

Regular Council Meeting
September 29, 2022

FRESNO CITY COUNCIL



Supplemental Packet

ITEM(S)

3-C (ID 22-1456)

**WORKSHOP - West Area Neighborhoods Specific Plan
(P22-01351, P22-01352, & P22-01353)**

Contents of Supplement: PowerPoint Presentation

Item(s)

Supplemental Information:

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

Americans with Disabilities Act (ADA):

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

West Area Neighborhoods Specific Plan City Council Workshop

September 29, 2022

Agenda Item 3-C

ID 22-1456



Introduction



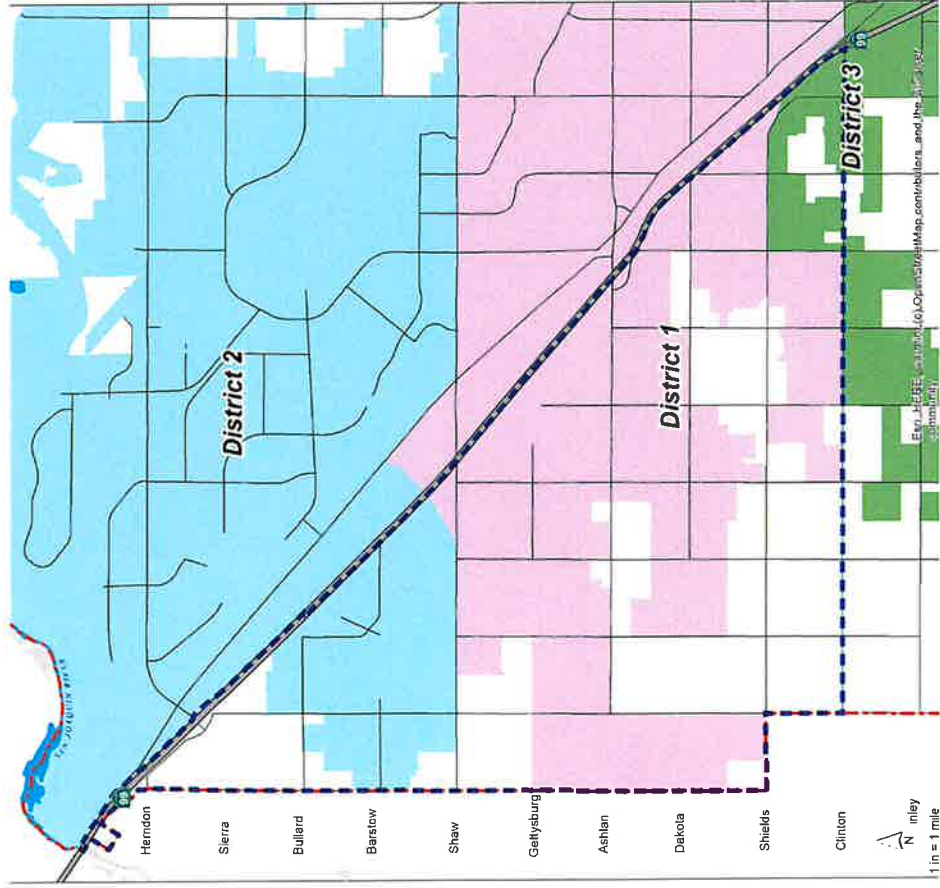
Workshop Outline

1. Background
2. Outreach & Engagement
3. Specific Plan Overview
4. Environmental Impact Report
5. Specific Plan Public Comment



1. Background





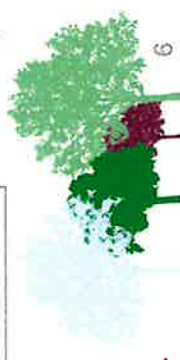
West Area Plan Boundary with Council Districts

- District 1
- District 2
- District 3
- Specific Plan Boundary
- Fresno Sphere of Influence
- San Joaquin River



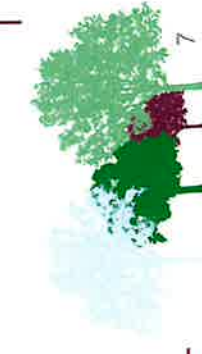
Purpose

- Refine the General Plan for the West Area
- Regulate Land Use
- Create focused policies to address unique needs and community vision



Milestones

- | | |
|--|---------------------------|
| 1998: Highway City Plan adopted | 2021: Draft Plan released |
| 2002: West Area Community Plan adopted | - outreach activities |
| 2014: General Plan adopted | 2022: Draft EIR released |
| 2018: Process kick-off | Final EIR released |
| - outreach activities | Revised Plan released |
| 2019: Plan initiated | Planning Commission |
| 2020: Plan and EIR drafted | City Council |



2. Outreach & Engagement



Steering Committee

District 1

David Peña (Chair)

Dennis Gaab

Tiffany Mangum

Eric Payne

Joseph Martinez

District 2

Cathy Caples

John Kashian

Jeff Roberts

Tina McCallister-

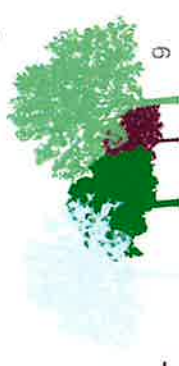
Boothe (Alternate)

District 3

Deep Singh (Vice Chair)

Bill Nijjer

Gurdeep Shergill



Outreach

- Email
- Direct mail
- Flyers
- Specific Plans To-Go
- Tabling events
- Social media
- Radio announcement
- Webpage
- Legal notices
- Committee presentations



Engagement

- Steering Committee Meetings (17)
- Community Workshops (12)
- Committee Presentations (13)
- Surveys (3)

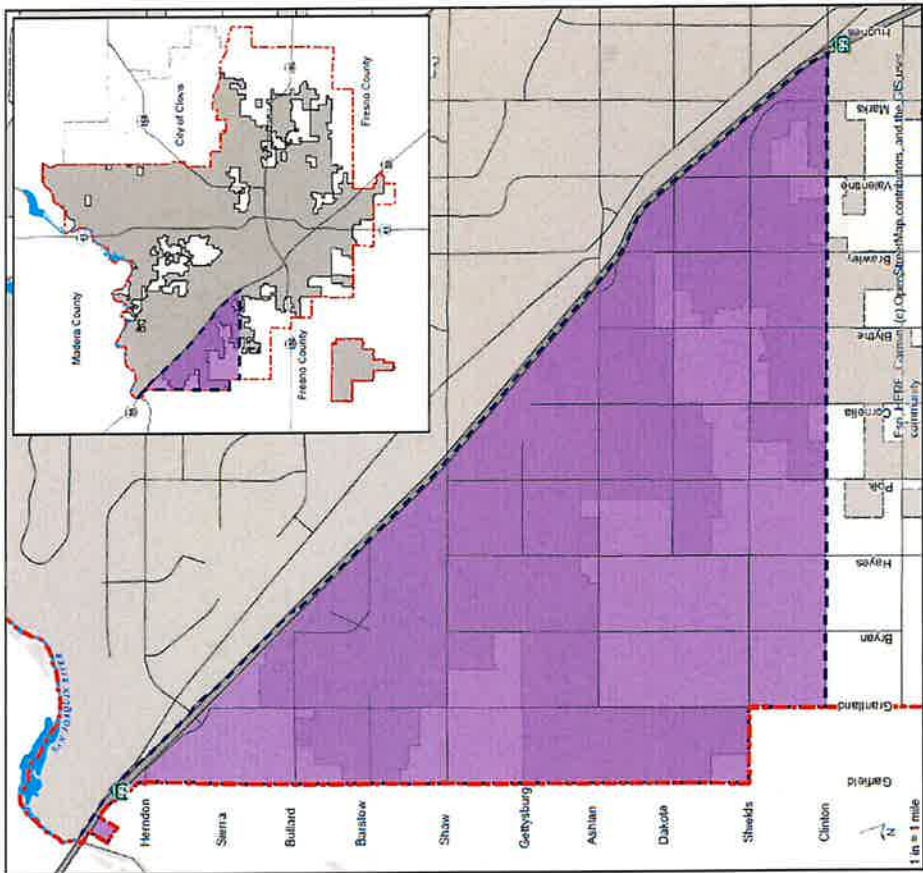


3. Specific Plan Overview



Plan Area

- San Joaquin River
- Specific Plan Boundary
- Fresno City Limits
- Fresno Sphere of Influence

