

<p align="center"><b>CITY OF FRESNO</b></p> <p align="center"><b>NOTICE OF INTENT TO ADOPT A FINDING OF CONFORMITY</b></p>	<p>Filed with:</p> <p align="center">FRESNO COUNTY CLERK 2221 Kern Street, Fresno, CA 93721</p>
<p align="center"><b>PROJECT TITLE &amp; ENVIRONMENTAL ASSESSMENT</b></p> <p align="center">EA No. A-16-001 for Plan Amendment Application No. A-16-001, Housing Element Update</p>	<p align="center"><b>FILED</b></p> <p align="center">JAN 29 2016 TIME 3:15 PM</p>
<p><b>APPLICANT:</b> City of Fresno 2600 Fresno Street Fresno, CA 93721</p>	<p align="center">FRESNO COUNTY CLERK By <i>Battany</i> DEPUTY</p>
<p><b>PROJECT LOCATION:</b> Property within and adjacent to the Fresno sphere of influence.</p>	
<p><b>PROJECT DESCRIPTION</b></p> <p><b>Plan Amendment Application No. A-16-001</b> proposes to amend the text of Chapter 11 of the Fresno General Plan, the Housing Element Consistency Chapter, with an updated Housing Element that would be valid until 2023. The Housing Element is the City's policy document for meeting its housing needs, including housing affordable to low- and moderate-income families and special needs groups. The Housing Element itself does not propose construction of housing at specific locations, but rather is a planning document to accomplish housing goals at a programmatic level. More information about the Housing Element and the Housing Element Public Draft is available on line at <a href="http://www.fresno.gov/housingelement">www.fresno.gov/housingelement</a>. Plan Amendment A-16-001 also includes an amendment to the text of Fresno General Plan Chapter 3, Urban Form, Land Use, and Design, to incorporate an analysis of Disadvantaged Unincorporated Communities within or adjacent to the Fresno Sphere of Influence. Plan Amendment A-16-001 would amend the text of the Fresno General Plan only; no land use designations are proposed to be changed.</p>	
<p>Additional information on the proposed project, including the proposed environmental Finding of Conformity, initial study and all documents and technical studies referenced in the initial study, as well as electronic copies of documents, may be obtained from the Development and Resource Management Department, Fresno City Hall, 2600 Fresno Street, Third Floor-North, Room 3076, Fresno, California 93721-3604. Please contact Sophia Pagoulatos at (559) 621-8062 for more information.</p> <p>ANY INTERESTED PERSON may comment on the proposed environmental finding. Comments must be in writing and must state (1) the commentor's name and address; (2) the commentor's interest in, or relationship to, the project; (3) the environmental determination being commented upon; and (4) the specific reason(s) why the proposed environmental determination should or should</p>	

not be made. Comments may be submitted at any time between the publication date of this notice and close of business on February 29, 2016. Please direct all comments to Sophia Pagoulatos, City of Fresno Development and Resource Management Department, City Hall, 2600 Fresno Street, Third Floor-North, Room 3076, Fresno, California, 93721-3604; or by email, [Sophia.Pagoulatos@fresno.gov](mailto:Sophia.Pagoulatos@fresno.gov); or by facsimile, (559) 498 1026. Para información en español, comuníquese con Sophia Pagoulatos al teléfono (559) 621-8062.

INITIAL STUDY PREPARED BY:  
Sophia Pagoulatos  
Planning Manager

SUBMITTED BY:



Sophia Pagoulatos, Planning Manager  
CITY OF FRESNO DEVELOPMENT &  
RESOURCE MANAGEMENT DEPT

DATE: January 29, 2016



the Fresno General Plan, the Housing Element Consistency Chapter, with an updated Housing Element that would be valid until 2023. The Housing Element is the City's policy document for meeting its housing needs, including housing affordable to low- and moderate-income households and special needs groups. Plan Amendment A-16-001 also includes amendments to the text of Fresno General Plan Chapter 3, Urban Form, Land Use, and Design, to incorporate an analysis of Disadvantaged Unincorporated Communities within or adjacent to the Sphere of Influence and minor amendments to Chapter 9, the Noise and Safety Element, to comply with Government Code requirements related to the Housing Element. The Plan Amendment is described more fully below:

### **Amendment to Chapter 11 of the General Plan: Housing Element**

The Housing Element, incorporated here in its entirety by reference, is a program document and does not include any changes to land use or zoning, nor does it approve any construction. The description of the element is as follows:

1. Chapter 1 – Introduction
2. Chapter 2 – Housing Needs, Population, Household Unit Characteristics, and Regional Housing Needs Evaluation
3. Chapter 3 – Land for Housing
4. Chapter 4 – Constraints to Housing Production
5. Chapter 5 – 2008-2013 Program Accomplishments
6. Chapter 6 – Housing Plan

It is Chapter 6 – Housing Plan includes the Goals, Objectives and Programs and commits the city to program actions. An explanation is included in *italics* under each Objective explaining how the group of programs fall within the scope of the General Plan MEIR.

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**Objective H-1: Provide adequate sites for housing development to accommodate a range of housing by type, size, location, price, and tenure.**

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#### **Program 1 – Adequate Sites**

*This program requires the city to maintain an inventory of sites with sufficient capacity to accommodate Fresno's fair share of residential growth through the year 2023. The inventory only includes sites that are already planned and zoned for such use. The program would require monitoring sites and maintaining capacity. If at some future date additional residential capacity would need to be identified, additional environmental analysis will occur. Because no changes to the city's development capacity, growth projections or land use would occur as a result of these programs, they fall within the scope of the MEIR.*

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**Objective H-2: Assist in the development of adequate housing to meet the needs of extremely low-, very low-, low- and moderate-income households.**

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- Program 2 – Density Bonus Programs**
- Program 3 – Housing Funding Sources**
- Program 4 – Strengthening Partnerships with Affordable Housing Developers**
- Program 5 – Special Needs Housing**
- Program 6 – Home Buyer Assistance**
- Program 7 – Homeless Assistance**

*This group of programs calls for the city to direct both its staff and financial resources to support the development of housing affordable to special needs and low income households. Because no changes to the city's development capacity, growth projections or land use would occur as a result of these programs, they fall within the scope of the MEIR.*

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**Objective H-3 Address, and where possible, remove any potential governmental constraints to housing production and affordability.**

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- Program 8 – Fresno Green**
- Program 9 – Expedited Processing/Business Friendly Fresno**
- Program 10 – Development Incentives**
- Program 11 – Agricultural Employees (Farmworker) Housing**
- Program 12 – Infrastructure Priority Program**
- Program 13 – Water and Sewer Service Providers**

*This group of programs seeks to support housing production by removing governmental constraints to the development of housing. Because no changes to the city's development capacity, growth projections or land use would occur as a result of these programs, they fall within the scope of the MEIR. Any future changes made to the city's Development Code or adoption of Downtown Plans and zoning would require separate environmental review.*

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**Objective H-4: Conserve and improve the condition of Fresno's existing housing stock.**

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- Program 14 – Comprehensive Code Enforcement**
- Program 15 – Neighborhood Infrastructure**
- Program 16 – Housing Rehabilitation**
- Program 17 – Franchise Tax Board Building Code Program**
- Program 18 – At-Risk Housing**
- Program 19 – Enhanced Police Service to High Crime Neighborhoods**

