

Regular Council Meeting
October 13, 2022

FRESNO CITY COUNCIL



Public Comment Packet

ITEM(S)

10:00 AM #3 Scheduled Hearing (ID 22-1210)

Consideration of Plan Amendment Application No. P20-01665, Rezone Application No. P20-01665 and the related Environmental Assessment No. P20-01665 pertaining to ±92.53 acres of property bounded by East Vine Avenue to the north, State Route 41 to the east, South Elm Avenue to the west and East Chester/East Samson Avenue (alignment) to the south (Council District 3)...

[TITLE TRUNCATED FOR SUPPLEMENTAL PACKET COVER PAGE]

Contents of Supplement

Public Comment received 10/12/2022

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.

Briana Parra

From: James Mendez
Sent: Tuesday, October 11, 2022 2:58 PM
To: Clerk
Subject: October 13, 2022 City Council Meeting, 10:00 A.M. #3, ID 22-1210

External Email: Use caution with links and attachments

Dear Todd Stermer,

The following are comments I would like to be read during the October 13, 2022 City Council Meeting meeting:

I am Dr. James Mendez, a retired internal medicine physician. I am a resident of District 2 and a member of Enough Gun Violence, a local multi-faith organization to stop gun violence. I am asking the City Council to oppose the Amendment to the Southwest Fresno Specific Plan, dated January 12, 2021 that would change 92.5 acres from Neighborhood Mixed-Use (NMX) to Light Industrial (IL). There is nothing in the amendment that improves the health of the residents, improves the quality of air they breath or decreases the gun violence.

Southwest Fresno is an historically segregated and disinvested area of the city that suffers from a disproportional amount of pollution and perennial gun violence. In addition to housing, West Fresno has pollution producing warehouses, distribution centers, factories and rendering plants. It is recognized by the State of California as an area with some of the worst air pollution in the state. The residents of West Fresno have a life span 20 years less than residents in more affluent areas. Changing from Neighborhood Mixed-Use to Light Industrial does not improve the health of the residents of West Fresno and does not improve the air quality.

Studies show that the confluence of segregation, concentrated poverty and community disinvestment correlate with gun violence. The rezoning from mixed use to light industrial of the Fresno Southwest Specific Plan is a clear act of community disinvestment in an area already suffering from a long history of disinvestment and destabilization. As a member of the Enough Gun Violence Committee, I oppose this amendment to change the zoning as it will further increase gun violence in our city.

Rather than rezone the area from the Neighborhood Mixed-Use (NMX) to Light Industrial (IL) the City Council should look at the Southwest Fresno Specific Plan (SFSP) that the community spent several years developing. The SFSP asks that the area be one that is healthier for the people that live there. Housing and commercial development should be encouraged in the area. Through the SFSP the community has asked for a halt to expansion of industry with its associated traffic and pollution. The industries should be moving to better locations, rather than having residents leave their homes.

Sincerely,
James Mendez, MD

Briana Parra

From: Barbara Gallman <bgallman@cityoffresno.com>
Sent: Tuesday, October 11, 2022 3:42 PM
To: Clerk
Subject: 10/13/2022; City Council Meeting Item ID 22-1210.

External Email: Use caution with links and attachments

To City Clerk:

I oppose the amendment changing the Southwest Fresno Specific Plan that would alter the current land use designation from mixed use to light industrial. I support the community vision of mixed use zoning in pursuit of a healthier community and environment

Studies show that the confluence of segregation, concentrated poverty and community disinvestment correlate with gun violence. The rezoning from mixed use to light industrial of the Fresno Southwest Specific Plan is a clear act of community disinvestment in an area suffering from a long history of disinvestment and destabilization. As a member of the multi-faith organization, Enough Gun Violence, I oppose this rezoning.

Barbara Gallman

Briana Parra

From: Vicki Curtis
Sent: Tuesday, October 11, 2022 4:10 PM
To: Clerk
Subject: 10/13/2022; City Council Meeting Item ID 22-1210.

External Email: Use caution with links and attachments

I oppose the amendment changing the Southwest Fresno Specific Plan that would alter the current land use designation from mixed use to light industrial. I support the community vision of mixed use zoning in pursuit of a healthier community and environment.

This rezoning is one more effort to disenfranchise an already struggling area of the city whose primary residents are people of color. Historically, this disenfranchisement leads to poverty and violence, particularly, gun violence. As a member of the Enough Gun Violence Committee, I oppose this rezoning.

