



REVISED REPORT TO THE PLANNING COMMISSION

February 16, 2011

FROM: JOHN M. DUGAN, AICP, Director
Development and Resource Management Dept.

THROUGH: MIKE SANCHEZ, Planning Manager
Planning Division

BY: SOPHIA PAGOULATOS, Planner
Planning Division

SUBJECT: CONSIDERATION OF PLAN AMENDMENT A-10-005 AND RELATED
ENVIRONMENTAL FINDING FOR ENVIRONMENTAL ASSESSMENT NO. A-10-005

AGENDA ITEM NO. VIII-A

COMMISSION MEETING 2-16-11

APPROVED BY

John M. Dugan
DEPARTMENT DIRECTOR

RECOMMENDATION

The appropriateness of the proposed project has been examined with respect to its consistency with goals and policies of the 2025 Fresno General Plan, the McLane, Hoover and Roosevelt Community Plans, 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 staff evaluation, it can be concluded that the proposed Plan Amendment Application No. A-10-005 is appropriate for the project site. Therefore, staff recommends to the Planning Commission take the following actions:

1. RECOMMEND TO THE CITY COUNCIL CERTIFICATION of the Final Environmental Impact Report A-10-005 (State Clearinghouse No. 2005061150) dated February 2011.
2. RECOMMEND APPROVAL TO THE CITY COUNCIL of Plan Amendment Application No. A-10-005 to amend the Fresno Yosemite International Airport and Environs Plan, the 2025 Fresno General Plan, the McLane, Hoover and Roosevelt Community Plans, by updating noise and safety boundaries based on updated airport projections, and updating the organization and terminology in the plan to be consistent with the state law.

EXECUTIVE SUMMARY

Plan Amendment Application No. A-10-005 was filed by the Airports Department, on behalf of the City of Fresno. This application pertains to approximately 2,415 acres of urbanized land including a portion of the Fresno Yosemite International Airport property (859 acres) and urbanized land in the immediate vicinity (1,556 acres) which together make up the General Study Area (see attached vicinity map). The plan amendment application proposes to amend the Fresno Yosemite International Airport and Environs Plan, the 2025 Fresno General Plan, the McLane, Hoover and Roosevelt Community Plans, by updating noise and safety boundaries based on updated airport projections and revising the organization and terminology in the plan to be consistent with the state law. Noise and safety land use compatibility policies remain essentially unchanged. Furthermore, the plan amendment does not include any changes to the planned land uses within the study area. The plan amendment is necessary to maintain consistency between the recently revised County of Fresno Airport Compatibility Land Use Plan ("CLUP"), adopted in October 2010, and the City of Fresno plan.

PROJECT INFORMATION

PROJECT	Plan Amendment Application No. A-10-005 proposes to amend the Fresno Yosemite International Airport and Environs Plan, the 2025 Fresno General Plan, the McLane, Hoover and Roosevelt Community Plans, by updating noise and safety boundaries based on new airport projections, and updating the organization and terminology in the plan to be consistent with the state law.
APPLICANT	City of Fresno Airports Department
LOCATION	2,415 acre area defined as the General Study Area (see attached Vicinity Map) which consists of all land within the newly calculated 65 CNEL noise contour surrounding the Fresno Yosemite International Airport. Council Districts 4, 5 and 7 (Councilmembers Westerlund, Quintero and Olivier, respectively)
SITE SIZE	Approximately 2,415 acres
LAND USE	As existing; no proposed changes
ZONING	As existing; no proposed changes
PLAN DESIGNATION AND CONSISTENCY	The proposed plan amendment revises a specific plan, the FYI Airport and Environs Plan most recently revised in 1997. The revised plan is consistent with the 2025 Fresno General Plan, the McLane, Hoover and Roosevelt Community Plans.
ENVIRONMENTAL FINDING	Environmental Impact Report (EIR) No. A-10-005 (SCH 2005061150) was prepared determining that the project would result in significant adverse environmental impacts; some impacts were found to be mitigable and one (1) was found to be only partially or not mitigatable and therefore, was found to be unavoidable.
PLAN COMMITTEE RECOMMENDATION	The Council District Plan Implementation Committees for Districts 4, 5, 6 and 7 reviewed and recommended approval of the proposed project during a series of meetings held in October and November of 2010.
STAFF RECOMMENDATION	Recommend that the City Council certify Environmental Impact Report No. A-10-005 (SCH No. 2005061150) and adopt appropriate environmental impact mitigation measures and approve the proposed project subject to the conditions noted below.

