



## Legislation Details (With Text)

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**Title:** HEARING to consider Official Plan Line (OPL) for the West North Avenue alignment from South Marks Avenue to South Elm Avenue, and related Environmental Assessment No. EA-18-004. (Council District 3)

1. ADOPT Environmental Assessment No. EA-18-004, filed May 18, 2018, resulting in a Mitigated Negative Declaration for purposes of the proposed project
2. \*\*\*BILL - (For introduction and adoption) - Approving the Official Plan Line for the West North Avenue alignment from South Marks Avenue to South Elm Avenue pursuant to the Fresno General Plan Land Use and Circulation Map (Subject to Mayor's Veto)

**Sponsors:** Public Works Department

**Indexes:**

**Code sections:**

**Attachments:** 1. 22-1401 Exhibit A - Vicinity Map, 2. 22-1401 Exhibit B - Aerial Photograph, 3. 22-1401 Exhibit C - Public Hearing Notice Mailing List Vicinity Map, 4. 22-1401 Exhibit D - Fresno General Plan Land Use and Circulation Map, 5. 22-1401 Exhibit E - Official Plan Line for North from Marks to Elm, 6. 22-1401 Exhibit F - EA-18-004 - Mitigated Negative Declaration, 7. 22-1401 Exhibit G Planning Commission Resolution No 13764 for the Official Plan Line for West North Avenue from South Marks Avenue to South Elm Avenue, 8. 22-1401 OPL North Ave Marks Elm Ordinance

Date	Ver.	Action By	Action	Result
9/29/2022	1	City Council	ADOPTED	Pass

## REPORT TO THE CITY COUNCIL

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## SUBJECT

HEARING to consider Official Plan Line (OPL) for the West North Avenue alignment from South Marks Avenue to South Elm Avenue, and related Environmental Assessment No. EA-18-004. (Council District 3)

1. ADOPT Environmental Assessment No. EA-18-004, filed May 18, 2018, resulting in a Mitigated Negative Declaration for purposes of the proposed project
2. \*\*\*BILL - (For introduction and adoption) - Approving the Official Plan Line for the West North Avenue alignment from South Marks Avenue to South Elm Avenue pursuant to the Fresno

## General Plan Land Use and Circulation Map (Subject to Mayor's Veto)

### RECOMMENDATIONS

Staff recommends the City Council conduct the required public hearing and at the close of the hearing, adopt Environmental Assessment No. EA-18-004, filed May 18, 2018, resulting in a Mitigated Negative Declaration for purposes of the proposed project and adopt the Ordinance Bill approving the Official Plan Line for the West North Avenue alignment from South Marks Avenue to South Elm Avenue pursuant to the Fresno General Plan Land Use and Circulation Map.

### EXECUTIVE SUMMARY

The City of Fresno Public Works Department, Services Division has submitted Official Plan Line (OPL) for the West North Avenue alignment from South Marks Avenue to South Elm Avenue 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. West North Avenue between South Marks Avenue and South Avenue is bordered by residential, commercial and agricultural land uses. Recent commercial and industrial projects have precipitated the need to establish the ultimate alignment of West North Avenue to accommodate the developments.

The designated arterial street segment is located primarily within an unincorporated area of the County of Fresno limits except for some property on the north side of West North Avenue between South Hughes Avenue and South West Avenue, and from South Newman Avenue to South Elm Avenue, and the south side of West North Avenue from South Fig Avenue to South Clara Avenue within the City of Fresno Sphere of Influence (SOI). The project area between Marks and Fig Avenues is a southerly boundary for Growth Area 1 as depicted in Figure IM-2 (Sequencing of Development) of the Fresno General Plan and is planned for residential and commercial 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.

### 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.

Arterial Streets are designed to accommodate four- to six-lane divided (median island separation) roadways, with somewhat limited motor vehicle access to abutting properties, and with the primary purpose of moving traffic within and between neighborhoods and to and from freeways and expressways. In addition to major street intersections, appropriately designed and spaced local street intersections may allow left-turn movements to and from the arterial streets.

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 Line (OPL) for the alignment of the West North Avenue street segment located between South Marks Avenue and South Elm Avenue 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 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 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 Line is 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.

On July 6, 2017, the Public Works Department, Traffic Operations and Planning Division staff held a

scheduled two hour neighborhood meeting at West Fresno Middle School, located at 2888 South Ivy Avenue, to present the proposed Official Plan Line and gather any final public comment from concerned citizens. Two-hundred four (204) meeting notices were mailed out prior to the public meeting. Five individuals attended the neighborhood meeting. Representatives of the City provided a strip map of the OPL and Power Point slide show followed by a question and answer period. Attendees voiced concerns regarding excessive speeds, right-of-way dedications and their impact to property frontage, timeframe for the future widening, noise and safety.

On April 26, 2018, a second public meeting was held at West Fresno Middle School. Four-hundred eighty-six (486) meeting notices were sent out prior to the public meeting. One person, from the Fresno Irrigation District, attended the meeting. City staff provided strip maps and a Power Point slide show for this meeting.

The Public Works Department, Engineering Services 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 July 27, 2022 pursuant to Article 7 of Chapter 12 of the FMC. Planning Commission meeting was held on September 7, 2022 with a recommendation to City Council to adopt Environmental Assessment No. EA-18-004, filed May 18, 2018 and adoption of the Official Plan Line for the West North Avenue alignment from South Marks Avenue to South Elm Avenue.

## **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 City of Fresno has conducted an initial study of the proposed Official Plan Line (OPL) for the designated arterial street segment of West North Avenue between South Marks Avenue and South Elm Avenue, and it has been determined to be a subsequent project that is not 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 as well as project specific mitigation measures 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. A public notice of the attached Mitigated Negative Declaration for Environmental Assessment Application No. EA-18-004 was published on May 18, 2018, prior to the certification of the Program Environmental Impact Report (PEIR), with no comments or appeals received to date. Staffing issues have delayed the project longer than anticipated but the project description has not changed, and the technical review and conclusions of the environmental assessment still remain valid. 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 Mitigated Negative Declaration 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 Mitigated Negative Declaration for this project.

## **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**

The actual widening of West North 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. Approval of the Official Plan Line for North Avenue will not result in General Funds being expended.

### **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 Line for West North Avenue from South Marks Avenue to South Elm Avenue
- Exhibit F: Environmental Assessment EA-18-004, Mitigated Negative Declaration [May 18, 2018]
- Exhibit G: Planning Commission Resolution No. 13764 for the Official Plan Line for West North Avenue from South Marks Avenue to South Elm Avenue
- OPL North Ave Marks Elm Ordinance