Sincerely,
Mary V. Curtis
St. James Episcopal Cathedral Stop Gun Violence Task Force

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Sent from Gmail Mobile

Briana Parra

From: Paula Fansler <[REDACTED]>
Sent: Tuesday, October 11, 2022 4:13 PM
To: Clerk
Subject: 13/13/2022 City Council Meeting Item # ID 22-1210

External Email: Use caution with links and attachments

I am writing regarding the upcoming vote by Fresno City Council tomorrow to amend the zoning on a 92.5 acre parcel of land in West Fresno located in the Fresno Southwest Specific Plan. I strongly oppose the intention to rezone this plot from mixed use to light industrial for a number of important reasons and implore your consideration to **VOTE NO** to approve this change that will surely damage and further undermine this area.

Why Vote NO? The data shows that corresponding ills will also occur: increased pollution to an already polluted area, continued deterioration and instability for area residents who have long endured disinvestment and consequent health threats not to mention lower life span (20 years to counterparts in more affluent Fresno areas).

A better, healthier objective should be to maintain and support with increased INVESTment in a MIXED USE ZONING, these 92.5 acres, with monies directly benefitting residents, including children, adult individuals and families impacted by poverty and related traumas associated with high crime, violence, especially gun violence. Business can co-exist in mixed use zoning less affected by the resulting problems that are certain to follow segregated light industry.

As a member of ENOUGH GUN VIOLENCE coalition in Fresno, I encourage your vote to stand on the side of our deserving people with a **NO Vote to rezone**.

Thank you,

Paula Fansler, Fresno native
[REDACTED]

Briana Parra

From: Andrew Feil
Sent: Tuesday, October 11, 2022 4:52 PM
To: Clerk
Subject: 10/13/2022; City Council Meeting Item ID 22-1210

External Email: Use caution with links and attachments

As a member of the District 3 Planning Committee and Executive Director of Every Neighborhood Partnership, I ask that you reject the rezoning. It is clear that community members have spoken up about their desire for future growth and development in their neighborhood. The City is welcome to rezone other areas, but we ask that you respect the quality process already undertaken and do not rezone this area.

We have moved! Our new mailing address is



Andrew Feil
Executive Director
Every Neighborhood Partnership



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Briana Parra

From: Nancy Key
Sent: Tuesday, October 11, 2022 5:04 PM
To: Clerk
Subject: 10/13/2022; City Council Meeting Item ID 22-1210

External Email: Use caution with links and attachments

Dear Council Members:

I write to you as Deacon at St. James Episcopal Cathedral, and a leader of Fresno's Enough Gun Violence initiative. I urge your NO vote to the proposed rezoning in the Fresno Southwest Specific Plan. This proposal would allow further industrialization and exacerbate the already problematic air, smell and noise pollution, and lead to further erosion of the community and its quality of life.

In a study published by The Brookings Institute in April of this year ("Mapping Gun Violence: a closer look at the intersection of place and gun homicides in four cities"), the intersecting patterns of homicide and community disinvestment in four communities were found to be predictively aligned. The conclusions aptly apply to West Fresno. as stated in the report: "To combat gun violence, invest in the community infrastructure that keeps neighborhoods safe." The proposed zoning change would work against such building of community infrastructure.

Please vote NO on the proposed light industrial zoning for the Fresno Southwest Specific Plan.

Thank you.
Deacon Nancy Key

The Rev. Nancy Key, Deacon
St. James Episcopal Cathedral
Diocese of San Joaquin

Briana Parra

From:
Sent: Tuesday, October 11, 2022 7:05 PM
To: Clerk
Subject: 10/13/22 City Council Meeting Item ID 22-1210

External Email: Use caution with links and attachments

Dear City Council Members:

I oppose the amendment changing the Southwest Fresno Specific Plan that would alter the current land use designation from mixed use to light industrial. I support the community vision of mixed use zoning in pursuit of a healthier community and environment

Studies show that the confluence of segregation, concentrated poverty and community disinvestment correlate with gun violence. The rezoning from mixed use to light industrial of the Fresno Southwest Specific Plan is a clear act of community disinvestment in an area suffering from a long history of disinvestment and destabilization. As a member of the Enough Gun Violence Committee, I oppose this rezoning.

Jovita Harrah,
Member of the Enough Gun Violence Committie

Briana Parra

From: Sharon Bell Stevens
Sent: Tuesday, October 11, 2022 7:10 PM
To: Clerk
Subject: 10/13/2022; City Council Meeting Item ID 22-1210.

