

**COUNCIL RESOLUTION NO. 2002-378**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, CERTIFYING THE MASTER ENVIRONMENTAL IMPACT REPORT NO. 10130 AS RELATED TO THE PROPOSED 2025 FRESNO GENERAL PLAN

WHEREAS, on April 3, 2001, the City Council adopted Resolution No. 2001-118 initiating the adoption of a new General Plan, also known as the 2025 Fresno General Plan (hereinafter, "2025 Plan"); and,

WHEREAS, the California Environmental Quality Act (CEQA) requires that an environmental impact report be prepared for any project which may have a significant effect on the environment; and,

WHEREAS, the Director of Planning and Development determined that an environmental impact report (EIR) shall be prepared for the 2025 Plan, and the city contracted with a professional environmental consultant to conduct the requisite studies and analyses of the potential environmental impact and proposed mitigation measures, as applicable, for the 2025 Plan; and,

WHEREAS, on July 17, 2001, the Planning and Development Department duly issued and circulated a Notice of Preparation, pursuant to CEQA Guidelines Section 15082 and Public Resources Code Section 21080.4; and,

WHEREAS, on August 2, 2001, the Planning and Development Department held a scoping meeting pursuant to CEQA Guidelines Section 15082(c) and Public Resources Code Section 21080.4 attended by members of the public and at which written and verbal comments were submitted; and,

WHEREAS, on May 24, 2002, the Planning and Development Department staff exercising their independent judgment, completed the draft master environmental impact report (hereinafter Draft MEIR), and the city provided due public Notice of Availability of the Draft MEIR for public comments pursuant to Public Resources Code Section 21092 and CEQA Guidelines Section 15087; and,

Adopted 11-19-02  
Approved 11-21-02  
Efficiency 11-21-02

WHEREAS, on May 24, 2002, the city issued a Notice of Completion pursuant to Public Resources Code Section 21161 and CEQA Guidelines Section 15085; and,

WHEREAS, on May 29, 2002, public Notice of Availability of the Draft MEIR was posted in the office of the Fresno County Clerk pursuant to Section 15087(d) of the CEQA Guidelines; and,

WHEREAS, on June 24 and 26, 2002, noticed public information meetings were held by staff in which public testimony, both oral and written, on the adequacy of the Draft MEIR was accepted into the record and for at least 45 days following the date of publication of the public notices, the public was given opportunity to comment, in writing, on the adequacy of the Draft MEIR as an informational document; and,

WHEREAS, at the conclusion of the 45-day public review and comment period, the Planning and Development Department is required to prepare a final EIR (Final MEIR) pursuant to CEQA Guidelines Sections 15088, 15089 and 15132 and which Final MEIR is to include responses to public comments on the Draft MEIR; and,

WHEREAS, on August 17 and 21, 2002, and September 4, 10, 18 and 26, 2002, and October 2 and 16, 2002, the Planning Commission held duly noticed public hearings at which the Commission considered and discussed the adequacy of the proposed Draft MEIR as an informational document and found that the proposed Draft MEIR, as presented, adequately discusses the potential significant impacts of the 2025 Plan; and,

WHEREAS, pursuant to CEQA Guidelines Section 15132 the Final MEIR is required to be completed in compliance with CEQA; and,

WHEREAS, on October 16, 2002, the City of Fresno Planning Commission, after reviewing and considering the information in the Draft MEIR including, but not limited to

the, "Responses to Written Comments" for Draft Master Environmental Impact Report No. 10130 (State Clearinghouse No. 2001071097) and 2025 Fresno General Plan dated October 16, 2002 (and related "Responses to Late Written Comments" dated October 16, 2002); the "errata sheet"; the oral questions and responses received during the noticed public hearing prior to making a recommendation on the merits of the 2025 Plan, recommended that Council certify the proposed MEIR with all recommendations as presented by staff at the public hearings of August 17, and 21, 2002, and September 4, 10, 18, and 26, 2002 and October 2 and 16, 2002. The Planning Commission recommended that the Council review and consider the Draft MEIR, apply the Council's independent judgment and analysis to the review, and then certify the Draft MEIR as the Final MEIR, as having been completed in compliance with CEQA, based on the Commission's recommendations on the proposed Draft MEIR and comments thereon; and,

WHEREAS, on September 24, 2002, the City Council held a duly noticed public workshop at which the Council reviewed the proposed Draft MEIR as an informational document in order that the Council may be better informed on the complexity of and the inter-relationship between the proposed Draft MEIR and the 2025 Plan; and,

WHEREAS, following the workshop overview of the Draft MEIR and 2025 Plan the Council continued the public hearing in order to allow for public participation and testimony regarding the Draft MEIR and 2025 Plan; and,

WHEREAS, on October 22, 2002, the City Council conducted a public hearing and received public testimony and reviewed and considered the information in the Draft MEIR including, but not limited to, the "Responses to Written Comments" for Draft Master

Environmental Impact Report No. 10130 (State Clearinghouse No. 20001071097) and 2025 Fresno General Plan dated October 22, 2002 (and related "Responses to Late Written Comments" dated October 16, 2002); the "errata sheet"(contained in the Planning Commission Resolution recommending certification of the MEIR); and all recommendations as presented by staff at the public hearings of September 24, 2002 and October 22, 2002 and after considerable discussion continued the public hearing to November 19, 2002; and,

WHEREAS, on November 19, 2002, the City Council considered and discussed the adequacy of the proposed Draft MEIR as an informational document and found that the proposed Draft MEIR, as presented, adequately discusses the potential significant impacts of the 2025 Plan and that the Council applied its own independent judgment and analysis to the review, and hereby takes action to certify the Draft MEIR as the Final MEIR, as having been completed in compliance with CEQA, based on the findings noted below.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. Recitals. The foregoing recitals are true and correct and incorporated herein by reference.
2. Compliance with CEQA. The Final Master Environmental Impact Report (FMEIR) for the 2025 Fresno General Plan, attached hereto as Exhibit "A" and incorporated herein by this reference (including the "Responses to Written Comments" for Draft MEIR No. 10130 dated October 22, 2002 and "Responses to Late Written Comments" for Draft MEIR No. 10130 dated October 16, 2002), was prepared in compliance with the requirements of the California Environmental Quality Act (CEQA).
3. FMEIR Reviewed and Considered. The City Council certifies that the FMEIR has been completed in compliance with CEQA; that it has been presented to the Council and that the Council has reviewed and considered the information contained in the FMEIR, and all of the information contained therein has substantially influenced all aspects of the decision by the Council. The FMEIR is a material part of this resolution.

4. Findings Regarding Significant But Mitigable Effects. Section 21081(a) of the Public Resources Code requires the City Council to make certain findings regarding the significant effects of the 2025 Plan. As reported in the FMEIR for the 2025 Plan, the City Council hereby finds that with regard to the following effects, "changes or alterations have been required in, or incorporated into, the project which mitigate or avoid the significant effects on the environment" (Section 21081(a)(1)). The City Council, exercising their independent judgment, determines that such findings are supported by substantial evidence in the record. Those effects addressed by this finding are:

<u>Effects</u>	<u>FMEIR Pages</u>
Impact on Water Supply, Quality and Hydrology	V-D1 through V-D18
Increased Demand for Utilities and Service Systems	V-F1 through V-F13
Increased Demand for Public Services	V-G1 through V-G8
Increased Demand for Recreational Opportunities	V-H1 through V-H4
Loss of Biological Resources	V-I1 through V-I8
Potential Disturbance of Cultural Resources	V-J1 through V-J5
Geology and Soils Impacts	V-L1 through V-L5
Increased Demand for Energy	V-N1 through V-N3
Potential Aesthetic Impacts	V-Q1 through V-Q3

In addition, the Council hereby finds that there are no mitigation measures identified in the FMEIR which are within the responsibility of another public agency and have been, or can be and should be adopted by the other agency. (Section 21081(a)(2)).

5. Findings Regarding Unavoidable Significant Impacts/Statements of Overriding Considerations.

a. The FMEIR identified the following impacts as Significant and Unavoidable:

<u>Impacts</u>	<u>FMEIR Pages</u>
Transportation and Circulation	V-B1 through V-B28
Air Quality	V-C1 through V-C34
Preservation of Agricultural Land	V-E1 through V-E10
Noise	V-K1 through V-K16

- b. In accordance with Section 21081 of the Public Resources Code and Sections 15091 and 15093 of the CEQA Guidelines, in order to approve the 2025 Plan, the City Council must make a statement, supported by findings, as to the specific economic, social, or other considerations which outweigh the unavoidable environmental impacts. The City Council has balanced the benefits of the proposed project against its unavoidable environmental risks in determining whether to approve the project and has determined that some of the adverse environmental effects are acceptable.
        - c. The City Council adopts the Statement of Overriding Considerations, attached hereto as Exhibit "B" and incorporated herein by this reference, which makes findings (Section A) for each significant adverse and unavoidable impact identified in the FMEIR, and by finding that specific economic, social or other considerations (Section B) make infeasible certain mitigation measures and project alternatives identified in the FMEIR.
6. Revised Mitigation Measures/Additional Information/Recirculation Findings.  
As a result of the public review and comment period and the public hearing process, certain modifications to the 2025 Plan and the mitigation measures and information published in the Draft MEIR, were determined to be necessary, desirable and appropriate. All said revised mitigation measures, and the necessary revisions, clarifications, additions and deletions to the 2025 Plan and Draft MEIR are identified in Exhibit "C" to this Resolution, and are hereby incorporated by reference. Exhibit "C" also includes substantial evidence (required by CEQA Guidelines Section 15088.5(e)) supporting the City's decision not to recirculate the FMEIR.
7. Alternatives.
  - a. In accordance with the Public Resources Code and CEQA Guidelines, the FMEIR examined a range of reasonable alternatives to the 2025 Plan which could feasibly attain the basic objectives of the project and evaluated the comparative merits of the alternatives, including the "No Project"; "Intensified Development Within the Present General Plan Boundaries"; "Reduced intensity General Plan"; "Modifications to the Proposed Project".



- b. The City Council adopts the Findings Supporting Rejection of Alternatives, attached hereto as Exhibit "D" and incorporated herein by this reference, which makes findings for the approval of the 2025 Fresno General Plan and the rejection of each alternative analyzed in the FMEIR including the environmentally superior alternative. The City Council, exercising their own independent judgment, determines that such findings are supported by substantial evidence in the record.
8. Mitigation Monitoring. Pursuant to Public Resources Code Section 21081.6, the mitigation monitoring program set forth in Exhibit "E", is hereby adopted and incorporated herein by this reference to ensure that all mitigation measures adopted for the 2025 Fresno General Plan are fully implemented.
9. Location and Custodian of Documents. The record of project approval shall be kept in the office of the City Clerk, City of Fresno, City Hall, 2600 Fresno Street, Fresno, CA, 93721.
10. Certification. Based on the above facts and findings, the City Council of the City of Fresno hereby certifies the Draft MEIR (Exhibit "A" attached hereto) together with all the changes noted in Exhibit "C", attached hereto and including Exhibit "E", attached hereto, as the Final MEIR for the 2025 Fresno General Plan as accurate and adequate. The City Council further certifies that the FMEIR was completed in compliance with CEQA and the CEQA Guidelines. The Director of Planning and Development is directed to file a Notice of Determination as required by the Public Resources Code and CEQA Guidelines.

