

Regular Council Meeting
September 29, 2022

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2022 SEP 27 AM 10:45

FRESNO CITY COUNCIL

2022 SEP 27 AM 10:45
CITY CLERK'S OFFICE



Supplemental Packet

ITEM(S)

10:00 A.M. #1 (ID 22-1407)

Consideration of Development Code Text Amendment Application No. P22-02413 and related Environmental Finding for Environmental Assessment No. P22-02413, amending Tables 15-1102, 15-1103, 15-1202, 15-1203, 15-4907 and Section 15-1104 of the Fresno Municipal Code and adding Sections 15-1106 and 15-5102-E to the Fresno Municipal Code, and corresponding General Plan Text Amendment relating to mixed-use development:

Contents of Supplement: PowerPoint Presentation

Item(s)

Supplemental Information:

Any agenda related public documents received and distributed to a majority of the City Council after the Agenda Packet is printed are included in Supplemental Packets. Supplemental Packets are produced as needed. The Supplemental Packet is available for public inspection in the City Clerk's Office, 2600 Fresno Street, during normal business hours (main location pursuant to the Brown Act, G.C. 54957.5(2)). In addition, Supplemental Packets are available for public review at the City Council meeting in the City Council Chambers, 2600 Fresno Street. Supplemental Packets are also available on-line on the City Clerk's website.

Americans with Disabilities Act (ADA):

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



Rendering of the Monarch @ Chinatown, Fresno Housing



MIXED-USE TEXT AMENDMENT

9/29/22

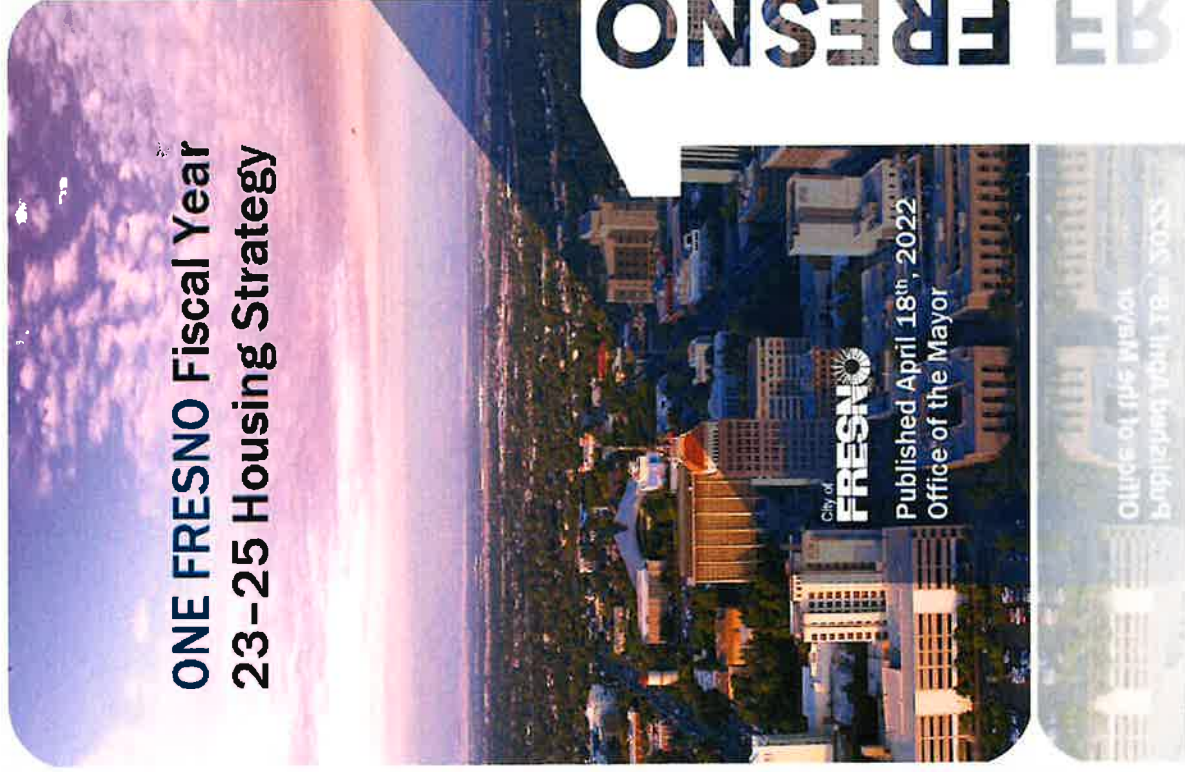
Text Amendment Application No. P22-02413

Planning Context



- Housing
- Infill Development:
“Roughly half”
- Complete
Neighborhoods
- Land Use/
Transportation
Connection

Housing Strategy



- Over 30,000 units affordable housing shortfall
- One Fresno Housing Strategy
 - ▣ Remove density caps
 - ▣ Create ministerial approval

Planning Context



- Housing Element Update
- RHNA requires land capacity for:
 - ▣ 36,866 new housing units, to include:
 - ▣ 15,324 new low-income units
- Remove barriers to housing



