected through agricultural conservation easements), and require that the acreage permanently protected through easement must be comparable to the converted lands in soil quality and water availability. An accredited, regional agricultural land trust—such as Sequoia Riverlands Trust or Central Valley Farmland Trust in the San Joaquin Valley—is the usual entity to provide mitigation services to developers, leverage local mitigation funds with other public funding sources, and then offer these funds to farmers and ranchers willing to sell their development rights by granting agricultural conservation easements.

Farmland mitigation programs are increasingly included in the General Plans of cities and counties throughout California. In the southern San Joaquin Valley, a precedent setting program recently was authorized on October 7, 2014 when the Tulare City Council passed its 2035 General Plan Update with a 1:1 farmland conservation program. Such farmland mitigation programs can be innovative and flexible. Yolo County, for example, has a farmland mitigation ordinance that requires agricultural conservation easements funded through their program be located within two miles of the development that is being mitigated in order to prioritize protection of lands close to urban areas as they are seen as more at risk of conversion. Both the City of Davis (Yolo County) and City of Hughson (Stanislaus County) have functional, straightforward farmland mitigation programs that increase the mitigation ratio to 2:1, though most communities currently use a 1:1 ratio.

There is also legal precedent establishing farmland mitigation programs and corresponding agricultural conservation easement acquisitions for the conversion of farmland, such as in the November 29, 2010 unanimous decision by the Fifth District Court of Appeals in *Building Industry Association of Central California vs. the County of Stanislaus*, where the court upheld Stanislaus County's Farmland Mitigation Program. In that decision, the Court of Appeals found that "mitigating for the future loss of farmland through conservation easements bears a reasonable relationship to the burden caused by residential development."

The court's decision clarifies a number of legal positions and can be directly reviewed at: <http://caff.org/wp-content/uploads/2010/07/BIA-v.-County-of-Stanislaus1.pdf>.

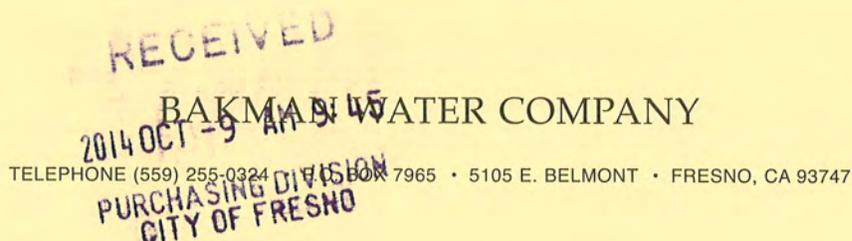
A farmland mitigation program will enhance and strengthen the values and objectives already expressed within City of Fresno's General Plan Update. Farmland conservation policy and practice reinforces the city's intent to focus business development in its historic downtown, along transit-oriented development corridors and within existing neighborhoods. Linking farmland conservation with infill development objectives relieves pressure and counters incentives to develop farmland in inefficient ways while protecting property values of homeowners. Moreover, as illustrated in Joe Minicozzi's September 5, 2013 presentation "The Dollars and Sense of Development" to the city, these policies and practices result in more tax revenue per acre for both the city and county as higher assessed property values associated with high value, mixed-use and transit-oriented development garner increased tax revenue.

With its 2035 General Plan Update, the City of Fresno is poised to be nationally recognized for its planning practice to revitalize the city while conserving the most important agricultural region in the world. Please consider the suggested changes to further solidify the infill development and conservation objectives of the General Plan, so that the final document can be heralded for its precedent setting standards.

Sincerely,

A handwritten signature in cursive script that reads "D. O'Connell". The signature is written in dark ink on a white background.

Daniel O'Connell
San Joaquin Valley Program Manager
American Farmland Trust



October 9, 2014

Jennifer K. Clark, AICP
Director Development and Resource Management Department
2600 Fresno Street, Room 3065
Fresno, Ca 93721

RE: Fresno Draft General Plan and Draft Master Environmental Impact Report
Comments from Bakman Water Company

Dear Ms. Clarke:

Please consider this as Bakman Water Company's ("Bakman") comments to the City of Fresno's (the "City") Draft Environmental Impact Report (the "DEIR") for the City of Fresno's General Plan Update (the "Plan"). While the comments submitted herein are similar in many respects to previous comments submitted by Bakman to City of Fresno projects under CEQA, including the Recycled Water Master Plan and the DEIR prepared there for, this Plan perpetuates the same problems. It continues to appear that this Plan could, and most likely will, impact Bakman and its customers without adequate discussion or study.

Specifically, Bakman is a Class "B" water utility that provides water service to a population of approximately 14,000 people in southeast Fresno. Bakman's California Public Utilities Commission authorized service area and territory boundary is defined in Bakman's Tariff Book as, "The area bounded by Olive Avenue, East Kings Canyon Road, Winery Avenue and Fowler Avenue, located approximately 1-1/2 miles east of Fresno and vicinity, Fresno County." Despite the fact that Bakman's authorized service area is within the area studied in the DEIR, the DEIR and the Plan ignore Bakman and its 14,000 customers, who will be undoubtedly impacted by the Plan, and only provides cursory references to Bakman's existence.

Bakman has the following comments to the Plan and the DEIR:

Bakman Service Area. The environmental baseline used in the DEIR is based on the non-existence of Bakman and its wells, distribution lines, and affected customers, as opposed to the conditions that existed at the time the NOP was issued or present conditions. While CEQA

conditions that existed at the time the NOP was issued or present conditions. While CEQA provides some *limited* flexibility for a lead agency to utilize a baseline not based on the issuance of the NOP, the baseline must include the “real conditions on the ground. . .” (*Save Our Peninsula Comm. v. Monterey County Board of Supers.* (2001) 87 Cal.App.4th 99, 125). Bakman serves 14,000 customers and pumps water from 11 ground wells to provide water service to its customers. Additionally, Bakman has installed infrastructure to service its customers, including distribution lines, water tanks, pumping stations, etc. Bakman would be more than willing to provide any and all information required regarding its operations to enable the lead agency to provide a clear picture of the existing conditions on the ground and to enable the lead agency to perform the required analyses.

Because the EIR “must focus on impacts to the existing environment, not hypothetical situations,” (*County of Amador v. El Dorado Counter Water Agency* (1999) 76 Cal.App.4th 931, 955), the DEIR should identify and describe Bakman, its operations and service area; explain how the Plan may affect the Bakman service area; and identify, analyze and mitigate the potential environmental effects of the Plan on Bakman and its customers, including, but not limited to, the effects on Bakman’s water quality and quantity. The DEIR should also describe any impacts associated with the installation of new infrastructure adjacent to Bakman’s territory boundaries and the cumulative impacts with any such work in and around Bakman’s system. Specific impacts that should be addressed include, but are not limited to, impacts associated with grading, disruption of service, water quality, and water supply.

As stated, Bakman presently serves 14,000 customers within its service area. As a regulated utility under the PUC, Bakman has the obligation to provide service to each and every commercial, residential, or industrial customer within this service area for residential, commercial, industrial, landscape, or other use. To that end, Bakman has installed utility service consisting of pipelines, wells, treatment facilities, etc. to not only serve its present customers but with excess capacity to account for the expansion of such service to future customers. The City of Fresno’s Existing Water Distribution System as described in the Plan and as depicted in Figure PU-2 of the DEIR, appears to be a duplication of Bakman’s service within Bakman’s service area, which would necessitate that Bakman be compensated. Further, should the City of Fresno have any future plans to install pipelines in or around Bakman’s service area to distribute potable or recycled water to customers within Bakman’s service area for which Bakman has already installed such service, this would be an additional impact to Bakman that would need to be analyzed in the DEIR.

Groundwater Impact. Bakman has worked with the City in the past in regards to the construction of new wells and the monitoring of the aquifer. For example, for the Fancher Creek development, Bakman agreed to utilize a 400,000 gallon storage tank as opposed to constructing a new well. Bakman also agreed to work with the City on well use scheduling if Bakman wells were to affect City wells and vice-versa in its current eastern boundary.

Most importantly, Bakman requests its current operations be taken into consideration more, including well placement and production considerations, as much of the growth and construction

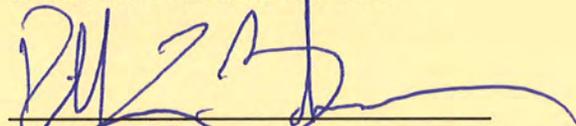
is planned for the Southeast Fresno area. Bakman has met with the City on a number of different occasions to discuss how they could get involved with the surface water treatment plant planned to be built in southeast Fresno through bond acquisition, but no concrete plan has yet to be set. Unless these multi-million dollar bonds are to be funded through City water customers' utility rates with no financial encumbrances by any other City services, including sewer, then Bakman customers will inadvertently share in these costs and deserve the right to be participants in its projects that could not only be of benefit to them but for the smart water and aquifer management practices of the entire City and County.

Although Bakman customers are represented by the jurisdictions of both City and County governments, the City's sphere of influence encompasses and drives most of the future water resource management that would affect them. A Private-Public-Partnership is not only an interesting proposition, but if instituted properly, will set precedence for other communities and Cities to join in like considerations for better regional resource planning. With the acquisitions of many underserved and resource burdened service districts by privately owned utility companies, much to the benefit of the customers, the time has come to embrace the benefits that present themselves through cooperation and coordination by all jurisdictions involved.

Bakman has taken its responsibility for groundwater recharge seriously and has instituted and plans to institute in the near future several groundwater recharge programs that will help to advance Bakman towards its ultimate goal of obtaining the greatest water balance that it is able to obtain. We hope that this realization along with Bakman's continued willingness to engage the City in discussions to make the southeast Fresno surface water treatment plant a reality through a private-public partnership is not lost as both the City and Bakman continue to grow and face challenges in providing the highest level of service to each of its customers. This ever-increasingly difficult circumstance does not need to be made any more difficult by either party needing to worry about the other's intentions. Bakman will continue to be open and available to discuss any issues with the City and hopes that the City is as well.

Bakman Water Company has and will continue to be a good neighbor to the City of Fresno's water system. By providing the information requested herein and allowing meaningful input and dialogue, that relationship can continue at the highest level.

Best Regards,
BAKMAN WATER COMPANY



By: Richard Tim Bakman
Its: President



Community and Economic Development Planning Division

Norman L. Allinder, AICP
Director

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164

October 9, 2014

City of Fresno
Ms. Jennifer Clark
Development & Resource Management Director
2600 Fresno Street, Room 3065
Fresno CA 93722

Re: Draft Master EIR

Dear Ms. Clark:

Madera County has reviewed the City of Fresno's Draft Master Environmental Impact Report and is writing to provide comments on the Draft. As with the General Plan Draft, which we reviewed, the Draft Master EIR mentions how the City of Fresno is currently implementing a balanced approach to land use focusing on infill, transit oriented development and sustainable development practices. The current trend within the City of Fresno is quite the contrary. Development has rapidly grown outward, bringing it all the way to the northern border of Fresno and Madera County. This expansion has caused an increase in traffic, noise, nighttime glare and degraded air quality which directly affects Madera County. When such topics are covered within the Draft Master EIR, the document fails to properly address the pressing issues that currently are and will continue to affect Madera County.

Specifically, the discussion of Transportation and Traffic impacts is dismissive of the concerns voiced by Madera County in public hearings and written documentation provided to the Fresno City Council. The Draft Master EIR states that as part of the General Plan Update, the City will be providing a greater balance of housing and employment, most likely an oversupply, which will lead to less than significant impacts to neighboring counties. But with commercial development being intensified on the border with Madera County, anticipated results from traffic would be more likely to increase not decrease. This lack of forward thinking can lead to increased traffic congestion that will overflow onto Madera County roadways. A possible solution to easing traffic caused by commercial development would be to integrate more housing to balance the land uses in that area. The addition of housing could potentially lessen the bulk amount of vehicle trips that would cause congestion in the region. These conclusions made from the findings of Transportation and Traffic, found that potential impacts to neighboring counties, including Madera, are speculative, resulting in no mitigation being required. The idea that traffic impacts to

neighboring counties would be speculative is dismissive in nature, and can be found as not complying with the California Environmental Quality Act (CEQA).