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STATE OF CALIFORNIA )  
COUNTY OF FRESNO ) ss.  
CITY OF FRESNO )

I, REBECCA E. KLISCH, City Clerk of the City of Fresno, certify that the foregoing resolution was adopted by the Council of the City of Fresno, at a regular meeting held on the 19th day of November, 2002.

AYES : Calhoun, Castillo, Duncan, Quintero, Ronquillo, Perea  
NOES : Boyajian  
ABSENT : None  
ABSTAIN : None

Mayor Approval:	November 21	, 2002
Mayor Approval/No Return:	N/A	, 2002
Mayor Veto:	N/A	, 2002
Council Override Vote:	N/A	, 2002

REBECCA E. KLISCH  
City Clerk


BY:

  
~~Deputy~~

APPROVED AS TO FORM

HILDA CANTÚ MONTÓY  
CITY ATTORNEY

BY:

  
Deputy



# **EXHIBIT A**

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- DRAFT MASTER ENVIRONMENTAL IMPACT REPORT NO. 10130 DATED MAY, 2002 (State Clearinghouse No. 2001071097)
- "RESPONSES TO WRITTEN COMMENTS" FOR DRAFT MASTER ENVIRONMENTAL IMPACT REPORT NO. 10130 DATED OCTOBER 22, 2002
- "RESPONSES TO LATE WRITTEN COMMENTS" FOR DRAFT MASTER ENVIRONMENTAL IMPACT REPORT NO. 10130 DATED OCTOBER 16, 2002

## EXHIBIT B

### STATEMENT OF FINDINGS OF SIGNIFICANT UNAVOIDABLE IMPACTS AND OVERRIDING CONSIDERATIONS

Based upon the objectives identified in the 2025 Fresno General Plan and Master EIR and through the extensive public participation, the Fresno City Council has determined that the 2025 Fresno General Plan should be approved and that any remaining unmitigated environmental impacts attributable to the 2025 Fresno General Plan are outweighed by the following specific economic, fiscal, social, environmental, land-use and other overriding considerations.

#### A. Findings Regarding Significant Unavoidable Impacts

Public Resources Code Section 21081(a)(3) requires the City Council to determine if any mitigation measures or project alternatives are infeasible, due to overriding considerations. Following are four of the impact areas, identified in the MEIR, in which mitigation measures have been judged to be infeasible. In other words, the 2025 Fresno General Plan will cause significant and unavoidable impacts in the following areas:

##### 1. Transportation and Circulation

Implementation of the 2025 Fresno General Plan will result in congested levels of traffic along key identified major street segments; cause congested levels of service (i.e. Level of Service (LOS) worse than D) during the interim period when full street improvements are not present at or near a development project site. The following are the facts, findings statement and analysis associated with expected unmitigable impacts regarding transportation and circulation:

##### Findings - Evidence and Explanation in Support of Findings

- a. The MEIR establishes numerous mitigation measures (B-1 through B-7, and C-3) intended to reduce the production of air emissions that are precursors of ozone (smog) and PM-10 (particulates) air pollutants. The 2025 Fresno General Plan, as the project, specifies numerous general plan goals (1, 3, 5, 6, 7, 9, 11, 14, 16) and dozens of implementing objectives and policies (C-3-a through C-4-d, C-8-a through C-8-g and E-7-a through E-9-cc) that particularly direct the planning and implementation of land use and transportation strategies to provide a more balanced transportation system that reduces reliance upon the single-occupant automobile as the only reasonable and reliable means of transportation. The general plan includes numerous policy measures to mitigate vehicular traffic impacts through the planning and implementation of a multi-modal transportation system that includes travel utilizing pedestrian, bicycle, bus, light rail, people-mover or other form of advanced technology, high-speed rail, aircraft and private automobile facilities. Devotion of the City's financial and administrative resources to the construction of expanded vehicle capacity of the major street and highway system would provide additional motor vehicle travel capacity while reducing resources available to provide a more balanced multi-modal transportation system.
- b. Goals and objectives of the 2025 Fresno General Plan (1, 2, 3, 5, 6, 8, 9, 11, 12, 14) emphasize strategies to increase the over-all intensity of urban development including strategically located mixed use centers and intensity corridors. This land use strategy is intended to result in high travel demands upon designated major street and highway routes which have been designated as transit routes and corridors. In order to establish sufficiently

high travel demand to provide enhanced levels of public transportation, it can reasonably be expected that vehicular traffic levels and associated congestion will have to increase along transit corridors to considerably higher levels than that which has historically occurred within the Fresno Metropolitan Area.

c. The City of Fresno has planned for and implemented a comprehensive major street system based upon a grid network of one-half mile spaced north-south and east-west streets. This major street network, together with a system of freeways constructed for state highway routes extending through the metropolitan area, has historically provided a level of service for vehicle traffic operations at a high standard, Level of Service (LOS) D. The City of Fresno has established a comprehensive strategy for providing appropriate major street improvements including adopted major street standards, land development evaluation procedures, standards and requirements applicable to property development entitlements, and urban growth management service delivery standards and impact fees.

Realization of the forecasted population and economic growth during the project's 23 year implementation period, however, could generate travel demands that exceed traffic volume design capacities on approximately 25 percent of the major street segments. Increasing the capacity of major streets by widening the public right-of-way and street pavement beyond that provided by existing standards would necessitate substantial acquisition of properties that have been developed without providing building setbacks (yard areas) and site design measures to accommodate the additional street width.

#### Conclusions: Vehicle Traffic Impacts Infeasible to Completely Mitigate

The vehicular traffic level of service (LOS) of E and F projected for a portion of the major streets and highways network is considered a significant and unavoidable adverse impact which can not be completely mitigated. The mitigation measures B-1 through B-7 identified by the Final MEIR (also included within Exhibit E of this resolution) and the numerous policy measures of the 2025 Fresno General Plan are feasible and will be incorporated into the project in accordance with CEQA Guidelines Section 15126.4. However, there are no reasonable mitigation measures available to only the City of Fresno which would reduce this impact to a less-than-significant level while allowing for the implementation of other appropriate alternative transportation facilities. Therefore, this impact would remain significant and unavoidable.

## **2. Air Quality**

Implementation of the 2025 Fresno General Plan will result in a cumulatively considerable net increase in ozone and PM-10 air pollutants, for which the San Joaquin Valley Area Basin is not in compliance with applicable Federal Air Quality Standards. The following are the facts, findings statement and analysis associated with expected unmitigable impacts of the degradation of air quality:

#### Findings - Evidence and Explanation in Support of Findings

a. The MEIR establishes numerous mitigation measures (B-1 through B-7; C-1, C-2 and C-3) intended to reduce the production of air emissions that are precursors of ozone (smog) and PM-10 (particulates) air pollutants. The 2025 Fresno General Plan, as the project, specifies numerous general plan goals (1, 3, 5, 6, 7, 9, 11, 14, 16) and dozens of implementing

objectives and policies (E-1-h through E-1-l, E-2-a, E-7-a through E-9-cc, G-1-a through G-1-q) that direct the planning and implementation of land use, transportation and other strategies to provide alternatives to the predominant reliance upon the single-occupant automobile for transportation as well as other measures to reduce air pollution emissions. However, it is acknowledged that these measures are both costly and long-rang strategies that rely upon numerous decisions and actions for successful implementation. Many of these decisions, upon which successful implementation is dependent, are not within the purview of the City of Fresno. These decisions include the necessary support of substantial government financial resources, statutory authority to effectuate changes, and the exercise of individual preference or choice with respect to types of living environments and modes of travel. Attempts to predict the success of these secondary means of reducing air pollution emissions have proven to not be highly accurate.

b. The 2025 Fresno General Plan and the MEIR acknowledge that human activities are accommodated and endorsed within the Fresno Metropolitan Area which are anticipated to generate direct and indirect emissions of air pollution constituents (MEIR pages ). Although the San Joaquin Valley is sparsely populated in comparison to the major metropolitan areas of California, geophysical and meteorological factors combine to cause conditions during which the area experiences episodes of poor air quality that exceed Federal and State air quality standards. Implementing objectives and policies of the 2025 Fresno General Plan emphasize strategies to increase the over-all intensity of urban development including strategically located mixed use centers and intensity corridors (2025 Fresno General Plan Policies C-2-a through C-2-k, C-3-a through C-8-g and C-15-a through C-17-c). These land use strategies are intended to result in high travel demands upon identified major street and highway routes, which have also been designated as transit routes and corridors. It can reasonably be expected that vehicular traffic and associated congestion will have to increase to substantially higher levels along these transit corridors in order to establish sufficiently high travel demand to justify enhanced levels of public transportation. Again, the degree to which these strategies are implemented is dependent upon economic, social and fiscal factors beyond the control of the City of Fresno.

#### Conclusions: Degradation of Air Quality Impacts Infeasible to Mitigate

The adverse air quality impacts associated with the myriad of activities associated with the long range general plan for the Fresno metropolitan area can be expected to be significant and unavoidable, and can not be completely mitigated by measures within the control of the City of Fresno. The mitigation measures C-1 through C-3 identified by the Final MEIR (also included within Exhibit E of this resolution), and the numerous policy measures of the 2025 Fresno General Plan are feasible and will be incorporated into the project in accordance with CEQA Guidelines Section 15126.4. However, there are no reasonable mitigation measures available only to the City of Fresno which would assure the reduction of air quality impacts to a less-than-significant level.

In order to provide a suitable living environment within the metropolitan area, the plan strives to facilitate expanded economic growth that will support increased employment opportunities. This is a particularly high priority considering the acutely severe local economic conditions, which include rates of unemployment typically ranging between 12 and 15 percent. Therefore, this impact would remain significant and unavoidable.

