



Legislation Details (With Text)

**File #:** ID18-0383    **Version:** 1    **Name:**  
**Type:** Action Item    **Status:** Passed  
**File created:** 3/9/2018    **In control:** City Council  
**On agenda:** 4/5/2018    **Final action:** 4/5/2018

**Title:** CONTINUED HEARING to consider Official Plan Lines (OPL) for the South Temperance Avenue alignment from East Jensen Avenue to State Route 180, and, related Environmental Assessment No. EA-17-017. (Council District 5)  
a. ADOPT the Finding of Conformity to the Fresno General Plan Master Environmental Impact Report (MEIR #2012111015) as prepared for Environmental Assessment No. EA-17-017, filed September 29, 2017.  
b. BILL - (For introduction and adoption) - Approving the Official Plan Lines for the South Temperance Avenue alignment from East Jensen Avenue to State Route 180 pursuant to the Fresno General Plan Land Use and Circulation Map.

**Sponsors:** Public Works Department

**Indexes:**

**Code sections:**

**Attachments:** 1. 18-0257 Exhibit A.pdf, 2. 18-0257 Exhibit B.pdf, 3. 18-0257 Exhibit C.pdf, 4. 18-0257 Exhibit D.pdf, 5. 18-0257 Exhibit E.pdf, 6. 18-0257 Exhibit F.pdf, 7. 18-0257 Exhibit G.pdf, 8. 18-0257 Exhibit H.pdf, 9. 18-0257 South Temperance OPL - CC Presentation - abridged.pdf

Date	Ver.	Action By	Action	Result
4/5/2018	1	City Council	adopted as amended	Pass

**REPORT TO THE CITY COUNCIL**

**April 5, 2018**

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**SUBJECT**

**CONTINUED HEARING** to consider Official Plan Lines (OPL) for the South Temperance Avenue alignment from East Jensen Avenue to State Route 180, and, related Environmental Assessment No. EA-17-017. (Council District 5)

a. ADOPT the Finding of Conformity to the Fresno General Plan Master Environmental Impact Report (MEIR #2012111015) as prepared for Environmental Assessment No. EA-17-017, filed September 29, 2017.

- b. BILL - (For introduction and adoption) - Approving the Official Plan Lines for the South Temperance Avenue alignment from East Jensen Avenue to State Route 180 pursuant to the Fresno General Plan Land Use and Circulation Map.

## RECOMMENDATIONS

Staff recommends that the City Council take the following actions:

1. ADOPT the Finding of Conformity to the Fresno General Plan Master Environmental Impact Report (NEIR #201211015) as prepared for Environmental Assessment No. EA 17-017, file September 29, 2017.
2. ADOPT BILL approving the Official Plan Lines for the South Temperance Avenue alignment from East Jensen Avenue to State Route 180 pursuant to the Fresno General Plan Land Use and Circulation Map.

## EXECUTIVE SUMMARY

The City of Fresno Public Works Department, Traffic Operations and Planning Division has submitted Official Plan Lines (OPL) for the South Temperance Avenue alignment from East Jensen Avenue to State Route 180 for purposes of establishing the ultimate alignment and widths for future public street rights-of-way in accordance with the circulation element of the Fresno General Plan. Temperance Avenue establishes the western boundary for the Southeast Development Area (SEDA) and is bordered by residential, commercial and employment land uses. Recent residential subdivision projects have precipitated the need to establish the ultimate alignment of South Temperance Avenue to accommodate the developments.

The designated major (Super-arterial) street segment is located primarily within the city and is also in unincorporated areas of the County of Fresno within the City of Fresno Sphere of Influence (SOI). The County segments are from Jensen Avenue to approximately a quarter-mile north of Church Avenue, from Butler Avenue to Lane Avenue and from Kings Canyon to State Route 180. The remaining segments are within the city limits. Temperance Avenue is the boundary between Growth Area 1 and Growth Area 2 as depicted in Figure IM-2 (Sequencing of Development) of the Fresno General Plan and is planned for residential, commercial, employment and industrial development.