In closing, Madera County has continued to voice a number of concerns over the Fresno General Plan Draft Update and now the Draft Master EIR. The lack of implementation policies to mitigate potential impacts to neighboring counties, including Madera County, is concerning and should be properly addressed. Appropriate action should be taken to ensure the least significant effects possible to surrounding jurisdictions in order to achieve a complete and thorough plan. We are hopeful that our feedback will result in a positive outcome for all involved parties.

Sincerely,



Brent Gibbons
Planner II



October 9, 2014

Ms. Jennifer Clark, AICP
Director – Development and Resource Management Department
2600 Fresno Street, Room 3065
Fresno, CA 93721

Re: Fresno General Plan Update and Master Environmental Impact Report Comments

Dear Ms. Clark:

Thank you for the opportunity to provide comments on the Fresno General Plan Update and Master Environmental Impact Report (EIR). On behalf of Community Medical Centers, I would like to provide additional comments and reaffirm our previously submitted requests. Our comments are focused on the Community Regional Medical Center campus in downtown Fresno.

Public Review Draft of the City of Fresno General Plan

Chapter 3: Urban Form, Land Use and Design.

We would like to confirm the City is accurately illustrating the boundary of the hospital campus, consistent with the CRMC Master Plan and previous CRMC communication with the City. It is noted that the Land Use Map *does not* accurately depict the campus master plan boundary (see attached Exhibit A). It is our understanding that downtown land uses will be refined with the approval of the Downtown Development Code. In the interim, we request the following changes:

- 1) Land Use Map, Figure LU-1. *“Special Hospital District for CRMC should extend from Diana Street/RR tracks on the west and south, McKenzie Avenue on the north and Fresno Street on the east and south.”* We request the entire area within the master plan is given a Special District – Hospital or equivalent designation.
- 2) Special Use Zone description, page 3-47. This description incorrectly describes the boundary of the CRMC campus (see attached Exhibit B).

Draft MEIR, General Plan and Development Code Update

Chapter 5.14: Transportation and Traffic.

This section contains detailed information regarding existing and proposed roadways within the General Plan area, as well as traffic data and projections for the roadways. It is critical to the future of the CRMC campus that the City coordinates and supports future growth by addressing transportation and traffic issues in the downtown area at a regional level. As you know, CRMC has an approved master plan and EIR, which identifies allowable growth and required mitigation measures for the hospital campus. It is our intention to proceed with future growth within the prescribed build-out of those already approved documents.

With that in mind, we request that the City address the Level of Service (LOS) discrepancies between City and Caltrans standards. Additionally, we would like to express our support for mitigation measures, MT-2-j and MT-2-l, which call for regional funding to mitigate impacts to Caltrans facilities.

Appendix H: Traffic Data.

The traffic study to support the MEIR looks to the Fresno County Regional Traffic Model for trip generation data. The traffic model input data defines the CRMC campus as Transportation Analysis Zone #1285, with an employee count of 3,794 for base year and cumulative conditions. The model does not address employee growth projections for the campus, although the CRMC master plan calls for growth between now and 2035. We request that the City acknowledge the potential for future growth of the CRMC campus as described in the approved hospital master plan and EIR.

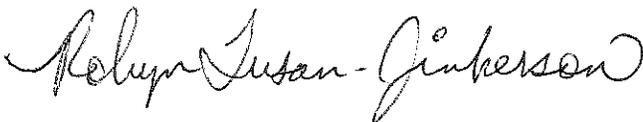
Chapter 5.15 Utilities and Service Systems.

The Wastewater Technical Report outlines some future sewer capacity issues in downtown sewer pipelines downstream of the CRMC campus (see attached Exhibit C). In response to the findings of the technical Wastewater Technical Report, the General Plan includes Mitigation Measure USS-7 to address this condition.

Similar to previous comments, we would like to ensure that the CRMC campus is allowed to develop to the extent provided for in its master plan and EIR. We request that the City account for this growth and consider expanding the mitigation measure to include the development of a Capital Improvement Program and funding mechanism to complete needed infrastructure improvements.

If you have any questions or would like to meet to discuss our comments and request, please let me know. We look forward to working with the City to refine the General Plan and Master EIR in a manner that supports the future growth and expansion of the CRMC campus.

Sincerely,



Robyn Tusan-Jinkerson
Director, Business Planning and Real Estate

Fresno Street. It is intended for moderate intensity housing and neighborhood services, while also accommodating automobile-oriented commercial uses. New buildings will be block-scale and house-scale, up to three stories in height, and located at or near the sidewalk to generate more pedestrian activity. Buildings will vary in size and type, but be compatible in massing and scale with adjacent buildings. Most upper stories will be expressed in single volumes along the corridor and in multiple volumes with significant setbacks when adjacent to neighborhoods. Living rooms, dining rooms, and other formal rooms will face the street. Ground floor uses will include housing, as well as commercial, retail and office uses. Upper floors will be for housing, office, or additional commercial uses.

Neighborhood (General, General Preservation, General Revitalization, Edge)

The Neighborhood designations are applied to areas outside of the Downtown CBD. These areas include the Lowell neighborhood; much of the southwest and Southeast neighborhoods; the "L" Street area and the Huntington Boulevard area east of Downtown Core; the Jefferson Neighborhood; areas south of Elm and B Streets in southwest; several Southeast neighborhoods adjacent to State Route 180; and areas west of State Route 99, including the Jane Addams area. New buildings will be house-scale, up to two stories in height, and some buildings may be up to two and one-half stories. All buildings will set back from the sidewalk to provide a buffer between the sidewalk and the dwellings. Living rooms, dining rooms, and other formal rooms will face and activate the street. Other house-scale buildings are compatible in these neighborhoods when scaled and massed in relation to the predominant single-family houses. Buildings will be occupied with residential uses, limited live/work uses, and home occupation activity.

Special Districts

The Special Districts designation is applied to areas that are best suited for a variety of moderate to intense industrial and manufacturing activity. These areas are comprised primarily of large and varied building sizes with substantial activity from large cargo vehicles. New buildings will be block-scale, up to eighteen stories in height (hospitals), and located with a portion, or all, of their frontage at or near the sidewalk. Ground floor activity will range from industrial and manufacturing uses and outdoor assembly to offices. Included in the Special Districts designation are General Industrial (1 & 2); Chandler Airport between Kearney Boulevard, and Thorne Avenue and Whitesbridge Road, and Downtown Hospital that includes the hospital campus and surrounding streets such as Fresno Street, Illinois Avenue, Clark Street, and Divisadero Street.

Special Hospital District for CRMC should extend from Diana Street/RR tracks on the west and south, McKenzie Avenue on the north and Fresno Street on the east and south.

EXHIBIT "C"

CITY OF FRESNO MEIR PRELIMINARY WASTEWATER MODELING RESULTS



FIGURE 1.1

LEGEND:

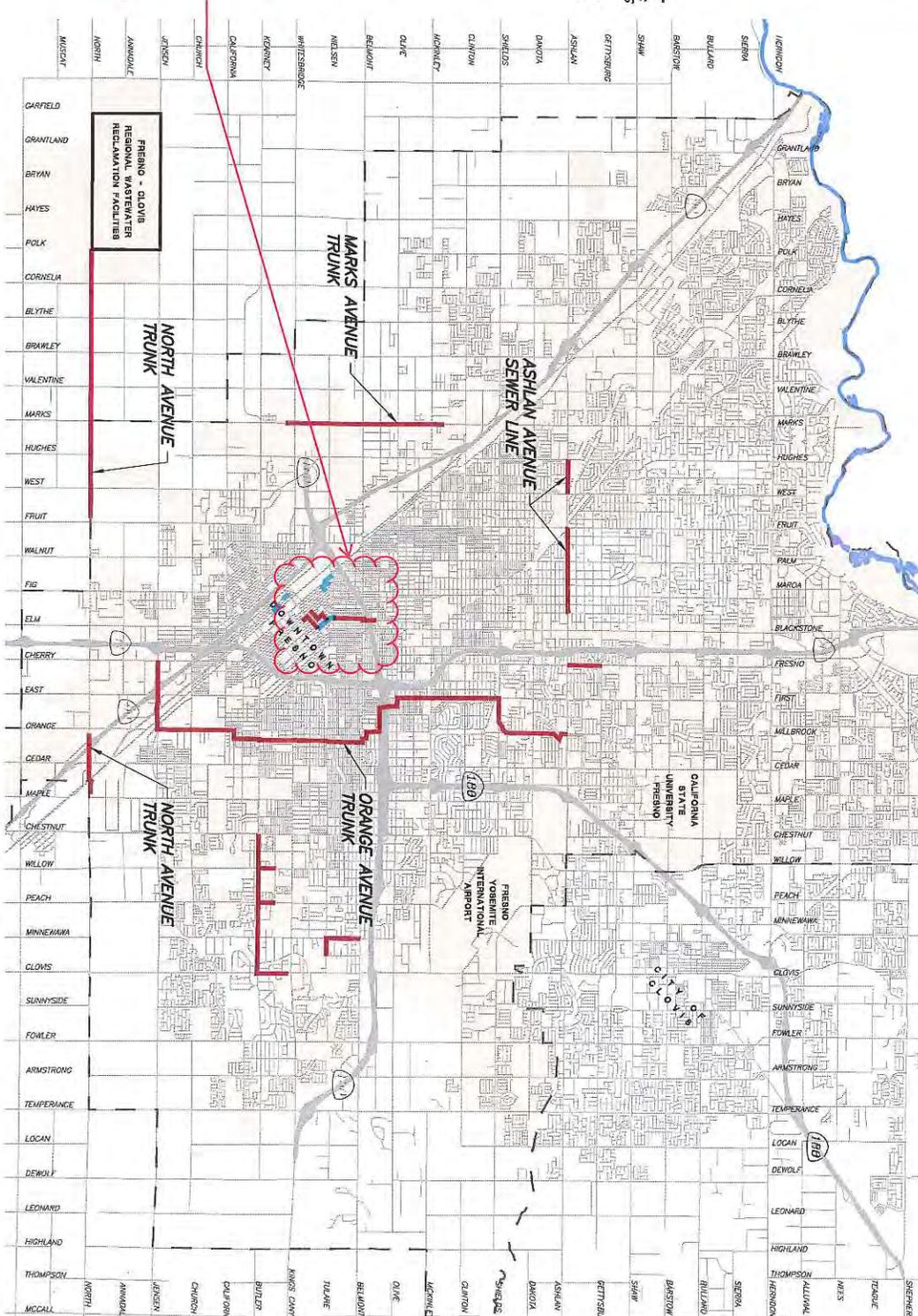
- SEWERS WHERE PRELIMINARY MODELING INDICATES POTENTIAL CAPACITY DEFICITS
- SEWERS WHERE FULTON CORRIDOR SPECIFIC PLAN AIR TECHNICAL REPORT INDICATE POTENTIAL CAPACITY DEFICITS
- STREET CENTERLINES
- FRESNO SPHERE OF INFLUENCE
- FRESNO CITY LIMITS

NOTES:

1. FUTURE FLOWS BASED ON GENERAL PLAN UPDATE LAND USES.

The sewer modeling study of pipelines in downtown Fresno concludes that some pipes downstream of the CRMC campus will have capacity deficits in the future. Further, MM USS-7 addresses mitigation by suggesting a moratorium. "Prior to exceeding capacity within the existing 28 pipeline segments... City shall evaluate... and not approve further developing that would generate additional wastewater and exceed capacity... until capacity is provided."

This MM should be expanded to require the City to develop a Capital Improvement Program and funding mechanism to complete these improvements.





4270 N. BLACKSTONE AVE, SUITE 212, FRESNO, CA 93726 PH. 559.485.1416 FAX 559.485.9109
 INFO@FRESNOMETMIN.ORG WWW.FRESNOMETMIN.ORG

October 9th, 2014

Dear Ms. Clark,

Thank you for your time and energy to collect substantial public comments for the City of Fresno Draft MEIR and General Plan. We look forward to seeing how comments and requests for changes will be incorporated into the document before it is presented to City Council. As you know, Fresno Metro Ministry has been an active partner in the General Plan Update since 2010. As such, we have been happy to contribute our thoughts and support for the ideas that work towards Achieving Healthy People and Healthy Places, most especially in our city's most disadvantaged neighborhoods, at every decision-point along the way. We support the 2035 General Plan Update.