### **3. Preservation of Agricultural Land**

Implementation of the 2025 Fresno General Plan will result in the permanent displacement of 9,333 acres of vacant land and/or productive agricultural land; and residential uses may conflict with agricultural operations which typically result in generation of pesticide residues, noise and dust. The following are the facts, findings statement and analysis associated with expected unmitigable impacts of the loss of productive agricultural resources:

#### **Findings - Evidence and Explanation in Support of Findings**

a. The MEIR identifies numerous mitigation measures (E-1, E-2, E-3 and E-4) intended to reduce the impacts upon agricultural land that is actively cultivated within or adjacent to the planned urban boundary. The 2025 Fresno General Plan, as the project, specifies numerous general plan goals (1, 3, 5, 6, 7, 9, 11, 14, 16) and implementing objectives and policies (objective G-5 and policies G-5-a through G-5-g and objective G-6 and policies G-6-a through G-6-d) that direct the planning and implementation of land use, public facility expansion and resource management strategies to facilitate the continued cultivation of agricultural lands within the planned urban boundary until such time as urban development is necessary and appropriate. These strategies are particularly applicable to properties that will constitute the transition area between urban and agricultural areas.

b. The MEIR and the 2025 Fresno General Plan identify numerous mitigation measures (D-1 through D-9) and goals and policies (goals 1, 3, 5, 6, 7, 9, 11, 14, 16) together with numerous policies contained in the Regional Cooperation, Urban Form, Economic Development, Public Facilities, Open Space and Resource Conservation Elements) to provide comprehensive strategies to maintain water quantity and quality, support the attainment of air quality standards and manage the projected demand for urban development in a manner that limits adverse impacts upon agricultural operations within and adjacent to the planned urban area. In addition, the Final MEIR responses to written comments (L-1 through L-35, BB-1 through BB-5) further elaborate upon the plan's strategies to protect and enhance the area's agricultural resources.

#### **Conclusions: Loss of Productive Agricultural Resources**

The conversion of agricultural land to urban uses within the planned urban boundary to accommodate the projected population and employment growth of the 2025 Fresno General Plan is a significant and unavoidable adverse impact, which can not be completely mitigated by measures within the control of the City of Fresno. The mitigation measures identified above (also included within Exhibit E of this resolution), and the numerous policy measures of the 2025 Fresno General Plan are feasible and will be incorporated into the project in accordance with CEQA Guidelines Section 15126.4. However, there are no reasonable mitigation measures available to only the City of Fresno which would assure the reduction of impacts upon agricultural land within the planned urban area to a less-than-significant level.

In order to provide a suitable living environment within the metropolitan area, the plan strives to facilitate expanded economic growth that will support increased employment opportunities. This is a particularly high priority considering the acutely severe local economic conditions, which include rates of unemployment typically ranging between 12 and 15 percent. Therefore, this impact would remain significant and unavoidable.



#### **4. Noise**

Implementation of the 2025 Fresno General Plan will result in the generation of excessive noise and /or may locate noise sensitive uses in areas experiencing excessive noise. The following are the facts, findings statement and analysis associated with expected unmitigable impacts of the generation of noise:

##### Findings - Evidence and Explanation in Support of Findings

The innumerable activities associated with urban living environments typically generate noise that contributes to the ambient noise levels that occur within the community. Exterior area noise levels may increase particularly due to increased transportation activities such as automobile and truck vehicular travel. The MEIR identifies numerous mitigation measures (K-1, K-2 and E-3) intended to reduce the impacts of increased noise upon sensitive land uses. The 2025 Fresno General Plan, as the project, specifies numerous general plan goals (1, 3, 5, 6, 7, 9, 11, 14, 16) and implementing objectives and policies (objective H-1 and policies H-1-a through H-1-m) directed to reducing exposure to excessive noise levels.

##### Conclusions: Generation of Noise

The conversion of agricultural land to urban uses within the planned urban boundary to accommodate the projected population and employment growth of the 2025 Fresno General Plan is a significant and unavoidable adverse impact, which can not be completely mitigated by measures within the control of the City of Fresno. The mitigation measures identified above (also included within Exhibit E of this resolution), and the numerous policy measures of the 2025 Fresno General Plan are feasible and will be incorporated into the project in accordance with CEQA Guidelines Section 15126.4. However, there are no reasonable mitigation measures available to only the City of Fresno which would assure the reduction of impacts upon agricultural land within the planned urban area to a less-than-significant level.

In order to provide a suitable living environment within the metropolitan area, the plan strives to facilitate expanded economic growth that will support increased employment opportunities. This is a particularly high priority considering the acutely severe local economic conditions, which include rates of unemployment typically ranging between 12 and 15 percent. Therefore, this impact would remain significant and unavoidable.

#### **B. General Overriding Considerations**

The City of Fresno hereby determines that specific economic, legal, social, technological and other considerations related to the proposed project outweigh the unavoidable adverse environmental effects identified in the Final MEIR, including any effects not mitigated because of the infeasibility of mitigation measures and the adverse environmental effects are considered acceptable. This Statement of Overriding Considerations warrants rejection of project alternatives set forth in the Final MEIR, including the no project alternative, and justifies finding the adverse environmental effects from the project acceptable, which cannot otherwise be avoided or substantially lessened.

The City of Fresno further determines that, based on the findings herein and the evidence in the record, the benefits identified below are each one, in and of themselves, sufficient to make a determination that the adverse environmental effects are acceptable. Furthermore,

having balanced the adverse environmental effects, which cannot otherwise be avoided or substantially lessened, against each of the benefits, the City of Fresno hereby adopts this Statement of Overriding Considerations by reference as if set forth in full.

**1. Economic Considerations**

a. Fresno County and the Fresno Metropolitan Area has historically experienced considerably higher rates of unemployment (12 to 15 percent or greater average annual unemployment) than most areas of California. In order to provide adequate opportunity for economic enhancement and employment growth it will be necessary to make available substantial land area and resources to accommodate new business and industrial developments.

Substantial Evidence

Working Papers for Fresno General Plan, March, 1997.

Central California Futures Institute, 2000. Population Projections for Fresno County.

Report of Mayor's Office of Economic Advisors, July 10, 2002.

2025 Fresno General Plan and Master Environmental Impact Report No. 10130

b. The critical need for business and economic development and investment within the Fresno Metropolitan Area is demonstrated by the designation of the area as an Empowerment Zone by the Federal Department of Housing and Urban Development, as authorized by the 2000 Community Tax Relief Act. It is further recognized by the State of California when it designated Fresno as an Enterprise Zone. Enhanced and accelerated business and industrial development is critical to the area's desire to provide improved social, educational and employment conditions within an area where the population is characterized by a much higher proportion of low and moderate household income, a lower level educational and job skills attainment, and a lack of adequate housing.

Substantial Evidence

News Release by U.S. Department of Housing and Urban Development - HUD No. 02-088FREZ.

U. S. Department of Commerce, Bureau of Census, 2000 U.S. Census, Table DP-1 Profile of General Demographic Characteristics: 2000.

c. Fresno County and the Fresno Metropolitan Area have historically been highly dependent upon agriculture and related services as a major component of economic activity. It is apparent that substantial expansion and diversification of the area's economic base is appropriate to provide adequate resources to sustain the area's present and projected future population. It is noted that the median income of households within the City of Fresno has declined from approximately 96 percent of the national median income in the year 1979 to 77 percent in the year 1999.



Substantial Evidence

U. S. Department of Commerce, Bureau of Census as cited in the City of Fresno Housing Element update, June, 2002.

Report of Mayor's Office of Economic Advisors, July 10, 2002.

d. For the Fresno Metropolitan Area to effectively compete for economic development and investment and increased employment opportunities, it must plan and implement a comprehensive plan as represented by the 2025 Fresno General Plan to provide adequate land area for a range of housing opportunities, public facilities and implementation strategies to achieve these purposes.

Working Papers for Fresno General Plan, March, 1997.

City of Fresno General Plan Housing Element, June 2002.

Central California Futures Institute, 2000. Population Projections for Fresno County.

Report of Mayor's Office of Economic Advisors, July 10, 2002.

2025 Fresno General Plan and Master Environmental Impact Report No. 10130

**2. Social Impacts**

a. The Fresno Metropolitan Area and surrounding region has historically relied upon agricultural and related activities as the principal economic base to sustain the community. While agriculture and expanded processing and related value added activities will remain a major component of the local economy, it is apparent that a more diverse economy must be established in order to improve educational, social, economic, employment and health conditions within the community. Improved economic conditions necessitates both more efficient use of presently urbanized areas but additional land area of appropriate size and location to accommodate expanded business and industrial opportunities.

Substantial Evidence

Working Papers for Fresno General Plan, March, 1997.

Central California Futures Institute, 2000. Population Projections for Fresno County.

Report of Mayor's Office of Economic Advisors, July 10, 2002.

**3. Job Creation**

a. The loss of jobs and failure to create new employment opportunities has led to continued unemployment in the Fresno Metropolitan Area and surrounding region. Numerous 2025 General Plan goals (1, 2, 4, 7, 13, 14, 16) and implementing objectives and policies (policy B-2-b, objective D-1 and policies D-1-a through D-1-h, objective D-2 and policies D-2-a through D-2-d, objective D-3 and policies D-3-a through D-3-c) identify economic development and associated job creation as a primary concern for the future well-being of the community.

Substantial Evidence

Working Papers for Fresno General Plan, March, 1997.

Central California Futures Institute, 2000. Population Projections for Fresno County.

2025 Fresno General Plan

b. In view of increasing traffic constraints and continued failure to attain air quality improvement objectives, it is appropriate to strive for an integrated urban community with adequate employment to sustain the area's population and reduce the necessity to commute to employment located outside of the Fresno Metropolitan Area. The provision of adequate employment necessitates pursuing the development of both more intensive enterprises that utilize highly trained employees and enterprises that consume larger areas of land and utilize less highly trained employees.

Substantial Evidence

Working Papers for Fresno General Plan, March, 1997.

Central California Futures Institute, 2000. Population Projections for Fresno County.

Report of Mayor's Office of Economic Advisors, July 10, 2002.

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**4. Provisions of Affordable Housing**

a. For the Fresno Metropolitan Area to effectively compete for economic development and investment, it is necessary to provide a full range of housing opportunities that relies upon implementation of a comprehensive plan as represented by the 2025 Fresno General Plan and the updated Housing Element to provide adequate land area, public facilities and implementation strategies to achieve these purposes.

Substantial Evidence

Working Papers for Fresno General Plan, March, 1997.

Central California Futures Institute, 2000. Population Projections for Fresno County.

City of Fresno General Plan Housing Element, June 2002.

b. The 2025 Fresno General Plan plans for additional land area to be developed for residential uses together with supporting office, retail commercial and public facilities necessary to support a balanced neighborhood environment. The general plan also provides for land use intensification and mixed use development expected to be necessary for the development and operation of an integrated multi-modal transportation system. The additional land area is necessary to provide a transition from the more dispersed lower density residential developments that have been predominantly developed over the past 50 years. To provide a full range of residential types that are necessary and desirable to meet

the demands of households with a very wide range of economic resources, increased residential densities and expanded residential areas will result in environmental consequences that can be modified or reduced but can not be avoided nor eliminated. Considering the overall health, safety and welfare of the community's residents, these environmental consequences are justified.

Substantial Evidence

Working Papers for Fresno General Plan, March, 1997.

Central California Futures Institute, 2000. Population Projections for Fresno County.

City of Fresno General Plan Housing Element, June 2002.