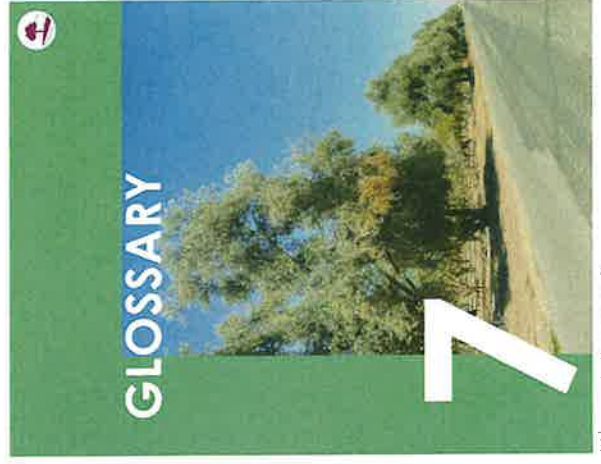
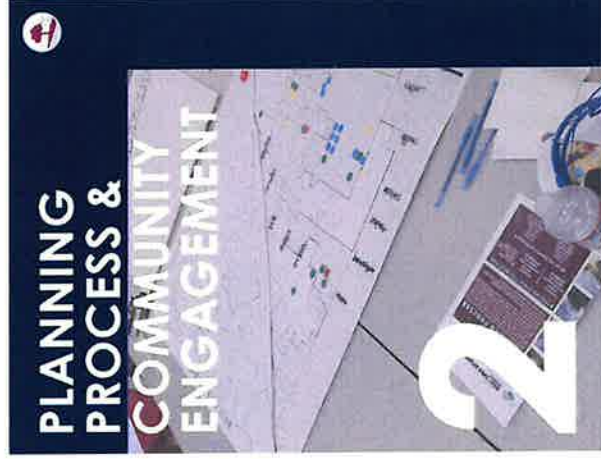
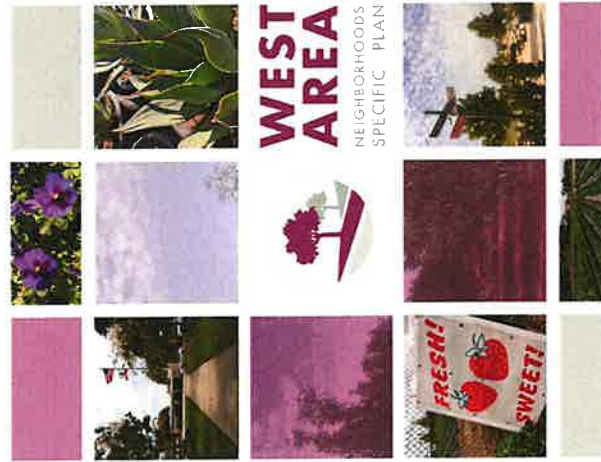


Guiding Principles

- Transportation
- Parks & Trails
- Agriculture
- Retail
- Housing
- Catalytic Corridors
- Education
- Public Safety



Information



Goals & Policies



3
INFRASTRUCTURE & THE PUBLIC REALM

Card 3 features a photograph of a person in a green safety vest working on a paved path next to a blue water feature. The card has a blue background and a small circular icon in the top left corner.



4
PUBLIC FACILITIES

Card 4 features a photograph of a signpost with three directional signs: 'THE OCEAN GO WEST', 'DUTY FREE', and 'INSPIRATION PARK'. The card has a blue background and a small circular icon in the top left corner.



5
LAND USE & HOUSING

Card 5 features a photograph of a modern residential building with a red roof and lush green landscaping. The card has a purple background and a small circular icon in the top left corner.



6
IMPLEMENTATION

Card 6 features a photograph of hands sowing seeds into soil. The card has a purple background and a small circular icon in the top left corner.



Land Use Vision

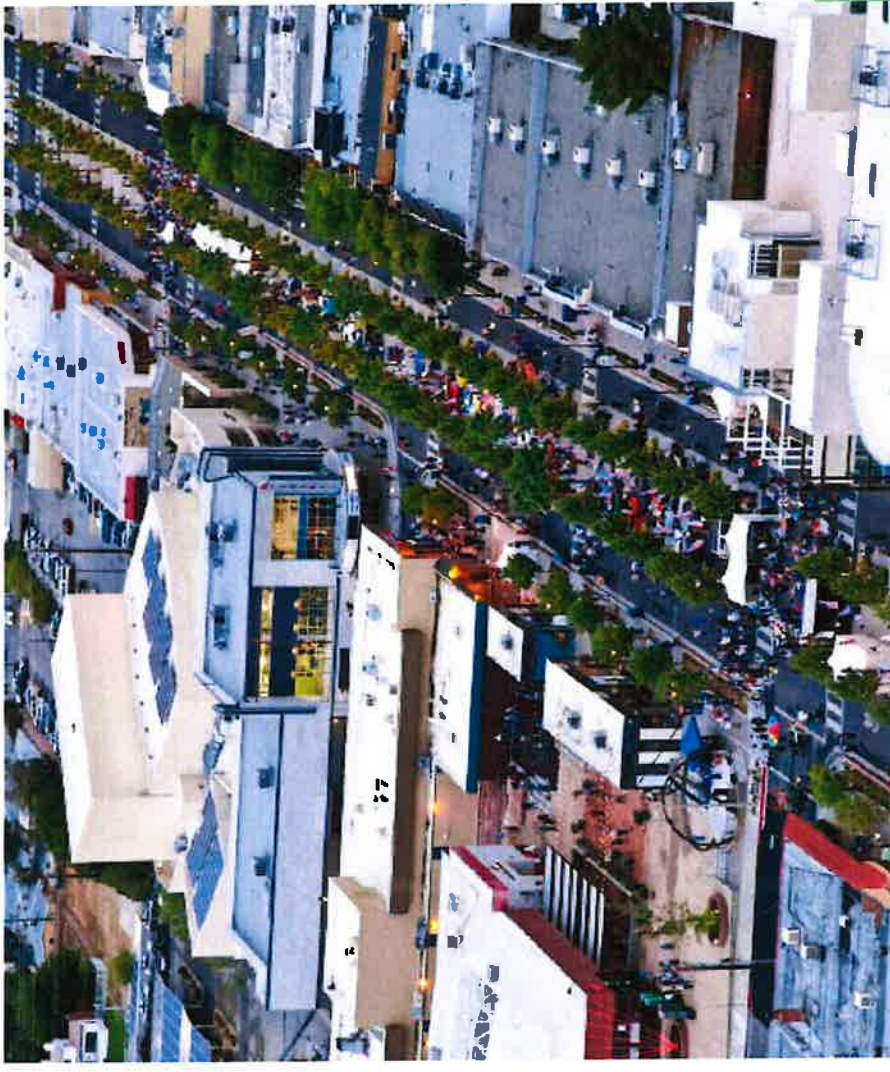


Transect



Catalytic Corridors

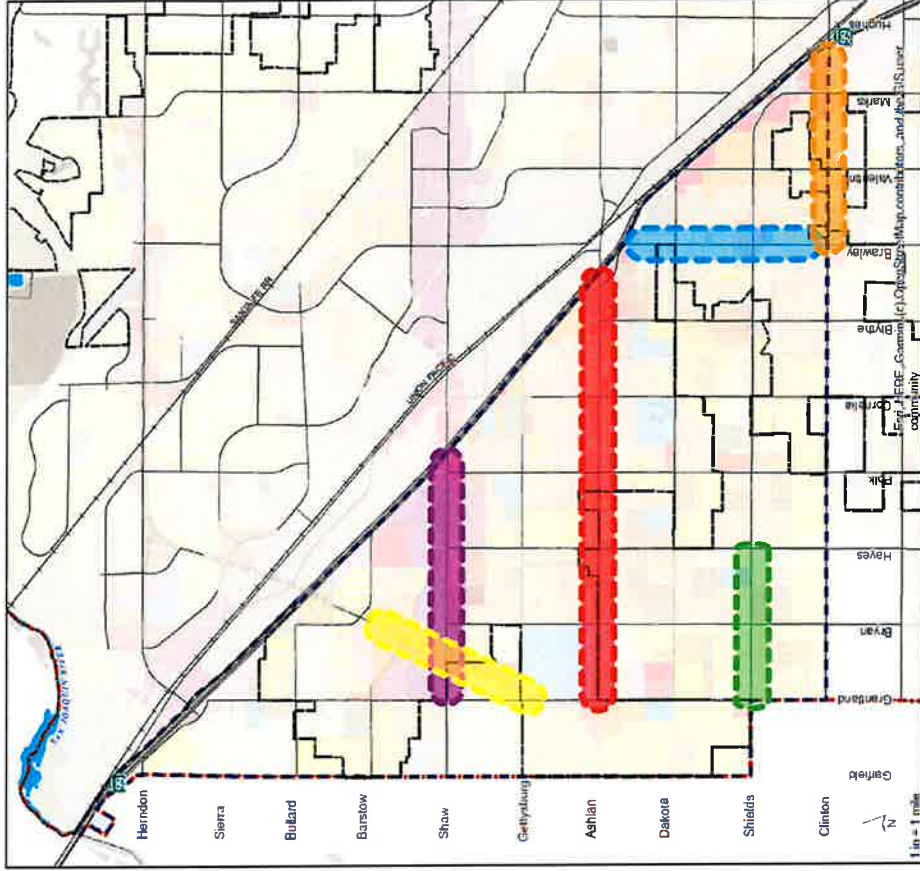
Centers or linear nodes, designed to create complementary investment to nearby and surrounding areas