*This group of programs seeks to direct various financial and staff resources to the conservation of the city's existing housing stock. Because no changes to the city's development capacity, growth projections or land use would occur as a result of these programs, they fall within the scope of the MEIR.*

**Objective H-5: Continue to promote equal housing opportunity in the City's housing market regardless of age, disability/medical condition, race, sex, marital status, ethnic background, source of income, and other factors.**

**Program 20 – Fair Housing Services  
Program 21 – Relocation Services**

*These programs promote equal housing opportunity in the city by contracting with Fair Housing Council of Central California and by providing relocation assistance to qualifying tenants in certain situation. Because no changes to the city's development capacity, growth projections or land use would occur as a result of these programs, they fall within the scope of the MEIR.*

**Amendment to Chapter 3 of the General Plan: Urban Form, Land Use and Design**

California Senate Bill 244 (Wolk, 2011; SB 244) requires local municipalities to identify Disadvantaged Unincorporated Communities (DUCs) within or adjacent to their Sphere of Influence (SOI), analyze the infrastructure needs of the DUCs (including water, wastewater, stormwater drainage, and structural fire protection), and evaluate potential funding mechanisms to make service extension feasible.

Disadvantaged Unincorporated Communities are defined as settled places not within city limits where the median household income is 80 percent or less than the statewide median household income.

Under the policy set forth by the Fresno Local Agency Formation Commission (LAFCO), a DUC must also have at least 15 residences with a density of one unit per acre or greater.

In 2015, Fresno LAFCO identified a total of 20 DUCs that are located within or adjacent to the City of Fresno SOI and which meet the full definition of a DUC (See Exhibit C).

The proposed plan amendment would be inserted at the end of Chapter 3 as Section 3.7 Disadvantaged Unincorporated Communities. The amendment does not include any policy actions at this time; just infrastructure analysis and potential funding sources. For the full text see Exhibit D.

*Because this amendment includes analysis, but no policy action, and because it does not change the city's development capacity, growth projections or land use, it falls within the*

scope of the MEIR.

**Amendment to Chapter 9 of the General Plan: Noise and Safety**

Section 9.4 Storm Drainage and Flood Control is proposed to be amended to reference the city’s recently adopted floodplain ordinance.

*Because this amendment includes a cross reference to an existing, adopted city ordinance (Ordinance 2014-15), but no policy action, and because it does not change the city’s development capacity, growth projections or land use, it falls within the scope of the MEIR.*

- 9. City departments and other public agencies whose approval is required:

Development and Resource Management Department, California Department of Housing and Community Development

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:**

Pursuant to Public Resources Code Section 21157.1(b) and CEQA Guidelines 15177(b)(2), the purpose of this MEIR initial study is to analyze whether the subsequent project was described in the Master Environmental Impact Report SCH No. 2012111015 and whether the subsequent project may cause any additional significant effect on the environment, which was not previously examined in (MEIR) SCH No. 2012111015 (“MEIR”) adopted for the updated Fresno General Plan.

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

_____ Aesthetics	_____ Agriculture and Forestry Resources	_____ Air Quality
_____ Biological Resources	_____ Cultural Resources	_____ Geology /Soils
_____ Greenhouse Gas Emissions	_____ Hazards & Hazardous Materials	_____ Hydrology / Water Quality
_____ Land Use / Planning	_____ Mineral Resources	_____ Noise
_____ Population / Housing	_____ Public Services	_____ Recreation
_____ Transportation/Traffic	_____ Utilities / Service	_____ Mandatory Findings of Significance

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- I find that the proposed project is a subsequent project identified in the MEIR and that it is fully within the scope of the MEIR because it would have no additional significant effects that were not examined in the MEIR such that no new additional mitigation measures or alternatives may be required. All applicable mitigation measures contained in the MEIR Mitigation Monitoring Checklist shall be imposed upon the proposed project. A FINDING OF CONFORMITY will be prepared.
  
- I find that the proposed project is a subsequent project identified in the MEIR but that it is not fully within the scope of the MEIR because the proposed project could have a significant effect on the environment that was not examined in the MEIR . However, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. The project specific mitigation measures and all applicable mitigation measures contained in the MEIR Mitigation Monitoring Checklist will be imposed upon the proposed project. A MITIGATED NEGATIVE DECLARATION will be prepared.
  
- I find that the proposed project is a subsequent project identified in the MEIR but that it MAY have a significant effect on the environment that was not examined in the MEIR, and an ENVIRONMENTAL IMPACT REPORT is required to analyze the potentially significant effects not examined in the MEIR pursuant to Public Resources Code Section 21157.1(d) and CEQA Guidelines 15178(a).

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Signature

January 29, 2016  
Date

EVALUATION OF ADDITIONAL ENVIRONMENTAL IMPACTS NOT ASSESSED IN THE MEIR :

1. For purposes of this MEIR Initial Study, the following answers have the corresponding meanings:
  - a. "No Impact" means the subsequent project will not cause any additional significant effect related to the threshold under consideration which was not previously examined in the MEIR .



- b. "Less Than Significant Impact" means there is an impact related to the threshold under consideration that was not previously examined in the MEIR , but that impact is less than significant;
  - c. "Less Than Significant with Mitigation Incorporation" means there is a potentially significant impact related to the threshold under consideration that was not previously examined in the MEIR , however, with the mitigation incorporated into the project, the impact is less than significant.
  - d. "Potentially Significant Impact" means there is an additional potentially significant effect related to the threshold under consideration that was not previously examined in the MEIR .
2. A brief explanation is required for all answers except "No Impact" answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A "No Impact" answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A "No Impact" answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
  3. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
  4. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. "Potentially Significant Impact" is appropriate if there is substantial evidence that an effect may be significant. If there are one or more "Potentially Significant Impact" entries when the determination is made, an EIR is required.
  5. A "Finding of Conformity" is a determination based on an initial study that the proposed project is a subsequent project identified in the MEIR and that it is fully within the scope of the MEIR and Air Quality MND because it would have no additional significant effects that were not examined in the MEIR or the Air Quality MND.
  6. "Negative Declaration: Less Than Significant With Mitigation Incorporated" applies where the incorporation of mitigation measures has reduced an effect from "Potentially Significant Impact" to a "Less Than Significant Impact." The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level (mitigation measures from Section XVII, "Earlier Analyses," may be cross-referenced).
  7. Earlier analyses may be used where, pursuant to the tiering, program EIR or MIER, or

other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:

- a. Earlier Analysis Used. Identify and state where they are available for review.
  - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in the MEIR or another earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
  - c. Mitigation Measures. For effects that are "Less than Significant with Mitigation Measures Incorporated," describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
8. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
9. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
10. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.
11. The explanation of each issue should identify:
- a. The significance criteria or threshold, if any, used to evaluate each question; and
  - b. The mitigation measure identified, if any, to reduce the impact to less than significance

<b>ENVIRONMENTAL ISSUES</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>I. AESTHETICS</b> -- Would the project:				
a) Have a substantial adverse effect on a scenic vista?				X

<b>ENVIRONMENTAL ISSUES</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?				X
c) Substantially degrade the existing visual character or quality of the site and its surroundings?				X
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?				X