External Email: Use caution with links and attachments

I oppose the amendment changing the Southwest Fresno Specific Plan that would alter the current land use designation from mixed use to light industrial. I support the community vision of mixed use zoning in pursuit of a healthier community and environment

Studies show that segregation, concentrated poverty and community disinvestment correlate with gun violence. The rezoning from mixed use to light industrial of the Fresno Southwest Specific Plan is a clear act of community disinvestment in an area suffering from a long history of disinvestment and destabilization. As a member of the Enough Gun Violence Committee and the Unitarian Universalist Church of Fresno's Social Justice team I oppose this rezoning.

Sharon Bell Stevens

Briana Parra

From: Cheyenne J. Jenvey
Sent: Tuesday, October 11, 2022 7:15 PM
To: Clerk
Cc: Cheyenne J.; Sharon Bell Stevens
Subject: 10/13/2022; City Council Meeting Item ID 22-1210.

External Email: Use caution with links and attachments

I oppose the amendment changing the Southwest Fresno Specific Plan that would alter the current land use designation from mixed use to light industrial. I support the community vision of mixed use zoning in pursuit of a healthier community and environment

Studies show that the confluence of segregation, concentrated poverty and community disinvestment correlate with gun violence. The rezoning from mixed use to light industrial of the Fresno Southwest Specific Plan is a clear act of community disinvestment in an area suffering from a long history of disinvestment and destabilization. As a member of the Enough Gun Violence Committee, I oppose this rezoning.

Livevertically,
Cheyenne Jenvey
Unitarian Universalist Church of Fresno
Industrial Areas Foundation Team

--
~Live Vertically~
Cheyenne Jenvey

Briana Parra

From: Sharon Bell Stevens <sharonbellstevens@gmail.com>
Sent: Tuesday, October 11, 2022 7:44 PM
To: Cheyenne J.
Cc: Clerk
Subject: Re: 10/13/2022; City Council Meeting Item ID 22-1210.

External Email: Use caution with links and attachments

Thank you!

On Tue, Oct 11, 2022 at 7:15 PM Cheyenne J. <chej@live.com> wrote:

I oppose the amendment changing the Southwest Fresno Specific Plan that would alter the current land use designation from mixed use to light industrial. I support the community vision of mixed use zoning in pursuit of a healthier community and environment

Studies show that the confluence of segregation, concentrated poverty and community disinvestment correlate with gun violence. The rezoning from mixed use to light industrial of the Fresno Southwest Specific Plan is a clear act of community disinvestment in an area suffering from a long history of disinvestment and destabilization. As a member of the Enough Gun Violence Committee, I oppose this rezoning.

Livewertically,
Cheyenne Jenvey
Unitarian Universalist Church of Fresno
Industrial Areas Foundation Team

***~Live Vertically~
Cheyenne Jenvey***

Briana Parra

From: STEPHEN SACKS
Sent: Tuesday, October 11, 2022 7:50 PM
To: Clerk
Subject: 10/13/2022; City Council Meeting Item ID 22-1210.

External Email: Use caution with links and attachments

I am opposed to the rezoning. If you are planning to have a significant impact in a certain part of the city, the people who are being impacted should have a say. There is a reason that Councilmember Arias is against this because he represents that area and he knows that the community in his area is against this rezoning.

This is really a justice issue. This would not happen in northwest Fresno because the people in this area would not want it. So we should respect the wishes of the people of southwest Fresno and defeat this rezoning proposal.

Stephen Sacks

Fresno 93704

Briana Parra

From: STEPHEN SACKS
Sent: Tuesday, October 11, 2022 7:50 PM
To: Clerk
Subject: 10/13/2022; City Council Meeting Item ID 22-1210.

Follow Up Flag: Follow up
Flag Status: Flagged

External Email: Use caution with links and attachments

I am opposed to the rezoning. If you are planning to have a significant impact in a certain part of the city, the people who are being impacted should have a say. There is a reason that Councilmember Arias is against this because he represents that area and he knows that the community in his area is against this rezoning.

This is really a justice issue. This would not happen in northwest Fresno because the people in this area would not want it. So we should respect the wishes of the people of southwest Fresno and defeat this rezoning proposal.

Stephen Sacks

Briana Parra

From: Dave Stevens
Sent: Tuesday, October 11, 2022 8:17 PM
To: Clerk
Subject: 10/13/2022; City Council Meeting Item ID 22-1210.

External Email: Use caution with links and attachments

I oppose the amendment changing the Southwest Fresno Specific Plan that would alter the current land use designation from mixed use to light industrial. I support the community vision of mixed use zoning in pursuit of a healthier community and environment

Studies show that the confluence of segregation, concentrated poverty and community disinvestment correlate with gun violence. The rezoning from mixed use to light industrial of the Fresno Southwest Specific Plan is a clear act of community disinvestment in an area suffering from a long history of disinvestment and destabilization. As a member of the Enough Gun Violence Working Group and a member of the Unitarian Universalist Social Justice Team, I oppose this rezoning.

David C. Stevens

Briana Parra

From: Devin Carroll
Sent: Tuesday, October 11, 2022 9:08 PM
To: Clerk
Subject: 10/13/2022; City Council Meeting Item ID 22-1210

External Email: Use caution with links and attachments

Although I live in North Fresno, I am very concerned about the problems in West Fresno that stem from historical segregation. These problems include poverty, environmental pollution, gun violence, and lack of public projects.

The last thing this area needs is more industrial development that will bring more pollution and traffic congestion. Try rezoning other areas, such as my neighborhood in North Fresno.

I oppose the amendment changing the Southwest Fresno Specific Plan that would alter the current land use designation from mixed use to light industrial. I support the community vision of mixed use zoning in pursuit of a healthier community and environment

Thank you,

Devin Carroll

Briana Parra

From: Tess Johnson
Sent: Tuesday, October 11, 2022 9:18 PM
To: Clerk
Subject: 10/13/2022; City Council Meeting Item ID 22-1210.

External Email: Use caution with links and attachments

Hello, Council Members!

Thank you for all that you do to serve our community.

I wanted to let you know that I oppose the amendment changing the Southwest Fresno Specific Plan that would alter the current land use designation from mixed use to light industrial. I support the community vision of mixed use zoning in pursuit of a healthier community and environment.

Studies show that the confluence of segregation, concentrated poverty and community disinvestment correlate with gun violence. The rezoning from mixed use to light industrial of the Fresno Southwest Specific Plan is a clear act of community disinvestment in an area suffering from a long history of disinvestment and destabilization. As a member of the Enough Gun Violence Committee, I oppose this rezoning.

Thank you for considering my thoughts on this matter!

Sincerely,
Tess Johnson, RN, IBCLC

Briana Parra

From: Dan, Ada, Thomas, Teresa
Sent: Tuesday, October 11, 2022 10:23 PM
To: Clerk
Subject: 10/13/2022; City Council Meeting Item ID 22-1210.

External Email: Use caution with links and attachments

I am writing to you to express my deepest concern over the consideration to change the Southwest Fresno Specific Plan that would change the oppose the amendment changing the Southwest Fresno Specific Plan that would alter the current land use designation from mixed use to light industrial.

In light of all the information we now have regarding health issues that affect those who live near industry, the poor and people of color, who are the primary residents in there area affected in this case, that the city council members would consider such a blatantly immoral and reckless change of designation.

Asa person of faith, I urge you to consider the consequences this change will have upon the children that will have to live with your decision, and vote AGAINST the change of land use designation from mixed use to light industrial.

Thank you for your consideration.

Respectfully,
Ada Jimenez

Briana Parra

From: Dan, Ada, Thomas, Teresa
Sent: Tuesday, October 11, 2022 10:48 PM
To: Clerk
Subject: 10/13/2022; City Council Meeting Item ID 22-1210.

External Email: Use caution with links and attachments

Greetings Fresno City Council Members,

I am trying to do my part to address several issues in Fresno including poverty, environmental justice, equity, and gun violence.

I oppose the amendment changing the Southwest Fresno Specific Plan that would alter the current land use designation from mixed use to light industrial. I support the community vision of mixed use zoning in pursuit of a healthier community and environment. Changing this to light industrial will increase the negative impact of pollution and loss of community in this area of Fresno.

Studies show that the confluence of segregation, concentrated poverty and community disinvestment correlate with gun violence. The rezoning from mixed use to light industrial of the Fresno Southwest Specific Plan is a clear act of community disinvestment in an area suffering from a long history of disinvestment and destabilization. As a member of the Enough Gun Violence Committee, I oppose this rezoning.

Please seriously consider an alternative location for expanse of Fresno's industries that will not burden our western and southern communities that bear the negative consequences of these industries now.

Dan Nickerson
Tower District Resident

Briana Parra

From:
Sent: Wednesday, October 12, 2022 8:28 AM
To: Clerk
Subject: 10/13/2022; City Council Meeting Item ID22-1210

External Email: Use caution with links and attachments

I oppose the amendment changing the Southwest Fresno Specific Plan that would alter the current land use designation from mixed use to light industrial. I support the community vision of mixed use zoning in pursuit of a healthier community and environment.

As a member of the Enough Gun Violence Committee, I oppose this rezoning. Southwest Fresno is an historically segregated, disinvested area of the city which suffers from perennial gun violence as well as an unhealthy climate and environment. This rezoning would only make it worse.

Sincerely,
Bette Blythe Francis

Sent from my iPad

Briana Parra

From: Cathryn Sousa-Wynn
Sent: Wednesday, October 12, 2022 8:39 AM
To: Clerk
Subject: Meeting Item ID22-1210 for 10/13/2022

External Email: Use caution with links and attachments

As a lifelong Fresnan and member of Enough Gun Violence Committee, I am writing to ask you to retain the mixed use zoning designation for the Southwest Fresno Specific Plan and reject the change to light industrial. Research shows a distinct correlation of increased gun violence in areas of destabilization, concentrated poverty, segregation, and disinvestment. Keeping the current mixed use zoning designation would support our community's vision for a healthier environment and vibrancy for Southwest Fresno.

Sincerely,
Cathryn Sousa-Wynn

Sent from my iPhone

Briana Parra

From: Scott
Sent: Wednesday, October 12, 2022 9:41 AM
To: Clerk
Subject: Fresno County Rezoning of Southwest

External Email: Use caution with links and attachments

I, Scott Downer, oppose the amendment changing the Southwest Fresno Specific Plan that would alter the current land use designation from mixed use to light industrial. I support the community vision of mixed use zoning in pursuit of a healthier community and environment

The confluence of segregation, concentrated poverty and community disinvestment correlate with gun violence. The rezoning from mixed use to light industrial of the Fresno Southwest Specific Plan is a clear act of community disinvestment in an area suffering from a long history of disinvestment and destabilization. As a member of the Enough Gun Violence Committee, I oppose this rezoning.

Thankyou,

Scott Downer

please consider the environment before printing this e-mail

Briana Parra

From: Suzanne Abrams
Sent: Wednesday, October 12, 2022 10:43 AM
To: Clerk
Subject: 10/13/2022; City Council Meeting Item ID 22-1210

External Email: Use caution with links and attachments

To Whom It May Concern:

I strongly urge you NOT to vote in favor of the rezoning amendment to the Southwest Fresno Specific Plan. The amendment would change the current land use designation of Southwest Fresno from mixed use to light industrial--a change that is bound to bring more disinvestment to a part of our city that already has a long history of disinvestment and destabilization and that already suffers from related segregation, poverty, and gun violence.

Instead, please do the reasonable and right thing: Support and retain mixed-use zoning for the present and future benefit of the people of Southwest Fresno and their threatened environment.

Sincerely,
Suzanne Abrams

Briana Parra

From: Karen Polnitz
Sent: Wednesday, October 12, 2022 10:44 AM
To: Clerk
Subject: 10/13/2022; City Council Meeting Item ID 22-1210

External Email: Use caution with links and attachments

Dear City Council,

As a former teacher in Southwest Fresno and a Fresno resident who cares deeply about lifting up our communities, I oppose the amendment changing the Southwest Fresno Specific Plan that would alter the current land use designation from mixed use to light industrial. I support the community vision of mixed use zoning in pursuit of a healthier community and environment

Studies show that the confluence of segregation, concentrated poverty and community disinvestment correlate with gun violence. The rezoning from mixed use to light industrial of the Fresno Southwest Specific Plan is a clear act of community disinvestment in an area suffering from a long history of disinvestment and destabilization. As a member of the Enough Gun Violence Committee, I oppose this rezoning.

Southwest Fresno residents have strong plans for their neighborhood that should be respected and uplifted. The children in those communities deserve better than more pollution, noise, and hazards. Please oppose this rezoning in honor of their wellness and futures.

Joy and peace,

Karen Urrutia Polnitz

(she/her/hers)

Director of Lifelong Learning

Unitarian Universalist Church of Fresno

93720

"Because you are alive, everything is possible."

-Thich Nhat Hanh

Briana Parra

From: Jim Grant <jimgrantbc@gmail.com>
Sent: Wednesday, October 12, 2022 11:35 AM
To: Clerk
Subject: City Council Meeting Item ID 22 1210

External Email: Use caution with links and attachments

Dear City Council,

I second everything that Mary Curry, Dr. Venise Curry, Debbie Darden, Pastor B.T. Lewis II and Robert "Bob" Mitchell have already shared in their opposition to the passing of the application and Councilman Arias' proposal.

I totally support the Concerned Citizens of Southwest Fresno and hope to learn that the Fresno City Council will vote along with them in standing with the Southwest Specific Plan as adopted in 2017.

Thank you very much,

Jim Grant
4098 West Harvard Avenue
Fresno, CA 93722
(559) 708-3530

Briana Parra

From: Madeline Howard <mhoward@wclp.org>
Sent: Wednesday, October 12, 2022 11:48 AM
To: Clerk
Subject: Automatic reply: Comment letter for City Council Meeting October 13, 2022

External Email: Use caution with links and attachments

Thank you for your message. Please note that Western Center does not assist individual clients seeking legal advice or representation. If you are a tenant seeking legal assistance, please contact the local legal services program in your area through <https://lawhelpca.org>.

If you are an attorney with a nonprofit legal services program seeking technical assistance with a housing issue, please contact housing@wclp.org.

Please note that I do not accept ex parte notice via email.

Thank you.

Briana Parra

From: Natalie Delgado
Sent: Wednesday, October 12, 2022 11:56 AM
To: Clerk
Cc: Ivanka Saunders; Phoebe Seaton; Veronica Garibay
Subject: LCJA Comment Letter: Plan Amendment and Rezone for Southwest Fresno Specific Plan, Project No. P20-01665, Council Meeting 10/13/22, Item ID 22-1210
Attachments: 10.12.2022 LCJA Comment Letter for Plan Rezone Application P20-01665.pdf

External Email: Use caution with links and attachments

Dear Fresno City Council,

Leadership Counsel for Justice and Accountability would like to submit a comment letter based on the Plan Amendment and Rezone Application for the Southwest Fresno Specific Plan, Project No. P20-01665, Council Meeting 10/13/22, Item ID 22-1210.

This letter respectfully urges that Fresno City Council deny the adoption of Plan Amendment Application No. P20-01665, Rezone Application No. P20-01665. Please read the letter in its entirety and consider these comments for the Thursday, October 13th Council Meeting and subsequent meetings.

Please contact me if you have any clarifying questions.

Best regards,
Natalie Delgado

Natalie Delgado (she/her)
Fresno City Policy Advocate
Leadership Counsel for Justice and Accountability
2210 San Joaquin Street, Fresno, CA 93721
n.delgado@leadershipcounsel.org



[Website](#) | [Facebook](#) | [Twitter](#) | [Instagram](#)



October 12, 2022

Fresno City Council
2600 Fresno St.
Fresno, CA 93721

RE: Consideration of Plan Amendment Application No. P20-01665, Rezone Application No. P20-01665

Dear City Council,

We respectfully urge that Fresno City Council **deny the adoption of Plan Amendment Application No. P20-01665, Rezone Application No. P20-01665.**

Leadership Counsel for Justice and Accountability (LCJA) strongly opposes Fresno City Council's proposal to rezone the 92 acres of land in Southwest Fresno from Neighborhood Mixed Use to Light Industrial. This proposal deters from the critical progress made within the Southwest Fresno Specific Plan (SWFSP) and undermines its goal to reduce air pollution sources to provide a better quality of life for its residents.

1. The Rezone Application does not comply with the intent and vision of the Southwest Fresno Specific Plan (SWSFP).

Within a community, the quality of environmental conditions clearly intertwine with residents' health and well-being. Within the City of Fresno, Southwest Fresno holds the majority of industrial use; inconsequentially, this part of the City also possesses one of the highest and most environmentally at risk areas within California. Since the 1900s, Southwest Fresno has served as the target for placing heavy industrial facilities and low-cost housing at the expense of communities of color and low-income communities. Southwest Fresno continues to endure the long-term impacts of redlining and discriminatory development practices by the City who constantly select this area as a dumping ground for harmful land uses. In an effort to address these impacts of disinvestment, the SWFSP emerged. Led by a twenty one member steering committee, this plan engaged hundreds of community members over the course of two years.

Both the committee and the community emphasized the central theme of ceasing the placement of heavy and light industrial uses next to African-American, Latinx, and Hmong communities.

The City's decision to change the zoning from Neighborhood Mixed Use to Light Industrial does not conform to the vision or guiding principles of the SWFSP. The SWFSP represents a document that demands for the ongoing, equitable consideration of community members in regards to citywide development and improvements. According to SWFSP Chapter 2, Section B, Guiding Principles, "the topic of community environmental health is an overarching theme that is relevant throughout the six topics (housing, retail, parks and open space, jobs and economic development, transportation, and industrial compatibility). The purpose of these guiding principles is to provide the Plan direction on how it can best benefit the built environment of the community and promote physical, social, and mental wellness for Southwest Fresno." The decision to change the zoning will reverse the progress the City of Fresno has made in addressing historically racist development patterns and instead, continue to put the health and well-being of underrepresented communities at risk. Southwest Fresno will continue to bear the burden of multiple sources of pollution, such as air pollution, toxic sites, former landfills, and other environmental pollutants.

In regard to industrial development, the SWFSP Section B, Industrial Compatibility explicitly states to "restrict the proximity of industrial development and truck routes near residential areas" and "locate new industrial development away from Southwest Fresno residential neighborhoods." Any action to rezone will go against the wishes of Southwest community members who envision a community moving away from industry.

2. The Rezone Application cannot move forward due to an inadequate Environmental Assessment.

An addendum for this project is inappropriate because the changes of a rezone from Neighborhood Mixed-Use to Light Industrial are more than technical and minor and have consequential health, safety, air, and environmental impacts on the neighborhoods and schools near it. The addendum to the final Program Environmental Impact Report (PEIR) confirms that the San Joaquin Valley Air Pollution Control District (SJVAPCD) finds that the air quality is out of extreme nonattainment based on the Federal standards. Yet this PEIR also counter-intuitively states that no significant impact will result from rezoning an area to Light Industrial, which will by definition cause more allowable polluting factors than Neighborhood Mixed Use zoning.

The City's approval of the proposed Project—which will cause significant adverse impacts on the already overburdened neighborhoods surrounding the Project—does not comply with CEQA.

CEQA's central purpose is to inform "the public and government officials of the environmental consequences of decisions before they are made." *Laurel Heights Improvement Assn. v. Regents of University of California*, 47 Cal.3d 376, 392 (1988). The Addendum does not adequately analyze or attempt to mitigate the proposed Project's significant impacts on the environment, air, safety, and health of the surrounding community, including sensitive receptors such as the West Fresno Elementary and Middle Schools and residential homes and Senior citizens apartments across the street from the Project site. Thus, the City's approval of the proposed Project falls far short of CEQA's informational mandates.

It is inaccurate to state that this proposed addendum to the Program EIR and rezone would not result in new or substantially more severe significant effects, or that no new mitigation measures are required for the proposed project because there would be no new impacts to the current environmental issues. It is inaccurate because some of these impacts include:

- The amount of substantial light or glare will adversely increase and there will be a decrease in a true visual nighttime level of darkness in the area.
- The amount of heavy duty trucks will vibrate streets and homes to the point that the public works department cannot maintain and prevent severe pot holes and broken water main lines that run under the streets.
- The amount of heavy duty trucks and influx of employee cars will cause increased congestion and safety issues for residents.
- There will be an increase in the amount of PM2.5 and NOx air pollution due to increased heavy duty trucks and diesel emissions.
- There will be an increase in detrimental health impacts on: the students at two schools, the residents served at the health center who ride and wait for the bus along Elm Ave and the communities that are 1200 feet away.
- It fails to evaluate the cumulative impact of existing facilities and conditions of the community.

3. The Rezone Application goes against the guiding principles of the Transformative Climate Communities (TCC) grant.

The California Strategic Growth Council (SGC) prioritizes community leadership in counteracting the disproportionate impacts of air pollution and greenhouse gas emissions carried by underrepresented communities. It encourages them to create their own framework for developing healthy and resilient communities by identifying their own goals, strategies, and projects. Southwest Fresno ranks in the top 1% of city census tracts of the most environmentally

and socio-economically burdened areas of the state according to CalEnviroScreen¹, a statewide tool evaluating socio-economic, public health, and pollution burden.

In January 2018, SGC awarded the city of Fresno a Transformative Climate Communities Grant (TCC) grant to further support this vision in reaching air pollution reduction goals presented in the Transform Fresno Project area. However, the proposal to rezone the 92 acres of land in Southwest Fresno completely contradicts the purpose of the TCC grant. Switching from Neighborhood Mixed Use to Light Industry will enable higher pollution industries to stay within the area, alongside sensitive populations.