2025 Fresno General Plan and Master Environmental Impact Report No. 10130

## EXHIBIT C

### List of Revisions and Clarifications to Draft MEIR No. 10130 and 2025 Fresno General Plan

As permitted by California Environmental Quality Act (CEQA) Guidelines Section 15132 the following list of revisions and clarifications represent additional information to be added to Draft MEIR No. 10130 in order to make the Final MEIR complete. The addition of this new information to the Draft MEIR is determined, pursuant to CEQA Guidelines Section 15088.5(a), to be not significant and, therefore, does not require recirculation of the Draft MEIR. The following revisions and clarifications will not change the MEIR in a manner that would deprive the public of a meaningful opportunity to provide comment upon a substantial adverse effect nor do they result in a feasible way to mitigate or avoid such an effect that the city has declined to implement. As evidenced in Exhibit "A" of this resolution, the new information to be added to the Draft MEIR does not result in a new significant environmental impact resulting from the implementation of the 2025 Plan or resulting from a new mitigation measure nor does the new information result in a substantial increase in the severity of a previously identified environmental impact. Pursuant to the provisions of CEQA Guidelines Section 15088.5(b) the information to be added to the Draft MEIR as listed in this Exhibit "C" simply clarifies, amplifies or makes insignificant modifications to the Draft MEIR primarily as a result of the city's "Responses to Written Comments" (Exhibit "A") received for the Draft MEIR and 2025 Fresno General Plan during the public review and comment period required by CEQA Guidelines Section 15087.

### ERRATA SHEET (DRAFT MEIR NO. 10130)

1. Page II-2 Section 2 Annexation: Reference is incorrectly made to Government Code Section 56841 which was repealed in 2000 and substantively restated at Government Code Section 56668. The reference to Government Code Section 56841 and the contents of Section 56841 recited on page II-3 as paragraphs (a) through (i) should be replaced by the following:

"Section 56668 of the Government Code provides guidance for the approval of annexations, as follows:

56668. Factors to be considered in the review of a proposal shall include, but not be limited to, all of the following:

(a) Population, population density; land area and land use; per capita assessed valuation; topography, natural boundaries, and drainage basins; proximity to other populated areas; the likelihood of significant growth in the area, and in adjacent incorporated and unincorporated areas, during the next 10 years.

(b) Need for organized community services; the present cost and adequacy of governmental services and controls in the area; probable future needs for those services and controls; probable effect of the proposed incorporation, formation, annexation, or exclusion and of alternative courses of action on the cost and adequacy of services and controls in the area and adjacent areas.

"Services," as used in this subdivision, refers to governmental services whether or not the services are services which would be provided by local agencies subject to this division, and includes the public facilities necessary to provide those services.

(c) The effect of the proposed action and of alternative actions, on adjacent areas, on mutual social and economic interests, and on the local governmental structure of the county.

(d) The conformity of both the proposal and its anticipated effects with both the adopted commission policies on providing planned, orderly, efficient patterns of urban development, and the policies and priorities set forth in Section 56377.

- (e) The effect of the proposal on maintaining the physical and economic integrity of agricultural lands, as defined by Section 56016.
- (f) The definiteness and certainty of the boundaries of the territory, the nonconformance of proposed boundaries with lines of assessment or ownership, the creation of islands or corridors of unincorporated territory, and other similar matters affecting the proposed boundaries.
- (g) Consistency with city or county general and specific plans.
- (h) The sphere of influence of any local agency which may be applicable to the proposal being reviewed.
- (i) The comments of any affected local agency.
- (j) The ability of the newly formed or receiving entity to provide the services which are the subject of the application to the area, including the sufficiency of revenues for those services following the proposed boundary change.
- (k) Timely availability of water supplies adequate for projected needs as specified in Section 65352.5.
- (l) The extent to which the proposal will assist the receiving entity in achieving its fair share of the regional housing needs as determined by the appropriate council of governments.
- (m) Any information or comments from the landowner or owners. "

2. Page II-4, first paragraph is amended to read:

~~"No Specific Plan may be adopted or amended unless the proposed plan or amendment is consistent with the General Plan. [Except for a Redevelopment Plan, Specific Plans need not be consistent with the General Plan as promulgated in the City's Local Planning and Procedures Ordinance, Section 12-604.]~~ In addition, no local public works project may be approved, no tentative map or parcel map for which a tentative map was not required may be approved, and no zoning ordinance may be adopted or amended within an area covered by a Specific Plan unless it is consistent with the adopted Specific Plan."

3. Page II-4, Section 4. Zoning, first paragraph is amended as follows:

"Although City zoning is authorized by Section 65800 of the Government Code, Fresno as a charter city, is not required to comply with this section, [except to the extent otherwise required by law.]"

4. Page II-4, Section 6, second paragraph is amended as follows:

The creation of four or fewer lots is considered a minor subdivision or parcel map. Five or more lots are a major subdivision. ~~After approval of a final map, as defined by Section 66434 of the Government Code, the only subsequent approvals required for development are building permits.~~

5. Page IV-2, Section 2, paragraph (a) is amended to read:

"a) 1984 General Plan (as amended)

The existing General Plan provides the overall comprehensive planning context for the City. [Unless preempted by state law or inconsistent with City's Local Planning and Procedures

Ordinance] all development, public services, and capital improvements are required to be consistent with the General Plan. The 1984 General Plan has been amended and updated as the various community plans have been updated.”

6. Page V-A6, Section 2, paragraph (b) is amended to read:

“Projected population and housing impacts will be considered significant if they conflict with regional population growth forecasts adopted by the Council of Fresno County Governments [, and those conflicts cause significant environmental impacts.]”

**REVISIONS, CLARIFICATIONS, ADDITIONS AND DELETIONS TO DRAFT MEIR NO. 10130  
PURSUANT TO RESPONSES TO WRITTEN COMMENTS DATED OCTOBER 22 AND OCTOBER 16,  
2002 (ATTACHED AS EXHIBIT “A”)**

1. Revise the appropriate Chapter, Section and page of the MEIR as noted in the written Response to Public Comment No. D-1.
2. Add to the appropriate Chapter, Section and page of the MEIR as noted in the written Response to Public Comment No. H-1.
3. Revise the appropriate Chapter, Section and page of the MEIR as noted in the written Response to Public Comment No. K-16.
4. Add to the Technical Appendices of the MEIR as noted in the written Response to Public Comment No. K-16.
5. Add to the Technical Appendices of the MEIR as noted in the written Response to Public Comment No. K-28.
6. Revise the appropriate Chapter, Section and page of the MEIR as noted in the written Response to Public Comment No. K-30.
7. Add to the Technical Appendices of the MEIR as noted in the written Response to Public Comment No. K-32.
8. Add to the Technical Appendices of the MEIR as noted in the written Response to Public Comment No. K-33.
9. Add to the appropriate Chapter, Section and page of the MEIR as noted in the written Response to Public Comment No. K-42.
10. Add to the appropriate Chapter, Section and page of the MEIR as noted in the written Response to Public Comment No. K-43.
11. Add to the appropriate Chapter, Section and page of the MEIR as noted in the written Response to Public Comment No. K-46.
12. Add to the Technical Appendices of the MEIR as noted in the written Response to Public Comment Nos. K-53, 54.
13. Revise the appropriate Chapter, Section and page of the MEIR as noted in the written Response to Public Comment No. K-57.



14. Revise the appropriate Chapter, Section and page of the MEIR as noted in the written Response to Public Comment No. K-58.
15. Revise the appropriate Chapter, Section and page of the MEIR as noted in the written Response to Public Comment No. Q-4.
16. Revise the appropriate Chapter, Section and page of the MEIR as noted in the written Response to Public Comment No. Q-5.
17. Revise the appropriate Chapter, Section and page of the MEIR as noted in the written Response to Public Comment No. Q-7.
18. Revise the appropriate Chapter, Section and page of the MEIR as noted in the written Response to Public Comment No. Q-8.
19. Revise the appropriate Chapter, Section and page of the MEIR as noted in the written Response to Public Comment No. Q-9.
20. Revise the appropriate Chapter, Section and page of the MEIR as noted in the written Response to Public Comment No. Q-10.
21. Revise the appropriate Chapter, Section and page of the MEIR as noted in the written Response to Public Comment No. Q-11.
22. Revise the appropriate Chapter, Section and page of the MEIR as noted in the written Response to Public Comment No. S-1.
23. Revise the appropriate Chapter, Section and page of the MEIR as noted in the written Response to Public Comment No. S-4.
24. Revise the appropriate Chapter, Section and page of the MEIR as noted in the written Response to Public Comment No. S-6.
25. Revise the appropriate Chapter, Section and page of the MEIR as noted in the written Response to Public Comment No. T-7.
26. Revise the appropriate Chapter, Section and page of the MEIR as noted in the written Response to Public Comment No. T-8.
27. Revise the appropriate Chapter, Section and page of the MEIR as noted in the written Response to Public Comment No. T-13.
28. Revise the appropriate Chapter, Section and page of the MEIR as noted in the written Response to Public Comment No. T-16.
29. Add to the appropriate Chapter, Section and page of the MEIR as noted in the written Response to Public Comment No. U-1.
30. Revise the appropriate Chapter, Section and page of the MEIR as noted in the written Response to Public Comment No. V-9.



31. Revise the appropriate Chapter, Section and page of the MEIR as noted in the written Response to Public Comment No. V-10.
32. Add to the appropriate Chapter, Section and page of the MEIR as noted in the written Response to Public Comment No. W-12.
33. Revise the appropriate Chapter, Section and page of the MEIR as noted in the written Response to Public Comment No. W-14.
34. Revise the appropriate Chapter, Section and page of the MEIR as noted in the written Response to Public Comment No. X-9.
35. Revise the appropriate Chapter, Section and page of the MEIR as noted in the written Response to Public Comment Nos. X-10, 12.
36. Add to the appropriate Chapter, Section and page of the MEIR as noted in the written Response to Public Comment No. X-11.
37. Add to the appropriate Chapter, Section and page of the MEIR as noted in the written Response to Public Comment No. X-15.
38. Revise the appropriate Chapter, Section and page of the MEIR as noted in the written Response to Public Comment No. X-16.
39. Revise the appropriate Chapter, Section and page of the MEIR as noted in the written Response to Public Comment No. Z-5.
40. Revise the appropriate Chapter, Section and page of the MEIR as noted in the written Response to Public Comment No. CC-5.
41. Revise the appropriate Chapter, Section and page of the MEIR as noted in the written Response to Public Comment No. CC-9.
42. Add to the appropriate Chapter, Section and page of the MEIR as noted in the written Response to Public Comment No. CC-15.
43. Clarify the appropriate Chapter, Section and page of the MEIR as noted in the written Response to Public Comment Nos. CC-17, 18.
44. Revise the appropriate Chapter, Section and page of the MEIR as noted in the written Response to Public Comment No. DD-1.
45. Add to the appropriate Chapter, Section and page of the MEIR as noted in the written Response to Public Comment Nos. DD-4, 5, 6, 7 and to Table I-1.
46. Add to the appropriate Chapter, Section and page of the MEIR as noted in the written Response to Public Comment No. DD-10.
47. Revise the appropriate Chapter, Section and page of the MEIR as noted in the written Response to Public Comment Nos. DD-11, 12.