Lancaster Boulevard
Lancaster, CA

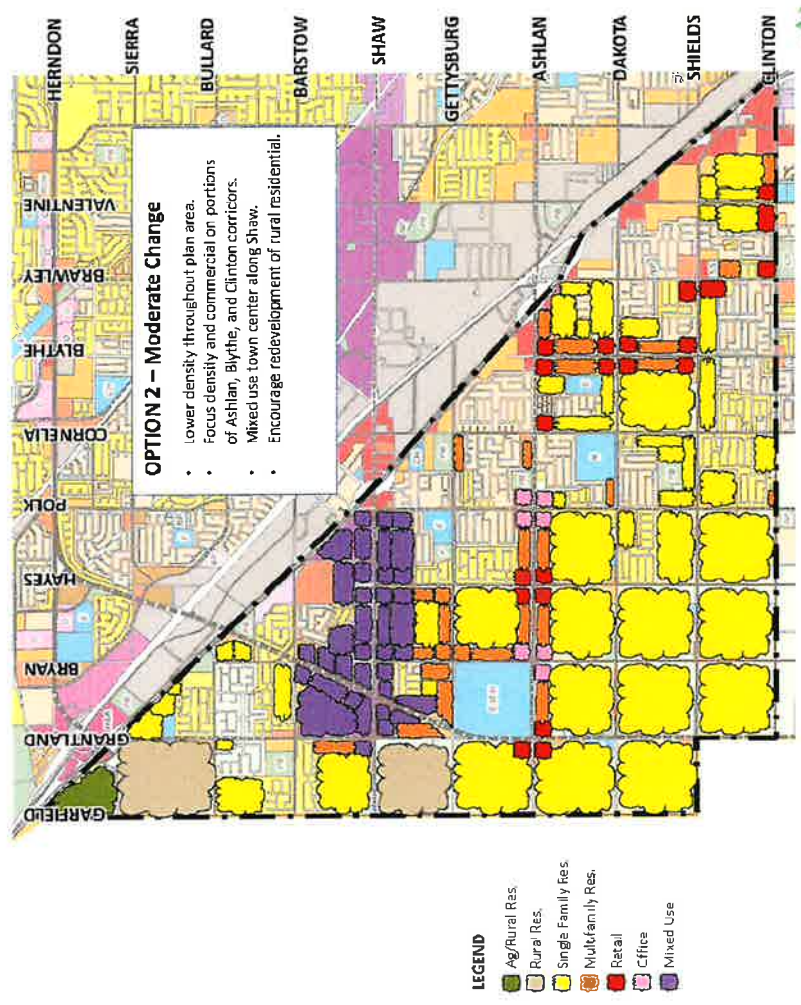
Catalytic Corridors

- Ashlan Avenue
- Brawley Avenue
- Clinton Avenue
- Shaw Avenue
- Shields Avenue
- Veterans Boulevard

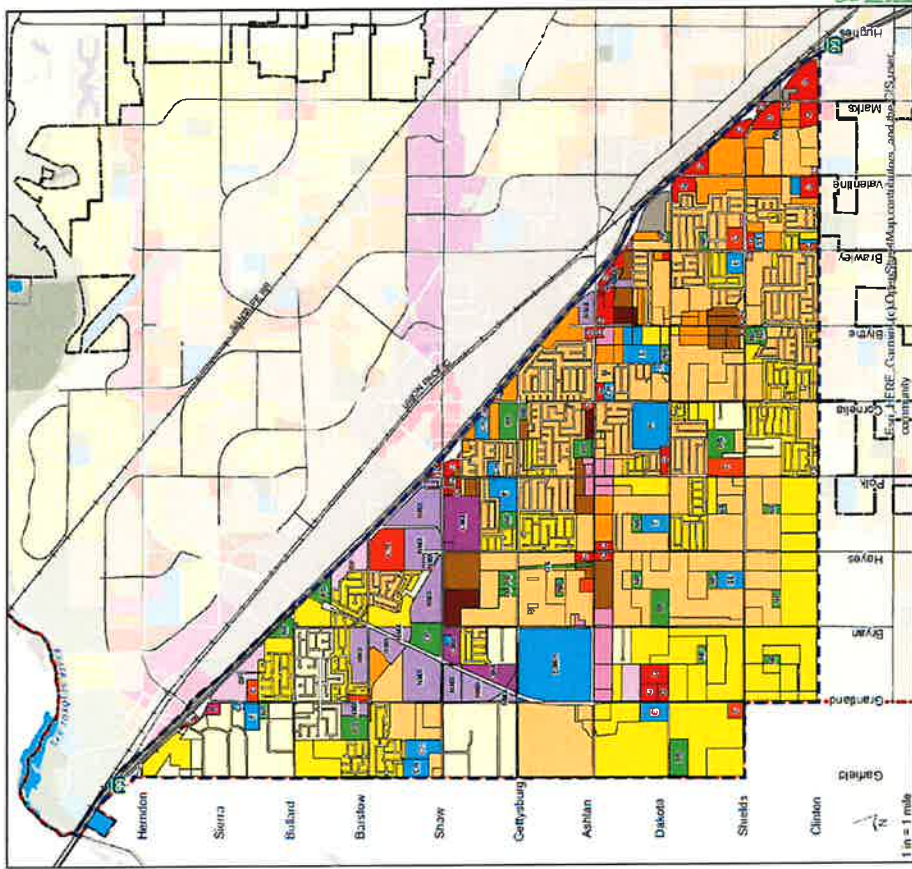
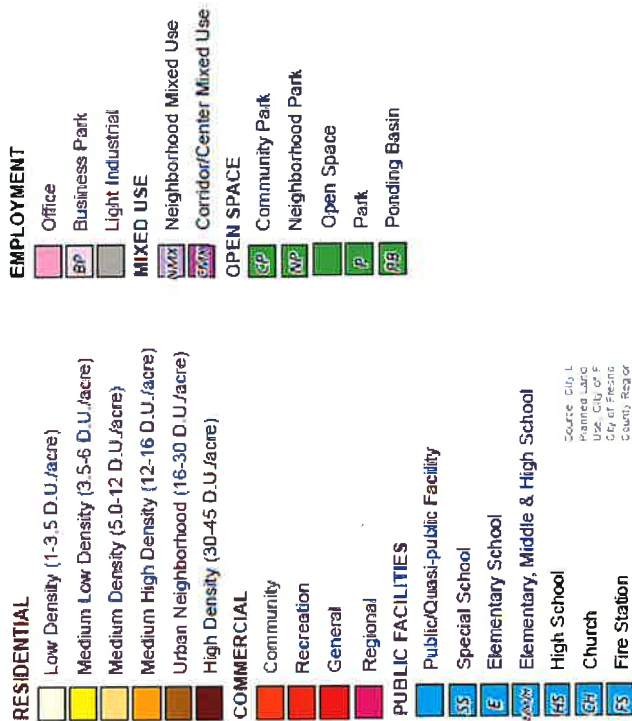


Level of Change

- Moderate Level of Change
- Urban to rural transition
- Catalytic Corridors



Specific Plan Proposed Land Use



4. Environmental Impact Report



Environmental Impact Report

Program-Level EIR

Notice of Preparation:	June 28, 2019
Public Scoping Meeting:	July 24, 2019
Circulation of Draft EIR:	February 10 – March 28, 2022
• 9 comments received	
Final EIR released:	July 8, 2022



Noticing for Public Comment Period

February 10 – March 28, 2022 (47 -day review period)

February 10, 2022

- Email to the Steering Committee
- Email to the stakeholder list
- Email + Letter to Reviewing Agencies and NOP Commenters
- Published in Fresno Bee
- Available at Central Branch and Teague Branch Libraries
- Available at City Hall
- Posted to Plan webpage

March 7, 2022

- Announced during the Steering Committee Meeting



PUBLIC NOTICE

Notice of Availability of the Draft Environmental Impact Report for the West Area Neighborhoods Specific Plan

LEAD AGENCY: City of Fresno

OVERVIEW: Notice is hereby given that the City of Fresno is seeking written comments on the Draft Environmental Impact Report (DEIR) in accordance with the California Environmental Quality Act (CEQA). This notice has been prepared in accordance with CEQA Guidelines Section 15085 and 15087(c), which requires public notification of availability of a Draft EIR.

PROJECT LOCATION: The West Area Neighborhoods Specific Plan (also-known-as "Specific Plan", "Plan Area") encompasses approximately 7,077 acres (or a little more than 11 square miles) in the City of Fresno city limits and unincorporated Fresno County. The footprint of the Specific Plan is referred to as the "Plan Area." The Plan Area is located generally west of Highway 99, north of Clinton Avenue, east of Garfield Avenue, and south of the San Joaquin River. Of the eleven square miles within the Plan Area, 6.9 square miles are in the city limits and 4.1 square miles are in the growth area. The growth area is land outside the city limits but within the City's Sphere of Influence boundary, which is the adopted limit for future growth.

PROJECT DESCRIPTION: The proposed Specific Plan will establish the land use planning and regulatory guidance, including the land use and zoning designations and policies, for the approximately 7,077-acre Plan Area. The Specific Plan will serve as a bridge between the Fresno General Plan and individual development codes.