Furthermore, we are excited to build partnerships throughout the city to implement projects that will be made possible through the adoption of this plan. It's time to get to work!

Below you will find our most pressing concerns in the final draft as released.

Comments on the City of Fresno Draft MEIR General Plan and Development Code Update dated July 22, 2014 (MEIR) and including the Fresno General Plan Update Public Review Draft dated July 2, 2014 (GPU)

1. The GPU shaped by the vision and commitment of Mayor Ashley Swearingin to a sustainably healthy and prosperous Fresno and crafted into a coherent plan document by the administrative leaders and city departmental staff she currently leads through a strong mayor form of government - appropriately brings the substantive relationships and significant impacts of land use, transportation, public facilities, and public services planning, policies, implementation, and resource management, into the reality of the context of Fresno. Fresno factually has the characteristics noted on pages 1-2 and 1-3 of the GPU of:
 - High concentrated poverty, high unemployment, and extreme disparities of quality-of-life opportunities;
 - Neglected and disinvested established neighborhoods and Downtown Planning Area;
 - Poor air quality, and environmental and community health issues;
 - Residential growth patterns that negatively impact natural resources and deplete strategic farmland; and
 - Fiscal instability related to the city's existing spread out form and land use inefficiencies.

2. **The negative realities** accumulating in the existing built environment of Fresno, as characterized in the GPU, **have reached systemic risk levels** and continue to get worse and to expand geographically, while dominant market forces drive construction of inefficient but currently financeable and marketable land use and auto-reliant transportation system development even further out on the edge of the city to escape the harsh realities trailing closely behind. **The**

growing footprint of neglected and disinvested neighborhoods in Fresno affects all property owners' home and business values and the attractiveness of Fresno on the whole as a place to live and do business. This vicious, interdependent, and self-reinforcing cycle will continue – apparently - until all our natural and financial resources are depleted or exclusive short-term market-driven political influence exhausts itself, whichever comes first we suppose, unless something positively bold and dramatic happens to change our city's collective awareness and future development trajectory.

3. As hundreds of engaged neighborhood and community leaders and residents have weighed in on this planning dilemma in Fresno the past few years - the negative cycle described above must be broken sooner than later for Fresno to have a fighting chance of being economically, environmentally and socially viable over the long-term. **A new balance must be achieved** soon between horizontal suburban expansion and revitalization and new development within our existing city that better serves the immediate needs and long-term interests of all existing and future residents, businesses, and taxpayers.
4. The GPU clearly aims for and provides a vision for a better balance. How we get there financially in the face of daunting fiscal projections for our national, state, and local debt and deficits for the next 25 to 40 years, and with what strategic mix of appropriate priorities, policies, regulations, incentives, implementation strategies, financing mechanisms and mitigations are key questions. **These fiscal questions remain unanswered in the Draft as released.**
5. We assume the best intent and follow-through by the City of Fresno as outlined in GPU with respect to **prioritizing increased investments** in infrastructure, transit, parks, public facilities, code enforcement, other necessary public services, and high quality maintenance in established neighborhoods and business districts within the city limits. Public investment encourages private investment through infill, revitalization, new businesses and new jobs in these areas of the city where residents live now and that also have the highest system-level returns on investment to support the General Fund and in terms of resource stewardship by building on and improving what we have now.
6. With this framing in mind –and in addition to those points highlighted above - there are two sets of **systemic risks facing the city** now and in the long run that merit deeper consideration and priority for action and mitigation in the GPU and the MEIR:
 - a. **Long-term water resources are a systemic risk** given the emerging sense by informed water experts and scientists that California and the entire southwestern U.S. may be entering a mega-drought and aridity cycle with precedents of occurrence in the past 800 to 1,100 years - that places the sustainability and resilience of our primary agricultural economic base and our cities and rural communities in the San Joaquin Valley in peril. Sustainable surface water and ground water supplies are potentially in great jeopardy.
 - b. **The long-term fiscal sustainability of the city is a systemic risk** given the still predominant, resource inefficient, and growing suburban pattern of development of the city, and the lack of sophisticated and reliable economic/fiscal models and impact assessment tools with

which to uniformly measure the complex cost and revenue streams to the city from different development options. The public and elected officials do not know all the costs and long-term fiscal and economic consequences of development proposals before projects are approved and that the city and the public are obligated in perpetuity to maintain, serve, and protect.

7. Water Resource Sustainability:

- a. Mitigation Measure USS-5 (Page 2-40 of the MEIR) states that by 2025 new and expanded surface water treatment capabilities should be constructed in the southeast, northwest and southwest areas of Fresno. The recent repeal of water rate increases to finance construction of significant portions of these facilities and the long time frame accorded the construction of these critical water supply facilities in the MEIR, **may prove too late** to be financed at acceptable costs to the public, businesses, and the city's financial wherewithal and credit worthiness, and also too late to prevent deleterious consequences to quality-of-life and economic activity supported by adequate potable water supplies and infrastructure. The same concern holds true for Mitigation Measures USS-8 (Page 2-43) and USS-9 (Page 2-44).
- b. **If the mitigation** called for in Mitigation Measures USS-5, USS-8, and USS-9 **cannot be achieved in a very short time frame** - It seems quite reasonable given the existing and emerging potential scale of systemic risks to access to long-term water resources for existing residents and businesses within the city limits of Fresno that **a moratorium on new annexations to the city should be considered** until either satisfactory mitigation is in place or state approved studies have verified priority availability of water resources to existing residents, businesses, and rate payers. An appropriate water resource development tax or fee surcharge on all new annexations might also be considered to help offset the costs of water resource mitigation.

8. Fiscal Resource Sustainability:

- a. Although a complete fiscal impact assessment is not required to be conducted in the MEIR (which it would make sense to do since so much proposed in the GPU is contingent upon long-term city fiscal wherewithal), the comprehensive assessment of long-term fiscal and economic impacts of new development annexed to the city (or major plan changes) as proposed in the GPU is imperative. **The development pattern of the city since World War II has produced enormous and uncalculated mitigation costs** to appropriately deal with the systemic levels of accumulated urban decay other negative realities articulated in the GPU. GPU Policy ED-5-b Fair and Proportional Payments (Page 2-27) and Policy ED-5-e (Page 2-28) are good starts – but need to be re-considered in the context of what should be the **extraordinary responsibility of newly annexed development to contribute to the mitigation costs of the urban decay** and accumulated deferred maintenance of the city system the new development is joining. So far the city has grown and expanded geographically nearly 9 times since World War II – and urban decay has relentlessly followed and expanded in its wake. There appears to be a relationship that suggests financial responsibility by new development added to the city limits.

- b. An additional GPU policy (and MEIR assessment or other reliable modeling or comprehensive impact assessment) is needed to **address the lack of accurate economic modeling and measurement of all the direct and indirect costs**, externalities created, perpetual costs and the offsetting benefits to the public (and city organization) of continued annexation of land for geographically expansive new development vs. the related relative cost-benefit of development contained within the existing city limits. Otherwise and as noted - The public and elected officials cannot know all the costs and long-term fiscal and economic consequences of development proposals before projects are approved and that the city and the public are obligated in perpetuity to maintain, serve, and protect.

Given all of the above, as Fresno Metro Ministry, we call on our elected officials to ensure that with the implementation of this General Plan they keep the following steps in mind:

1. **STOP new annexations which create new unsustainable costs and obligations**
2. **ACCEPT responsibility for repairing and maintaining existing neighborhoods**
3. **VALUE every Fresnan**
4. **ELEVATE cross-sector strategies that work**

This needs to be represented in implementing policies as well as in every city-level decision moving forward.

1. Fresno needs permission to begin implementation to make the community's vision come to life. Metro is excited for our community to start working together toward the new vision with projects such as developing transit corridors, diversifying housing options, and infill projects on vacant or run-down properties. **It's time to pass the plan!**
2. Fix it first! **City resources should only be spent within existing city limits** to heal and help our existing (and often forgotten) neighborhoods prosper. Hundreds of residents supported Alternative A in 2012 because they wanted city leaders to re-prioritize to invest more in existing neighborhoods rather than in building new neighborhoods. This continues to be necessary. We want to see policies implemented that ensure that our tax dollars stay within our city limits.
3. Don't use public investments to enable sprawl. **New subdivisions** or any other projects outside of city limits **should pay for all costs of development**, services and maintenance, (such as extending sewer/water lines, major streets, ongoing police and fire services, farmland mitigation, etc.) without exception.
4. We support the **50/50 housing balance** commitment between new housing developments inside our city and new housing developments outside the city limits. While we know our city core needs the majority of attention and investment, we understand that there is not community consensus yet to completely stop sprawl. 50/50 was the compromise that we believe represents significant progress. We want to see **a policy and procedure implemented immediately for tracking new units** as they are built on either side of the 2012 city limit line.

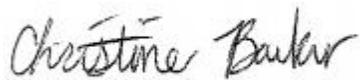
We look forward to working with you as Director of DARM, as well as our elected representatives to ensure that Fresno has a fiscally responsible, significantly more sustainable city footprint moving forward.

Thank you for your time and dedication to a robust public process.

Sincerely,

A handwritten signature in black ink that reads "Sarah Hayze". The signature is written in a cursive, flowing style.

Program Director
Resilient Communities Program
Fresno Metro Ministry

A handwritten signature in black ink that reads "Christine Barker". The signature is written in a cursive, flowing style.

Project Manager
Resilient Communities Program
Fresno Metro Ministry

FYI. I responded to Flood stating ok.

From: Wendell Lum [mailto:wendell@fresnofloodcontrol.org]
Sent: Thursday, September 25, 2014 2:05 PM
To: Arnaldo Rodriguez
Cc: Debbie Campbell; Alan Hofmann; Peter Sanchez; Trai Her; Jennifer Clark
Subject: RE: Comment on General Plan Update - Clarification to Policy NS-3-d Landscaped Buffer.

Arnaldo,

Debbie Campbell, the District's Design Engineer, met with Jennifer Clark last Monday (9-22-14). One of the items brought up during that meeting was clarification of Policy NS-3-d "Landscaped Buffer". Per the Jennifer's request, we have reworded this policy to be consistent with our Basin Design Criteria. We recommend the language pertaining to Policy NS-3-d be revised to "Landscaped Buffer. City will support the development of the Fresno Metropolitan Flood Control ponding basins including the landscaping and irrigation for the top one third of the side sloped areas consistent with the FMFCD Basin Design Criteria."

From: Wendell Lum
Sent: Thursday, September 11, 2014 10:09 AM
To: 'Arnaldo.Rodriguez@fresno.gov'
Subject: Comment on General Plan Update - Clarification to Policy NS-3-d Landscaped Buffer.

Arnaldo,

The District would like to get clarification on Policy NS-3-d Landscaped Buffer. How does the City define it? What are its requirements? And how wide is it? Our current planning process is as follows -typically, we plan our perimeter fencing based on the ultimate right of way (as provided by the City), if the facility is located adjacent to an existing or planned city street. A landscaped buffer **outside** of the perimeter fencing is not a part of the District's standard requirement for our basin facilities. Currently, the District's fee structure outside of the perimeter fencing includes side walk, sewer & water, street lights, etc. but does not take into account any additional landscape buffer requirements and irrigation costs. For all of the currently planned District basins, once **inside** of the perimeter fencing, we typically plan for a 10' wide access/maintenance road around the perimeter of the basin and to turf and irrigate the top one third of the basin side slope. This tends to give the basin a more aesthetically pleasing and finished look and gives the appearance of a buffer between the basin and public roadway. This may be able to satisfy the City's intent for the landscaped buffer as mentioned in Policy NS-3-d. However, if the City is looking to require additional land that is not a part of the District's standard basin design, then we would like to meet with you to further discuss this policy. See the included attachment for reference.