The Issue

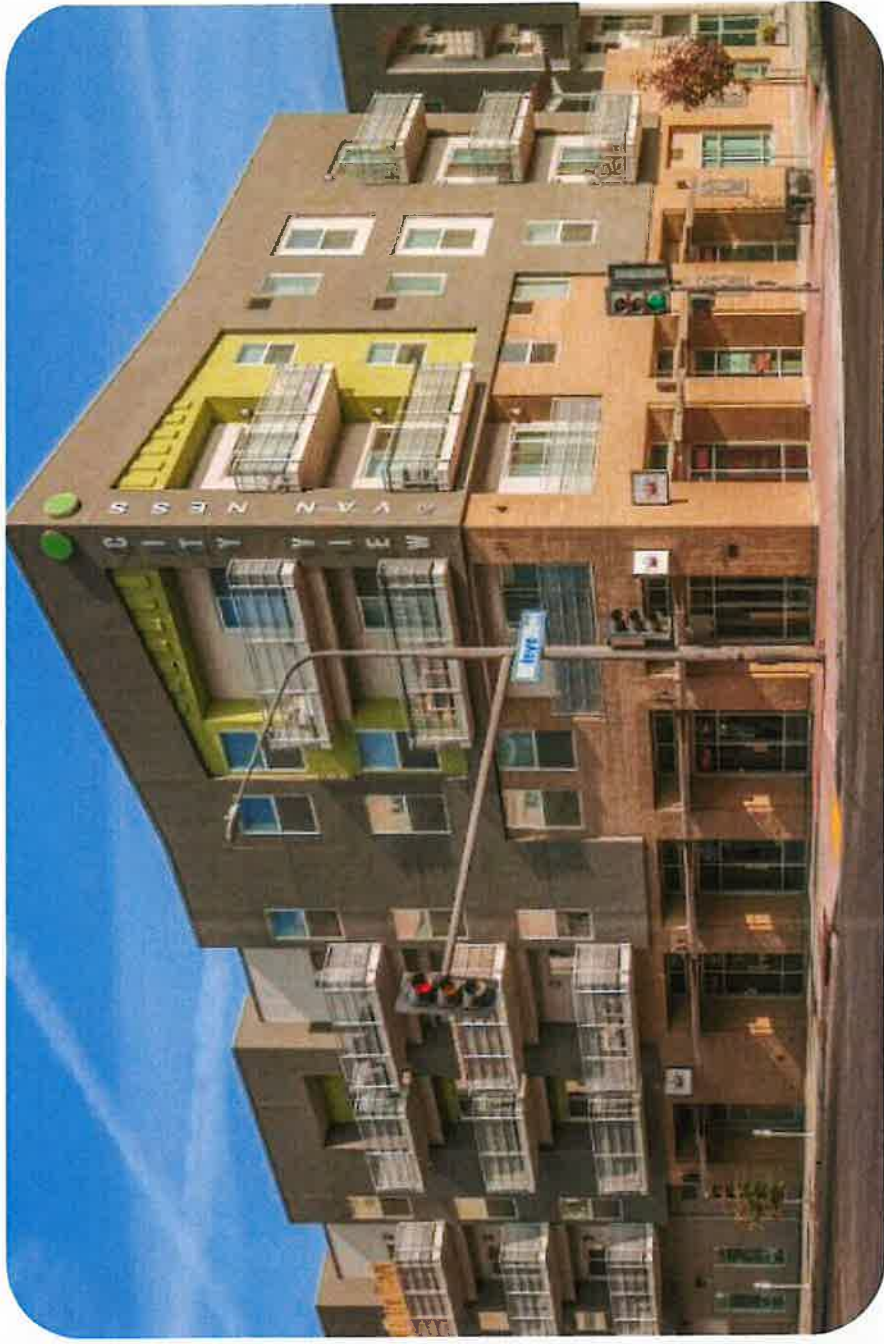
Only one mixed-use project has been completed on the city's mixed-use/transit corridors since 2018



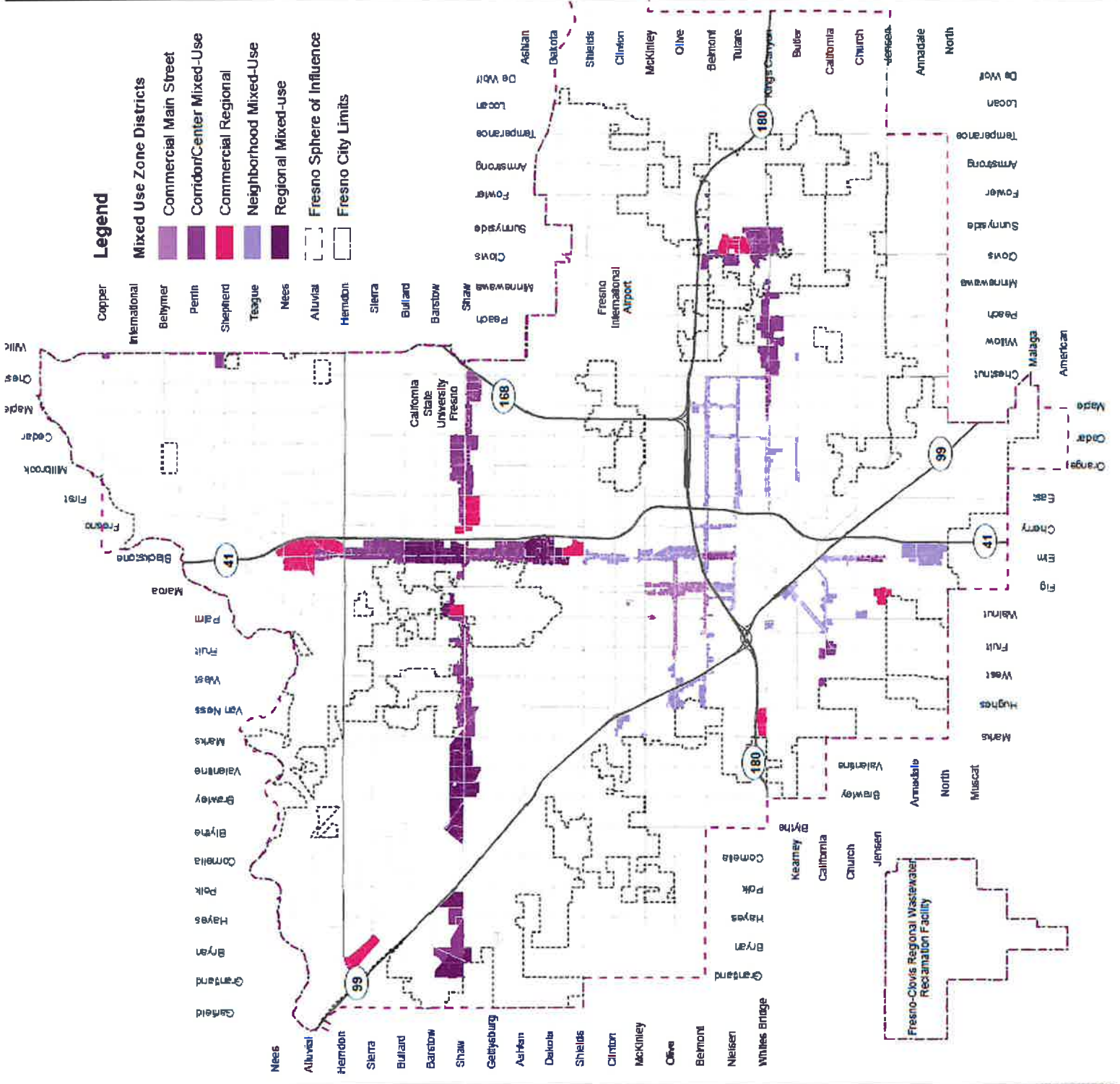
The Link, Integrated Community Development