DEIR for the West Area Neighborhoods Specific Plan

Casey Lauderdale
 To: Casey Lauderdale
 From: Sophia Papadatos, Derek Wilson
 etc

10x replied to this message on 2/17/2022 12:23 PM

Good morning Steering Committee members,

I'd like to share that the Draft Environmental Impact Report (DEIR) for the West Area Neighborhoods Specific Plan is now comment. The DEIR is a companion document to the Specific Plan and its purpose is to analyze the environmental impacts of the Specific Plan.

The **Notice of Availability** of the DEIR is posted at the following link:
https://www.fresno.gov/development/1644348355_cityweb.pdf

The DEIR (without appendices, 650 pages) is available at the following link:
https://www.fresno.gov/development/1644348355_cityweb.pdf

WANSF- DEIR, Feb2022.pdf

The public comment period begins on February 10 and will close on March 28, 2022 at 5pm. Please see the Plan's website www.fresno.gov/development.

If you would like a printed copy of the DEIR please let me know.

Recording

View Opinions

Timeline (2022)

- (Feb 3 & Mar 7) Steering Committee makes recommendations on proposed changes
- (Feb 10 - Mar 28) EIR draft open for comment
- (Spring 2022) District Committees (1, 2, & 3)
- (Summer 2022) Planning Commission
- (Summer 2022) City Council

West Area Neighborhoods Specific Plan March 07, 2022 - Steering Committee Meeting

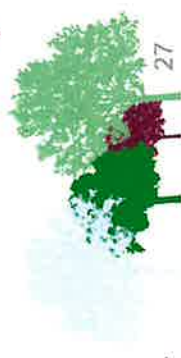
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David Pena
 Casey Lauderdale
 Jeff Roberts

West Area Steering Committee 3/7/2022

Comment Letters

1. Caltrans District 6
2. Daniel Brannick
3. Department of Toxic Substances Control
4. Fresno Area Express
5. Fresno County Department of Agriculture
6. Fresno County
7. Fresno Irrigation District
8. San Joaquin Valley Air Pollution Control District
9. Fresno Metropolitan Flood Control District



Impact Areas Analyzed

- Aesthetics and Visual Resources
- Agricultural Resources
- Air Quality
- Biological Resources
- Cultural and tribal resources
- Geology, Soils, and Seismicity
- Greenhouse Gases, Climate Change, and Energy
- Hazards and Hazardous Materials
- Land Use
- Noise
- Population and Housing
- Public Services and Recreation
- Transportation and Circulation
- Utilities



Impact Areas Analyzed

Significant and Unavoidable Impacts:

- Aesthetics and Visual Resources
- **Agricultural Resources**
- Air Quality
- Public Services and Recreation
- Utilities



5. Specific Plan Public Comment



Public Comment & Plan Development



Early Engagement



Public Comment



2021 | Public Draft

- Released April 30, 2021
- Draft created based on feedback garnered in outreach activities and Steering Committee meetings.
- Comment Period: April 30 – September 1, 2021
 - 31 comment letters
 - 155 discrete comments, requests, and questions documented
 - 19 Land Use Change Requests



2022 | Revised Public Draft

- Released April 25, 2022
- Incorporates 70 changes made to Narrative, Aesthetics, Goals, and Policies
 - Presented to the Steering Committee
- Presented to District Project Review Committees



2022 | Planning Commission Draft

- Released July 7, 2022
- Incorporates 6 changes made to Narrative, Goals, and Policies
 - District 1 Project Review Committee
 - Changes to Policy LUH 1.4 related to Highway City (1)
 - Staff
 - Updated title & acknowledgements page (2)
 - Changes to Policy PF 1.10 related to the Herndon Canal (1)
 - Addition of Policy I 1.3 related to policy change procedures and related Glossary definitions (2)



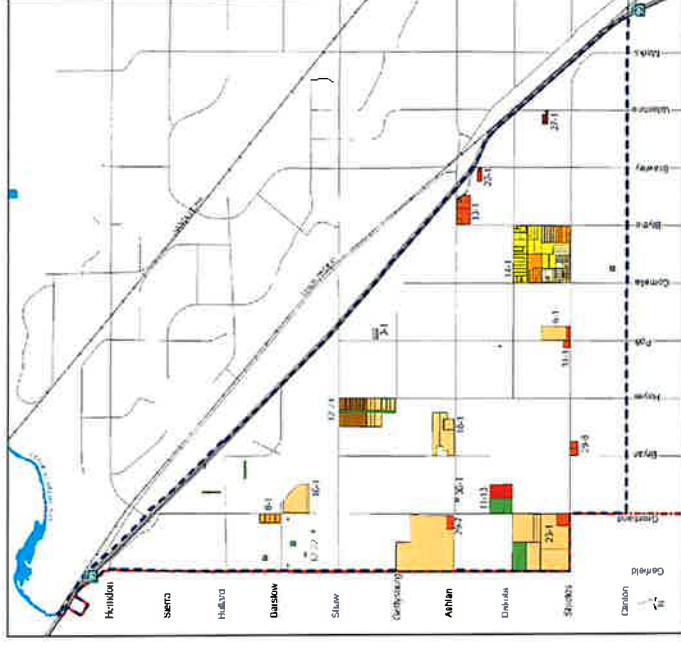
Land Use Change Requests



Land Use Change Requests

- 19 requests received
 - Staff recommends 12 requests
- 3 late requests
- Information + recommendations are provided in Exhibit N

Recommended land use change requests will be evaluated for a follow-up Plan Amendment.





Save the Date!

City Council Hearing

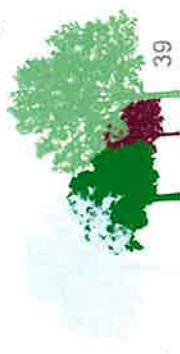
October 13, 2022

5:00pm or thereafter

www.fresno.gov/westareaplan



End of Presentation



Agricultural Mitigation



Purpose and EIR language



What is Agricultural Mitigation?

- Productive agricultural land is a matter of Statewide Importance and impacts to it must be analyzed and mitigated. Mitigation includes actions prescribed to reduce the impact to agricultural uses, including the direct loss of farmland.
- Farmland is typically mitigated according to its soil classification, which is determined by the Department of Conservation. Mitigation can occur through a variety of means. The City is required to employ all feasible mitigation measures to reduce impacts.
- “The standard for California communities is the 1 for 1 ratio...”

Citizens for Open Gov't v. City of Lodi



Specific Plan FEIR

Mitigation Measure 3.2-1: Prior to initiation of grading activities, the project proponent shall implement the following measure to mitigate impacts on Important Farmland located on the site: The project proponent shall mitigate the loss of Prime Farmland, Farmland of Statewide Importance, Unique Farmland, and Farmland of Local Importance within the Plan Area at a 1:1 ratio. The acreage of lost farmland shall be determined using the Land Evaluation and Site Assessment (LESA) Model. The LESA Model evaluates measures of soil resource quality, a given project's size, water resource availability, surrounding agricultural lands, and surrounding protected resource lands. Once the acreage of farmland converted is determined, one of the following mitigation options shall be utilized to mitigate the loss: Restrictive Covenants or Deeds, In Lieu Fees, Mitigation Banks, Fee Title Acquisition, Conservation Easements, or Land Use Regulation. For mitigation options which would preserve off-site agricultural lands, the lands shall occur locally, and the definition of "locally" shall be determined in consultation with the City of Fresno. Should the City develop a Farmland Preservation Program before future construction within the Plan Area begins, the project proponent shall mitigate for Farmland pursuant to the Program.

The mitigation shall be verified by the City of Fresno for each phase of the project during improvement plan review.

Specific Plan FEIR

Mitigation Measure 3.2-2: Prior to initiation of grading activities, the project proponent shall implement the following measure to mitigate impacts related to agriculturally-zoned land located on the site: The project proponent shall mitigate the loss of land zoned for agricultural use within the Plan Area at a 1:1 ratio. Once the acreage of land zoned for agricultural use which would be converted by the project is determined, one of the following mitigation options shall be utilized to mitigate the loss: Restrictive Covenants or Deeds, In Lieu Fees, Mitigation Banks, Fee Title Acquisition, Conservation Easements, or Land Use Regulation. For mitigation options which would preserve off-site agricultural lands, the lands shall occur locally, and the definition of “locally” shall be determined in consultation with the City of Fresno.

The mitigation shall be verified by the City of Fresno for each phase of the project during improvement plan review.