**REVISIONS, CLARIFICATIONS, ADDITIONS AND DELETIONS TO THE 2025 FRESNO GENERAL PLAN PURSUANT TO RESPONSES TO WRITTEN COMMENTS DATED OCTOBER 22 AND OCTOBER 16, 2002 (ATTACHED AS EXHIBIT "A")**

1. Add to the appropriate Chapter, Section and page of the 2025 Fresno General Plan as noted in the written Response to Public Comment No. G-1.
2. Revise the appropriate Chapter, Section and page of the 2025 Fresno General Plan as noted in the written Response to Public Comment No. G-5.
3. Revise the appropriate Chapter, Section and page of the 2025 Fresno General Plan as noted in the written Response to Public Comment No. I-2.
4. Revise the appropriate Chapter, Section and page of the 2025 Fresno General Plan as noted in the written Response to Public Comment No. I-3.
5. Add to the appropriate Chapter, Section and page of the 2025 Fresno General Plan as noted in the written Response to Public Comment No. K-42.
6. Revise the appropriate Chapter, Section and page of the 2025 Fresno General Plan as noted in the written Response to Public Comment No. L-30.
7. Revise the appropriate Chapter, Section and page of the 2025 Fresno General Plan as noted in the written Response to Public Comment No. Q-1.
8. Revise the appropriate Chapter, Section and page of the 2025 Fresno General Plan as noted in the written Response to Public Comment No. Q-2.
9. Revise the appropriate Chapter, Section and page of the 2025 Fresno General Plan as noted in the written Response to Public Comment No. Q-3.
10. Add to the appropriate Chapter, Section and page of the 2025 Fresno General Plan as noted in the written Response to Public Comment No. S-15.
11. Revise the appropriate Chapter, Section and page of the 2025 Fresno General Plan as noted in the written Response to Public Comment No. W-1.
12. Revise the appropriate Chapter, Section and page of the 2025 Fresno General Plan as noted in the written Response to Public Comment No. W-11.
13. Revise the appropriate Chapter, Section and page of the 2025 Fresno General Plan as noted in the written Response to Public Comment No. X-1.
14. Revise the appropriate Chapter, Section and page of the 2025 Fresno General Plan as noted in the written Response to Public Comment No. X-2.
15. Revise the appropriate Chapter, Section and page of the 2025 Fresno General Plan as noted in the written Response to Public Comment No. X-3.
16. Revise the appropriate Chapter, Section and page of the 2025 Fresno General Plan as noted in the written Response to Public Comment No. X-4.

17. Revise the appropriate Chapter, Section and page of the 2025 Fresno General Plan as noted in the written Response to Public Comment No. X-5.
18. Revise the appropriate Chapter, Section and page of the 2025 Fresno General Plan as noted in the written Response to Public Comment No. X-6.
19. Revise the appropriate Chapter, Section and page of the 2025 Fresno General Plan as noted in the written Response to Public Comment No. CC-27.
20. Revise and add to the appropriate Chapter, Section and page of the 2025 Fresno General Plan as noted in the written Response to Public Comment Nos. DD-4, 5, 6, 7.
21. Revise the appropriate Chapter, Section and page of the 2025 Fresno General Plan as noted in the written Response to Public Comment No. DD-8.
22. Add to the appropriate Chapter, Section and page of the 2025 Fresno General Plan as noted in the written Response to Public Comment No. DD-13.
23. Revise the appropriate Chapter, Section and page of the 2025 Fresno General Plan as noted in the written Response to Public Comment No. FF-1.
24. Clarify the appropriate Chapter, Section and page of the 2025 Fresno General Plan as noted in the written Response to Public Comment No. GG-2.
25. Revise the appropriate Chapter, Section and page of the 2025 Fresno General Plan as noted in the written Response to Public Comment No. GG-5.
26. Add to the appropriate Chapter, Section and page of the 2025 Fresno General Plan as noted in the written Response to Late Public Comment No. L-1.
27. Revise the appropriate Chapter, Section and page of the 2025 Fresno General Plan as noted in the written Response to Late Public Comment No. L-5.

## EXHIBIT D

### FINDINGS SUPPORTING REJECTION OF ALTERNATIVES

Draft MEIR No. 10130 identified and evaluated a range of alternatives to the proposed 2025 Plan. These alternatives are as follows:

- **Alternative 1 - "No Project."** The no project alternative consists of the adopted 1984 Fresno General Plan as amended and in effect as of January 1, 2002. Alternative 1 is represented by Exhibit 3 of the general plan text and Figure III-2 of the MEIR. This plan would allow urban development and its concomitant population and economic growth in accordance with presently adopted plans and policies. The population capacity of this plan is estimated to be approximately 670,000 people, which is approximately 85 percent of the population capacity of the proposed project (2025 Fresno General Plan).
- **Alternative 2 - "Intensified Development within Present General Plan Boundaries."** The intensified development alternative is represented by Figure III-3 of the MEIR. This alternative would theoretically contain the same total population of 790,000 people as projected for the preferred project. To achieve this population capacity it would be necessary to redevelop existing portions of the metropolitan area with substantially more intensified residential uses.
- **Alternative 3 - "Reduced Intensity General Plan."** The reduced intensity general plan alternative is represented by Figure III-4 of the MEIR. This alternative was selected as an environmentally superior alternative to substantially reduce potential significant adverse environmental impacts. The population capacity of this alternative is estimated to be approximately 542,600 people, which is approximately 69 percent of the population capacity of the proposed project.
- **Alternative 4 - "Modifications to the Proposed Project."** The modified proposed project alternative is represented by Figure III-5 of the MEIR. This alternative is comprised of the proposed project with three land use plan modifications proposed by representatives of private property interests. In their entirety the three modifications would potentially increase the general plan's population capacity by approximately 565 people and increase the acreage of land available for commercial development by approximately 98 acres.

In selecting the proposed project, the City Council simultaneously rejected the four alternatives analyzed in the MEIR.

Sections 15126.6, 15142, 15146, 15147 and 15151 of the CEQA Guidelines provide guidance regarding the consideration of project alternatives and the level of detail of analysis used to evaluate the project and project alternatives. The evaluation of the proposed project and comparison with project alternatives relies upon numerous technical studies and analyses that relate to environmental issues which have been prepared regarding the provision of sewer collection, treatment and reclamation systems; management of water resources to provide adequate water supply and distribution capacities; and, planning for adequate traffic and transportation capacities. Many of the impacts upon resources and facilities are proportional to population and employment and the project alternatives have been examined qualitatively from that perspective.

The four plan alternatives were selected to give a range of reasonable alternatives that may achieve as many of the project objectives as possible, while considering the reality of existing conditions. These alternatives are based upon the land use arrangements of both the presently adopted land use and circulation plan, and the proposed project's land use and circulation plan. The land uses that would occur with Alternative 1 - No Project (MEIR Figure III-2) are reflected by Exhibit 3 of the 2025 Fresno General Plan document. The land uses that would develop with alternatives 2, 3 and 4 are iterations of the land uses depicted by the 2025 Fresno General Plan's land use and circulation plan depicted by MEIR Figure I-1 and 2025 Fresno General Plan Exhibit 4.

Potential alternatives for a complex multi-faceted project, such as a comprehensive general plan update, are essentially unlimited. During the approximately ten-year long process of plan preparation, analysis and public discussion approximately twenty alternative general plan land use concepts were examined. Several of these alternatives were specifically identified and evaluated by the General Plan Working Papers document, dated March 1997, which was previously presented to and considered by the City Council (also included as an Addendum to the 2025 Plan text). Various general plan strategy alternatives have been presented on three different occasions to the City Council for selection of a preferred alternative (February 9, 1999; January 11, 2000; and April 3, 2001). Substantial public comment and participation has been solicited and received by the City of Fresno during the past ten years culminating in the preparation of the presently proposed project identified as the 2025 Fresno General Plan.

Several project alternatives were selected from an infinite range of potential alternatives to be examined by the project MEIR. These alternatives have been conceptualized primarily in terms of land use intensity and the attendant population capacity although numerous general plan goals, policies and implementation strategies might also need to be altered to support a markedly different land use arrangement alternative. Based upon the CEQA Guidelines provisions cited above, alternatives need not be analyzed in the same quantitative level of detail as does the proposed project. Rather, qualitative analysis is sufficient. Should an alternative be chosen to replace the proposed project, a full and complete environmental analysis must be subsequently prepared.

In selecting the 2025 Fresno General Plan, with several modifications, the following factors were considered.

#### **Alternative 1 - No Project.**

This alternative provides for a reduced population capacity of 670,000 people, compared with the proposed project's capacity of 790,000 people, which is substantially less than the population forecast adopted by the Council of Fresno County Governments and endorsed by the City of Fresno for general plan update purposes. This alternative would allow land that is presently planned for agricultural use within the City of Fresno's presently planned urban boundary to be farmed if economically feasible. In addition, the increased demands upon natural resources, public facilities and community services within the immediate Fresno urban area may not occur if the additional 120,000 people together with supporting economic activities are not accommodated within or near the Fresno Metropolitan Area.

The Bullard, Fresno High-Roeding, Hoover, Woodward Park and north growth plan areas would generate average daily traffic volumes similar to the proposed project. The Roosevelt and



West Area plan areas would potentially generate lower traffic volumes than the proposed project. Traffic volumes generated by the McLane and Central Area plan areas, as well as the southeast growth area, would be expected to be lower than those generated by the proposed project and similar to existing conditions. Consequently, the resultant traffic volumes on the eastern and western most lengths of State Route 180 freeway would also be noticeably lower than the proposed project.

However, it can reasonably be anticipated that the population growth forecasted for the Fresno Metropolitan Area will be accommodated by other nearby communities including the South Madera County area. Urban development displaced to other nearby areas may also consume productive agricultural lands with similar demands for natural resources, public facilities and community services as the proposed project. It can be expected that the greater geographic dispersal of the projected population and economic development would be counterproductive to achieving the following general plan goals.

- Goal 3. Preserve and revitalize neighborhoods, the downtown, and historical resources. This alternative will substantially reduce the amount of urban development and its attendant population and employment capacity within the eastern, southeastern and southwestern portions of the metropolitan area. Dispersal of this forecasted population and employment growth within South Madera County and elsewhere in Fresno County will be detrimental to implementing a strategy that reinforces the traditional role of the City of Fresno's downtown area as the geographic center of the metropolitan area and the region's cultural/entertainment and business center.
- Goal 5. Support the Growth Alternative Alliance "Landscape of Choice-Principles and Strategies" as based upon the Ahwahnee Group Principles. Dispersal of population and employment to South Madera County and other more remote communities within Fresno County can be expected to be much less successful in promoting development of an urban form with more intensive, mixed-use neighborhoods that facilitate effective use of alternative forms of transportation.
- Goal 6. Coordinate land uses and circulation systems to promote a viable and integrated multi-modal transportation network. This alternative does not provide for the strategic allocation of urban growth to areas in the east, southeast, southwest and west that will support enhanced transportation systems by connecting a symmetrically distributed urban area to a more centrally located downtown and the major intensity corridor areas.
- Goal 7. Manage growth to balance Fresno's urban form while providing an adequate public service delivery system, which is fairly and equitably financed. The dispersal of urban development will be counterproductive to regional planning principles as reflected by the Fresno County General Plan, which advocates that the Fresno-Clovis Metropolitan Area continue to function as the primary urban center of the county. This alternative does not provide for a balanced urban form by redirecting urban development away from the northward growth direction of the past four decades.