The proposed project will require future acquisition and dedications for public street rights-of-way as well as the installation and construction of both public and private facilities and infrastructure in accordance with the standards, specifications and policies of the City of Fresno. Timelines for future construction of the public street segment will be contingent upon development; occurring incrementally, as growth is proposed in the area in accordance with the goals, objective and policies of the Fresno General Plan.

The appropriateness of the proposed project has been examined with respect to its consistency with goals and policies of the Fresno General Plan, its compatibility with surrounding existing or proposed uses, and its avoidance or mitigation of potentially significant adverse environmental impacts. These factors have been evaluated as described above and by the accompanying environmental assessment. Upon consideration of this evaluation, it can be concluded that the proposed Official Plan Lines for South Temperance Avenue from East Jensen Avenue to State Route 180 are appropriate for purposes of facilitating ultimate public street rights-of-way alignments and widths for

the planned major street segment designated on the Fresno General Plan Land Use and Circulation Map.

## **BACKGROUND**

In Fresno, the roadway system configuration has been primarily based on a traditional grid pattern. Outside of the Downtown Area the grid is based on a north-south orientation based on Township, Range and Section lines. Almost all of the Arterial and Collector Streets (roadways) within the Metropolitan Area are regularly spaced at half-mile intervals. This roadway pattern has been modified in the past several decades to include several curvilinear and diagonal alignments, and neighborhood street patterns have sometimes deviated from the grid patterns.

Figure MT-1: Circulation Diagram of the Fresno General Plan designates the planned roadway network of the General Plan. The planned roadway system focuses primarily upon roadways, which includes the Expressway, Super-arterial, Arterial, and Collector Streets. For some roadways, especially in areas that are not yet developed with urban uses, the diagram indicates the future and not the present character of the road. The construction of planned roadways occurs during the course of a general plan's implementation through the execution of the City's capital improvements program utilizing funds from a variety of sources. In addition, portions of roadways are constructed by private property owners and developers in accordance with applicable development standards.

The General Plan establishes a refined street classification system to categorize roadways and other transportation facilities, as shown in Figure MT-1: Circulation Diagram. Each classification reflects the character of the facility as well as its function within the context of the entire transportation system. Each classification has standards considering a facility's relation to surrounding land uses, existing rights-of-way, accessibility via other roadways, and appropriate travel speeds. While roadway classification types were originally based upon a priority given to various types and lengths of motor vehicle trips, they now give substantial consideration to the accommodation of multiple travel modes and trips (public transportation, bicycle, pedestrian). This classification system is used for engineering design and traffic operation standards.

Super-arterial Streets are four- to six-lane divided (median island separation) roadways with limited motor vehicle access to abutting properties. The primary purpose of a super-arterial is moving multiple modes of traffic to and from major traffic generators among the sub regions. The access points along super-arterials are limited to right-turn entrance and exit vehicular movements as well as select left-turn partial openings in medians from the super-arterials to surrounding properties or neighborhoods, limited to one location per half mile. No left-turns are allowed out of local streets or properties.

## **Land Use Plans and Policies**

As proposed, the project will be consistent with the Fresno General Plan goals and objectives related to industrial land use and the urban form:

### Goals:

- Emphasize and plan for all modes of travel on local and Major Streets in Fresno.

Objectives & Policies:

- Objective MT-1: Create and maintain a transportation system that is safe, efficient, provides access in an equitable manner, and optimizes travel by all modes.
- Policy MT-1-a: Continue to review local, regional and inter-regional transportation plans and capital improvement plans, and advocate for the approval and funding of State highway and rail projects, consistent with the General Plan and discourage projects inconsistent with the plan.
- Policy MT-1-b: Design and construct planned streets and highways that complement and enhance the existing network, as well as future improvements to the network consistent with the goals, objectives and policies of the General Plan, as shown on the Circulation Diagram (Figure MT-1), to ensure that each new and existing roadway continues to function as intended.
- Policy MT-1-c: Prepare and adopt Official Plan Lines, or other appropriate documentation such as Director Determinations, for transportation corridors, roadways, and bicycle/pedestrian paths/trails, as necessary to preserve and/or obtain rights-of-way needed for planned circulation improvements.
- Policy MT-1-g: Provide transportation facilities based upon a Complete Streets concept that facilitates the balanced use of all viable travel modes (pedestrian, bicyclists, motor vehicle and transit users), meeting the transportation needs of all ages, income groups, and abilities and providing mobility for a variety of trip purpose, while also supporting other City goals.

