

2600 Fresno Street, Third Floor, Room 3043
Fresno, California 93721-3604
(559) 621-8003

Jennifer K. Clark, AICP
Director

June 27, 2023

Chris Motta
Department of Public Works and Planning
County of Fresno
2220 Tulare Street, 6th Floor
Fresno, CA 93721

RE: Draft Environmental Impact Report for the Fresno County General Plan Review
and Zoning Ordinance Update (SCH#201803106)

Dear Mr. Motta:

The City of Fresno has the following comments:

Public Facilities

1. The City of Fresno has invested significantly in both infrastructure and purchased surface water supplies to attain a groundwater balance, allowing for the balanced use of groundwater beneath its boundaries. The City has strong concerns of any new development relying on the overdraft of groundwater supplies to sustain any new development. Any project being considered within the City's sphere of influence or within close proximity of the City's boundaries, will have to demonstrate the use of groundwater: is done so in a sustainable manner; is compliant with North Kings Groundwater Sustainability Plan; will not have an adverse impact on the City nor rely on the City's proactive programs to demonstrate the project's groundwater balanced usage. If any impacts are identified, the project developer will have to mitigate for any such impacts to the satisfaction of the City of Fresno.

2. PF-C.16 Water Supply Evaluation – "...If use of groundwater is proposed, a hydrogeologic investigation may be required... Should the investigation determine that significant pumping-related physical impacts will extend beyond the boundary of the

property in question, those impacts shall be mitigated”.

- a. Comment: The City of Fresno Department of Public Utilities requests to be notified and involved in the discussion when evaluating the impacts of groundwater pumping on any development within or near the Fresno Sphere of Influence.
3. PF-C.22 Out-of-County Groundwater Transfers – “The County shall support efforts to regulate the transfer of groundwater for use outside of Fresno County. This support shall extend to the substitution of groundwater for transferred surface water.”
 - a. Comment: The City of Fresno Department of Public Utilities request that any groundwater transfers that originate from pumping within or near the Fresno Sphere of Influence be discussed with the City prior to completion of the transfer.

Traffic and Transportation

1. Policies for pedestrian facilities within the City of Fresno Sphere of Influence should be included. The document discusses policy to ensure street designs that encourage walking yet very little policies mention pedestrian activity. The City of Fresno has one of the highest pedestrian fatality and severe injury rates in the state. Policies for sidewalks or asphalt walking paths, especially in school areas, should not be ignored.
2. Roadway classifications along roadways within the City of Fresno Sphere of Influence should match the classifications shown on the City of Fresno General Plan Land Use and Circulation map. Examples (not all inclusive) of differences include:
 - a. Temperance Avenue – City of Fresno designation is Super Arterial but shown as an Expressway on Figure TR-1b
 - b. Jensen Avenue - City of Fresno designation is Super Arterial but shown as an Expressway on Figure TR-1b
 - c. Herndon Avenue, west of Riverside - City of Fresno designation is Super Arterial but shown as an Expressway on Figure TR-1b
 - d. Friant Road, south of Audubon to SR 41 southbound ramps - City of Fresno designation is Super Arterial but shown as an Arterial on Figure TR-1b
 - e. Grantland Avenue, south of Veterans Blvd - City of Fresno designation is Super Arterial but shown as an Arterial on Figure TR-1b
 - f. California Avenue, west of West Avenue - City of Fresno designation is Collector but shown as an Arterial on Figure TR-1b

- g. Shields Avenue, west of SR 99 – City of Fresno designation is Collector but shown as an Arterial on Figure TR-1b
 - h. McKinley Avenue, west of Polk Avenue – City of Fresno designation is Collector but shown as an Arterial on Figure TR-1b
 - i. Belmont Avenue – City of Fresno designation is Collector but shown as Arterial on Figure TR-1b.
3. The City of Fresno Public Works Department has developed a policy and access plans regarding access points along Super Arterial roadways. Access points along roadways designated Super Arterial within the City of Fresno Sphere of Influence should be subject to the same access point spacing requirements.
- a. Limited to one (1) three-quarter (3/4) opening in each direction per one-half (1/2) mile segment. These openings shall prohibit left-turning movements onto the super arterial roadway.
 - b. Limited to four (4) driveways and/or streets in each direction per one-half (1/2) mile segment. Spacing of these openings should be equidistance (i.e. approximately two (2) per quarter mile - cluster openings should be avoided). Driveways and/or streets shall be limited to right-turn movements only
4. The City of Fresno has adopted four (4) level of service (LOS) Traffic Impact Zones (TIZ) which state the LOS and peak hour trip threshold allowed in each TIZ. Please reference General Plan Map MT-4 for more information.
5. TR-A.22 – Right-of-way in the City of Fresno Sphere of Influence should be preserved based on City standards/roadway classifications.
6. The City of Fresno is supportive of policy TR-A.23. The City of Fresno adopted a Complete Streets Policy in 2019 that prioritizes infrastructure to support active transportation modes. Policy TR-A.23 should also include areas within the City of Fresno Sphere of influence.
7. The Safe Routes to School, Policy TR-B.7 has no mention of pedestrian facilities.
8. The Air Quality section policies mentions planning for a multi-modal transportation system but there are no pedestrian policies in the Transportation section.