October 9, 2014

Jennifer K Clark
Reg: DMEIR
Development and Resource Management Department
2600 Fresno Street, Room 3065
Fresno, CA 93721

**Project: Draft Master Environmental Impact Report (DMEIR) for the
City of Fresno Draft General Plan Update and Development Code Update**

District CEQA Reference No: 20140526

Dear Ms. Clark:

The San Joaquin Valley Unified Air Pollution Control District (District) has reviewed the Draft Master Environmental Impact Report (DMEIR) for the City of Fresno Draft General Plan Update and Development Code Update. The updates will accommodate projected growth and development through the buildout of the General Plan and Development Code to the year 2056. The Planning Area includes all areas within the City's current limits, the areas within the current Sphere of Influence (SOI), and an area north of the City's most northeasterly portion of the city. The District offers the following comments:

1. On Page 5.3-2, the DMEIR states that "the combined annual emissions of projects during construction and operation would be compared to the annual threshold." The District would like to clarify that the emissions for construction and operation should be analyzed separately and compared against the District's significance threshold.
2. On Page 5.3-39, the DMEIR states that "Rule 9510 – Indirect Source Review requires project to reduce exhaust related construction emissions by 20 percent for NOx and by 50 percent for PM10." The District would like to clarify that Rule 9510 requires a project to reduce construction emissions by 45 percent for PM10 and not 50 percent as indicated.

Seyed Sadredin
Executive Director/Air Pollution Control Officer

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Bakersfield, CA 93308-9725
Tel: 661-392-5500 FAX: 661-392-5585

3. On Page 5.3-41, the DMEIR correctly cites District Rule 9510 construction emission reduction requirements of 20 percent NO_x and 45 percent PM₁₀ compared to the statewide average. The District would like to clarify that District Rule 9510 also has requirements for reducing emissions from operation, which is a 33.3 percent NO_x reduction and a 50 percent PM₁₀ reduction. Therefore, the District recommends that a discussion on the emission reduction requirements for operation be included in the DMEIR.
4. On Page 5.3-22 and Page 5.3-23, the DMEIR lists District rules and regulations that may apply to projects during the buildout of the General Plan. The District would like to add District Rule 2010 (Permits Required) which requires a permit for any stationary source emitting, controlling, or modifying the emission of any amount of air contaminant to the atmosphere.
5. The following comments are regarding the Toxic Air Contaminants discussion:
 - a. On Page 5.3-52, the DMEIR states that exposure to low concentrations of toxic air contaminants over a long period of time can result in adverse chronic health effects to sensitive receptors. This statement is correct; however, acute health effects resulting from short term exposure (i.e., 1 hour or 8 hour) to higher concentrations are also a concern.
 - b. On Page 5.3-52, the DMEIR cites the District's significance threshold of 10 in a million for carcinogenic risk. The City should note in presenting this threshold that the District may modify this threshold in the future because of changes proposed by the Office of Environmental Health Hazard Assessment (OEHHA) in the method for calculating risk. Therefore, the District recommends revising the DMEIR to include a phrase such as "or another significance threshold adopted by the San Joaquin Valley Air Pollution Control District" in addition to the 10 in a million.
 - c. The DMEIR discusses two types of projects: 1) projects that can cause risk to nearby sensitive receptors because of their emissions of toxic air contaminants and 2) residential developments and other projects consisting of sensitive receptors that will locate near sources of toxic air contaminants emissions. It is not clear if both types of projects may require the preparation of a health risk assessment (HRA). Therefore, the District recommends that the discussion be made clearer. The Air Resources Board (ARB) has identified offset distances for freeways, chrome plating, and other facilities emitting toxics. Residential and other projects that would locate sensitive receptors further from those sources than ARB's offset distance are not required to assess health risk. The District recommends the City to consider adopting this approach.

- d. It should be noted that the District does not consider mobile sources during its permitting process. However, such sources are considered during a HRA for compliance with the California Environmental Quality Act (CEQA).
- e. On Page 5.3-56, the DMEIR states that “the Bay Area Air Quality Management District (BAAQMD) has adopted a cumulative threshold based on the aggregate total risk of all past, present, and foreseeable future sources within a 1,000 foot radius from the fence line of a source, or from the location of a receptor, plus the contribution from the project.” The District would like to clarify that the use of a cumulative risk approach adopted by another air district cannot be relied upon since other air districts have their own local sources, land use patterns, etc. that are different from those in the District.
- f. The DMEIR does not appear to exempt projects from conducting a risk review.
- g. The City could be more explicit in identifying that project proponents should comply with methodologies recommended by the District for risk review.

The District appreciates the opportunity to comment on the DMEIR for the City of Fresno Draft General Plan Update and Development Code Update. If you have any questions or require further information, please call Sharla Yang at (559) 230- 5934.

Sincerely,

Arnaud Marjollet
Director of Permit Services



For Chay Thao
Program Manager

AM: sy

Cc: File

ATT:

Trai Her

RE: General Plan Update

From: Sue Williams, SPOA

Sunnyside Property Owners Association

P.O. Box 8096-Fresno, CA 93747-8096

August 18, 2014

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

Ms. Clark,

The Board of Directors of the Sunnyside Property Owners Association (SPOA) appreciates the opportunity to provide comment on the General Plan Update.

We are encouraged that several of the key themes of the Plan reflect the need to improve the quality of life of its residents with goals and policies designed to preserve and enhance community character and that the Plan identifies the disparity between neighborhoods north and south of Herndon Avenue.

The Sunnyside area, generally bounded by Peach Avenue to the west, Temperance Avenue to the east, Kings Canyon Avenue to the north and Jensen Avenue to the south is a mix of older rural large lot residential parcels generally located within the unincorporated area of Fresno County and newer small lot subdivisions developed within the City. While new growth has brought additional amenities to the area, it has also increased traffic, noise and the potential to negatively impact the residential areas adjacent to proposed infill, transit corridors and activity centers.

The Roosevelt Community Plan (RCP) has guided development in the southeast area for over twenty years. While advocating a diversity of residential and density types, it provides policies and implementation measures to ensure established neighborhoods are protected. It also requires enhanced standards for landscape setbacks for arterial and collector streets south of Belmont and East of Chestnut Avenues and Minnewawa Avenue, a scenic route. Finally, the Roosevelt Community contains properties whose historic significance has been formally recognized for their eligibility to appear on the Local Official Register of Historic Resources.

Key issues:

Under the General Plan update the Roosevelt Community Plan will be repealed. Consider incorporating the following provisions from the RCP to the updated general plan and development code:

- Policy 1-8.3 Establish a Boulevard Overlay (BA) District with a minimum 20-foot landscaped setback along Kings Canyon Road east of Chestnut Avenue to be implemented at the time of property development or major modification as defined by the Fresno Municipal Code.
- Policy 1-5.8 Enhance the appearance of major transportation corridors by applying the following standards and policies:
 - A 15 foot (or larger, as specified by this Plan) landscaped boulevard overlay standard along arterial and collector streets south of Belmont Avenue and East of Chestnut Avenues.
- Policy 2-3.11 Designate Minnewawa Avenue (which shall not cross Fancher Creek) as a scenic street to be developed with a minimum 50-foot (measured from the right of way line) landscaped setback between Fancher Creek and Kings Canyon Road; with a 20 foot landscaped setback between Church and Jensen Avenues and also between Kings Canyon Road and Belmont Avenue.
- Incorporate Figure EIR-14, which delineates Local Historic sites potentially eligible for the National Register, within the citywide preservation program to identify, protect and assist in the preservation of Fresno's historic and cultural resources.
- Goal 1-7 Establish and maintain safe, attractive and stable residential neighborhoods with compatible relationships between housing types and densities.
 - Policy 1-7.1 Apply the following standards and guidelines to all development proposed within areas designated for low, medium low or medium density residential use. A.) Arrange lot patterns and sizes to maintain compatibility with surrounding uses and improvements (either existing or planned), and to facilitate the development of adjacent parcels with similar lotting patterns.
- Goal 1-6 Plan for the diversity of residential types, densities and locations necessary to achieve the plan concept and accomplish the plan goals to provide for adequate housing opportunities, balanced growth, and efficient use of resources. (Policies 1.6-1 and 2 have been incorporated within the General Plan update)
 - Policy 1-6.8 In order to provide a desirable range and distribution of housing opportunities, the designation of additional medium high density residential uses (*and by definition Urban Neighborhood Density*) should have either direct access to a major street or to a local street of sufficient vehicular capacity, which does not pass through an existing or planned single-family residential neighborhood prior to intersecting a major street.

The Corridor/Center Mixed-Use (CMX) designation of Kings Canyon Road between Chestnut and Sunnyside Avenues allows for a maximum Floor Area Ratio (FAR) of 1.5, or up to 3 stories in height. A sizeable portion of the corridor east of Peach Avenue south of Kings Canyon is adjacent to low to medium-low density residential

properties. Several of the parcels located on the southeast corner of Kings Canyon and Minnewawa are only one acre in size. While the Neighborhood Mixed Use designation prohibits automobile orientated uses, without benefit of the Development Code update, it is unclear as to what type of uses would be allowed in the CMX districts. We are encouraged however, that several of the objectives identified in the Urban Form, Land Use and Design component of the General Plan address the potential impact to adjacent uses; most notably, UF-12-d, "Ensure land use compatibility between mixed-use districts in Activity Centers and surrounding neighborhoods;" UF-12-g, "Establish design standards and buffering requirements for high intensity Activity Centers to protect surrounding residential uses from increased impacts from traffic noise and vehicle emissions, visual intrusion, interruption of view and air movement, and encroachment upon solar access"; and D-4-f, "Strive to ensure all new non-residential land uses are developed and maintained in a manner complementary to and compatible with adjacent residential land use, to minimize interface problems with the surrounding environment and to be compatible with public facilities and services." We would hope that the City invites public participation and is able to address neighborhood concerns whenever projects are developed within the CMX land use designation.

The new Urban Neighborhood Land Density Land Use Designation allows 16-30 units an acre and is being proposed for parcels adjacent to parkland and community facilities with access to frequent transit service. We would ask that the provision in the RCP requiring multi-family uses to have direct access to a major street or local street of sufficient capacity that does not pass through an existing or planned single family residential neighborhood prior to intersecting a major street be implemented to better serve the project residents and to protect adjacent residential areas.

Finally, we support Alternative 7.3.4, the Growth Area Reduction Alternative within the Southeast Development Area (SEDA). As stated in the Master Environmental Impact Report, "The Growth Area Reduction Alternative would reduce most of the environmental impacts of the proposed project and would be considered the Environmentally Superior Alternative."

The General Plan Update is an ambitious document that purports to solve numerous issues identified within the planning area. We look forward to a collaborative relationship with the City that fosters improved quality of life for its residents through compatible land uses that stabilize and enhance existing neighborhoods.

