



Legislation Details (With Text)

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Title: *BILL NO. B-29 (Intro. June 26, 2014) (For Adoption) Amending Section 1204.508-E of the Fresno Municipal Code regarding Urban Growth Management development restrictions on the running distance between commercial and industrial developments and an operating City fire station. (Citywide Application) - Development and Resource Management Department and Fresno Fire Department
Sponsors: Planning and Development Department
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Date	Ver.	Action By	Action	Result
7/17/2014	1	City Council	adopted	Pass



REPORT TO THE CITY COUNCIL

June 26, 2014

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***BILL NO. B-29 (Intro. June 26, 2014) (For Adoption)** Amending Section 1204.508-E of the Fresno Municipal Code regarding Urban Growth Management development restrictions on the running distance between commercial and industrial developments and an operating City fire station. (Citywide Application) - Development and Resource Management Department and Fresno Fire Department

RECOMMENDATION

The appropriateness of the proposed text amendment has been examined pursuant to Section 12-

402 of the Fresno Municipal Code (FMC), and the Director of the Development and Resource Management Department has determined that the proposed text amendment is consistent with the goals and policies in the 2025 Fresno General Plan. Upon consideration of staff evaluation, it can be concluded that proposed Text Amendment Application No. TA-14-002 is appropriate for citywide use. Therefore, staff recommends the City Council take the following actions:

1. APPROVE the environmental finding for Environmental Assessment No. TA-14-002, dated May 1, 2014, pursuant to CEQA Guidelines section 15061(b)(3), that there is no possibility that this project may have a significant effect on the environment.
2. ADOPT Ordinance Bill approving Text Amendment Application No. TA-14-002, amending Section 12-4.508-E of the Fresno Municipal Code regarding Urban Growth Management development restrictions on the running distance between commercial and industrial developments and an operating fire station.

EXECUTIVE SUMMARY

Text Amendment No. TA-14-002 (see Exhibit A for Ordinance Bill) was initiated by the Director of the Development and Resource Management Department and proposes to amend Section 12-4.508-E of the FMC relating to Urban Growth Management (UGM) Fire Stations and Development Restrictions. The text amendment would allow the Fire Chief to determine that the Fire Department's physical response time is equivalent to running distance. This is now necessary because more tools are available to estimate response time and doing so would maximize the use of existing fire stations. Staff supports the proposed text amendment.

PROJECT INFORMATION

PROJECT	Text Amendment No. TA-14-002 proposes to amend Section 12-4.508-E of the FMC relating to Urban Growth Management (UGM) Fire Stations and Development Restrictions in order to maximize the use of existing fire stations.
APPLICANT	City of Fresno - Development and Resource Management Department
LOCATION	Citywide
ENVIRONMENTAL FINDING	A finding that there is no possibility that this project may have a significant effect on the environment was made for Environmental Assessment No. TA-14-002, dated May 1, 2014, pursuant to CEQA Guidelines section 15061(b)(3). See Exhibit B for environmental finding.
PLAN COMMITTEE RECOMMENDATION	Council District Plan Implementation Committees 1, 4, 5 and 6 recommended approval of the text amendment. Council District Plan Implementation Committees 2 and 3 made no comment.
PLANNING COMMISSION	On May 21, 2014, the Planning Commission recommended that the City Council: (1) adopt environmental finding, dated May 1, 2014; (2) approve Text Amendment No. TA-14-002 as presented
STAFF RECOMMENDATION	Approve the proposed text amendment and adopt the related environmental finding

BACKGROUND

Currently, the FMC requires that in all UGM areas, no commercial or industrial development is permitted beyond the three mile running distance of an existing and operating fire station

unless the developer first constructs a fire station to serve such development. Running distance is defined as “the actual distance which must be traveled over public streets or rights-of-way from a fire station to reach the scene of a fire incident (FMC Section 12.4.501.5-G).” The Development and Resource Management Director is currently allowed to grant a temporary waiver from this requirement when the Fire Chief finds that certain conditions apply. The text amendment would add another basis for the granting of the waiver if the physical response time is equivalent to the industry standard response time of the three mile running distance.

The FMC currently requires all new commercial and industrial construction to be within a three mile running distance from a fire station to allow for appropriate response times. Industry recognizes a three mile running distance as a four minute average response time.

There are geographical areas near the city limits that are within three driving miles of a fire station, but exceed the four minute response time because of road conditions and traffic patterns. There are also areas that are within four minutes driving time, but outside the three mile running distance from the closest fire station.

Physical response time is the actual time it takes a fire apparatus, while responding with emergency lights and sirens, from the fire station to the ending point, which is four minutes of driving time in all directions from the fire station. This standard would be equivalent to the three mile running distance from the fire station as defined in the FMC.

The intent of the proposed text amendment is to allow the Fire Chief to take into consideration the use of freeways and other expressways that may allow a fire apparatus to extend the running distance, thus maximizing the use of existing fire stations and ensuring that new development is not conditioned with construction of new fire stations if the property is within the four minute response time.

The attached map shows the areas within and around the city that would be served by the three mile running distance and the four mile response time (Exhibit C).

PUBLIC NOTICE AND INPUT

In accordance with Fresno Municipal Code Section 12-402-B, a notice of public hearing was published in the Fresno Bee on April 27, 2014, ten days prior to the Planning Commission hearing date, and again on June 13, 2014, ten days prior to the June 26, 2014 City Council hearing date. No comments have been received to date.

The Airport Land Use Commission reviewed the text amendment on April 7, 2014 and found it consistent with the airport land use plans within the City of Fresno.

Council District Committees 1, 4, 5 and 6 recommended approval of the text amendment. Council Districts 2 supported the amendment and 3 made no comment.

Planning Commission

The Planning Commission considered the text amendment at its regularly scheduled meeting of May 21, 2014. No members of the public spoke in support or in opposition to the proposed

text amendment. The Planning Commission recommended approval of the proposed text amendment and related environmental finding by a 5-0-1 vote, with Commissioner Vasquez absent (See Exhibit D for Planning Commission Resolution).

2025 Fresno General Plan Objectives and Policies

Objective E-25 of the Public Facilities Element states:

Ensure that fire protection, emergency medical and all emergency services are provided in an adequate, efficient and cost effective manner.

Policy E-25-a further states:

Utilize the procedures and criteria contained within the Urban Growth Management Policy and Ordinance to provide an equitable means through which the provision of fire service can be addressed throughout the UGM area including the planned North and Southeast Growth Areas.

Staff believes that the proposed amendment is consistent with the above objective and policy, as it would increase the areas of the urban area that can be adequately and safely served by existing fire stations, thereby increasing the efficient provision of city services.

Conclusion

Staff believes that the proposed text amendment is in the best interest of the City of Fresno and supports Text Amendment No. TA-14-002 as proposed in the attached Ordinance Bill.

ENVIRONMENTAL FINDINGS

Pursuant to CEQA Guidelines Section 15061(b)(3), there is no possibility that this project may have a significant effect on the environment. The text amendment is providing an additional criterion by which a temporary waiver may be granted for the provision of a fire station if a project is located within response time equivalent to the three mile running distance. The proposed four-minute response time is consistent with the city standards for response times and considered to be equivalent to the three-mile running distance.

LOCAL PREFERENCE

N/A.

FISCAL IMPACT

Affirmative action by the Council will result in timely deliverance of the review and processing of the application 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.

Exhibits:

- A: Ordinance Bill for Text Amendment No. TA-14-002
- B. Environmental Assessment No. EA-14-015 dated May 1, 2014
- C: UGM Fire Station Response Map
- D. Planning Commission Resolution No. 13283