General Plan FEIR













AG-1.1: Consistent with Policy RC-9-c of the approved General Plan, the City, in coordination with regional partners or independently, shall establish a Farmland Preservation Program by 2025. The intent of the Farmland Preservation Program would be that, when Prime Farmland, Unique Farmland, or Farmland of Statewide Importance are proposed for development and converted to urban uses within the Sphere of Influence outside City limits, this program would require that the developer of such a project mitigate the loss of farmland consistent with the requirements of CEQA. The Farmland Preservation Program shall establish thresholds of significance and provide several mitigation options that may include, but are not limited to, the following:

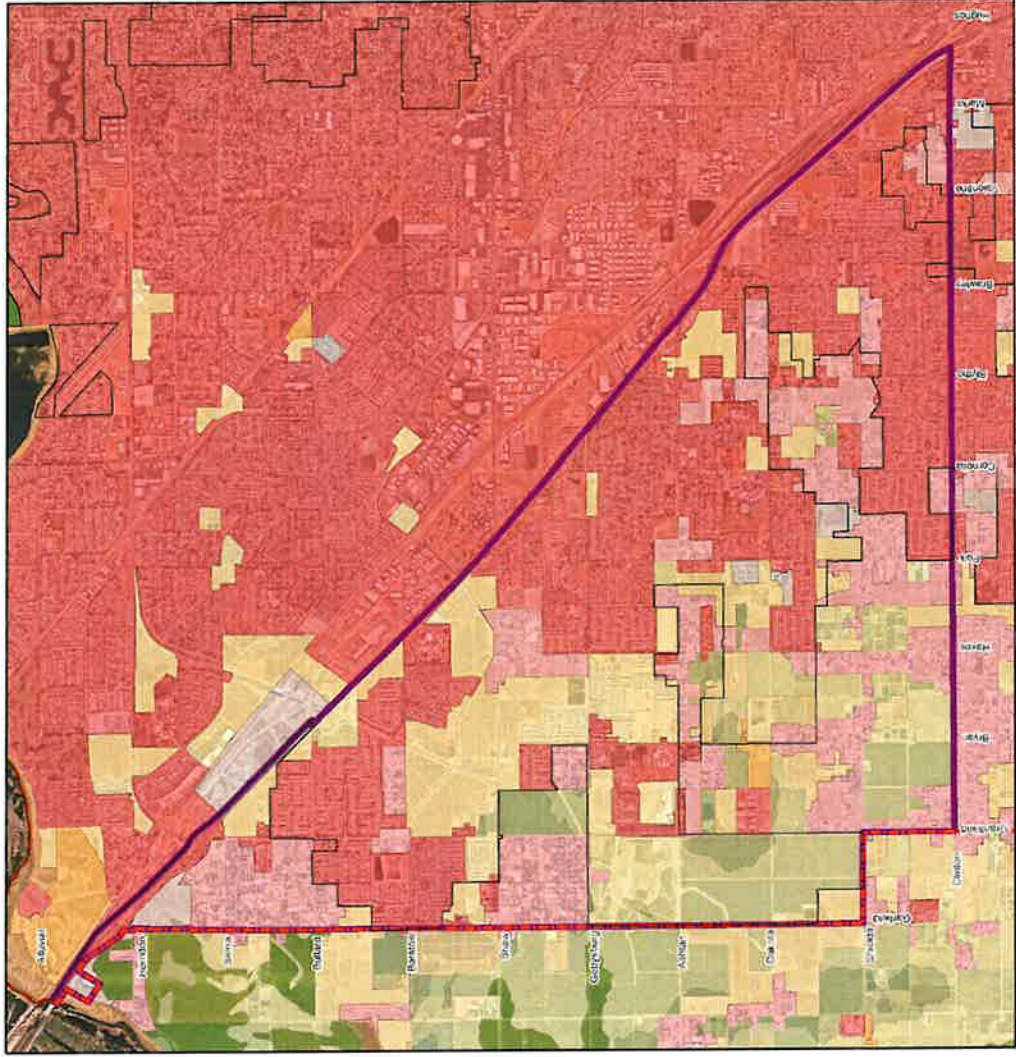
- Restrictive Covenants or Deeds
- In Lieu Fees
- Mitigation Banks
- Fee Title Acquisition
- Conservation Easements
- Land Use Regulations

The Farmland Preservation Program may be modeled after some or all of the programs described by the California Council of Land Trusts.

Prior to the adoption of the Farmland Preservation Program, projects shall be required to comply with CEQA to address potential environmental impacts on an individual basis.

Important Farmland

-  Prime Farmland
-  Farmland of Statewide Importance
-  Unique Farmland
-  Farmland of Local Importance
-  Nonagricultural and Natural Vegetation
-  Semi-Agricultural and Rural Commercial Land
-  Vacant or Disturbed Land
-  Rural Residential Land
-  Urban and Built-Up Land
-  City Limits
-  Sphere of Influence
-  Specific Plan Boundary



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Summary of Concerns



Correspondence with Concerned Parties

- Darius Assemi, Granville Homes, sent a letter to the Mayor and Councilmembers dated Sept. 6, 2022
- Planning staff, City attorneys, and the EIR Consultants met via Zoom with concerned parties on Sept. 22, 2022
 - Corine Demetres, DR Horton
 - Darius Assemi, Granville Homes
 - Jeff Harris, Wilson Homes
 - Jerome Keene, Century Communities
 - Mike Prandini, Building Industry Association
 - Michael Petrini, DR Horton
 - Zach Gomes, KB Homes



Summary of Concerns

1. Permitted areas for mitigation
2. Increased cost of development and housing affordability
3. Inclusion of certain parameters in Mitigation Measures
4. Inexperience with screening and applying mitigation



1. Permitted areas for mitigation

- “Locally” language added per suggestion of DEIR comment letter
- Commenter suggested “locally’ could mean that the mitigation take place within Fresno County, within a certain distance of the Plan Area, and/or on land located west of CA-99”
- EIR states that the City may define what “locally” means.

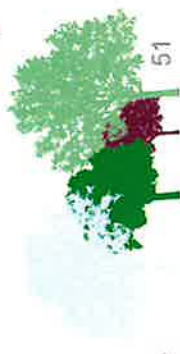


2. Increased cost of development and housing affordability

- No costs estimates provided by Granville letter
- Stockton's in-lieu fee is \$14,352/acre

Example calculation:

- RS-5 zoning | density 5-12 du/ac
- $\$14,352 \div 5 \text{ du} = \$2,870.4$ per unit
- $\$2,870.4 \div 30\text{yr (typical mortgage)} = \$95.68/\text{yr}$
- $\$98.68 \div 12 \text{ mos} = \7.97 mo



3. Inclusion of certain parameters in MMs

1. Farmland of Local Importance in MM 3.2-1
 2. Fresno County Ag Zoning (AE-20 and AL-20) in MM 3.2-2
- Standard Measures
 - Small amount of applicable areas within the Plan Area and also likely to be “screened out”
 - See maps



4. Inexperience with screening and applying mitigation

- The LESA tool is widely used
 - Can be performed by staff or environmental consultants when conducting other relevant work
- Developers, planners, and land trusts working in other jurisdictions can share resources
- Development of a Farmland Preservation Program by 2025 can include training or guiding materials



Additional Information

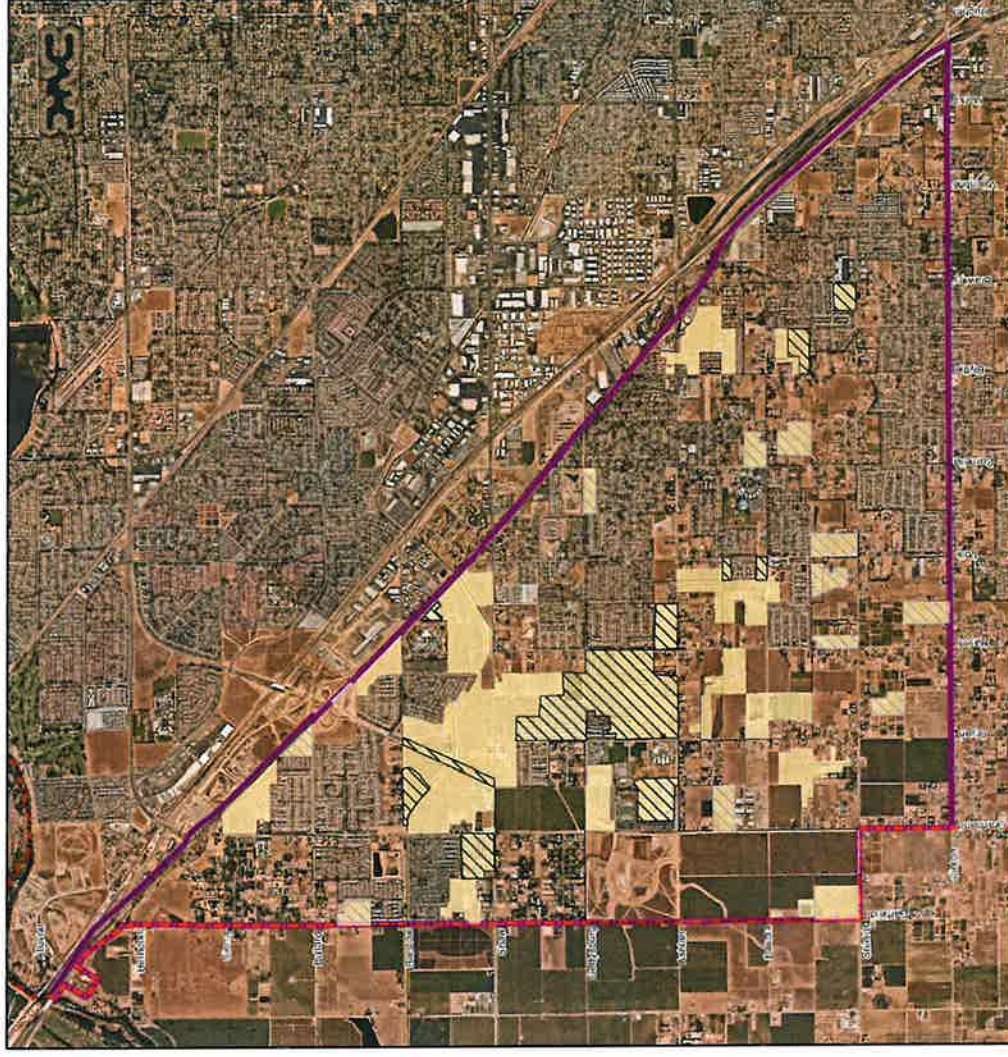
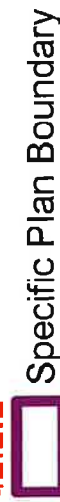
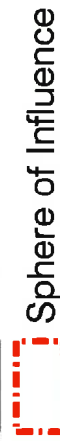