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<b>ENVIRONMENTAL ISSUES</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>II. AGRICULTURE AND FORESTRY RESOURCES:</b> In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. -- Would the project:				

<b>ENVIRONMENTAL ISSUES</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				X
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				X
d) Result in the loss of forest land or conversion of forest land to non-forest use?				X
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?				X

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<b>ENVIRONMENTAL ISSUES</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<p><b>III. AIR QUALITY AND GLOBAL CLIMATE CHANGE</b> - (Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.) -</p> <p>-</p> <p>Would the project:</p>				
<p>a) Conflict with or obstruct implementation of the applicable air quality plan (e.g., by having potential emissions of regulated criterion pollutants which exceed the San Joaquin Valley Air Pollution Control Districts (SJVAPCD) adopted thresholds for these pollutants)?</p>				X
<p>b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?</p>				X
<p>c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?</p>				X
<p>d) Expose sensitive receptors to substantial pollutant concentrations?</p>				X
<p>e) Create objectionable odors affecting a substantial number of people?</p>				X

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<b>ENVIRONMENTAL ISSUES</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
IV. <b>BIOLOGICAL RESOURCES</b> -- Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?				X
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?				X
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				X

<b>ENVIRONMENTAL ISSUES</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?				X
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?				X

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<b>ENVIRONMENTAL ISSUES</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>V. CULTURAL RESOURCES --</b> Would the project:				

<b>ENVIRONMENTAL ISSUES</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource as defined in '15064.5?				X
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to '15064.5?				X
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				X
d) Disturb any human remains, including those interred outside of formal cemeteries?				X

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<b>ENVIRONMENTAL ISSUES</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>VI. GEOLOGY AND SOILS</b> -- Would the project:				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				



<b>ENVIRONMENTAL ISSUES</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.				X
ii) Strong seismic ground shaking?				X
iii) Seismic-related ground failure, including liquefaction?				X
iv) Landslides?				X
b) Result in substantial soil erosion or the loss of topsoil?				X
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?				X
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?				X
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?				X

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<b>ENVIRONMENTAL ISSUES</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>VII. GREENHOUSE GAS EMISSIONS</b> -- Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?				X
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?				X

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<b>ENVIRONMENTAL ISSUES</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>VIII. HAZARDS AND HAZARDOUS MATERIAL</b> -- Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				X

<b>ENVIRONMENTAL ISSUES</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				X
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?				X
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				X
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?				X
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?				X
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				X

<b>ENVIRONMENTAL ISSUES</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				X

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<b>ENVIRONMENTAL ISSUES</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>IX. HYDROLOGY AND WATER QUALITY</b> -- Would the project:				
a) Violate any water quality standards or waste discharge requirements?				X

<b>ENVIRONMENTAL ISSUES</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?				X
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?				X
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?				X
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?				X
f) Otherwise substantially degrade water quality?				X

<b>ENVIRONMENTAL ISSUES</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
g) Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?				X
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?				X
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?				X
j) Inundation by seiche, tsunami, or mudflow?				X

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<b>ENVIRONMENTAL ISSUES</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>X. LAND USE AND PLANNING -</b> Would the project:				
a) Physically divide an established community?				X

b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?				X
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?				X

*The proposed text amendments to Chapters 3, 9 and 11 of the General Plan are analytical and policy-related in nature, and do not change any land use designations or zoning classifications. In addition, the policies proposed in the Housing Element are consistent with the policies in the other elements of the Fresno General Plan and the recently adopted Development Code. Therefore, because no changes to the city's development capacity, growth projections or land use would occur as a result of these programs, they fall within the scope of the MEIR. No impacts related to land use and planning would occur as a result of these amendments.*

<b>ENVIRONMENTAL ISSUES</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XI. MINERAL RESOURCES --</b> Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?				X

*The proposed text amendments to Chapters 3, 9 and 11 of the General Plan are analytical and policy-related in nature, and do not change any land use designations or zoning classifications. Therefore, because no changes to the city's development capacity, growth projections or land use would occur as a result of these programs, they fall within the scope of the MEIR. No impacts related to mineral resources would occur as a result of these amendments.*

<b>ENVIRONMENTAL ISSUES</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XII. <b>NOISE</b> -- Would the project result in:				
a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?				X
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?				X
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?				X
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?				X
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				X



<b>ENVIRONMENTAL ISSUES</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				X

*The proposed text amendments to Chapters 3, 9 and 11 of the General Plan are analytical and policy-related in nature, and do not change any land use designations or zoning classifications. Therefore, because no changes to the city's development capacity, growth projections or land use would occur as a result of these programs, they fall within the scope of the MEIR. No impacts related to noise would occur as a result of these amendments.*

<b>ENVIRONMENTAL ISSUES</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XIII. POPULATION AND HOUSING -</b> - Would the project:				
a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				X
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?				X

<b>ENVIRONMENTAL ISSUES</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?				X

*The proposed text amendments to Chapters 3, 9 and 11 of the General Plan are analytical and policy-related in nature, and do not change any land use designations or zoning classifications. Therefore, because no changes to the city's development capacity, growth projections or land use would occur as a result of these programs, they fall within the scope of the MEIR. No impacts related to population and housing would occur as a result of these amendments.*

<b>ENVIRONMENTAL ISSUES</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XIV. PUBLIC SERVICES --</b>				
a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
Fire protection?				X
Police protection?				X
Drainage and flood control?				X

<b>ENVIRONMENTAL ISSUES</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
Parks?				X
Schools?				X
Other public services?				X

The proposed text amendments to Chapters 3, 9 and 11 of the General Plan are analytical and policy-related in nature, and do not change any land use designations or zoning classifications. Therefore, because no changes to the city's development capacity, growth projections or land use would occur as a result of these programs, they fall within the scope of the MEIR. No impacts related to public services would occur as a result of these amendments.

<b>ENVIRONMENTAL ISSUES</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XV. RECREATION --</b>				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				X

The proposed text amendments to Chapters 3, 9 and 11 of the General Plan are analytical and policy-related in nature, and do not change any land use designations or zoning classifications. Therefore, because no changes to the city's development capacity, growth projections or land use would occur as a result of these programs, they fall within the scope of the MEIR. No impacts related to public services would occur as a result of these amendments.

<b>ENVIRONMENTAL ISSUES</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XVI. TRANSPORTATION/TRAFFIC</b> -- Would the project:				
a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths and mass transit?				X
b) Conflict with an applicable congestion management program, including but not limited to level of service standards and travel demand measures or other standards established by the county congestion management agency for designated roads or highways?				X
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that result in substantial safety risks?				X
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				X
e) Result in inadequate emergency access?				X

<b>ENVIRONMENTAL ISSUES</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?				X

The proposed text amendments to Chapters 3, 9 and 11 of the General Plan are analytical and policy-related in nature, and do not change any land use designations or zoning classifications. Therefore, because no changes to the city's development capacity, growth projections or land use would occur as a result of these programs, they fall within the scope of the MEIR. No impacts related to transportation/traffic would occur as a result of these amendments.