ENVIRONMENTAL FINDING

Background

The environmental document prepared for this project was prepared to satisfy both the California Environmental Quality Act (CEQA) and the National Environmental Protection Act (NEPA). While the City is the lead agency under CEQA, the Federal Aviation Administration is the lead agency under NEPA. The document is referred to as an Environmental Assessment (EA) under NEPA and as an

Environmental Impact Report (EIR) under CEQA, hence its combined title of EA/EIR. The City, as the lead agency under CEQA, is only responsible for the EIR portion.

The EA/EIR was prepared by the URS Corporation under contract with the Airports Department. It includes a more detailed project-level analysis from 2009 through 2016, and program level analysis from 2017 through 2025.

Project Description

The EA/EIR considered the following projects:

Airside Projects

- Extend length of secondary runway (Runway 11R/29L) from 7,206 feet to 8,000 feet to the west;
- Widen Runway 11R/29L from 100 feet to 150 feet;
- Construct connector Taxiway B14 and extend parallel Taxiway B;
- Rehabilitate Taxiways B2, B4, C, C4, Hold Pad B, and Hold Pad C;
- Rehabilitate concourse aprons adjacent to original terminal building; and
- Relocate and rehabilitate airfield service road.

Landside Projects

- Reconfigure automobile parking area for employees; and
- Implement public parking improvements, including replacement of existing parking structure.

Other Projects

- Acquire land and construct new offsite storm water detention basin (21 acres); and
- Implement storm drainage improvements, including conversion of North Chestnut/East Shields Basin storm water holding area to a detention basin with pump station and infrastructure improvements associated with runway/taxiway work.
- Update County Airport Land Use Plan based on updated noise and safety data
- Process General Plan Amendment to update City of Fresno Airport and Environs Plan based on same data

Public Review

The EA/EIR was prepared in accordance with the provisions of the California Environmental Quality Act (CEQA) (pursuant to Cal. Public Resources §§ 21000, et seq. and the CEQA guidelines at Cal. Code of Reg's, tit. 14, §§ 15000, et seq.). This process included the distribution of requests for comment to other responsible or affected agencies and interested organizations and persons. A public review period of 45 days (October 23, 2009 to December 7, 2009) was provided for the Draft EIR to allow adequate opportunity for interested persons to review and comment. Nine written comments were received regarding the Draft EIR, responses to these comments were prepared by URS. Responses to comments have been delivered to agencies and private parties that submitted comments well in advance of the required deadline of 10 days prior to formal Council consideration.

Project Objectives

CEQA Guidelines Section 15124 (b) requires the lead agency to identify the objectives of the Proposed Project, which include the following:

- Construct facilities and implement programs to meet the existing and projected demand through 2025;

- Accommodate existing and forecasted aviation operations for air carrier, air cargo, air taxi, business and general aviation, flight training, and military services efficiently in the region;
- Facilitate growth in a responsible manner;
- Allow FAT to handle forecasted aircraft fleet under all weather conditions through improved facilities;
- Update the Airport Land Use Plan based on updated noise contours, safety data and establish consistency with the City of Fresno updated Airport and Environs Plan; and
- Update Airport and Environs Plan based on updated noise contours, safety data, and establish consistency with the Fresno County Airport Land Use Plan.

Alternatives Studied

Due to locational constraints on where facilities can be placed at the airport, only the Proposed Project and the No-Project Alternative were considered comprehensively. Other potential alternatives did not satisfy the objectives noted above.

Impacts

The only potentially significant impacts that were found under CEQA are described in the table below:

Environmental Resource	CEQA Threshold	Level of Significance	Mitigation Measure
Historic, Archaeological, Cultural Resources	Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5	Less than Significant with mitigation	Develop archaeological/paleontological protection plan
	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.	Less than significant with mitigation	
Special-status species, Threatened and Endangered Species	Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies or regulations, or by the CDFG or USFWS.	Less than significant with mitigation	Conduct pre-construction burrowing owl survey.
Farmlands	Involve other changes in existing environment which would result in conversion of farmland to non-agricultural use	Significant and unavoidable	None.

The significant and unavoidable impact to farmlands is a result of the proposed conversion of 21 acres of prime farmland to a stormwater detention basin near Mill Ditch and Armstrong Avenue.