## **Alternative 2 – Intensified Development within Present General Plan Boundaries.**

Alternative 2 assumes that the projected year 2025 population of 790,000 people would be accommodated within the City of Fresno's planned urban boundary (140 square miles) as adopted by the 1984 Fresno General Plan. This alternative would allow the conversion of planned agricultural lands to urban uses within the 1984 Fresno General Plan similar to the proposed project. It can also be expected that urban development would occur within the North Growth Area as approved by the County of Fresno and included within the Fresno County General Plan. The conversion of agricultural land to urban uses within the proposed southeast growth area would not occur as provided by the proposed project. However, the conversion of agricultural land might continue to occur if rural residential development is allowed to expand by Fresno County as has historically occurred.

This alternative could be expected to generate demands upon natural resources, public facilities and community services similar to the proposed project. The North Growth Area is projected to generate traffic volumes similar to the proposed project. All other plan areas would be expected to generate higher traffic volumes, particularly along major arterial routes. Traffic volumes generated by the southeast growth area would be similar to existing conditions with forecasted population and employment growth being redistributed to the mixed use centers within the established urban area as identified by MEIR Exhibit III-3. As a result of population and employment growth redistribution, the eastern length of State Route 180 would be expected to experience a reduced level of traffic volume. Conversely, State Routes 41, 99 and 180 west will likely experience an increase in volumes.

For several decades the appeal of the Fresno-Clovis Metropolitan Area and the Central San Joaquin Valley to new home buyers has been the availability of land, and the ability to acquire larger lot sizes that might be available in other metropolitan areas of California. Alternative 2 would necessitate immediate substantial increases in residential densities at a scale that is unparalleled in the Sacramento and San Joaquin Valleys and many other metropolitan areas of California. The immediacy and scale of such a change can reasonably be expected to generate demand for lower density development outside of the Fresno Metropolitan Area. Urban development which is induced to occur in other nearby areas may also consume productive agricultural lands with similar demands for natural resources, public facilities and community services as the proposed project. It can be expected that the greater geographic dispersal of the projected population and economic development would be counterproductive to achieving the following general plan goals.

- Goal 1. Enhance the quality of life for the citizens of Fresno and plan for the projected population within the moderately expanded Fresno urban boundary in a manner which will respect physical, environmental, fiscal, economic, and social issues. This alternative would not provide for the development of areas within the planned urban area with a range of densities that would facilitate a transition from existing less intensively developed areas to strategically placed new development of moderate and high intensity.
- Goal 3. Preserve and revitalize neighborhoods, the downtown, and historical resources. This alternative will substantially reduce the amount of urban development and its attendant population and employment capacity within the eastern, southeastern and southwestern portions of the metropolitan area that would support the downtown area. It would require considerably greater redevelopment of existing areas and to convert less intensively developed neighborhoods to more intensive urban uses. To the extent that adequate



population and employment opportunities are not provided, the forecasted population and employment growth may be dispersed to South Madera County and elsewhere in Fresno County substantially impairing implementation of a strategy that reinforces the traditional role of the City of Fresno's downtown area as the geographic center of the metropolitan area and the region's cultural/entertainment and business center.

- Goal 5. Support the Growth Alternative Alliance "Landscape of Choice-Principles and Strategies" as based upon the Ahwahnee Group Principles. This alternative may promote more intensive compact urban development but would provide little opportunity for appropriate transition from existing less intensively developed neighborhoods to new and highly compact neighborhoods. The inability to accommodate population and employment growth demands may inadvertently stimulate development in other more remote and less intensive communities that are not conducive to mixed-use neighborhoods that promote use of alternative forms of transportation.
- Goal 6. Coordinate land uses and circulation systems to promote a viable and integrated multi-modal transportation network. This alternative may provide for more intensively developed urban neighborhoods that can be more efficiently served by alternative forms of transportation other than the private automobile. However, this alternative would allow for neither the appropriate geographical area nor period of time to achieve a transition to more intensive urban development patterns. The viability of future alternative modes of transportation would be reduced should forecasted population and employment growth not occur within the general plan area but instead be displaced to other communities.
- Goal 7. Manage growth to balance Fresno's urban form while providing an adequate public service delivery system, which is fairly and equitably financed. To the extent that this alternative induces dispersal of urban development by providing inadequate transition to more intensive residential living environments it will be counterproductive to achieving regional planning principles that recognize the Fresno-Clovis Metropolitan Area as the primary urban center of the county. Achieving a balanced urban form within the Fresno-Clovis Metropolitan Area would become unlikely if urban development interests were directed to more remote but more readily developable areas.

### **Alternative 3 - Reduced Intensity General Plan**

Alternative 3 proposes land use patterns that are similar to the proposed project to the extent that development would occur up to a population capacity limitation of approximately 453,000 people. The projected population and employment growth for this alternative was allocated within the planned urban area consistent with the socio-economic data file of the Council of Fresno County Governments Fresno County Traffic Model. With this alternative, the remaining population and employment growth forecasted through the year 2025 would not be accommodated within the City of Fresno's Planned Urban Area. This plan concept was identified as a potentially superior alternative to the proposed project with respect to significant environmental impacts.

Because this alternative would accommodate minimal population and employment growth it is presumed that the potential adverse environmental impacts associated with human activity

would be substantially decreased within the Fresno Metropolitan Area. Conversion of land from rural or planned agricultural uses to urban uses and the attendant increased demands upon natural resources and public facilities may be substantially reduced. Projected increases in vehicular traffic volumes and other transportation services might be minimal compared to the increases associated with the forecasted year 2025 population and employment growth. This alternative, however, would necessitate that substantial urban development occur within other Fresno County communities as well as communities in other central San Joaquin Valley areas including Madera, Tulare and Kings Counties.

The displacement of urban development to other nearby areas may also consume productive agricultural lands with similar demands for natural resources, public facilities and community services as the proposed project. It can be expected that the this greater geographic dispersal of the projected population and economic development would be counterproductive to achieving the following general plan goals.

- Goal 1. Enhance the quality of life for the citizens of Fresno and plan for the projected population within the moderately expanded Fresno urban boundary in a manner which will respect physical, environmental, fiscal, economic, and social issues. This alternative would provide for minimal additional urban development within the Fresno Metropolitan Area and would, therefore, substantially alter the strategy of balancing the geographic form of the metropolitan area around the traditional downtown area. The economic resources and stimulus for improving the quality of life within the Fresno Metropolitan Area would be channeled to other communities within the Central San Joaquin Valley.
- Goal 3. Preserve and revitalize neighborhoods, the downtown, and historical resources. This alternative may reduce development demands upon existing neighborhoods and allow existing conditions to remain, including historic resources. However, this alternative substantially reduces the amount of urban development and its attendant population and employment capacity which would support the downtown area and that would contribute the economic resources to assist the revitalization existing neighborhoods. The population and employment that is dispersed to South Madera County and other Central San Joaquin Valley communities may substantially impair implementation of a strategy that reinforces the traditional role of the City of Fresno's downtown area as the geographic center of the metropolitan area and the region's cultural/entertainment and business center.
- Goal 5. Support the Growth Alternative Alliance "Landscape of Choice-Principles and Strategies" as based upon the Ahwahnee Group Principles. This alternative would not promote the development of a more compact urban form with mixed-use neighborhoods. The inability to accommodate population and employment growth within the Fresno Metropolitan area may inadvertently stimulate development in other more remote and less intensive communities that do not support the use of alternative forms of transportation, resulting in excessive vehicle miles traveled.
- Goal 6. Coordinate land uses and circulation systems to promote a viable and integrated multi-modal transportation network. Forecasted population and employment growth would not occur within the Fresno Metropolitan Area but would be displaced to other communities. This alternative would not allow for the appropriate geographical pattern nor the intensity of urban development within

the Fresno Metropolitan Area that would support an enhanced multi-modal transportation network.

- Goal 7. Manage growth to balance Fresno's urban form while providing an adequate public service delivery system, which is fairly and equitably financed. To the extent that this alternative induces the dispersal of urban development by providing inadequate capacity to accommodate the forecasted population growth, it will be counterproductive to achieving regional planning principles that recognize the Fresno-Clovis Metropolitan Area as the primary urban center of the county. Achieving a balanced urban form within the Fresno-Clovis Metropolitan Area would become unlikely if urban development interests were directed to more remote but more readily developable areas.
- Goal 8. Provide opportunity for a variety of affordable housing throughout the Metropolitan Area. This alternative would divert population and employment growth to other communities, together with the economic resources that might be utilized to provide improved housing conditions within the Fresno Metropolitan Area.
- Goal 9. Provide activity centers and intensity corridors within plan areas to create a mix of land uses and amenities to foster community identity and reduce travel. This alternative would divert population and employment growth to other San Joaquin Valley communities. It can not be reasonably expected that sufficient economic resources and stimulus would exist within the Fresno Metropolitan area to support development of mixed-use centers and intensity corridors.
- Goal 13. Plan for a healthy business and diversified employment environment, and provide adequate timely services to ensure that Fresno is competitive in the marketplace. This alternative provides for minimal population growth and future urban development within the Fresno Metropolitan Area. Business expansion and economic growth would also be expected to primarily occur within other communities in the Central San Joaquin Valley. Improved and more diversified employment opportunities would also occur within these communities rather than the Fresno Metropolitan Area.

#### **Alternative 4 - Modifications to the Proposed Project**

The majority of the planned land uses, associated distribution of population and employment, and the resulting generation of traffic volumes is the same as the proposed project. However, three plan modifications are proposed that would result in intensified land uses for three areas that would generate increased traffic volumes. The MEIR explains the methodology used to develop the vehicle trip differential that was then added to the traffic model volumes developed for the proposed project. The results of these additional traffic volumes are provided by a table in the MEIR in Appendix 2. Several major street segments in the vicinity of the plan modifications would experience higher traffic volumes and higher traffic congestion with development of the proposed plan modifications. With implementation of the proposed project mitigation measures, most of the major street segments would function consistent with transportation plans and policies. However, it would be appropriate to apply additional mitigation measures, as identified in Appendix 2, to several major street segments to maintain traffic levels of service consistent with plans and policies of the proposed project.