Respectfully,

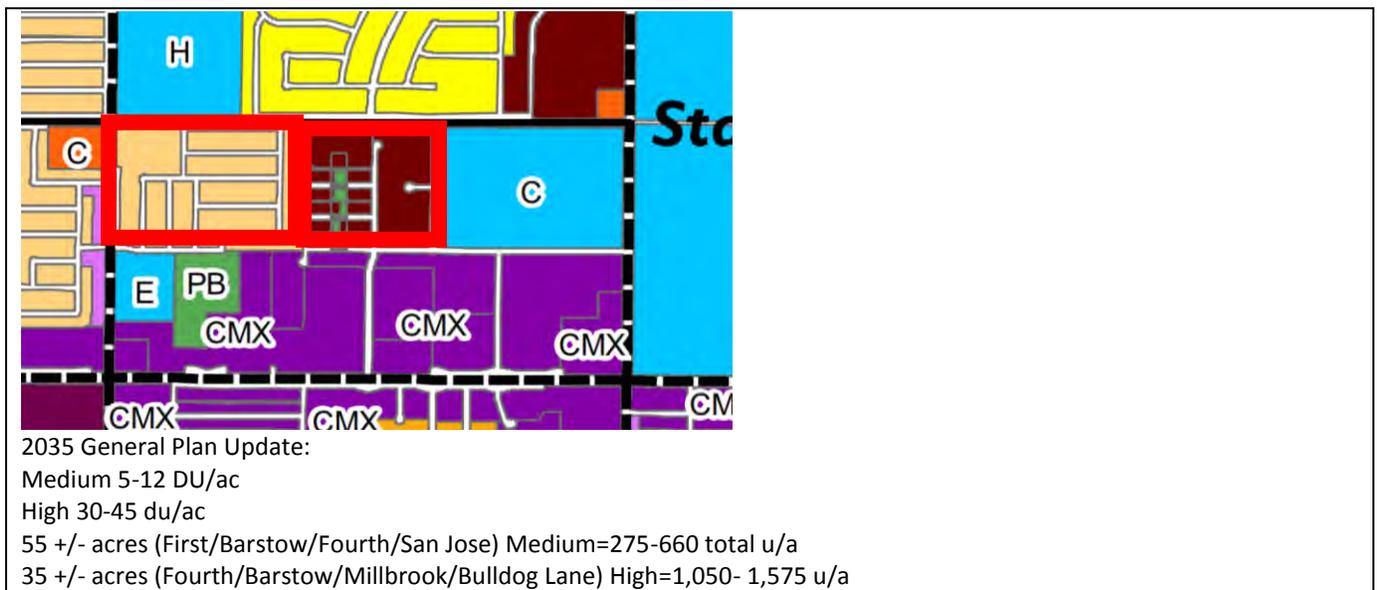
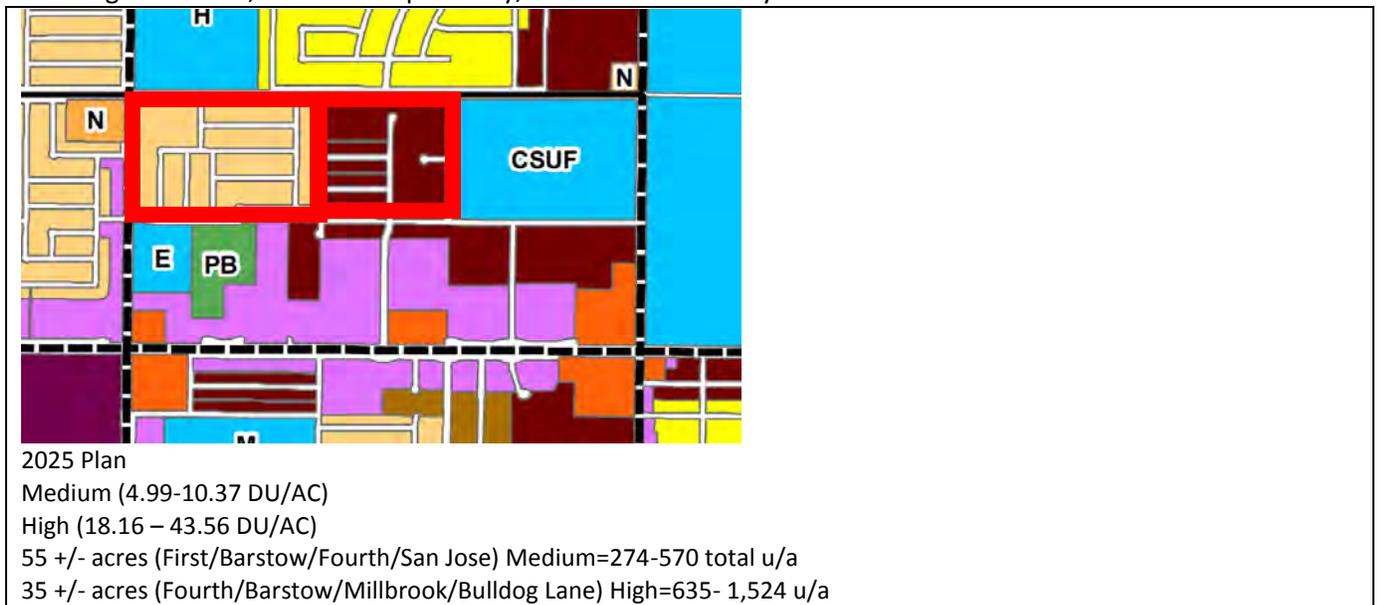


Sue Williams
Corresponding Secretary
Sunnyside Property Owners Association

Cc: Councilman San Quintero
Supervisor Debbie Poochigian

Granville Homes, Inc.
 Partial Comments, Pending Release of the Development Code Update
 General Plan Update – Environmental Report Comments
 October 9, 2014

1. An important concern, that seems to be overlooked by staff, even though we have repeatedly made the issue known: The Land Use density ranges were all modified and densities increased with this change. The EIR did not study the effects of the increase in development densities required by the new higher densities. For example, even though the designations for the two neighborhoods shown below did not change (i.e. Medium and High), if they were to be built out at full densities, there will be approximately 121 additional housing units allowed under the new proposed density ranges, than what is currently allowed. This increase in densities doesn't reflect the change in land uses that was also incorrectly applied throughout the City, and previously identified by us in our draft General Plan Comments. These two changes coupled will serve the exponentially increase the development, density, population and taxing on City services in all existing Fresno neighborhoods, but most importantly, was not reviewed by the EIR.



2. Page 3-17: The EIR mentions the proposed future “Downtown Neighborhoods Community Plan and Fulton Corridor Specific Plan, which may be adopted by the City”. The narrative includes mention of several “districts” and potential uses. The entire section should be deleted as the plan, nor draft plan has officially been made public for comment or review, and thus should be reviewed separately and not included here.
3. Page 3-25 to 3-26: Table 3-5 should identify the most current 2010 Census populations, and delete any references to estimated 2010 population data.
4. Page 3-26: Section 3.5 Infill Areas should ensure that infill areas definition matches what has been proposed by the Mayor and Planning staff, to encompass all City Limit areas.
5. Page 3-29 to 3-33: Table 3-6 identifies Total Proposed Dwelling Units in the Growth Areas. Two Grantland Communities seem to identify an excessive amount of multi-family dwelling units in an area that has not proven can sustain the large increase in rentals.
6. Page 5.6-5: Exhibit 5.4-1 – Incorrectly identifies the area bounded by Gettysburg, Grantland, Garfield and Shields as Deciduous Orchard – it has been barren land for several years, at varied times growing alfalfa.
7. Page 5.12-7, 8, 9: The Housing Element chapter references several programs and committees that no longer exist. Even though the paragraph is copied from the last approved Housing Element, this EIR should correctly identify the existing program, and not reference those that have ceased to exist.
8. Page 5.13-33: First paragraph, says the proposed General Plan Update would not meet the City’s goal of 5 acres of parkland per 1,000 residents for all City park space and 3 acres per 1,000 residents for Pocket, Neighborhood, and Community Park Space. If the update doesn’t meet the goal, then the City should re-evaluate the goal, and either make accommodations to meet the goal, or make the goal more attainable.
9. Page 5.14-83: The last two paragraphs include information on increased density and its effects on the City’s Transportation system. The density scenarios do not take into account the increase in density ranges for the same named planned land uses, therefore the transportation system cannot adequately provide a system that serves the true increased density allowances in the City. Additionally, the paragraphs reference “complete streets” concept which hasn’t been defined or identified in detail, nor has it been reviewed in this MEIR. The reference should be deleted.
10. Page 5.14-85, First paragraph under Impact TRANS-6, Project Specific Impact Analysis – The last sentence is an incomplete sentence, and therefore cannot be evaluated, even though it seems to be making an important point on future required improvements or expansions.
11. Page 5.14-88: The last sentence states the General Plan Update and resulting impact will be less than significant on transportation. Based on the information referenced above, where density ranges are increased, thereby inflating densities throughout the City, the statement cannot adequately assess the situation, much less say that the impacts are less than significant.
12. Page 5.15-7, the last paragraphs is outdated, as it references the City’s Recycled Water Master Plan that is expected to be adopted in August 2012. The updates to the narrative should identify whether or not the plan was adopted, or if the plan is expected to be adopted in the future still.

13. Page 5.15-12, Solid Waste Disposal, first paragraph, references a goal that was to be attained by 2012. The update to the narrative should identify whether or not the goal was achieved by printing of the EIR.
14. Pages 5.15-19 to 5.15-29: Wastewater Treatment, Waste Discharge and Sewer System Capacity Impacts. The narrative states that there is a “potential for significant impact” and also that “potential cumulative impacts are considerable and would be a significant cumulative impact”. These impacts should receive attention due to the limited resources available to mitigate the impacts. More attention and funds should be targeted towards the mitigation of this issue.
15. Page 5.15-42: The water supply source analysis confuses the narrative with the reference to build out to 2035 (even though staff has said build out to 2035 was taken out of the General Plan Update). Most importantly though, the narrative states that the City will NOT have enough water for the General Plan Update full build out. First, if this is the case, then there will be residents without water available to them - further analysis and mitigation is needed, or full build out scenarios should be adjusted to ensure availability of water for all development. Second, the availability of water doesn’t take into account the increased densities from the changes to the density ranges, which will only serve to further exacerbate the impacts to resources City-wide. Last, Page 5.15-43 states that even with mitigating policies, the impact, at full build out, to “water supplies will remain significant”. Staff should consider that water availability is a determining factor on development, and therefore adjust any forecasts or policies to ensure full build out development has water available to all.
16. Page 5.15-49: Landfill space availability will be significantly impacted by full build out of the general plan. Staff should consider that land space availability is a determining factor on development, and therefore adjust any forecasts or policies to ensure full build out of development has space at local landfills available.
17. Page 5.15-50 MM USS-22 and accompanying levels of impact. If the selection and building of a new landfill is required for full build out, how can this impact be “less than significant”? Staff should re-evaluate this determination as building a new landfill will be a huge impact on the environment.
18. Page 5.16-9 to 14, Impact EC-1- “The project would not result in the inefficient, wasteful and unnecessary consumption of energy.” The manner in which the “impact” is worded, in effect makes it so that it is not an impact. Additionally, we believe the impact to energy consumption cannot be treated as leaving “No Impact” on the environment, when, at full build out, the Fresno population will nearly double. How can this have “no impact” on the environment?
19. Page 8-1: Section 8.1, Mineral Resources: The “Impact Discussion” is confusing in that it states that if mineral resources continue to be extracted as currently allowed, then all resources will be depleted. The narrative goes on to state that current extraction will continue, and yet identifies ways to stop the depletion of resources. Overall, the logic to this train of thought is missing.
20. Page 67 of the Initial Study identified the displacement of housing as a potentially significant impact, yet the issue wasn’t identified in the MEIR.
21. Page 72 of the Initial Study identified the potential for future development to reduce capacities of roadways and intersections that could impede emergency access. We don’t believe this emergency transportation impact was adequately identified or addressed in the MEIR, as mitigation measures only glossed over development goals and policies, none strictly addressing emergency response.

22. Letter dated 12/6/2012 from Michael Navarro at Caltrans states that their office wasn't integrally involved in the General Plan Update, even though they had recommended and offered their expertise, particularly in the transportation sections. Was Caltrans involved as they requested? If so, possibly a follow up letter is required to clarify their position.
23. Letter dated 12/5/2012 from Norman Allinder, Planning Director of the County of Madera states that Madera County hasn't been adequately involve in the draft planning of the General Plan Update, and the effects of the full build out don't adequately cover the impacts to the surrounding communities, Madera County particularly – even though the general plan narrative seems to tough regional collaboration as a main driving principle of responsible growth. Was Madera County's issues addressed in the MEIR analysis? If so, possibly a follow up letter is required to clarify their position.
24. Appendix C-1 – Vegetation Communities Mapping – Exhibit 5.4-B identifies Copper River (area east of Friant, north of Copper) and Exhibit 5.4. C (Westlake Map area) as having deciduous orchard. This seems incorrect and should be fixed.

There are many and various typos/minor modifications needed, a sample of these is listed here:

1. Table 3-4: Correct mention of Southeast Growth Area (SEGA); change to SEDA
2. Page 3-33: Tables Notes: Correct the density ranges for Low and Medium low (should say Low: 1-3.5 du/acre).
3. Page 5-9.24: in the middle of the page a two line sentence is repeated.
4. Page 5.15-28: The "Tulare Lake Basin Plan" is referenced to as the "(Bain Plan)", which likely shoul be "(Basin Plan)".
5. Page 5.15-47: Last sentence says "Error! Reference source not found" though it seems to reference Table 5.15-3
6. Page 9-1, 9-2: Arnoldo's last name is mis-spelled.