<b>ENVIRONMENTAL ISSUES</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XVII. UTILITIES AND SERVICE SYSTEMS --</b> Would the project:				
a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?				X
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X
c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?				X

<b>ENVIRONMENTAL ISSUES</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?				X
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				X
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?				X
g) Comply with federal, state, and local statutes and regulations related to solid waste?				X

The proposed text amendments to Chapters 3, 9 and 11 of the General Plan are analytical and policy-related in nature, and do not change any land use designations or zoning classifications. Therefore, because no changes to the city's development capacity, growth projections or land use would occur as a result of these programs, they fall within the scope of the MEIR. No impacts related to utilities and service systems would occur as a result of these amendments.

<b>ENVIRONMENTAL ISSUES</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>XVIII. MANDATORY FINDINGS OF SIGNIFICANCE --</b>				

<b>ENVIRONMENTAL ISSUES</b>	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?				X
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?				X
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?				X

In summary, given the mitigation measures required of the proposed project and the analysis detailed in the preceding Initial Study, the proposed project:

- Does not have environmental impacts which will cause substantial adverse effects on human beings, either directly nor indirectly.
- Does not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish/wildlife or native plant species (or cause their population to drop below self-sustaining levels), does not threaten to eliminate a native plant or animal community, and does not threaten or restrict the range of a rare or endangered plant or animal.

- Does not eliminate important examples of elements of California history or prehistory.
- Does not have impacts which would be cumulatively considerable even though individually limited.

Therefore, there are no mandatory findings of significance and preparation of an Environmental Impact Report is not warranted for this project.

Exhibits:

Exhibit A: Area of Applicability Map

Exhibit B: Proposed Amendments to Chapter 11 of the General Plan: Housing Element (incorporated by reference)

Exhibit C: Proposed amendments to Chapter 3 of the General Plan

Exhibit D: MEIR Mitigation Measure Monitoring Checklist for Environmental Assessment No. A-16-001 (available upon request)



**CITY OF FRESNO**  
**ADDENDUM TO FINDING OF CONFORMITY PREPARED FOR**  
**PLAN AMENDMENT APPLICATION NO. A-16-001** *Prepared in accordance with*  
*Section 15164 of the California Environmental Quality Act (CEQA) Guidelines*

The full Finding of Conformity to the Fresno General Plan MEIR is on file in the Development and Resource Management Department,  
 Fresno City Hall, 3rd Floor  
 2600 Fresno Street  
 Fresno, California 93721  
 (559) 621-8277

**ENVIRONMENTAL ASSESSMENT NUMBER:**

A-16-001

This addendum was not circulated for public review pursuant to Section 15164(c) of the CEQA Guidelines

**APPLICANT:**

City of Fresno  
 2600 Fresno Street  
 Fresno, CA 93721

**PROJECT LOCATION:**

The proposed Plan Amendment applies to all property within the Fresno Sphere of Influence and Disadvantaged Unincorporated Communities, as depicted in Exhibit A.

**PROJECT DESCRIPTION: Minor Revisions to Plan Amendment Application No. A-16-001**

**Plan Amendment Application No. A-16-001** proposes to amend the text of Chapter 11 of the Fresno General Plan, the Housing Element Consistency Chapter, with an updated Housing Element that would be valid until 2023. The Housing Element is the City's policy document for meeting its housing needs, including housing affordable to low- and moderate-income households and special needs groups. Plan Amendment A-16-001 also includes amendments to the text of Fresno General Plan Chapter 3, Urban Form, Land Use, and Design, to incorporate an analysis of Disadvantaged Unincorporated Communities within or adjacent to the Sphere of Influence and minor amendments to Chapter 9, the Noise and Safety Element, to comply with Government Code requirements related to the Housing Element, specifically floodplain management.

Environmental Assessment No. A-16-001, a Finding of Conformity to the General Plan Master EIR, was filed with the County Clerk on January 29, 2016. That environmental assessment analyzed the Housing Element as described in the January 2016 Public Draft. Since that time, the Housing Element has been revised and a new March 2016 draft is being proposed as the plan amendment to Chapter 11 of the General Plan. In addition, newer drafts of the amendments to Chapter 3 (Land Use) and Chapter 9 (Noise and Safety) are available. Therefore, the scope of this addendum is the following, and is entitled **Minor Revisions to Plan Amendment Application No. A-16-001:**

1. The revisions to the Housing Element since the January 2016 Public Draft, as proposed in the March 2016 Public Draft (incorporated herein by reference and available on line at [www.fresno.gov/housingelement](http://www.fresno.gov/housingelement)), related to Chapter 11 of the General Plan
2. The revisions to the Disadvantaged Unincorporated Communities analysis proposed to be added to Chapter 3, the Urban Form, Land Use, and Design Element of the General Plan (see Exhibit A);
3. The revisions to Section 9.4 of the Noise and Safety Element of the General Plan, related to Storm Drainage and Flood Control (see Exhibit B).

Each of these are described below:

1. **Revisions to the Housing Element since the January 2016 Public Draft, as proposed in the March**

## **2016 Public Draft, related to Chapter 11 of the General Plan:**

Chapter 1 – Introduction was updated to include the public participation that occurred after the release of the first Housing Element Public Draft in January of 2016.

Chapter 2 – Housing Needs was updated to include new information on various city programs as well as information provided by the Disability Advisory Commission on terminology, services and needs related to individuals with disabilities.

Chapter 3 – Land for Housing was updated to include additional residential capacity in the sites inventory pursuant to Program 2.1.6A of the 2008 Housing Element and related description of the methodology. A bar graph and maps were added showing the sites by zoning classification and density and by racially/ethnically concentrated areas of poverty. In addition, the requested realistic capacity and small and large site development was discussed;

Chapter 4 – Constraints to Housing Production was revised to include clarifications about infrastructure, water and sewer capacity, on/off-site requirements and development requirements in Downtown.

Chapter 5 – Program Accomplishments was revised to include clarifications, additional information about previous program performance and program updates.

Chapter 6 – Housing Plan was revised to refine the proposed programs and add new programs. Program descriptions and timelines were updated to describe the details of the programs. Five new programs were added to this chapter, as described below:

Program 2: Residential Densities on Identified Sites – this program requires monitoring of housing capacity according to the sites identified on the Inventory.

Program 3: Annual Reporting Program: this program requires collaboration with housing advocates and organizations in the annual reporting of implementation of the Housing Element

Program 11: Downtown Development Standards: this program seeks to ensure that the proposed Downtown zoning standards will be adopted by mid-2016.

Program 12: Home Energy Tune-Up Program: this program provides energy audits to Fresno households at no cost and also provides possible funding sources to make energy retrofits.

Program 15: Large and Small Lot Development: this program requires implementation of the Voluntary Parcel Merger Fee Reduction Program by mid-2016 and a policy for encouraging large lot development by 2017.

### **2. Revisions to the Disadvantaged Unincorporated Communities analysis proposed to be added to Chapter 3, the Urban Form, Land Use, and Design Element of the General Plan**

These revisions include an infrastructure analysis of 20 island and fringe Disadvantaged Unincorporated Communities as required by Senate Bill 244. No goals, objectives or policy actions are proposed. See Exhibit A for full text.

### **3. Revisions to Section 9.4 of the Noise and Safety Element of the General Plan, related to Storm**

### **Drainage and Flood Control.**

This revision includes description that explains how the city's recently adopted Flood Plain Ordinance meets the standards imposed by California Government Code Section 65302(g)(2). No goals, objectives or policy actions are proposed. See Exhibit B for full text.