The Issue

The majority of mixed-use projects in the pipeline are downtown, where there is no density cap and a ministerial approval process



Cityview Apartments, Fresno Housing



Proposed Changes

Zoning	Density (units per acre)	Height (feet)
Neighborhood Mixed Use	12-16	40
Corridor/Center Mixed Use	16-30	60
Regional Mixed Use	30-45	75
Commercial Main Street	0-16	35
Commercial Regional	0-16	75

- Density caps removed
- Active ground floor uses required ~~along all major streets~~ near intersections and BRT stops
- CEQA requirements addressed through ministerial process

September 1 Workshop

1. Herndon Avenue

2. Density

- Parking
- Heights
- Unit Size

3. Ministerial Approval

City of Fresno

2600 Fresno Street
Fresno, CA 93721
www.fresno.gov



Meeting Agenda - Final-revised

Thursday, September 1, 2022

9:00 AM

Regular Meeting

Council Chambers (In Person and/or Electronic)

City Council

President - Nelson Esparza
Vice President - Tyler Maxwell

Councilmembers:

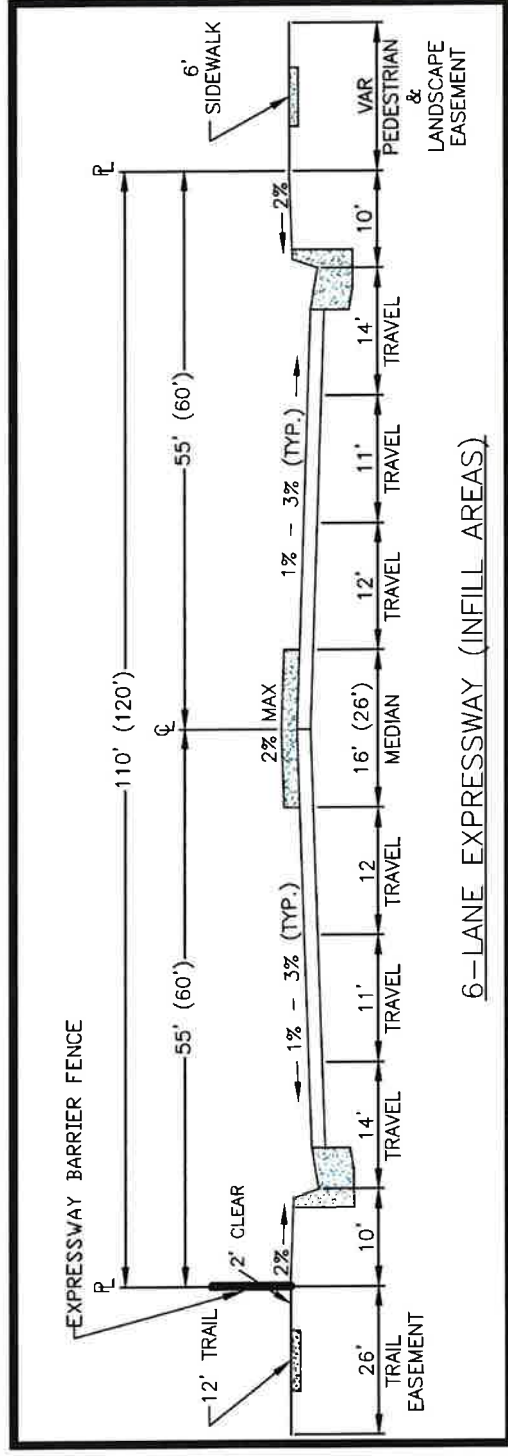
Esmeralda Z. Soria, Mike Karbassi, Miguel Angel Arias, Luis Chavez,
Garry Bredefeld

City Manager - Georgetanne A. White
Interim City Attorney - Rina Gonzales
City Clerk - Todd Siermer, CMC

Concern #1: Herndon Avenue

Can Herndon Avenue be included in MUTA?