DEPARTMENT OF TRANSPORTATION**DISTRICT 6**

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October 9, 2014

2131-IGR/CEQA
06-FRE-GEN
CITY OF FRESNO
2035 DRAFT GENERAL PLAN & DRAFT EIR
SCH# 2012111015

Mr. Arnaldo Rodriguez
Planning Manager
City of Fresno
2600 Fresno Street 3rd Floor
Fresno, California 93721

Dear Mr. Rodriguez:

Caltrans has completed its review of the City of Fresno Draft 2035 General Plan dated 7/2/14 and prepared by Dyett & Bhytia for the City of Fresno (City). This document serves to outline a long-range vision for the physical development of the city. The last comprehensively updated General Plan was completed in 2002.

The City's General Plan proposes a balanced transportation system that serves transit, bikes and pedestrians as well as automobiles. This multi-modal system should support a more compact development pattern, which in turn will support other goals, including preserving farmland and making neighborhoods more walkable. Caltrans applauds the City in their efforts to reduce the reliance on the automobile. However, with the projected population growth, the future demand on State facilities and interchanges will exacerbate current conditions. Therefore, the City should continue to work with its stakeholders to maintain its public streets and roads and work with Caltrans to identify funding strategies for the State Highway System in absence of inclusive program.

Caltrans recognizes that we live in an area where our population is very automobile dependent. As the population grows we do not have the capability to move people solely on the State Highway System thus creating the need for an integrated transportation system with our various local partners, such as the City, that offers multi-modal options. This understanding has created a cultural change within Caltrans. For example we have recently endorsed the National Association of City Transportation Officials (NACTO) Urban Street Design Guide and the Urban Bikeway Design Guide. Caltrans also developed the Main Street, California and the 2040 California Transportation Plan.

The following comments are based on a focused review of the "Mobility and Transportation" portion of the Draft General Plan document:

1. On Page 1-13, Section 1.2, under *Regional Location*, the second paragraph, first sentence should include a statement that describes State Route (SR) 99 as a designated *High Emphasis Focus Route* on the Interregional Transportation Strategic Plan.
2. On Page 1-19, Section 1.2, under *Planning Process* subheading *Alternative A with Modification*, Alternative A focuses on rebuilding the primary corridors as a series of neighborhood and regional mixed-use centers surrounded by higher density housing, with roughly half of the future housing in the City Limits and roughly half in growth areas on the urban edge. Alternative A shifted more development to single-family housing and with more focus on growth west and southwest of SR 99. SR 99 is an interregional facility that is already under tremendous strain in the existing condition. Directing growth west and southwest of SR 99 may significantly increase traffic to SR 99 due to the addition of local commuter traffic that would occur on this interregional goods movement corridor, therefore the City should work with Caltrans on Intelligent Transportation Systems in an effort to minimize impacts.
 - a. Development west of SR 99 may also impact SR 180. The General Plan proposes light industrial development in the path of the future freeway extension of SR 180. The City should work with Caltrans to preserve the right-of-way for the future SR 180 corridor as well as the interchanges. This sort of planning will drive the need for the SR 180 west extension but currently there is no funding in place.
3. On Page 3-16, under *BRT Corridors & Centers, Clovis Avenue-SR 180/Belmont Corridor*, the City should consider a Park and Ride in this area particularly near the SR 180/Clovis Avenue interchange.
4. On Page 3-58, LU-7-a, *Incentives for a Diversity of Industries, Increased Food Processing and Manufacturing, and related Employment Opportunities in Fresno*, in the commentary section, both SR 41 and SR 99 are currently impacted at the North/Cedar Avenue interchanges. Collaborate with Caltrans and the City to identify funding sources to allow for interchange improvements to accommodate the future growth.
5. On Page 4-3, it is indicated that General Plan Goal 13 includes emphasizing the City as a role model for environmental quality. However, later in the document it is indicated that the City proposes to allow selected locations in the city to operate at unsatisfactory traffic levels-of-service. Allowing increasing traffic congestion would appear to act against General Plan Goal 13. Increasing congestion would negatively impact air quality by increasing the travel time a vehicle takes to complete the same trip distance. The increased time would result in an increase in the amount of air pollutants that the vehicle discharges.

6. On Page 4-3, it is indicated that General Plan Goal 14 includes providing a network of walking and biking trails to benefit the health of residents. Caltrans supports guidance meant to provide flexibility for bicycle facility design. The American Association of State Highway Transportation Officials and the National Association of City Transportation Officials publications help as a guide to Caltrans' philosophy and flexible approach toward designing multimodal transportation projects. These guides promote a network of Class I, Class II and Class III bicycle facilities that connect major origins and destinations. These guides should be considered in all transportation system developments so as to include flexibility in future design options. For information on these guides, please see:
<http://www.dot.ca.gov/Documents/2014-4-2-Flexibility-in-Design.pdf>.
7. On Page 4-7, in the first partial paragraph, last sentence, it states the reliance of both inter-regional and local goods movement on SR 99 is an important issue for the City and the San Joaquin Valley, and plans for future development will need to avoid loading unnecessary personal traffic (i.e. local traffic) onto this crucial corridor when possible. Caltrans agrees with this statement.
8. On Page 4-7, in the last paragraph, it is indicated that 7.4 percent of the daily average trips are made by walking and bicycling, and 0.86 percent of the daily average trips are made with transit. The Regional Transportation Mitigation Fee (RTMF) and Traffic Signal Mitigation Impact (TSMI) fee programs are still necessary to provide mitigation for improvements necessary to accommodate projected future demand on State and local facilities (these need to be updated to keep up with future needs).
9. On Page 4-9, under *Street Typologies, Freeways*, Caltrans prepares and periodically updates the Transportation Concept Report (TCR). The TCR is a long-range system-planning document that establishes a planning concept for a state highway corridor through the future year. The TCR provides the route, traffic data, and operating characteristics for Caltrans District 6 State highway corridors and should be referred to when development occurs near the State facility.
10. On Page 4-13, end of the third paragraph, indicates that purposefully designed congestion incentivizes the use of transit or other modes of transportation that more efficiently move people and is better for air quality. However, as previously commented, the data would seem to suggest that even with significant increases in pedestrian, bike, and transit use, the future demand on the freeways and interchanges would nevertheless continue to increase due to natural increases in population. It is thus unlikely that the number of trips that would convert from individual motor vehicles to these other modes of transportation could be offset by the projected increase of population. Additionally, increasing congestion would negatively impact air quality by increasing the travel time a vehicle takes to complete the same trip distance. The increased time would result in an increase in the amount of air pollutants that the vehicle discharges.

11. On Page 4-13, the last sentence of the last paragraph, it is indicated that the General Plan envisions a context-sensitive LOS system that can be developed which will be more responsive to the City's needs and support achieving the urban form concepts of the Plan. Caltrans is charged with the responsibility of safeguarding the substantial investment that the citizens of California have made in the State's transportation system and ensuring the safety of the motoring public. It should be noted that those facilities under State jurisdiction would need to be analyzed using methods and assumptions approved by Caltrans.
12. On Page 4-14, the first paragraph, the argument is presented that there should be a greater tolerance for peak-hour congestion. The argument presents a scenario where, in order to achieve a satisfactory peak-hour level-of-service, there would be a need to increase the capacity of a roadway segment by adding a significant number of lanes. It continues the argument by stating that this would lead to wider roadways that would be unfriendly to pedestrian and bicycle traffic. The City should be aware that the level-of-service for intersections is different than the level-of-service for segments.
13. On Page 4-26, Implementing Policy MT-1-c, directs the Director of Transportation to prepare and adopt official plan lines or other documentation needed to preserve or obtain right-of-way (ROW) for planned improvements to transportation corridors, roadways, and bike/pedestrian paths. However, there does not appear to be any similar implementing policy that would preserve right-of-way for possible future improvements to State facilities. Caltrans recognizes the importance of preserving ROW; we suggest incorporating similar policy in regard to State facilities. This could be accomplished by including Caltrans' Transportation Concept Reports (TCRs) and other documentation (<http://www.dot.ca.gov/dist6/planning/tcrs/>) as part of the City's policies.
14. On Page 4-29, Implementing Policy MT-1-l, indicates that vehicle LOS F conditions would be acceptable during peak hours for segments and intersections within the Downtown Planning Area. However, as previously commented, those facilities under State jurisdiction would need to be analyzed using methods and assumptions approved by Caltrans. Also, Caltrans will determine measures and standards that facilities under its jurisdiction shall employ.
15. On Page 4-37, Implementing Policy MT-4-g, the City should include the following language: Caltrans has indicated that California's transportation system cannot meet the State's needs with just highways and supports guidelines meant to improve Caltrans' design of bicycle facilities. The guidelines were developed by the American Association of State Highway Transportation Officials and the National Association of City Transportation Officials. These guidelines promote a network of Class 1 bicycle facilities that connect major origins and destinations linked with a network of Class 2 facilities on all possible streets. A Class 1 bicycle facility is situated on a separate right-of-way or with some sort of physical barrier placed on the street between the bicycle and motor vehicle, while a Class 2 facility shares the travel way with motor vehicles separated by striping. These standards

should be considered as transportation system developments so as not to preclude future design options.

The following comments are based on a focused review of the “Transportation and Traffic” portion of the General Plan Draft Environmental Impact Report document:

16. On Page 5.14-4, it is noted in the first paragraph that the analysis of traffic operations was conducted on roadway segments representative of the City’s overall transportation network, and that the roadway segment analysis is based on traffic counts taken at a single location or link that is intended to be representative of the entire segment. However, while this approach of examining segments and relying on data collected at spot locations to represent that entire segment is satisfactory for very broad planning applications, it is too simplistic for determining the operation of specific elements of a freeway segment or freeway interchange. Analysis of the freeway interchange would require intersection, queuing, and stopping distance analysis.
17. On Page 5.14-15, under the section titled “Caltrans”, it is indicated that the data used to identify possibly congested freeway segments (State Routes (SR) 41 and 99) was obtained from 2008-2009 data sources (Highway Congestion Monitoring Program). This data shows locations of recurrent congestion (condition lasting for 15 minutes when demand exceeds capacity and speeds are less than 35 mph on incident free weekday); however, because this data may be out of date, Caltrans made various improvements to segments of SRs 41 and 99 which might have addressed some of the recurrent congestion.
18. On Page 5.14-18, the last sentence states that there are no federal plans, policies, regulations, or laws pertaining to transportation that are applicable to this general plan; however, to receive federal funding, transportation projects nominated by the cities, counties, and agencies must be consistent with the Regional Transportation Plan (RTP).
19. On Page 5.14-19, the second sentence of the first paragraph, SR 168 has been omitted from the list of State Routes in the project vicinity that fall under Caltrans jurisdiction. On Page 5.14-20, under the section titled “Senate Bill 743”, it is indicated that changes to the California Environmental Quality Act (CEQA) require the development of a new approach for analyzing transportation impacts under CEQA. The new approach will eliminate vehicle delay and level-of-service for CEQA impacts for many parts of California. However, it should be noted that safety will remain the priority for all State facilities. As previously commented, a true analysis of a freeway segment is much more complex than simply equating the number of lanes to a level-of-service. It would require a weaving analysis, merging analysis, and diverging analysis. Analysis of the freeway interchange would require intersection analysis, queuing analysis, and stopping distance analysis. Queuing on ramps can result in severe safety deficiency due to reduced stopping distances and traffic backed up onto the mainline through lanes.