The Finding of Conformity to the General Plan MEIR filed for Plan Amendment No. A-16-001 on January 29, 2016 made the following finding:

*The proposed text amendments to Chapters 3, 9 and 11 of the General Plan are analytical and policy-related in nature, and do not change any land use designations or zoning classifications. Therefore, because no changes to the city's development capacity, growth projections or land use would occur as a result of these programs, they fall within the scope of the MEIR. No significant impacts would occur as a result of these general plan text amendments beyond those that were initially analyzed in the MEIR.*

The revisions noted above that were not analyzed in the Finding of Conformity and are now the subject of this addendum fall within the same environmental envelope as the primary project, because no changes are proposed to any land use designation or zoning classification, nor are any changes proposed that would affect the city's development capacity or growth projections. The new programs proposed in Chapter 6 are all administrative in nature with the exception of Program 11: Downtown Development Standards, and separate environmental review is being prepared to analyze that project.

Based on the environmental review contained in the Finding of Conformity to the MEIR, Minor Revisions to Plan Amendment Application No. A-16-001 as described in herein would not result in any new significant or substantial changes to the evaluation of the environmental resources within and outside of the Planning Area beyond those that were addressed in the Finding of Conformity filed on January 29, 2016.

Since the proposed project will not result in additional impacts, it may be determined that: (1) The project falls within the scope of the Finding of Conformity to the General Plan MEIR No. SCH 2012111015 prepared for Plan Amendment Application No. A-16-001; (2) No substantial changes are proposed in the project which require major revisions to the previous environmental finding due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; (3) No substantial changes will occur with respect to the circumstances under which the project is undertaken; and, (4) No new information, which was not known and could not have been known, at the time the environmental finding for the Finding of Conformity was adopted, has become available.

Therefore, the City of Fresno has determined that an addendum to Environmental Assessment No. A-16-001, a Finding of Conformity is appropriate given that none of the conditions described in Section 15162 of the CEQA Guidelines calling for preparation of a subsequent EIR have occurred; and new information added is only for the purposes of providing minor changes or additions, in accordance with Section 15164 of the CEQA Guidelines.

Section 15162 provides that when a EIR [or Finding of Conformity] has been adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

#### **FINDINGS PURSUANT TO SECTION 15162 OF THE CEQA GUIDELINES.**

- (1) *Substantial changes are proposed in the project which would require major revisions of the previous Environmental Assessment due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;*

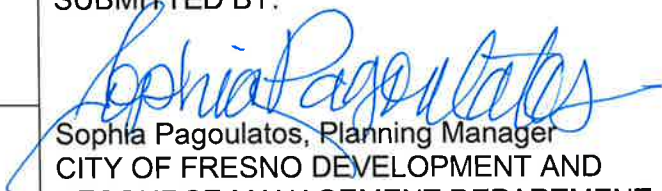
<p><b>Finding (1):</b></p>	<p>Minor Revisions to Plan Amendment Application No. A-16-001, as described herein and identified in Exhibits A and B are still within the scope of the Environmental Assessment No. A-16-001, a Finding of Conformity. No geographical boundaries or densities or intensities were altered outside of the ranges designated in the Finding of Conformity, which references Fresno General Plan and related MEIR.</p>
<p>(2) <i>Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or,</i></p>	
<p><b>Finding (2):</b></p>	<p>No substantial changes have occurred with respect to the circumstances under which the Minor Revisions to Plan Amendment Application A-16-001 is being adopted that would require major revisions to the previous Finding of Conformity as no new impacts have been generated during the revision and refinement of the plan amendment. It remains consistent with the General Plan and fully within the scope of the Finding of Conformity and MEIR.</p>
<p>(3) <i>New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous MEIR was adopted, shows any of the following: (A) The project will have one or more significant effects not discussed in the previous MEIR; (B) Significant effects previously examined will be substantially more severe than shown in the previous MEIR; (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project; and, (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous MEIR, would substantially reduce one or more significant effects on the environment.</i></p>	
<p><b>Finding (3):</b></p>	<p>No new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous environmental determination was adopted, has become available.</p> <p>No mitigation measures or alternatives previously found not to be feasible are now determined to be feasible and no mitigation measures or alternatives which are considerably different from those analyzed in the previous MEIR would substantially reduce one of more significant effects on the environment. The mitigation measures identified in the Mitigation and Monitoring Reporting Program of the MEIR (and referenced in the Finding of Conformity) are still appropriate and feasible and no additional mitigation measures are necessary, since no additional impacts have been identified.</p>
<p>ADDENDUM PREPARED BY:                  Sophia Pagoulatos, Planning Manager</p>	<p>SUBMITTED BY:                    Sophia Pagoulatos, Planning Manager                  CITY OF FRESNO DEVELOPMENT AND                  RESOURCE MANAGEMENT DEPARTMENT</p>
<p>DATE: March 23, 2016</p>	

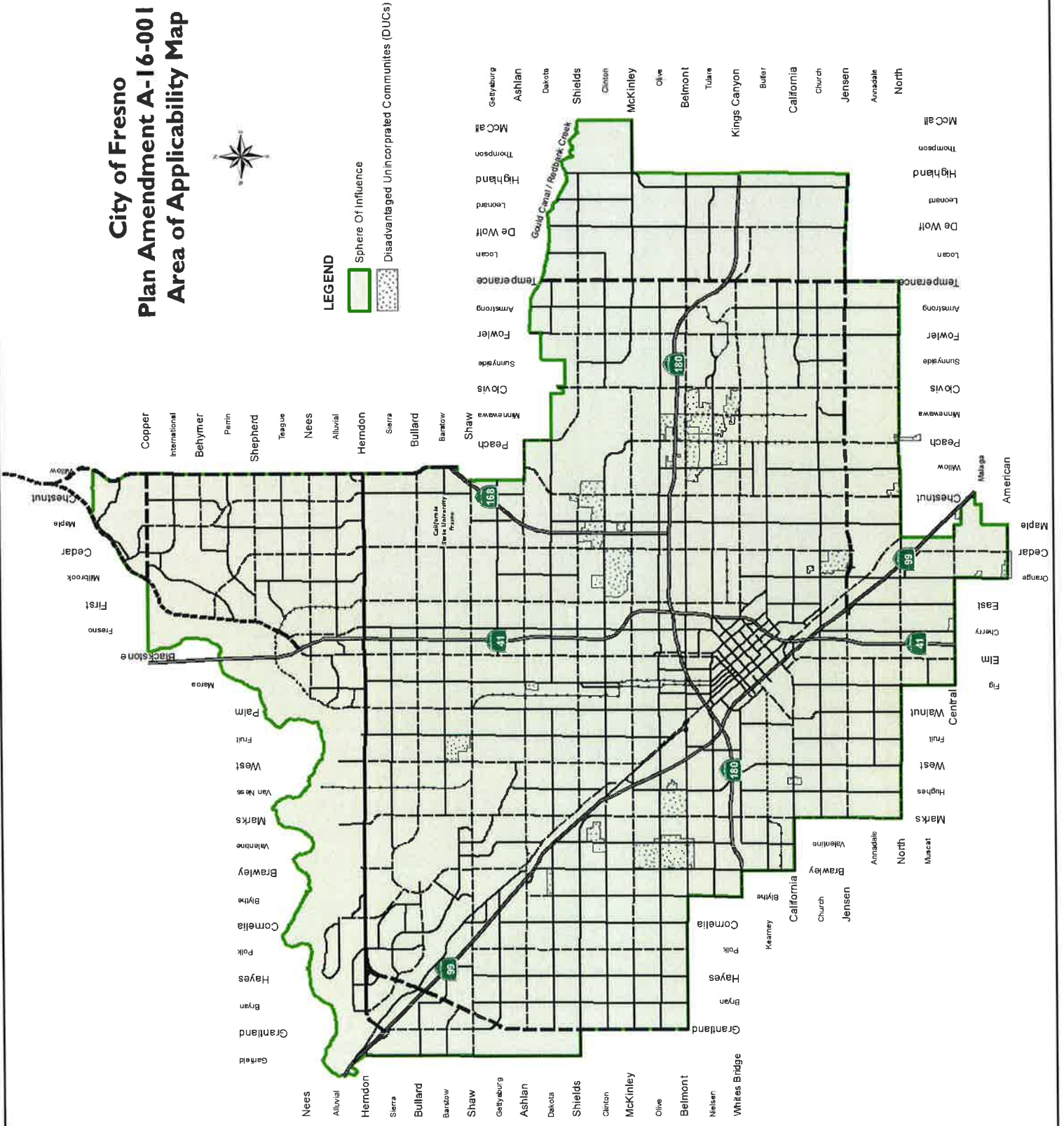
Exhibit A: Proposed Amendments to Chapter 3 of the General Plan: Urban Form, Land Use and Design  
 Exhibit B: Proposed Amendments to Chapter 9 of the General Plan: Noise and Safety