Farmland of Local Importance

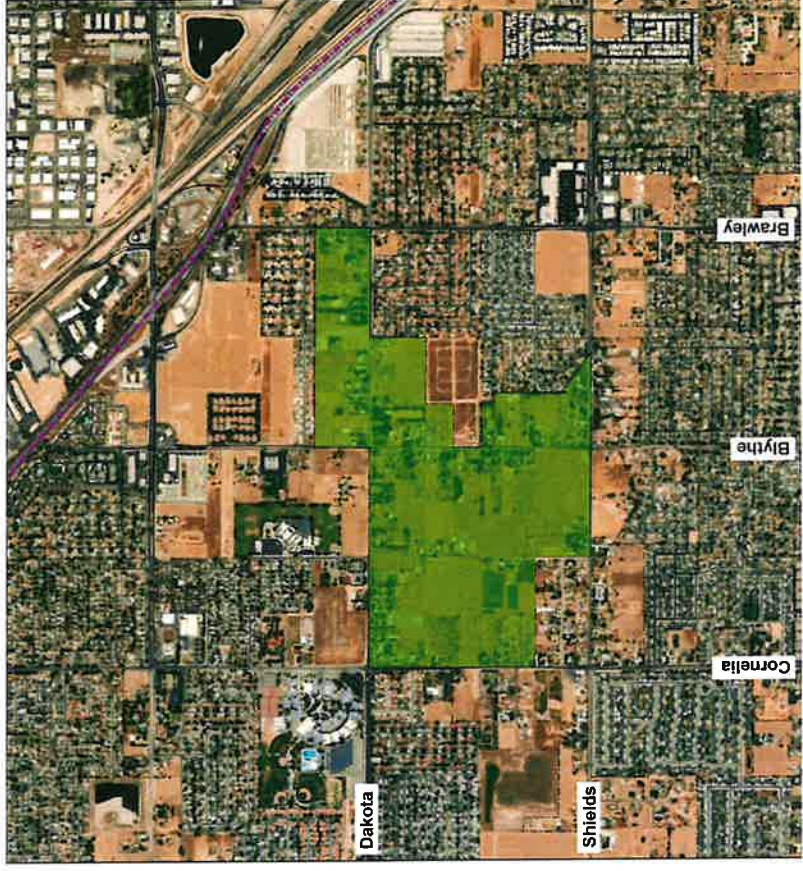
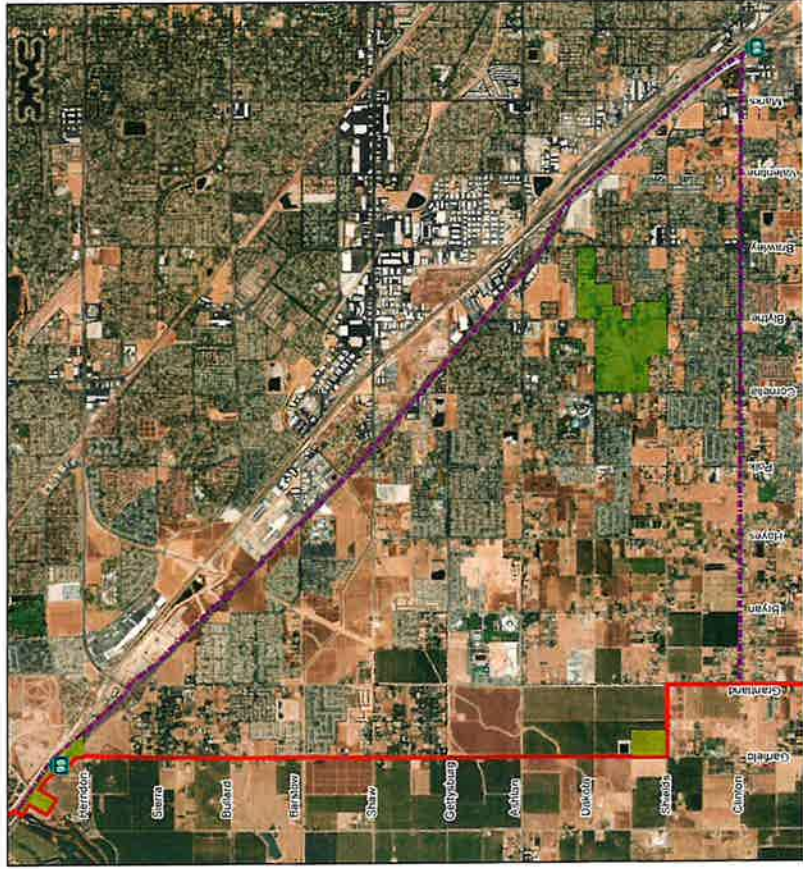
Farmland of Local Importance ~1,248 acres

Developed/In-Development ~341 acres

Less than 20 acres ~193 acres



Fresno County Ag Zoning



AE20



AL20

LESA Model

The Land Evaluation and Site Assessment (LESA) Model is a point-based approach for rating the relative importance of agricultural land resources based upon specific measurable features.

- soil resource quality
- project size
- water resource availability
- surrounding agricultural lands
- surrounding protected resource lands



LESA Example* - 6605 W. Shaw Ave



LE Factors	Factor Scores	Factor Weight	Weighted Factor Scores
Land Capability Classification	40	0.25	10
Storie Index	20	0.25	5
LE Subtotal		0.5	15
SA Factors			
Project Size	0	0.15	0
Water Resource Availability	90	0.15	13.5
Agricultural Land Surrounding	0	0.15	0
Protected Resource Land	0	0.05	0
SA Subtotal		0.5	13.5
	Final LESA Score		28.5
	Significant?		No

*this is an example for demonstration purposes only



Key Court Cases

BIA of Central California v. County of Stanislaus et al. (2010)

- Upheld a 1:1 mitigation measure and determined a reasonable relationship between the adverse impacts and required mitigation.

Masonite Corporation v. County of Mendocino (2013)

- Invalidated an EIR claiming no feasible mitigation measures to farmland loss. Determined easements at a 1:1 scale can offset loss.

King & Gardiner Farms, LLC v. County of Kern (2020)

- 1:1 mitigation alone is not enough to compensate the loss of farmland to a less than significant impact.



Housing Capacity



Housing Element / SB 330

Housing Element

- Applies to Housing Element Sites
- Capacity is measured by the **minimum** density

SB 330

- Applies to all parcels with housing capacity
- Capacity is measured by the **maximum** density



Overview of Changes



General Plan



MAP 5-4 Parcels Changing Under the Specific Plan (Current Planned Land Use)

Specific Plan



MAP 5-3 Parcels Changing Under the Specific Plan (Proposed Planned Land Use)



Fresno General Plan to WANSP

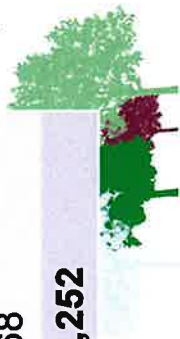
Land Use	Fresno General Plan (acres)	West Area Neighborhoods (acres)	Δ Acres
Low	817.79	516.57	-301.22
Medium Low	825.97	1440.22	614.25
Medium	2357	2118	-239
Medium-High	349.42	280.27	69.15
Urban Neighborhood	428.61	154.21	-274.4
High	349.42	46.61	-19.15
Neighborhood MX	0	308.43	308.43
Corridor-Center MX	106.19	96	-10.19
Regional MX	144.72	0	-144.72
Commercial Regional	0	4.24	4.24

