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Agenda Item: ID#14-682 (5:00 P.M.)

Date: 12/18/14

CITY CLERK, FRESNO

FRESNO CITY COUNCIL



Supplemental Information Packet

Agenda Related Items – ID#14-653 (5:00 P.M.)

Contents of Supplement: Updated resolution

Item(s)

HEARING to consider approvals related to the Proposed General Plan Update
(Citywide)

1. Consideration of General Plan Update and certification of the related Environmental Impact Report (EIR) SCH No. 2012111015 filed by Jennifer K. Clark, Development and Resource Management Director, on behalf of the City of Fresno, citywide application

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.

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, TO ADOPT THE PROPOSED FRESNO GENERAL PLAN AS AN UPDATE TO THE 2025 GENERAL PLAN, INCLUDING ALL TEXT, POLICIES, MAPS, TABLES, AND EXHIBITS CONTAINED IN THE FRESNO GENERAL PLAN DOCUMENT DATED DECEMBER 2014

WHEREAS, the California Planning and Zoning Law, specifically California Government Code Section 65300, requires the City to adopt a comprehensive, long term general plan for the City's physical development and for any land outside City boundaries which bear relation to the City's planning; and

WHEREAS, On November 19, 2002, the City Council of the City of Fresno (Council) adopted the 2025 General Plan as a comprehensive update to the City's 1984 General Plan; and

WHEREAS, Chapter 12, Article 6, of the Fresno Municipal Code, known as the Local Planning and Procedures Ordinance (LPPO), at Section 12-601, *et seq.*, governs procedures for the adoption and amendment of general, community, and specific plans; and

WHEREAS, Section 12-605-G of the LPPO calls for periodic review (and revision, as necessary) of the City's general plan, and

WHEREAS, on August 23, 2012, pursuant to LPPO Section 12-606, the Council adopted Resolution No. 2012-150, initiating a comprehensive update to the 2025 General Plan, initially referred to as the 2035 General Plan, and now titled "Fresno General Plan"; and

Date Adopted:
Date Approved:
Effective Date:
City Attorney Approval:



Resolution No.

WHEREAS, the Fresno General Plan was initiated based upon the Preferred General Plan Alternative presented in the 2035 General Plan Initiation Review Draft, and included all plan elements as a comprehensive update to the 2025 General Plan (with the exception of the Housing Element, which has been processed, heard, and enacted separately as required by State law); and

WHEREAS, the Fresno General Plan was selected as the preferred alternative from five alternatives presented to the Council; and

WHEREAS, pursuant to the provisions of the LPPO, numerous plan modification requests were received by the Development and Resource Management Department which are identified in Exhibit A to the resolution titled "A Resolution of the Council of the City of Fresno, California, Adopting Plan Modifications Recommended By Staff and Identified As 'City of Fresno Staff Preferred Land Use' in the 'Land Use Change Requests' and 'Land Use and Circulation Map' Denying the Remaining Plan Modifications"; and

WHEREAS, the City procured the assistance of a professional environmental consultant to assist in the drafting and circulation of Master Environmental Impact Report (MEIR) SCH No. 2012111015 for the Fresno General Plan and Development Code Update, and to include assessment of the initiated text, policies, land use and circulation map amendments to the Fresno General Plan as well as potential future changes to the initiated text, policies, land use and circulation map amendments to various community and specific plans; and

WHEREAS, staff conducted a series of duly noticed Planning Commission workshops, Council workshops, and public informational meetings on Draft MEIR SCH

No. 2012111015 and the Fresno General Plan including the proposed text, policies, land use and circulation map for the Fresno General Plan, at which substantial public input was received on the merits of the Fresno General Plan and Draft MEIR SCH No. 2012111015; and

WHEREAS, on December 1, 2014, the Airport Land Use Commission (ALUC) determined that the Fresno General Plan is consistent with the ALUC's Sierra Sky Park Land Use Policy Plan, ALUC's Fresno-Chandler Downtown Airport Land Use Policy Plan and the ALUC's Fresno Air Terminal Land Use Policy Plan; and

WHEREAS, the Fresno City Planning Commission, pursuant to a duly noticed and scheduled hearing on December 8, 2014, received public testimony and other information and deliberated and considered the provisions of the Fresno General Plan, the requested plan modifications and Draft MEIR SCH No. 2012111015; and

WHEREAS, on December 8, 2014, the Planning Commission made the following recommendations to the City Council regarding the Fresno General Plan and MEIR SCH No. 2012111015, as shown in Planning Commission Resolution Nos. 13312 and 13313 as follows:

1. That the City Council review and consider Master Environmental Impact Report (MEIR SCH No. 2012111015), apply the Council's independent judgment and analyses to the review, and then certify the MEIR as having been completed in compliance with CEQA, based on the Commission's recommendations on the proposed Draft MEIR and comments thereon.