20. On Page 5.14-21, in the first paragraph under the title “2011 Fresno Council of Governments (FCOG) Regional Transportation Plan”, it is indicated that this area is designated a federal non-attainment area for ozone. This requires that the transportation system meet stringent air quality emissions targets to reduce pollutant levels that contribute to ozone formation. To receive federal funding, transportation projects nominated by the cities, counties, and agencies must be consistent with the RTP. Also, the seventh and eleventh bulleted FCOG RTP policies listed on Page 5.14-21 indicate that the transportation system should be managed in a manner to increase operational efficiency, reduce air pollution, and provide for effective and safe movement of people and goods. Therefore, the general plan’s strategy of a downtown level-of-service of LOS F appears to be inconsistent with the Fresno COG RTP policy. This would thus appear to jeopardize federal funding for transportation projects nominated by the City. It should also be noted that FCOG has adopted a 2014 RTP.
21. On Page 5.14-23, Policy E-2-b indicates minimizing vehicular and vehicular-pedestrian conflicts on major streets and adjacent land uses through use of traffic design and control measures that reduce congestion and increase safety. For the downtown area, the City should employ some type of mechanism or trigger for improvements.
22. On Page 5.14-24, under the title “City of Fresno Traffic Impact Study Report Guidelines”, it is indicated that the guidelines include preferred traffic analysis methodologies, significance criteria, and documentation requirements. However, it should be noted that the City’s traffic study guidelines do not apply to State facilities. Caltrans will have preferred analysis methodologies and significance criteria for facilities under State jurisdiction.
23. On Page 5.14-26, it is indicated that a CEQA threshold of significance would be substantially increase hazards due to design features or incompatible uses. Therefore, as previously commented, stopping distance on exit-ramps will be a feature that would need to be analyzed. If a project increases the queuing at an exit-ramp, the available stopping distance would be impacted, thus creating a potential safety concern.
24. On Page 5.14-26, the two bullets under the title “Caltrans Thresholds” relate to acceptable level-of-service and applicable measures of effectiveness on State facilities. However, it should be noted that these measures are also include intersections in addition to freeway segments. Failure tends to occur at the connections well before failure occurs on the links. The connections, intersections and interchanges are the weak points, and failure will be noticed at these points well before the segments begin to fail.
25. On Page 5.14-42, it is indicated that Traffic Impact Zone I (TIZ-I) represents the Downtown Planning Area. A peak hour LOS standard of F or better would be maintained for all intersections and roadway segments. However, as previously commented, those facilities under State jurisdiction would need to be analyzed using methods and assumptions approved by Caltrans. Also, Caltrans will determine measures and standards that facilities under its jurisdiction shall employ.

26. On Page 5.14-42, in the last paragraph, it is noted that the General Plan Update accepts lower LOS values. This reflects a change in policy that acknowledges that transportation planning based solely on roadway LOS fails to acknowledge users other than those in personal vehicles. Also, a lower vehicle LOS may be desired when balanced against other community values related to resource protection, social equality, economic development, pedestrians, bicyclists, and transit users. Additionally, a higher LOS results in greater expenditure on infrastructure.
27. On Pages 5.14-54 and 5.14-55 the tables list freeway segments that the DEIR has identified as currently operating at unsatisfactory levels-of-service. The tables listed on Pages 5.14-74, 5.14-75 and 5.14-76 list freeway segments that the DEIR has identified as operating at unsatisfactory levels-of-service at build-out. However, as previously commented, this approach of merely examining segments and relying on data collected at spot locations to represent that entire segment is too simplistic for determining the true operation of specific elements of a freeway segment or freeway interchange. A true analysis of a freeway segment is much more complex than simply equating the number of lanes to a level-of-service. It would require a weaving, merging, and diverging analysis. Analysis of the freeway interchange would require intersection, queuing and stopping distance analysis.
28. On Page 5.14-57, in the second paragraph, the phenomenon of “induced travel” is discussed. It also states that expansion of the regional freeway system, consistent with the 2011 Regional Transportation Plan (RTP), will contribute to induced travel and therefore may complete with the objectives of the City of Fresno General Plan update that foster more compact multi-modal development. Caltrans goal is to utilize leadership, collaboration and strategic partnerships to develop an integrated transportation system that provides reliable and accessible mobility for all travelers.
29. On Pages 5.14-57 and 5.14-78, in the last two sentences of the third paragraph, it is stated that improvements to the freeway system are under Caltrans’ jurisdiction, thus the impacts to the freeways are significant and unavoidable. However, decisions made by the City may impact the freeways and freeway elements. Therefore, the City should work with Caltrans to mitigate impacts to a level of less than significant.
30. On Page 5.14-80, it is twice indicated that impacts to State facilities are significant and unavoidable. No feasible mitigation measures beyond implementation of General Plan Update Policies MT-2-j and MT-2-l are applicable. Therefore, the City should work with Caltrans to mitigate impacts to a level of less than significant.
31. On Page 5.14-82 & 86, Impact TRANS-4 and Policy MT-1-0, states that the project would not substantially increase hazards due to a design feature or incompatible uses. Acceptance of vehicle LOS E or F conditions outside of identified multi-modal districts only if provisions commensurate with the level of impact and approved by the City Traffic engineer are made to sufficiently improve the overall transportation system and promote non-vehicular

Mr. Arnoldo Rodriguez
October 9, 2014
Page 8

transportation as part of a development project. However, as previously commented, Caltrans will determine measures and standards that facilities under its jurisdiction shall employ. Additionally, Caltrans would be concerned with the possibility of congested ramp intersections causing traffic to back up onto the freeway mainlines. This could result in the creation of potential situations where vehicles exiting the freeway mainline at a high speed do not have adequate stopping distance on the ramp due to backup. Also, if the ramp queue backs up all the way to the freeway mainline, there could be additional concern due to the expectation of continuously moving traffic on the freeway mainline lanes.

SB 375 formalized the connection between land use planning and transportation. Population growth is eminent. The General Plan is indicating that the "Vehicle Miles Traveled (VMT)" is projected to more than double (9,395,800 to 19,883,400 weekday) with full build-out. Furthermore, with the funding constraints in transportation that we are compelled to contend with, we are learning that we cannot necessarily afford to build our way out of congestion. While there is still opportunity to expand infrastructure in our region, we will also need to manage our transportation infrastructure more efficiently. This can only be done by working together, maximizing funding opportunities (i.e. all-inclusive Regional fee programs) to develop a well-integrated system that offers various alternative modes for our residents.

Should you have any questions or concerns, please feel free to contact me at (559) 445-5868 or michael.navarro@dot.ca.gov.

Sincerely,

p.p.

A handwritten signature in blue ink, appearing to read "Michael Navarro", written over a light blue circular stamp.

MICHAEL NAVARRO
Senior Transportation Planner, Northern Region
District Office 6

C: Gail Miller, Deputy District Director, Caltrans District 6

Michael P. Paoli, MCRP

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October 8, 2014

Jennifer K. Clark, AICP
Director
Development and Resource Management Department
City of Fresno
2600 Fresno Street, Room 3065
Fresno, Ca 93721

Subject: Comments on Fresno General Plan and Development Code Update Draft Master Environmental Impact Report

Dear Ms. Clark:

Thank you for the opportunity to comment on the Fresno General Plan and Development Code Update Draft Master Environmental Impact Report (DEIR). I am submitting the comments presented in this letter on behalf of my family. The comments reflect the many experiences we have enjoyed while visiting the San Joaquin River Parkway and canoeing the San Joaquin River. They also reflect my over 40 years of experience as a CEQA practitioner.

My comments focus on two policies in the Parks, Open Space, and Schools (POSS) Element of the draft General Plan Update: Policy POSS-7-g and Policy POSS-7-i. These policies restrict the use of River View Drive to provide public access to the River West unit of the San Joaquin River Parkway.

A. Background

POSS-7-g and -i were included in the General Plan Update at the direction of the Fresno City Council. The Council provided this direction at a meeting on February 14, 2013. The direction reflected a staff report that stated, in part, "... the following policy recommendations have been developed and are intended to strike a balance between the community concerns while providing, to the greatest extent possible, access to the trail extension by the general public." The staff report, in turn, reflected the desire of the "community" to limit severely access to River West from River View Drive.

The "community" referenced in the staff report consists primarily of residents from the "The Bluff" subdivision, which is generally located north and south of River View Drive between Audubon Drive and the southern bluff of the San Joaquin River channel. The concerns of the residents involved traffic, parking, noise, visual, crime, and fire-related impacts that they perceived would occur with development of public access to River West via Riverview Drive.

The staff report did not provide any substantive information that would support or refute the concerns of the property owners, and the City did not subject the policy to review under the California Environmental Quality Act (CEQA) before submitting it to the City Council for preliminary approval.

Instead, it appears that the City intended that the CEQA evaluation would occur in the EIR the City would prepare for the General Plan Update.

B. General Plan Update Draft EIR

I have reviewed the General Plan Update DEIR and have completed several word searches to identify where in the DEIR the City evaluated the environmental impacts of POSS-7-g and -i. This research resulted in a determination that the DEIR does not contain an evaluation of environmental impacts that may result from the policies. In fact, I cannot find mention of the policies anywhere in the DEIR.

The failure to address the policies in the DEIR leaves the City with two options if it intends to proceed with the DEIR in a manner that complies with CEQA:

- 1) The City can delete POSS-7-g and -i from the General Plan Update, in which case the need to evaluate the policies in the DEIR would be moot.
- 2) The City can revise the DEIR to include a comprehensive evaluation of the policies, in which case, under the CEQA Guidelines, the City would have to recirculate the DEIR for public review. Recirculation of the DEIR would be necessary because the City would have to make extensive changes in the document in order to address adequately the policies.

Because of the absence of any discussion of the policies in the DEIR and considering the controversy surrounding the policies, it would be inappropriate for the City to attempt to evaluate the policies simply by responding to comments regarding them in the final EIR. CEQA does not allow a lead agency to address such a glaring omission without giving the public an opportunity to review and comment on the revisions.

Moreover, it would not be defensible for the City to leave the policies in the General Plan Update on the basis that they would be subject to CEQA review in a subsequent environmental document. Under CEQA, if the policies are part of the General Plan Update project, the City must evaluate them in the General Plan Update EIR.

C. Environmental Issues

To comply with CEQA, the DEIR must provide a comprehensive, objective evaluation of the environmental impacts that may result from the implementation of POSS-7-g and -i. The evaluation, at minimum, should address the following points:

- 1) A fundamental question the EIR must address is why the public should not have vehicular access to River West from River View Drive. To address this question, the City must prepare a comprehensive traffic study that would identify the extent to which vehicular access would affect traffic conditions on River View Drive and on other streets that the public could use to reach the River View Drive access point. The traffic study also must identify any design or operational measures that the City could incorporate into the street system that would avoid or reduce to an insignificant level any significant impacts vehicular access would have on the street system.
- 2) If the City of Fresno prohibits vehicular access at River View Drive, the only way Fresno residents could drive to River West would be to drive north on State Route 41 to the Children's Avenue interchange in Madera County and then backtrack south on a frontage road to an access point at the Perrin Avenue alignment. The traffic study must include an evaluation of the impacts that would result from requiring motorists to take this circuitous route to reach River West. At minimum, the study must address traffic impacts on State Route 41, the State Route 41/Children's Boulevard interchange, State Route 41 interchanges in the northern part of

Fresno, and the frontage road leading to the Perrin Avenue access point. The evaluation must consider the significant volume of traffic that the large residential projects that Madera County has approved will generate on State Route 41 and the interchanges.