City and SOI

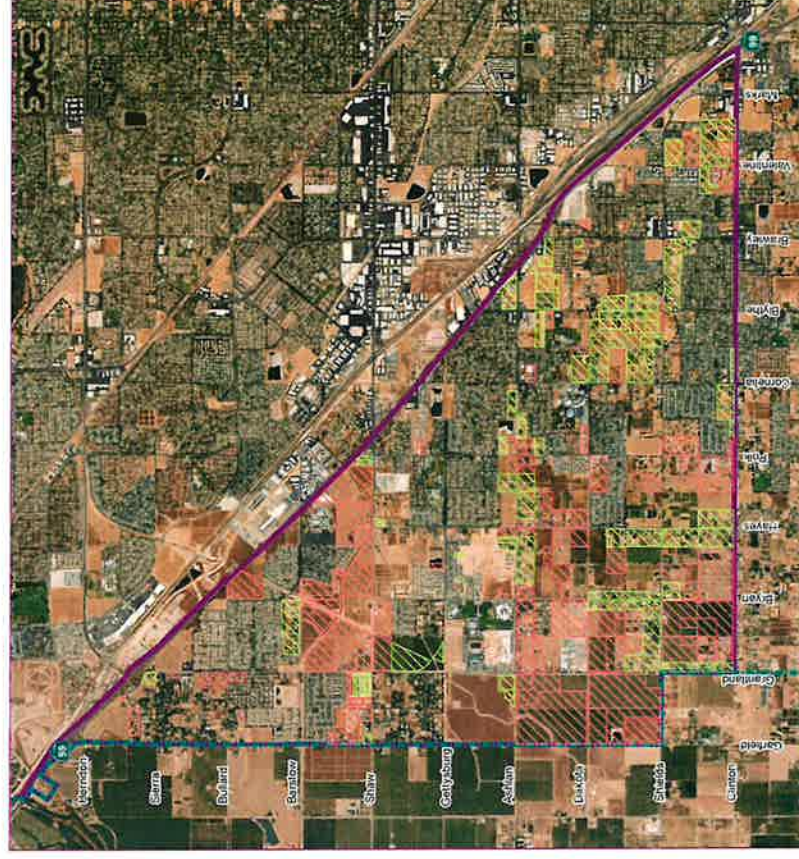
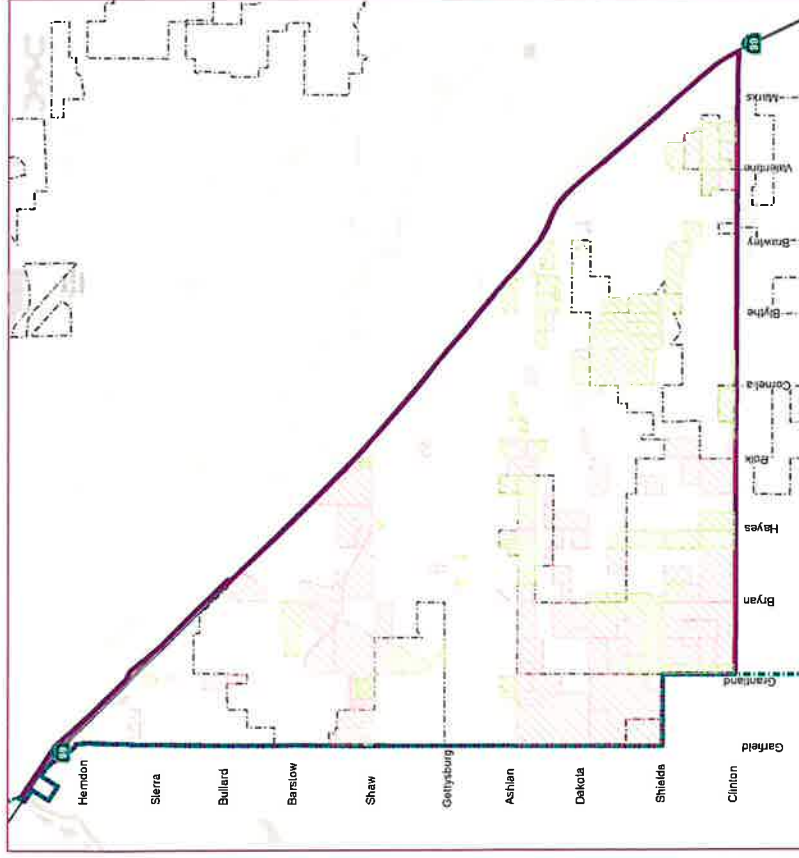


Fresno General Plan to WANSP

Land Use	Δ Acres	Maximum Allowed Units	Housing Capacity
Low	-301.22	3.5	-1054
Medium Low	614.25	6	3686
Medium	-239	12	-2868
Medium-High	-69.15	16	-1106
Urban Neighborhood	-274.4	30	-8232
High	-19.15	45	-862
Neighborhood MX	308.43	16	4935
Corridor-Center MX	-10.19	30	-306
Regional MX	-144.72	45	-6512
Commercial Regional	4.24	16	68
Total	-130.91		-12,252



WANSP Housing Capacity



Gain Loss



Changes with MUTA



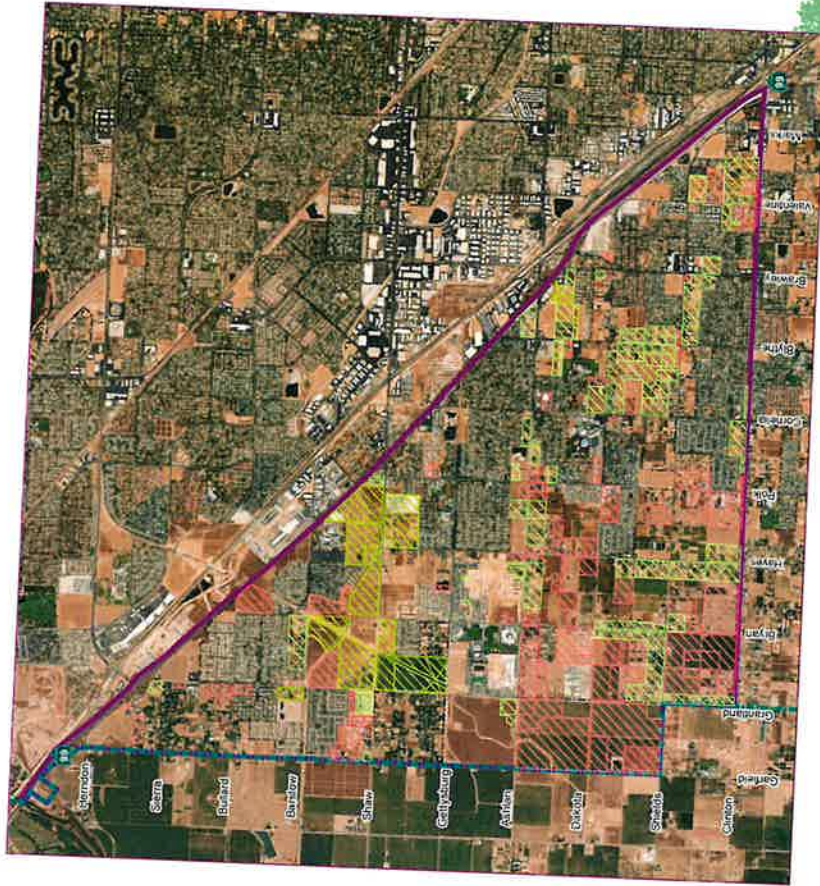
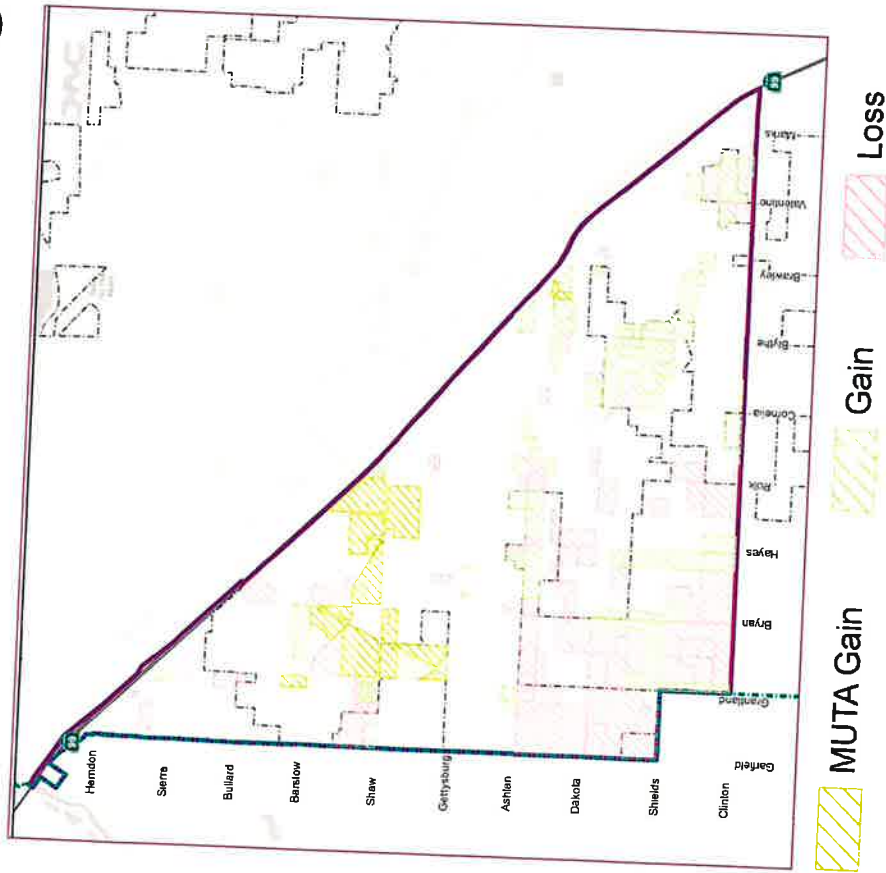
WANSP & MUTA

- Adoption of the Specific Plan would result in the loss of capacity for 12,252 housing units.
- The Mixed-Use Text Amendment (MUTA) will provide additional capacity of 21,762 housing units.
- Concurrent adoption of the Plan and Text Amendment is necessary to comply with SB 330.