These Goals, Objectives and Policies contribute to the establishment of a comprehensive city-wide land use planning strategy to facilitate travel by walking, biking, transit, and motor vehicle with interconnected and linked neighborhoods, districts, major campuses and public facilities, shopping centers and other service centers, and regional transportation such as air, rail, bus and highways.

The proposed project includes the identification and adoption of Official Plan Lines (OPL) for the alignment of the South Temperance Avenue street segment located between East Jensen Avenue and State Route 180 for purposes of establishing the ultimate alignment and widths for future public street rights-of-way in accordance with the Circulation Diagram of the Fresno General Plan.

The designated major (Super-arterial) street segment is located primarily within the City of Fresno Sphere of Influence (SOI). The project area is the boundary between Growth Area 1 and Growth Area 2 as depicted in Figure IM-2 (Sequencing of Development) of the Fresno General Plan and is planned for residential, commercial, employment and industrial development.

The proposed project will require future acquisition and dedications for public street rights-of-way as well as the installation and construction of both public and private facilities and infrastructure in accordance with the standards, specifications and policies of the City of Fresno. Timelines for future construction of the public street segment will be contingent upon development; occurring

incrementally, as growth is proposed in the area in accordance with the goals, objective and policies of the Fresno General Plan.

The public street alignment proposed for adoption will contribute to the completion of missing roadway and infrastructure improvements within the area in a manner which is consistent with the land use designations and circulation element of the Fresno General Plan.

The proposed project will facilitate future connectivity through both vehicular, bicycle and pedestrian integration with adjacent land for future development through utilization of the concept of Complete Streets; and, through utilization of the Fresno General Plan classification system for engineering design and traffic operation standards.

The Official Plan Lines are consistent with the planned major street segment designated on the Circulation Diagram of the Fresno General Plan. The area street plans are the product of careful planning that projects traffic capacity needs based on the densities and intensities of planned land uses anticipated at build-out of the planned area. These streets will provide adequate access to, and recognize the traffic generating characteristics of, individual properties and, at the same time, afford the community an adequate and efficient circulation system; no substantial increase in transportation or traffic is expected to result.

Therefore it is staff's opinion that the proposed project is consistent with respective general and community plan objectives and policies and will not conflict with any applicable land use plan, policy or regulation of the City of Fresno. Furthermore, the proposed project is found; (1) To be consistent with the goals, objectives and policies of the applicable Fresno General Plan; (2) To be Suitable for the type and density of development; (3) To be safe from potential cause or introduction of serious public health problems; and, (4) To not conflict with any public interests in the subject property or adjacent lands.

### **Public Participation and Project History**

On September 7, 2017, the Public Works Department, Traffic Operations and Planning Division staff held a neighborhood meeting at John Wash Elementary School to present the proposed Official Plan Lines and gather any final public comment from concerned citizens. Approximately 13 individuals attended the neighborhood meeting. Citizens voiced concerns regarding the future increase in traffic and speeds, impact to property frontage, timing of the future widening, and safety.

The Public Works Department, Traffic Operations and Planning Division mailed notices of this Planning Commission hearing to all surrounding property owners within 1,000 feet of the proposed major street alignment, pursuant to Section 15-5007 of the Fresno Municipal Code (FMC); and, provided published notice in the Fresno Bee on January 26, 2018 pursuant to Article 7 of Chapter 12 of the FMC.

### **Fresno City Planning Commission Action**

The proposed Official Plan Line (OPL) was considered by the Fresno City Planning Commission at its meeting on February 7, 2018. After a complete hearing, the Commission voted unanimously to recommend the City Council approve the proposed OPL and associated environmental findings. Four (4) members of the public spoke at the public hearing expressing concern for the increase in traffic and noise.