# City of Fresno Plan Amendment A-16-001 Area of Applicability Map



## LEGEND

- Sphere Of Influence
- Disadvantaged Unincorporated Communities (DUCs)



### 3.7 DISADVANTAGED UNINCORPORATED COMMUNITIES

California Senate Bill 244 (Wolk, 2011; SB 244) requires local municipalities to identify Disadvantaged Unincorporated Communities (DUCs) within or adjacent to their Sphere of Influence (SOI), analyze the infrastructure needs of the DUCs (including water, wastewater, stormwater drainage, and structural fire protection), and evaluate potential funding mechanisms to make service extension feasible.

Disadvantaged Unincorporated Communities are defined as settled places not within city limits where the median household income is 80 percent or less than the statewide median household income.<sup>1, 2</sup> Under the policy set forth by the Fresno Local Agency Formation Commission (LAFCO), a DUC must also have at least 15 residences with a density of one unit per acre or greater.<sup>3</sup>

In 2015, Fresno LAFCO identified a total of 20 DUCs that are located within or adjacent to the City of Fresno SOI and which meet the full definition of a DUC (See Figure LU-3).

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<sup>1</sup> State of California Office of Planning and Research. Technical Advisory to SB 244.

<sup>2</sup> Flegal, C., Rice, S., Mann, J., & Tran, J. California Unincorporated: Mapping Disadvantaged Communities. PolicyLink, 2013

<sup>3</sup> Fresno Local Agency Formation Commission. City of Fresno Municipal Service Review Public Review Draft, prepared by Policy Consulting Associates, LLC. October 20, 2015.

## Infrastructure Conditions Summary of Fresno Area DUCs

### Water

Water access for DUCs is served through either the City of Fresno Public Utilities Department or through private wells. Adequate water infrastructure is defined as having existing infrastructure connecting a parcel that contains one or more residences to the City's water system. The analysis does not include parcels that do not contain residences (i.e. vacant land or businesses) nor does it consider whether or not a residence has active service.

### Wastewater

Similar to water, wastewater service is provided either through the City of Fresno Public Utilities Department or through private septic tanks. Adequate wastewater infrastructure is likewise defined as having existing infrastructure connecting a parcel that contains one or more residences to the City's system. The analysis does not include parcels that do not contain residences nor does it make a distinction of active versus inactive service.

### Stormwater Drainage

The stormwater drainage analysis includes review of the existing curb and gutter facilities in the DUC areas. Adequate stormwater drainage is defined as having curb and gutter located between a parcel containing one or more residences and the adjacent street(s) throughout the entire DUC area. FEMA Flood Zones are also given to indicate the likelihood that an area would face a significant flood threat.<sup>†</sup>

- Zone X: Areas determined to be outside the 0.2% annual chance floodplain.
- Zone XS: Zone X (shaded). Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood.
- Zone A: No Base Flood Elevations determined.
- Zone AE: Floodway Areas. The floodway is the channel of a stream [or canal] plus any adjacent floodplain areas that must be kept free of encroachment so that the 1% annual chance flood can be carried without substantial increases in flood heights.

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<sup>†</sup>Flood Insurance Rate Map for Fresno County. Federal Emergency Management Agency, 2009.

### Structural Fire Protection

Fire protection service is provided through the City of Fresno Fire Department and through response agreements with the City of Clovis Fire Department and the Fresno County Fire Protection District. Adequate structural fire protection is defined as having all parcels located within a four minute-response area. Only two DUC areas are not completely within this area.

Accessibility to fire hydrants is also important to the structural fire protection of DUCs, yet it was not possible to give an accurate analysis for fire hydrant coverage due to the constraints in mapping the (conservative) 500 foot range of coverage from a hydrant to a parcel via travel path. However, maps showing the 500 foot circular radius around fire hydrants is given in Appendix A to denote a general awareness of where fire hydrant coverage is sparse and where it is abundant. It should be noted that in areas without fire hydrant protection, the fire department will deploy a water tender and draft from seasonal irrigation canals as available to supplement the 500-700 gallons of fire suppression water carried on each apparatus. However, this alternate means of fire suppression results in significant delays or inability to mount an interior fire attack in a house, which affects rescue of the inhabitants and the deployment of adequate hose streams to protect adjacent structures.



In the following table, information is given for each DUC that exhibits the extent to which adequate infrastructure (as defined for each category) exists in those areas.