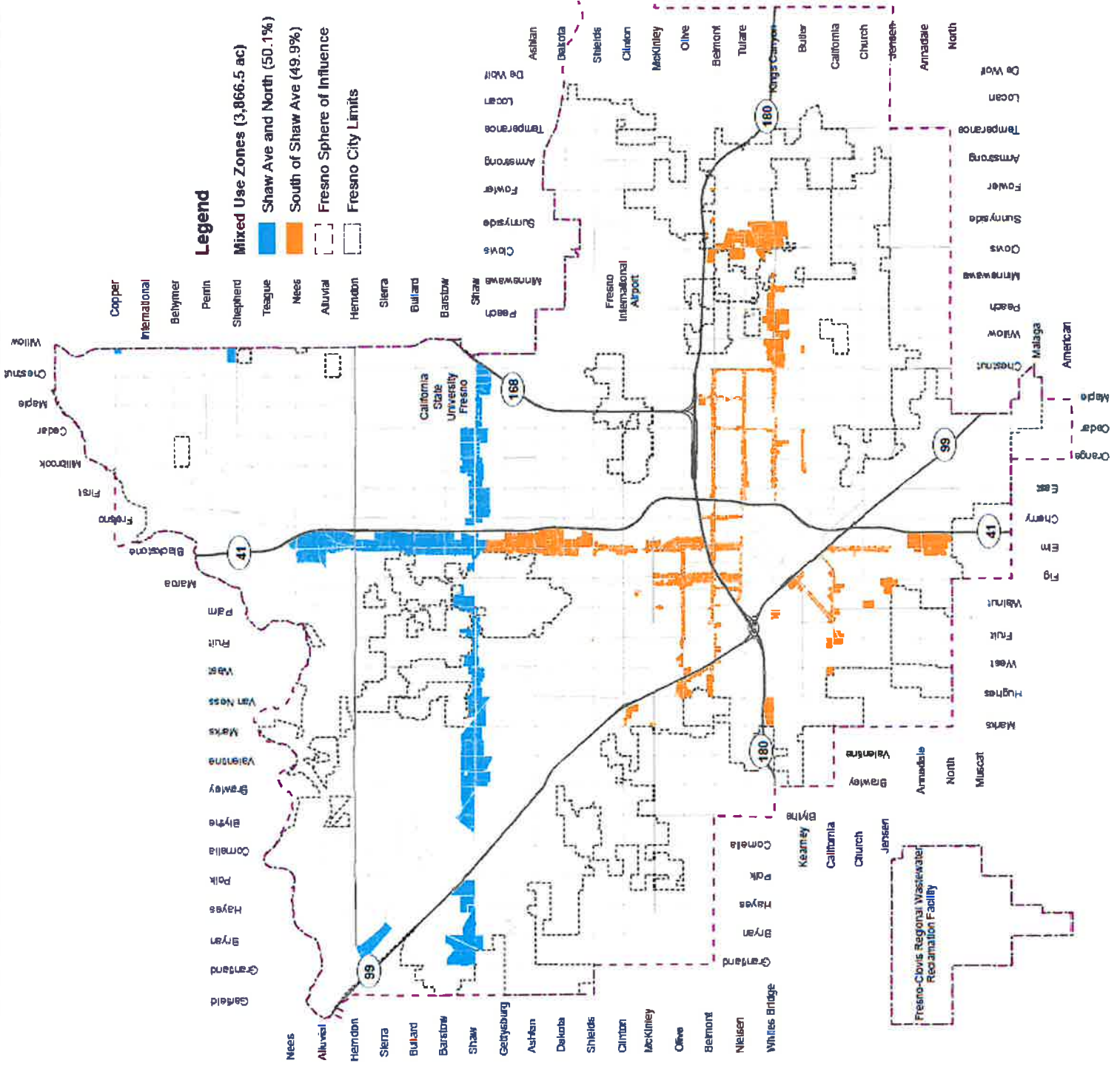
- Not zoned for Mixed-Use
- Expressway
 - High Speeds – 50 MPH
 - No Access from adjacent properties
 - Not pedestrian-friendly



Legend

Mixed Use Zones (3,866.5 ac)

- Shaw Ave and North (50.1%)
- South of Shaw Ave (49.9%)
- Fresno Sphere of Influence
- Fresno City Limits



Concern #2: Removal of Density Limits

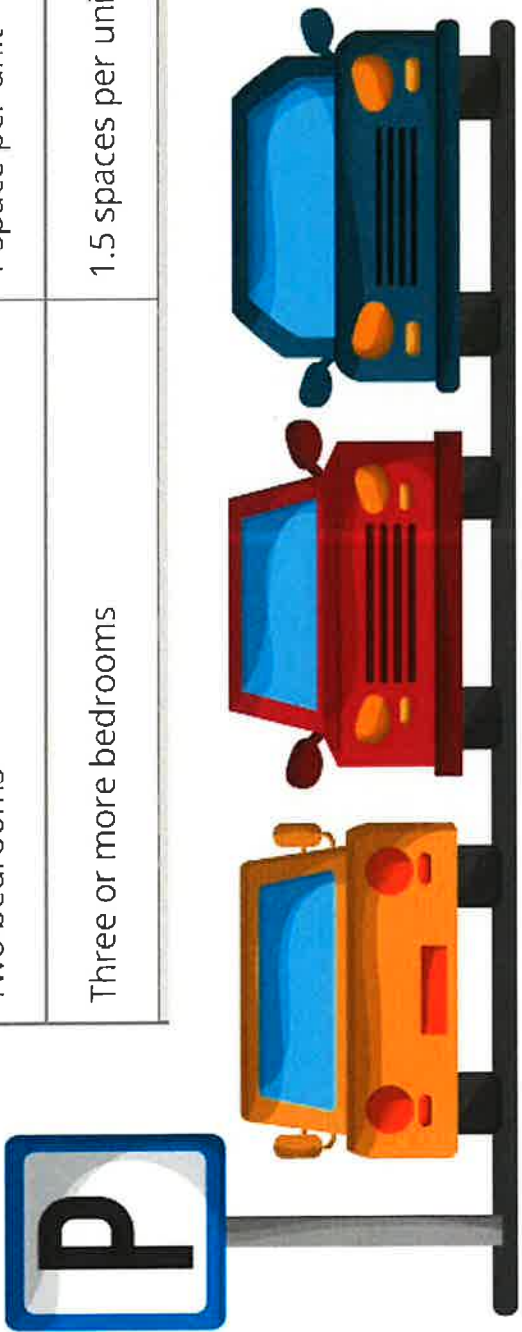
How will this impact the development itself and surrounding neighborhood?

