



Legislation Details (With Text)

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Type: Action Item **Status:** Agenda Ready
File created: 5/11/2020 **In control:** City Council
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Title: Hearing to consider General Plan Text Amendment Application No. P20-01529 and related Environmental Finding which proposes, in the Local Hazard Mitigation section of the Noise and Safety Element of the General Plan, to delete an outdated adoption date of the Fresno County Multi-Jurisdictional Hazard Mitigation Plan and City of Fresno Local Hazard Mitigation Plan Annex consistent with the requirements of Federal and State law, and General Plan Policy NS-6-a.

1. ADOPT Environmental Assessment No. P20-01529, a finding that the application is exempt from the California Environmental Quality Act (CEQA) pursuant to the “common sense” exemption set forth in CEQA Guidelines Sections 15161(b)(3) that there is no possibility that the Plan Amendment Application will have a significant effect on the environment.
2. ADOPT RESOLUTION - Approving the General Plan Text Amendment No. P20-01529 amending the Local Hazard Mitigation section of the Noise and Safety Element of the General Plan, as described in Exhibit A.

Sponsors: Planning and Development Department

Indexes:

Code sections:

Attachments: 1. Exhibit A: Text Amendment Application No. P20-01529, 2. Exhibit B: Public Notice, 3. Exhibit C Environmental Assessment, 4. Exhibit D: Fresno Municipal Code Findings, 5. Exhibit E Resolution.pdf, 6. additional information for the 1010 item for May 21, 2020.pdf

Date	Ver.	Action By	Action	Result
5/21/2020	1	City Council	adopted	Pass

REPORT TO THE CITY COUNCIL

May 21, 2020

FROM: MIKE SANCHEZ, AICP, Assistant Director
Planning and Development Department

THROUGH: SOPHIA PAGOULATOS, Planning Manager
Long Range Planning Division

BY: DREW WILSON, Supervising Planner
Long Range Planning Division

SUBJECT:

Hearing to consider General Plan Text Amendment Application No. P20-01529 and related

Environmental Finding which proposes, in the Local Hazard Mitigation section of the Noise and Safety Element of the General Plan, to delete an outdated adoption date of the Fresno County Multi-Jurisdictional Hazard Mitigation Plan and City of Fresno Local Hazard Mitigation Plan Annex consistent with the requirements of Federal and State law, and General Plan Policy NS-6-a.

1. **ADOPT** Environmental Assessment No. P20-01529, a finding that the application is exempt from the California Environmental Quality Act (CEQA) pursuant to the “common sense” exemption set forth in CEQA Guidelines Sections 15161(b)(3) that there is no possibility that the Plan Amendment Application will have a significant effect on the environment.
2. **ADOPT RESOLUTION** - Approving the General Plan Text Amendment No. P20-01529 amending the Local Hazard Mitigation section of the Noise and Safety Element of the General Plan, as described in Exhibit A.

RECOMMENDATION

Recommend approval of General Plan Text Amendment No. P20-01529 and related environmental assessment.

EXECUTIVE SUMMARY

The Plan Amendment Application proposes, in the Local Hazard Mitigation section of the Noise and Safety Element of the General Plan, to delete an outdated adoption date of the Fresno County Multi-Jurisdictional Hazard Mitigation Plan (HMP) and City of Fresno Local Hazard Mitigation Plan Annex (Annex) in order to reflect that the County maintains a current Plan and Annex consistent with the requirements of Federal and State law, and General Plan Policy NS-6-a. This revision would allow periodic updating of the HMP and Annex without causing the General Plan to be outdated, and would comply with AB 2140 which qualifies the City for additional disaster mitigation funding.

BACKGROUND

The Fresno General Plan references to the Fresno County Multi-Jurisdictional Hazard Mitigation Plan and City of Fresno Local Hazard Mitigation Plan Annex include reference to an adoption date of December 1, 2009. The County of Fresno, in coordination with the City of Fresno prepared a new Fresno County Multi-Jurisdictional Hazard Mitigation Plan in 2018. The update included a City of Fresno Local Hazard Mitigation Plan Annex (2018 Hazard Mitigation Plan). The 2018 Hazard Mitigation Plan was prepared consistent with the requirements of the Robert T. Stafford Disaster Relief and Emergency Assistance Act as amended in 2016, the Disaster Mitigation Act of 2000, and California Government Code Sections 8685.9 and 65302.6.

The General Plan’s current references to the December 1, 2009 adoption date are out of date. Plan Amendment Application No. P20-01529 was initiated by Director action pursuant to Fresno Municipal Code section 15-5803-C to amend the Fresno General Plan to remove the inaccurate date reference. Plan Amendment Application No. P20-01529 proposes to delete any reference to the December 1, 2009 adoption date in order to accurately reflect that the County maintains a current Multi-Jurisdictional Hazard Mitigation Plan and a City of Fresno Local Hazard Mitigation Plan Annex. The City adopted the 2018 Mitigation Plan and City of Fresno Local Hazard Mitigation Plan Annex on December 19, 2019, consistent with the requirements of Federal and State law, and General Plan Policy NS-6-a.

Public Notice and Comment

Notice was provided by the following methods pursuant to Fresno Municipal Code (FMC) Sections 15-5007-C and D (See Exhibit B):

1. A legal notice was published in the Fresno Bee on May 8, 2020;
2. The proposed amendments were posted on the city’s website on the City Clerk’s page.

To date, no public comments have been received on the application.

Citizen Committees

Plan Amendment Application No. P20-01529 only proposes a minor revision to a paragraph in the narrative (and non-binding) portion of the Noise and Safety Element, does not propose development of any kind, and therefore is not an application to develop property that must be reviewed by the District Project Review Committees pursuant to Fresno Municipal Code Section 15-4906-D. Therefore, in the interest of timely action, it was not considered by the Council District Project Review Committees.

Planning Commission

The Planning Commission is scheduled to consider the proposed plan amendment at its regularly scheduled public hearing to be held on May 20, 2020. Staff will provide the City Council with the Planning Commission's recommendation at the council hearing.

ENVIRONMENTAL FINDINGS

The environmental assessment conducted for the proposed plan amendment resulted in the preparation of a finding that it is exempt from the requirements of CEQA pursuant to the "common sense" exemption set forth in CEQA Guidelines Section 15061(b)(3) that there is no possibility that Plan Amendment No. P20-01529 will have a significant effect on the environment.

LOCAL PREFERENCE

N/A - no contracts under consideration.

FISCAL IMPACT

N/A

Attachments:

Exhibit A: Text Amendment Application No. P20-01529
Exhibit B: Public Notice
Exhibit C: Environmental Assessment
Exhibit D: Fresno Municipal Code Findings
Exhibit E: Resolution