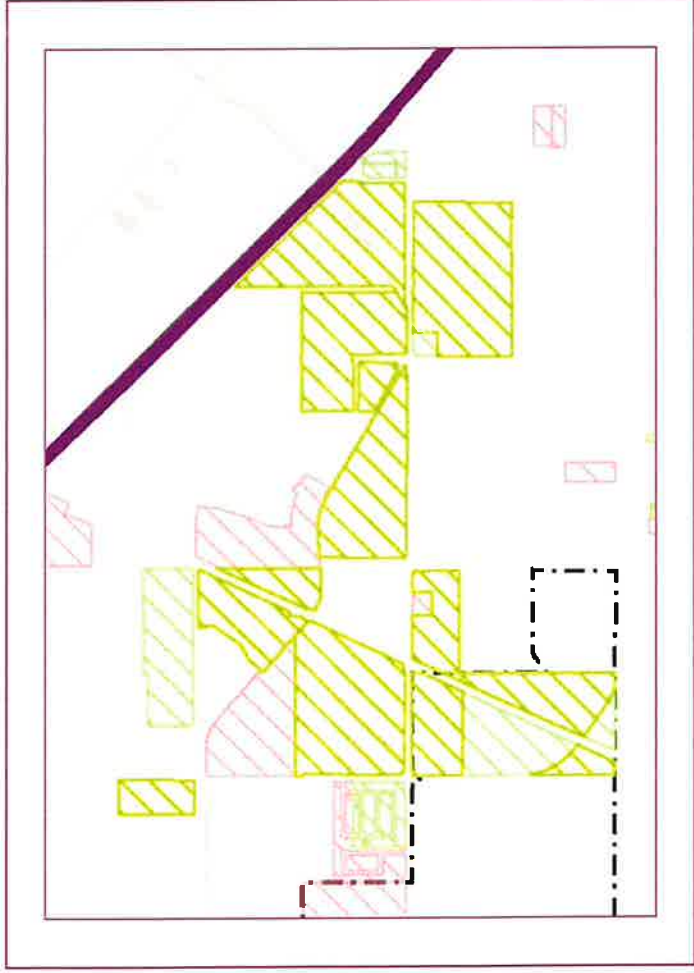
WANSP Housing Capacity + MUTA

www.fresno.gov/westareaplan

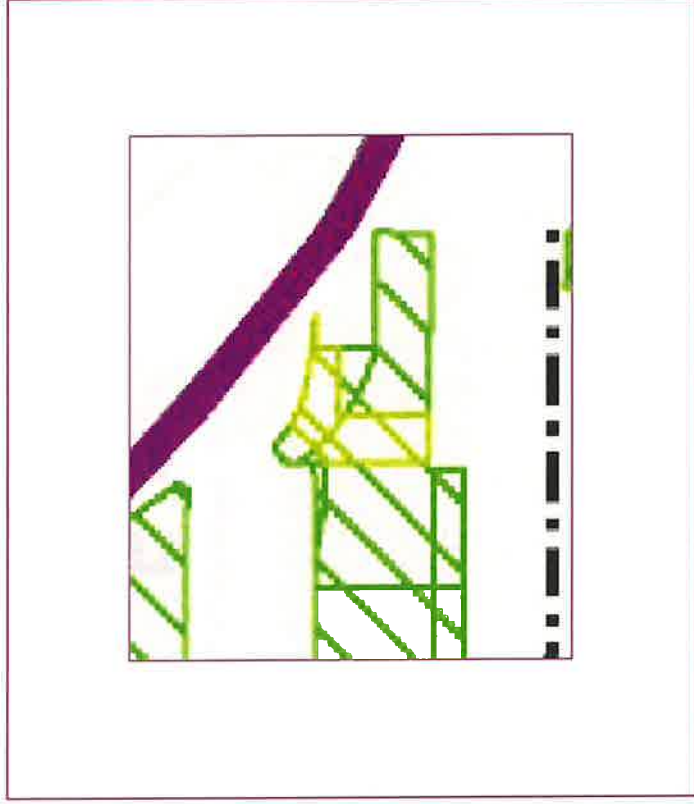


West Area Neighborhoods Specific Plan — September 29, 2022 - City Council Workshop





Shaw Avenue



Ashlan Avenue



Housing Element



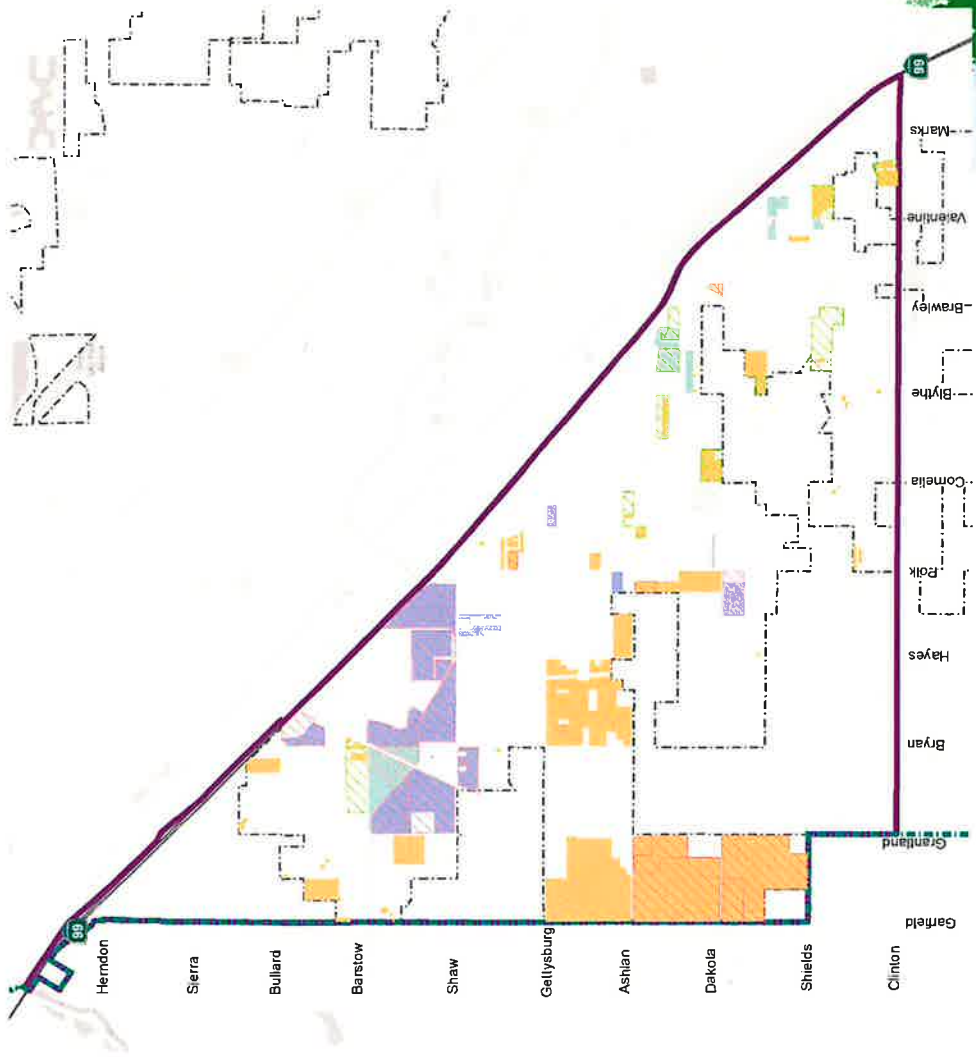
Housing Element – Gov. Code 65863

Adoption of the Plan would impact dwelling unit capacities on Housing Element sites as follows:

- 0-12 du/ac: net loss of 53 units of capacity
- 12-16 du/ac: net gain of 1,625 units of capacity
- 16-30 du/ac: net loss of 5,119 units of capacity

Surplus capacity exists to accommodate the reduction in affected categories.





WANSP Housing Element Sites

- Gain HE Sites
- Loss HE Sites

- Housing Element Sites
- Above Moderate
- Moderate
- Very Low/Low



Shaw Avenue



Housing Element Information

Current Housing Element and Past Webinars

<https://www.fresno.gov/housingelement>

New Multi-Jurisdictional Housing Element

(planning underway now)

<https://fresnomjhe.com>