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY
<p><b>B-1.</b> Development projects that are consistent with plans and policies but that could affect conditions on major street segments predicted by the General Plan MEIR traffic analysis to perform at an Average Daily Traffic (ADT) level of service (LOS) D or better in 2025, with planned street improvements, shall not cause conditions on those segments to be worse than LOS E before 2025 without completing a traffic and transportation evaluation. This evaluation will be used to determine appropriate project-specific design measures or street/transportation improvements that will contribute to achieving and maintaining LOS D.</p>	<p>Prior to approval of land use entitlement application</p>	<p>Public Works Dept./ Transportation Planning/Planning and Development Dept.</p>
<p><b>B-2.</b> Development projects that are consistent with plans and policies but that could affect conditions on major street segments predicted by the General Plan MEIR traffic analysis to perform at an ADT LOS E in 2025, with planned street improvements, shall not cause conditions on those segments to be worse than LOS E before 2025 without completing a traffic and transportation evaluation. This evaluation will be used to determine appropriate project-specific design measures or street/ transportation improvements that will contribute to achieving and maintaining LOS E.</p>	<p>Prior to approval of land use entitlement application</p>	<p>Public Works Dept./ Transportation Planning/Planning and Development Dept.</p>
<p><b>B-3.</b> Development projects that are consistent with plans and policies but that could affect conditions on major street segments predicted by the General Plan MEIR traffic analysis to perform at an ADT LOS F shall not cause further substantial degradation of conditions on those segments before 2025 without completing a traffic and transportation evaluation.</p> <p>This evaluation will be used to determine appropriate project-specific design measures or street/ transportation improvements that will contribute to achieving and maintaining a LOS equivalent to that anticipated by the General Plan. Further substantial degradation is defined as an increase in the peak hour vehicle/capacity (v/c) ratio of 0.15 or greater for roadway segments whose v/c ratio is estimated to be 1.00 or higher in 2025 by the General Plan MEIR traffic analysis.</p>	<p>Prior to approval of land use entitlement application</p>	<p>Public Works Dept./ Transportation Planning/Planning and Development Dept.</p>
<p><b>B-4.</b> For development projects that are consistent with plans and policies, a site access evaluation shall be required to the satisfaction of the Public Works Director. This evaluation shall, at a minimum, focus on the following factors:</p> <p>a. Disruption of vehicular traffic flow along adjacent major streets, appropriate design measures for on-site vehicular circulation and access to major streets (number, location and design of driveway approaches), and linkages to bicycle/pedestrian circulation systems and transit services.</p>	<p>Prior to approval of land use entitlement application</p>	<p>Public Works Dept./ Transportation Planning/Planning and Development Dept.</p>



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<p>b. In addition, for development projects that the City determines may generate a projected 100 or more peak hour vehicle trips (either in the morning or evening), the evaluation shall determine the project's contribution to increased peak hour vehicle delay at major street intersections adjacent or proximate to the project site. The evaluation shall identify project responsibilities for intersection improvements to reduce vehicle delay consistent with the LOS anticipated by the 2025 Fresno General Plan. For projects which affect State Highways, the Public Works Director may direct the site access evaluation to reference the criteria presented in Caltrans Guide for the Preparation of Traffic Impact Studies.</p>		
<p><b>B-5.</b> Circulation and site design measures shall be considered for development projects so that local trips may be completed as much as possible without use of, or with reduced use of, major streets and major street intersections. Appropriate consideration must also be given to compliance with plan policies and mitigation measures intended to promote compatibility between land uses with different traffic generation characteristics.</p>	<p>Prior to approval of land use entitlement application</p>	<p>Public Works Dept./ Transportation Planning/Planning and Development Dept.</p>
<p><b>B-6.</b> New development projects and major street construction projects shall be designed with consideration and implementation of appropriate features (considering safety, convenience and cost-effectiveness) to encourage walking, bicycling, and public transportation as alternative modes to the automobile.</p>	<p>Prior to approval or prior to funding of major street project.</p>	<p>Public Works Dept./ Transportation Planning/Planning and Development Dept.</p>
<p><b>B-7.</b> Bicycle and pedestrian travel and use of public transportation shall be facilitated as alternative modes of transportation including, but not limited to, provision of bicycle, pedestrian and public transportation facilities and improvements to connect residential areas with public facilities, shopping and employment. Adequate rights-of-way for bikeways, preferably as bicycle lanes, shall be provided on all new major streets and shall be considered when designing improvements for existing major streets.</p>	<p>Ongoing</p>	<p>Public Works Dept./ Transportation Planning/Planning and Development Dept.</p>
<p><b>C-1.</b> In cooperation with other jurisdictions and agencies in the San Joaquin Valley Air Basin, the City shall take the following necessary actions to achieve and maintain compliance with state and federal air quality standards and programs.</p> <p>a. Develop and incorporate air quality maintenance considerations into the preparation and review of land use plans and development proposals.</p> <p>b. Maintain internal consistency within the General Plan between policies and programs for air quality resource conservation and the policies and programs of other General Plan elements.</p>	<p>Ongoing</p>	<p>Planning and Development Department</p>

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<p>c. City departments preparing environmental review documents shall use computer models (software approved by local and state air quality and congestion management agencies) to estimate air pollution impacts of development entitlements, land use plans and amendments to land use regulations.</p> <p>d. Continue to route information regarding land use plans, development projects, and amendments to development regulations to the SJVAPCD for that agency's review and comment on potential air quality impacts.</p>		
<p><b>C-2.</b> The City shall continue efforts to improve technical performance, emissions levels and system operations of the Fresno Area Express transit system, through such measures as:</p> <p>a. Selecting and maintaining bus engines, transmissions, fuels and air conditioning equipment for efficiency and low air pollution emissions.</p> <p>b. Siting new transit centers and other multi-modal transportation transfer facilities to maximize utilization of mass transit.</p> <p>c. Continuing efforts to improve transit on-time performance, increase frequency of service, extend hours of operation, add express bus service and align routes to capture as much new ridership as possible.</p> <p>d. Initiating a program to allow employers and institutions (e.g., educational facilities) to purchase blocks of bus passes at a reduced rate to facilitate their incentive programs for reducing single-passenger vehicle use.</p>	Ongoing	Fresno Area Express
<p><b>C-3.</b> The City shall implement all of the Reasonably Available Control Measures (RACM) identified in Exhibit A of Resolution No. 2002-119, adopted by the Fresno City Council on April 9, 2002. These measures are presented in full detail in Table VC-3 of the MEIR.</p>	Ongoing	Various city departments
<p><b>D-1.</b> The City shall monitor impacts of land use changes and development project proposals on metropolitan water supply facilities and the groundwater aquifer.</p>	Ongoing	Dept of Public Utilities and Planning and Development Dept

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<b>D-2.</b> The City shall ensure the funding and construction of facilities to mitigate the direct impacts of land use changes and development within the 2025 General Plan boundaries. Groundwater wells, pump stations, recharge facilities, water treatment and distribution systems shall be expanded incrementally to mitigate increased water demands. Site specific environmental evaluations shall precede the construction of these facilities. Results of this evaluation shall be incorporated into each project to reduce the identified environmental impacts.	Ongoing	Department of Public Utilities and Planning and Development Department
<b>D-3.</b> The City shall implement the Fresno Metropolitan Water Resources Management Plan and update this plan as necessary to ensure the cost-effectiveness use of water resources and continued availability of good-quality groundwater and surface water supplies.	Ongoing	Department of Public Utilities
<b>D-4.</b> The City shall work with the Fresno Metropolitan Flood Control District to prevent and reduce the existence of urban stormwater pollutants to the maximum extent practical and ensure that surface and groundwater quality, public health, and the environment shall not be adversely affected by urban runoff, and shall comply with NPDES standards.	Ongoing	Planning and Development Department
<b>D-5.</b> The City shall preserve undeveloped areas within the 100-year floodway within the city and its general plan area, particularly the San Joaquin Riverbottom, for uses that will not involve permanent improvements which would be adversely affected by periodic floods.	Ongoing	Planning and Development Department
<b>D-6.</b> The city shall establish special building standards for private structures, public structures and infrastructure elements in the San Joaquin Riverbottom that will protect: <ul style="list-style-type: none"> <li>a. Construction in this area from being damaged by the intensity of flooding in the riverbottom; and,</li> <li>b. Water quality in the San Joaquin River watershed from flood damage-related nuisances and hazards (e.g., the release of raw sewage); and,</li> <li>c. Public health, safety and general welfare from the effects of flood events.</li> </ul>	Ongoing	Planning and Development Department
<b>D-7.</b> The City shall advocate that the San Joaquin River not be channelized and that levees shall not be used in the river corridor for flood control, except those alterations in river flow that are approved for surface mining and subsequent reclamation activities for mined sites (e.g., temporary berms and small side-channel diversions to control water flow through ponds).	Ongoing	Planning and Development Department



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<b>D-8.</b> The City shall maintain a comprehensive, long-range water resource management plan that provides for appropriate management of all sources of water available to the planning area which is periodically updated to ensure that sufficient and sustainable water supplies of good quality will be economically available to accommodate existing and planned urban development.	Ongoing	Department of Public Utilities
<b>D-9.</b> If the City is unable to renew its 60,000-acre foot USBR water supply contract due to the city's Charter meter prohibition, replacement water supplies and/or conservation measures of equal benefit shall be secured.	Ongoing	Department of Public Utilities
<b>D-10.</b> The City will conform to the requirements of Waste Discharge Requirements Order 5-01-254, including groundwater monitoring and subsequent Best Practical Treatment and Control (BPTC) assessment and findings.	Ongoing	Department of Public Utilities
<b>E-1.</b> The City shall continue to implement and pursue strengthening of urban growth management service delivery requirements and annexation policy agreements, including urging that the county continue to implement similar measures within the boundaries of the 2025 Fresno General Plan, to promote contiguous urban development and discourage premature conversion of agricultural land.	Ongoing	Planning and Development Department
<b>E-2.</b> To minimize the inefficient conversion of agricultural land, the City shall pursue the appropriate measures to ensure that development within the planned urban boundary occurs consistent with the General Plan and that urban development occurs within the city's incorporated boundaries.	Ongoing	Planning and Development Department
<b>E-3.</b> The City shall pursue appropriate measures, including recordation of right to farm covenants, to ensure that agricultural uses of land may continue within those areas of transition where planned urban areas interface with planned agricultural areas.	Ongoing	Planning and Development Department
<b>E-4.</b> Development of agricultural land, or fallow land adjacent to land designated for agricultural uses, shall incorporate measures to reduce the potential for conflicts with the agricultural use. Implementation of the following measures shall be considered: <ul style="list-style-type: none"> <li>a. Including a buffer zone of sufficient width between proposed residences and the agricultural use.</li> <li>b. Restricting the intensity of residential uses adjacent to agricultural lands.</li> <li>c. Informing residents about possible exposure to agricultural chemicals.</li> </ul>	Ongoing	Planning and Development Department