Pursuant to CEQA requirements, Council, as the decision making body, will be required to make a statement of overriding consideration to approve the Project because the Project will result in one (1) significant unavoidable impact. Staff will be recommending that the following overriding considerations should be considered in approving the Project despite its unavoidable significant impact: job creation, economic benefits, and implementation of various general and community plan policy goals. Pursuant to recent Fifth District Court of Appeals rulings, city staff will make available a draft statement of overriding considerations for public review at least ten days before the Council hearing.

BACKGROUND / ANALYSIS

Legal Basis for Airport Plans

Requirements for creation of airport land use commissions were first established under the California State Aeronautics Act (Public Utilities Code Section 21670, et seq.) in 1967. The fundamental purpose of the Airport Land Use Commission (ALUC or Commission) is to promote land use compatibility around airports and is expressed in the statute as:

"... to protect public health, safety, and welfare by ensuring the orderly expansion of airports and the adoption of land use measures that minimize the public's exposure to excessive noise and safety hazards within areas around public airports to the extent that these areas are not already devoted to incompatible uses."

The State Aeronautics Act (Public Utilities Code, Section 21670 et seq.) requires preparation of an airport land use compatibility plan for nearly all public-use airports in the State of California (Section 21675). Compatibility Plans specifically provide for the orderly growth of each public airport and the area surrounding the airport within the jurisdiction of the commission and safeguard the general welfare of the inhabitants within the vicinity of the airport and the public in general.

Relationship to other plans

The proposed plan amendment is a revision of the 1997 Fresno Yosemite International Airport and Environs Plan (1997 Environs Plan), a specific plan originally adopted in 1992 and amended in 1997. Because its purview is now exclusively related to land use compatibility around the airport, it is renamed the Fresno Yosemite International Airport Land Use Compatibility Plan (FYI ALUCP). Portions of the 1997 Environs Plan have been consolidated or removed because they were outdated or are no longer necessary to include in an airport land use compatibility plan (see Exhibit C for details).

According to the city's Local Planning and Procedures ordinance, specific plans take precedence over community plans and general plans; therefore adoption of this plan amendment revises the McLane, Hoover and Roosevelt community plans and the 2025 Fresno General Plan.

Purpose of Plan Update

The FYI Environs Plan, most recently amended in 1997, is outdated. FYI, in cooperation with the Federal Aviation Administration (FAA), updated the Airport Master Plan in 2006 (last update was 1996). Known as the January 2006 FYI Master Plan Update (AMP), it provides a 20 year planning window for FYI, including an FAA approved 20 year aviation demand forecast, and an FAA approved Airport Layout Plan (ALP-see Exhibit 4.4 of proposed plan). The 20 year forecast makes the planning horizon for FYI consistent with the General Plan time horizon of 2025. The ALP is a FAA approved document that (i) graphically summarizes the projects identified in the AMP and (ii) is a required to receive FAA

Airport Improvement Program grants. Both the aviation demand forecast and the AMP provided the basis for the plan amendment and related EIR.

In October of 2010, the Fresno County Airport Land Use Commission adopted the plan update currently before City of Fresno. State guidelines require that city and county plans be consistent, and provide 180 days for cities to adopt airport plans consistent with County ALUC plans. The City has until April 2, 2011 to meet this deadline. The new plan is scheduled for ALUC consideration on March 7, 2011 and City Council consideration on March 17, 2011.

Noise

The AMP projections resulted in a reduction in size of noise contours, primarily due to (i) the ongoing FAA Part 150 Noise Compatibility Program and (ii) aircraft engine modifications that result in quieter aircraft. The current 65 CNEL dB (and greater) noise contour encompasses approximately 2,650 acres, including 324 residential acres with an estimated population of 6,584. The projected 2025 65 CNEL dB noise contour includes 2,509 acres, including 270 residential acres with an estimated population of 5,510. Therefore approximately 130 acres that lie within the 65 CNEL dB contour today are projected to lie outside of that contour in the year 2025.

Noise compatibility policies in the plan amendment remain nearly identical to those in the FYI 1997 Environs Plan. The only minor change is the consolidation of noise compatibility categories from five (5) to three (3) and additional guidance for indoor noise attenuation in cases where the proposed land use is identified as Conditional.

Safety

The primary change in the area of safety is the adoption of revised safety zone boundaries, now called Safety Compatibility Zones, or SCZs (in the 1997 Environs Plan, they were called Approach Protection Zones or APZs). The SCZ's are established by the 2002 edition of the California Airport Land Use Planning Handbook ("Caltrans Handbook") and are based on (i) aircraft incident and accident location data, (ii) runway configurations, and (iii) airport utilization (air carrier, general aviation, and military).