TABLE 3-4: DUC INFRASTRUCTURE CONDITIONS SUMMARY					
#	Water <sup>1</sup>	Wastewater <sup>1</sup>	Stormwater Drainage		Structural Fire Protection
	Connected Line	Connected Line	Curb & Gutter	FEMA Flood Zone	Within 4 Minute Zone
1	4 of 18   22%	7 of 18   39%	No	Zone X	100%
2	8 of 39   21%	1 of 39   3%	No	Zone X	100%
3	0 of 249   0%	0 of 249   0%	No	Zone X & Zone XS	100%
4	131 of 221   59%	53 of 221   24%	No	Zone X & Zone XS	100%
5	0 of 14   0%	0 of 14   0%	No	Zone X & Zone XS	3.6%
6	0 of 39   0%	0 of 39   0%	No	Zone X & Zone A	100%
7	0 of 12   0%	0 of 12   0%	No	Zone X	100%
8	0 of 25   0%	0 of 25   0%	No	Zone X	100%
9	1 N/A <sup>2</sup>	1 N/A <sup>2</sup>	N/A	Zone X	60%
10	0 of 4   0%   12 N/A <sup>2</sup>	0 of 4   0%   12 N/A <sup>2</sup>	No	Zone X	100%
11	0 of 15   0%	0 of 15   0%	No	Zone X	100%
12	327 of 330   99%	324 of 330   98%	Yes	Zone X & Zone XS	100%
13	13 of 14   93%	0 of 14   0%	No	Zone XS	100%
14	104 N/A <sup>3</sup>	83 of 104   80%	No	Zone X, Zone XS, & Zone AE	100%
15a	462 N/A <sup>3</sup>	416 of 462   90%	No	Zone X & Zone XS	100%
15b	122 of 131   93%   5 N/A <sup>3</sup>	125 of 136   92%	No	Zone X & Zone XS	100%
16	159 of 159   100%   441 N/A <sup>3</sup>	587 of 600   98%	No	Zone XS	100%
17	976 of 976   100%	976 of 976   100%	No	Zone X & Zone XS	100%
18	1195 of 1195   100%	1195 of 1195   100%	Yes	Zone X, Zone XS, & Zone AE	100%
19	56 of 60   93%	60 of 60   100%	No	Zone XS	100%
20	272 of 272   100%	264 of 272   97%	No (missing 3 parcels)	Zone X	100%

<sup>1</sup> Counts of parcels with one or more residences are considered as a close approximation.  
<sup>2</sup> These parcels are located within the boundaries of the Malaga Water District.  
<sup>3</sup> These parcels are located within the boundaries of the Bakman Water District.

The number of parcels with residences within each DUC was determined through visual interpretation of aerial maps and Google Maps Street View. Maps and additional data are included in Chapter 3, Appendix A.

## Water Districts

As noted in Table 3-4, some DUCs or portions of DUCs are served by the Malaga and Bakman Water Districts. While the active service in these areas may be more limited than the actual district boundaries, they are nevertheless excluded from the analysis because an activation or system upgrade in these areas would be managed by the respective water district, not the City.

## Potential Funding Mechanisms to Address Deficiencies

SB 244 does not require cities to provide infrastructure directly to DUC areas, however, it does require cities to evaluate potential funding mechanisms that would make such service extensions feasible. The following alternatives are provided as potential funding mechanisms that could be utilized by entities within the governmental, private, and non-profit realms.

### New Development

One way to address existing deficiencies is through new private development where the installation, upgrade, or expansion of infrastructure would be required to serve the new development. This type of development typically occurs on a limited, site-specific basis and is thus unlikely to address area-wide infrastructure needs within large areas that are nonadjacent to the city limits. However, for small areas like DUC Area 1 or in areas like DUC Area 15b, where infrastructure is missing from only a small number of parcels, private development could be effective in completing the community's total infrastructure needs.

### Service Districts

Another mechanism to provide infrastructure is to establish an assessment district to bond for infrastructure construction and pay for it over time. A district would fund the cost of the infrastructure within a designated area through the fairly proportioned financial contributions of each benefiting landowner. To form a district, property owners vote to affirm the establishment of the district and assessment through a special election. This method would be most effective in areas that are missing significant portions of infrastructure such as water and sewer mains along major corridors.

### Grants and Loans

There are numerous state, federal, and regional grants and loans that can provide funding for infrastructure projects within DUCs. Some examples include:

#### State Water Resources Control Board Drinking Water State Revolving Fund<sup>5</sup>

The DWRSF is a State-managed fund that can supply low-interest to no-interest loans to provide drinking water infrastructure to disadvantaged communities. Eligible applicants include cities, counties, districts, for-profit and non-profit community water systems, public school districts and other non-community water systems, and systems that are created by the project. The repayment terms are 20 years or longer and the principal balance may be forgiven for publicly owned water systems or non-profit mutual water companies that serve disadvantaged communities.

#### State Water Resources Control Board Clean Water State Revolving Fund<sup>5</sup>

The CWSRF provides low interest financing agreements (dependent on General Obligation Bond Rate) for wastewater and stormwater treatment projects. Eligible applicants include cities, counties, districts, state agencies, tribal governments/organizations, agencies approved under Section 208 of the Clean Water Act, 501(c)(3)s, and National Estuary Programs. The repayment terms are up to 30 years or the useful life of the project. A percentage of the total project cost up to the full amount may be waived for projects benefiting DACs.<sup>6</sup>

#### State Water Resources Control Board Division of Financial Assistance

The Division of Financial Assistance is in charge of implementing the State Water Resources Control Board's financial assistance programs and contains a link to current funding sources on its website at [www.waterboards.ca.gov/water\\_issues/programs/grants\\_loans](http://www.waterboards.ca.gov/water_issues/programs/grants_loans)

#### Groundwater Quality Funding Assistance<sup>7</sup>

The Groundwater Grant Program holds approximately \$744 million dollars for the prevention and cleanup of contamination of groundwater-sourced drinking water. Up to \$160 million has been specifically set aside for project serving disadvantaged communities (DACs) and economically distressed areas (EDAs). Eligible applicants include public agencies, non-profits, tribal organizations, public utilities, and mutual water companies. Grants range from \$100,000 - \$1 million for planning and \$500,000 - unrestricted for implementation. Funds are available from 2018 to 2021. Minimum local matching is 50%, however this may be reduced or waived for projects that benefit a DAC or EDA.

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<sup>5</sup> "Below-Market Financing for Wastewater & Water Quality." State of California Clean Water State Revolving Fund.

<sup>6</sup> "Proposition 1 - Small Community Wastewater." State Water Resources Control Board, 15 Sept. 2015.

<sup>7</sup> "Water Board Groundwater Funding Programs." California Water Boards.

**Integrated Regional Water Management (IRWM) Grant Program<sup>8</sup>**

The IRWM Grant is administered by the Department of Water Resources and contains approximately \$474.3 million in funding to be applied to projects that will adapt water systems to climate change, improve collaboration in regional water management, and increase regional water self-reliance (reducing reliance on the Sacramento-San Joaquin Delta). Of this \$102 million is set aside for assistance to disadvantaged communities (DACs). Eligible applicants include public agencies, non-profits, tribal organizations, public utilities, and mutual water companies. Minimum local matching is 50%, however this may be reduced or waived for projects that benefit a DAC or EDA.

**Infrastructure State Revolving Fund (ISRF) Loan Program<sup>9</sup>**

The California Infrastructure and Economic Development Bank manages the ISRF program to provide low-cost financing for infrastructure projects in amounts ranging from \$50,000 to \$25 million with terms of up to 30 years. Municipal agencies and non-profit entities with municipal sponsors are eligible for funding.

**USDA Rural Development Water & Waste Disposal Loan & Grant Program<sup>10</sup>**

The United States Department of Agriculture manages a Water & Waste Disposal Loan & Grant Program that offers long-term (up to 40 years), low-interest loans (sometimes combined with grants) for the construction or improvement of drinking water, sewer, solid waste, and storm water facilities in rural communities. The program may be pursued by state and local government entities, non-profits, and federally recognized tribes.

**Community Development Block Grant Fund<sup>11</sup>**

Administered by the United States Department of Housing and Urban Development, CDBG Funds are used to benefit low- and moderate-income communities, blighted communities, and communities that face issues of health and welfare. The fund may be used by the state and by cities and counties and can be applied toward infrastructure improvements.<sup>12</sup>

<sup>8</sup> "Proposition 1 IRWM Grant Program." California Department of Water Resources, 22 Feb. 2016.