9. Typo in Policy TR-A.15 on page 4.3-12:

a. Correct the last sentence in the policy from “The County shall seek funding for construction and maintenance of bicycle and trails.”

b. To “The County shall seek funding for construction and maintenance of bicycle facilities and trails.”

Aviation

1. Page 4.12-10:

a. Aviation: Second sentence, Fresno Yosemite International Airport serves over 2,000,000 passengers per year. (Calendar year 2022)

2. Page 4.12-13 and 4-12-16:

a. Table 4.12-1 identifies residential development in noise levels less than 65 CNEL as conditionally acceptable.

b. Policy HS-H.9 ...shall not allow the development of new residential land uses in areas which exceed 60 CNEL. This statement seems to be contradictory to Table 4.12-1 and not consistent with the ALUCP.

3. Page 4.15-7:

a. Aviation Facilities: Second sentence, Fresno Yosemite International Airport serves over 2,000,000 passengers per year. (Calendar year 2022)

Land Use and Planning

1. Page 4.11-1 and 4.11-2. Are the references to the 2000 General Plan intentional or should it be updated?

2. Page 4.11-5 (and elsewhere). All references to the Fresno COG RTS/SCS should be updated to the latest one, adopted in 2022. The analysis of the RTS/SCS should also be updated.

3. Page 4.11-6 (and elsewhere). Recommend the River Conservancy review, if they haven't already been invited to.

4. Page 4.11-8 Existing Land Use Designations. Typo. Change “27” to “Twenty-seven” because it is at the beginning of the sentence.

5. Page 4.11-13. Impact LU-2. “The proposed project promoted compact growth by directing most new urban development into incorporated cities and existing unincorporated communities....” Most? Why wouldn’t the County direct all new urban-level growth into such areas? This seems like a carve-out for Friant Ranch.
6. Page 4.11-15. “LU-A.16: Agricultural Land Preservation Programs. The County should implement...” recommend replacing “should” with “shall” to assert its commitment.
7. Page 4.11-16. Support for policy LU-G.4.

Agriculture and Forestry Resources

1. Page 4.2-1. Typos. “18.1percent” and “18percent” should be “18.1 percent” and “18 percent” respectively.
2. Page 4.2-2. Two references to the 2008 FMMP map should be updated to say 2018.
3. Page 4.2-10 to 4.2-11. “...due to regional housing needs, the County may be required to approve urban development in areas that are currently not planned for urban development.” I read this as meaning that some ag land may need to be zoned for non-ag uses to accommodate RHNA, however, the County’s Housing Element would require the County to proactively assign land uses to accommodate regional housing needs targets. This means that the land necessary to accommodate regional housing needs will already be zoned for urban/residential uses. Therefore, there should not be a need to accommodate growth in areas that are not planned for development.
4. Page 4.2-12. Policy LU-A.23. This mitigation measure could be strengthened. First, it only is triggered by a conversion of 40 or more acres. Other local jurisdictions have used 20 acres as a threshold. Second, it only applies to Prime Farmland. CEQA states the protected categories are Prime Farmland, Farmland of Statewide Importance, and Unique Farmland, therefore the policy should apply to the three categories. By only applying to Prime Farmland, the measure would automatically leave out 490,500 acres of Important Farmland; productive farmland is an important part of our economy and cultural heritage. Third, the policy says that when a project will result in the loss of productive farmland, “consideration” shall be given to mitigating such loss. I don’t believe this policy would withstand legal scrutiny. See *Masonite Corporation v. County of Mendocino* (2013) and *King & Gardiner Farms, LLC v. County of Kern* (2020).

Please note that The City of Fresno intends to follow up with additional comments.

If you have any further questions regarding this matter, please contact Jennifer Clark at (559) 621-8003 or jennifer.clark@fresno.gov.

Sincerely,



Sophia Pagoulatos on behalf of
Jennifer Clark, Director
City of Fresno Planning and Development Department