- **Parking: More units = More parking**
- **Height: No change**
- **Dwelling Size: Market Driven**

Parking

TABLE 15-2408: REQUIRED ON-SITE PARKING SPACES, MIXED-USE DISTRICT

Use	Required Parking Spaces
Residential	
Studio, and one-bedroom units	.75 space per unit
Two bedrooms	1 space per unit
Three or more bedrooms	1.5 spaces per unit



Parking- New State Law AB 2907

- Does not conflict with MUTA, but in some cases, parking minimums would not apply to residential, retail and some commercial developments near major transit stops
- Applies whether or not MUTA is adopted

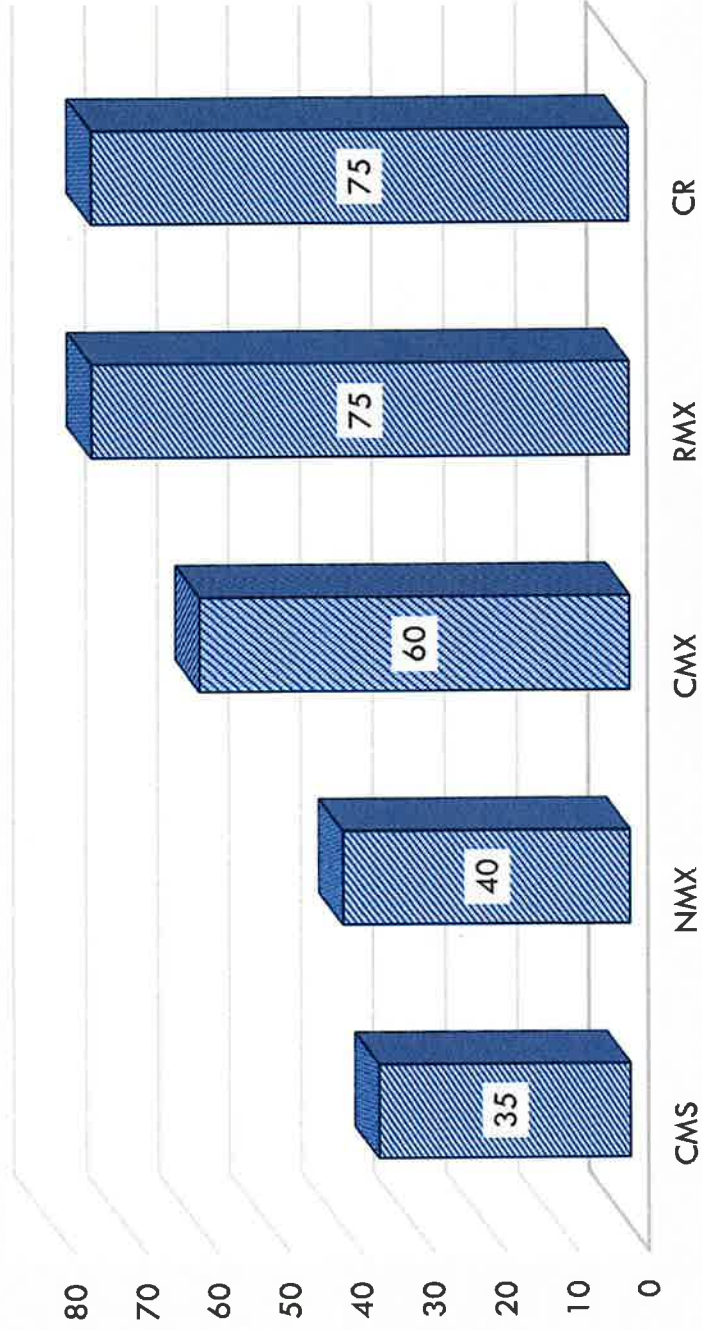


Height

No change is proposed for building heights in Mixed-Use Zoning

ALLOWED BUILDING HEIGHTS OF MIXED USE BUILDINGS

▣ Height in Feet



CMX Project – Current Max Density



Dwelling Units	15
Density (Units per acre)	30
Unit Size (Sq. Ft.)	780
Parking Spaces	18



4530 N BLACKSTONE AVE
SITE SIZE: 22,750 SQ. FT. (0.52 ACRES)
SITE SIZE: 55' X 20' X 20' FT. (0.25 ACRES)
4230 N BLACKSTONE AVE

Parking Spaces	18
Parking (sq. ft.)	180

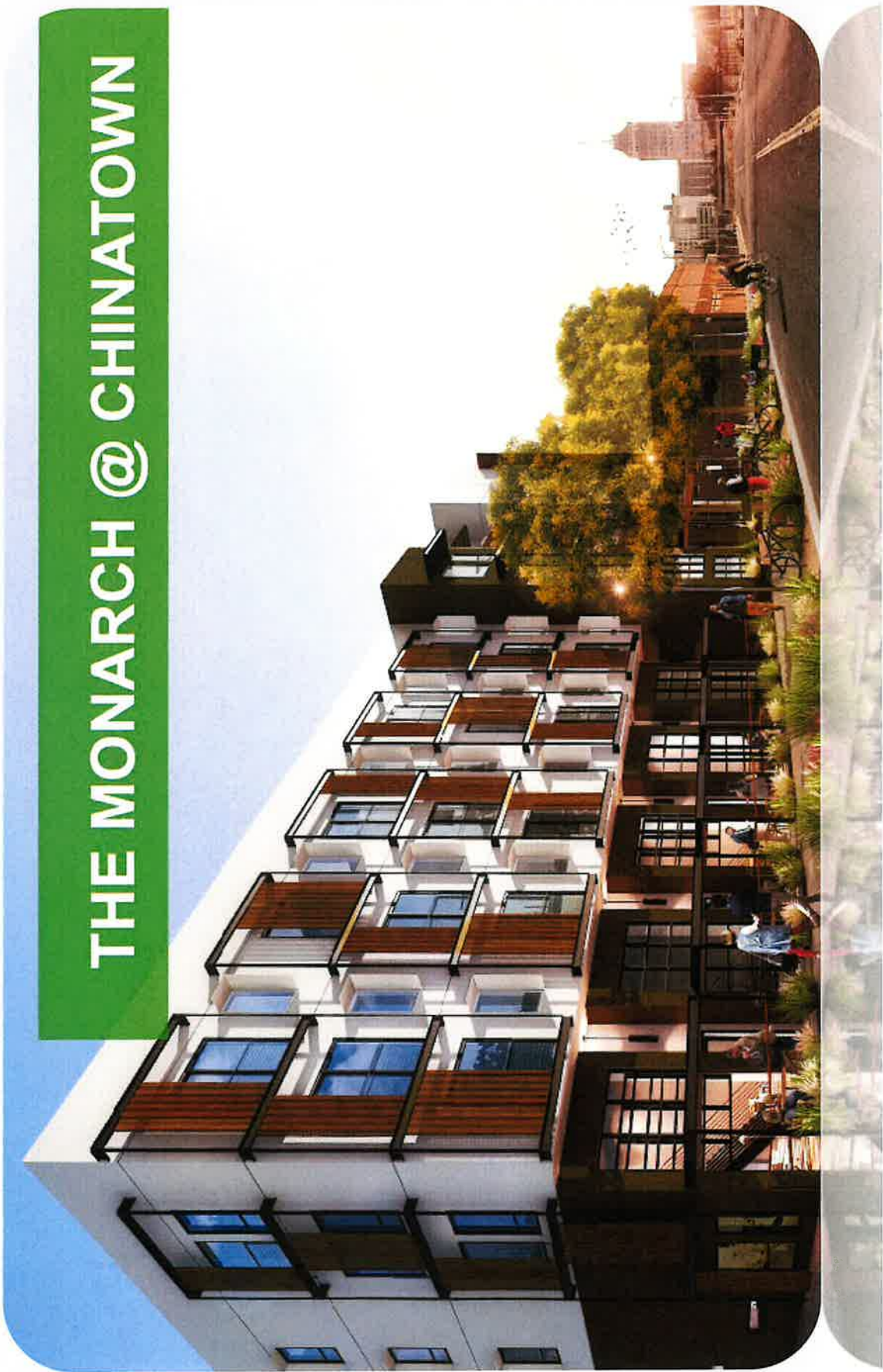
CMX Project – No Density Limit



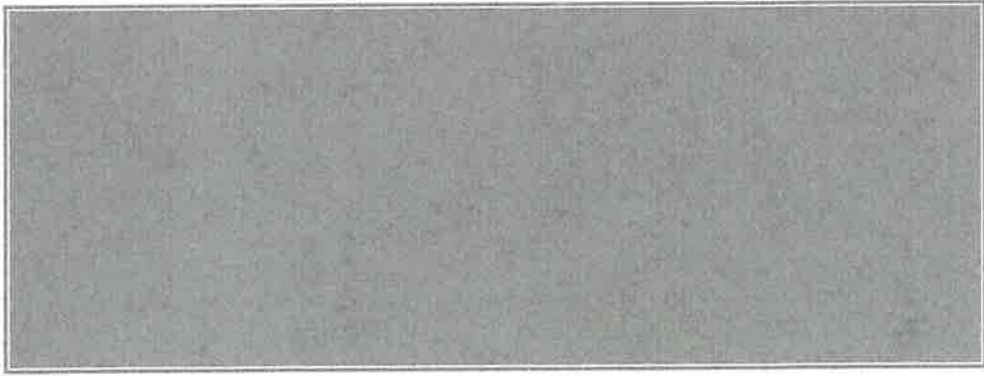
Examples of Higher Density Projects

- **1740 Van Ness Avenue, 28 units on 0.43 acres.
Density: 65 dwelling units per acre**
- **1101 F Street, The Monarch @ Chinatown, 57 units
on 0.6 acres. Density: 94 dwelling units per acre**
- **2115 Inyo Street, City view, 45 units on 0.38 acres.
Density: 119 units per acre**

Examples of Higher Density Projects



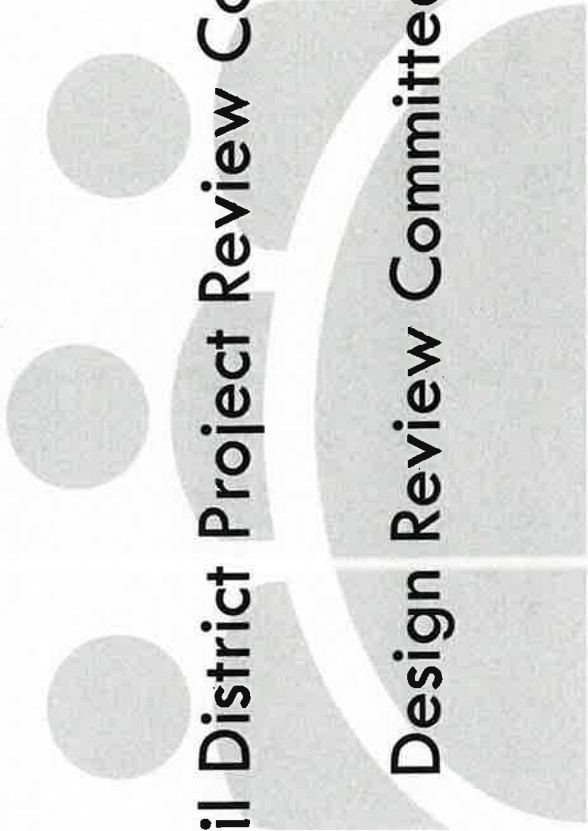
Concern #3: Ministerial Process



All zoning requirements defined up front
+
All CEQA mitigations defined up front
=
Streamlined Process of Verifying
Compliance

Committee Review

Committees
can be
included in the
ministerial
process



Council District Project Review Committees

Design Review Committees

Entitlement Processes

Lengthy or unpredictable entitlement processes can be a barrier to investment



Ministerial Requirements

- Must be zoned NMX, CMX, RMX, CR or CMS
- Must be located within Priority Areas for Development Incentives
- Cannot contain historic resources
- Must provide adequate infrastructure
- Must comply with the Airport Land Use Compatibility Plan

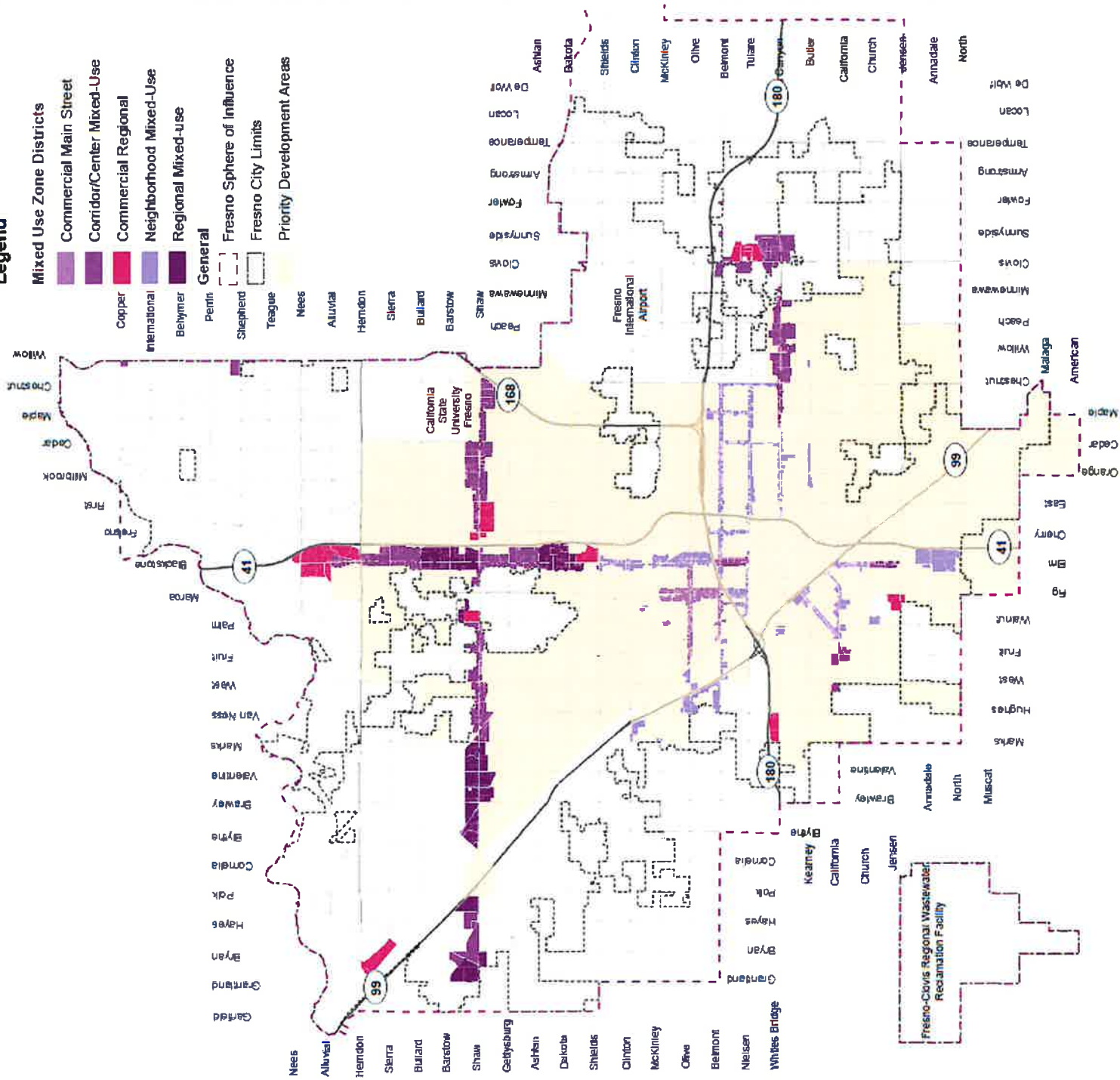
Legend

Mixed Use Zone Districts

- Commercial Main Street
- Corridor/Center Mixed-Use
- Commercial Regional
- Neighborhood Mixed-Use
- Regional Mixed-use