<sup>9</sup> California Infrastructure and Economic Development Bank. Criteria, Priorities and Guidelines for the Selection of Projects for Financing Under the Infrastructure State Revolving Fund (ISRF) Program. Adopted August 25, 2015.

<sup>10</sup> "Water & Waste Disposal Loan & Grants Program." United States Department of Agriculture, Rural Development.

<sup>11</sup> "CDBG Entitlement Program Eligibility Requirements." US Department of Housing & Urban Development, 2014.

<sup>12</sup> "Expenditure Report: Use of CDBG Funds by Fresno County, CA." US Department of Housing & Urban Development, Office of Community Planning and Development. 12 Jan. 2015

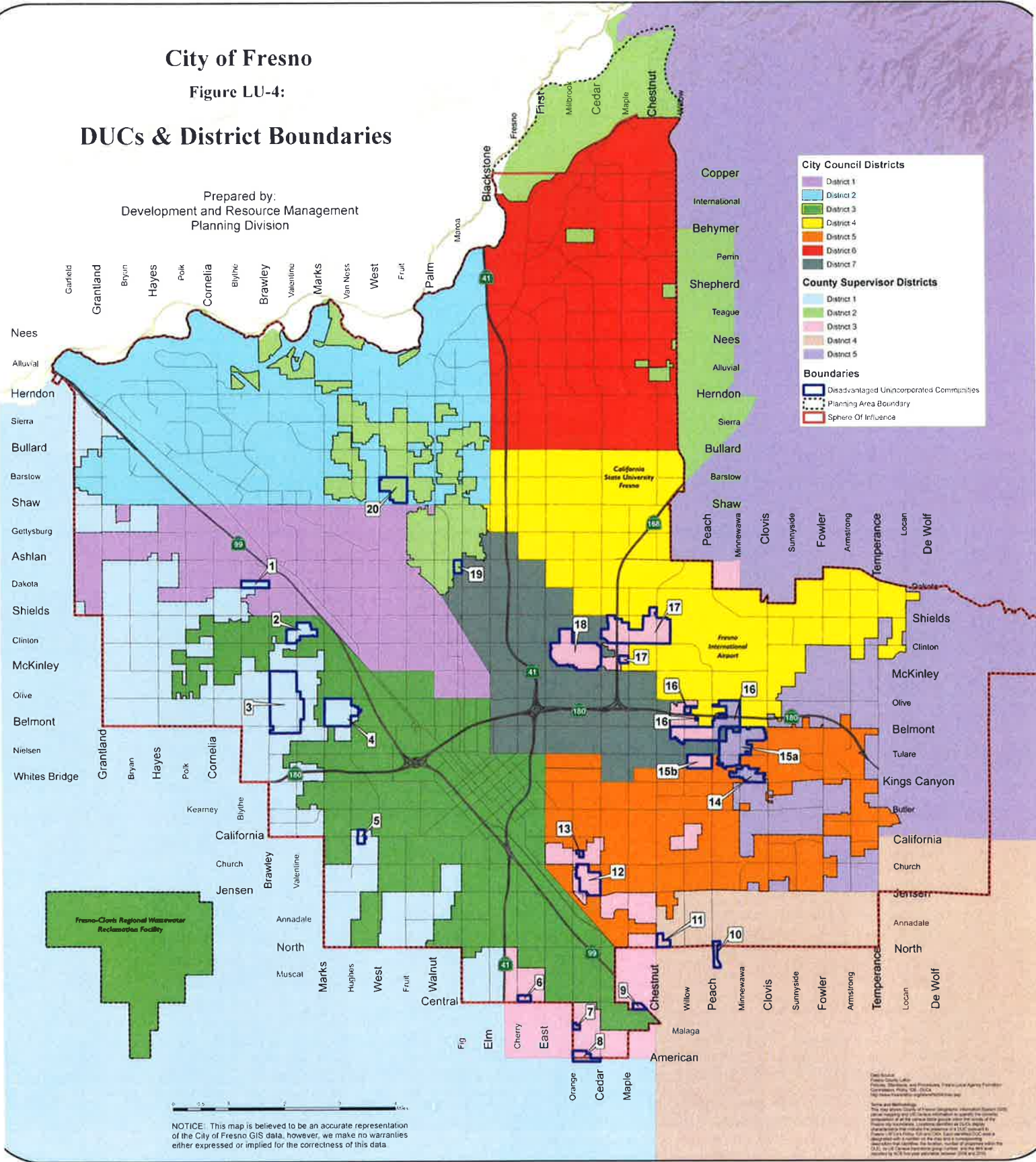


# City of Fresno

Figure LU-4:

## DUCs & District Boundaries

Prepared by:  
Development and Resource Management  
Planning Division



0 0.5 1 2 3 4 Miles

NOTICE: This map is believed to be an accurate representation of the City of Fresno GIS data, however, we make no warranties either expressed or implied for the correctness of this data.

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City of Fresno  
The City of Fresno is a member of the Fresno-Clovis Metropolitan Water Reclamation District (MWRD). The MWRD is a public utility district that provides water and wastewater services to the City of Fresno and the City of Clovis. The MWRD is a member of the Central Valley Regional Water Quality Control Board (CVRWQCB). The CVRWQCB is a federal agency that regulates water quality in the Central Valley. The MWRD is a member of the Central Valley Regional Water Quality Control Board (CVRWQCB). The CVRWQCB is a federal agency that regulates water quality in the Central Valley. The MWRD is a member of the Central Valley Regional Water Quality Control Board (CVRWQCB). The CVRWQCB is a federal agency that regulates water quality in the Central Valley.

**Proposed General Plan Text Amendment to Chapter 9, the Noise and Safety  
Element:**

*The following text is proposed to be added to Section 9.4:*

To address the risks of damaging floods, the City of Fresno adopted and recently updated a Flood Plain Ordinance that meets the standards imposed by California Government Code Section 65302(g)(2). The Government Code specifies that cities should include either directly, or through adoption by reference to a flood plain ordinance (65302(g)(6)), flood hazards zones and maps on flooding in the area (65302(g)(2)(A)), goals to protect new development against flooding (65302(g)(2)(B)), and implementation measures to achieve the stated goals (65302(g)(2)(C)).

The City of Fresno Flood Plain Ordinance incorporates by reference flood hazard zones established by the Federal Emergency Management Agency (FEMA), Federal Insurance Rate Maps completed for Fresno County, and other maps as are needed to review flood risk (FMC 11-607). The Flood Plain Ordinance protects against risk to new and existing development by requiring any building proposed within a special flood hazard area to obtain a building permit and provide information specifically related to flood risk (11-613). The permit is reviewed by the Building Official, whom has been designated as the Flood Plain Administrator, to ensure that the project will be reasonably safe from flooding and will not adversely increase flood risk elsewhere. (11-614, 11-616). The Ordinance also includes specific development and construction standards to minimize flood risk (11-623 to 11-636). This permit review process and the applicable standards help to implement the goals found within the Flood Plain Ordinance Statement of Purpose (11-603) and also serve to both implement and complement the Goals, Objectives, and Implementing Policies found within this General Plan.