The new SCZ's encompass less area than the equivalent APZs in the 1997 Environs Plan. The number of zones increased from 4 to 6. New zone 5, called the Sideline Zone, parallels the airfield on both sides. No structures are allowed in this zone. Because the Sideline Zone is entirely on airport property, it does not affect surrounding land uses. New SCZ 6, called the traffic pattern zones was also added. It does not include any land use restrictions. SCZs 1-4 include the same land use restrictions as the 1997 Environs Plan.

Airspace Protection

The objective of airspace protection policies is to ensure that structures and other uses of the land do not cause hazards to aircraft in flight in the airport vicinity. Airspace protection policies in the proposed plan have not changed; they continue to be based on the imaginary surfaces defined for the airport in accordance with Federal Aviation Regulations (FAR) Part 77. These surfaces are depicted in Exhibits 4.3.1 – 4.3.5 of the new plan.

PUBLIC PARTICIPATION

The draft FYI Airport Land Use Compatibility Plan was distributed to Council District Plan Implementation Committees 4, 5, 6 and 7 for review in October and November of 2010; all approved the plan. In addition, a display ad was published in the Fresno Bee on February 4 which included this Planning Commission hearing date and the City Council date of March 17, 2011. Public hearing notices were mailed to approximately 77 agencies and individuals who participated in the environmental review process.

In addition, the Fresno County ALUC plan adoption process included a 45 day comment period (August/September 2010) during which interested individuals were invited to comment. During this period, airports staff presented the plan to the planning commission and city council for comments. No significant comments were received.

Additional public comment has been solicited during the environmental process as noted in the Environmental Finding section above, and in the attached EA/EIR.

LAND USE PLANS AND POLICIES

2025 Fresno General Plan

The following general plan policies address the airport:

E-10-a Policy: Pursue appropriate funding sources and capital improvement budget enhancements that will provide a modern, safe and efficient municipal terminal facility and improve quality of air service;

E-12-a Policy: Allow for the orderly expansion of the Fresno Yosemite International and Chandler Downtown airports as envisioned by their airport and environs master plans;

E-12-c Policy: Utilize the Fresno Air Terminal Redevelopment Area (FATRA) Plan (1988) and the Fresno Air Terminal Redevelopment Project Implementation Plan (1994) as the basis for short and long-term development of what had been known as Hammer Army Airfield.

I-7-f Policy: Allow for the orderly expansion and improvement of Fresno's publicly-owned airports (Fresno Air Terminal/Fresno-Yosemite International Airport and Fresno Chandler Downtown Airport), while minimizing adverse environmental impacts associated with these facilities.

Plan Amendment A-10-005 would update the 1997 FYI Environs Plan based on a revised Airport Master Plan and 20 year forecast, both of which are necessary to meet general plan objectives for a modern, safe and efficient municipal airport facility. The streamlining and updating of the 1997 Environs Plan consistent with state law ensures the minimization of adverse environmental impacts associated with airport activities by imposing noise, safety, and airspace protection requirements on identified types of development within the Airport Influence Area. Therefore Plan Amendment A-10-005 is consistent with 2025 Fresno General Plan policies.

Community Plans

Both the Hoover and McLane Community Plans discuss noise issues related to the airport and recommend continuation of land use controls to help mitigate noise and safety concerns. The Roosevelt Community Plan is silent with regards to the airport. It should be noted that the noise contours have decreased substantially since the adoption of the Hoover and McLane Community Plans in 1979 and 1980. Advances in airplane engine technology and an ongoing noise

compatibility program have resulted in a steady decrease in the size of the noise contours, even as airport activity increases. Continuation of the city's current airport land use compatibility policies as outlined in the new FYI Airport Land Use Compatibility Plan will continue to reduce noise and safety impacts related to airport activity in the environs of the airport. Therefore, Plan Amendment A-10-005, amending the 1997 Environs Plan with the new FYI Airport Land Use Compatibility Plan, is consistent with the applicable community plans.

CONCLUSION

The appropriateness of the proposed project has been examined with respect to its consistency with goals and policies of the 2025 Fresno General Plan and the Hoover, McLane and Roosevelt Community Plans; 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 Plan Amendment A-10-005 is appropriate for the project site.

Exhibits: A: Vicinity Map
 B: Planned Land Use Map
 C: Airport Plan Document Map
 D: FYI Airport Land Use Compatibility Plan
 E: EA/EIR No. A-10-005 dated February 2011 (Volumes I and II)