

Attachment A
Environmental Assessment

**CITY OF FRESNO
EXEMPTION
ENVIRONMENTAL ASSESSMENT NO. 19-01036**

APPLICANT: City of Fresno
Planning and Development Department Director
Jennifer K. Clark
2600 Fresno Street
Fresno, CA 93721

PROJECT LOCATION: Citywide

PROJECT DESCRIPTION: The applicant proposes to adopt a resolution finding consistency between the City of Fresno's Land Use Plans and Regulations and the December 2018 Fresno County Airport Land Use Compatibility Plan, and adopt an Ordinance amending sections 15-104-B-4; 15-5206; 15-5306; 15-5506-D; 15-5811-A; 15-5905-A; 15-6006-A; and 15-6104-B of Chapter 15 of the Fresno Municipal Code (FMC), which gives the December 2018 Fresno County Airport Land Use Compatibility Plan priority over all other local land use plans and regulations in the event of a conflict.

This project is exempt under Section 15061 (b) (3) of the California Environmental Quality Act (CEQA) Guidelines.

EXPLANATION:

The State Guidelines for the implementation of the California Environmental Quality Act provide for the exemption of projects which will have no potential for causing a significant effect on the environment. More specifically, Section 15061 (b) (3) of the CEQA Guidelines states: "...CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA."

In December of 2018 the Fresno County Airport Land Use Commission (ALUC) adopted a new Fresno County Airport Land Use Plan (ALUCP). The new plan, which aggressively expands the scope and scale of airport land use planning, requires local agencies to demonstrate consistency between that plan and their local land use plans and regulations, or to overrule the ALUCP. DARM staff is proposing to achieve consistency by amending the Development Code (Chapter 15 of the Fresno Municipal Code). Specifically, the City proposes a Text Amendment which more clearly establishes that the ALUCP is the primary plan of record, and which adds a new requirement for a finding of consistency with the ALUCP for all discretionary entitlements (such as Development Permits and Conditional Use Permits).

The City of Fresno has determined that a Finding of No Possibility that the project will have impacts on the environment pursuant to Section 15061(b)(3) of the CEQA Guidelines is appropriate for the proposed text amendment. Because this approval restates required compliance with the Airport Land Use Compatibility Plan, which is already required by state law and which is already given deference under the FMC, it can be seen with certainty that there is no possibility that amending the Development Code (zoning ordinance) to formalize this compliance will have a significant effect on the environment. Therefore, pursuant to CEQA Guidelines Section 15061(b)(3), no further review pursuant to CEQA is required at this time.

Date July 22, 2019

Prepared By: Sophia Pagoulatos, Planning Manager

Submitted By:



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