2. That the Council find that based upon testimony presented by staff, there are significant, unavoidable environmental impacts which have not been mitigated to a

level below significant. Therefore, the City Council should consider an appropriate statement of overriding considerations.

3. That the Council adopt the proposed MEIR with all the recommendations as presented by staff at the public meetings.

4. That the Council find that the proposed Fresno General Plan has been prepared in accordance with the Local Planning and Procedures Ordinance (LPPO).

5. That the Council adopt the proposed Fresno General Plan as an update to the 2025 General Plan, including all text, policies, maps, tables, and exhibits as contained in the Fresno General Plan document dated December, 2014.

6. That the Council adopt the plan modifications recommended by staff and identified as “City of Fresno Staff Preferred Land Use” on the “Land Use Change Requests” and “Land Use and Circulation Map” and submitted pursuant to the provisions of the LPPO to this report, and recommend that the Council deny the remaining plan modifications.

7. To the extent that approval of the staff recommended plan modifications requires updates to the text, policies, maps, tables, and exhibits contained in the proposed Fresno Plan General Plan document in order to maintain consistency, the Planning Commission further recommends that the Council authorize the Director of Development and Resource Management Department or her designee to update those items to reflect the final action taken by Council.

8. That the Council make the findings and take the action recommended in relation to the MEIR (SCH NO. 2012111015).

9. That the Council consider the Planning Commission's additional comments and recommendations as articulated; and

WHEREAS, on December 11, 2014, the City conducted a public hearing and received public testimony and reviewed and considered the information in the Fresno General Plan and related MEIR SCH No. 2012111015, including, but not limited to, the "Response to Comments on the Draft Master Environmental Impact Report General Plan and Development Code Update" and "Planned Land Use Requests Environmental Evaluation"; and all recommendations as presented by staff at the public hearing; and

WHEREAS, on December 18, 2014 the City Council considered and discussed the adequacy of the proposed Final MEIR SCH No. 2012111015 as an informational document, reviewed the potential significant impacts of the Fresno General Plan and Development Code Update as presented in the Final MEIR and takes the following action to certify the Final MEIR SCH No. 2012111015, as having been completed in compliance with the Californian Environmental Quality Act (CEQA).

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Fresno as follows:

1. All staff reports and analysis submitted in connection with this matter are hereby incorporated by this reference.
2. The Council completed and closed its hearings on the Fresno General Plan on December 11, 2014, in accordance with all relevant provisions of the LPPO.
3. The Council finds that the Fresno General Plan has been prepared in accordance with the LPPO and the provisions of Government Code Section 65302.

4. The Council adopts the Fresno General Plan (formerly the 2035 General Plan) as an update to the 2025 General Plan, including all text, policies, maps, tables, and exhibits as contained in the Fresno General Plan document dated December 2014, with the incorporation of the corrections recommended by Staff.

5. The Council adopts the plan modifications as set out in the resolution titled "A Resolution of the Council of the City of Fresno, California, Adopting Plan Modifications Recommended by Staff and Identified as 'City of Fresno Staff Preferred Land Use' in the 'Land Use Change Requests' and 'Land Use and Circulation Map' Denying the Remaining Plan Modifications".

6. The Council makes the findings and takes the action recommended in the attached exhibits and in the accompanying resolution relating to Final MEIR SCH No. 2012111015.

7. This Resolution shall be in full force and effect 30 days after its final passage.

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

I, YVONNE SPENCE, 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 _____ day of _____, 2014.

AYES :
NOES :
ABSENT :
ABSTAIN :

Mayor Approval: _____, 2014
Mayor Approval/No Return: _____, 2014
Mayor Veto: _____, 2014
Council Override Vote: _____, 2014

YVONNE SPENCE, CMC
City Clerk

By: _____
Deputy

APPROVED AS TO FORM:
DOUGLAS T. SLOAN
City Attorney

By: _____
Talía Kolluri-Barbick Date
Senior Deputy City Attorney

TKB:elb [66427elb/tkb] Resolution 121714