Instead of prioritizing environmental justice and community well-being, the City continues to focus on its economic goals by way of industrial growth and ignores the pollution that these projects bring in. The argument of creating more jobs through industrial growth as the only solution is not and has not been the answer for improving the Southwest Fresno community. Jobs without living wages and benefits, upward mobility opportunities, community benefits agreements, and without proven mitigation measures, will only continue to increase the equity gaps and environmental injustices in communities of color.

4. The Rezone Application does not comply with the intent and goals of AB617: Community Air Protection Program

While the city and the developers want to only focus on economic development through the lens of distribution facilities, the community and the state have proactively tried to improve Southwest Fresno who has suffered long-standing environmental injustices. Southwest Fresno has been selected for and has received tens of millions of dollars in funding not only from the aforementioned Transformative Climate Communities (TCC) grant, but also the AB 617 Community Air Protection Program (AB 617) grant. The State of California has emphasized protecting local communities from the harmful effects of air pollution through the passage of Assembly Bill 617 (AB 617) (Garcia, Chapter 136, Statutes of 2017.¹¹ AB 617 requires new community-focused action to reduce air pollution and improve public health in communities that face high levels of pollution burden. For over 2 years, the Community Steering Committee has been working to implement a community-driven emission reduction plan and air monitoring plan for this area. Approving the proposed agenda item, would be completely counter to state law working proactively to combat the current status of this community.

The proposal to rezone is inconsistent with CEQA because it fails to consider future air quality impacts from changes in zoning and development. It deeply misaligns with the State of

¹ <https://oehha.ca.gov/calenviroscreen/maps-data>

California. If the city of Fresno approves this proposal, it will face risks due to tension with AB617.

5. The Rezone Application violates AB 686 to Affirmatively Further Fair Housing.

The California Legislature passed AB 686 to enshrine the Affirm Furthering Fair Housing (AFFH) duty within state law. The duty falls within jurisdictions' ongoing obligations to plan for housing and community development through the Housing Element process. (See generally Gov't Code §§ 65583, 65583.2.) The law specifically defines AFFH to require meaningful actions that "overcome patterns of segregation and foster inclusive communities free from barriers that restrict access to opportunity" for groups protected by California law, including racial minorities, people with disabilities, and military veterans. It goes on to require that jurisdictions administer their programs in ways that affirmatively further fair housing and it prohibits jurisdictions from taking actions that are "materially inconsistent" with their obligations to affirmatively further fair housing.

The law also provides specific elements of the analysis to guide jurisdictions in their examinations, including analysis of governmental constraints on development and analysis of access for those with special housing needs, such as seniors. This includes the responsibility to create healthy communities and halt and relieve land-use actions and decisions that place light industry next to sensitive receptors such as the medical clinic, the senior apartments, the future affordable single family homes and two schools. Approving the proposed Rezone Application and Plan Amendment would be in direct violation of this law intended for circumstances such as these that perpetuate discriminatory land-use patterns. Such violations leave the City open to legal challenges for noncompliance in affirmatively furthering fair housing.

Also, the City of Fresno fails to comply with SB330. The recent creation of the Mixed Use Text Amendment to increase housing capacity along transportation corridors within the city limits falls short of finding true housing unit capacity for the more than 1400 units that will be lost if this land use changes from Neighborhood Mixed use to Light Industrial.

Fresno City Council must not adopt the proposed changes for rezoning the 92 acres of land in Southwest Fresno. Doing so would completely disregard the community-driven planning process that residents have led within the Southwest Fresno Specific Plan and would continue to exploit a community that has been historically disinvested and overlooked. For any questions or concerns, please do not hesitate to contact me via my email below.

Sincerely,

Natalie Delgado
Leadership Counsel for Justice and Accountability

Briana Parra

From: Christina Duran <minerals58@gmail.com>
Sent: Wednesday, October 12, 2022 12:59 PM
To: Clerk
Subject: 10/13/2022; City Council Meeting Item ID 22-1210.

External Email: Use caution with links and attachments

I oppose the amendment changing the Southwest Fresno Specific Plan that would alter the current land use designation from mixed use to light industrial. I support the community vision of mixed use zoning in pursuit of a healthier community and environment

Studies show that the confluence of segregation, concentrated poverty and community disinvestment correlate with gun violence. The rezoning from mixed use to light industrial of the Fresno Southwest Specific Plan is a clear act of community disinvestment in an area suffering from a long history of disinvestment and destabilization. As a member of the Enough Gun Violence Committee, I oppose this rezoning.
Sent from my iPhone