- 3) The EIR must evaluate the suitability of the proposed pedestrian and bicycle access at the River View access point for senior citizens, handicapped citizens, and families with young children. The evaluation should take into consideration the steep slope that leads from existing River View Drive to the river bottom. Would this access comply with federal, state, and local requirements for handicap access? Is it reasonable to expect young families to push strollers up the steep slope? Is it safe for young children to ride bicycles down the steep slope? Could senior citizens walk or ride bicycles up the steep slope? How could handicapped citizens access River West without having to drive the circuitous route through Madera County? How can Fresno claim it is a handicapped accessible, senior citizen friendly community if it does not allow vehicular access to River West at River View Drive?
- 4) What impacts would result if Fresno residents that live too far from River West to walk or bicycle to the facility decide to park on the local residential streets near the River View Drive access point and then walk or ride into the facility? Does the City allow parking on the streets? Would the local residents object to people parking in front of their homes? Considering the likelihood they would object, would they ask the City to prohibit parking on the streets? If the City did prohibit parking, where could Fresno residents park if they must drive to River West?
- 5) The EIR must provide a comparative analysis of the air quality, greenhouse gas, energy use, and noise impacts that would result from allowing vehicular access to River West from River View Road versus requiring Fresno residents to drive the circuitous route through Madera County if they can only reach River West using their automobiles.
- 6) Under the State General Plan Guidelines, a general plan is supposed to be internally consistent. In view of this requirement, please explain why it is acceptable for the City to include Policies POSS-7-g and-i in the General Plan Update when they clearly conflict with numerous policies throughout the document. These include, but are not limited to, policies that promote an efficient multi-modal transportation system, the reduction of transportation-related air emissions, the reduction of greenhouse gas impacts, and the provision of a user-friendly park and open space system that is accessible to all residents.
- 7) Fresno has a number of streets similar to River View Road that traverse upscale neighborhoods. Examples include Van Ness Boulevard, Van Ness Extension, and Shepherd Avenue near Woodward Park. The EIR should identify any environmental conditions along River View Drive that are different from those found along the other streets that would justify not allowing the public to drive to River West using River View Avenue.
- 8) The California General Plan Guidelines includes recommendations for addressing environmental justice in general plans. Environmental justice is defined in state planning law “as the fair treatment of people of all races, cultures, and incomes with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies (§65040.12(e)). Included in the recommendations is the following discussion of access to public facilities and services: Access “...can be measured as the distance or travel time from each residential area to the [public] facility or service. Access may also be measured by the ability to use a variety of transportation modes, including public transit, walking, and bicycling, to travel between each residential area and the facility or service.”(page 25) POSS 7-g and -i violate the concept of environmental justice. As discussed in previous points, the City of Fresno, by

including the policies in the General Plan Update, is denying reasonable, multi-modal access to River West to the elderly, handicapped, families with small children, and the many citizens that live too far from the facility to walk or ride a bicycle. Instead, the City is telling these citizens that if you need to drive to River West, you can take the back road through Madera County. The City has taken this position at the behest of a group of wealthy residents that seem to believe they have the right to deny public vehicular access to a public facility from a public road. By taking this position, the City is committing an act of environmental injustice, or discrimination, against all but the relatively few residents of Fresno that have the economic means necessary to live in the Bluff Subdivision.

D. Conclusion

Thank you for the opportunity to comment. Please let me know if you have any questions on my comments.

Respectfully submitted,

Michael P. Paoli, MCRP

DIRK POESCHEL

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

Land Development Services, Inc.

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October 10, 2014

Ms. Jennifer Clark, AICP
Director City of Fresno
Development & Resources Management Department
2600 Fresno Street, Room 3065
Fresno, CA93721

SUBJECT: City of Fresno 2030 General Plan Update – Draft Master EIR
Request for Analysis of the Intersection of S. Cedar and E. American
Avenues

Dear Jennifer,

The intersection of S. Cedar and E. American Avenues exists at the southern boundary of the City of Fresno's Sphere of Influence. As you may be aware, as part of the California High Speed Rail Authority's project, an over crossing of State Route 99 is planned at E. American Avenue. My clients, the trustees of The KR Trust and The Sidhu Family Trust, own the property at the southeast corner of the subject intersection. They are most concerned about the ultimate configuration of that intersection and its related environmental impacts.

As you are aware, S. Cedar Avenue and American Avenue are part of your adopted General Plan Circulation element. To accommodate the aforementioned high speed rail project, it appears highly likely that the intersection will be radically changed from its current configuration requiring, among other things, additional right of way. Details of the subject intersection configuration and an assessment of potential environmental impacts were not provided in the Draft Master Environmental Impact Report prepared for the City of Fresno's General Plan Update. It is reasonable to assume increased traffic, noise, air quality and related adverse impacts may occur as a result of the aforementioned project.

Therefore, I respectfully request the City of Fresno define the necessary modifications to the subject intersection to be constructed as part of the California High Speed Rail Authority's project. I also request the city assess those modifications in the City of Fresno's current General Plan Update Draft Master Environmental Impact Report.

Thank you for your consideration of this request.

Sincerely,



Dirk Poeschel, AICP
cc: Lauren Layne, Esq.



Fresno Local Agency Formation Commission

October 9, 2014

Jennifer Clark, AICP, Director
Development and Resource Management Department
City of Fresno
2600 Fresno Street
Fresno, California 93721

Dear Ms. Clark:

SUBJECT: City of Fresno General Plan Update

Fresno LAFCo is in receipt of the City's General Plan Update, Development Code Update, and Environmental Impact Report and provides the following comments.

The Fresno Local Agency Formation Commission (LAFCo) regulates the boundary changes of local agencies through approval, approval with conditions, or denial. LAFCo's objectives are to:

- Encourage orderly formation and development of agencies;
- Encourage consistency with spheres of influence and recommended reorganization of agencies;
- Encourage orderly urban development and preservation of open space patterns;
- Encourage conservation of prime agricultural lands and open space areas; and
- Identify and address disadvantaged unincorporated communities.

Because the Commission will regulate the growth of the City of Fresno, it is to the City's benefit that its long-range planning, as well as project-specific service planning, take the Commission's objectives and policies into consideration. Annexation requests by the City, and amendments to the Fresno sphere of influence, will be evaluated by the Commission based on the request's consistency with CGC 56000 et seq., and the Commission's Policies, Standards and Procedures. You are encouraged to review these documents and incorporate their requirements and standards into the Project to facilitate future applications to the Commission. Links to these documents are provided below in footnotes.^{1, 2}

Consistent with LAFCo's interest in orderly growth and preservation of agricultural lands, Fresno's draft General Plan land use policies appear to be an effective balance of urban growth and preservation of prime farmland. The General Plan policies are clearly influenced by the formative "A Landscape of Choice," and the San Joaquin

¹ <http://fresnolafco.org/documents/cortese%20knox%20act.pdf>.

² <http://fresnolafco.org/documents/POLICIES%20STANDARDS%20%20PROCEDURES.pdf>.

Valley Blueprint, two public policy documents that were intended to balance urban growth with protection of farmland. The General Plan's reliance on smart growth principles reinforces Fresno's commitment to ease pressure on the urban fringe and its draft land use diagram, in combination with the City of Clovis' draft land use diagram, were instrumental in the successful RTP/SCS modeling that permitted the Fresno COG to achieve its SB 375 GHG targets set by the ARB.

Section 1.3 on page 1-19 notes the City's intent to not expand its SOI in part to fully develop Development Areas west and southwest of SR 99. An annexation program that addresses the WEDA and SEDA's lotting patterns and abundance of rural residential lots would facilitate annexations and the City's implementation of its General Plan.

Similar to other cities in the County, Fresno's traditional approach to annexation largely relies on the market to implement its General Plan land uses. While this is practical from a city's perspective, given LAFCo's function to oversee the logical formation and modification of local agencies' boundaries, this approach alone is not a 'program' as anticipated by LAFCo policy.

LAFCo's work plan for FY 14-15 includes development of a model annexation program in conformance with LAFCo Policy 102-01.³ The model annexation program will explain the sequence or process related to how the city intends to annex lands (order); describe how this process implements the city's general plan (logic); and determine how this process contributes to efficient growth and provision of urban services (efficiency). Since much of this narrative is already considered by the city during its internal analysis of a project, the annexation program optimally will employ most or all of a city's current annexation practice by aligning it with LAFCo policy. Ultimately, annexation planning will benefit the city's economic development efforts. Business retention and attraction will benefit from the city's orderly, phased annexation program when the city's response to an opportunity is met with a thoughtfully-prepared program rather than an ad hoc effort.

One aspect of an orderly, phased annexation program is to anticipate the effects of the city's growth on the special districts that will be affected by the implementation of the General Plan. The scope of the potential effects ranges from agencies that will be detached upon annexation (such as the Fresno County Fire Protection District and the Kings River Conservation District) and to other agencies that will likely experience increased demand for services such as the Fresno Memorial District, Fresno Cemetery District, etc. There is a relative abundance of special districts within the city's SOI, including:

- Cemetery Districts: Clovis, Sanger/Del Rey, Fowler, Washington Colony
- Bluffs Community Service District;

³ "Within the sphere of influence each agency should implement an orderly, phased annexation program. A proposal should not be approved solely because the area falls within the sphere of influence of an agency. The sphere of influence is one factor among several considered in reviewing proposals."

Jennifer Clark
October 9, 2014
Page 3

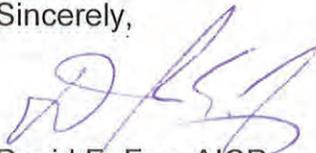
- Kings River Conservation District;
- County Service Areas Nos. 2, 7, 14, 18, 19, 33,
- Fire Protection Districts: Fresno County and North Central;
- Mosquito Abatement Districts: Fresno, Consolidated;
- West Fresno County Red Scale Pest Control District;
- Fig Garden Police Protection District;
- Pinedale Public Utility District;
- Calwa Recreation and Park District;
- Sierra Resource Conservation District;
- Garfield Water District; and
- County Water Districts: Malaga and Pinedale.

I suggest that policy ED-5-e be amended to include: "...analyses of any school districts, **special districts**, and other public agencies...."

Also, please note that all references to the Fresno Local Agency Formation Commission should not identify it as a County agency. Fresno LAFCo is an independent public agency.

Thank you for the opportunity to review and comment on the draft General Plan/Development Code and the associated EIR. Please feel free to contact this office with any questions or comments.

Sincerely,



David E. Fey, AICP
Executive Officer

WAGNER & WAGNER, A PROFESSIONAL CORPORATION
7110 N. Fresno Street, Suite 340
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PURCHASING DIVISION
CITY OF FRESNO

Via Email (Trai.Her@fresno.gov) and U.S. Mail

October 9, 2014

Jennifer K. Clark, AICP
Director Development and Resource Management Department
2600 Fresno Street, Room 3065
Fresno, Ca 93721

**Re: City of Fresno General Plan Update - AG Land Development, LLC – Northwest
Corner of Polk and Dakota Avenues - APN 511-011-18**

Dear Ms. Clark:

We represent AG Land Development, LLC which owns approximately 20 acres at the Northwest Corner of Polk Avenue and Dakota Avenue (APN 511-011-18). The final tract map and improvement plans are being processed with the City for the development of the parcel per Vesting Tentative Tract Map No. 5538 which will provide for 4.7 dwelling units per acre. Vesting Tentative Tract Map No. 5538 was approved by the City on May 17, 2006 and expires May 17, 2017. Since the approval of the Vesting Tentative Tract Map and in reliance thereon, AG Land Development has invested significant amounts of money and resources in processing the final map for recordation.

Despite the existence of the approved Vesting Tentative Tract Map, the proposed general plan designates this land for medium high density (12-16 dwelling units per acre). If the proposed general plan is adopted, Vesting Tentative Tract Map No. 5538 will be inconsistent with the General Plan. As you know, the approval of a vesting tentative tract map expressly confers a vested right to proceed with a development in substantial compliance with the ordinances, policies and standards in effect at the time the application for approval of the tentative tract map is deemed complete. Government Code §66498.1(b).

Any decision by a city affecting land use and development must be consistent with the general plan. See *Friends of Lagoon Valley*, 154 Cal. App. 4th at 815. We are concerned that the inconsistency between the proposed general plan and the approved vesting tentative tract map may prove problematic with AG Land Development's efforts to complete the processing and filing of the final map.

In order to avoid this inconsistency between an approved vesting tentative tract map and the proposed general plan, AG Land Development requests that the general plan retain its existing land use designation consistent with the approved tentative tract map or that the City give written assurance that it will allow the processing of the final tract map and improvement plans consistent with Vesting Tentative Tract Map No. 5538 and the ordinances, policies and standards

Ms. Jennifer K. Clark, AICP

October 9, 2014

Page 2

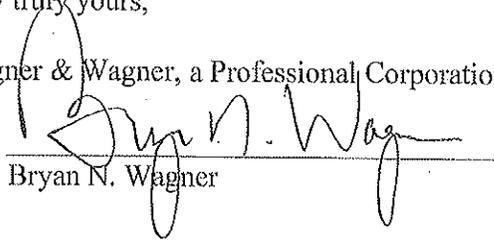
in effect at the time the application for approval of the Vesting Tentative Tract Map No. 5538 was deemed complete.

Please feel free to contact me with any questions or if you need any further information.

Very truly yours,

Wagner & Wagner, a Professional Corporation

By:


Bryan N. Wagner