Staff is recommending the City Council approve the proposed OPL and associated environmental findings in accordance with the recommendations included within this report.

## **ENVIRONMENTAL FINDINGS**

An environmental assessment initial study was prepared for this project in accordance with the requirements of the California Environmental Quality Act (CEQA) Guidelines.

Preparation of the environmental assessment necessitated a thorough review of the proposed project and relevant environmental issues and considered previously prepared environmental and technical studies including the Fresno General Plan Master Environmental Impact Report (MEIR SCH No. 2012111015). These environmental and technical studies have examined projected sewage generation rates of planned urban uses, the capacity of existing sanitary sewer collection and treatment facilities, and optimum alternatives for increasing capacities; groundwater aquifer resource conditions; water supply production and distribution system capacities; traffic carrying capacity of the planned major street system; air quality, greenhouse gases and global climate change; and, student generation projections and school facility site location identification, etc..

The proposed Official Plan Lines (OPL) for the designated major (Super-arterial) street segment of South Temperance Avenue between East Jensen Avenue and State Route 180 has been determined to be a subsequent project that is fully within the scope of the MEIR SCH No. 2012111015 as provided by the CEQA, as codified in the Public Resources Code (PRC) Section 21157.1(d) and the CEQA Guidelines Section 15177(c). It has been further determined that all applicable mitigation measures of SCH No. 2012111015 have been applied to the project, as necessary to assure that the project will not cause significant adverse cumulative impacts, growth inducing impacts and irreversible significant effects beyond those identified by SCH No. 2012111015 as provided by CEQA Section 15178(a). In addition, pursuant to Public Resources Code, Section 21157.6(b)(1), staff has determined that no substantial changes have occurred with respect to the circumstances under which the MEIR was certified and that no new information, which was not known and could not have been known at the time that the MEIR was certified as complete, has become available. Therefore, it has been determined based upon the evidence in the record that the project will not have a significant impact on the environment and that the filing of a finding of conformity is appropriate in accordance with the provisions of CEQA Section 21157.5(a)(2) and CEQA Guidelines Section 15178(b)(1) and (2).

Based upon the attached environmental assessment and applicable mitigation measures, staff has determined that there is no evidence in the record that the project may have a significant effect on the environment and has prepared a finding of conformity for this project. A public notice of the attached finding of conformity for Environmental Assessment Application No. EA-17-017 was published on September 29, 2017 with no comments or appeals received to date.

## **LOCAL PREFERENCE**

Local preference was not considered because this ordinance does not include a bid or award of a construction or service contract.

## **FISCAL IMPACT**

Affirmative action by the Council will result in timely deliverance of the review and processing of the applications as is reasonably expected by the applicant. Prudent financial management is demonstrated by the expeditious completion of this land use application inasmuch as the applicant has paid to the city a fee for the processing of this application and that fee is, in turn, funding the respective operations of the Development and Resource Management Department.

The actual widening of South Temperance Avenue will occur with development and will be funded with City of Fresno street impact fees. The City also intends to solicit grant funding to augment the street impact fees.

Attachments:

- Exhibit A: Vicinity Map
  - Exhibit B: Aerial Photograph
  - Exhibit C: Public Hearing Notice Mailing List Vicinity Map
  - Exhibit D: Fresno General Plan Land Use and Circulation Map
  - Exhibit E: Official Plan Lines for South Temperance Avenue from East Jensen Avenue to State Route 180
  - Exhibit F: Environmental Assessment No. EA-17-017, Finding of Conformity to the Fresno General Plan Master Environmental Impact Report (MEIR) SCH No. 2012111015 dated September 29, 2017
  - Exhibit G: Planning Commission Resolution No. 13517 for the Official Plan Lines for South Temperance Avenue from East Jensen Avenue to State Route 180; and, the related Environmental Assessment
  - Exhibit H: City Council Ordinance Bill for the Official Plan Lines for South Temperance Avenue from East Jensen Avenue to State Route 180; and the related Environmental Assessment
- South Temperance OPL - CC Presentation - abridged