General

- Fresno Sphere of Influence
- Fresno City Limits
- Priority Development Areas



Public Utility Requirements

- **Waste Water: Required**
capacity thresholds
- **Storm Drainage: Facilities**
Required
- **Water: Required domestic**
demand and fire flow thresholds



Transportation Requirements

❑ **Projects with 200+ units near a school: Provide bike & pedestrian improvements; comply with Complete Streets Policy**

❑ **Projects on High Quality Transit Corridors with Level of Service E or F: Install transit design improvements**



Environmental Assessment

- Mitigated Negative Declaration
- Assessed 21,762 dwelling units
- Public Comment Period: July 6 - August 4, 2022
- Recirculation Period: August 19 – September 19, 2022

CITY OF FRESNO
MITIGATED NEGATIVE DECLARATION
FOR
GENERAL PLAN AMENDMENT/DEVELOPMENT CODE TEXT
AMENDMENT APPLICATION NO. P22-02413

STATE CLEARINGHOUSE NUMBER: 2022070081

City of Fresno
Planning and Development Department
2600 Fresno Street, 3rd Floor
Fresno, CA 93721

Prepared by:
Precision Civil Engineering, Inc.
1234 O Street
Fresno, CA 93721

RECIRCULATED AUGUST 2022
Minor Edits in response to 2nd DTSC Letter- September 2022

Attachments:

Notice of Intent to Adopt a Mitigated Negative Declaration (Section 3.2)
Appendix G/Initial Study for a Mitigated Negative Declaration (Section 2, 3, 1, 4)
Project Specific Mitigation Monitoring Checklist dated June 2022 (Section 5)
Response to Comments Received on June 2022 version of IS/MND (Appendix G)

Resource Areas Analyzed

- Aesthetics
- Agricultural Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards/Hazardous Material
- Hydrology / Water Quality
- Land Use Planning
- Mineral Resources
- Noise
- Population and Housing
- Public Services
- Recreation
- Transportation
- Tribal Cultural Resources
- Wildfire

Comment Letters Received

1. **William Secrest, Jr., Fresno County Historic Landmarks Commission, 7/12/22**
2. **Keith Bergthold and Jessica Verzac, Fresno Metro Ministry and Upholdings, 7/20/22**
3. **Gavin McCreary, Department of Toxics Substance Control, 7/26/22**
4. **Brian Clements, San Joaquin Valley Air Pollution Control District, 8/3/22**
5. **David Miller, Nossaman, LLP, on behalf of Bakman Water Company, 8/4/22**
6. **Lawrence Kimura, Fresno Irrigation District, 8/4/22**
7. **Henrietta Walsh, Cvalley Development, 8/5/22**
8. **Susan Williams, Sunnyside Property Owners Association, 9/9/22**
9. **Gavin McCreary, Department of Toxics Substance Control, 9/19/22**

Mitigation Measures Added

- HAZ-1: For all projects proposing residential development, a Phase I Environmental Site Assessment (ESA) is required prior to project approval
- HAZ-2: For all projects proposing to utilize fill material, property soil testing shall be conducted to ensure soil is free of contamination. Sampling of imported soil shall follow DTSC's 2001 Information Advisory Clean Imported Fill Material"

Outreach Summary

State Agencies	Local Agencies	Council District/Plan Committees	Commissions	The Public/Advocates
<ul style="list-style-type: none">• Dept of Toxic Substances Control• Caltrans• Fish & Game• Regional Water Quality Control Board• Native American Tribes	<ul style="list-style-type: none">• San Joaquin Valley Air Pollution Control District• Fresno Irrigation District• Fresno Metro Flood Control• School Districts• Water Districts• FAX• Neighboring Cities, Counties	<ul style="list-style-type: none">• All 6 Council District Project Review Committees• Tower Design Review Committee• Lowell Committee	<ul style="list-style-type: none">• Planning Commission• Airport Land Use Commission	<ul style="list-style-type: none">• Webinar Participants• Kings Canyon Corridor TOD Workshop Participants• Leadership Counsel For Justice & Accountability• Fresno Housing• Building Healthy Communities• Fresno Metro Ministry

Recommendation

Consideration of Development Code Text Amendment Application No. P22-02413 and related Environmental Finding for Environmental Assessment No. P22-02413, amending Tables 15-1102, 15-1103, 15-1202, 15-1203, 15-4907 and Section 15-1104 of the Fresno Municipal Code and addition Sections 15-1106 and 15-5102-E to the Fresno Municipal Code, and corresponding General Plan Text Amendment relating to mixed-use development:

1. **ADOPT a finding set forth in Environmental Assessment No. P22-02413 dated July 6, 2022 and recirculated on August 19, 2022 of a Mitigated Negative Declaration pursuant to CEQA Guidelines Section 15168(d)**
2. **BILL (for introduction) amending the Fresno Municipal Code, Tables 15-1102, 15-1103, 15-1202, 15-1203, 15-4907 and Section 15-1104 and adding Sections 15-1106 and 15-5102-E to the FMC relating to mixed-use development, with staff corrections as recommended by Planning Commission on July 20, 2022**
3. **RESOLUTION (continued to October 13, 2022 at 10:00 am) Amending Chapter 3, the Urban Form, Land Use and Design Element of the Fresno General Plan, Table 3-1, and pages 3-41 and 3-42 consistent with the Development Code Text Amendment described above and as set forth in General Plan Text Amendment Application No. P22-02413.**

-End-