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d. Where feasible and permitted by law, exploring opportunities for agricultural operators to cease aerial spraying of chemicals and use of heavy equipment near proposed residences.		
3. Recordation of right to farm covenants to ensure that agricultural uses of land can continue.		
F-1. The City shall ensure the provision for adequate trunk sewer and collector main capacities to serve existing and planned urban and economic development, including existing developed uses not presently connected to the public sewer system, consistent with the Wastewater Master Plan. Where appropriate, the City will coordinate with the City of Clovis and other agencies to ensure that planning and construction of facilities address regional needs in a comprehensive manner.	Ongoing	Dept. of Public Utilities and Planning and Development Department
F-2. The City shall continue the development and use of citywide sewer flow monitoring and computerized flow modeling to ensure the availability of sewer collection system capacity to serve planned urban development.	Ongoing	Dept. of Public Utilities
F-2-a. The City shall provide for containment and management of leathers and sludge adequate to prevent groundwater degradation.	Ongoing	Dept. of Public Utilities
F-3. The City shall ensure the provision of adequate sewage treatment and disposal by using the Fresno-Clovis Regional Wastewater Reclamation Facility as the primary facility when economically feasible for all existing and new development within the General Plan area. Smaller, subregional wastewater treatment facilities may also be constructed as part of the regional wastewater treatment system, when appropriate. Site specific environmental evaluation and development of Waste Discharge Requirements by the Regional Water Quality Control Board shall precede the construction of these facilities. Mitigation measures identified in these evaluations shall be incorporated into each project to reduce the identified environmental impacts.	Ongoing	Dept. of Public Utilities
F-4. The City shall ensure that adequate trunk sewer capacity exists or can be provided to serve proposed development prior to the approval of rezoning, special permits, tract maps and parcel maps, so that the capacities of existing facilities are not exceeded.	Ongoing/prior to approval of land use entitlement application	Dept. of Public Utilities and Planning and Development Department

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MITIGATION MEASURE	WHEN IMPLEMENTED	COMPLIANCE VERIFIED BY
<b>F-5.</b> The City shall provide adequate solid waste facilities and services for the collection, transfer, recycling, and disposal of refuse for existing and planned development within the City's jurisdiction. Site specific environmental evaluation shall precede the construction of these facilities. Results of this evaluation shall be incorporated into each project to reduce the identified environmental impacts.	Ongoing/prior to construction	Dept. of Public Utilities
<b>G-1.</b> Site specific environmental evaluation shall precede the construction of new police and fire protection facilities. Results of this evaluation shall be incorporated into each project to reduce the identified environmental impacts.	Ongoing/prior to construction	Fire Dept/Police Dept/ Planning and Development Dept.
<b>H-1.</b> Site specific environmental evaluation shall precede the construction of new public parks. Results of this evaluation shall be incorporated into the park design to reduce the environmental impacts.	Ongoing/prior to construction	Parks and Recreation Dept./Planning and Development Dept.
<b>I-1.</b> Projects that could adversely affect rare, threatened or endangered wildlife and vegetative species ( or may have impacts on wildlife, fish and vegetation restoration programs) may be approved only with the consent of the California Department of Fish and Game (and the U.S. Fish and Wildlife Service, as appropriate) that adequate mitigation measures are incorporated into the project's approval.	Ongoing/prior to approval of land use entitlement application	Planning and Development Dept.
<b>I-2.</b> Where feasible, development shall avoid disturbance in wetland areas, including vernal pools and riparian communities along rivers and streams. Avoidance of these areas shall including siting structures at least 100 feet from the outermost edge of the wetland. If complete avoidance is not possible, the disturbance to the wetland shall be minimized to the maximum extent possible, with restoration of the disturbed area provided. New vegetation shall consist of native species similar to those removed.	Ongoing/prior to approval of land use entitlement application	Planning and Development Dept.
<b>I-3.</b> Where wetlands or other sensitive habitats cannot be avoided, replacement habitat at a nearby off-site location shall be provided. The replacement habitat shall be substantially equivalent in nature to the habitat lost and shall be provided at a ratio suitable to assure that, at a minimum, there is no net less of habitat acreage or value. Typically, the U.S. Fish and Wildlife Service and California Department of Fish and Game require a ratio of three replacement acres for every one acre of high quality riparian or wetland habitat lost.	Ongoing/prior to approval of land use entitlement application and during construction	Planning and Development Dept.

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<p><b>I-4.</b> Existing and mature riparian vegetation shall be preserved to the extent feasible, except when trees are diseased or otherwise constitute a hazard to persons or property. During construction, all activities and storage of equipment shall occur outside of the drip lines of any trees to be preserved.</p>	<p>Ongoing/prior to approval of land use entitlement application and during construction</p>	<p>Planning and Development Dept.</p>
<p><b>I-5.</b> Within the identified riparian corridors, environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values and only uses consistent with these values shall be allowed (e.g., nature education and research, fishing and habitat enhancement and protection).</p>	<p>Ongoing/prior to approval of land use entitlement application and during construction</p>	<p>Planning and Development Dept.</p>
<p><b>I-6.</b> All areas within identified riparian corridors shall be maintained in a natural state or limited to recreation and open space uses. Recreation shall be limited to passive forms of recreation, with any facilities that are constructed required to be non-intrusive to wildlife or sensitive species.</p>	<p>Ongoing/prior to approval of land use entitlement application and during construction</p>	<p>Planning and Development Dept.</p>
<p><b>J-1.</b> If the site of a proposed development or public works project is found to contain unique archaeological or paleontological resources, and it can be demonstrated that the project will cause damage to these resources, reasonable efforts shall be made to permit any or all of the resource to be scientifically removed, or it shall be preserved in situ (left in an undisturbed state). In situ preservation may include the following options, or equivalent measures:</p> <ul style="list-style-type: none"> <li>a. Amending construction plans to avoid the resources.</li> <li>b. Setting aside sites containing these resources by deeding them into permanent conservation easements.</li> <li>c. Capping or covering these resources with a protective layer of soil before building on the sites.</li> <li>d. Incorporating parks, green space or other open space into the project to leave these resources undisturbed and to provide a protective cover over them.</li> </ul>	<p>Ongoing/prior to approval of land use entitlement application</p>	<p>Planning and Development Dept.</p>



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e. Avoiding public disclosure of the location of these resources until or unless the site is adequately protected from vandalism or theft.		
J-2. An archaeological assessment shall be conducted for the project if prehistoric human relics are found that were not previously assessed during the environmental assessment for the project. The site shall be formally recorded, and archaeologists' recommendations shall be made to the City on further site investigation or site avoidance/ preservation measures.	Ongoing/prior to submittal of land use entitlement application	Planning and Development Dept.
J-3. If there are suspected human remains, the Fresno County Coroner shall be contacted immediately. If the remains or other archaeological materials are possibly of Native American origin, the Native American Heritage Commission shall be contacted immediately, and the California Archaeological Inventory's Southern San Joaquin Valley Information Center shall be contacted to obtain a referral list of recognized archaeologists.	Ongoing	Planning and Development Dept./ Historic Preservation Commission staff
J-4. Where maintenance, repair stabilization, rehabilitation, restoration, preservation, conservation or reconstruction of the historical resource will be conducted consistent with the Secretary of the Interior's Standards for the Treatment of Historic Properties with Guidelines for Preserving, Rehabilitating, Restoring and Reconstructing Historic Buildings (Weeks and Grimmer, 1995), the project's impact on the historical resource shall generally be considered mitigated below a level of significance and thus not significant.	Ongoing	Planning and Development Dept./ Historic Preservation Staff
K-1. The City shall adopt the land use noise compatibility standards presented in Figure VK-2 for general planning purposes.	Ongoing	Planning and Development Dept.
<p>K-2. Any required acoustical analysis shall be performed as required by Policy H-1-d of the 2025 Fresno General Plan for development projects proposing residential or other noise sensitive uses as defined by Policy H-1-a, to provide compliance with the performance standards identified by Policies H-1-a and H-1-k. (Note: all are policies of the 2025 General Plan.)</p> <p>The following measures can be used to mitigate noise impacts; however, impacts may not be fully mitigated within the 70 dBA noise contour areas depicted on Figure VK-4.</p> <ul style="list-style-type: none"> <li>• <b>Site Planning.</b> See Chapter V for more details.</li> <li>• <b>Barriers.</b> See Chapter V for more details.</li> <li>• <b>Building Designs.</b> See Chapter V for more details.</li> </ul>	Ongoing/upon submittal of land use entitlement application	Planning and Development Dept.



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<b>K-3.</b> The City shall continue to enforce the California Administrative Code, Title 24, Noise Insulation Standards. Title 24 requires that an acoustical analysis be performed for all new multi-family construction in areas where the exterior sound levels exceed 60 CNEL. The analysis shall ensure that the building design limits the interior noise environment to 45 CNEL or below.	Ongoing/prior to building permit issuance	Planning and Development Dept.
<b>L-1.</b> Any construction that occurs as a result of a project shall conform with current Uniform Building Code regulations which address seismic safety of new structures and slope requirements. As appropriate, the City shall require a preliminary soils report prior to subdivision map review to ascertain site specific subsurface information necessary to estimate foundation conditions. This report shall reference and make use of the most recent regional geologic maps available from the California Department of Conservation, Division of Mines and Geology.	Ongoing	Planning and Development Dept.
<b>N-1.</b> The City shall cooperate with appropriate energy providers to ensure the provision of adequate energy generated and distribution facilities, including environmental review as required.	Ongoing	Planning and Development Dept.
<b>Q-1.</b> The City shall establish and implement design guidelines applicable to all commercial and manufacturing zone districts. These design guidelines will require consideration of the appearance of non-residential buildings that are visible to pedestrians and vehicle drivers using major streets or are visible from proximate properties zoned or planned for residential use.	Ongoing	Planning and Development Dept.

November 20, 2002

TO: MAYOR ALAN AUTRY  
FROM: REBECCA E. KLISCH, City Clerk  
SUBJECT: TRANSMITTAL OF COUNCIL ACTION  
FOR APPROVAL OR VETO

Council Adoption: 117902

Mayor Approval: \_\_\_\_\_

Mayor Veto: \_\_\_\_\_

Override Request: \_\_\_\_\_

By: \_\_\_\_\_  
Deputy

At the Council meeting of 11/19/02, Council adopted the attached Resolution No. 2002-378, entitled Certifying final MEIR re: 2025 Fresno General Plan, et al. (2:30 p.m. -A), by the following vote:

Ayes	:	Calhoun, Castillo, Duncan, Quintero, Ronquillo, Perea
Noes	:	Boyajian
Absent	:	None
Abstain	:	None

Please indicate either your formal approval or veto by completing the following sections and executing and dating your action. Please file the completed memo with the Clerk's office on or before 11/30/02. Failure to file this memo with the Clerk's office within the required time limit shall constitute approval of the ordinance, resolution or action, and it shall take effect without the Mayor's signed approval.

Thank you.

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APPROVED: 

**VETOED** for the following reasons: (Written objections are required by Charter; attach additional sheets if necessary.)

\_\_\_\_\_  
\_\_\_\_\_

  
Alan Autry, Mayor

Date: 11.21.02

**COUNCIL OVERRIDE ACTION:**

Date: \_\_\_\_\_

Ayes	:
Noes	:
Absent	:
Abstain	: