



REPORT TO THE PLANNING COMMISSION

COMMISSION ITEM NO.
COMMISSION MEETING: 10/20/10

APPROVED BY


(Executive Director)

DATE: October 20, 2010
FROM: Marlene Murphey, Executive Director
BY: David Martin, Project Manager

SUBJECT: Consider adopting a Resolution relating to the approval and adoption of the Proposed Amendment ("Plan Amendment" or "Amendment") to the Airport Area Revitalization Redevelopment Plan that does the following:

1. Finds that the proposed Amendment is consistent with the General Plan and applicable Community and Specific Plans, including, but not limited to, the Housing Element and consistent with Government Code Section 65402.
2. Finds that the Mitigated Negative Declaration ("MND") for the Amendment (or "Project") is in compliance with the provisions of the California Environmental Quality Act ("CEQA") and other applicable laws and regulations.
3. Recommends that the Fresno City ("City") Council ("Council") and Fresno Redevelopment Agency Board ("Agency Board" or "Board") approve the MND for the Project.
4. Recommends that the City Council adopt by Ordinance the Proposed Airport Area Revitalization Redevelopment Plan Amendment.

RECOMMENDATIONS

It is recommended that the Planning Commission adopt a resolution (Attachment "A") that does the following:

1. Finds that the proposed Amendment is consistent with the General Plan and applicable Community and Specific Plans, including, but not limited to, the Housing Element and consistent with Government Code Section 65402.
2. Finds that the MND for the Project is in compliance with the provisions of CEQA and other applicable laws and regulations.
3. Recommends that the Council and Agency Board approve the MND for the Project.
4. Recommends that the Council adopt by Ordinance the Proposed Airport Area Revitalization Redevelopment Plan Amendment.

EXECUTIVE SUMMARY

The Airport Area Revitalization Redevelopment Project Area Plan has time limits established for plan duration, debt incurrence, debt repayment, receiving tax increment, and eminent domain authority on non-residential buildings among other limits required by the California Community Redevelopment Law ("CRL"). Eminent domain authority was established for a period of twelve (12) years at the adoption of the plan in 1999 and may be extended by plan amendment for the same period of time. The ability to acquire nonresidential property in Areas B, C, and D of the Project Area, as well as undeveloped property in Area A of the Project Area will be essential to the fulfillment of Redevelopment Plan goals including the elimination of persisting blighting conditions in the Project Area. Accordingly, staff is recommending that the Agency and City Council amend the Redevelopment Plan by extending the authority for a 12 year period on nonresidential property in Areas B, C, and D and undeveloped property in Area A.

Redevelopment Law ("CRL") sets forth the process to perform this type of amendment, consisting of preparation of the proposed Amendment Number 2, the Report to the City Council (both contained herewith as Attachment B), and a Mitigated Negative Declaration ("MND") (Attachment C).

The Agency commenced this Amendment in May 2010. The Notice of Intent to file the MND was published in the Fresno Bee on September 2, 2010 and mailed to the applicable interested agencies. On September 23, 2010 the Council and Board resolved to hold a joint public hearing on the proposed Amendment. Subsequently, the Agency distributed copies of the Report to Council to the affected taxing agencies, and also mailed notices to the property owners, residents and business owners within the Project Area to inform them of their opportunities to provide input on the amendment at (1) a community meeting held October 14, 2010, (2) this Commission meeting, and (3) the joint public hearing before the Board and Council on December 2, 2010.

BACKGROUND

The Project Area is comprised of four noncontiguous areas (Areas A, B, C, and D) totalling approximately 1,119 acres adjacent to and in the vicinity of Fresno Yosemite International Airport in the City of Fresno. Adopted on July 19, 1999, the Redevelopment Plan for the Project Area has time limits established for plan duration, debt incurrence, debt repayment, receipt of tax increment, and eminent domain authority. California Community Redevelopment Law ("CRL") provides Agencies the ability to amend many of these limits, including eminent domain authority which was established for this plan in 1999 will terminate on August 19, 2011 and may be extended for a period of twelve (12) years through the prescribed process.

The ability to acquire property in the Project Area may be essential to the fulfillment of Redevelopment Plan goals, including the elimination of blighting conditions in the Project Area as identified in the Report to Council. Since formation and adoption of the Airport Area Redevelopment Plan in 1999, eminent domain has never been used within the project area by the Agency. It remains an essential but seldom employed tool of last resort to address blighting conditions documented herein that persist within the project area. Agency staff is recommending the Board and Council adopt the proposed Amendment at a joint public hearing on December 2, 2010. This extension of authority will not be applicable to residences on which persons lawfully reside, or on any developed property in Area A.

Consistency With The General Plan

To adopt the proposed Amendment, the Council must first find that the amended Redevelopment Plan is consistent with the City's General Plan, including, but not limited to the General Plan Housing Element. The Council's finding is generally based on the Planning Commission's finding of consistency. The proposed Amendment does not deviate from the current Redevelopment Plan's land use policies, where the Redevelopment Plan relies entirely on the General Plan. The Redevelopment Plan states that "permitted land use in the Project Area shall be those set forth from time to time in the General Plan". As such, the proposed Amendment conforms to the City's General Plan, and implementation of projects under the Redevelopment Plan also conforms to the General Plan. Therefore, staff believes the Planning Commission can make a report of its findings that the proposed Amendment No. 2 is in conformance with the General Plan and recommends approval.

The General Plan Housing Element is advanced by the Agency's revitalization strategy to retain, rehabilitate and improve existing housing units and to provide for new housing infill opportunities for low and moderate income families in the Constituent Redevelopment Project Areas. The Low and Moderate Income Housing funds generated from the Constituent Redevelopment Project Areas will be utilized to improve the community's supply of low and moderate income housing either within the Airport Area Revitalization Redevelopment Project Area Plan. It should be noted that the proposed Plan Amendments will involve an increase in the amount of Low and Moderate Income Housing funds from 20% to 30% of Gross Tax Increment funds for both of the Constituent Redevelopment Project Areas. Should any low and moderate income units be destroyed or removed, Redevelopment Law requires that the units be replaced and any affected families relocated either within or proximate to the Project Areas.

Furthermore, the location, purpose and extent of any real property to be acquired under the authority of the proposed Amendment by dedication or otherwise for street, square, park or other public purposes, any real property to be disposed of, any street to be vacated or abandoned and any public buildings or structure to be constructed within the Project Area shall be in accordance with the City's General Plan, consistent with Government Code section 65402.

Environmental Assessment

The proposed amendment requires environmental review in accordance with the California Environmental Quality Act ("CEQA"). Preliminary review of the proposed action and analysis in the Initial Study determined that the proposed Amendment would not result in a significant effect on the environment based on substantial evidence and in light of the whole record. Therefore, the Agency and City (collectively, Co-Lead Agencies) have prepared an MND for the proposed action. Per CEQA Guidelines Section 15070, an MND is the proper environmental documentation level of effort for this proposed action because the MND includes mitigation to reduce impacts below the level of significance and due to the fact that there is no substantial evidence in the record that the action would result in a significant effect. The proposed Amendment will allow future development in accordance with the City's 2025 General Plan and relevant community and specific plans, and as they are amended from time to time.

On September 2, 2010, the Lead Agency transmitted the Notice of Intent to the State Clearinghouse and to other public agencies and individuals pursuant to Public Resources Code Section 21091 and CEQA Guidelines Section 15072, and made the MND available to the public for review. On

October 3, 2010, the Lead Agency closed the public comment period following a 30 day period where the public was given the opportunity to comment in writing on the adequacy of the MND.

Prior to the close of the public review period, the Lead Agency received five comment letters from various government agencies. The Lead Agency subsequently prepared responses to all of the aforementioned comments for inclusion in the MND, which are provided in the report.

Public Review Process

A public information meeting was also held on October 14, 2010. Notice for the information meeting, this Commission meeting, and the joint public hearing was published in the Fresno Bee, mailed by first class mail to all property owners, residents and businesses in the Project Area, and mailed by certified return receipt to each of the affected taxing agencies.

Approximately ___ people attended the October 14th meeting. Spanish translation services were made available at both public information meetings. Agency staff and RSG, the Agency's redevelopment consultant, provided an overview of redevelopment activities in the Project Area, reasons why the proposed amendment is necessary, and an overview of the public review process. The public's response generally included questions about _____.

Airport Area Taxing Entities

Pursuant to CRL requirements as discussed above, the Agency sent the Report to Council to all of the taxing entities regarding the Plan Amendment. This proposed amendment has no impact upon how property taxes from the Project Area are allocated.

Attachments:

- "A" Proposed Planning Commission Resolution
- "B" Amendment Text and Report to the City Council
- "C" Mitigated Negative Declaration

**FRESNO CITY PLANNING COMMISSION
RESOLUTION NO. _____**

**RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF
FRESNO MAKING ITS REPORT AND RECOMMENDATION ON THE
PROPOSED AMENDMENT TO THE AIRPORT AREA
REVITALIZATION REDEVELOPMENT PLAN AND MAKING
CERTAIN FINDINGS REGARDING CONFORMITY OF PROPOSED
AMENDMENTS TO GENERAL PLAN AND ADEQUACY OF THE
MITIGATED NEGATIVE DECLARATION**

WHEREAS, the Redevelopment Agency of the City of Fresno ("Agency") is a community redevelopment agency organized and existing under the California Community Redevelopment Law, Health and Safety Code Section 33000, *et seq.*, ("CRL") and has been authorized to transact business and exercise the powers of a redevelopment agency pursuant to action of the Council ("Council") of the City of Fresno ("City"); and

WHEREAS, the Redevelopment Plan for the Airport Area Revitalization Redevelopment Project Area was adopted by the City Council of the City of Fresno ("City Council") on July 19, 1999 by Ordinance 99-44, and amended on March 27, 2008 by Ordinance 2008-9 ("Redevelopment Plan"); and,

WHEREAS, Section 309 of the Redevelopment Plan provides a 12 year time limit on the commencement of eminent domain to acquire certain property in the Airport Area Revitalization Redevelopment Project Area ("Project Area"), commencing from the effective date of Ordinance 99-44 of August 19, 1999 and terminating August 19, 2011; and,

WHEREAS, Section 309 expressly prohibits the use of eminent domain by the Agency to acquire any Project Area property on which persons legally reside; and,

WHEREAS, Section 33333.2(a)(4) of the California Community Redevelopment Law, Health and Safety Code Section 33000 *et seq.* ("CRL") authorized a redevelopment agency to amend redevelopment plans to extend of the original 12 year time limit to commence eminent domain to acquire property for redevelopment purposes within portions of the Project Area; and,

WHEREAS, the Agency has prepared the proposed Amendment No. 2 to the Redevelopment Plan, attached herewith as Exhibit "A", which would extend the time limit on the commencement of eminent domain by the Agency by another 12 years as permitted by the CRL with limitations that prohibit the use of eminent domain by the Agency to acquire any Project Area property on which persons legally reside, and will only be allowed on vacant property in Area "A"; and,

WHEREAS, the City and Agency, acting as co-lead agencies ("Lead Agency") under the California Environmental Quality Act ("CEQA") have prepared a Mitigated Negative

Declaration (“MND”) relating to and assessing environmental effects related to the Amendment (“Project”); and

WHEREAS, on September 2, 2010, the Lead Agency published the Notice of Intent for the MND in the Fresno Bee and transmitted it to the State Clearinghouse and to other public agencies and individuals pursuant to Public Resources Code Section 21091 and CEQA Guidelines Section 15072; and

WHEREAS, the public comment period of the Notice of Intent was duly and lawfully closed on October 3, 2010, following a 30 day public comment period, where the public was given the opportunity to comment, in writing, on the adequacy of the MND; and

WHEREAS, Article 6 of the Fresno Municipal Code, Local Planning and Procedures, Sections 12-608 and 12-609, requires that the Planning Commission review proposed redevelopment plan amendments at a noticed public hearing, and at the conclusion thereof to recommend approval, disapproval, or modification of the proposed Amendments; and

WHEREAS, on October 4th, notice of the Planning Commission Hearing was published in the Fresno Bee and on October 1st distributed by first class mail notice to property owners, residents, and businesses, as well as certified mail notice to affected taxing entities, pursuant to CRL requirements; and

WHEREAS, the General Plan for the City of Fresno (“City”) has been prepared and adopted in compliance with California Planning and Zoning Law (Government Code Section 65399 *et seq.*); and

WHEREAS, on October 20, 2010, at the public hearing, the Planning Commission reviewed and considered the General Plan and the applicable Specific and Community plans, the proposed Amendment, the staff report to the Planning Commission, the Report to Council, the MND, other reports, testimony, and recommendations from staff, written comments, and testimony in favor of and against the proposed Amendment.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF FRESNO RESOLVES AS FOLLOWS:

Section 1. Findings and Determinations. The Planning Commission, having considered the General Plan and the applicable Specific and Community plans, the MND, the reports, testimony and other information provided and presented to it at the public hearing, finds and determines that:

1.1 The proposed Amendment is consistent with the City’s General Plan and the applicable Specific and Community Plans as the Redevelopment Plan currently uses the City’s General Plan, as may be adopted or amended from time to time, and other general controls and limitations, development standards as the land use plan, and all other contents of the Redevelopment Plan conforms with the City’s General Plan;

1.2 Without limitation the proposed Plan Amendment also conforms with the City's General Plan as follows:

- a. The proposed Amendment is consistent with the General Plan Housing Element, as the Agency's revitalization strategy is to retain, rehabilitate and improve existing housing units in the Project Area and to provide for new housing infill opportunities for low and moderate income families as feasible. Should any low and moderate income units be destroyed or removed, Redevelopment Law requires that the units be replaced and any affected families relocated either within or proximate to the Project Area.
- b. The proposed Amendment is consistent with the General Plan policies for the protection of Cultural Resources, as the City's responsibilities and discretion in considering and approving all planning and development processes and entitlements within the Project Area are not limited in any way by the Amendment.

1.3 The location, purpose and extent of any real property to be acquired under the authority of the proposed Amendment by dedication or otherwise for street, square, park or other public purposes, any real property to be disposed of, any street to be vacated or abandoned and any public buildings or structure to be constructed within the Project Area is in accordance with the City's General Plan and the applicable Specific and Community Plans, consistent with Government Code section 65402 and Fresno Municipal Code, section 12-604.

1.4 Based upon its review of the MND, the Planning Commission finds that the MND for the Project is an adequate assessment of the environmental impacts of the Project. The MND for the Project has been completed and is in compliance with the provisions of CEQA, with State and local Guidelines for implementing CEQA, and all other applicable laws and regulations.

Section 2. Report and Recommendation. The Planning Commission reports and recommends the following to the Agency and Council concerning the proposed Amendments:

2.1 The Planning Commission reports the findings in Section 1, above, to the Agency and the Council.

2.2 The Planning Commission recommends that the Lead Agency exercise its independent judgment in the review and analysis of the MND and approve the proposed MND with all recommendations as presented by staff.

2.3 The Planning Commission recommends that the Agency submit the Amendments to the Council, and that the Council adopt an ordinance approving the Amendments.

Section 3. Transmittal. The Secretary of the Planning Commission shall transmit a certified copy of this Resolution, with all attachments, to the Council, and to the Agency for it to

include in any Report to the Council and Agency under Health & Safety Code section 33352 or otherwise.

SECRETARY'S CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF FRESNO)
CITY OF FRESNO)

I, Keith Bergthold, Secretary of the Fresno City Planning Commission, certify that the Planning Commission, at a regular meeting held October 20, 2010, upon a motion by Commissioner _____, seconded by Commissioner _____, adopted the foregoing Resolution by the following vote:

Ayes:
Noes:
Absent:
Abstain:

Fresno City Planning Commission
Keith Bergthold, Secretary

[Signature]

Dated: _____

Resolution No. _____
Proposed 2010 Amendment to the Airport
Area Revitalization Redevelopment Project

EXHIBIT "A"

Text of Amendment No. 2

**REDEVELOPMENT PLAN FOR THE AIRPORT AREA REVITALIZATION
REDEVELOPMENT PROJECT AREA**

D. [§308] Property Acquisition

1. [§309] Real Property

Except as specifically exempted herein, the Agency may, but is not obligated to, acquire any real property in the Project Area by any means authorized by law.

The Agency's ability to use eminent domain to acquire property interests in the Project Area that it cannot acquire by gift, devise, exchange, purchase, or any other lawful means is in the public interest and is necessary to eliminate the conditions requiring redevelopment, and necessary to execute this Plan. When the Agency cannot negotiate a purchase, the Agency, at its sole discretion, may acquire property by exercising its power of eminent domain. The Agency must begin any exercise of its eminent domain power within twelve years after the date that the ordinance adopting Amendment No. 2 becomes effective.

The Agency may acquire structures without acquiring the land on which those structures are located. The Agency may acquire either the entire fee or any other interest in real property less than a fee.

The Agency may not acquire real property owned by any public body unless the public body consents to the acquisition. The Agency, however, may acquire public property transferred to private ownership before redevelopment of the Project Area is completed.

Nonetheless, the Agency shall not acquire, by eminent domain, any property: (a) in Area "A", except vacant land; or (b) in any part of the Project Area on which any persons lawfully reside. For purposes of this Plan, "property on which any persons reside" shall mean that a person lawfully lives on the property, and that the property is zoned for residential use, or that the residential use on the property is a legally non-conforming use, as defined by the City of Fresno Municipal Code.

REPORT TO THE CITY COUNCIL

9/23/2010

Redevelopment Agency of the City of
Fresno

Amendment No. 2 to the Redevelopment Plan
for the Airport Area Revitalization
Redevelopment Project Area

TABLE OF CONTENTS

INTRODUCTION 1

SCOPE OF AMENDMENT NO. 2 1

THE PLAN AMENDMENT PROCESS 2

JOINT PUBLIC HEARING 3

AMENDING ORDINANCE 4

REASONS FOR THE AMENDMENT 5

PROJECT AREA LOCATION 6

PROJECT AREA BACKGROUND 8

REASONS FOR AMENDING THE REDEVELOPMENT PLAN 9

DESCRIPTION OF THE PHYSICAL & ECONOMIC CONDITIONS IN THE PROJECT AREA . 13

LEGAL REQUIREMENTS 14

PHYSICAL BLIGHTING CONDITIONS 18

ECONOMIC BLIGHTING CONDITIONS 47

WHY REDEVELOPMENT? 73

PHYSICAL AND ECONOMIC BURDEN ON THE COMMUNITY 75

FIVE YEAR IMPLEMENTATION PLAN 73

EXPLANATION OF WHY ELIMINATION OF BLIGHT IN THE PROJECT AREA CANNOT BE ACCOMPLISHED BY PRIVATE ENTERPRISE ACTING ALONE 47

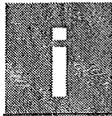
METHOD OF RELOCATION 73

REPORT ON COMMUNITY PARTICIPATION 75

ENVIRONMENTAL REVIEW 47

NEIGHBORHOOD IMPACT REPORT 73

REPORT ON CONSULTATIONS WITH TAXING ENTITIES 82



The City of Fresno Redevelopment Agency ("Agency") is proposing to amend Section 309 of the Redevelopment Plan for the Airport Area Revitalization Redevelopment Project ("Redevelopment Plan"). The Redevelopment Plan was originally adopted on July 19, 1999 and amended once on February 26, 2008 to extend the Redevelopment Plan effectiveness and time limit to collect tax increment by one year pursuant to Senate Bill 1045.

If approved by the Fresno City Council following a public hearing tentatively scheduled for November 4, 2010, the proposed Amendment No. 2 to the Redevelopment Plan ("Amendment") would extend by twelve years the Agency's time limit to exercise its powers of eminent domain to acquire property in the Airport Area Revitalization Redevelopment Project Area ("Project Area"), except for property where persons lawfully reside. The Project Area is comprised of four non-contiguous sub areas, called Area A, Area B, Area C, and Area D ("Areas").

SCOPE OF AMENDMENT NO. 2

The following is the proposed Amendment.

Text of Amendment No. 2

**REDEVELOPMENT PLAN FOR THE AIRPORT AREA REVITALIZATION
REDEVELOPMENT PROJECT AREA**

D. [§308] Property Acquisition

1. [§309] Real Property

Except as specifically exempted herein, the Agency may, but is not obligated to, acquire any real property in the Project Area by any means authorized by law.

The Agency's ability to use eminent domain to acquire property interests in the Project Area that it cannot acquire by gift, devise, exchange, purchase, or any other lawful means is in the public interest and is necessary to eliminate the conditions requiring redevelopment, and necessary to execute this Plan. When the Agency cannot negotiate a purchase, the Agency, at its sole discretion, may acquire property by exercising its power of eminent domain. The Agency must begin any exercise of its eminent domain power within twelve years after the date that the ordinance adopting Amendment No. 2 becomes effective.

The Agency may acquire structures without acquiring the land on which those structures are located. The Agency may acquire either the entire fee or any other interest in real property less than a fee.

The Agency may not acquire real property owned by any public body unless the public body consents to the acquisition. The Agency, however, may acquire public property transferred to private ownership before redevelopment of the Project Area is completed.

Nonetheless, the Agency shall not acquire, by eminent domain, any property: (a) in Area "A", except vacant land; or (b) in any part of the Project Area on which any persons lawfully reside. For purposes of this Plan, "property on which any persons reside" shall mean that a person lawfully lives on the property, and that the property is zoned for residential use, or that the residential use on the property is a legally non-conforming use, as defined by the City of Fresno Municipal Code.

As shown in the modified language proposed by the Amendment, the extent of the Amendment is to change the termination date of eminent domain authority, which currently expires 12 years after the effective date of the ordinance that adopted the Redevelopment Plan, or on August 20, 2011. The new time limit to commence any eminent domain action would be 12 years after the effective date of the ordinance adopting the Amendment in Areas B, C, and D. Eminent domain authority over Area A is extended with respect to vacant land with Health & Safety Code Section 33320.2.

The Amendment proposes no other changes to the Redevelopment Plan, which would continue to prohibit the use of eminent domain to acquire Project Area properties on which a person lawfully resides and where the property is zoned for residential use, or properties where the residential use on the property is a legally non-conforming use, as defined by the City of Fresno Municipal Code.

Eminent domain is the authority for a public agency to acquire property for a public purpose. An acquisition by eminent domain is preceded by a public process. California law requires the public agency to hold a public hearing on the action, to pay the owner fair market value, and to provide all relocation benefits and allowances to the occupant required by law. The California Constitution prohibits state and local governments from using eminent domain to acquire an owner-occupied single family residence for the purpose of conveying it to another person. Additionally, in every redevelopment project area, an agency must follow its own owner participation and business preference requirements under the terms of the redevelopment plan, and any rules promulgated under the plan. This may include, without limitation, an opportunity for an owner or occupant to propose a redevelopment, rehabilitation, or expansion that includes the property. Further, under CRL Section 33394, an agency cannot, without owner consent, acquire property on which the existing building will continue on its present site, in its present form, and its present use, unless: (a) the building requires structural alteration, improvement, modernization, or rehabilitation, or (b) the lot on which the building is located requires modification in size, shape, or use, or (c) it is necessary to impose standards, restrictions, and controls of the plan and the owner fails or refuses to enter an owner participation agreement under applicable provisions of the CRL. Certain tax benefits are available to property owners who relocate through the eminent domain process.

While the Agency has no plans to purchase property at this time, if the Agency proposed to purchase property, acquisition would be pursued by cooperative negotiation. Where acquisition cannot be achieved by gift, devise, exchange, negotiated purchase or other traditional means, the Amendment provides the option of exercising eminent domain. It is a tool of last resort that has been rarely used. Since formation and adoption of the Airport Area Redevelopment Plan in 1999, eminent domain has never been used by the Agency. It remains an essential but seldom employed tool to address blighting conditions documented herein that persist within the Project Area.

THE PLAN AMENDMENT PROCESS

This Amendment is being prepared in conformance with California Community Redevelopment Law, Health and Safety Code Section 33000 et. seq. ("CRL"). Pursuant to CRL Section 33333.2(a)(4), a redevelopment plan containing provisions for the allocation of tax increment revenues to a redevelopment agency shall contain certain limitations including a time limit, not to exceed twelve (12) years from the adoption of the redevelopment plan, for commencement of eminent domain proceedings to acquire property within the project area. Additionally, in accordance with said section, this time limit may be extended by amendment to the redevelopment plan.

Pursuant to the CRL, at any time after the adoption of a redevelopment plan for a project area, the legislative body, upon recommendation of the redevelopment agency, may amend a redevelopment plan through a prescribed process. CRL Sections 33450 through 33458 permit the redevelopment agency to recommend amendments to existing redevelopment plans, subject to: 1) the preparation of a report to the legislative body by the redevelopment agency to substantiate the need for the amendment(s); 2) the convening of a joint public hearing of the legislative body and the redevelopment agency on the proposed amendment(s); and 3) consideration and adoption of an ordinance by the legislative body approving such amendment(s). These primary components are described below.

REPORT OF THE AGENCY TO THE CITY COUNCIL

This document is the Agency's Report to the City Council ("Report") for the proposed Amendment and generally describes the reasons for and implications of the proposed Amendment. The required contents of this Report are described in Sections 33352 and 33457.1 of the CRL and provide information, documentation, and evidence to assist the City of Fresno City Council ("City Council") with its consideration of the proposed Amendment and in making the various determinations in connection with its adoption.

The scope of the proposed Amendment is limited to extending the Agency's use of eminent domain in the Project Area; no other changes are proposed. Consequently, several elements required by Section 33352 of the CRL for this Report do not apply to the proposed Amendment and are not included in this Report¹. Section 33457.1 of the CRL requires that this Report contain only such information warranted by the proposed Amendment. The contents of this Report are presented in nine sections, which generally correspond to the subdivisions presented in Section 33352 of the CRL.

The Sections are as follows:

- Section A. Reasons for the Amendment
- Section B. Description of the Physical and Economic Conditions Existing in the Project Area
- Section C. Five Year Implementation Plan
- Section D. Explanation of Why the Elimination of Blight in the Project Area Cannot be Accomplished by Private Enterprise Acting Alone
- Section E. Method of Relocation
- Section F. Report of Community Participation
- Section G. Environmental Review – Mitigated Negative Declaration
- Section H. Neighborhood Impact Report
- Section I. Summary of the Agency's Consultations with Affected Taxing Entities and a Response to Said Entities' Concerns Regarding the Plan

This Report is intended to provide the decision makers with a comprehensive analysis of the Project Area, and information necessary to make a decision regarding the Amendment. More specifically, it provides substantial evidence that 1) significant blight remains within the Project Area, and that 2) remaining blight cannot be eliminated without the use of eminent domain.

JOINT PUBLIC HEARING

This Report, the associated Mitigated Negative Declaration, and the final Redevelopment Plan incorporating the changes proposed by the Amendment, will be presented to the Agency and the City Council at a joint public hearing ("Joint Public Hearing") tentatively scheduled for November 4, 2010. Project Area property owners, residents, business owners, and affected taxing agencies will be sent notice of this public hearing by first-class mail. In addition, public notices will be published in a local newspaper, all consistent with the requirements of the CRL.

¹ Sections not necessitated by this Amendment include: Proposed Method of Financing, Analysis of the Preliminary Plan, Report and Recommendations of the Planning Commission, General Plan Conformance, and the Report of the County Fiscal Officer.



AMENDING ORDINANCE

Upon closing the Joint Public Hearing, and after findings are made in response to comments (if any), the City Council may consider adoption of an ordinance approving the Amendment. Pursuant to CRL Section 33457.1, the ordinance adopting the Amendment must contain the findings required by Section 33367 of the CRL.



Reasons for the Amendment

OVERVIEW

The Redevelopment Plan guides the Agency's efforts in the Project Area. It establishes goals and policies, and generally governs how redevelopment may occur within the Project Area. Consistent with the CRL, the Redevelopment Plan includes certain time and financial limits, as summarized below in Exhibit A-1.

<u>Redevelopment Plan Time Limits</u>	<u>Exhibit A-1</u>
<u>Airport Area Revitalization Redevelopment Project Area</u>	
<u>Limit</u>	
Adoption Date ¹	July 19, 1999
Incur Indebtedness ¹	July 19, 2019
Plan Effectiveness ²	July 19, 2030
Collect Tax Increment ²	July 19, 2045
Eminent Domain ³	August 20, 2011

¹ The City Council adopted the Project Area by Ordinance No. 99-44.

² The City Council adopted Ordinance No. 2008-9 extending the Redevelopment Plan effectiveness and time limit to collect tax increment by one year pursuant to SB 1045.

³ Agency must begin any exercise of its eminent domain power within 12 years after the date that the ordinance adopting the Redevelopment Plan becomes effective.

Source: Redevelopment Agency of the City of Fresno

The initial time limit for eminent domain is statutorily limited to 12 years under the CRL. This time limitation often places the Agency in a challenging situation, for it is typically by this time that a project area is beginning to generate enough tax increment to secure the financing required to obtain properties, either through negotiated market purchase, or through eminent domain proceedings when necessary. Agency staff reports a successful track record of negotiated purchases throughout all the City's Project Areas, but possession of the powers of eminent domain remains important as redevelopment goals for the Project Area have not yet been achieved. For this reason, extensions of eminent domain time limits are allowed by the CRL; under this authority the Amendment has been proposed.

This Section of the Report provides background information on the Project Area, a summary of current conditions, and the reasons why this Amendment is needed to fulfill the Redevelopment Plan goals.

PROJECT AREA LOCATION

The Project Area is generally located in eastern Fresno, north of Highway 180 and bisecting Highway 168 to the east and west. It is comprised of four non-contiguous sub areas referred to by the Redevelopment Plan as Areas A, B, C, and D, encompassing a total of 1,119 acres. Aply named the Airport Area Revitalization Redevelopment Project, the sub areas are adjacent to, or nearby, the Fresno-Yosemite International Airport ("Airport").

Area A surrounds the northern portion of the Airport and includes some parcels controlled by the Airport. Today, Area A is comprised primarily of industrial uses, with a small amount of commercial retail in the northern section, recreational uses, some multi-family residential, and vacant parcels scattered throughout.

Area B is located south of the Airport, with its eastern border stretching along Clovis Avenue from approximately McKinley Avenue to south of Olive Avenue. It currently contains a few vacant parcels, an old industrial development most recently used as a winery, a self storage center, a single family residence, and a former drive-in movie theater. The theater was later used as an outdoor marketplace, but has since been left unused and vacant for several years.

Area C is an older, industrial area generally located between McKinley Avenue, Chestnut Avenue, Olive Avenue, and the Sierra Freeway (Highway 168). According to County Assessor data, many of the buildings in Area C were developed in the 1950's. Today, a wide range of businesses are located in Area C from auto-related uses to industrial manufacturing. There are 30 single family homes mixed in with the industrial uses.

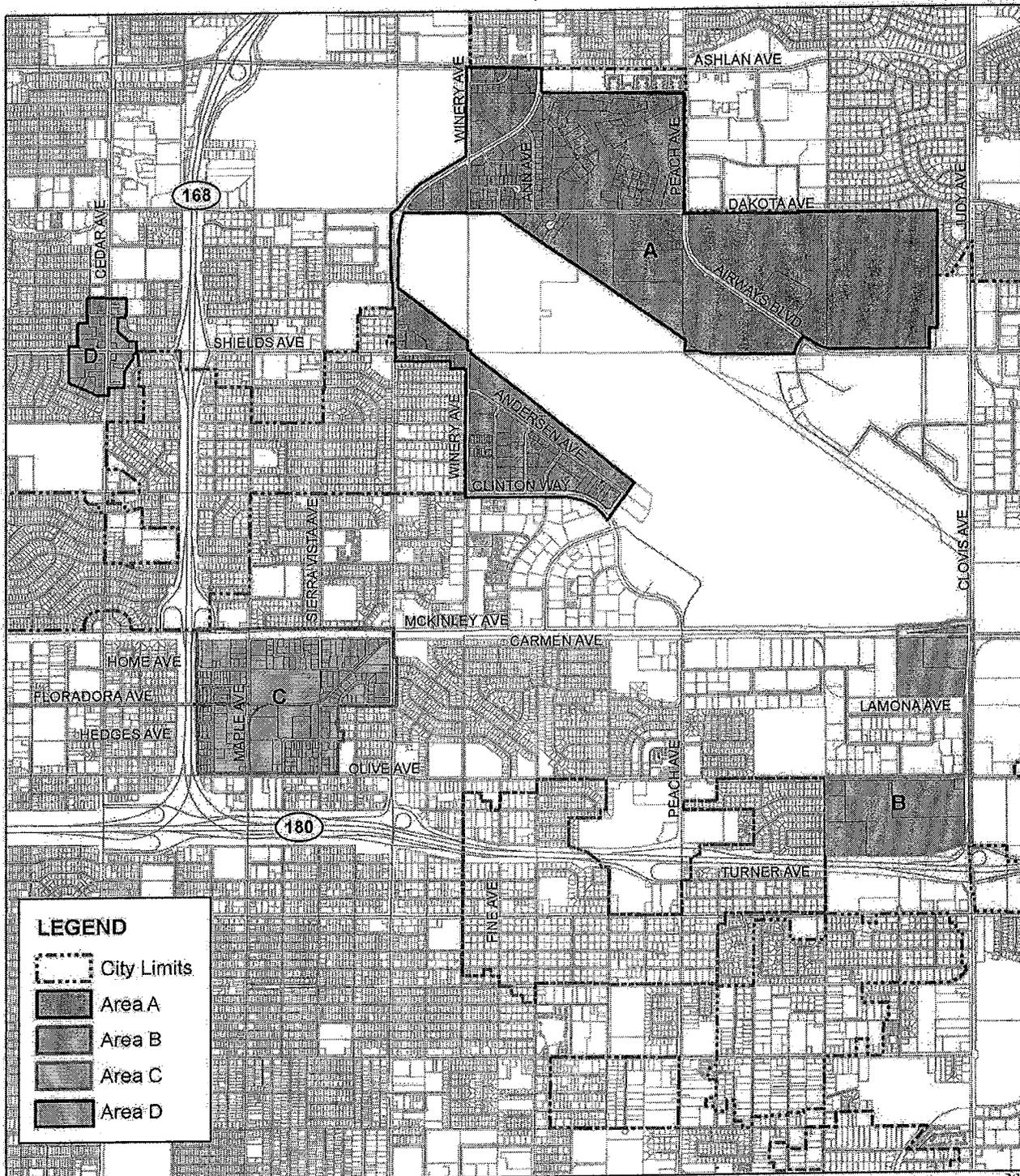
Area D is the smallest sub area, and encompasses the four corners of the Shields Avenue and Cedar Avenue intersection. All four corners are generally retail in nature, with a mix of stores, services, restaurants, and a bowling alley.

Exhibit A-2 identifies the boundary of the Project Area, and illustrates the location of each of its component sub areas.

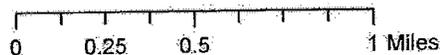
AIRPORT AREA REVITALIZATION REDEVELOPMENT PROJECT AREA

EXHIBIT A-2

REDEVELOPMENT AGENCY OF THE CITY OF FRESNO



Source: City of Fresno ISD-GIS



LAND-USES

The Project Area is predominately commercial in nature, about 45 percent in total. Most land uses lean towards light industrial and warehousing. A significant amount of public land is held by the Airport, accounting for a large portion of the 326 acres of public and institutional land. Limited amounts of commercial retail exist, almost all of which are located in Area D. A minimal amount (approximately 6 percent of the total acreage) of residential uses are in the Project Area. Exhibit A-3 summarizes the composition of the Project Area.

Land Use		Exhibit A-3		
Airport Area Revitalization Redevelopment Project Area				
Land Use ¹	Parcels	%	Acreage	%
Commercial	37	7.8%	49.9	4.5%
Industrial	263	55.3%	449.7	40.2%
Residential ²	37	7.8%	63.4	5.7%
Public/Inst/Rec/Misc	63	13.2%	325.8	29.1%
Vacant	76	16.0%	78.1	7.0%
Right-of-Way ³	-	-	152.1	13.6%
Total	476	100.0%	1,119.0	100.0%

¹ Land use may not comply with the zoning of the parcel.

² The number of residential parcels is based on land use data provided by the City of Fresno; however, 33 parcels with residential uses were observed during the field survey.

³ Estimated

Source: City of Fresno ISD-GIS, Redevelopment Plan for the Airport Area Revitalization Redevelopment Project

CURRENT DEMOGRAPHICS

Given its predominantly nonresidential nature, the Project Area contains only a limited number of residents. US Census block data was used for this analysis, which the smallest level of analysis available, but includes residents inside and outside the Project Area boundaries.

According to ESRI, the 2010 population of the Project Area vicinity is 3,860 persons, less than one percent of the City's population of 486,823. The average 2010 single family detached home value in the Project Area is \$112,109, which is 27 percent less than the average home value citywide of \$153,381. Households within and near the Project Area are under financial constraints, as the 2010 median household income is \$29,716 for the Project Area vicinity and \$42,050 citywide.

PROJECT AREA BACKGROUND

Much of the land within and surrounding the Airport was developed during World War II by the U.S. Army as the Hammer Air Base. In addition to the air field, associated hangers, barracks, and training areas, an Army hospital and laboratory was developed on the area north of Shields Avenue and east of Peach Avenue, which is in the Project Area. Following the closure of the base, the conversion from an airfield to a commercial airport began, and the land became the property of the Cities of Fresno and Clovis. The former hospital site was turned over to Fresno State College² for use as an agricultural campus. Though some 85 buildings once stood as a part of the medical complex on the Shields/Peach site, most were eventually demolished by the

² Fresno State College was renamed in 1972 as California State University at Fresno



College so the land could be farmed. The College then relocated its agricultural activities in the late-1960's, at which point that site was also deeded to the City.

THE REDEVELOPMENT PLAN

With its military and industrial roots, and a multi-decade history of development, the Project Area began to show signs of physical and economic decline many years ago. Thus, after several years of growing concerns over deteriorating buildings, infrastructure, and stagnant commercial and industrial activity, the City Council adopted the Redevelopment Plan in 1999 to combat these and other blighting conditions described in Section B of this Report.

The Project Area is almost entirely commercial and industrial, and was selected as a part of the City's greater effort to retain and attract businesses that provide high-quality jobs. Job attraction has been a priority for decades, as demonstrated by the City's participation in a variety of federal programs such as the Enterprise Zone, the Foreign Trade Zone, and the Historically Underutilized Businesses programs. Portions of the Project Area overlap with each of these geographic zones. However, these federal programs were not enough to invigorate the Project Area. Redevelopment was seen as the best tool to further encourage revitalization of these commercial and industrial areas.

The major objectives of the Redevelopment Plan are to eliminate and prevent the spread of conditions of blight, reverse the trend of economic stagnation, and ensure the Project Area's potential for development and growth. While the Agency has made progress with redeveloping the Project Area, important activities remain to be accomplished.

PRIOR AMENDMENT

This is the second amendment to the Redevelopment Plan. The first amendment extended the time limits of the Redevelopment Plan effectiveness, payment of indebtedness, and receipt of property taxes for one year pursuant to CRL Section 33333.2. That particular amendment requires only an ordinance be adopted by the City Council, and does not require the full amendment process including documentation of blight.

REASONS FOR AMENDING THE REDEVELOPMENT PLAN

Since adoption of the Project Area, some portions have experienced development, most notably with the construction of a Gap Incorporated warehouse and distribution facility in Area A. New industrial development has taken place in the portion of Area A north of Dakota Avenue along Ann Avenue, as well as in the northern portion of Area C, along Weathermaker Avenue. The Agency recently completed street improvements along Carmen Avenue, which will facilitate access to the new Weathermaker Avenue industrial buildings. Additionally, the southeast corner of Area D has been almost entirely redeveloped with a new Rite Aid, Fresh and Easy Market (scheduled to open in late 2010), and a third small pad with three tenant spaces. The following are examples of successful projects that the Agency has been involved in:

- **Floradora/Whitney/Dearing/Recreation Street Reconstruction Project** - Curb, gutter and paving improvements have been completed along Floradora, Whitney, Dearing and Sierra Vista Avenues between Maple and Chestnut Avenues. The improvements helped to retain and induce a 16,400 square foot business expansion and will help existing businesses through needed road improvements.
- **Carmen Avenue Street Reconstruction Project** - Street improvements for a segment of Carmen Avenue between Backer and Sierra Vista Avenues were completed. The offsite improvements helped to induce infill of 12 acres with 158,000 square feet of office warehouse, improved this older industrial neighborhood, and advances future industrial development of another 20 acres. Plans have been completed to reconstruct additional segments of Carmen Avenue, generally between Maple and Chestnut Avenues and to address flooding issues on Home and Dearing Avenues.

- **Clovis Avenue Railroad Crossing** - ~~The Railroad Crossing Improvement Project on Clovis Avenue south of McKinley served to tie into and enhance the \$3 million Clovis Avenue project between McKinley Avenue and Kings Canyon Road that did not include funding for railroad crossings.~~
- **Airport Beautification Project** - A press conference held on May 7, 2008 showcased the completed project that included a new monument sign, new wrought iron fencing, landscaping, curvilinear sidewalks, and median-island landscaping along Clovis and McKinley Avenues, adjacent to the Fresno Yosemite International (FYI) Airport. The project also added extensive greenbelt improvements to the south side of McKinley Avenue, heading west from Clovis Avenue. The monument sign and improvements greet traffic at the Clovis/McKinley intersection where the average daily vehicle count is 35,000 on Clovis Avenue and 20,000 on McKinley Avenue.

In addition, the Agency constructed a right turn lane at the northwest corner of McKinley and Clovis Avenues. The turn lane was to be part of a future Clovis Avenue reconstruction project. The Agency bore the cost and advanced turn lane construction to avoid removal and replacement of landscaping and other improvements during the future Clovis reconstruction project.
- **Railroad Grade-Crossing Improvements** - The Agency arranged and funded the construction of these needed improvements at Cedar, Maple, Chestnut and Shields Avenues generally along the Floradora Avenue alignment. The improvements addressed traffic and safety issues and enhanced the visual quality of the project area.
- **Real Property Acquisition and Disposition/Blight Removal** - The Agency acquired 2.5 acres at the northeast corner of Chestnut and Shields Avenues adjacent to the Fresno Yosemite International Airport. The property was conveyed to the City to increase the capacity and economic potential of the Airport to facilitate aviation related development. Acquisition of the property for assembly with existing Airport property presented the opportunity to capture an aircraft manufacturer's service and maintenance center.
- **GAP Project: Relocation of Drainage Basin "T"** - In the late 1990's, the City and local leaders were successful in bringing the GAP's Pacific Coast Distribution Center to Fresno. A key project on the GAP's site was the expansion of Drainage Basin "T" to allow for the expansion of the Gap pursuant its agreement with the City of Fresno. To accommodate the project, a drainage basin had to be relocated to an alternate site. The cost of the project was approximately \$1.5 million. About \$500,000 of the cost came from a state grant while the Agency funded the balance.
- **Cedar and Shields Streetscape** - In September 2004, the Agency completed construction of the streetscape project on Cedar and Shields Avenues consisting of landscaped median islands, street trees, and a designed color concrete intersection.

Despite these advances, significant blight still remains elsewhere in the Project Area, discouraging the substantial private investment still needed for a viable business community, free from economic and physical hindrances. Specifically, the Project Area exhibits:

- Conditions that prevent the viable use of lots;
- Existence of subdivided lots in multiple ownership impaired by irregular shapes and inadequate sizes;
- Adjacent incompatible uses that prevent development;
- Depreciated or stagnant property values;
- A high crime rate; and
- Excess of adult-oriented businesses that result in public safety problems.

This Amendment seeks to give the Agency all available tools to combat these issues in the Project Area and eliminate the spread of these blighting conditions.

The Agency has been very successful in acquiring properties needed for redevelopment in the past without having to rely on use of eminent domain powers. However, such authority may be necessary in the future to effectively redevelop the Project Area. Particularly, eminent domain may be needed to assemble adjacent lots

in order to create commercial and industrial properties large enough to meet today's development standards. As described in greater detail in Section B of this Report, the Project Area suffers from commercial and industrial parcels that are irregularly shaped and/or of inadequate size to redevelop given the City's current Zoning Ordinance and current market demands.

The private assembly of real property in blighted areas, such as in the Project Area, can often be so difficult and costly that it is not economically feasible for owners to undertake such a project when other readily-available parcels can be obtained outside the Project Area. For this reason, the CRL finds and declares that remedying such conditions may require public acquisition through the use of eminent domain when the redevelopment of blighted areas cannot be accomplished by private enterprise alone.

For example, in Area D, parcels with multiple ownership have led to significant variations in property upkeep within the same retail plazas. Field observations revealed that these differences extended even to maintenance of the parking lots. This type of disparate maintenance discourages tenants from locating in such a center, and property owners from investing in maintenance when other owners allow their buildings to fall further into disrepair. Area D is of particular concern, as Section B of this Report will show the area exhibits a high incidence of crime as well as a large number of liquor licenses, two blighting conditions that were not well documented at the time the Project Area was adopted. The combination of disincentives for investment, businesses that cater to adults, and crime, may be ameliorated with lot consolidation which would encourage a more uniform level of property investment and management of tenants. Though a last resort, eminent domain may be the only tool to facilitate this change.

Therefore, because of the potential need to assemble parcels for the purpose of creating lots of adequate size, not in multiple ownership, and because the Agency's eminent domain authority in the Project Area will expire on August 20, 2011, the Agency is proposing this Amendment to the Redevelopment Plan to extend eminent domain authority. The proposed Amendment would extend eminent domain authority in Areas B, C, and D, as well as on vacant property in Area A, for a period of twelve (12) years from when the Ordinance adopting the Amendment becomes effective.³ The Amendment proposes no other changes to the Redevelopment Plan, which would continue to prohibit the use of eminent domain to acquire Project Area properties on which a person lawfully resides and where the property is zoned for residential use, or properties where the residential use on the property is a legally non-conforming use, as defined by the City of Fresno Municipal Code.

HOW THE AMENDMENT WILL ASSIST THE AGENCY IN ACHIEVING THE GOALS AND OBJECTIVES OF THE REDEVELOPMENT PLAN

The Agency seeks to improve conditions in the Project Area by amending the Redevelopment Plan. By extending the Agency's eminent domain authority, the proposed Amendment would help facilitate private sector development and redevelopment, which can create jobs and eliminate blighting conditions within the Project Area.

Redevelopment of the Project Area has not been completed, and several Redevelopment Plan goals established in 1999 remain unfulfilled. As identified in more detail in Section B of this Report, physical and economic blighting conditions remain in the Project Area. Overall, the Project Area continues to suffer from a lack of private investment which is hindering its ability to function as a viable commercial and industrial area, and contribute to the local economy.

The proposed Amendment would help accomplish the following Redevelopment Plan goals in the Project Area as stated in Section 100 of the Redevelopment Plan:

³ The actual expiration date for the power of eminent domain will depend on the effective date of the Ordinance. For example, if the Ordinance adopting the Amendment is approved by Council on November 4, 2010 and adopted 10 days later (at the expiration of the mayor's veto period) on November 14, 2010, it would be effective 30 days later, on December 14, 2010. The eminent domain period would then run 12 years from December 14, 2010 and would expire on December 13, 2022.

- Eliminate blighting influences and correct environmental deficiencies including, among others, small and irregular shaped lots, obsolete buildings and aged buildings, vacant buildings and vacant lots, depreciated property values and impaired investments, low lease rates, high crime rates, incompatible and uneconomic land uses, and inadequate or deteriorated public improvements;
- Assemble land into parcels suitable for modern, integrated development with improved pedestrian and vehicular circulation; and
- Replan, redesign, and develop undeveloped and underdeveloped areas that are stagnant or improperly utilized.

In accordance with these Redevelopment Plan goals, the proposed Amendment would allow redevelopment of the Project Area to proceed with the tool of eminent domain for limited use in property acquisition after other attempts at acquisition have failed. This action will be used solely to facilitate redevelopment of the Project Area and only as a last resort to ensure the Project Area's ability to be a viable, safe place to live and work. For example, the Project Area contains a substantial number of lots that are subdivided and in multiple ownership where the physical (re)development has been impaired because of the lots' inadequate sizes, or because multiple ownership has led to disparate levels of investment. Consolidating lots to make properties large enough for proper usefulness and thereby economically viable, is an inevitable remedy to this blighting condition. Although the Agency's practice is and has been to make any and all reasonable attempts at purchasing property before exercising its power of eminent domain, there may arise a situation when such good-faith negotiations fail and eminent domain is needed for the good of the community.

Therefore, the proposed Amendment would help accomplish the Redevelopment Plan goals which are designed to address blighting conditions that the public and private sectors, without redevelopment, have been unable to solve.

B Description of the Physical & Economic Conditions in the Project Area

OVERVIEW

This Section provides detailed information on the blighting conditions still present in the Project Area, and correlates these conditions to the need for eminent domain authority to be extended. When the Project Area was adopted, the blighting conditions documented in the 1999 Report to Council included:

- Physical Blight
 - Unsafe buildings due to dilapidation and deterioration;
 - Factors that hinder viable use including a lack of parking, poor circulation, inadequate infrastructure, open storage, graffiti, litter, etc.; and
 - Parcels of inadequate size under multiple ownership.
- Economic Blight
 - Stagnant property values or impaired investment;
 - Abnormally high vacancy, low lease rates, high turnover rates, abandoned buildings, and excessive vacant lots;
 - Residential overcrowding; and
 - High crime rate.

Since the time of adoption, the legal definitions of blight have changed to some degree. However, as this Section demonstrates, the Project Area still suffers from blighting conditions. While the Agency and the strong economy of the mid-2000's have successfully spurred some private investment, the Project Area has not yet been able to overcome the many issues that plague its ability to keep up with other commercial portions of the City. Specifically, the Project Area is experiencing the following conditions:

- Forty-eight (48) parcels, or 9.9 percent of parcels, were documented as exhibiting signs of dilapidation and deterioration through a field survey, with Area C the most severely impacted;
- Of the 469 commercial industrial zoned parcels in the Project Area, 14.3 percent do not meet the minimum lot size standards based on the City's Zoning Ordinance, and additionally many properties are not large enough to make redevelopment financially feasible without assembly and consolidation of multiple parcels;
- Thirty (30) residentially-used parcels located in Area C immediately adjacent to industrial uses, several of which utilize hazardous materials creating conflict between the residences and industrial uses, and conversely limiting the potential expansion of industrial businesses;
- There are 6.2 percent of commercial and industrial zoned parcels that are in multiple ownership, inhibiting the ability of the lots to redevelop in a cohesive or economically viable manner;
- Property values that are not increasing at a rate similar to the City;
- Office lease rates in the Airport submarket are 31 percent below the City average of \$1.72 per square foot a month⁴;
- Retail lease rates in the Project Area that are 65 percent below the City average of \$1.33 per square foot a month⁵;

⁴ Grubb and Ellis Market Report, First Quarter 2010

⁵ CBRE Market Report, Second Quarter, 2010

- ~~Approximately one quarter of the Project Area parcels are undeveloped or abandoned and do not contribute to the economy of the area;~~
- The Project Area has a documented crime rate of 57.3 percent higher than citywide on a per acre basis in 2009 which presents a serious threat to public safety; and
- The Project Area has a high concentration of liquor licenses with 3.11 licenses per 1,000 persons in comparison to 2.05 licenses citywide that has led to heightened crime rates in the immediate vicinity, also resulting in a threat to public safety and welfare.

Based on the analysis summarized above, it is clear all the blighting conditions that existed in 1999 are still present today with the exception of residential overcrowding, which has a revised legal definition this Project Area no longer meets the standard of. Additionally, an excess of adult-oriented businesses is correlated with a high crime rate, a condition not previously documented.

LEGAL REQUIREMENTS

Sections 33333.2 and 33450 of the CRL permit agencies to amend redevelopment plans to extend eminent domain authority. As part of this procedure, and pursuant to Section 33352(b) of the CRL, an agency's report to the legislative body for an amendment to extend eminent domain authority must, with specific, quantifiable evidence, document the remaining physical and economic conditions that cause the project area to be blighted and show how these conditions affect the project area. The definitions of blight pursuant to Section 33031 of the CRL were changed in January 2007, and are now different from those in effect at the time of adoption of the Project Area in 1999. This Report addresses blight based on current (2010) statutes of the CRL.

Sections 33030 and 33031 of the CRL describe the conditions that constitute blight in a redevelopment project area. A blighted area is one that necessitates a redevelopment project area because the combination of conditions in the area constitutes a burden on the community that cannot be alleviated by private enterprise and/or governmental action. According to Section 33030 of the CRL, blight must be "so prevalent and so substantial that it causes a reduction of, or lack of, proper utilization of the area to such an extent that it constitutes a serious physical and economic burden on the community that cannot reasonably be expected to be reversed or alleviated by private enterprise or governmental action, or both, without redevelopment".

The following list provides a description of the physical and economic conditions that cause blight pursuant to CRL Section 33031(a) and (b).

PHYSICAL BLIGHT

- Buildings in which it is unsafe or unhealthy for persons to live or work. These conditions may be caused by serious building code violations, serious dilapidation and deterioration caused by long-term neglect, construction that is vulnerable to serious damage from seismic or geologic hazards, and faulty or inadequate water or sewer utilities.
- Conditions that prevent or substantially hinder the viable use or capacity of buildings or lots. These conditions may be caused by buildings of substandard, defective, or obsolete design, or construction given the present general plan, zoning, or other development standards.
- Adjacent or nearby incompatible land uses that prevent the development of those parcels or other portions of the project area.
- The existence of subdivided lots that are in multiple ownership and whose physical development has been impaired by their irregular shapes and inadequate sizes, given present general plan and zoning standards and present market conditions.

ECONOMIC BLIGHT

- Depreciated or stagnant property values.
- Impaired property values, due in significant part to hazardous wastes on property where the agency may be eligible to use its authority as specified in Article 12.5 of the CRL (commencing with Section 33459).
- Abnormally high business vacancies, abnormally low lease rates, or an abnormally high number of abandoned buildings.
- A serious lack of necessary commercial facilities that are normally found in neighborhoods, including grocery stores, drug stores, and banks and other lending institutions.
- Serious residential overcrowding that has resulted in significant public health or safety problems. As used in this paragraph, "overcrowding" means exceeding the standard referenced in Article 5 (commencing with Section 32) of Chapter 1 of Title 25 of the California Code of Regulations.
- An excess of bars, liquor stores, or adult-oriented business that has resulted in significant public health, safety, or welfare problems.
- A high crime rate that constitutes a serious threat to the public safety and welfare.

Section 33030(c) of the CRL also states that a blighted area may be one that contains inadequate public improvements or inadequate water or sewer utilities when other blighting conditions described above are present.

STUDY APPROACH AND METHODOLOGY

The detailed analysis of physical and economic conditions that follows is based on current (2010) statutes of the CRL, and consists primarily of research and analysis of local and regional economic data, various reports and studies, discussions with City and Agency staff and real estate professionals, and field inspections of the Project Area.

A field survey was conducted by Rosenow Spevacek Group, Inc. ("RSG") in May of 2010 ("field survey"). All RSG staff receives extensive training on identifying and evaluating blighting conditions that can be observed during field surveys. This training is provided as part of the "RSG Academy". The RSG Academy sessions also provide training on a number of topics that are relevant for other means of blight research, including specific skills and tools to document blight in proposed or existing redevelopment project areas. Training sessions discuss the types of secondary sources available and appropriate, where to find them, and how to approach analyses using these sources.

Three members of the RSG staff conducted the May 2010 field survey over the course of two days. Areas A, B, and C were observed from a vehicle on public streets or public parking areas as appropriate. Area D was documented on foot with the exception of the southeast corner which was done by vehicle as it has been recently redeveloped. All conditions of blight documented by the survey team were discussed on a parcel by parcel basis by all three team members to ensure observations were accurate. The RSG staff members who conducted the field survey and other blight research have significant experience doing so, or were closely mentored by experienced staff members. The team consisted of the following individuals: Jim Simon, Principal; Alexa Smittle, Associate; Kim Wong, Senior Analyst; and Suzy Kim, Senior Analyst.

Mr. Simon has over 20 years of experience with redevelopment plan adoptions and amendments. He has prepared and overseen preparation of blight reports and other required documents for over 50 redevelopment project areas. As a Principal with RSG, Mr. Simon has designed and presented training sessions specifically on blight studies and redevelopment plan amendments for the California Redevelopment Association and some of RSG's clients.



~~Ms. Smittle has been with RSG for five years. As the project manager, she led the team through blight research, analysis, and report writing. Ms. Smittle's practical field survey training consists of time spent in the field on numerous occasions and close mentoring by RSG principals. Ms. Smittle holds a Master's degree in Urban and Regional Planning and a Bachelor's degree in Regional Planning.~~

Ms. Wong has been with RSG for approximately a year, and has been conducting field surveys and other blight research and analysis throughout her tenure with the firm. Before joining RSG, Ms. Wong worked as a city planner for the City of Anaheim Planning Department, where she managed development projects, responded to customer inquiries at the Planning Department counter, and assisted Code Enforcement Officers regarding Zoning Code violations. Ms. Wong holds a Bachelor's degree in Geography and a Master's degree in Urban and Regional Planning.

Ms. Kim has been with RSG for approximately four years. She specializes in preparing redevelopment plan adoptions and amendments, feasibility studies, implementation plans, and financial analyses. Ms. Kim's field survey knowledge has been gained primarily in the field through spending time with city code inspectors and staff from various cities, learning how to identify unsafe and unhealthy building conditions. Ms. Kim assisted in designing and teaching the "blight" course within the RSG Academy. Ms. Kim holds a Master's degree in Urban and Regional Planning.

RSG conducts field surveys with the use of ArcPad GIS software, which is uploaded on a laptop computer. The ArcPad software is designed to display and record data and information easily and efficiently. It allows the survey team to access, edit, and save parcel information within the project area during the field survey using previously downloaded maps and county assessor information. The survey team is able to describe blighting conditions observed and link photos taken to parcels during the survey. Other comments are recorded using the software for the purposes of documenting blight or noting issues needing further research.

RSG prepares an electronic survey sheet for each parcel within the project area using the GIS-based ArcPad software. The survey form lists physical factors that are associated with dilapidated and deteriorated buildings (as evidenced by needed rehabilitation and repair), as well as buildings of defective design and physical construction and other similar factors. In total, 29 different conditions are considered during the field survey and viewed from the public right of way, from where the team members record visible exterior conditions, take photos, and note details on vacancies and conditions that hinder the viable use or capacity of a building or parcel given the present market conditions, such as lack of parking.

After the field survey, the information collected in the project area is uploaded to the RSG database, audited for accuracy, and used for comprehensive blight analysis. To be effective, the survey software requires RSG to have access to the assessor's database information for each parcel as well as GIS shape files for the project area. Once the field survey data is entered, RSG edits for accuracy, analyzes the conditions recorded, and can generate electronic maps that identify where conditions are located.

Information from the field survey, together with extensive investigative efforts, is used to document conditions as they exist at the time of the research. In addition to the field survey, RSG researched a variety of reputable and pertinent data sources and publications in order to properly evaluate the current conditions in the Project Area. Specifically, these sources were consulted to determine the nature and prevalence of blighting conditions in the Project Area, as listed below.

Persons Consulted:

- Cindy Slaton, Fresno Police Department (reports of Part 1 and 2 crimes)
- Matt Lopez, City of Fresno Code Enforcement (citations report)
- Brian Leong, Building and Safety Services Manager, City of Fresno Building Department (building permits report)
- Lieutenant Burke Farrah, City of Fresno Police Department

- Robin Cook, County of Fresno
- Kevin Meikle, Airports Planning Manager, City of Fresno Airport Administration
- Brendan Carmody, Assistant Director of Aviation, City of Fresno Airport Administration
- Bill Daly, Sales and Leasing Agency, Fortune and Associates
- William Thomas, Sales Associate, Grubb and Ellis
- Buk Wagner, Vice President, Colliers International
- Mike Pickett, Owner, Don Picket and Associates
- County of Fresno Assessor's Office
- Staff for the Redevelopment Agency of the City of Fresno

Documents and Databases Consulted:

- Report to the City Council on Adoption of the Airport Revitalization Redevelopment Project (1999)
- Preliminary Report for the Airport Area Revitalization Redevelopment Project (1999)
- U.S. Environmental Protection Agency CERCLIS Database and EnviroMapper Database
- California Department of Toxic Substances Control EnviroStor Database
- California State Water Resources Control Board Geotracker Database
- Implementation Plan for the Airport Area, Central City, South Fresno Industrial, and Southeast Fresno Redevelopment Projects (2004)
- City of Fresno Municipal Code Chapters 11 and 12
- City of Fresno General Plan 2025 (2002)
- Draft Program Environmental Impact Report 98-1 (1999)
- CB Richard Ellis Fresno Industrial, Office, and Retail Market Reports (Fourth Quarter 2009)
- Demographic Profiles, Environmental Systems Research Institute (ESRI) Business Analyst Online (2010)
- County Assessor Parcel Data, obtained through Metroscan
- Marshall and Swift Property Valuation
- Loopnet Commercial Real Estate Online
- CityFEET Commercial Real Estate Listing Service
- Grubb and Ellis Commercial Market Reports
- Colliers International Commercial Market Reports

The discussion that follows is a summary of these data sources and the evidence with which the City Council can make its findings that significant blight remains within the Project Area.

PHYSICAL BLIGHTING CONDITIONS

CRL Section 33031(a) presents the physical conditions that cause blight, which must be assessed not solely on their presence, but in terms of their impact on the health and safety of residents and employees, and the economic viability of development in the area. The data presented in this section was obtained from City records and the field survey, and analyzed to determine what conditions may be adversely affecting the health and safety of persons in the Project Area. Wherever possible, these conditions were also mapped geographically.

UNSAFE AND UNHEALTHY BUILDINGS

According to CRL Section 33031(a)(1), the physical condition of buildings in which it is unsafe or unhealthy for persons to live or work may be caused by serious building code violations, dilapidation and deterioration brought about by long-term neglect, construction that is vulnerable to damage from seismic or geologic hazards, and faulty or inadequate water or sewer utilities.

DILAPIDATION AND DETERIORATION

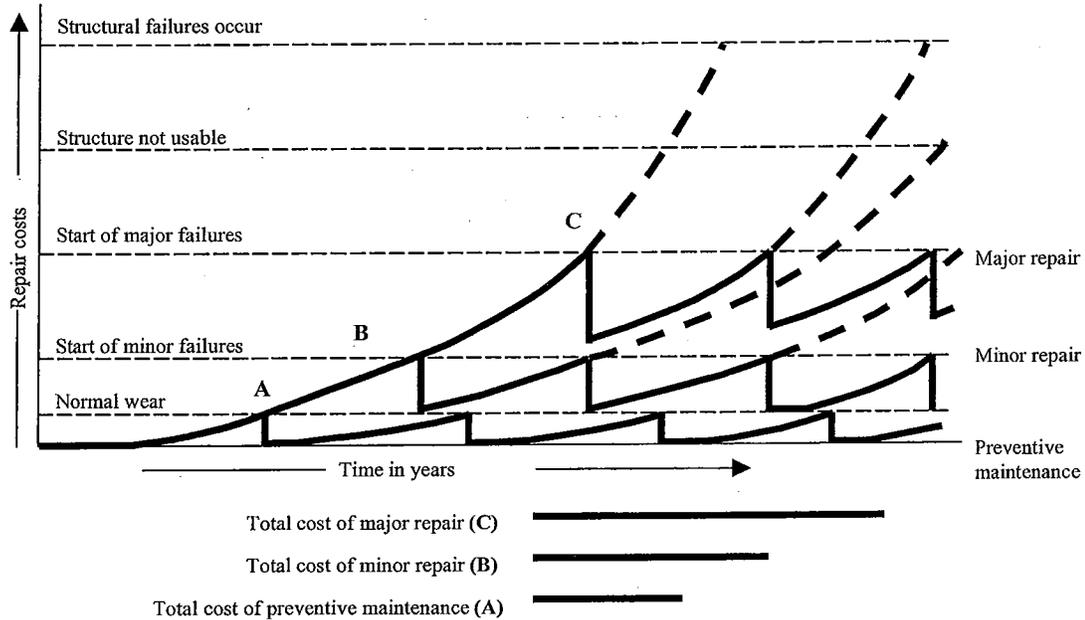
Serious dilapidation and deterioration exists when the physical condition of a structure causes it to be unsafe or unhealthy for persons to live or work in. Dilapidation and deterioration is caused by neglect, deferred maintenance, and aging. For example, if exterior surfaces are not properly maintained to remove wood dry rot, rust, or damaged exterior building materials, this exposes the interior framing and foundation of a structure to water, weakening the structural integrity of the building. Deterioration of roofing materials, doors, and windows causes framing, rafters, and interior wiring to be susceptible to water damage and increases the deterioration of the entire structure. This also leaves the structure susceptible to fire. Water leakage resulting from deterioration also poses serious health risks to occupants, exposing individuals to dangerous molds and fungi. Water damage can further degrade the integrity of the structure itself. Damage to the exterior buildings, more specifically porches, decks, and stairs, creates opportunities for injury resulting from a fall. As stated in Stewart Brand's book, *How Buildings Learn, What Happens After They're Built*, a lack of maintenance results in buildings becoming unusable, within the threat of structural failure. In his book, Brand asserts:

“...due to deterioration and obsolescence, a building's capital value (and the rent it can charge) about halves by twenty years after construction. Most buildings you can expect to completely refurbish from eleven to twenty-five years after construction. The rule of thumb about abandonment is simple...if repairs will cost half of the value of the building, don't bother.”

If proper regular maintenance of structures is not performed, first minor and then major failures will result over time, as demonstrated in Exhibit B-1, which provides an illustration of the economic realities if routine building maintenance is not undertaken in a timely manner. As the cost of renovating the building rises exponentially over the years, structural failures occur and the building cannot be recovered. Conversely, if preventive maintenance to address normal wear is routinely accomplished, the building's structural integrity is maintained. Frequent investment into routine maintenance is the most effective method for assuring the long-term integrity of a structure. If buildings are not adequately maintained, the process of dilapidation and deterioration is self-perpetuating.

Relationship Between Time and Repair Costs

Exhibit B-1



PREVENTIVE MAINTENANCE (bottom line) not only costs markedly less in aggregate than repairing building failures, it reduces human wear and tear. A building whose systems are always breaking or threatening to break is depressing to the occupants, and that brings on another dimension of expense. This diagram is adapted from *Preventive Maintenance of Buildings* (New York: Van Nostrand Reinhold, 1991), p.3.

Exhibit B-2 categorizes the structures within the Project Area by age and by Area for comparison. According to data from Metroscan, 65 percent of the building stock in the Project Area was built 30 years ago or more. This means regular and continual preventative maintenance is important in the Project Area to keep buildings in good condition.

Age of Building Stock

Exhibit B-2

Airport Area Revitalization Redevelopment Project Area

Year Built	Project Area Total		Area A		Area B		Area C		Area D	
	# Parcels	%	# Parcels	%	# Parcels	%	# Parcels	%	# Parcels	%
1999 to 2009	60	21.0%	27	40.9%	0	0.0%	29	15.3%	4	14.8%
1995 to 1998	6	2.1%	4	6.1%	1	25.0%	1	0.5%	0	0.0%
1990 to 1994	10	3.5%	0	0.0%	0	0.0%	10	5.3%	0	0.0%
1980 to 1989	24	8.4%	9	13.6%	0	0.0%	13	6.9%	2	7.4%
1979 or Earlier	186	65.0%	26	39.4%	3	75.0%	136	72.0%	21	77.8%
Total	286	100.0%	66	100.0%	4	100.0%	189	100.0%	27	100.0%

Source: Metroscan

The presence of properties that exhibit signs of deterioration deter owners of neighboring properties from improving and maintaining their properties because it appears any benefit that might accrue to their properties will be diminished or negated due to the condition of surrounding properties. When deteriorating conditions are prevalent throughout an area, it is difficult for a properly maintained property to attract a buyer or business tenant because the area's degenerating conditions send a message of apathy to potential investors, which presents a risk in terms of possible decreases in property values if these conditions continue to persist.



According to a local developer who recently developed several adjacent and isolated properties in the northern portion of Area C, one of the best selling points of his development was the security of knowing the neighboring properties were in equally good condition, similar to buying a tract home in a planned community. The property owners in the older area to the south of this development have little incentive to improve their value as it will be diminished by the dilapidation in neighboring properties. Without regular investment, properties suffer further deterioration and pose serious health and safety risks to any residents, workers, and patrons within the Project Area.

In May 2010, the survey team conducted a parcel-by-parcel survey of the Project Area to evaluate the physical condition of each structure. To conduct this survey, a number of factors identified in Health and Safety Code Section 17920.3, Substandard Buildings, were used to determine if a building exhibited signs of serious dilapidation and deterioration caused by long-term neglect. Serious dilapidation and deterioration observed during the field survey included:

- **Broken Windows:** Glass from a broken window or door is a safety hazard for occupants of a building due to broken glass or wood damage, as well as a safety risk to occupants due to exposure to the elements.
- **Exposed Wiring:** The health and safety risks from exposed wiring include fire and electrocution.
- **Damaged or Deteriorated Roofing Materials:** The roof of a building is meant to provide protection from the elements. When the roof is deteriorating or damaged, this protection is compromised. Moisture penetration leads to health and safety issues, including mold growth or roof collapse.
- **Deteriorated Eaves or Overhangs:** Eaves or overhangs that are in poor condition pose a safety hazard because when these structures fall they can cause bodily harm to occupants of the building or those near the building.
- **Deteriorated or Damaged Exterior Building Materials:** Building materials, including stucco, brick, or wood siding, are used to protect a building from the elements. When these building materials are deteriorated, the building is exposed to moisture damage and the accompanying health and safety issues, such as mold growth.
- **Damaged Foundation:** A damaged foundation is a major structural problem with a building. The health and safety of a building's occupants is in serious danger when the foundation is damaged, as the structure is unstable. Doors and windows that are out of alignment, leaning and buckled walls, and sagging and buckled roofs and roof supports suggest an unstable building.

Based on the results of the field survey as summarized in Exhibit B-3, 48 parcels exhibited a total of 84 instances of serious dilapidation and deterioration caused by long-term neglect and are unsafe and unhealthy for persons to live or work in the Project Area. Of those 48 parcels, 88 percent of the structures are 30 or more years old. Area C is the most severely impacted by serious dilapidated and deteriorated structures, where 35 percent of all parcels are impacted by deterioration and dilapidation. Only three of the 11 parcels in Area B have structures on them, but one of these parcels contains several structures that exhibit signs of serious deterioration and dilapidation, shown most notably where a brick wall has been braced by wooden beams to prevent the wall from falling down as depicted in Photo 2.

Dilapidation and Deterioration
Airport Area Revitalization Redevelopment Project Area

Exhibit B-3

	# of Dilapidated Properties	% of PA Parcels	Area A	Area B	Area C	Area D
Deterioration and Dilapidation	48	9.9%	0	1	45	2
Broken Window(s)	7	1.4%	0	1	4	2
Exposed Wiring	4	0.8%	0	0	4	0
Roof - Broken/Deteriorated	14	2.9%	0	1	13	0
Eaves/Overhangs - Broken/Deteriorated	31	6.4%	0	0	31	0
Damaged Exterior Building Materials	25	5.2%	0	1	24	0
Foundation - Damaged/Deteriorated/Missing	3	0.6%	0	0	3	0
Total Instances ¹	84		0	3	79	2
Number of Parcels	484		218	11	224	31

¹ Does not equal the sum of the conditions as multiple parcels exhibit more than one blighting condition.

Source: RSG Field Survey, May 24-25, 2010

Representative examples of serious dilapidation and deterioration in the Project Area are depicted in the photographs on the following pages. Other photographs have been included to document important field observations, such as incompatible land uses, which will be discussed later in this Section.

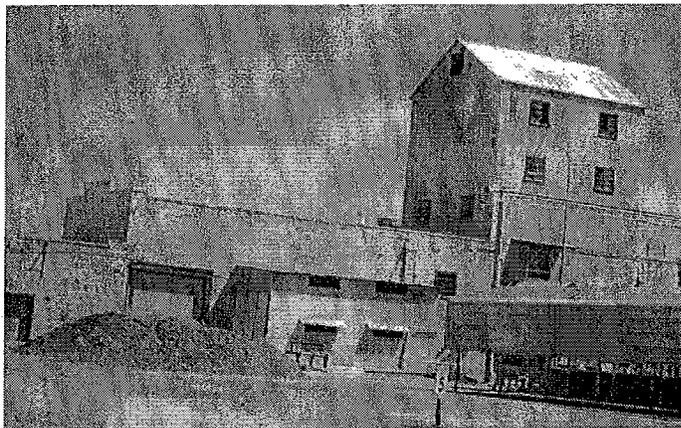


Photo 1:

455-231-38, Clovis Avenue, Area B

This former winery property has signs of long-term neglect including seriously damaged building and roofing materials, lack of proper weather protection, broken windows, and damaged building materials exposing the interior of the building to the elements. The fact that this building is not properly protected from the elements means that moisture entering the interior could result in mold and other interior building damage. This structure presents serious risks to the health and safety of occupants.

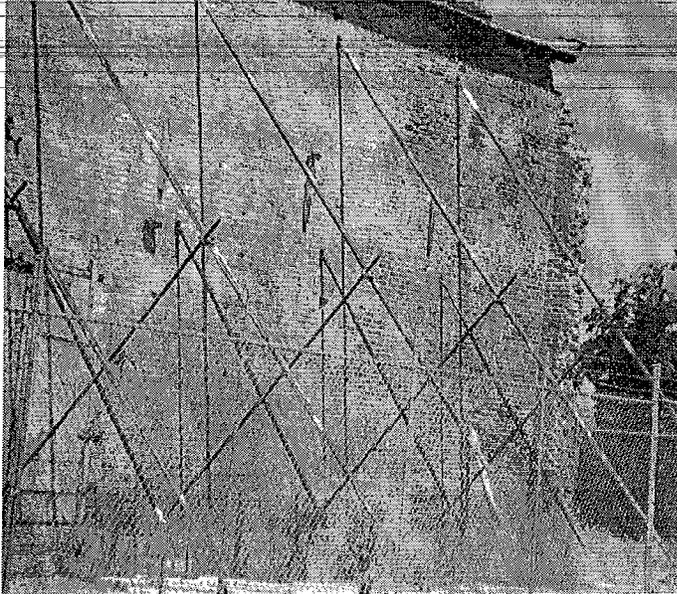


Photo 2:

455-231-38, Clovis Avenue, Area B

This is another building on the same former winery property where a brick wall has been braced by the wooden beams pictured, and fenced in to prevent potential injury. The building is clearly in jeopardy of collapsing and presents a serious health and safety risk.

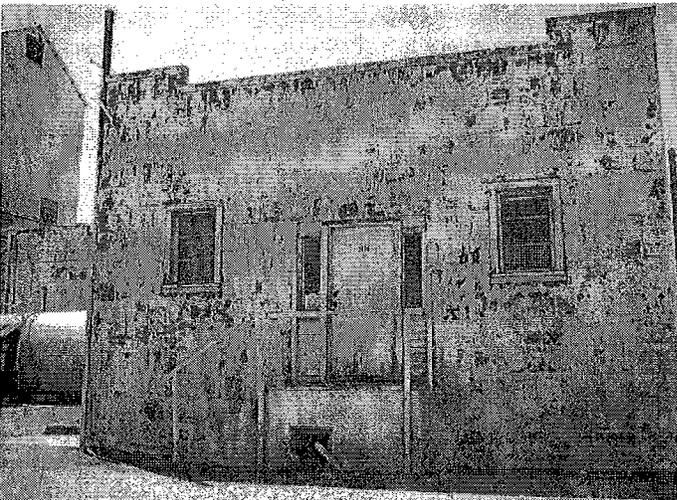


Photo 3:

455-231-38, Clovis Avenue, Area B

A different building on the former winery property that is suffering from deterioration and dilapidation. The door and windows are severely damaged.

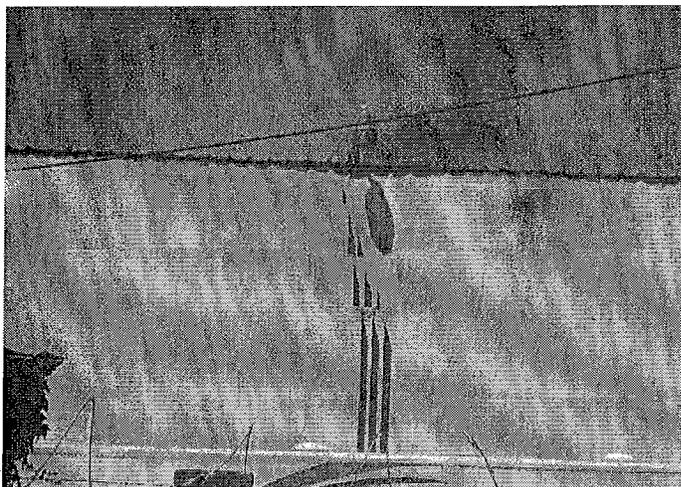


Photo 4:

455-231-38, Clovis Avenue, Area B

Yet another building on the property that exhibits signs of exterior building material damage and deterioration, specifically cracking of the exterior wall.

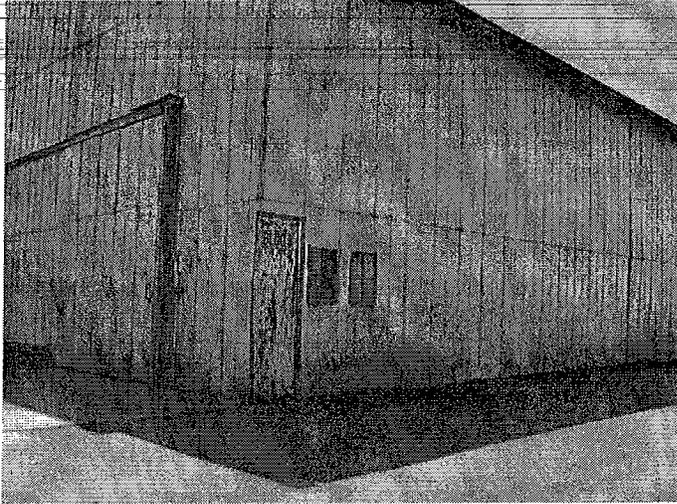


Photo 5:

455-231-38, Clovis Avenue, Area B

This building, also on the former winery property, shows signs of long term neglect and damaged building materials. The door is severely damaged, and the base of the building has been patched in many places, which may lead to an unstable structure over time.



Photo 6:

453-152-17, East Home Avenue, Area C

This industrial building suffers from deteriorated eaves and overhangs. Deteriorated eaves and overhangs leave the structure exposed to the natural elements. Significant outdoor storage was observed during the field survey. Outdoor storage signals that a building is being used in a way that it was not originally intended, the building design is obsolete, or that the property simply does not have adequate building space on-site to accommodate the current tenant.

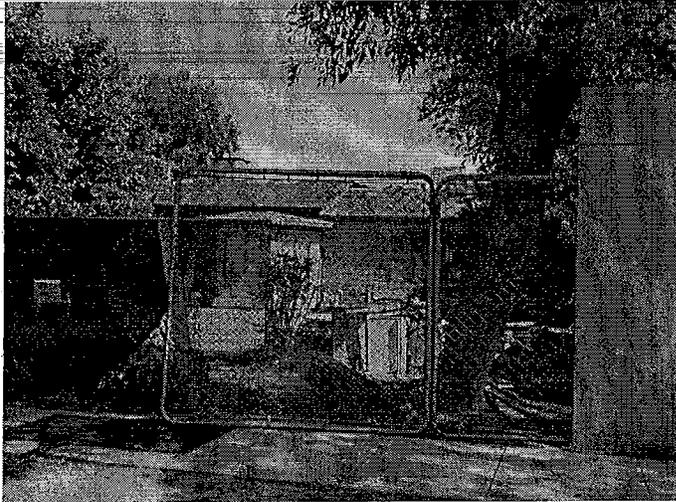


Photo 7:

453-070-28, East Home Avenue, Area C

This residential unit suffers from deteriorated and damaged roofing materials and eaves, damaged exterior buildings materials, and generally lacks adequate weather protection. A lack of weather protection exposes the building to weather elements, causing further deterioration. These conditions are also a sign of deferred maintenance. When general building maintenance is deferred for long periods of time it can have exponential effects on the soundness of the structure. Furthermore, the existence of poorly maintained properties can further perpetuate physical blight on nearby properties as the economic gains expected from maintaining one's own property diminish.

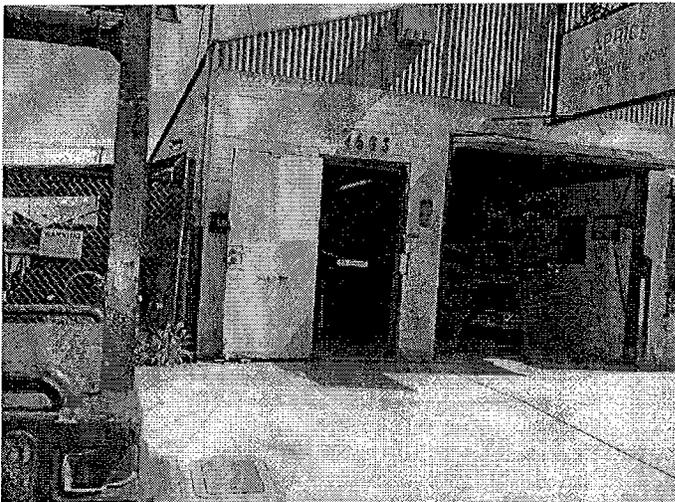


Photo 8:

453-152-23, East Home Avenue, Area C

This structure suffers from serious dilapidation and deterioration as evidenced by the damaged exterior building materials. The prevalence of the conditions described above, if left unaddressed, will lead to further deterioration of the building and increase the threat to safety and welfare of employees.

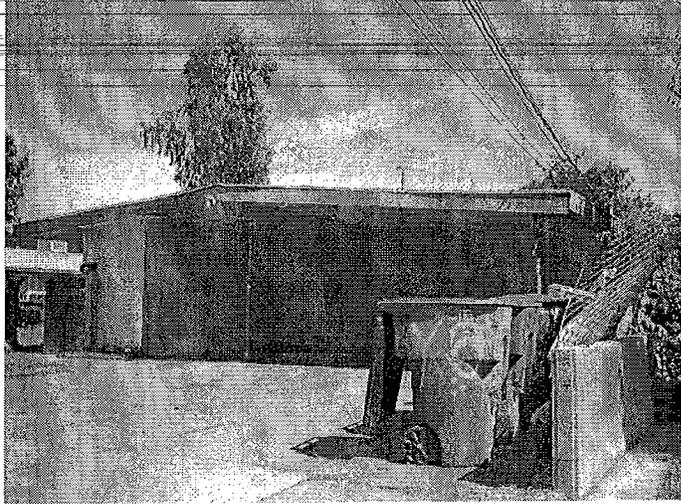


Photo 9:

453-151-11, East Pine, Area C

Conditions noted on this building include signs of deteriorated eaves and overhangs, and damaged building materials. Although not depicted in the photo, a broken window was also observed during the field survey. The deterioration on the exterior of this building leaves the structure susceptible to interior moisture damage.

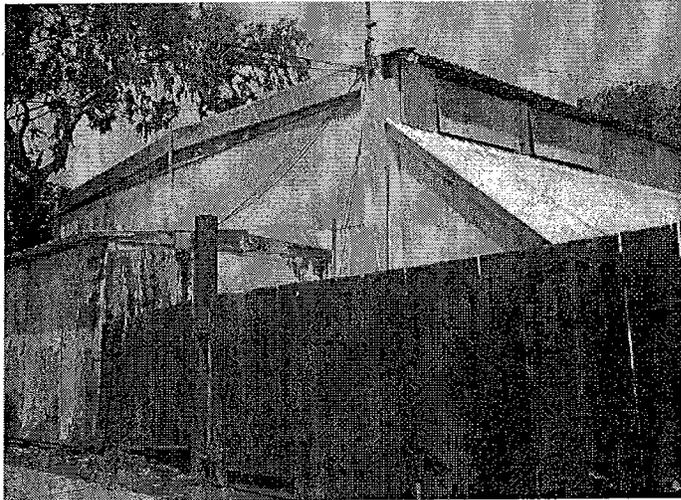


Photo 10:

453-091-22, East Home Avenue, Area C

This building contains damaged building materials. These building materials are used to protect a building from the elements. When these building materials are damaged, the building is exposed to moisture damage and the health and safety issues that come along with it.

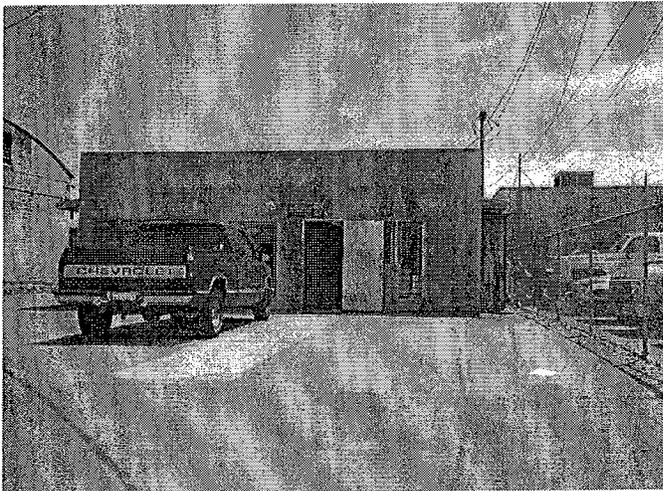


Photo 11:

531-171-04, East Home Avenue, Area C

This industrial structure exhibits signs of damaged and deteriorated building materials. The metal siding on this building is meant to protect the interior from the elements. When these materials are damaged, the interior of the building is left exposed to moisture damage.



Photo 12:

**453-320-16, North Sierra Vista Avenue,
Area C**

This residential property exhibits signs of long-term neglect including damaged building and roofing materials. The lack of investment on this property has led to deterioration of the exterior building materials, and this will allow moisture to penetrate the building causing further deterioration. The deteriorating roofing materials will also necessitate renovations in order to improve safety and prevent additional structural deterioration. The photo also illustrates the surrounding industrial neighborhood, an incompatible use.

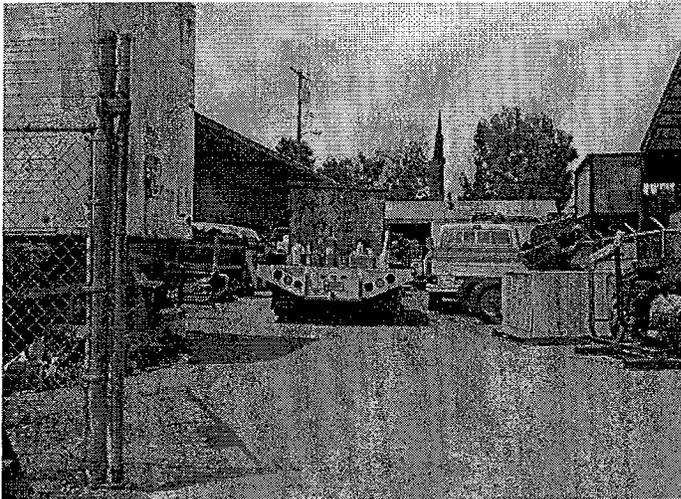


Photo 13:

**453-320-40, East Hammond Avenue,
Area C**

This property exhibits signs of deteriorated eaves/overhang and damaged exterior building materials. These conditions leave the structure vulnerable to the elements and moisture damage. In addition, excessive outdoor storage is an indication that the property does not have adequate building space on-site to accommodate the current use.



Photo 14:

453-320-21, East Olive Avenue, Area C

This building is lacking adequate weather protection, as illustrated by damaged and deteriorated eaves/overhangs. This lack of weather protection can perpetuate deterioration and dilapidation as building materials can become severely compromised from long-term exposure to the outside elements.

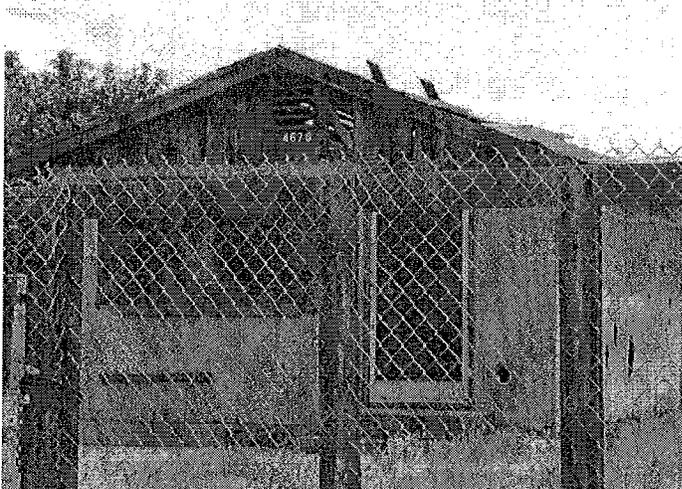


Photo 15:

453-320-06, East Hedges Avenue, Area C

This building exhibits signs of long-term neglect and subsequent deterioration, including faulty weather protection exhibited by the large cracks in the side of the building and damaged building and roofing materials. The severely damaged exterior building and materials leave the structure exposed to the elements and moisture damage, and pose significant health and safety hazards to occupants of the building.

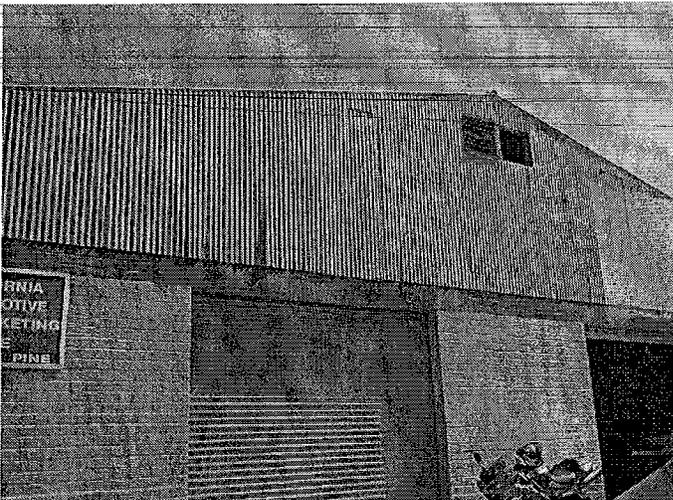


Photo 16:

453-15-224, Home Ave, Area C

This industrial building is showing signs of long term neglect with an unscreened and damaged ventilation window at the top of the eave, as well as deteriorating building materials. The uncovered vent exposes the interior of the building to weather elements which can lead to deterioration, as well as birds, rodents, or other pests that could impair the value of the building.

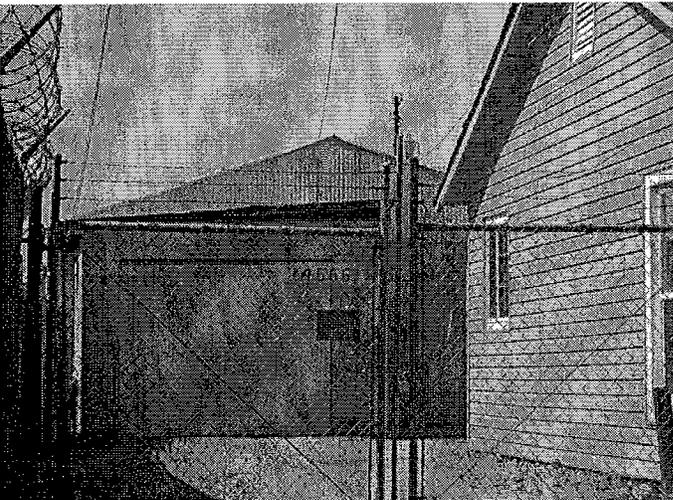


Photo 17:

453-15-210, Home Ave, Area C

The roof of this garage or shed is damaged and exposes the interior of the structure to potential harm from water damage. Note the immediate adjacency of the industrial warehouse to the rear of the property and the razor wire immediately to the side of what appears to be a residential home, though its actual use is unknown.

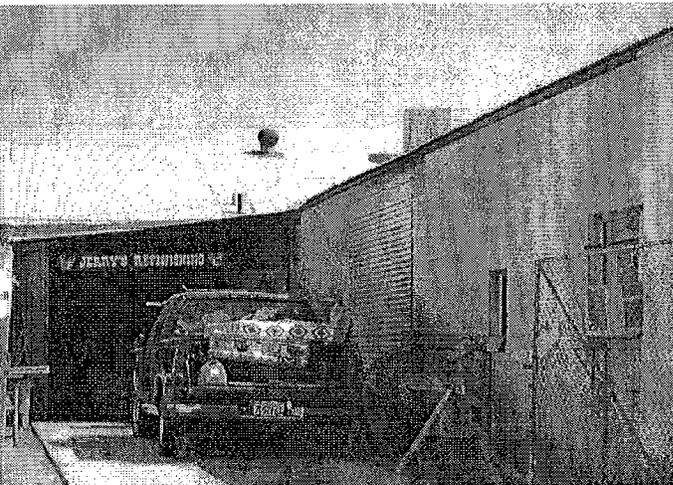


Photo 18:

453-15-223, Home Ave, Area C

This property exhibits a boarded window and the use of corrugated metal siding on the wall.

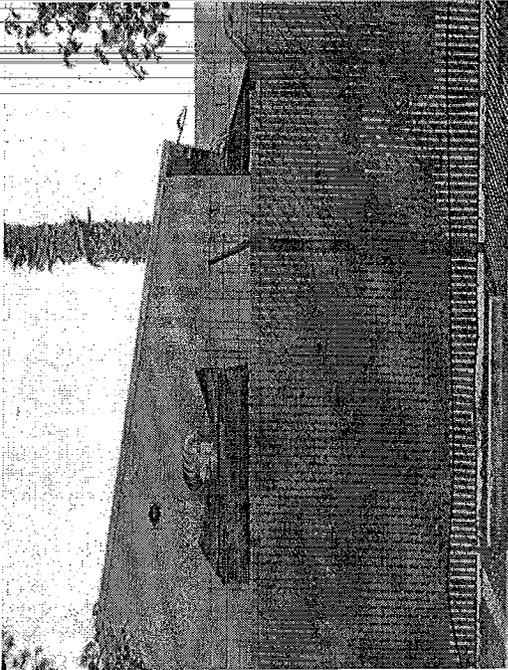


Photo 19:

453-15-404, Floradora Ave, Area C

This building has exposed wiring, deteriorated roofing materials and damaged exterior building materials. Damaged materials are pictured here by the semi-collapsed building materials the air vent extends from. The damaged materials and exposed wiring present a health and safety risk to occupants, exposing them to potential injury from collapse or improperly protected electrical current.

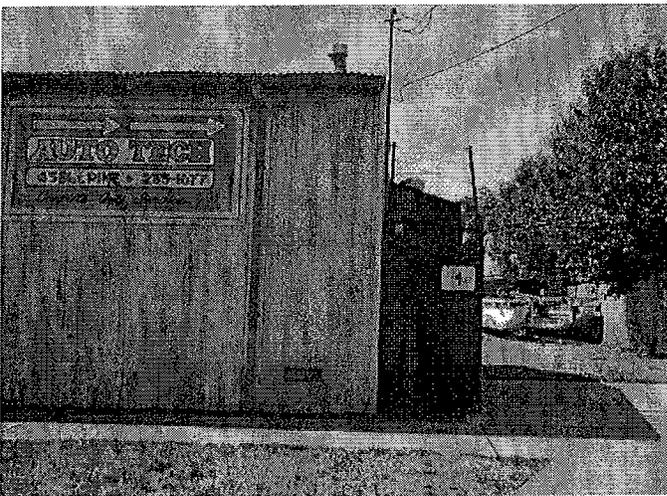


Photo 20:

453-15-404, Floradora Ave, Area C

This photo shows damage to the base of the building that may allow for intrusion of weather elements. Additionally, exposed wires and damaged roofing materials are present on this building, which could result in human injury.

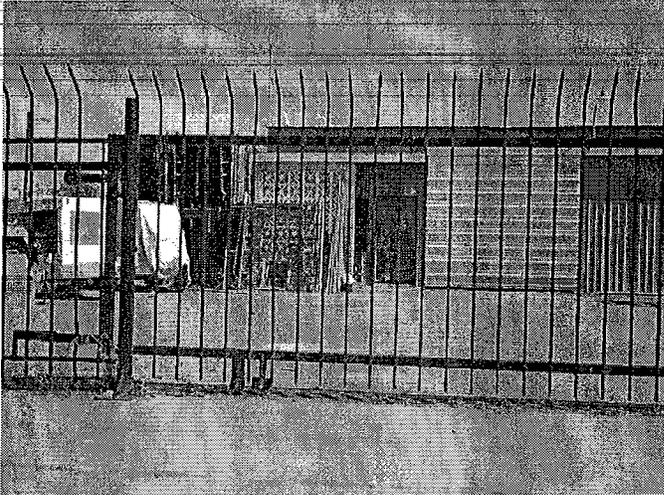


Photo 21:

453-15-405, Floradora Ave, Area C

This photo captures a damaged door on this building, as well as some outdoor storage. The door damage is severe enough to potentially allow water intrusion in a storm event. Overall the property exhibits a lack of regular maintenance, which, if continued, will lead to further dilapidation.

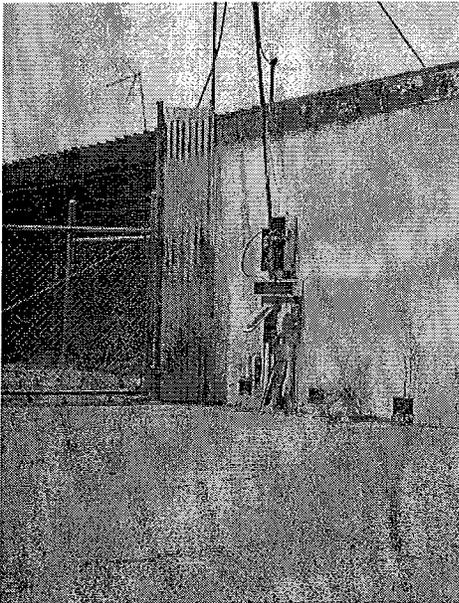


Photo 22:

453-091-18, East Carmen Avenue, Area C

This building suffers from deteriorated eaves and overhangs. Deteriorated eaves and overhangs present a safety risk. This building also has exposed wiring, which presents a considerable health and safety issue due to an increased risk of fire and electrical shock.

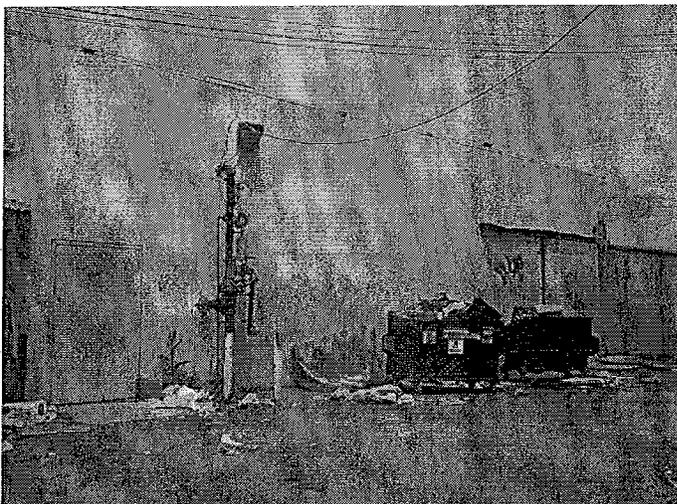


Photo 23:

438-182-41, Shields Avenue, Area D

This commercial property contains seriously dilapidated and deteriorated building materials and excessive trash and debris as a result of long-term neglect. This condition not only presents health and safety concerns for employees, but it may also detract from neighboring property values.



Photo 24:

438-18-241, Shields Ave, Area D

This broken window is symptomatic of the neglect and deterioration this property suffers from. The lack of investment could pose a serious risk to occupants where the weather elements are allowed to degrade structural integrity.



Photo 25:

438-18-241, Shields Ave, Area D

A former window has transitioned from being covered by bars, to boarded up, and now appears to be partially covered by stucco or other external building material. Though not in itself a threat to safety, the use of inappropriate or substandard building materials to cover the window is concerning as it could indicate such practices are used elsewhere in the building.

Summary of Unsafe and Unhealthy Buildings by Area

- **Area A.** Though evidence of some deferred maintenance was present, this Area does not suffer from serious dilapidation or deterioration.
- **Area B.** Area B has a minimal number of structures to observe for unsafe or unhealthy conditions. The largest property, the former drive in theater and later marketplace, has generally been cleared of permanent structures. Another large property is used as a retention basin. Several others are vacant. Two properties contain most of the development in Area B – the self storage facility and the former winery. The former winery occupies about 12 acres in Area B, and based on aerial photos, contains about 16 buildings which suffer from many conditions of dilapidation and deterioration including damaged building materials, construction that is vulnerable to seismic or geologic hazards (refer to Photo 2), deteriorating roofs, eaves, overhangs, and broken windows and doors. Thus, as one of the two commercially developed parcels, the physical state of the many buildings on the site constitutes a serious threat to human safety.
- **Area C.** Deteriorated and dilapidated building conditions are scattered throughout Area C, and can generally be easily observed from the public right-of-way due to the small parcel sizes of the Area. The regularity of these conditions among the buildings effectively sends a message that this Area suffers from long term neglect and is not receiving continuous and regular infusion of maintenance and repair activities necessary to maintain healthy and safe buildings. Approximately 35 percent of

~~the parcels in Area C suffer from dilapidation and deterioration. The most common conditions were broken or deteriorated eaves and overhangs, and damaged exterior building materials.~~

- **Area D.** Two broken windows were noted in Area D, but overall, this Area does not suffer from deterioration and dilapidation.

CONDITIONS HINDERING VIABLE USE OR CAPACITY OF BUILDINGS OR LOTS

Pursuant to CRL Section 33031(a)(2), the viable use or capacity of a building or lot may be prevented or substantially hindered by substandard, defective, or obsolete design or construction given the present general plan, zoning, or other development standards. For the purpose of this analysis, viability is defined as "capable of working, functioning, or developing adequately; financially sustainable".

SUBSTANDARD LOT DESIGN

During the field survey and initial review of geographic information, many parcels of relatively small sizes were observed, prompting further investigation. Small parcel sizes can often prevent or substantially hinder viable use. Older or outmoded uses that once required smaller sized parcels in which to operate eventually vacate those properties as they either grow or become obsolete. More modern development requires a larger area, rendering reuse of these parcels infeasible and reducing their value. Determination of what constitutes substandard lot design is considered in two ways by this Report: (a) standards presented by the City's Zoning Ordinance, and (b) an evaluation of financially feasible development of median lot sizes in the Project Area.

Municipal Code Chapters 11 and 12 establishes the zoning, building, subdivision, and land-use planning regulations for the City. The purpose of zoning regulations and other land use controls is to ensure that development is properly located throughout the city, and that adequate space is provided. Zoning requirements regulate uses, densities, building sizes, and address the relationship between uses of different types to minimize adverse impacts. Chapter 12 of the Municipal Code addresses the City's Zoning Ordinance, and provides information on minimum lot depths and widths for commercial uses. Of the 469 commercial parcels in the Project Area, 359 of the parcels are zoned M-1 (Light Manufacturing District) or C-M (Commercial and Light Manufacturing District). With the exception of 30 parcels in the M-1-P zone (Industrial Park Manufacturing) in Area A, properties located in other zones in the Project Area do not have minimum development standards such as minimum lot area, width, or depth; therefore, those lots were not included in this analysis.

The Zoning Ordinance requires parcels in the M-1 or C-M zones to be developed with a minimum width of 75 feet and a minimum depth of 120 feet. These development standards also address lot coverage and setback requirements that ensure public health and safety. Parcel maps for properties zoned M-1 or C-M were reviewed to determine whether properties complied with the minimum lot width and depth requirements of the Zoning Ordinance. Parcels of an irregular shape, such as triangular, were also identified as those parcels are most difficult to develop due to unusable area that is not large enough for a building or parking. As summarized in Exhibit B-4 and identified in Exhibit B-5, 67 parcels do not comply with the Zoning Ordinance development standards, of which 60 parcels are located in Area C.

Inadequately Sized Parcels

Exhibit B-4

Airport Area Revitalization Redevelopment Project Area

	Total Commercial Parcels ¹	Inadequately Sized Parcels ²		Inadequately Sized Parcels in Multiple Ownership ²	
		Count	%	Count	%
Area A	218	7	3.2%	5	2.3%
Area B	11	0	0.0%	0	0.0%
Area C	207	60	29.0%	24	11.6%
Area D	33	0	0.0%	0	0.0%
Project Area	469	67	14.3%	29	6.2%

¹ Total parcels excludes railroad right-of-way and residentially-zoned parcels.

² Only parcels zoned C-M (Commercial and Light Manufacturing District) and M-1 (Light Manufacturing District) were analyzed. Properties located in other zones in the Project Area do not have minimum development standards and therefore, were not included in this analysis.

Source: Parcels maps from Metroscan, City of Fresno ISD-GIS, City of Fresno Zoning Ordinance

Section 33031(a)(4) defines the existence of subdivided lots that are in multiple ownership and whose physical development has been impaired by irregular shapes and inadequate sizes, given the present general plan and zoning standards and present market conditions, as a physical blighting condition. Exhibit B-4 also summarizes the number of subdivided lots in multiple ownership which do not meet size requirements within the Project Area. Multiple ownership was determined by isolating lots which do not meet size requirements and do not have an adjacent lot with the same owner. Of the 67 parcels which do not meet size requirements, 29 are in multiple ownership. Nearly all of these (83 percent) are in Area C. Lots of irregular size and shape that are in multiple ownership are difficult for private investors to assemble and create a site large enough to support an economically feasible development. Eminent domain is a mechanism to assemble such properties so that they can be revitalized.

The following Photo 26 is a remarkable example of a parcel that does not have room for necessary facilities. Most parcels do not utilize the public right of way, though an immense amount of outdoor storage, sometimes unscreened, was noted in Area C, as shown in subsequent photographs.

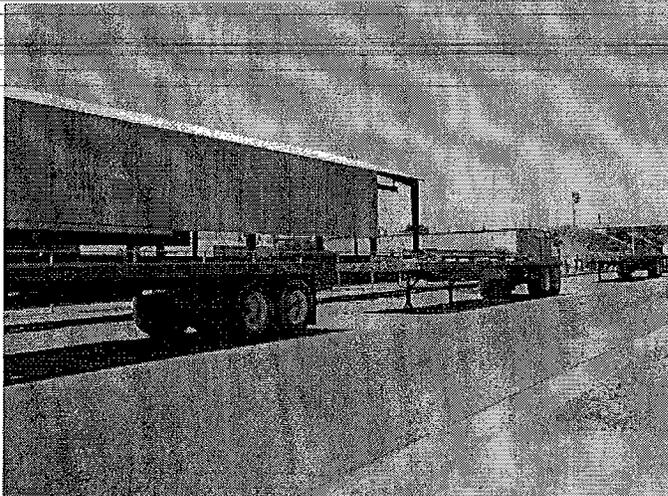


Photo 26:

Looking west on Floradora Ave, Area C

These large truck trailers are parked in the public right of way, indicating a lack of space and/or inadequate facilities on site. This demonstrates the functional obsolescence of the property utilizing these trailers.

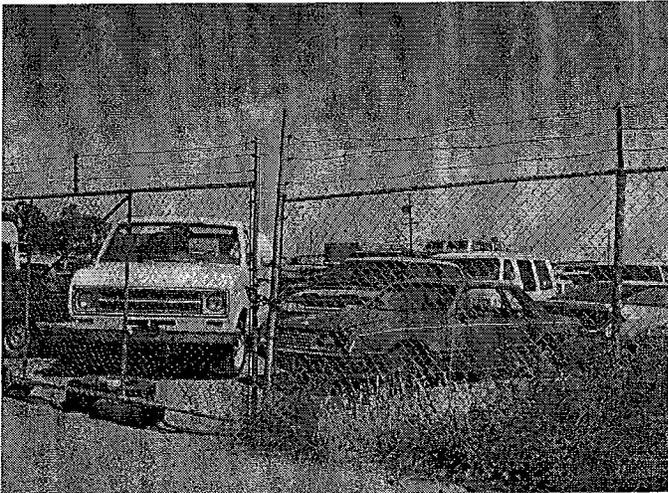


Photo 27:

453-15-217, Area C

Unscreened lot with car storage.

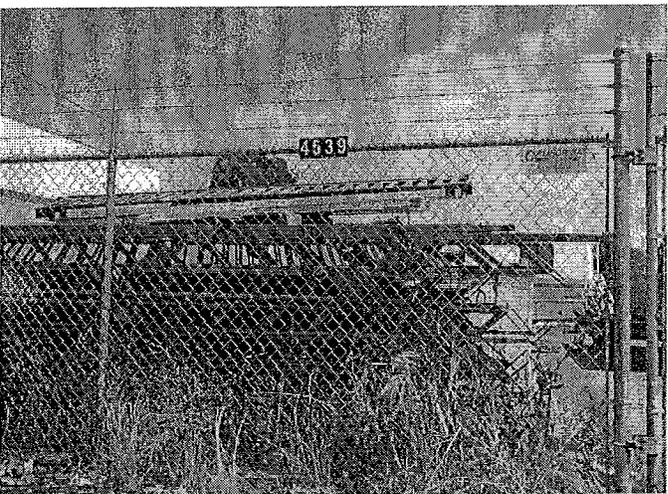


Photo 28:

453-15-318, Floradora Ave, Area C

Unscreened outdoor storage.

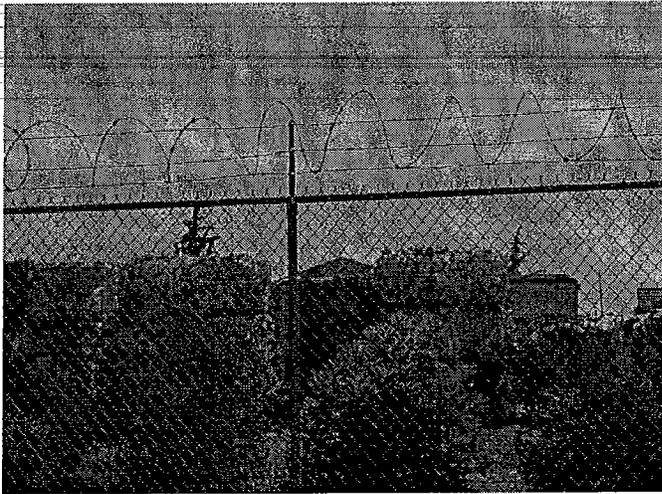


Photo 29:

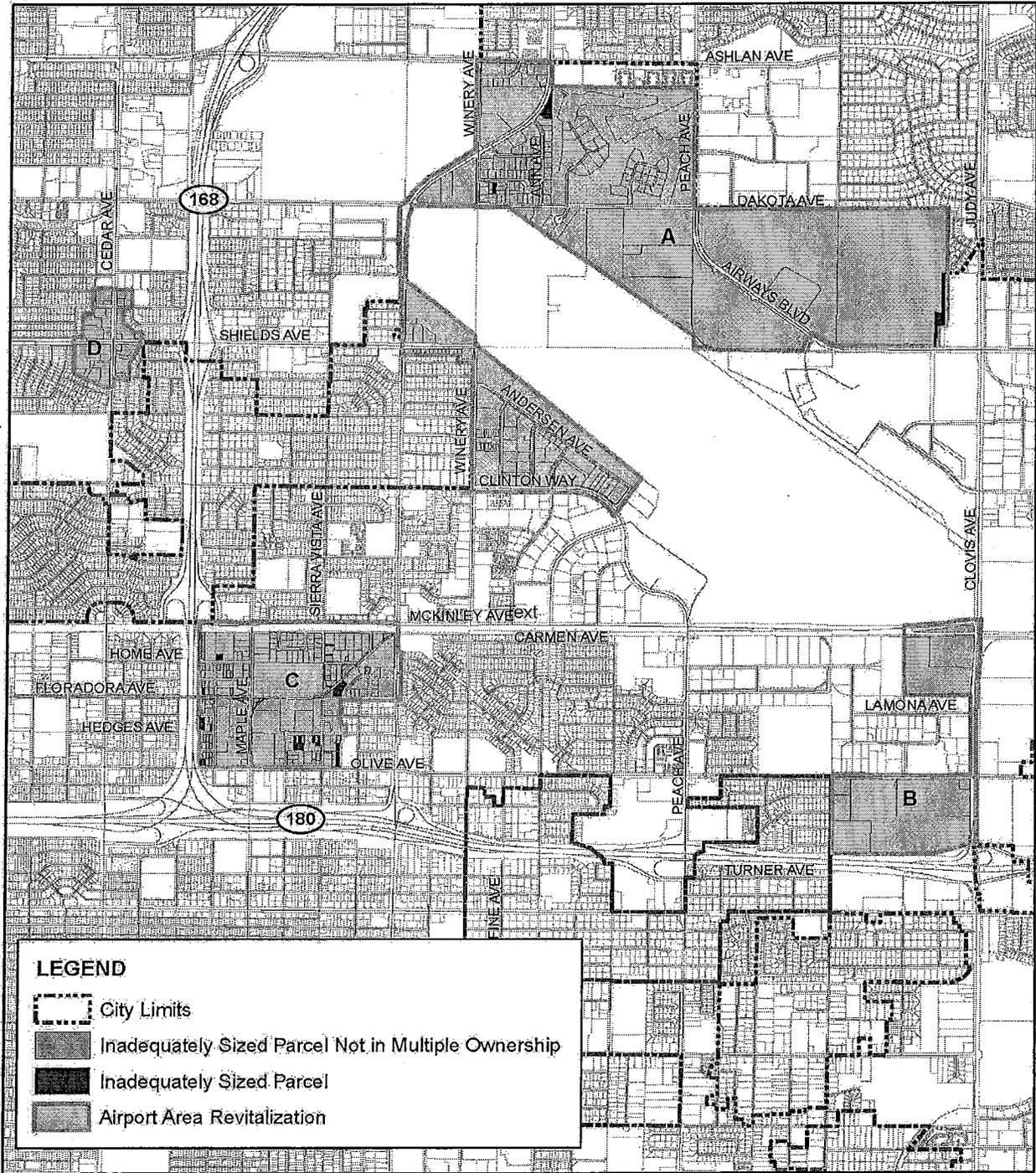
453-31-206, Maple Ave, Area C

Storage at a recycling plant.

INADEQUATELY SIZED AND IRREGULARLY SHAPED PARCELS

EXHIBIT B-5

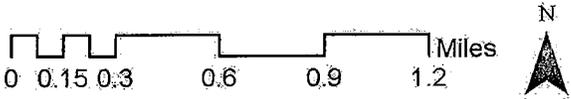
AIRPORT AREA REVITALIZATION REDEVELOPMENT PROJECT AREA



LEGEND

- City Limits
- Inadequately Sized Parcel Not in Multiple Ownership
- Inadequately Sized Parcel
- Airport Area Revitalization

Source: City of Fresno ISD-GIS, City of Fresno Zoning Code, First American MetroScan Information Service



FINANCIAL VIABILITY OF LOT REDEVELOPMENT

To illustrate how lot size impacts the viability of the land, three pro formas are included that clearly identify how the cost of constructing and operating a building in the current market require development of a certain size in order to be financially sound. The first two pro formas present an economic analysis of a potential development of a M-1 zone parcel that meets the minimum lot size required by the Zoning Ordinance of 9,000 square feet and a parcel of the median lot size in the Project Area of 17,000 square feet. A lot coverage of 80 percent was used, which allowed for very minimal setbacks and parking. A Zoning Ordinance parking requirement of one parking space for every two employees was utilized. The number of employees was determined by using Southern California Association of Governments ("SCAG") standards for light industrial uses. The third pro forma was designed to illustrate the redevelopment of a median sized parcel from Area D (25,020 square feet) with a new retail building. The existing C-3 (Regional Shopping Center) zoning standards were adhered to, with a maximum lot coverage of 33 percent and parking at 4.5 parking spaces for every 1,000 square feet of building area.

The pro formas employ the income approach to valuation. Project feasibility is determined by subtracting the total development costs from the project value. The development feasibility gap of the project as well as the developer's equity contribution has been analyzed to assess the feasibility of the project. The Marshall and Swift Valuation Manual was used to estimate building shell costs for a Class C light manufacturing building for the industrial pro formas and a Class C retail building for the retail pro forma, similar to many buildings currently present in the Project Area. On-site, off-site, financing and other indirect costs were generated from current market rates or RSG's database for similar expenses. Land acquisition costs were based on recent average acquisition costs for the applicable zoned land according to CoStar and Loopnet. Operating income, expense assumptions, and capitalization rates were based on review of local area trends, information from real estate professionals, and RSG's experience with projects of the proposed scope and scale.

As illustrated in Exhibit B-6, the M-1 zone minimum lot size requirement of 9,000 square feet is not adequate to make an industrial development feasible. The analysis concludes that this project would not be feasible because the development costs exceed the value of the project by over \$550,000. Exhibit B-7 is a pro forma created using the median lot size in the Project Area of 17,000 square feet. This pro forma also illustrates that the typical lot does not allow for true redevelopment based upon its size. The analysis concludes that this project would not be feasible because the development costs exceed the value of the project by \$1.3 million. The retail pro forma done for comparison to Area D only, Exhibit B-8, shows a gap of approximately \$800,000.

Assembling parcels for redevelopment can be very challenging. In past development practices where smaller buildings were financially feasible to construct and owners could profit from operations, lots were parcelized in smaller sizes than would be found in current development. Today, it is often necessary to assemble two or more of these smaller parcels in order to have sufficient space for modern development. In addition to the typically larger floor plates, modern development often requires more space for parking, magnifying the need for larger parcels. Thus, in order to carry out redevelopment, it is common that multiple parcels must be assembled and combined to accommodate modern development patterns. Without the power to use eminent domain, the time required to assemble multiple parcels, and the possibility that a single hold-out will frustrate assembly or cause costs to rise to infeasible levels, makes development opportunities in older, built-out areas unattractive to investors with other less complicated options for development.

REPORT TO THE CITY COUNCIL

Redevelopment Agency of the City of Fresno

Adequate Commercial M-1 Lot - Pro Forma	Exhibit B-6		
Airport Area Revitalization			
Site Characteristics (Minimum Lot Size Per Zoning Code)			
Lot Square Feet	9,000		
Lot Coverage Maximum	0.80		
Maximum Number of Stories	1.0		
Open Lot Area	1,785		
Parking Area	1,200		
Spaces (@ 300 SF per space)	4		
Commercial Building (S.F.)	7,215		
Project Costs	SF/UNITS/SP	PER SF/SP	TOTAL
ACQUISITION COSTS	9,000	\$7.81	\$70,331
DEMOLITION OF EXISTING STRUCTURE	6,000	\$4.48	\$26,850
Total Acquisition Costs			\$97,181
CONSTRUCTION:			
Commercial Building Cost (Shell)	7,215	\$52.59	\$379,415
Sprinklers (all buildings over 5,000 sq ft)	7,215	\$5.42	\$39,105
Site Costs (including landscaping)	9,000	\$3.00	\$27,000
Parking (surface; per space)	4	\$615	\$2,401
FFE and Tenant Improvements	7,215	\$5.00	\$36,075
Contractor Fee & General Conditions	14.0%	\$8.69	\$62,709
Contingency	10.0%	\$7.58	\$54,671
Total Construction		\$83.35	\$601,376
Total Land & Construction			\$698,557
SOFT COSTS:			
	% of	\$ per Bldg.	Total
	construction	Sq. Ft.	
A&E / Consultant Fees	6.0%	\$0.57	\$4,110
Public Permits & Fees	5.0%	\$4.84	\$34,928
Taxes, Insurance, Legal & Accounting	3.0%	\$2.50	\$18,041
Marketing	5.0%	\$4.17	\$30,069
Developer Fee (G&A / Profit)	12.0%	\$10.00	\$72,165
Contingency	10.0%	\$2.21	\$15,931
Total Soft Costs		\$24.29	\$175,245
FINANCING:			
Construction Interest	6.5%	\$5.03	\$36,272
Financing Fees	3.0%	\$2.08	\$15,024
Total Financing		\$7.11	\$51,296
Total Project Costs		\$128.22	\$925,098
Commercial Rental Income			
Gross Annual Rental Income	7,215 s.f.	\$5.40	\$38,961
(Less): Vacancy & Collection	5.0% of Gross Income		(\$1,948)
Gross Effective Income			\$37,013
Operating Expenses	7.5% of Gross Effective Income		(\$2,776)
Property Management	5.0% of Gross Effective Income		(\$1,851)
Reserves	3.0% of Gross Effective Income		(\$1,110)
Total Expenses			(\$5,737)
Net Operating Income			\$31,276
Cap Rate			8.40%
Total Project Revenue			\$372,333
(Less) Development Costs			(\$925,098)
Profit/(Feasibility Gap)			(\$552,765)



REPORT TO THE CITY COUNCIL

Redevelopment Agency of the City of Fresno

Adequate Commercial M-1 Lot - Pro Forma	Exhibit B-7		
Airport Area Revitalization Revitalization Redevelopment Project Area			
<u>Site Characteristics (Median Lot Size in Airport Area)</u>			
Lot Square Feet	17,000		
Lot Coverage Maximum	0.80		
Maximum Number of Stories	1.0		
Open Lot Area	3,400		
Parking Area	2,200		
Spaces (@ 300 SF per space)	7		
Commercial Building (S.F.)	13,600		
<u>Project Costs</u>	<u>SF/UNITS/SP</u>	<u>PER SF/SP</u>	<u>TOTAL</u>
ACQUISITION COSTS	17,000	\$7.81	\$132,847
Total Acquisition Costs			\$132,847
CONSTRUCTION:			
Commercial Building Cost (Shell)	13,600	\$72.98	\$992,580
Sprinklers (all buildings over 5,000 sq ft)	13,600	\$3.94	\$53,601
Site Costs (including landscaping)	17,000	\$4.00	\$68,000
Parking (surface; per space)	7	\$615	\$4,526
FFE and Tenant Improvements	13,600	\$5.00	\$68,000
Contractor Fee & General Conditions	14.0%	\$11.52	\$156,619
Contingency	10.0%	\$9.88	\$134,333
Total Construction		\$108.65	\$1,477,659
Total Land & Construction			\$1,610,506
SOFT COSTS:			
	<u>% of construction</u>	<u>\$ per Bldg. Sq. Ft.</u>	<u>Total</u>
A&E / Consultant Fees	6.0%	\$0.56	\$7,568
Public Permits & Fees	5.0%	\$5.92	\$80,525
Taxes, Insurance, Legal & Accounting	3.0%	\$3.26	\$44,330
Marketing	5.0%	\$5.43	\$73,883
Developer Fee (G&A / Profit)	12.0%	\$13.04	\$177,319
Contingency	10.0%	\$2.82	\$38,362
Total Soft Costs		\$31.03	\$421,987
FINANCING:			
Construction Interest	6.5%	\$6.39	\$86,967
Financing Fees	3.0%	\$2.54	\$34,521
Total Financing		\$8.93	\$121,488
Total Project Costs		\$158.38	\$2,153,982
Commercial Rental Income			
Gross Annual Rental Income	13,600 s.f.	\$6.00	\$81,600
(Less): Vacancy & Collection	5.0% of Gross Income		(\$4,080)
Gross Effective Income			\$77,520
Operating Expenses	7.5% of Gross Effective Income		(\$5,814)
Property Management	5.0% of Gross Effective Income		(\$3,876)
Reserves	3.0% of Gross Effective Income		(\$2,326)
Total Expenses			(\$12,016)
Net Operating Income			\$65,504
Cap Rate			7.75%
Total Project Revenue			\$845,218
(Less) Development Costs			(\$2,153,982)
Profit/(Feasibility Gap)			(\$1,308,764)



REPORT TO THE CITY COUNCIL

Redevelopment Agency of the City of Fresno

<u>Adequate Commercial C-3 Lot - Pro Forma</u>		Exhibit B-8
Airport Area Revitalization		
Site Characteristics (Minimum Lot Size Per Zoning Code)		
Lot Square Feet	25,250	
Lot Coverage Maximum	0.33	
Maximum Number of Stories	1.0	
Open Lot Area	16,918	
Parking Area	11,800	
Spaces (@ 315 SF per space)	37	
Commercial Building (S.F.)	8,333	
Project Costs	<u>SF/UNITS/SP</u> <u>PER SF/SP</u> <u>TOTAL</u>	
ACQUISITION COSTS	25,250 \$19.68	\$496,799
DEMOLITION OF EXISTING STRUCTURE	8,000 \$4.48	\$35,800
Total Acquisition Costs		\$532,599
CONSTRUCTION:		
Commercial Building Cost (Shell)	8,333 \$97.82	\$815,059
Sprinklers (all buildings over 5,000 sq ft)	8,333 \$4.44	\$36,965
Site Costs (including landscaping)	25,250 \$3.00	\$75,750
Parking (surface; per space)	37 \$1,087	\$40,758
FFE and Tenant Improvements	8,333 \$7.50	\$62,494
Contractor Fee & General Conditions	14.0% \$16.27	\$135,595
Contingency	10.0% \$14.00	\$116,662
Total Construction	\$154.01	\$1,283,283
Total Land & Construction		\$1,815,882
SOFT COSTS:		
	<u>% of construction</u> <u>\$ per Bldg. Sq. Ft.</u> <u>Total</u>	
A&E / Consultant Fees	6.0% \$1.11	\$9,208
Public Permits & Fees	5.0% \$10.90	\$90,794
Taxes, Insurance, Legal & Accounting	3.0% \$4.62	\$38,498
Marketing	5.0% \$7.70	\$64,164
Developer Fee (G&A / Profit)	12.0% \$18.48	\$153,994
Contingency	10.0% \$4.28	\$35,666
Total Soft Costs	\$47.08	\$392,325
FINANCING:		
Construction Interest	6.5% \$11.54	\$96,124
Financing Fees	3.0% \$5.11	\$42,575
Total Financing	\$16.65	\$138,700
Total Project Costs	\$281.66	\$2,346,907
Commercial Rental Income		
Gross Annual Rental Income	8,333 s.f. \$15.00	\$124,988
(Less): Vacancy & Collection	5.0% of Gross Income	(\$6,249)
Gross Effective Income		\$118,738
Operating Expenses	7.5% of Gross Effective Income	(\$8,905)
Property Management	5.0% of Gross Effective Income	(\$5,937)
Reserves	3.0% of Gross Effective Income	(\$3,562)
Total Expenses		(\$18,404)
Net Operating Income		\$100,334
Cap Rate		6.50%
Total Project Revenue		\$1,543,596
(Less) Development Costs		(\$2,346,907)
Profit/(Feasibility Gap)		(\$803,311)



LOTS OF IRREGULAR SHAPE AND INADEQUATE SIZE IN MULTIPLE OWNERSHIP

Section 33031(a)(4) of the CRL defines the existence of subdivided lots that are in multiple ownership and whose physical development has been impaired by their irregular shapes and inadequate sizes, given the present general plan and zoning standards and present market conditions, as a physical blighting condition. An earlier section of this Report, entitled Conditions Hindering the Viable Use of Buildings or Lots, analyzed lots in the M-1 and C-M zones that do not meet size requirements based on the City's Zoning Ordinance or that were of an irregular shape. This section expands on that condition, analyzing the irregular shape of parcels that are in multiple ownership in Area D of the Project Area.

Area D is generally retail in nature, with a mix of stores, services, restaurants and a bowling alley. Parcels in Area D are in the C-3 (Regional Shopping Center District) or C-2 (Community Shopping Center District) zones. Neither zone has a minimum lot area, width, or depth requirements; therefore, inadequacy of property size was not analyzed. However, parcels a part of the same shopping center are under multiple ownership and irregularly shaped.

Of the 33 parcels that comprise Area D, 18 (54.5%) are in multiple ownership, a condition that has led to significant variations in property upkeep within the same commercial centers. The cohesive development of parcels in the same commercial center is impaired because cooperation and shared financial investment between property owners is challenging. In addition, property owners have no incentive to improve their value as it will be diminished by the deterioration of neighboring buildings and properties in the same center.

The physical development or redevelopment of parcels which do not meet size requirements, or are irregularly shaped and with multiple owners is impaired. It is highly unlikely that a property owner or developer would pursue a project on one of these lots because it would not provide a return on investment. Further, lots of irregular size and shape that are in multiple ownership are difficult for private investors to assemble and create a site large enough to support an economically feasible development. Development of such sites is hindered due to the increased amount of time and coordination required to purchase multiple lots instead of developing a large single lot. Eminent domain is a mechanism to assemble such properties so that they can be revitalized.

The following photograph is an example of the different types of property maintenance because of the multiple property owners of the shopping center.



Photo 30:

445-09-327, Cedar Ave, Area D

This photo captures the different levels of parking lot maintenance (foreground recently repaved) and two different types of parking lights. These varying levels of upkeep and modernity inhibit tenant attraction.

Summary of Conditions that Prevent of Substantially Hinder Viable Use by Area

- **Area A.** Only 3.2 percent of all lots in Area A do not meet the minimum standards set forth in the City's Zoning Code, and only 2.3 percent are in multiple ownership. The median parcel size in Area A is under 17,000 square feet, which a pro forma has shown to be an infeasible lot size for development

similar to the light industrial uses along Dakota Avenue. Due to the adjacency of the Airport it is possible that certain specialty development types might be feasible, though it should be noted that the pro forma analysis included in this Report utilized conservative construction values⁶ and the proximity of the Airport might require new construction to have sound attenuation features that would be more costly. Further, additional regulatory restrictions on the height of buildings would also apply in certain portions of Area A. This Report does not consider these regulatory restrictions to be a condition of blight, though they may exacerbate issues at hand.

- **Area B.** All parcels in Area B meet the minimum lot size standards. Three of eleven parcels are smaller than the 17,000 square foot Project Area median lot size threshold. In general, conditions that prevent or substantially hinder viable use as defined by the CRL are not applicable to Area B.
- **Area C.** Area C is less than 18 percent of the Project Area in size, but contains 44 percent of the parcels. Parcels in Area C are, on average, smaller than all other Areas, and have a median size of 13,512 square feet according to County Assessor records. In fact, 132 of the 207 parcels in Area C are under the 17,000 square foot area analyzed by the pro forma, rendering *at least* 63 percent of the parcels too small for compatible industrial development. Further, 60 of the parcels do not meet the minimum lot size standard. Of these, 24 are in multiple ownership. Area C clearly suffers from conditions that prevent the viable use of lots. Lot consolidation is necessary to effectuate the redevelopment and long term viability of the industry present in Area A.
- **Area D.** Parcels in Area D do not have minimum lot standards based on the City's Municipal Code. However, more than half are irregularly shaped and in multiple ownership. This has led to visible differences in maintenance levels and acts as a deterrent not only to new investment, but to tenants as well. Several vacancies were noted, particularly in the plazas west of Cedar Avenue. As shown by the retail pro forma, lot consolidation is also necessary in Area D to effectively redevelop the retail plazas.

INCOMPATIBLE USES

As observed on the field survey, and supported by parcel data from the County Assessor, dominant land uses in the Project Area are commercial in nature, most are light industrial, warehousing, and vehicle-related. Outside of the two apartment complexes within the former Palm Lakes Golf Course in Area A, only a handful of residential uses are present within the Project Area – 33 residentially-used parcels, all but 3 located on the western and southern sides of Area C. As shown in the following Exhibit B-8, these homes are immediately adjacent to industrial uses.

Residential uses are one of the most environmentally sensitive urban uses, as shown through California Environmental Quality Act ("CEQA") analyses. Industrial uses in Area C often require the use of potential contaminants, as mapped by the Environmental Protection Agency ("EPA"). According to EnviroMapper for Envirofacts from the United States Environmental Protection Agency, there are 15 businesses in Area C that use hazardous materials that must report to, and be monitored by, the EPA. If not used properly and monitored, the use of hazardous materials could contaminate either water or land. The presence of possible contaminants does not in itself mean an imminent threat to public safety. However, industrial uses and the presence of hazardous materials impact the desirability of the area for residential uses. The assessed land values of residential parcels in the Project Area were compared to those residential parcels citywide not located in a redevelopment project area and found to be substantially lower as demonstrated later in Exhibit B-14.

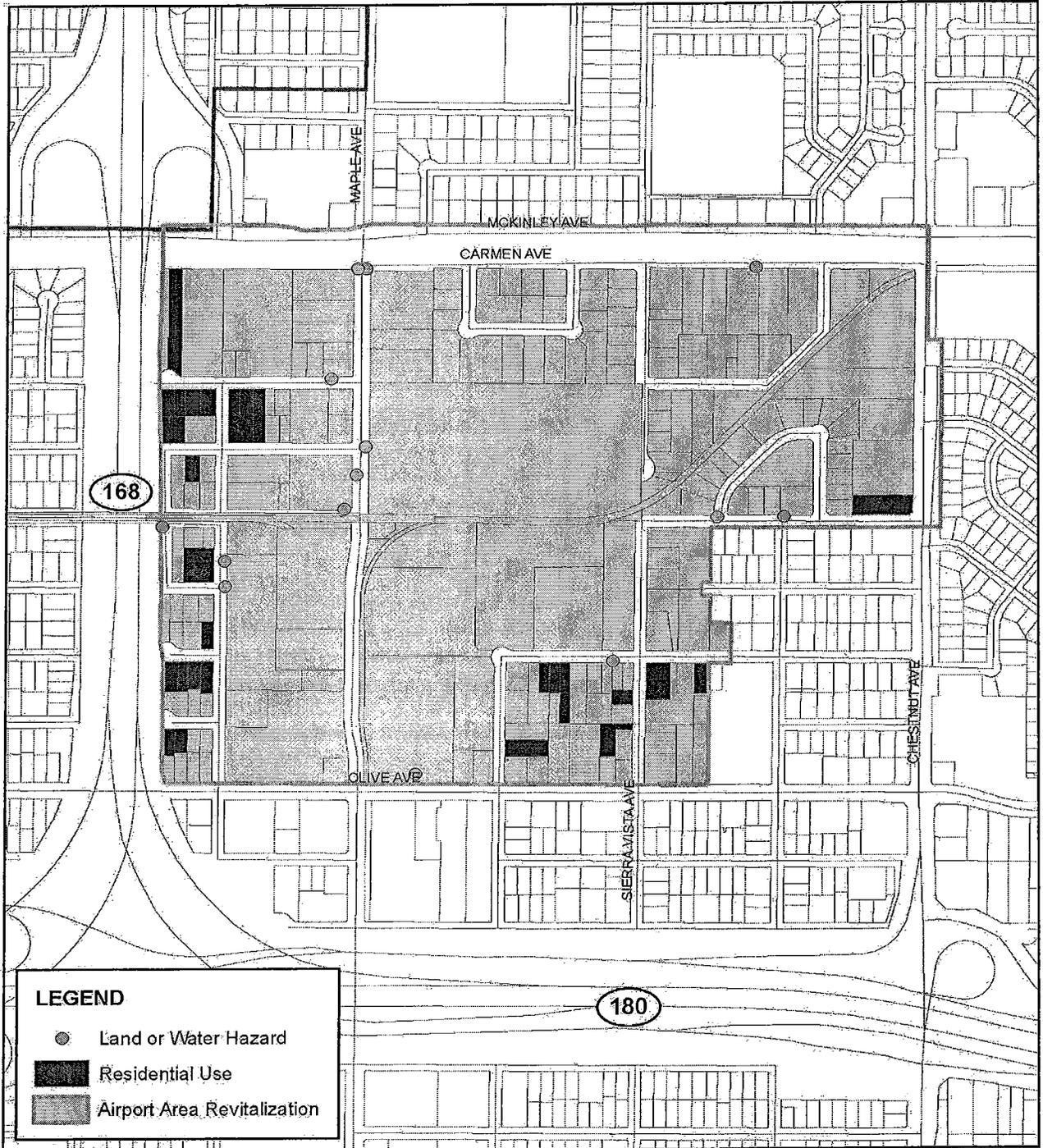
The existence of residential uses in Area C also inhibits the expansion of the neighboring industrial uses. According to the City's General Plan, "industrial firms must be located on suitable sites which enhance their competitive position and allow further expansion. Industrial firms should not create adverse effects on neighboring uses." Further, according to the Zoning Ordinance, setbacks of industrial uses are greater than

⁶ Higher construction values would further decrease the feasibility of development.

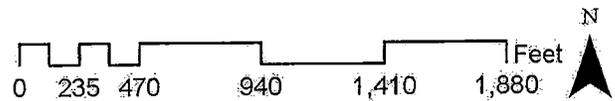
those otherwise required, limiting potential expansion. This geographic interface is thus damaging to both the residential uses as well as the industrial ones.

OBSERVED RESIDENTIAL USES AND LAND AND WATER HAZARDS IN AREA C
AIRPORT AREA REVITALIZATION REDEVELOPMENT PROJECT AREA

EXHIBIT B-9



Source: City of Fresno ISD-GIS, United States Environmental Protection Agency, Enviromapper for Envirofacts, RSG Field Survey May 24-25, 2010



The following photographs demonstrate residences adjacent to industrial uses in the Project Area.

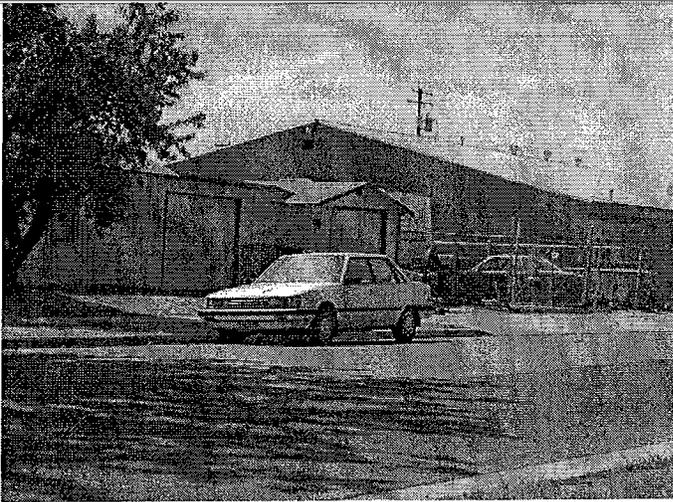


Photo 31:

453-15-108, Home Ave, Area C

This picture illustrates incompatible uses, with a single family residence immediately adjacent to a large industrial warehouse with outdoor storage.

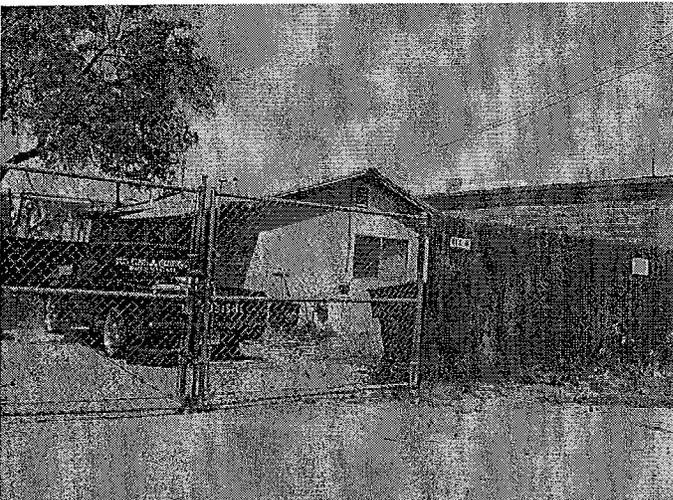


Photo 32:

453-23-117, Jackson Ave, Area C

This photo also captures a single family home next to an incompatible industrial use.

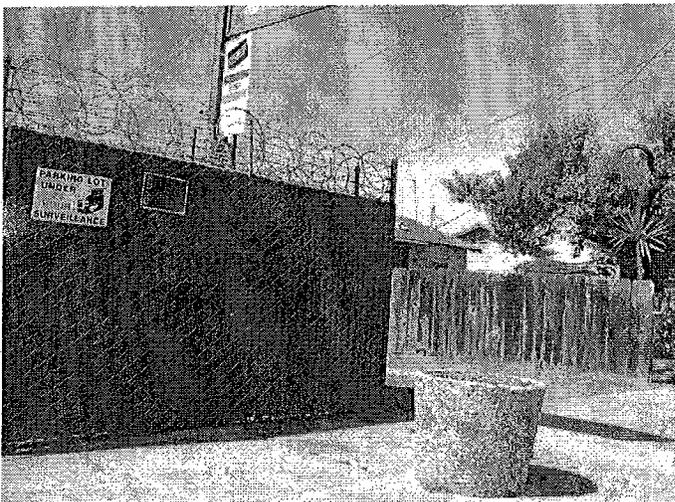


Photo 33:

453-15-211, Home Ave, Area C

A residential home adjacent to an incompatible use, fenced in by razor wire.

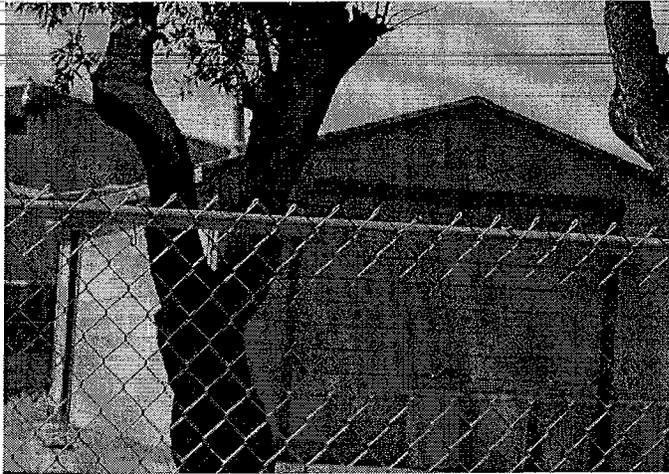


Photo 34:

453-15-224, Home Ave, Area C

Another example of an industrial warehouse adjacent to a residential use in Area C. These incompatible uses lower the property values of the residences, and inhibit expansion of the industrial buildings, thus negatively impacting both uses.

ECONOMIC BLIGHTING CONDITIONS

The previous discussion outlined the physical conditions of blight remaining within the Project Area. In order to establish that the Project Area remains blighted, economic conditions of blight defined in CRL Section 33031(b) were also analyzed. These economic conditions are generally assessed in terms of depreciated property values, low lease rates, a lack of commercial facilities, residential overcrowding, an excess of bars and other adult-oriented business, and high crime rates. The evaluation of economic blight included research and review of data from sources such as Metroscan, Geotracker, EnviroStor, City of Fresno Police Department, property owners/developers, and local real estate brokers.

IMPAIRED LAND VALUES

When it was first established, the Project Area had lower assessed values on a per square foot basis in comparison to properties citywide. The small size of the Project Area has resulted in a limited number of property sales for trending purposes since adoption.

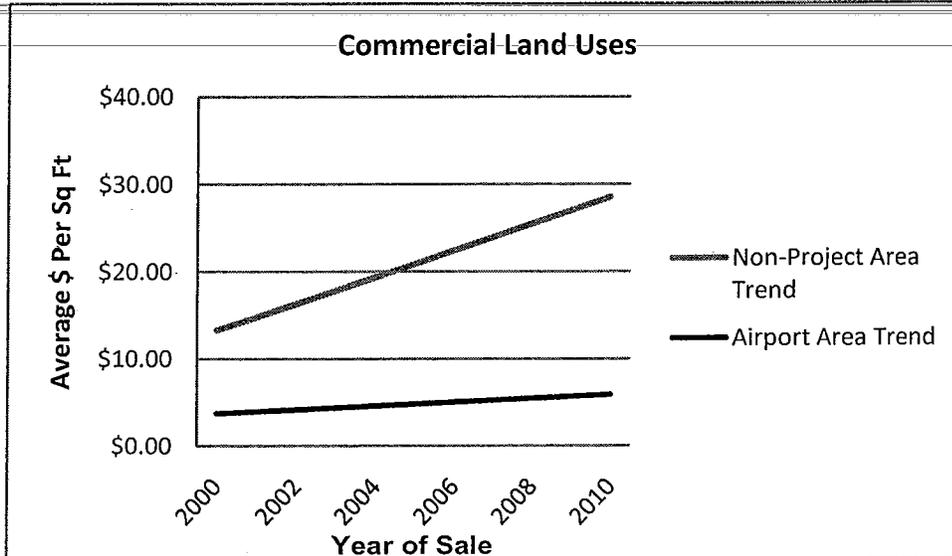
As historical assessed value on a parcel by parcel basis was not available, an examination of 2009-10 assessed values (not structure values) was performed for four land use categories in the Project Area⁷, as well as for those parcels in Fresno that are not in a redevelopment project area. For properties sold between January 2000 and June 30, 20010, values were compared on a per square foot basis by year of sale. Assessed value is typically established by the sales value of a property. According to the Fresno County Assessors Office, sales of both improved and unimproved property result in the Assessor dividing the sales price between the land value, based on market value at the time of sale, and any improvements. Therefore, land assessed values in Fresno County are generally reflective of market values at the time of sale. All assessed values are subject to Proposition 13 inflationary growth, up to 2 percent a year, so 2009-10 land assessed values from previous year sales are slightly inflated over their actual sales value.

Exhibits B-10 through B-13 illustrate trended land assessed values on a per square foot basis. For this analysis, the per square foot dollar amount shown each year is less informative (due to the Proposition 13 inflation that slightly increases the value) than the trend presented. In all cases, trended assessed land values not in a project area have increased at a more rapid rate than those in the Project Area, illustrating relatively stagnate property values in the Project Area.

⁷ As defined by land use designations on the Assessor's Roll.

2009-10 Land Assessed Value of Recent Sales

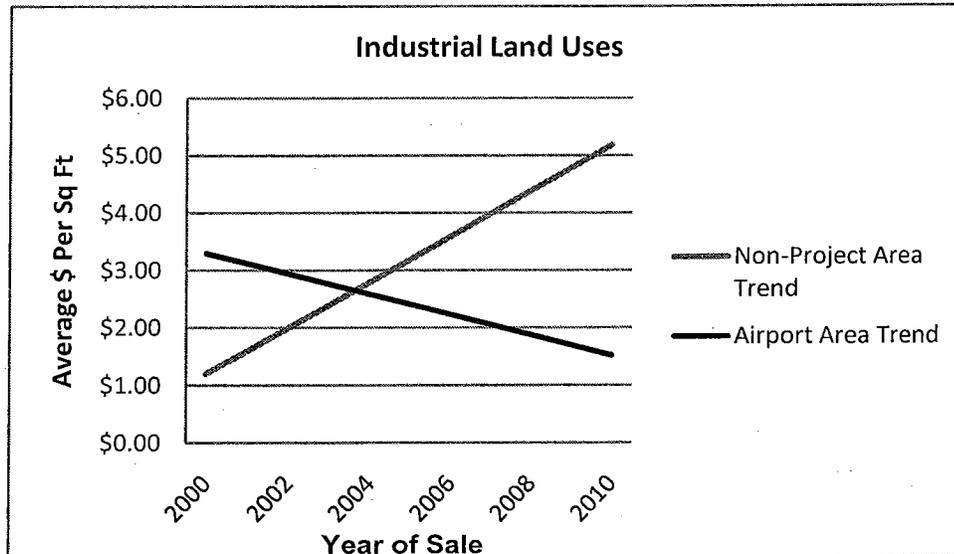
Exhibit B-10



Source: Metroscan

2009-10 Land Assessed Value of Recent Sales

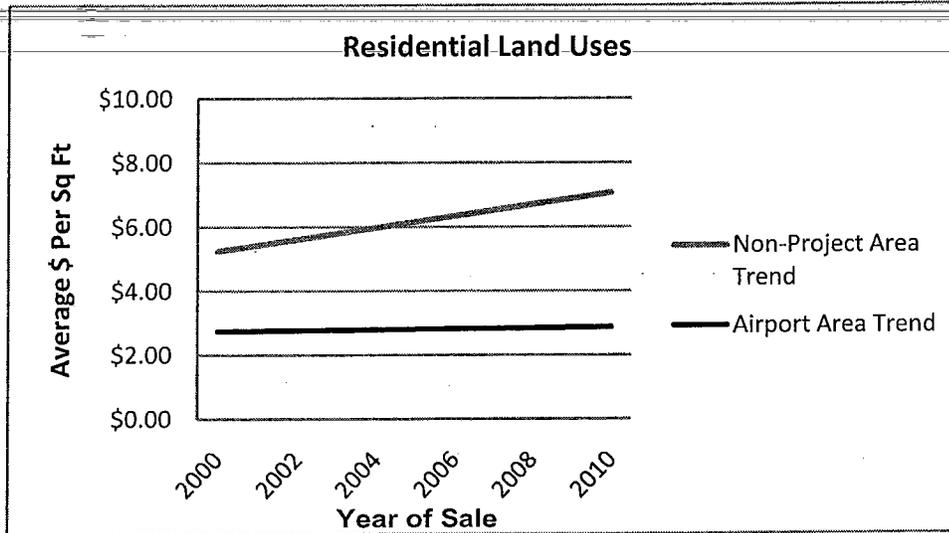
Exhibit B-11



Source: Metroscan

2009-10 Land Assessed Value of Recent Sales

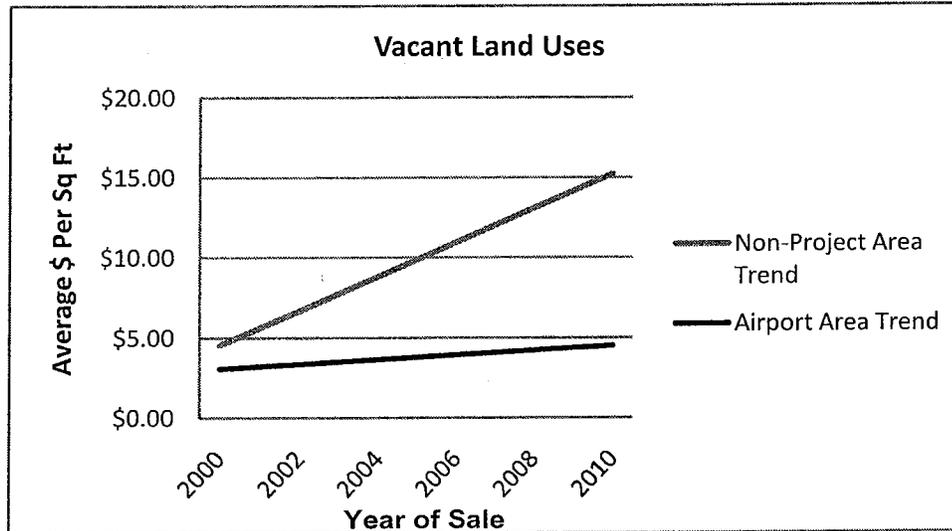
Exhibit B-12



Source: Metroscan

2009-10 Land Assessed Value of Recent Sales

Exhibit B-13



Source: Metroscan

In addition to trended data that analyzed assessed land values based on year of sale to show a pattern of comparative stagnation, a secondary analysis of average land value for 2009-10 was performed. This analysis did not account for year of sale values, but strictly the average 2009-10 assessed land value by land use. Exhibit B-14 provides this single year average assessed value for each Area, as well as for all non-redevelopment project area parcels. A more detailed break down is also shown for more common commercial parcel types, which account for about half of all parcels in the Project Area based on Assessor data. In general, commercial property values in each Area are substantially lower than those not in a redevelopment project area.

Property Values by Area **Exhibit B-14**
Airport Area Revitalization Redevelopment Project Area

	Non RDA	A	B	C	D
Comercial	\$ 21.31	\$ 5.46	\$ 1.54	\$ 3.56	\$ 8.22
Industrial	\$ 2.09	\$ 3.03		\$ 2.29	
Residential	\$ 5.93	\$ 3.79	\$ 0.66	\$ 2.64	
Vacant	\$ 9.61	\$ 4.09	\$ 4.28	\$ 2.87	\$ 9.06
Commercial Detail					
Stores	\$ 30.31	\$ 7.86		\$ 3.49	\$ 7.75
Garages	\$ 7.79	\$ 4.93		\$ 3.11	
Office	\$ 20.22	\$ 5.26		\$ 3.30	
Mini Storage	\$ 3.33	\$ 3.21	\$ 1.02	\$ 2.26	
Warehouse	\$ 4.67	\$ 4.97		\$ 4.28	

Note: Highlighted values are lower than average non-project area values

Source: *Metroscan*

Thus, not only are values shown to be comparatively stagnant over time, the overall assessed land values are generally lower than those not in a project area.

Description of Depreciated or Stagnant Property Values by Area

Trending was performed on an aggregate basis due to the small number of parcels in the Project Area. In all cases, values were not increasing as rapidly as in non-redevelopment project areas.

- **Area A.** Based on the 2009-10 Assessor's Roll, commercial values in Area A are 74 percent lower than those not in a project area. This is true specifically of commercial stores and office.
- **Area B.** The residential parcel land value is 89 percent below non-redevelopment comparable land values, and the vacant land is 55 percent below non-redevelopment comparable land values.
- **Area C.** On average, values were below those of non-redevelopment project area land values. Specifically, garage values were 60 percent less than non-redevelopment project parcels, and office values were 84 percent lower.
- **Area D.** Assessed land values were also lower in Area D. Commercial stores, which make up most of Area D, were 74 percent less than those not in a redevelopment project area.

CRIME

Though crime was anecdotally documented when the Project Area was adopted, current methods of maintaining records allow for better analysis now. The results are troubling and paint a serious picture of the threat to public safety in the Project Area. According to the CRL, a high crime rate that constitutes a serious threat to public safety and welfare is an economic blighting condition. When an area suffers from high levels of crime, businesses and other investors are often unwilling to locate their businesses and/or invest their private dollars into these neighborhoods because of the increased level of risk. This can further perpetuate other blighting conditions, such as dilapidation and deterioration resulting from long-term neglect.

In order to document crime and its impact on the Project Area, information regarding the incidence of violent and other serious crimes was collected from the Fresno Police Department and the Federal Bureau of Investigations ("FBI"). FBI publishes detailed crime statistics annually for all cities with a population over 10,000. These statistics show the number of Part I crimes reported for the previous year. Part I crimes are considered serious and are divided between violent and property crimes. Violent crimes include murder/manslaughter, forcible rape, robbery, and aggravated assault. Property crimes include burglary,

larceny-theft, motor-vehicle theft, and arson. Part II crimes include, among other things, loitering, disorderly conduct, drug offenses, fraud, gambling, liquor offenses, prostitution, public drunkenness, stolen property, vandalism, vagrancy, and weapons offenses. The Fresno Police Department also maintains records on Part I and Part II crimes.

The Fresno Police Department provided historical data on Part I and Part II crimes. As the Project Area has a very low number of residents, crime incidents were measured on a per acre basis. As Exhibit B-15 demonstrates, the Project Area's rate of 0.22 Part I crimes per acre in 2009 was 27 percent higher than the City average of 0.16 crimes per acre. Similarly, the Project Area's 0.69 Part II crimes was 25 percent higher than the City average of 0.52. Further, Exhibit B-15 shows that while the total number of Part I crimes in the City has decreased between 2005 and 2009, the number of Part I crimes in the Project Area has actually increased.

Part I Crimes Per Acre Table B-15
Airport Area Revitalization Redevelopment Project Area vs. City

	Acres	2005		2006		2007		2008		2009	
		Count	Per Acre								
City	191,117	35,894	0.19	33,631	0.18	31,350	0.16	31,928	0.17	31,202	0.16
Project Area	1,119	233	0.21	242	0.22	234	0.21	229	0.20	249	0.22
Area A	751	76	0.10	85	0.11	100	0.13	71	0.09	100	0.13
Area B	133	7	0.05	17	0.13	7	0.05	9	0.07	17	0.13
Area C	199	62	0.31	67	0.34	67	0.34	69	0.35	55	0.28
Area D	36	88	2.44	73	2.02	60	1.66	80	2.22	77	2.13

Source: City of Fresno Police Department, City of Fresno ISD-GIS

Part II Crimes Per Acre Table B-16
Airport Area Revitalization Redevelopment Project Area vs. City

	Acres	2005 ¹		2006		2007		2008		2009	
		Count	Per Acre	Count	Per Acre	Count	Per Acre	Count	Per Acre	Count	Per Acre
City	191,117	92,218	0.48	112,789	0.59	104,096	0.54	103,124	0.54	98,570	0.52
Project Area	1,119	596	0.53	903	0.81	789	0.71	836	0.75	777	0.69
Area A	751	155	0.21	199	0.27	210	0.28	217	0.29	210	0.28
Area B	133	47	0.35	108	0.81	65	0.49	103	0.78	77	0.58
Area C	199	162	0.81	268	1.35	218	1.10	224	1.13	194	0.98
Area D	36	232	6.43	328	9.09	296	8.21	292	8.09	296	8.21

¹ Data from April 1, 2005 thru December 31, 2005

Source: City of Fresno Police Department, City of Fresno ISD-GIS

Property crimes can also have a negative impact on the general welfare of persons and businesses in the Project Area. The FBI defines property crimes as those crimes that do not involve force or the threat of force on victims but do involve the taking of property or money. The crime data reveals that in particular, the Project Area has a very high rate of aggravated assault, and larceny and theft compared to the City, as shown in Exhibit B-17.

Types of Part I Crimes Per Acre (2008)

Table B-17

Airport Area Revitalization Redevelopment Project Area vs. City

	Area A		Area B		Area C		Area D		Project Area		City	
	Crimes	Per Acre	Crimes	Per Acre	Crimes	Per Acre	Crimes	Per Acre	Crimes	Per Acre	Crimes	Per Acre
Homicide	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	40	0.00
Rape	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	80	0.00
Robbery	1	0.00	1	0.01	2	0.01	5	0.14	9	0.01	984	0.01
Aggravated Assault	5	0.01	4	0.03	9	0.05	20	0.55	38	0.03	1,678	0.01
Total Violent Crimes	6	0.01	5	0.04	11	0.06	25	0.69	47	0.04	2,782	0.01
Burglary	14	0.02	0	0.00	10	0.05	11	0.30	35	0.03	4,173	0.02
Larceny-Theft	43	0.06	4	0.03	33	0.17	39	1.08	119	0.11	14,106	0.07
Motor Vehicle Theft	8	0.01	0	0.00	14	0.07	3	0.08	25	0.02	3,777	0.02
Arson	0	0.00	0	0.00	1	0.01	2	0.06	3	0.00	224	0.00
Total Property Crimes	65	0.09	4	0.03	58	0.29	55	1.52	182	0.16	22,280	0.12

Note: Complete 2009 data from the FBI was not available, therefore, 2008 data was use for this analysis.

Source: FBI Uniform Crime Reporting Database, City of Fresno ISD-GIS, City of Fresno Police Department

The following photographs demonstrate crime observed in the Project Area.



Photo 35:

453-08-007, Maple Ave, Area C

This picture shows damage to the building façade. Though the damage is cosmetic and not a risk in itself, the nature of the breaks in the façade indicates vandalism as the source of the problem. Areas with known crime problems are more difficult to sell or lease property in, contributing to a cycle of vacancy or low property values that disincentivize private investment.

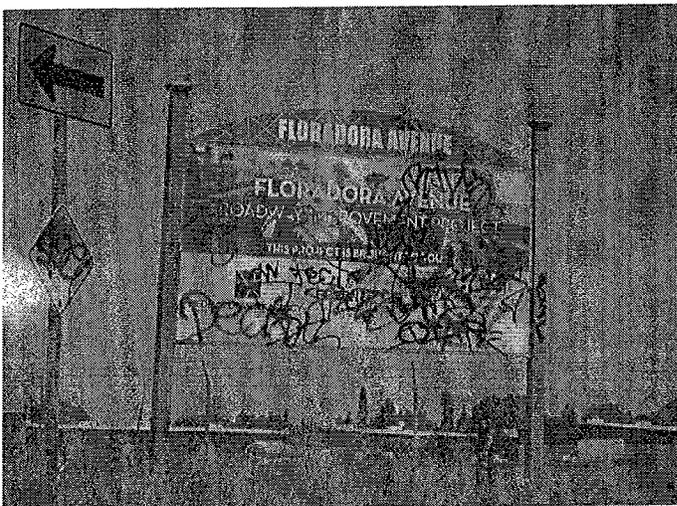


Photo 36:

Intersection of Floridora Ave and Sierra Vista Ave, Area C

This Agency sign, showcasing investment made in the Project Area, and nearby traffic sign have been vandalized, illustrating property crimes in the area.

Summary of Crime by Area

- **Area A.** Area A does not experience a high crime rate compared to the city as a whole.
- **Area B.** Area B does occasionally experience higher levels of Part II crimes than the city on a per acre basis, though Part I crimes are lower. Crime is not considered to be a blighting condition in Area B.
- **Area C.** Area C crime incidents are consistently and significantly higher than the city for both Part I and Part II crimes.
- **Area D.** This Area is consistently experiences significantly higher incidents of crime than the city as a whole. The following discussion goes further into detail about crime levels in Area D.

EXCESS OF BARS, LIQUOR STORES, AND ADULT BUSINESSES

With the exception of a service station in Area A, licenses for the sale of alcohol is concentrated in Area D. As indicated in Exhibit B-19, all four corners of Area D have liquor sales licenses for consumption and/or retail sales. Exhibit B-18 indicates that on a per acre basis, Area D shows a high concentration of liquor sale outlets. The Project Area as a whole also shows a high per capita rate of liquor licenses.

On/Off Sale Liquor Outlets **Exhibit B-18**
Airport Area Revitalization Redevelopment Project Area vs. City

Area	Population ¹	No. of Active Licenses	Licenses Per 1,000 Persons	Licenses Per Acre
Citywide	486,823	998	2.05	0.01
Project Area	3,859	12	3.11	0.01
Area A	1,864	1	0.54	0.00
Area B	1,408	0	-	0.00
Area C	479	0	-	0.00
Area D	108	11	101.85	0.30

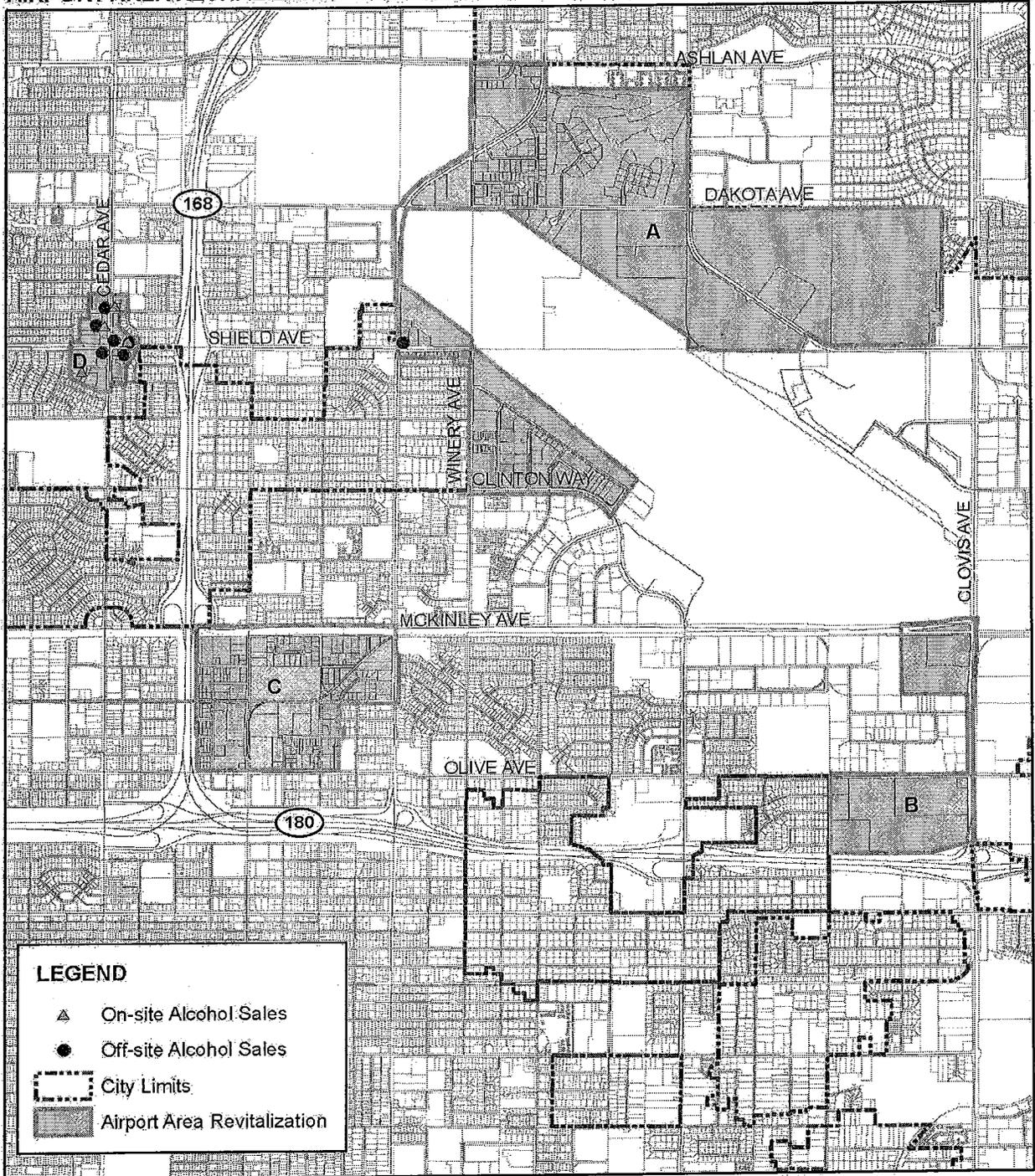
¹ Population based on 2010 ESRI Business Analyst Online projections based on 2000 U.S. Census. The figure reported under Project Area is the population of census block groups that overlap the Project Area, which includes areas outside the Project Area.

Source: California Department of Alcoholic Beverage Control as of June 9, 2010, City of Fresno ISD-GIS, ESRIGIS Census Data

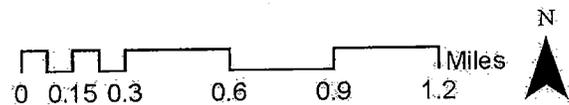
BUSINESSES WITH AN ACTIVE ABC LICENSE

EXHIBIT B-19

AIRPORT AREA REVITALIZATION REDEVELOPMENT PROJECT AREA



Source: California Department of Alcoholic Beverage Control
as of June 9, 2010, City of Fresno ISD-GIS



The following photograph is one of the 10 businesses in Area D that sells alcohol.

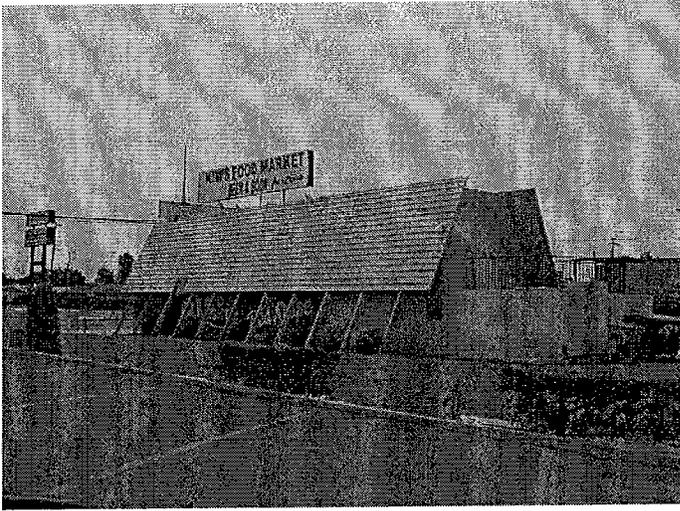


Photo 37:

437-25-308, Cedar Ave, Area D

This photo captures one of the liquor license sites in Area D.

A high number of liquor licenses in itself is not a blighting condition, but must also result in significant public health, safety, or welfare problems. Exhibit B-20 presents a comparison of crimes committed in Area D to three other retail intersections in the City that are of similar size and have businesses with liquor licenses. Commercial Intersection No. 1 is the Bullard Avenue and First Street intersection, Commercial Intersection No. 2 is the intersection of Shields and West Avenues, and Commercial Intersection No. 3 is the intersection of Shaw and West Avenues. Utilizing data supplied by City staff, crimes within the commercial centers themselves, as well as those within a one-quarter mile radius of the intersections were analyzed. Exhibits B-20 and B-21 clearly shows that Area D has a very high rate of crime both within the commercial parcels and within the ¼ mile radius compared to the other intersections. Exhibits B-22 through B-25 indicate the location of Area D and the comparative commercial intersections, associated liquor licenses, and Part I and II crimes that occurred in 2009.

Crimes Per Acre Commercial Area Comparison

Exhibit B-20

Airport Area Revitalization Redevelopment Project Area vs. Other City Commercial Intersections

Year	Area D of Project Area		Commercial Intersection No. 1			Commercial Intersection No. 2			Commercial Intersection No. 3		
	# Crimes	Per Acre	# Crimes	Per Acre	% Δ with No. 1	# Crimes	Per Acre	% Δ with No. 2	# Crimes	Per Acre	% Δ with No. 3
Part I Crimes											
2005	88	2.44	42	1.66	47%	37	3.38	-28%	61	1.45	69%
2006	73	2.02	37	1.47	38%	44	4.02	-50%	64	1.52	33%
2007	60	1.66	41	1.63	2%	33	3.02	-45%	51	1.21	37%
2008	80	2.22	44	1.74	27%	41	3.75	-41%	47	1.12	99%
2009	77	2.13	37	1.47	46%	26	2.38	-10%	46	1.09	96%
Part II Crimes											
2005 ¹	232	6.43	63	2.50	158%	130	11.88	-46%	127	3.01	113%
2006	328	9.09	60	2.38	282%	179	16.36	-44%	151	3.58	154%
2007	296	8.21	62	2.46	234%	140	12.80	-36%	166	3.94	108%
2008	292	8.09	68	2.70	200%	133	12.16	-33%	166	3.94	105%
2009	296	8.21	78	3.09	165%	210	19.20	-57%	127	3.01	172%
# Active ABC Licenses	11		11			7			8		
Acreage	36.07		25.23			10.94			42.14		
# of Parcels	31		17			17			27		

Note: Commercial Intersection No. 1 includes the northeast, southeast, and southwest corners of Bullard Avenue and First Street. Commercial Intersection No. 2 includes all four corners at Shields and West Avenues. Commercial Intersection No. 3 includes all four corners at Shaw and West Avenues.

¹ Data from April 1, 2005 thru December 31, 2005.

Source: City of Fresno Police Department, City of Fresno ISD-GIS

Crimes Occurring Within Quarter Mile

Exhibit B-21

**Airport Area Revitalization Redevelopment Project Area vs.
Other City Commercial Intersections**

Year	Area D of Project Area # Crimes	Commercial Intersection No. 1 # Crimes	Commercial Intersection No. 2 # Crimes	Commercial Intersection No. 3 # Crimes
Part I Crimes				
2005	378	175	241	143
2006	272	141	233	133
2007	271	132	205	120
2008	307	144	192	111
2009	275	149	135	117
Part II Crimes				
2005	820	273	516	277
2006	940	385	771	334
2007	908	371	646	328
2008	894	398	576	352
2009	861	336	589	282
# Active ABC Licenses	11	11	7	8
Acreage	36.07	25.23	10.94	42.14
# of Parcels	31	17	17	27

Note: Commercial Intersection No. 1 includes the northeast, southeast, and southwest corners of Bullard Avenue and First Street. Commercial Intersection No. 2 includes all four corners at Shields and West Avenues. Commercial Intersection No. 3 includes all four corners at Shaw and West Avenues.

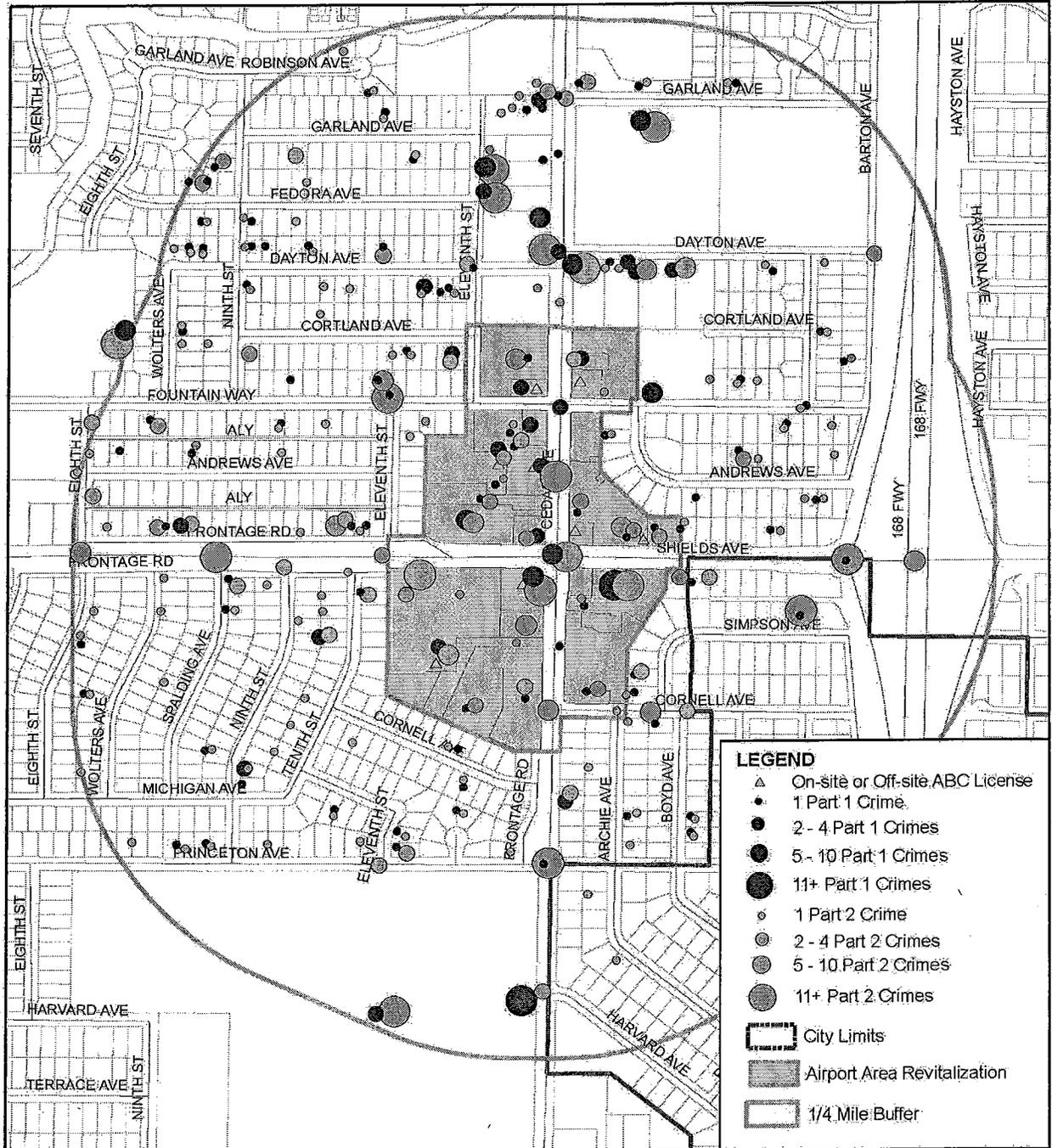
Source: City of Fresno Police Department, City of Fresno ISD-GIS

Note that in 2009, the quarter mile area surrounding the Area D intersection had 275 Part I crimes and 861 Part II crimes compared to the 149 and 336 (respectively) in Commercial Intersection 1, which has the same number of liquor licenses.

ABC LICENSES AND PART 1 AND 2 CRIMES - AREA D (2009)

EXHIBIT B-22

AIRPORT AREA REVITALIZATION REDEVELOPMENT PROJECT AREA

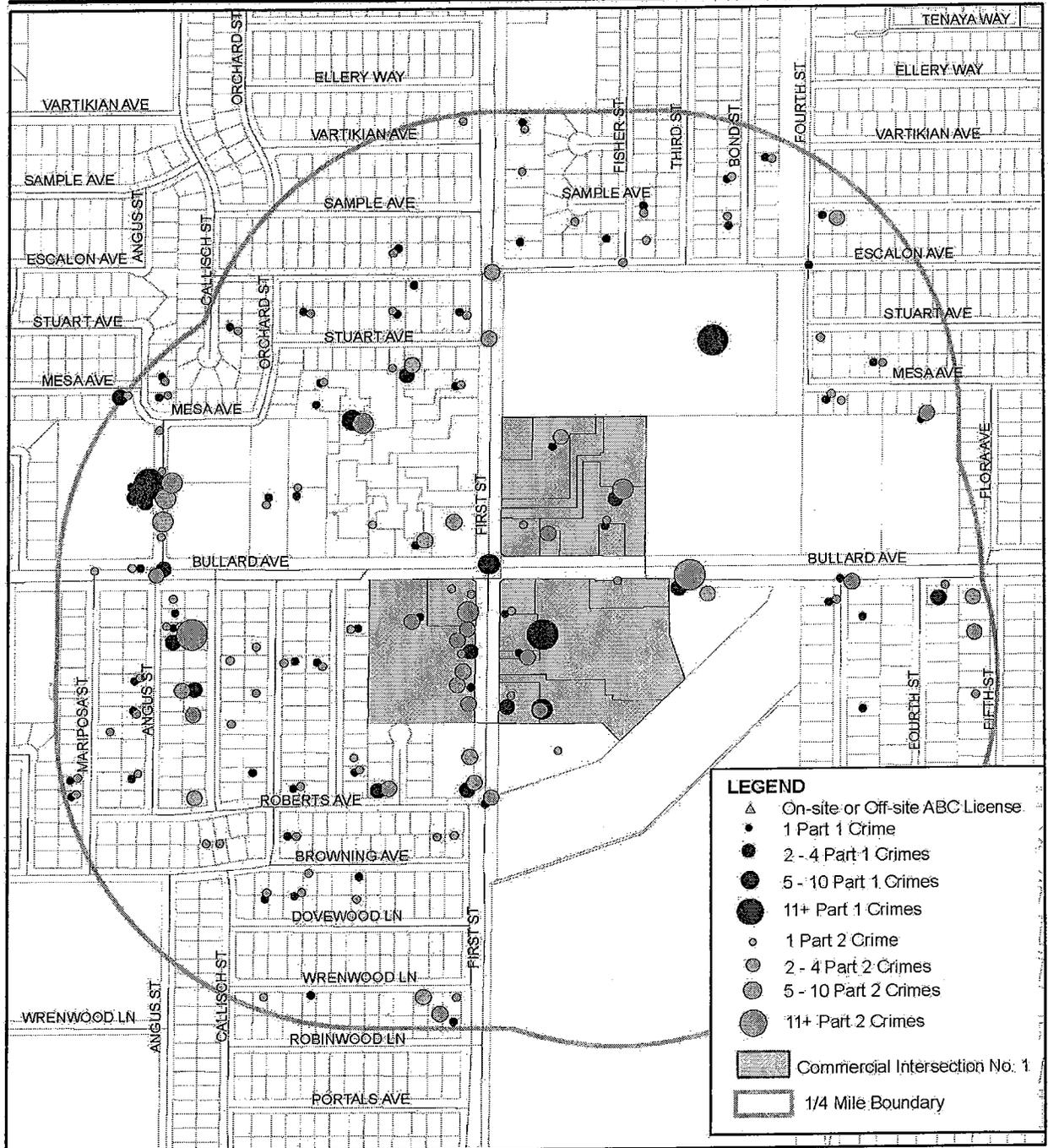


Source: City of Fresno Police Department, City of Fresno ISD-GIS,
 California Department of Alcoholic Beverage Control as of June 9, 2010

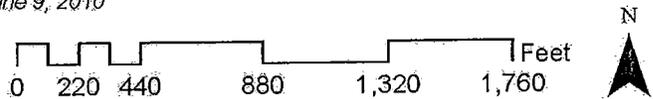


ABC LICENSES AND PART 1 AND 2 CRIMES -
COMMERCIAL INTERSECTION NO. 1 (2009)

EXHIBIT B-23

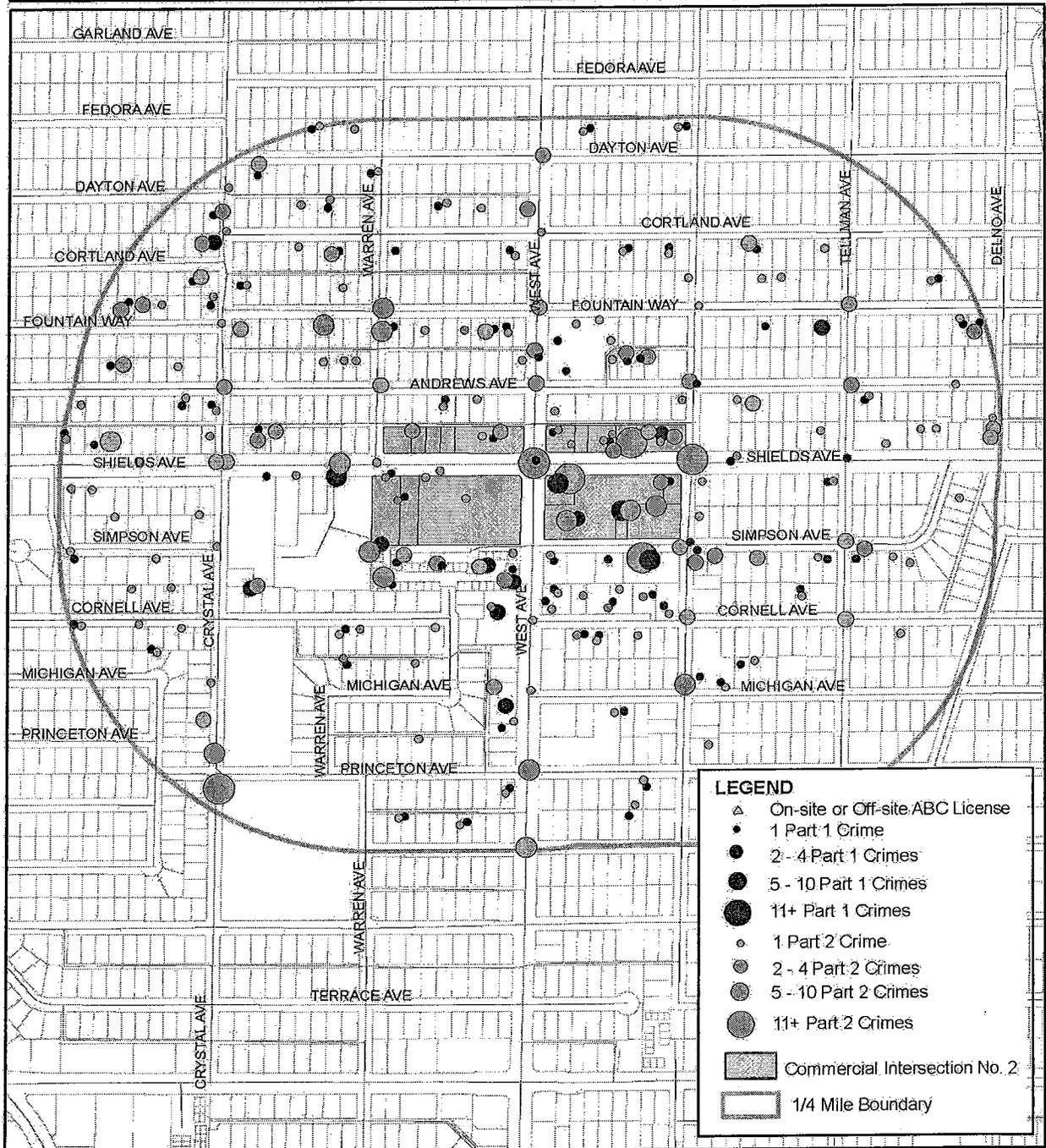


Source: City of Fresno Police Department, City of Fresno ISD-GIS,
California Department of Alcoholic Beverage Control as of June 9, 2010

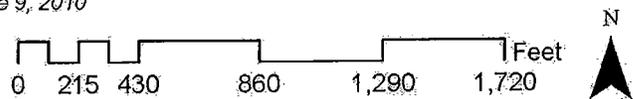


ABC LICENSES AND PART 1 AND 2 CRIMES -
 COMMERCIAL INTERSECTION NO. 2 (2009)

EXHIBIT B-24

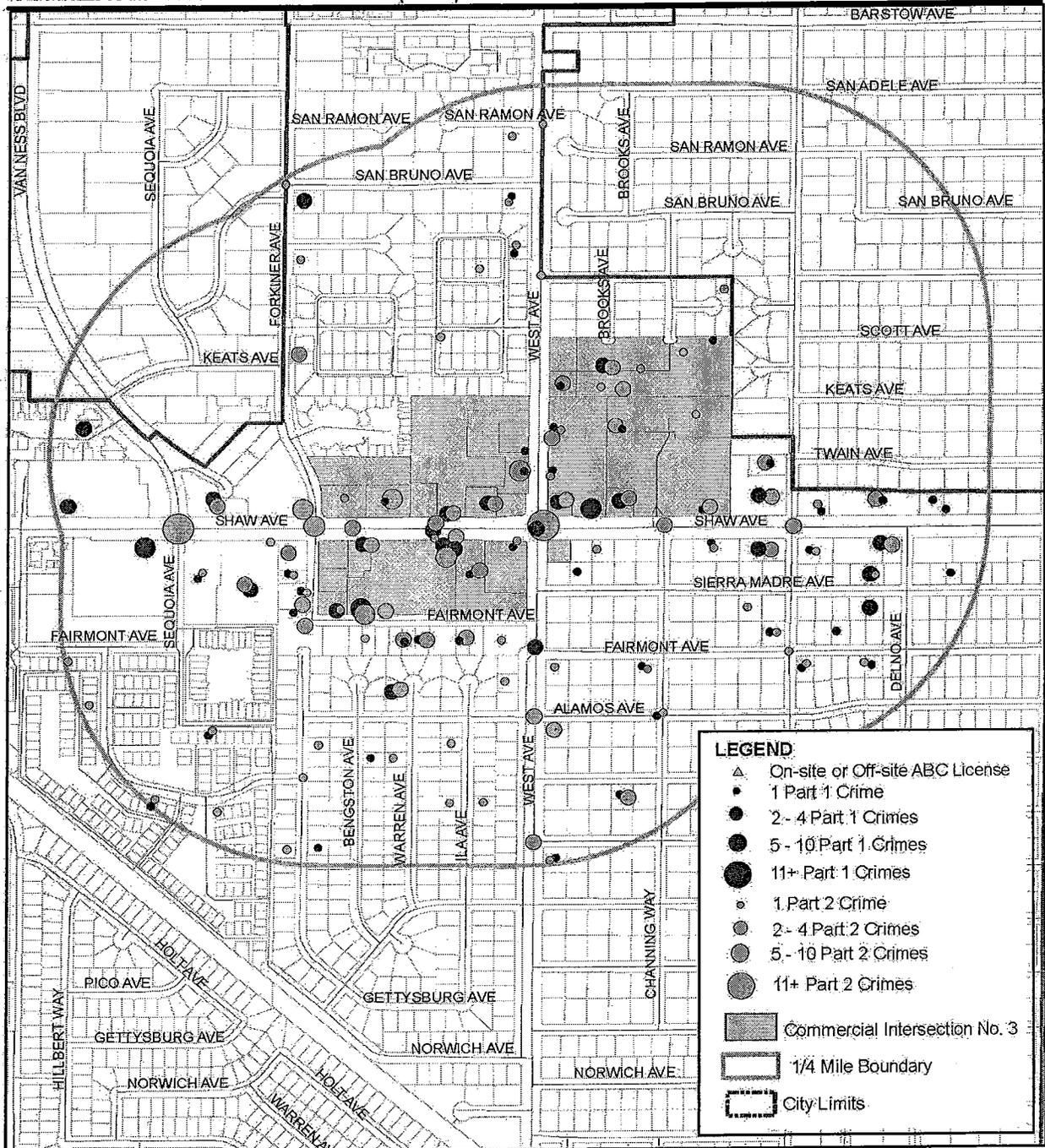


Source: City of Fresno Police Department, City of Fresno ISD-GIS,
 California Department of Alcoholic Beverage Control as of June 9, 2010

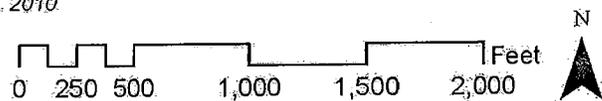


**ABC LICENSES AND PART 1 AND 2 CRIMES -
 COMMERCIAL INTERSECTION NO. 3 (2009)**

EXHIBIT B-25



Source: City of Fresno Police Department, City of Fresno ISD-GIS,
 California Department of Alcoholic Beverage Control as of June 9, 2010



Summary of An Excess of Bars, Liquor Stores, or Adult Businesses (Area D Only)

- **Area D.** This high level of crime incidents compared to similar retail intersections, coupled with the large number of liquor licenses in Area D clearly shows a correlation between the presence of liquor licenses and the threat to public safety. The multiple ownership of the lots in Area D has resulted in properties that are maintained at various levels, and tenants that are unmanaged in a cohesive manner. Subsequently, the number of liquor licenses is high, as are the crime levels. Consolidation of these properties is likely to be necessary to facilitate private investment and realign the tenant mix.

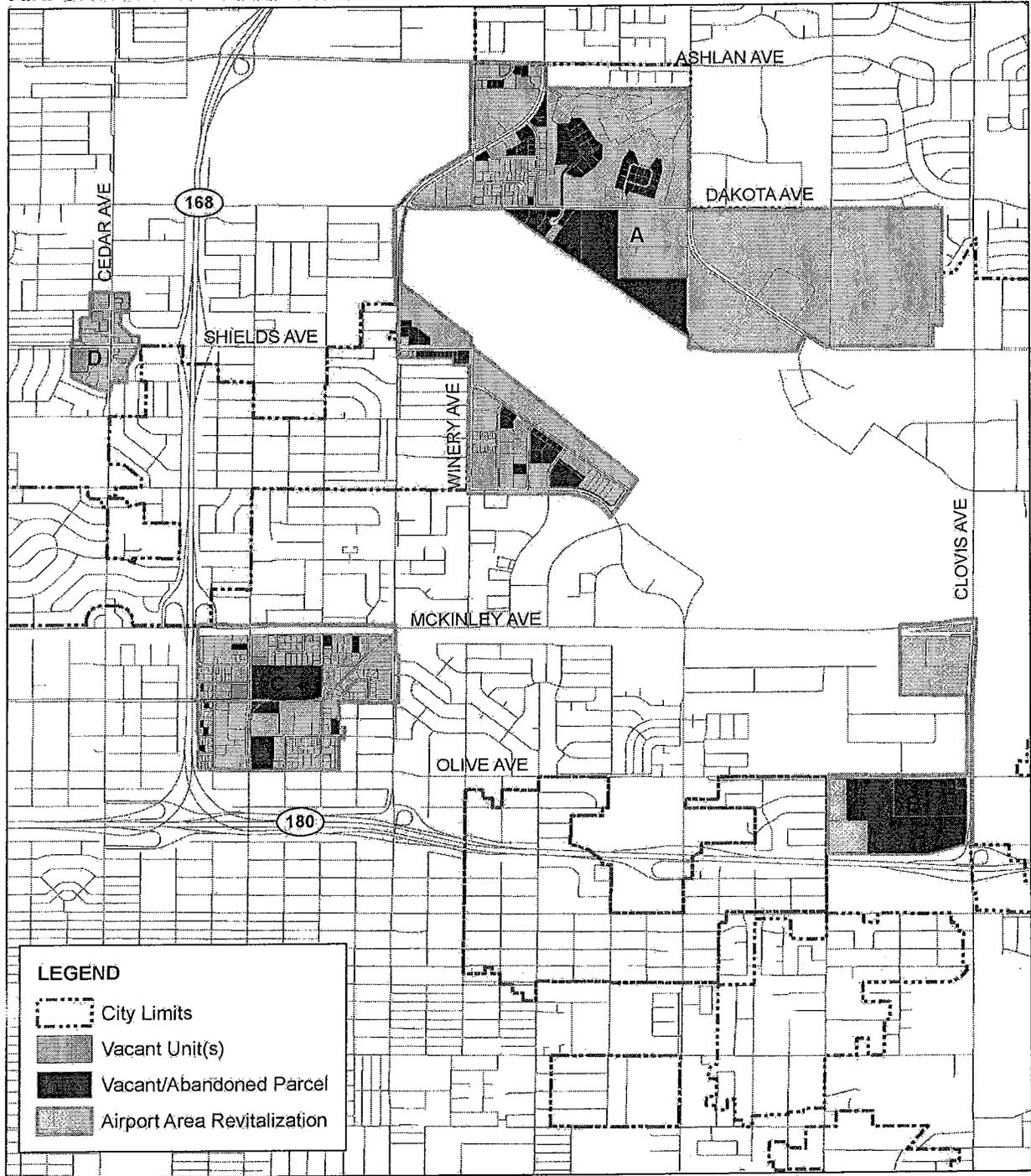
HIGH BUSINESS VACANCIES, VACANT PARCELS, AND ABANDONED BUILDINGS

Though documented data on industrial lease rates is minimal, 23 parcels with vacant units (commercial and industrial) and 107 undeveloped or abandoned properties were observed during the field survey⁸. Exhibit B-26 shows these properties. The reason these many vacancies are not advertized is unknown, but may be a symptom of the issues that plague the Project Area, particularly Area C, where property owners may not have the financial resources to advertize their properties through conventional means, or may not possess the ability to improve the property to a condition that would attract a tenant.

⁸ An abandoned parcel is a property that has a structure on the property but that has been deserted. A vacant property has not been developed for a particular use.

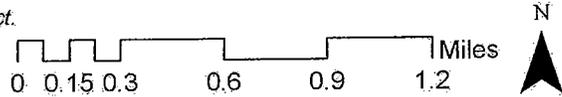
VACANT UNIT(S) AND VACANT/ABANDONED PARCELS
AIRPORT AREA REVITALIZATION REDEVELOPMENT PROJECT AREA

EXHIBIT B-26



Note: Excludes properties owned by Fresno Metropolitan Flood District.

Source: City of Fresno ISD-GIS, RSG Field Survey May 24-25, 2010



The following photographs demonstrate properties in the Project Area that have vacant units, or abandoned buildings.

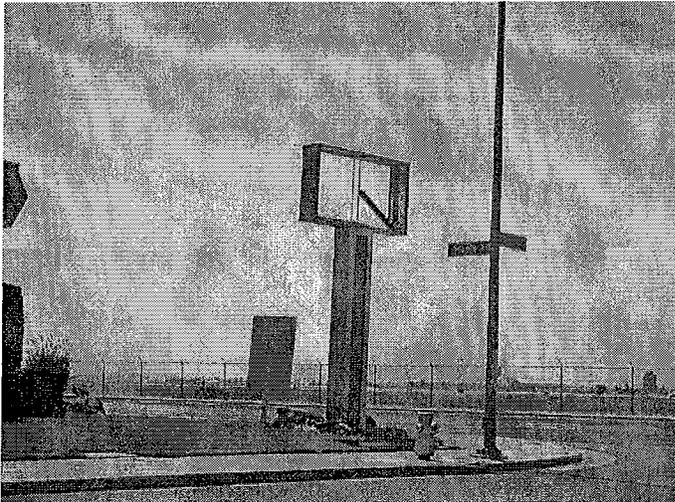


Photo 38:

Intersection of Dakota Ave & Winery Ave, Area A

This property is now vacant, as illustrated by the empty sign post where a company name was once located. This property is neatly landscaped and located within close proximity to the airport, but remains vacant nevertheless. Vacant or abandoned properties are common in the Project Area.



Photo 39:

438-03-016, Cedar Ave, Area D

This property is currently vacant and appears to have a history of short turnover. Note the permanent sign has been covered by a temporary sign from the last tenant that was not successful enough to replace the temporary sign prior to vacating the building.

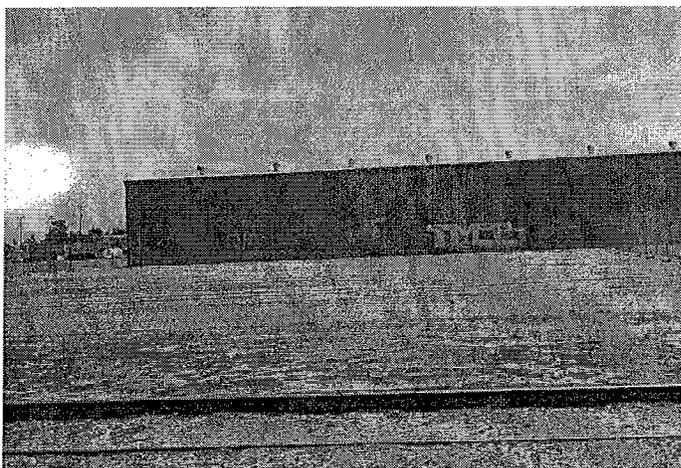


Photo 40:

453-32-039, Maple Ave, Area C

This property has been vacated by the tenant. Although cosmetic, the presence of graffiti indicates a lack of upkeep and crime activity, which may deter potential tenants or private investment in the area. Police staff mentioned this abandoned property has been a target for vandalism for some time.



Photo 41:

453-23-109, Jackson Ave, Area C

Currently vacant, this small residential building is surrounded by incompatible industrial uses. Note the unscreened outdoor storage directly to the rear of the property. These surroundings would likely deter a residential renter, but the building itself cannot support industrial uses, rendering this building obsolete.

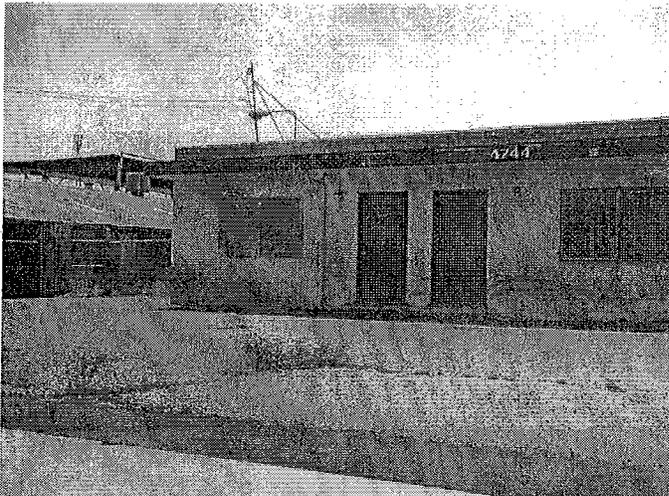


Photo 42:

453-09-118, Carmen Ave, Area C

This photo captures an abandoned property that is no longer maintained. Deferred maintenance is visible. While not a threat to public safety at this level, it is unlikely to attract tenants or contribute to improved property values at this level of preservation.

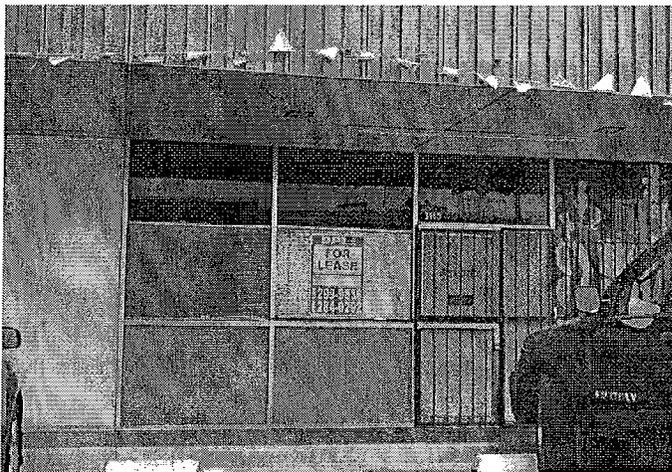


Photo 43:

438-03-016, Cedar Ave, Area D

One of several vacancies in the northwest shopping plaza in Area D.

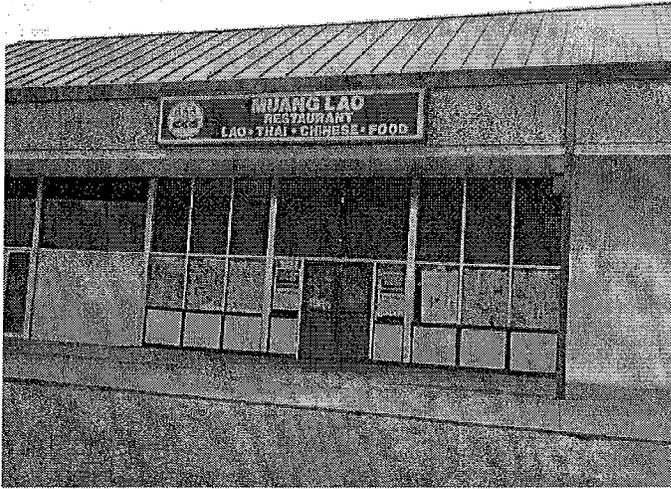


Photo 44:

445-09-324, Cedar Ave, Area D

This photo depicts a vacancy in the southwest shopping plaza in Area D. The dated appearance of the building does not constitute a threat to safety, but does illustrate a lack of private investment which may deter potential tenants.



Photo 45:

445-09-329, Cedar Ave, Area D

Another vacancy in the southwest plaza of Area D.

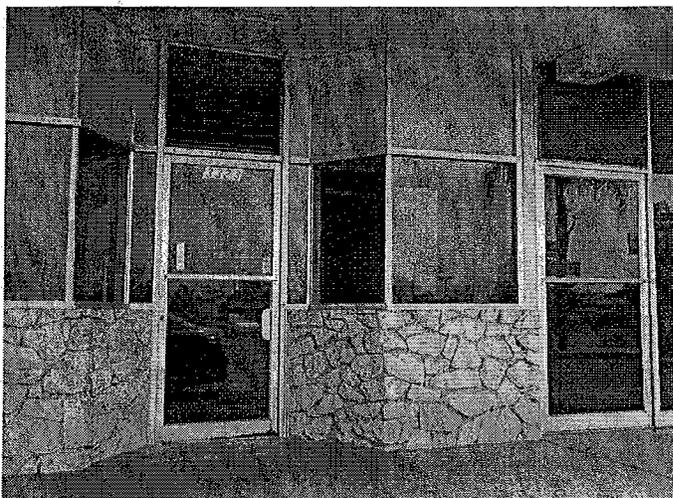


Photo 46:

437-31-318, Cedar Ave, Area D

Vacancies in the northwest Area D plaza.

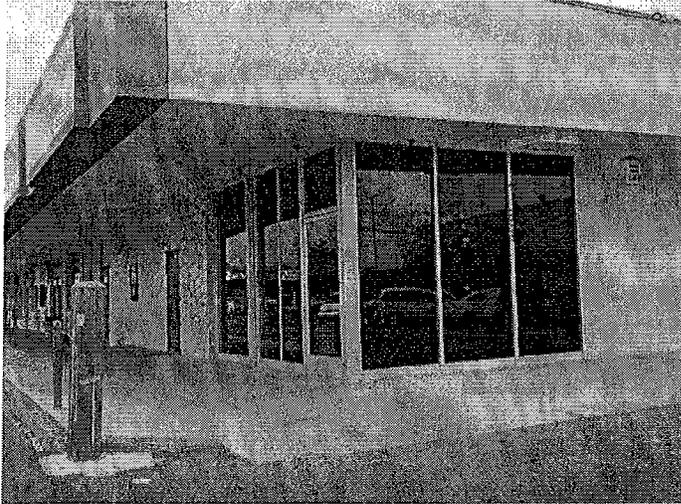


Photo 47:

437-31-318, Cedar Ave, Area D

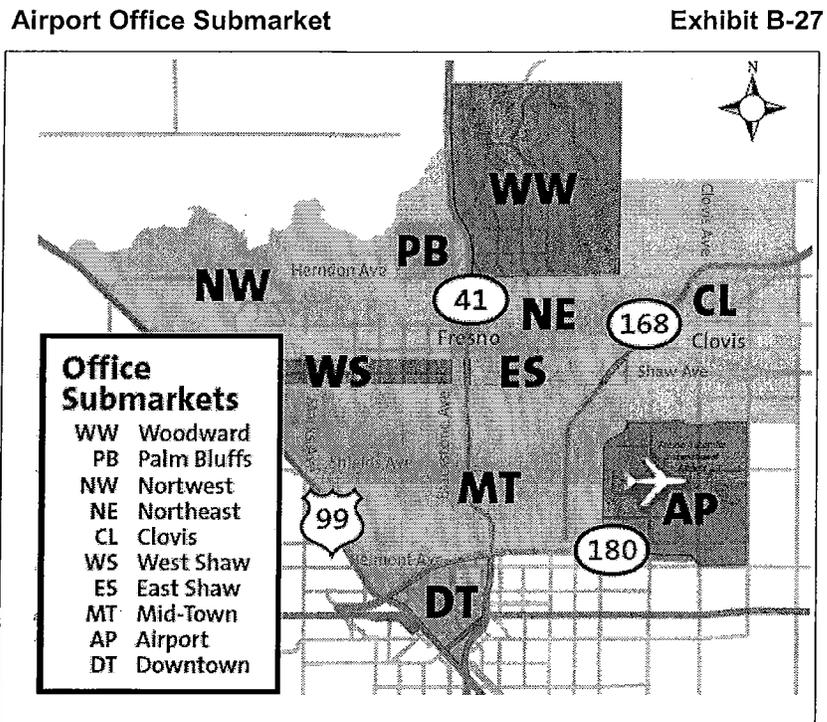
More vacancies in the northwest plaza of Area D. A high number of vacancies is often a deterrent to potential tenants who may feel attracting clients to the center will be a challenge. Fully leased retail centers attract more people, creating a synergistic effect that supports the businesses.

ABNORMALLY LOW LEASE RATES

Abnormally low lease rates clearly illustrate a low level of desirability in an area, and are a direct indicator of a lack of private investment. The Project Area has abnormally low lease rates in the office and retail sectors, which is an economic blighting condition pursuant to CRL Section 33031(b)(3).

OFFICE

No listings advertising office space for lease within the Project Area were found at the time this Report was written; therefore it is not possible to conduct an analysis of office lease rates in the specific Project Area boundaries. However, the Airport Submarket report provided by Grubb & Ellis includes the Project Area, which is approximately 75 percent of the commercial area within Airport Submarket. The Airport Submarket extends from Ashlan Avenue to the north, Chestnut Avenue to the west, Fowler Avenue to the east, and the 180-Freeway to the south, as shown in Exhibit B-27.



Source: Grubb & Ellis Office Trends Report, Fresno, First Quarter 2010

According to a Fresno Office Trends Report from the real estate firm Grubb & Ellis, the Airport Submarket had the lowest average lease rates for Class B office space out of all City submarkets in the first quarter of 2010. As indicated in Exhibit B-28, the Airport Submarket has an average lease rate of \$1.19 per square foot per month, the lowest in the City and is 31 percent lower than the total City's average lease rate of \$1.72 per square foot per month.

Office Lease Rates by City Submarket- First Quarter 2010 **Exhibit B-28**
City of Fresno

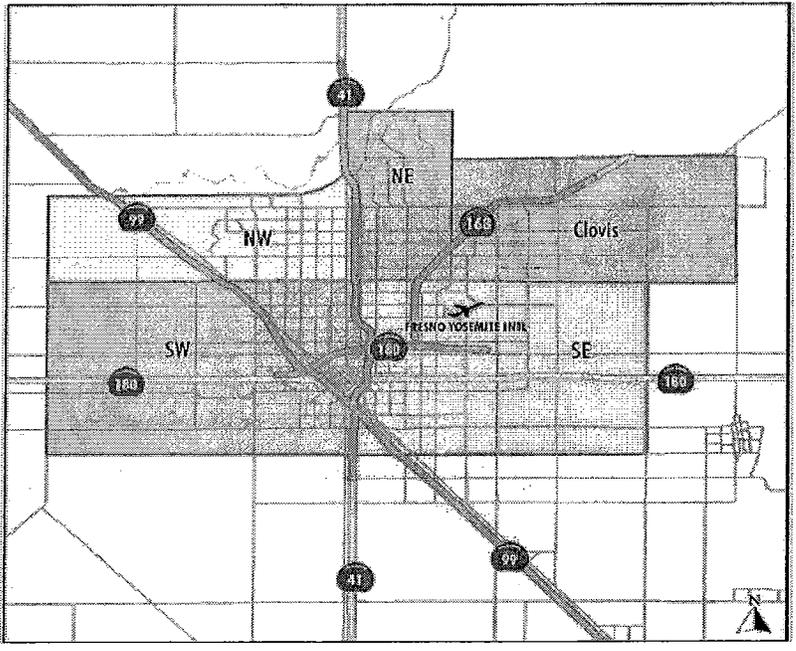
Submarket	Class B	
	Average \$/SF/Month	%Δ from City
Airport (Contains Project Area)	\$ 1.19	-31%
Midtown	1.27	-26%
Downtown	1.34	-22%
West Shaw	1.46	-15%
East Shaw	1.57	-9%
Northwest	1.82	6%
Clovis	1.83	6%
Northeast	1.84	7%
Woodward	1.97	15%
Palm Bluffs	2.04	19%
Total Fresno	\$ 1.72	

Source: Grubb & Ellis Office Trends Report, Fresno, First Quarter 2010

RETAIL

Retail lease rates in the Project Area are also abnormally low according to data published by CB Richard Ellis in a Retail Market View Report for the Second Quarter of 2010. The greater Southeast Area (identified in Exhibit B-29), which contains the Project Area, is 32 percent lower than the city average.

Airport Retail Submarket **Exhibit B-29**



Source: CB Richard Ellis Retail Market View Report, 2nd Quarter, 2010

Further, as Exhibit B-30 shows, the average lease rate for Project Area retail properties is \$0.46 per square foot per month, based on listings of available space for lease advertised on real estate websites LoopNet and CityFeet between May and June 2010. This lease rate is 65 percent lower than the City's average retail lease rate of \$1.33 per square foot per month, though the limited number of listings does not present enough information to draw conclusions.

Retail Lease Rate Comparison

Exhibit B-30

Airport Area Revitalization Redevelopment Project Area vs. City

	No. of Listings	Average \$/SF/Month	%Δ from City
Project Area Listings	2	\$ 0.46	-65%
Southeast (Contains Project Area)		\$ 0.90	-32%
Northwest		\$ 0.90	-32%
Northeast		\$ 2.70	103%
Clovis		\$ 1.05	-21%
Southwest		\$ 1.10	-17%
Total Fresno		\$ 1.33	

Sources: Project Area data from LoopNet and City FEET (as of 6/21/10).

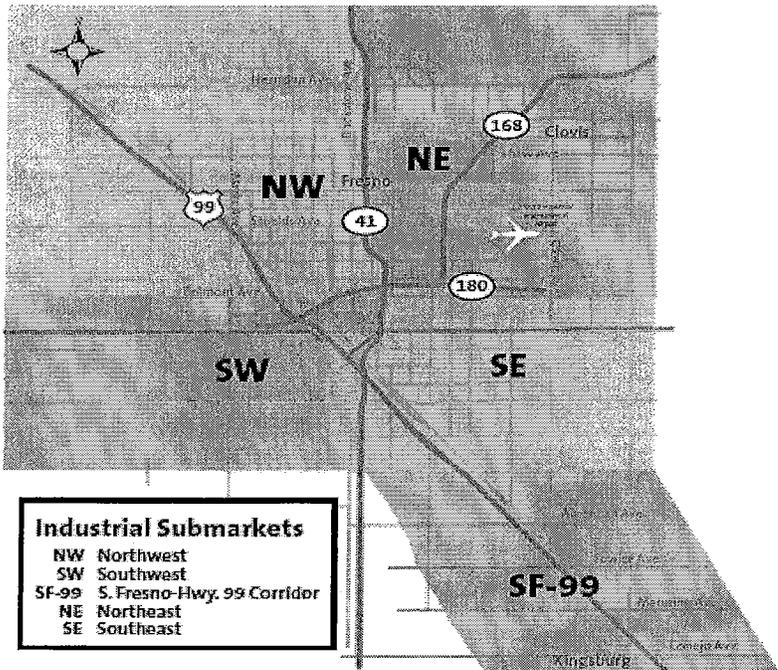
Fresno data from CBRE Retail Market View Report, Fresno, Second Quarter 2010.

INDUSTRIAL

Approximately 26 industrial units were observed for lease during the field survey but only two listings were found on property listing sources, which is not sufficient to make assumptions on market conditions. The Industrial Trends report published by Grubb & Ellis, which includes the Project Area (estimated to be approximately 25 percent of the of the total inventory in the Northeast Submarket illustrated in Exhibit B-31), shows the Northeast Submarket has the lowest industrial lease rates in the City as summarized in Exhibit B-32.

Industrial Submarket

Exhibit B-31



Source: Grubb & Ellis Industrial Trends Report, Fresno, First Quarter 2010

Further, two local brokers confirmed that lease rates in the Airport area are generally lower on average. According to a broker who is familiar with industrial properties in the Project Area, industrial lease rates are around \$0.55-0.60 per square foot, lower than other citywide industrial areas. A second broker, referring specifically to Area C, indicated leases are generally \$0.40-0.50 per square foot, but may go as low as \$0.35. It should be noted that the range of properties labeled as industrial by the real estate community presents a wide array, from flex space to manufacturing to warehousing – each of which typically has a different price point with warehousing being the lowest. Exhibit B-32 focuses on data for warehousing and distribution space, which is common in the Project Area.

Industrial Leases by City Submarket - First Quarter 2010

Exhibit B-32

City of Fresno

	No. of Listings	Warehouse/Dist	
		Average \$/SF/Month	%Δ from City
Project Area Listings	2	\$ 0.52	51%
Northeast Fresno (Contains Project Area)		0.31	-9%
Southeast Fresno		0.33	-3%
Southwest Fresno		0.34	0%
Northwest Fresno		0.41	21%
S. Fresno-Hwy. 99 Corridor		-	
Total Fresno		\$ 0.34	

Sources: Project Area data from LoopNet and City FEET (as of 6/21/10).

Submarket data from Grubb & Ellis Industrial Trends Report, Fresno, First Quarter 2010

Summary of Abnormally Low Lease Rates

- The research for this blighting condition could only be performed on a regional basis. Market reports for retail and office listings showed lower lease rates are present in the greater area surrounding the Project Area. Further, discussions with two local brokers revealed that industrial lease rates are generally lower in the Project Area as well, specifically Area C.

SUMMARY OF BLIGHTING CONDITIONS

As described, the Agency is seeking to extend eminent domain in Areas B, C, and D where it currently exists (not on parcels where people lawfully reside), and over vacant parcels in Area A as allowed by the CRL. The blighting conditions documented in this Section, which are necessary to proceed with the Amendment, are summarized below.

<u>Area</u>	<u>Physical Blight</u>	<u>Economic Blight</u>
Area A	<ul style="list-style-type: none"> ▪ Conditions that prevent/hinder viable use 	<ul style="list-style-type: none"> ▪ Depreciated or stagnant property values
Area B	<ul style="list-style-type: none"> ▪ Unsafe and unhealthy buildings 	<ul style="list-style-type: none"> ▪ Depreciated or stagnant property values
Area C	<ul style="list-style-type: none"> ▪ Unsafe and unhealthy buildings ▪ Conditions that prevent/hinder viable use ▪ Subdivided lots in multiple ownership impaired by inadequate sizes or irregular shapes 	<ul style="list-style-type: none"> ▪ Depreciated or stagnant property values ▪ High crime rate
Area D	<ul style="list-style-type: none"> ▪ Conditions that prevent/hinder viable use ▪ Subdivided lots in multiple ownership impaired by inadequate sizes or irregular shapes 	<ul style="list-style-type: none"> ▪ Depreciated or stagnant property values ▪ Excess of adult businesses resulting in safety problems ▪ High crime rate

WHY REDEVELOPMENT?

Based on the observations and research detailed, it is evident that the Project Area continues to suffer from various physical and economic blighting conditions. Although progress has been made by the Agency to eliminate blighting conditions and spur economic development in the Project Area, further improvements are needed to successfully redevelop in the Project Area. The Amendment proposes to extend the Agency's power of eminent domain in the Areas B, C, and D of the Project Area and over Area A with respect to vacant land for an additional 12 years. The ability of the Agency to employ all redevelopment tools made available by the CRL, including eminent domain, is necessary to alleviate such blight and overcome the adverse physical and economic conditions which have been shown to be present in the Project Area. The Agency will

be able to use eminent domain authority, along with other redevelopment tools, to implement projects eliminating both physical and economic blighting conditions in the Project Area.

PHYSICAL AND ECONOMIC BURDEN ON THE COMMUNITY

Pursuant to Section 33030(b) of the CRL, to be blighted an area must meet the following criteria. The Project Area meets each criterion and is therefore a blighted area.

1. At least one physical blighting condition and at least one economic blighting condition must be present.

As described in this section of the Report, the Project Area continues to exhibit physical blight such as conditions that prevent the viable use of lots, the existence of subdivided lots in multiple ownership impaired by irregular shapes and inadequate sizes, and adjacent incompatible uses that prevent development. The economic blighting conditions documented are: depreciated or stagnant property values and a high crime rate with an excess of adult-oriented businesses that result in public safety problems.

2. Blighting conditions must cause a lack of proper utilization of the area.

The effects of blighting conditions are found throughout the Project Area. As shown throughout this section of the Report, the Project Area suffers from conditions that prevent the viable use of lots; the existence of unsafe and unhealthy buildings; the existence of subdivided lots in multiple ownership impaired by irregular shapes and inadequate sizes; depreciated or stagnant property values; and a high crime rate with an excess of adult-oriented businesses that result in public safety problems. These characteristics inhibit the viability of individual affected lots and structures, as well as the economic vitality of the entire Project Area.

3. The improper utilization must be a serious physical and economic burden on the community.

Individual properties have a powerful influence on the value of neighboring lots, such that parcels where well-maintained structures are adjacent to lots with dilapidated structures, both properties experience lowered market values. The lower property values, conditions of lots, and physical decline of structures cause the Project Area as a whole to remain blighted.

Though structural dilapidation and business vacancies are easily observed, certain conditions of properties are less visible but render sites obsolete and are a major factor in the economic stability of the area. Private investors would, in many cases, need to assemble several parcels in order to construct commercial and industrial buildings that meet current development standards, including the structure and size of the building, adequate parking, and safe ingress and egress. Thus, certain lot conditions discourage new development and make the Project Area uncompetitive with neighboring communities.

4. The serious physical and economic burden cannot be reversed by private enterprise alone, the public sector alone, or both together, without redevelopment.

The blighting conditions found in the Project Area are not new. The private sector has had the opportunity to improve the area through parcel assembly or structural rehabilitation, but minimal investment has been made. The physical and economic conditions continue to deter private investment.

The Agency does not have any immediate or specific plans to use eminent domain to acquire property at this time. However, the Agency believes it is very important to maintain this redevelopment tool because it may be a necessary component to future redevelopment activities. Eminent domain is especially important for those projects involving land acquisition. The ability to consolidate lots for new development and abate or provide mitigation between adverse uses is essential in addressing the remaining conditions of blight the Project Area.

The purpose of redevelopment is to eliminate blight from the Project Area so that it may be a safe place for residents and employees, and ultimately become a viable area that can compete for commercial and industrial uses. This requires a strategic approach to improvements that stretches from traditional capital improvement projects to those efforts that make the area a pleasant, safe place that businesses want to

locate in. The presence of physical and economic blighting conditions cause a reduction in utilization of the Project Area to such an extent that it constitutes a serious physical and economic burden on the community. This has not been, and cannot reasonably be expected to be reversed or alleviated by private enterprise, governmental action, or both, without redevelopment.



Five Year Implementation Plan

Pursuant to CRL Section 33352(c), this Report is to include an implementation plan that describes specific goals and objectives of the Agency, specific projects proposed by the Agency, and a description of how these projects will improve or alleviate blight. The Agency approved and adopted its 2010-14 Implementation Plan on August 26, 2010. The 2010-14 Implementation Plan is incorporated herein by reference.

The Agency's Implementation Plan is not affected by the Amendment because it does not propose to add new territory, nor does it propose new projects or programs; therefore, in accordance with CRL Section 33457.1, no changes to the current Implementation Plan are warranted.

D

Explanation of Why the Elimination of Blight in the Project Area Cannot be Accomplished by Private Enterprise Acting Alone

Section 33352(d) of the CRL requires an explanation of why the elimination of blight and the redevelopment of the project area cannot reasonably be expected to be accomplished by private enterprise acting alone or by the legislative body's use of financing alternatives other than tax increment financing. The Agency's Report to the Legislative Body that was prepared at the time the Project Area was adopted established the need for tax increment financing in order to address blighting conditions. It was documented that blight could not be accomplished by private enterprise alone and that the legislative body's use of other funding sources alone were not sufficient to fund the needed redevelopment projects identified at that time. Although the Agency has used other funding sources when available, these other funding sources continue to be inadequate. Because the Amendment would not add additional territory subject to the collection of tax increment revenues by the Agency to the Project Area, nor would it amend the time and financial limits to collect tax increment revenue in the Project Area, no additional analysis with regards to financing alternatives is warranted. CRL Section 33457.1 makes clear that this Report need only include the information required by Section 33352 of the CRL necessitated by the action contemplated in the Amendment.

The Amendment does, however, warrant an explanation as to why the elimination of blight cannot be expected to be accomplished by private enterprise alone, or without the use of eminent domain.

Private redevelopment of the Project Area has not occurred on its own. The conditions presented in Section B of this Report is itself a direct indicator that the private sector has been unable to marshal the tools (including land assemblage, debt financing, and equity resources) to overcome such problems. Some of the most compelling of these conditions include:

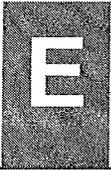
- Assessed land values for industrial uses that have not risen above 2002 levels in 8 years and are currently about 66 percent lower than they were in 2002.
- Buildings that suffer from lack of investment, causing a threat to health and safety. Approximately 65 percent of the building stock is more than 30 years old and thus requires consistent and continual maintenance efforts which field observations were able to document is not happening in some cases.
- Inadequate lot sizes, as illustrated by a pro forma analysis showing that at least half of the parcels in the Project Area are too small for financially viable redevelopment of industrial uses.
- Single family home land values located next to industrial uses that are consistently lower in value than those not in a redevelopment project area, and currently lower in value than the city as a whole.
- Part I crime rates that are 27 percent higher than the city as a whole in 2009.
- A high number of liquor licenses per acre in Area D that has led to elevated crime rates compared to similar commercial intersections.

Consequently, a catalyst, in the form of strategic redevelopment tools and investment by the Agency, is needed to overcome these adverse conditions. Both the City and Agency will continue to invest in the redevelopment of the Project Area and to leverage private investment to fund projects; however, making strategic use of the financial capital available to the Agency is not likely to provide all the resources required to improve/redevelop the Project Area.

As described in Section B of this Report, consolidation of lots is important to mitigating the challenges in the Project Area. Further, it is necessary to realign ownership and rehabilitation/redevelopment of the parcels in Area D where multiple ownership has led to incongruent property maintenance and management, resulting in a large number of liquor licenses and high rates of crime. Though a last resort, eminent domain could be a critical tool to accomplish blight eradication.

Therefore, extending the Agency's eminent domain authority is necessary to help acquire and consolidate parcels to make the Project Area more attractive and feasible for private redevelopment. With the proposed Amendment, the Agency's extended eminent domain authority would enable the Agency to facilitate land

acquisition and assembly, which would prove to be an effective means to accomplish the private development and redevelopment of the Project Area.



Method of Relocation

Section 33352(f) of the CRL requires the Agency to prepare a relocation plan for families and persons who may be temporarily or permanently displaced from housing facilities within the Project Area.

In the event the Amendment is adopted and implementation actions include relocation of residents, nonprofit local community institutions, or local businesses the Agency will adhere to State relocation law and guidelines, consisting of the California Relocation Assistance Law (Government Code Sections 7260 through 7277, "Relocation Assistance Act"), and the Relocation Assistance and Real Property Acquisition Guidelines adopted and promulgated by the California Department of Housing and Community Development (California Code of Regulations, Title 25, Sections 6000 through 6198, "Relocation Guidelines").

If relocation is necessary to implement the Redevelopment Plan in order to eliminate blighting conditions, the Relocation Assistance Act and Relocation Guidelines ensure the Agency will meet its relocation responsibilities to any families, persons, businesses, or nonprofit local community institutions to be temporarily or permanently displaced as a consequence of the Redevelopment Plan's implementation.

No persons or families of low and moderate income shall be displaced unless and until there is a suitable housing unit available and ready for occupancy by the displaced person or family at costs comparable to those at the time of their displacements.

While the Agency cannot use eminent domain to acquire property where a person lawfully resides within the Project Area, this does not eliminate the Agency's relocation responsibilities. For example, the Agency may have relocation responsibility for displacement of residents if their properties are purchased by voluntary sale.

DRAFT

Pursuant to CRL Section 33352(l) a project area committee is required if the Agency proposes to amend a redevelopment plan to: (1) grant the authority to the Agency to acquire by eminent domain property on which persons reside in a project area in which a substantial number of low- and moderate-income persons reside; or (2) add territory in which a substantial number of low- and moderate-income persons reside and grant the authority to the Agency to acquire, by eminent domain, property on which persons reside in the added territory.

The Amendment proposes to extend eminent domain authority in the Project Area; however, the Amendment specifically restricts the Agency's authority to acquire property by eminent domain on nonresidential properties. Furthermore, the Amendment would not add territory to the Project Area. Therefore, the formation of a project area committee is not required.

While there is no requirement for a project area committee, nor an existing project area committee, the Agency has taken steps to ensure that local residents, business owners and other interested parties are aware of, and involved in, the Amendment.

The Agency intends to hold a community meeting prior to the public hearing to discuss the impacts of the proposed Amendment.

DRAFT



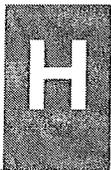
Section 33352(k) of the CRL requires the inclusion of the report prepared pursuant to Section 21151 of the Public Resources Code.

Reporting for the proposed Amendment consists of an Initial Study and Mitigated Negative Declaration ("IS/MND") prepared in accordance with the requirements of the California Environmental Quality Act (Public Resources Code Section 21000 et seq.). The IS/MND found the proposed Amendment would have less than significant impacts on the Project Area with mitigation.

The IS/MND reviewed all potential environmental impacts associated with the proposed Amendment. Topics included: aesthetics; agriculture and forest resources; air quality; biological resources; cultural resources; geology and soils; greenhouse gas emissions; hazards and hazardous materials; hydrology and water quality; land use and planning; mineral resources; noise; population and housing; public services; recreation; traffic and transportation; and utilities and service systems. The IS/MND also addresses all other topics and sections as required by CEQA. The IS/MND is included in Appendix B of this Report.

In accordance with the requirements of the California Environmental Quality Act, Notice of Intent to adopt the Mitigated Negative Declaration is scheduled for filing with the Fresno County Clerk, transmittal to affected taxing entities, and circulation for public review and comment in August 2010. The public comment period on the draft MND is scheduled to close in September 2010.

DRAFT



Neighborhood Impact Report

OVERVIEW

CRL Section 33352 requires that this Report contain a Neighborhood Impact Report that discusses the impact the Amendment will have on low and moderate income persons or families in the Project Area in the following issues: relocation, traffic circulation, environmental quality, availability of community facilities and services, effect on school population and quality of education, property assessments and taxes, and other matters affecting the physical and social quality of the neighborhood.

Additional issues that this neighborhood impact report must address include: the number of low or moderate-income dwelling units to be removed or destroyed; the number of low or moderate income persons or families expected to be displaced; the general location of housing to be rehabilitated, developed or constructed; the number of dwelling units planned for construction or rehabilitation to house persons and families of low or moderate income (other than replacement housing); the projected means of financing the aforementioned dwelling units; and the projected timetable for meeting the Redevelopment Plan's relocation, rehabilitation, and replacement housing objectives.

RELOCATION

At this time, no foreseeable projects have been proposed for the Project Area that would involve displacement of residents or businesses. However, should displacement occur in the future, eligible displaced residents or businesses will be offered relocation benefits as required by the CRL and State law. Any displacement which occurs as a result of Agency redevelopment activities will be mitigated by relocation assistance including financial payments, advisory assistance, and other assistance identified in the project-specific replacement housing plans as required by the CRL relating to Agency assisted developments. The Agency will also follow its adopted Method of Relocation, and will offer reentry opportunities where feasible to existing business owners and tenants.

ENVIRONMENTAL QUALITY

The primary goal of the Redevelopment Plan is to continue to improve the overall environmental quality of the Project Area by addressing existing deficiencies. The Redevelopment Plan seeks to eliminate existing blighting conditions and cause improvements, particularly to the deteriorating or insufficient infrastructure systems. As indicated in the MND, the Amendment will not directly result in a change of environmental impacts on land use, transportation, air quality, noise, public services and infrastructure, hazardous materials, hydrology and water quality, cultural resources, or visual and aesthetic quality. Because the Amendment does not propose uses or intensities beyond the General Plan and other related land use policy documents, adherence to adopted land use policies will ensure that implementation of the Redevelopment Plan will lessen or avoid potential impacts. Mitigation measures are also in place should potential impacts occur. During implementation of any specific redevelopment proposal in the Project Area, an environmental analysis may be warranted as required by CEQA.

TRAFFIC CIRCULATION

The Amendment does not alter any proposed projects related to circulation and traffic improvements allowed by the Redevelopment Plan, and therefore, no traffic impacts would occur as a direct result of this Amendment alone. However, it can be noted that the Agency has identified a number of public improvement projects that would improve access into and around the Project Area, and reduce existing safety hazards for motorists and pedestrians. These improvements will not only serve existing residents and businesses within the Project Area, but will help to attract new private investment by improving safety, convenient access, and aesthetics. As mentioned, all future projects would be subject to their own independent environmental review to assess the potential for significant transportation impacts at the time they are proposed.

COMMUNITY FACILITIES AND SERVICES

Although the Amendment only extends the Agency's eminent domain authority, ultimate implementation of the Plan will result in a moderate amount of commercial growth. Such growth, however, is contemplated by the General Plan and is not expected to have an adverse impact upon the community's facilities and services. The General Plan incorporates policies to mitigate any impacts; however, overall, implementation of the Redevelopment Plan is expected to improve the City's existing facilities and services through the use of tax increment revenues.

SCHOOL POPULATION AND QUALITY OF EDUCATION

The Fresno Unified School District ("FUSD") serves the Project Area, including the Project Area. Due to the nature of the Project Area with little residential zoning and no expansion expected in the future, it is unlikely any Agency activities would impact the FUSD's ability to serve the Project Area. Further, all new development and redevelopment projects within the Project Area, whether implemented by the Agency or the private sector, are required to be consistent with the General Plan which controls the land use designations and intensities. Accordingly, the General Plan contains relevant policies and implementation measures pertaining to schools in order to mitigate the effects of new development on schools and ensure the provision of adequate school facilities. During implementation of the Redevelopment Plan, specific redevelopment proposals may warrant project specific environmental analysis as required by CEQA, which requires an analysis of the project's impact on schools.

PROPERTY ASSESSMENTS AND TAXES

The Redevelopment Plan calls for various methods of financing implementation, none of which are affected by the proposed Amendment. Because redevelopment agencies do not have the constitutional authority to impose taxes, implementation of the Redevelopment Plan would not cause an increase in property tax rates. Rather, the principal method of financing redevelopment would be the utilization of tax increment revenues generated by the Project Area. Tax increment financing reallocates property tax revenues generated by increases in the assessed value of property in the Project Area. Although redevelopment of the Project Area would increase assessed valuations, Project Area property owners would not experience increases in property taxes beyond those normally allowed by other state law and state constitutional provisions.

LOW- AND MODERATE-INCOME HOUSING PROGRAM

The Agency has proactively created, preserved, and rehabilitated affordable housing within its existing redevelopment Project Areas, including the subject Project Area. The Agency has aggregated its housing obligations pursuant to the CRL, therefore any required new or replacement units may be located in any of the Agency's Project Areas.

AFFORDABLE HOUSING UNITS TO BE DESTROYED OR REMOVED

The Agency is not proposing any projects at this time that will cause the destruction of affordable units in the Project Area. Given the very limited number of residential units and the complexities of residential relocation, it is anticipated that not more than four units would be acquired during the life of the Redevelopment Plan. Should the Agency acquire residential property through voluntary acquisition resulting in the removal of affordable housing units in the future, the Agency will be required to construct, develop or rehabilitate, or cause the construction, development or rehabilitation of, affordable housing units equal in number to those destroyed or removed. These "replacement housing units" must be constructed within four years of their destruction or removal, and must remain available at affordable housing costs to persons and families of very low, low, and moderate income throughout the period of land use controls established in the Redevelopment Plan. Prior to commencement of any project that would result in destruction of affordable housing units, the Agency would prepare a replacement housing plan as required by the CRL, identifying how the Agency would meet the replacement housing requirements.

PROJECTED DISPLACEMENT OF LOW- AND MODERATE-INCOME PERSONS AND FAMILIES

Based on the assumptions above, a maximum of four households could be displaced in the future. In compliance with the CRL, prior to any displacement of low and moderate income persons and families, the Agency would prepare a relocation plan that would identify how all potentially displaced persons could be relocated.

Residents will not be displaced due to an Agency-assisted development unless and until there are suitable relocation facilities available for occupancy at rents or costs comparable to those paid at the time of displacement. Prior to commencing projects that may displace low or moderate income persons and households, the Agency will prepare a Replacement Housing Plan that complies with Section 33413(a) of the CRL. The Agency will assist residents in finding housing that is decent, safe and sanitary and within their financial means, in reasonably convenient locations and otherwise suitable to their needs.

NUMBER AND LOCATION OF REPLACEMENT HOUSING

Should housing units be destroyed or removed from the low and moderate income housing market by the Agency, suitable replacement housing locations will be available within the Project Area, other Project Areas, or other areas of the City as allowed by the CRL. The City Council and the Agency would take action as necessary to provide such replacement housing.

NUMBER AND LOCATION OF LOW- AND MODERATE-INCOME HOUSING PLANNED OTHER THAN REPLACEMENT HOUSING

As the Project Area is generally commercial in nature, new housing development is not foreseen at this time. However, the Agency has identified a number of potential opportunities to increase the affordable housing supply in other areas of Fresno in its current Housing Compliance Plan, adopted in 2010. These opportunities include unit production, as well as the first time homebuyer assistance program and an anticipated inclusionary housing ordinance.

FINANCING METHOD FOR PROPOSED LOW AND MODERATE INCOME DWELLING UNITS PLANNED FOR CONSTRUCTION OR REHABILITATION

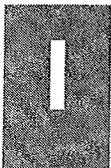
Not less than 20 percent of all tax increment which are allocated to the Agency pursuant to Section 33670 of Article 6 of the CRL will be used for purposes of increasing, improving, and preserving the supply of low and moderate income housing available at affordable housing cost to persons and families of very low, low, or moderate income households. This source of funding will be utilized for assisting in the financing of construction or rehabilitation of affordable housing units. These funds are typically used to leverage other funding sources including private equity and debt, State and Federal affordable housing tax credits, HUD and State HCD loans and grants, and HOME funds.

TIMETABLE FOR PROVISION OF RELOCATION, REHABILITATION, REPLACEMENT AND INCLUSIONARY HOUSING

If replacement housing is required, the units will be provided within four years as required by Section 33413 (a) of the CRL. The timing for any housing rehabilitation will be linked to the availability of the funds and the level of participation by qualified owners. The relocation plan(s) prepared by the Agency for a particular development activity shall contain schedules to insure comparable replacement housing is available in accordance with the requirements of the CRL and the State Relocation Guidelines.

OTHER MATTERS AFFECTING THE PHYSICAL AND SOCIAL QUALITY OF THE ENVIRONMENT

The Redevelopment Plan is intended to preserve and revitalize the Project Area and provide for affordable housing where appropriate. These actions are more thoroughly discussed as a part of the Agency's Affordable Housing Compliance Plan, which identifies the Agency's primary goals of investing in, promoting, and producing affordable units; engaging the community; and providing housing accessible to all families.



Report on Consultations with Taxing Agencies

According to the County Auditor-Controller's office, the following taxing agencies levy taxes within the Project Area in 2009-10:

- County of Fresno
- City of Fresno
- Fresno County Library
- Clovis Cemetery District
- Fresno Mosquito and Vector Control District
- Fresno Unified School District
- State Center Community College District
- County School Service
- Fresno Metropolitan Flood District
- Fresno Mosquito Abatement
- Clovis Unified School District

Although the Amendment is not financial in nature, affected taxing entities are entitled to receive notice of the public hearing on the proposed Amendment, pursuant to the CRL. In accordance with Section 33452 of the CRL, notice of the public hearing on the proposed Amendment will be mailed to the governing body of each affected taxing entity in September, 2010, and will include an offer to consult with the taxing entities regarding the Amendment. In addition, the IS/MND will be transmitted to each affected taxing entity on August 26, 2010.

Agency staff will provide an update to the Agency Board and City Council regarding their consultations with the taxing entities, if any, during the public hearing. However, because the Amendment would only extend the Agency's eminent domain authority and does not change the boundaries, or time or financial limitations of the Redevelopment Plan, the Agency does not anticipate any specific comments or concerns from taxing agencies to arise as a result of the Amendment.

FINAL INITIAL STUDY

PROPOSED AMENDMENT NO. 2 TO THE REDEVELOPMENT PLAN FOR THE AIRPORT AREA REVITALIZATION REDEVELOPMENT PROJECT

PREPARED FOR:

Redevelopment Agency of the City of Fresno
2344 Tulare, Suite 200
Fresno, CA 93721
Contact: David Martin
(559) 621-7630

PREPARED BY:

ICF International
5558 California Avenue, Suite 310
Bakersfield, CA 93309
Contact: Steven Esselman
(661) 859-1852

August 2010



ICF International. 2010. Proposed Amendment No. 2 to the Redevelopment Plan for the Airport Area Revitalization Redevelopment Project. Final Initial Study. August. (ICF 00348.10.) Bakersfield, CA. Prepared for Redevelopment Agency of the City of Fresno, Fresno, CA.

Contents

List of Figures	ii
List of Acronyms and Abbreviations	iii
	Page
Environmental Checklist	1
Environmental Factors Potentially Affected	6
Determination	6
Evaluation of Environmental Impacts	7
I. Aesthetics	8
II. Agricultural and Forestry Resources.....	10
III. Air Quality	12
IV. Biological Resources	15
V. Cultural Resources.....	17
VI. Geology and Soils	19
VII. Greenhouse Gas Emissions.....	22
VIII. Hazards and Hazardous Materials.....	27
IX. Hydrology and Water Quality	32
X. Land Use and Planning.....	36
XI. Mineral Resources	37
XII. Noise	38
XIII. Population and Housing.....	41
XIV. Public Services	43
XV. Recreation	46
XVI. Transportation/Traffic.....	47
XVII. Utilities and Service Systems.....	50
XVIII. Mandatory Findings of Significance	54
XIX. Earlier Analysis.....	56
Citations and References.....	57
List of Preparers.....	59

Appendix A Summary of Eminent Domain Process

Figures

	Follows Page
1 Regional Location	2
2 Project Vicinity.....	6

Acronyms and Abbreviations

Agency	Redevelopment Agency of the City of Fresno
Airport Plan	<i>Fresno Yosemite International Airport and Environs Specific Plan</i>
Alquist-Priolo Act	Alquist-Priolo Earthquake Fault Zone Act
Amendment or Project	Amendment No. 2
AQAP	Air Quality Attainment Plan
BAAQMD	Bay Area Air Quality Management District
BAU	business as usual
BMPs	best management practices
Caltrans	California Department of Transportation
CEQA	California Environmental Quality Act
CCAA	California Clean Air Act
CCR	California Code of Regulations
City	City of Fresno
CNEL	community noise exposure level
CSSHS	California State Scenic Highway System
CUP	conditional use permit
CVRWQCB	Central Valley Regional Water Quality Control Board
DTSC	California Department of Toxic Substance Control
EIR	environmental impact report
EPA	U.S. Environmental Protection Agency
FIRM	Flood Insurance Rate Map
FMC	Fresno Municipal Code
FMFCD	Fresno Metropolitan Flood Control District
FMMP	Farmland Mapping and Monitoring Program
Fresno COG	Fresno Council of Governments
General Plan	City of Fresno 2025 Fresno General Plan
GHG	greenhouse gas
IS	Initial Study
Local Register	Local Register of Historic Resources
LOS	level of service
LUFT	leaking underground fuel tank

MEIR	Master EIR
MND	Mitigated Negative Declaration
NAHC	Native American Heritage Commission
NPDES	National Pollutant Discharge Elimination System
NWI	National Wetlands Inventory
POTW	publicly owned treatment works
Project Area	Redevelopment Plan for the Airport Area
Program EIR	<i>Final Program EIR 98-01, Central City Commercial Revitalization Redevelopment Project Area; Airport Area Revitalization Redevelopment Project Area; Southeast Fresno Redevelopment Project Area; South Fresno Industrial Redevelopment Project Area (SCH No. 990011008)</i>
SJVAB	San Joaquin Valley Air Basin
SJVAPCD	San Joaquin Valley Air Pollution Control District
SR-168	State Route 168
SR-180	State Route 180
SWPPP	Stormwater Pollution Prevention Plan
SWRCB	State Water Resources Control Board
UBC	Uniform Building Code
UWMP	Urban Water Management Plan
WDR	Waste Discharge Requirements
WWTP	wastewater treatment plant

Environmental Checklist

1. **Project Title:** Proposed Amendment No. 2 to the Redevelopment Plan for the Airport Area Revitalization Redevelopment Project
2. **Co-Lead Agency Name and Address:** Redevelopment Agency of the City of Fresno
2344 Tulare, Suite 200
Fresno, CA 93721
City of Fresno
Attn: Planning & Community Development Department
2600 Fresno Street, 3rd Floor
Fresno, CA 93721
3. **Contact Person and Phone Number:** Mr. David Martin, (559) 621-7630
4. **Project Location:** The Project Area includes four non-contiguous areas (Subareas A through D) of approximately 1,119 total acres adjacent to and within the vicinity of Fresno Yosemite International Airport within the City of Fresno. See Figures 1 and 2.
5. **Project Sponsor's Name and Address:** Same as Co-Lead Agencies (see "2, Co-Lead Agencies Names and Addresses" above)
6. **General Plan Designation:** Medium Low Density Residential; Medium High Density Residential; Neighborhood Commercial; Community-Recreational Commercial; Community Commercial; Commercial Mixed-Use (Level 2); Light Industrial; Public Facilities (Airport); Open Space (Golf Course); Open Space (Ponding Basin); Open Space (Neighborhood Park)
7. **Zoning:** Medium Density Multiple Family Residential District (R-3); Low Density Multiple Family Residential District (R-2); Single Family Residential Districts (R-1, R-1-A); Single Family Residential-Agricultural District (R-A); Exclusive Twenty Acre Agricultural District (AE-20); Residential and Professional Office District (R-P); Open Conservation District (O); Commercial and Light Manufacturing District (C-M); Commercial Recreation District (C-R); Neighborhood Shopping Center District (C-1), Light Manufacturing District (M-1); Industrial Park Manufacturing District (M-1-P), Heavy Industrial District (M-3); Heavy Commercial District (C-6); Off-Street Parking District (P); Regional Shopping Center District (C-3); Community Shopping Center District (C-2); Administrative and Professional Office District (C-P)
8. **Description of Project:**

The Redevelopment Agency of the City of Fresno (the "Agency") and the City of Fresno (the "City") are proposing Amendment No. 2 (the "Amendment" or "Project") to the Redevelopment Plan for the Airport Area Revitalization Redevelopment Project. The Redevelopment Plan for the Airport Area (the "Project Area") was originally adopted by City Council Ordinance 99-44 on June 29, 1999, followed by the override of the Mayor's veto on July 19, 1999. The City and the Agency prepared a Program Environmental Impact Report to evaluate the potentially significant effects of the adoption

and implementation of the *Final Program EIR 98-01, Central City Commercial Revitalization Redevelopment Project Area; Airport Area Revitalization Redevelopment Project Area; Southeast Fresno Redevelopment Project Area; South Fresno Industrial Redevelopment Project Area* (SCH No. 990011008). (City of Fresno and City of Fresno Redevelopment Agency 1999) (the "Program EIR"). The Program EIR was certified by the City on June 29, 1999. The Draft Program EIR language is incorporated by reference into the Final Program EIR and these two documents under separate cover collectively make up the Program EIR (the "Program EIR") (All specific page references to the Program EIR in this document shall refer to page numbers in the Draft Program EIR). The Redevelopment Plan will remain in effect until July 19, 2030 (31 years from the date the Redevelopment Plan was originally adopted). However, the Agency's existing authority to use eminent domain to acquire real property within the Project Area will expire on August 20, 2011 (approximately 12 years from the date the Redevelopment Plan was originally adopted). The purpose of the Amendment is to extend the Agency's eminent domain authority for a period of 12 years following the adoption of the Ordinance for the Amendment. Under the proposed Amendment, the Agency shall not acquire, by eminent domain, any property in Subarea A, except vacant land, or in any part of Subareas B, C, and D on which any person lawfully resides. Please see Figure 2 for the location of Subareas A through D.

The Amendment is being proposed because significant blight remains within the Project Area, and the use of eminent domain may be necessary in order to eliminate this remaining blight. The authority to use eminent domain to acquire real property provides the Agency with a valuable tool for assembling land in order to revitalize and redevelop the Project Area. Landowners are paid full market value for any property that is acquired by eminent domain. Land assembly assists the Agency in implementing redevelopment activities such as constructing or rehabilitating affordable housing projects and promoting new or assisting with the expansion or rehabilitation of existing commercial or industrial development.

Eminent domain is used only occasionally by the Agency within all of its redevelopment areas throughout the City, and only when all other means of assembling land are unsuccessful. Since the inception of the Project Area under California Community Redevelopment Law (Health and Safety Code Section 33000, et seq.) in 1999, the power of eminent domain has never been used in the Project Area to acquire property. However, the Agency proposes to continue to have this authority because, although it is a tool of last resort, an otherwise viable redevelopment project may be thwarted by the inability to negotiate the acquisition of property.

The Amendment will enable the Agency to undertake and carry out redevelopment activities that will implement and fulfill the Redevelopment Plan for the Project Area. Redevelopment activities within the Project Area are required by the Redevelopment Plan and the California Community Redevelopment Law (Health and Safety Code Section 33000 et seq.) to be consistent with the City of Fresno 2025 Fresno General Plan ("General Plan"). Redevelopment activities are intended to eliminate blighting conditions and stimulate and promote new development and redevelopment consistent with the uses permitted by the City's adopted land use policies as they may be amended.

Project Purpose and Objectives

As described in the Program EIR, the Agency has the following existing objectives for undertaking redevelopment activities within the Project Area (City of Fresno and City of Fresno Redevelopment Agency 1999, pp. 3-1.4 to 3.1-5):

- Allow for the removal of blighted conditions within the Project Area, including substandard and abandoned buildings, properties that do not comply with development and zoning standards, vacant and underutilized parcels and buildings, and small or irregular parcels that would be difficult to otherwise develop.
- Remove conflicts between adjoining and nearby land uses which prevent economic development. Examples include nonconforming uses, noise and vibration, air emissions including odors, site drainage, risk of upset and human health, lighting, and traffic and circulation.
- Improve depreciated or stagnant property values or impaired investments, including but not

necessarily limited to properties containing hazardous waste and requiring remediation.

- Improve housing conditions through construction of new units and the rehabilitation of existing units to alleviate residential overcrowding and reduce the number of substandard residential units.
- Facilitate the acquisition of usable development sites as projects warrant.
- Encourage public and private sector investment and development in the redevelopment project areas by providing incentives that help facilitate the successful implementation of the respective project.
- Foster the creation of private sector employment opportunities.
- Improve the public infrastructure to support new development, including water, sewer, storm drainage.
- Enhance amenities in the Project Area, including but not limited to off-street parking, landscaping and streetscape, lighting, and sidewalks.
- Improve the public's health, safety, and welfare by reducing crime in the Project Area.
- Implement the City's adopted land use plans, including the General Plan and Edison Community Plan.

The primary objective of the Project is to allow the Agency to preserve and extend its eminent domain powers within the Project Area for 12 years following adoption of the amendment as part of a comprehensive economic development strategy to alleviate the conditions of blight² affecting the Project Area. The provisions of the California Redevelopment Law (Health and Safety Code Section 33000, et seq.) relative to tax increment limits, the time limits on the effectiveness of a redevelopment plan, and the use of eminent domain require the Agency to take these actions in order to continue undertaking effective redevelopment activities within the Project Area.

CEQA and Tiering

This is an Initial Study (IS) that will be used in the public review and decision making process for the proposed Project. This IS tiers from, relies on, and incorporates by reference the Program EIR. The City and the Agency prepared the Draft Program EIR in April 1999 and Final Program EIR in June 1999 to evaluate the potentially significant effects of the adoption and implementation of four redevelopment plans in the City, including the Redevelopment Plan for the Project Area. The Program EIR was certified by the City on June 29, 1999.

Tiering this review from the Program EIR is consistent with Public Resources Code Section 21166 and State California Environmental Quality Act (CEQA) Guidelines Sections 15162 and 15168. As stated in State CEQA Guidelines Section 15168(c), "subsequent activities in the program must be examined in the light of the program EIR to determine whether an additional environmental document must be prepared." The proposed Amendment to the Redevelopment Plan is narrowly focused and appropriately falls within the CEQA tiering guidance for subsequent projects under a program EIR.

As stated in State CEQA Guidelines Section 15162(a), where an EIR has been certified for a project, the determination of whether a subsequent EIR must be prepared only if a determination is made that one of the following circumstances exist:

- (1) Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- (2) Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- (3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:

² As defined by Health & Safety Code Section 33030 (effective January 1, 2008).

- (A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
- (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;
- (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
- (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

A subsequent EIR would be required if the initial study were to find the later project to cause new or more severe significant effects on the environment that were not adequately addressed in the original EIR.³ A subsequent negative declaration would be required when the initial study shows that the new or more severe significant effect on the environment can be mitigated below the level of significance by specific measures.⁴

The Lead Agency determined that an Mitigated Negative Declaration (MND) rather than a Subsequent EIR is the appropriate level of environmental analysis for this Project because this IS determined that substantial changes are not proposed by the Project and, in fact, this Project results in a reduced scope of eminent domain authority than what was disclosed in the previous Program EIR; therefore, the circumstances described in CEQA Guidelines Section 15162(a)(1) do not exist. This IS determined that the significant effects previously examined would not be substantially more severe than shown in the previous Program EIR due to the reduced scope of eminent domain authority than what was disclosed in the previous Program EIR; therefore, the circumstances described in CEQA Guidelines Section 15162(a)(2) do not exist. Also, this IS determined that new information, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous Program EIR was certified as complete, would not 1) result in significant new effects not discussed in the previous Program EIR; 2) result in significant effects that are substantially more severe; 3) result in mitigation found to not be feasible in the previous Program EIR that is now feasible and would substantially reduce one or more significant effects of the project; or 4) result in mitigation measures or alternatives which are considerably different from those analyzed in the previous Program EIR and would now substantially reduce one or more significant effects on the environment. Therefore, the circumstances described in CEQA Guidelines Section 15162(a)(3) do not exist.

The Program EIR found that measures incorporated into existing regulations mitigated nearly all identified impacts from proposed redevelopment-assisted projects in the Project Area to a less than significant level. Potentially significant and unavoidable impacts, however, were found with respect to long term air quality impacts and cumulative traffic and circulation impacts resulting from vehicular traffic associated with the Redevelopment Plan.⁵ Section 15168 allows use of tiering even where the action on the prior project and EIR did not include mitigation for every significant effect. This approach recognizes that not all effects can be mitigated at each step of the process. There will be some effects for which mitigation will not be feasible at an early step of approving a particular development project, and the section would allow a Lead Agency to defer mitigation of that kind of effect to a later step.⁶

The authority to exercise eminent domain power was previously considered in the Program EIR as one of the tools available to the agency to acquire property in order to implement the Redevelopment Plan. This Amendment to extend the use of eminent domain power, if approved,

³ CEQA Guidelines Section 15162(a).

⁴ CEQA Guidelines Section 15162(b).

⁵ City of Fresno and the Redevelopment Agency of the City of Fresno, Final Program EIR 98-01, June 1999, pp. 2-3 to 2-4.

⁶ CEQA Guidelines Section 15168.

would expire 12 years from the date of approval, well before the Redevelopment Plan's June 29, 2029 expiration date. Amending the Redevelopment Plan to extend the existing eminent domain power in the Project Area will continue to provide the Agency with the authority it may need in order to acquire property for redevelopment projects. The Amendment itself does not approve specific development or construction but is intended to maintain a necessary tool for the promotion of redevelopment activities in the Project Area. While it is unknown at this time how or when development projects made possible by the Amendment will occur, redevelopment activities are required by the Redevelopment Plan to be consistent with the City's General Plan and must conform to all other applicable land development plans and policies in the Project Area. The Amendment makes no changes that affect this consistency.

Since the adoption of the Program EIR, new regulations, local standards, and statutes have gone into effect, and there are new circumstances that result in new information. However, the Agency has found no substantial evidence that the Amendment will cause a significant impact on the environment that was not analyzed previously in the Program EIR. Therefore, and pursuant to State CEQA Guidelines Section 15162, a negative declaration will be prepared for the Project.

Eminent Domain

The use of eminent domain power for redevelopment purposes is based upon state law and the "takings clause" of the Fifth Amendment of the U.S. Constitution which states: "nor shall private property be taken for public use, without just compensation." The use of redevelopment to acquire private property and transfer it to another land owner in order to combat blight through eminent domain has been held Constitutional by the U.S. Supreme Court in decisions dating back to *Berman v. Parker* in 1954.⁷ More recently, it was upheld in the case of *Kelo v. City of New London* in 2005.⁸ In any case of eminent domain, the landowner whose property is being acquired is paid full market value for it. A description of how eminent domain works under California Redevelopment Law and the safeguards provided to the property owner is found in Appendix A of this initial study (IS).

Citations

In accordance with State CEQA Guidelines Section 15148, this IS cites applicable analyses that are current and valid. Please see the environmental factor sections of the IS below for cites. The complete cites may be found in "Citations and References" at the end of the IS.

9. Surrounding Land Uses and Setting:

The Project Area is located within the vicinity of Fresno Yosemite International Airport and is surrounded by built land uses, including various residential, commercial, public facilities, and industrial land uses as well as some open space. Figure 2 shows the location of the Project Area.

10. Other Public Agencies Whose Approval is Required:

- Fresno Housing and Community Development Commission – consider recommendation to the City Council and Agency Board
- City Redevelopment Agency Board—consent to and hold a Joint Public Hearing to Consider Amendment

⁷ *Berman v. Parker* (1954) 348 U.S. 26

⁸ *Kelo v. City of New London* (2005) 545 U.S. 469

Environmental Factors Potentially Affected

The environmental factors checked below would potentially be affected by this project (i.e., the project would involve at least one impact that is a "Potentially Significant Impact"), as indicated by the checklist on the following pages.

- | | | |
|---|--|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agricultural and Forestry | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology/Soils |
| <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards and Hazardous Materials | <input type="checkbox"/> Hydrology/Water Quality |
| <input type="checkbox"/> Land Use/Planning | <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise |
| <input type="checkbox"/> Population/Housing | <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation |
| <input type="checkbox"/> Transportation/Traffic | <input type="checkbox"/> Utilities/Service Systems | <input type="checkbox"/> Mandatory Findings of Significance |

Determination

On the basis of this initial evaluation:

- I find that the proposed project **COULD NOT** have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions to the project have been made by or agreed to by the project proponent. A **MITIGATED NEGATIVE DECLARATION** will be prepared.
- I find that the proposed project **MAY** have a significant effect on the environment, and an **ENVIRONMENTAL IMPACT REPORT** is required.
- I find that the proposed project **MAY** have an impact on the environment that is "potentially significant" or "potentially significant unless mitigated" but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards and (2) has been addressed by mitigation measures based on the earlier analysis, as described on attached sheets. An **ENVIRONMENTAL IMPACT REPORT** is required, but it must analyze only the effects that remain to be addressed.
- I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier **ENVIRONMENTAL IMPACT REPORT** or **NEGATIVE DECLARATION** pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier **ENVIRONMENTAL IMPACT REPORT** or **NEGATIVE DECLARATION**, including revisions or mitigation measures that are imposed upon the project, nothing further is required.



Signature

August XX, 2010

Date

David Martin

Printed Name

Fresno Redevelopment Agency

For

Evaluation of Environmental Impacts

1. A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained if it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including offsite as well as onsite, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an Environmental Impact Report (EIR) is required.
4. “Negative Declaration: Less than Significant with Mitigation Incorporated” applies when the incorporation of mitigation measures has reduced an effect from a “Potentially Significant Impact” to a “Less-than-Significant Impact.” The lead agency must describe the mitigation measures and briefly explain how they reduce the effect to a less-than-significant level. (Mitigation measures from Section XVII, “Earlier Analyses,” may be cross-referenced.)
5. Earlier analyses may be used if, pursuant to tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration [Section 15063(c)(3)(D)]. In this case, a brief discussion should identify the following:
 - a. Earlier Analysis Used. Identify and state where earlier analyses are available for review.
 - b. Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c. Mitigation Measures. For effects that are “Less than Significant with Mitigation Incorporated,” describe the mitigation measures that were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, when appropriate, include a reference to the page or pages where the statement is substantiated.
7. Supporting Information Sources: A source list should be attached, and other sources used or individuals contacted should be cited in the discussion.
8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project’s environmental effects in whatever format is selected.

9. The explanation of each issue should identify:
 - a. the significance criteria or threshold, if any, used to evaluate each question; and
 - b. the mitigation measure identified, if any, to reduce the impact to a less-than-significant level.

		Potentially Significant Impact	Less-than-Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
I. Aesthetics					
Would the project:					
a.	Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b.	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings along a scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c.	Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d.	Create a new source of substantial light or glare that would adversely affect daytime or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- a. **No Impact.** The Project Area is located within the highly urbanized vicinity of Fresno Yosemite International Airport and is surrounded by built land uses, including various residential, commercial, public facilities, and industrial land uses as well as some open space. The Project Area includes a mixture of structures of various ages, designs, and heights. The major transportation corridors are developed with heavy commercial uses and exhibit high visual clutter and a general lack of aesthetic qualities. Due to the level topography of the Project Area, there are no scenic vistas or view points in the area (City of Fresno 1999, , p.1.4-16). The Program EIR concluded that aesthetic impacts would not be significant. No new or more severe aesthetic effects have been identified. Therefore, future development in the Project Area would not block or preclude views to any area containing important or visually appealing landforms. Because no scenic vistas would be affected by the Amendment, there would be no impact.
- b. **No Impact.** As discussed in I.a., above, and as described in the Program EIR, there are no scenic vistas or view points in the area. Also, the Project Area is not adjacent to or near any state highway that is designated or eligible to be listed on the California Department of Transportation (Caltrans) State Scenic Highway System (CSSHS). The CSSHS designates highways depending on the quantity of natural landscape that can be seen by travelers, the scenic quality of the landscape from a given segment of roadway, and the extent to which development intrudes upon the traveler’s enjoyment of the view. The Project site is not located within or adjacent to any such landscape. There are no officially designated State Scenic Highways in Fresno, and the nearest eligible State Scenic Highways are State Route 168 (SR-168) and State Route 180 (SR-180) (California Department of Transportation 2009), which are well outside the City limits east of Fresno. Therefore, the Project would not substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings along a scenic highway and there would be no impact.
- c. **No Impact.** The Project involves an amendment to the Redevelopment Plan to allow the Agency to continue implementing its eminent domain power as part of a comprehensive economic development strategy to alleviate the conditions of blight in the Project Area. As described in

the Program EIR, the removal of physical blight including vacant and dilapidated buildings, graffiti, trash, and vacant lots would enhance the appearance of the proposed Project Area. This would be a beneficial effect (City of Fresno 1999, p. 1.4-17). As a continuation of the Program EIR, the Project would beneficially enhance the existing visual character or quality of the Project Area by eliminating blight. Additionally, future development in the Project Area would have to be consistent with the City's current General Plan and applicable community and specific plan policies and requirements related to development standards and urban design as well as the City's Urban Design Guidelines (City of Fresno 1999, p. 1.4-17). As a result, future development under the Amendment would result in new and renovated land uses that are compatible with the Project Area. Therefore, the Project would not substantially degrade the existing visual character or quality of the Project Area and its surroundings and there would be no impact.

- d. **Less-than-Significant Impact.** The Amendment could potentially result in future development within the Project Area that would create new sources of light or glare. While it is unknown at this time how or when development projects made possible by the Amendment will occur, redevelopment activities are required by the Redevelopment Plan to be consistent with the City's General Plan and must conform to all other applicable land development plans and policies in the Project Area. Additionally, the lighting for future development would be designed in accordance with City development standards and would be subject to additional environmental review, if required by CEQA. Further, future projects would be reviewed to ensure compliance with the City's Urban Design Guidelines (City of Fresno 1999, p. 1.4-17) and the City typically places conditions on projects that require lights to be shielded so that adjoining properties are not illuminated (City of Fresno 2002, p. V-Q2). The Amendment makes no changes that affect this consistency. The Program EIR concluded that aesthetic impacts would not be significant, and no new or more severe effects have been identified. Therefore, the Project would not create a new source of substantial light or glare that would adversely affect daytime or nighttime views in the area and impacts would be less than significant.

II. Agricultural and Forestry Resources

Potentially Significant Impact	Less-than-Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
--------------------------------	--	------------------------------	-----------

In determining whether impacts on agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts on forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment Project, and forest carbon measurement methodology provided in the Forest Protocols adopted by the California Air Resources Board. Would the project:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b. Conflict with existing zoning for agricultural use or conflict with a Williamson Act contract? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c. Conflict with existing zoning for, or cause rezoning of forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| d. Result in the loss of forest land or conversion of forest land to non-forest use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| e. Involve other changes in the existing environment that, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

- a. **No Impact.** The Program EIR did not identify any agricultural land in the Project Area (City of Fresno 1999, p. 1.4-12). No portion of the Project Area is designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance under the California Department of Conservation Division of Land Resource Protection's Farmland Mapping and Monitoring Program (FMMP). According to the *Fresno County Important Farmland 2008* map for east

Fresno County, the entire Project Area is designated as "Urban and Built-Up Land" (California Department of Conservation 2008). Therefore, the Project would not convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) to nonagricultural use and there would be no impact.

- b. **No Impact.** As stated above, the Program EIR did not identify any agricultural land in the Project Area. According to the *City of Fresno 2025 Fresno General Plan Land Use and Circulation Map* (City of Fresno 2009a), no portion of the Project Area is currently designated for agricultural use by the City. The Williamson Act applies to parcels consisting of at least 20 acres of Prime Farmland or at least 40 acres of land not designated as Prime Farmland. The purpose of the act is to preserve agricultural and open space lands by discouraging premature and unnecessary conversion to urban uses. The Williamson Act enables local governments to enter into contracts with private landowners for the purpose of restricting specific parcels of land for use as agricultural or related open space (California Department of Conservation 2007). The Project Area does not contain any land currently under a Williamson Act Land Use Contract (California Department of Conservation 2007). Therefore, the Project would not conflict with existing zoning for agricultural use or a Williamson Act contract and there would be no impact.
- c. **No Impact.** According to the *City of Fresno 2025 Fresno General Plan Land Use and Circulation Map* (City of Fresno 2009a), no portion of the Project Area is currently designated for forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g)). Therefore, the Project would not conflict with existing zoning for forest use and there would be no impact.
- d. **No Impact.** As stated above, no portion of the Project Area is designated for forest land, nor are forest uses present in the Project Area. Therefore, the Project would not result in the loss of forest land or conversion of forest land to non-forest use and there would be no impact.
- e. **No Impact.** As discussed above, the Project Area is not designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance by the California Department of Conservation; is not zoned for agriculture; or is not currently under a Williamson Act Contract. Furthermore, the Project Area is not designated for forest land, timberland, or zoned Timberland Production. Therefore, the Project would not involve other changes in the existing environment that, due to their location or nature, could individually or cumulatively result in loss of farmland to non-agricultural use or conversion of forest land to non-forest use and there would be no impact.

III. Air Quality

When available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

	Potentially Significant Impact	Less-than-Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
a. Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is a nonattainment area for an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	

a. **No Impact.** The California Clean Air Act (CCAA) requires nonattainment districts with severe air quality problems to provide for a 5% reduction in nonattainment emissions per year. The San Joaquin Valley Air Pollution Control District (SJVAPCD) prepared an Air Quality Attainment Plan (AQAP) for the San Joaquin Valley Air Basin (SJVAB) in compliance with the requirements of the CCAA. The SJVAPCD encourages local jurisdictions to design all developments in ways that reduce air pollution from vehicles. As stated in the Program EIR, future development in the Project Area must be consistent with the City’s General Plan, as well as applicable community and specific plans, which support the goals and policies of the state and regional air quality programs (City of Fresno 1999, p. 1.4-5). The Program EIR concluded that air quality impacts would not be significant, and no new or more severe effects have been identified. While it is unknown at this time how or when development projects made possible by the Amendment will occur, redevelopment activities are also required by the Redevelopment Plan to be consistent with the City’s General Plan and must conform to all other applicable land development plans and policies in the Project Area. The Amendment makes no changes that affect this consistency. Therefore, the Project is consistent with the applicable air quality management plan and would result in no impact.

b. **Less-than-Significant Impact.** The Program EIR describes that future development in the Project Area would result in construction- and operations-related air quality impacts, and establishes mitigation to comply with current Fugitive Dust rules established by the SJVAPCD as well as other established construction-period mitigation that includes site watering, high-wind considerations, transport covering, disturbance minimization, construction vehicle speed limits,

sweeping requirements, and proper engine maintenance requirements (City of Fresno 1999, DEIR, p. 1.4-10 to 1.4-11). The 1999 Program EIR also establishes mitigation for operations-related air quality effects by requiring that all future development within the Project Area comply with current review and permitting procedures developed by the SJVAPCD as well as comply with other established long-term mitigation, which includes site design criteria for commercial and industrial areas, required circulation improvements, building design criteria, and pedestrian and bicycle access accommodation (City of Fresno 1999, p. 1.4-11 to 1.4-12). The Program EIR also acknowledged that although the mitigation measures would temper air quality effects, long-term air quality effects resulting from vehicular traffic associated with the Redevelopment Plan would remain significant.

While it is unknown at this time how or when development projects made possible by the Amendment will occur, redevelopment activities are required by the Redevelopment Plan to be consistent with the City's General Plan and must conform to all other applicable land development plans and policies in the Project Area. Additionally, future development would be designed in accordance with City development standards and would be subject to additional environmental review, if required by CEQA. The Amendment makes no changes that affect this consistency. Further, mitigation is required for future development within the Project Area comply with current review and permitting procedures developed by the SJVAPCD as well as comply with other established long-term mitigation. Therefore, the Project would not result in any new or more severe effects that were not already analyzed and disclosed in the Program EIR, and impacts would be less than significant.

- c. **Less-than-Significant Impact.** The San Joaquin Valley is in nonattainment for criteria pollutants including ozone. The SJVAPCD has adopted thresholds for operational and area sources, which are reactive organic gases, oxides of nitrogen, and particulate matter. In addition, SJVAPCD Rule 2210 also includes thresholds for stationary sources as. A number of these thresholds and standards have become more stringent since the Program EIR was certified, as outline in SJVAPCD Rule 2210. CEQA defines cumulative impacts as two or more individual effects that, when considered together, are considerable or that compound or increase other environmental impacts. The Program EIR acknowledges that "[c]umulative effects related to the build-out of the redevelopment area would be significant" (City of Fresno 1999, , p. 1.4-12).

While it is unknown at this time how or when development projects made possible by the Amendment will occur, redevelopment activities are required by the Redevelopment Plan to be consistent with the City's General Plan and must conform to all other applicable land development plans and policies in the Project Area. Additionally, future development would be designed in accordance with all applicable development standards and would be subject to additional environmental review, if required by CEQA. The Amendment makes no changes that affect this consistency. Although thresholds and standards have become more stringent since the certification of the Program EIR, mitigation is required for future development within the Project Area to comply with current review and permitting procedures developed by the SJVAPCD as well as comply with other established long-term mitigation. Therefore, the Project would not result in any new or more severe effects that were not already analyzed in the Program EIR, and impacts would be less than significant.

- d. **Less-than-Significant Impact.** Sensitive receptors include people within schools, daycare centers, medical facilities, and other facilities that house or provide services for young children, elderly persons, or people with existing respiratory health problems. There are also residents within the Project Area that could be considered sensitive receptors. Industrial and commercial uses are not considered sensitive receptors, however the people within them are. Construction activities associated with future development have the potential to generate dust and other airborne pollutants from construction emissions. These activities also have the potential to expose workers and current and future residents to air emissions that would likely be produced by construction activities. Future operations within the Project Area also have the potential to contribute to regional ozone levels and deterioration of ambient air quality.

The Program EIR acknowledges that future development in the Project Area could result in traffic congestion which may generate localized carbon monoxide hot spots at intersections that may affect sensitive receptors; also, cumulative impacts from PM10 could be significant if sensitive receptors are exposed to a harmful level of emissions due to the concentration of several demolition or construction projects in one area (City of Fresno 1999, p 1.4-9). Although the mitigation measures included in the Program EIR would temper air quality effects, long-term air quality effects would be significant, depending on project size and operational characteristics. Cumulative effects related to the build-out of the redevelopment area would also be significant (City of Fresno 1999, p 1.4-12). While it is unknown at this time how or when development projects made possible by the Amendment will occur, redevelopment activities are required by the Redevelopment Plan to be consistent with the City's General Plan and must conform to all other applicable land development plans and policies in the Project Area, including those related to potential impacts on sensitive receptors. Additionally, future development would be designed in accordance with all applicable development standards and would be subject to additional environmental review, if required by CEQA. The Amendment makes no changes that affect this consistency. Significant impacts of the Project were disclosed in the Program EIR and have not changed; therefore, the Project would not result in a new or more severe effects that were not already analyzed in the Program EIR, and impacts would be less than significant.

- e. **Less-than-Significant Impact.** Future development associated with implementation of the Project may generate detectable odors from heavy-duty equipment exhaust and paving activities. These odors are expected to be infrequent, of short duration, and dissipate relatively quickly. Future operational odors could occur as a result of the Project, and particularly industrial operations. If continually prevalent, odors may be considered objectionable by some individuals living in the area. Such odors are common in urban areas and were found in the Project Area in 1999 when the Program EIR was certified. The Program EIR did not specifically address the effects of odors but concluded that air quality impacts would not be significant. The Amendment could result in future development within the Project Area that may create similar odors. While it is unknown at this time how or when development projects made possible by the Amendment will occur, redevelopment activities are required by the Redevelopment Plan to be consistent with the City's General Plan and must conform to all other applicable land development plans and policies in the Project Area, including those related to odors. Additionally, future development would be designed in accordance with City development standards and would be subject to additional environmental review, if required by CEQA. The Amendment makes no changes that affect this consistency. Therefore, the Project would not result in new or more severe impacts relative to the Program EIR's conclusions, and impacts would be less than significant.

IV. Biological Resources	Potentially Significant Impact	Less-than-Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
Would the project:				
a. 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 California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marshes, vernal pools, coastal wetlands, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Conflict with the provisions of an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a. **No Impact.** The Project Area is located within the highly urbanized vicinity of Fresno Yosemite International Airport and is surrounded by built land uses, including various residential, commercial, public facilities, and industrial land uses as well as some open space. According to the Program EIR, native habitat has been removed from the Project Area, and no state or federally listed rare or endangered species are found in the Project Area. Animal species that are dependent on native habitat have been expatriated. Animal species that remain are tolerant of human activities, and urban development has introduced a large number of non-native plant and animal species (City of Fresno 1999, , p. 1.4-12). This situation has not changed. Therefore, no impact would result from the Project.

- b. **No Impact.** As stated in IV.a., above, and in the Program EIR, native habitat has been removed from the Project Area, and no state or federally listed rare or endangered species are found in the Project Area. Animal species that are dependent on native habitat have been expatriated. Animal species that remain are tolerant of human activities, and urban development has introduced a large number of non-native plant and animal species. The situation has not changed. Therefore, no impact would result from the Project.
- c. **Less-than-Significant Impact.** No wetland resources were identified in the Program EIR. The National Wetlands Inventory (NWI) wetlands mapper for the Project Area was reviewed in 2010 for current wetland resources. The NWI search determined that there three small freshwater ponds and a small freshwater emergent wetland area located on or adjacent to Palm Lakes Municipal Golf Course property within the Project Area, north of the airport (U.S. Fish and Wildlife Service 2010). The Amendment could potentially result in future development within the Project Area near these ponds. While it is unknown at this time how or when development projects made possible by the Amendment will occur, redevelopment activities are required by the Redevelopment Plan to be consistent with the City's General Plan and must conform to all other applicable land development plans and policies in the Project Area. Additionally, future development would be designed in accordance with City development standards and would be subject to additional environmental review, if required by CEQA. The Amendment makes no changes that affect this consistency. Therefore, the Project would not have a substantial adverse effect on federally protected wetlands through direct removal, filling, hydrological interruption, or other means, and impacts would be less than significant.
- d. **No Impact.** Although some wildlife species may on occasion pass through the Project Area, there is no conclusive evidence that any portion of the Project Area serves as an important linkage between extant wildlife habitats. Surrounding urban development further diminishes the possibility that the Project Area is important for terrestrial wildlife movement, and severs linkage between the open space in the Project Area and surrounding open areas. The Project Area is not considered an integral part of a regional wildlife corridor and the Program EIR found no significant impacts related to biological resources would result from the Redevelopment Plan. The situation has not changed since certification of the Program EIR. Therefore, no impact would result from the Project.
- e. **No Impact.** The City of Fresno has a tree preservation ordinance and future development would have to comply with this ordinance. The Program EIR found no significant impacts related to biological resources would result from the Redevelopment Plan. The situation has not changed since certification of the Program EIR. Therefore, no impact would result from the Project.
- f. **No Impact.** There is no adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan that is applicable to the Project Area. There would be no impact.

V. Cultural Resources	Potentially Significant Impact	Less-than-Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
Would the project:				
a. Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

a. **Less-than-Significant Impact.** The Program EIR found no known historic resources in the Project Area (City of Fresno 1999, , p. 3.2.8-1). The Agency has confirmed with Fresno Historic Preservation) Project Manager that there are currently no known historic surveys for the Project Area or properties eligible for listing on the Local Register of Historic Resources (Local Register) within the area at this time (Hattersley-Drayton *pers. comm.*). There may, however, be buildings and other resources not listed in the Program EIR and are currently unknown to the Historic Preservation Project Manager that are now eligible for listing as historic resources. The Amendment could result in future development within the Project Area that may affect these potential resources. While it is unknown at this time how or when development projects made possible by the Amendment will occur, redevelopment activities are required by the Redevelopment Plan to be consistent with the City’s General Plan and must conform to all other applicable land development plans and policies in the Project Area. In particular, future development as a result of the project must conform to the City’s Historic Preservation Ordinance (Fresno Municipal Code 12-1601 et. seq.). The Historic Preservation Ordinance establishes the Historic Preservation Commission (HPC) to aid the City Council in considering historic resources as well as the Local Register. Adopted in 1979 and substantially amended in 1999 , the ordinance defines a historic resource as any building, structure, object, or site that is at least 50 years of age, possesses historic integrity, and is associated with significant events, individuals, or patterns of history. Before any building or structure is designated a historic resource, it has to be “designated as such by the [City] Council pursuant to the provisions of the Historic Preservation Ordinance” [Fresno Municipal Code 12-1603(o)]. Additionally, pursuant to General Plan Policy G-11-c and the Planning Department’s Demolition Policy, for any possible demolition in the City, the Historic Preservation Project Manager receives the proposed demolition permits from for review. If a structure proposed to be demolished is 45 years or older, the Historic Preservation Project Manager researches whether the structure is eligible for consideration on the Local Register in accordance with the Historic preservation Ordinance. This assures that prior to the demolition of any structure not currently defined as a “Historic Resource” under the Historic Preservation Ordinance it is sufficiently considered and, if warranted, designated as a Historic Resource. Future development as a result of the project

would be required to comply with the ordinance and are subject to the demolition permit review process. Additionally, future development would be designed in accordance with City development standards and would be subject to additional environmental review, if required by CEQA. The Amendment makes no changes that affect this consistency. Further, Mitigation Measure 5.2.8-2 in the Program EIR requires that the City and Agency evaluate each structure on a proposed development site to determine its eligibility for listing on the City's Official Local List of Historic Places. Compliance with the City's General Plan, other applicable land development plans and policies, Mitigation Measure 5.2.8-2 of the Program EIR, demolition permit review process, and Historic Preservation Ordinance would ensure that potential historic resources are adequately considered for eligibility on the Local Register and, if warranted, preserved. It is also important to emphasize that future development as a result of the project would have to undergo separate environmental clearance and that consideration of historic resources, in compliance with the previously mentioned plans, policies, mitigation, and ordinance, would be required as part of their subsequent CEQA analysis. Therefore, the Project would not cause a substantial adverse change in the significance of a historical resource, and impacts would be less than significant.

- b. **Less-than-Significant Impact.** The Program EIR determined that the Project Area does not contain any known archaeological resources (City of Fresno 1999, , p. 3.2.8-1). As stated above, future development would be designed in accordance with City standards and would be subject to additional environmental review, if required by CEQA. The Amendment makes no changes that affect this consistency. In addition, Mitigation Measure 5.2.8-1 in the Program EIR requires that, if previously unknown archaeological resources are discovered during future development, operations shall cease after discovery and a qualified archaeologist shall be contacted to determine the significance of a find. Compliance with Mitigation Measure 5.2.8-1 of the Program EIR for unknown archaeological resources would ensure that archaeological resources are adequately considered and identified, analyzed, and, if warranted, curated. It is also important to emphasize that future development as a result of the Project would have to undergo separate environmental clearance and that consideration of archaeological resources, and compliance with the previously mentioned mitigation would be required as part of their subsequent CEQA analysis. Therefore, the Project would not cause a new or more severe adverse change in the significance of an archeological resource, and impacts would be less than significant.
- c. **Less-than-Significant Impact.** The Program EIR determined that the Project Area does not contain any known paleontological resources (City of Fresno 1999, , p. 3.2.8-1). As discussed in V.b, above, there is mitigation for previously unknown archeological resources that reduce impacts to less than significant levels, including that the Museum of Paleontology shall be contacted regarding animal fossils, and significant fossils shall be preserved. Therefore, the Project would not directly or indirectly destroy a unique paleontological resource or site or unique geologic feature, and impacts would be less than significant.
- d. **Less-than-Significant Impact.** The Program EIR concluded that there are no known sacred uses in the Project, which would include Native American burial grounds (City of Fresno 1999, , p. 3.2.8-1). Mitigation Measure 5.2.8-1 in the Program EIR requires that, if human remains are discovered during future development, operations shall cease after discovery, and that the County Coroner and the Native American Heritage Commission (NAHC), if the remains are thought to be Native American in origin, shall be immediately contacted. Additionally, if human remains were discovered, further excavation or disturbance would be prohibited pursuant to Section 7050.5 of the California Health and Safety Code. If Native American remains were

identified, Section 7050.5 of the California Health and Safety Code and Section 5097.98 of the Public Resources Code provide specific measures for addressing the remains. Therefore, the Project would not result in a new or more severe impact than those identified in the Program EIR, and impacts would be less than significant.

VI. Geology and Soils	Potentially Significant Impact	Less-than-Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
Would the project:				
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
1. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2. Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Be located on a geologic unit or soil that is unstable or that would become unstable as a result of the project and potentially result in an onsite or offsite landslide, lateral spreading, subsidence, liquefaction, or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems in areas where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a. **1.) No Impact.** The Alquist-Priolo Earthquake Fault Zone Act (Alquist-Priolo Act) was passed in 1972 to mitigate the hazard of surface faulting to structures used for human occupancy. Under the Alquist-Priolo Act, the California State Geologist identifies areas in the state of California that are at risk from surface fault rupture. The Alquist-Priolo Act's main purpose is to prevent the construction of buildings used for human occupancy on the trace of active faults (California Geological Survey 2007a), which may be subject to fault rupture from a seismic event. According to California Geological Survey Special Publication No. 42 (California Geological Survey 2007b), the entire county of Fresno does not contain any earthquake fault zones, as defined by the Alquist-Priolo Act (California Geological Survey 2007a). No substantive changes have occurred since certification of the Program EIR. Therefore, no impact would result from the Project.

2.) Less-than-Significant Impact. According to the Program EIR, the Fresno area is susceptible to earthquakes generated on faults on the western edge of the San Joaquin Valley or in the Sierra Nevada Mountain Range to the east. However, these faults are not considered to constitute significant risk for the metropolitan area (City of Fresno 1999, , p. 1.4-2). Structures built within the Project Area would be required to be constructed in accordance with the City's established building procedures (City of Fresno 1999, , p. 1.4-2), including compliance with the California Building Code and the preparation of a preliminary soils report prior to grading.

Recommendations in the preliminary soils report must be incorporated into future development design. The California Building Code would require adherence to all modern earthquake standards, including those relating to soil characteristics. No substantive changes have occurred since certification of the Program EIR, and a less-than-significant impact would result from the Project.

3.) Less-than-Significant Impact. Seismic-induced liquefaction occurs when loose, water-saturated sediments of relatively low density are subjected to extreme shaking that causes soil to lose strength or stiffness because of increased pore water pressure. The loss could cause a failure or the inability of the subsurface layers to support overlying structures and is generally characterized by settlement, uplift on structures, and an increase in lateral pressure on buried structures. The Program EIR states that the Project Area does not contain unique geologic or physical features and is absent of geologic hazards such as landslides, mudslides, and ground failure (such as liquefaction) (City of Fresno 1999, , p. 1.4-2). Also, as stated in VI.a.2, development would be required to implement soil treatment measures as described in a preliminary soils report. No substantive changes have occurred since certification of the Program EIR, and a less-than-significant impact would result from the Project.

4.) No Impact. A strong earthquake could trigger landslides or slope failures on steep slopes. The common types of landslides induced by earthquakes are bluff and stream bank failures, rock falls, and soil slips on steep slopes. Because the Project Area is located on flat topography and is not located adjacent to any steep slopes or areas that would otherwise be subject to landslides, impacts from seismically induced landslides would not occur, and there would be no impact.

- b. **Less-than-Significant Impact.** Future construction activities have the potential to result in erosion, sedimentation, and the discharge of construction debris from the Project site. Clearing of vegetation and grading activities, for example, could lead to exposed or stockpiled soils susceptible to peak storm water runoff flows and wind forces. The compaction of soils by heavy equipment may minimally reduce the infiltration capacity of soils (exposed during construction) and increase runoff and erosion potential. The presence of large amounts of raw materials for construction, including concrete, asphalt, and slurry, may lead to stormwater runoff contamination. If uncontrolled, these materials could lead to erosion problems, including sediment-laden runoff and wind-driven erosion. The Program EIR, however, found potential impacts related to grading and earthwork to be less-than-significant (City of Fresno 1999, , p. 1.4-2).

All construction activities associated with the Redevelopment Plan would be conducted in accordance with the requirements of the National Pollutant Discharge Elimination System (NPDES) construction stormwater program. As described in the Program EIR, projects involve grading or other surface displacement, that are greater than five acres in area are required to obtain an NPDES Permit. The NPDES construction stormwater program also requires the development of a Stormwater Pollution Prevention Plan (SWPPP) to be implemented for each

future development that disturbs at least 1 acre (or less than 1 acre if part of a larger common plan of development or sale) to ensure that stormwater flows do not result in sedimentation or pollutant conveyance off site. The purpose of the NPDES Permit is to prevent soil erosion and other contaminants from entering the "Waters of the U.S." This is typically handled through the review and approval process of the grading and drainage plans. Standard requirements included maintaining drainage on-site during construction (City of Fresno 1999, , p. 1.4-2). Future construction activities would not result in substantial soil erosion or loss of topsoil as future development would have to conform to the NPDES requirements, as well as all applicable City and regional regulatory requirements to reduce erosion potential. No substantive changes have occurred since certification of the Program EIR, and a less-than-significant impact would result from the Project.

- c. **Less-than-Significant Impact.** See VI.a.3 for more information. Therefore, the Project would not be located on a geologic unit or soil that is unstable or that would become unstable as a result of the Project and potentially result in an onsite or offsite landslide, lateral spreading, subsidence, liquefaction, or collapse. No substantive changes have occurred since certification of the Program EIR, and a less-than-significant impact would result from the Project.
- d. **Less-than-Significant Impact.** See VI.a.3 for more information. Therefore, if future development within the Project Area were to be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (UBC) (1994), recommendations from the preliminary soils report would mitigate soil hazard impacts. No substantive changes have occurred since certification of the Program EIR, and a less-than-significant impact would result from the Project.
- e. **No Impact.** Future development within the Project Area would not use septic tanks or other alternative wastewater disposal systems to dispose of wastewater. Future development would be connected to, and served by, the existing sewer system within the Project Area, the flow from which would be treated at one of the City's existing or future new or expanded wastewater treatment plants. See "Utilities and Service Systems" below for information about sewer systems and wastewater treatment facilities. No substantive changes have occurred since certification of the Program EIR, and no impact would result from the Project.

		Potentially Significant Impact	Less-than-Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
VII. Greenhouse Gas Emissions					
Would the project:					
a.	Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b.	Conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

a. **Less-than-Significant Impact with Mitigation Incorporated.** The Program EIR did not discuss potential impacts of the Redevelopment Plan with respect to global warming and greenhouse gas (GHG) emissions, as this was not required by the CEQA Statute or Guidelines at the time. A discussion of GHG impacts is now required by the State CEQA Guidelines. It is the intent of the State Legislature (as expressed in its adoption of Assembly Bill 32, the California Climate Solutions Act of 2006) that global warming poses significant adverse effects to the environment of the state of California and the entire world.

Unlike criteria pollutant impacts, which are local and regional in nature, climate change impacts occur at a global level. The relatively long lifespan and persistence of GHGs require climate change to be considered a cumulative and a global impact. All future development would generate some quantity of GHGs during its construction and operational period, and would contribute to cumulative global GHG emissions. Scientific tools and appropriate methodologies are available for estimating GHG emissions from many GHG sources associated with operations, and future CEQA analyses in support of these should include an inventory of each future development's GHG emissions that is as thorough as possible. The Amendment itself, however, does not approve specific development or construction and it is unknown at this time how or when development projects made possible by the Amendment will occur. Therefore, a comparison of direct and indirect GHG emissions generated by the Amendment with the most recent GHG inventories is currently not possible.

The state has adopted several statutes and regulations for the purpose of reducing GHG emissions. The most comprehensive is AB 32, which is designed to reduce statewide GHG emissions to 1990 levels by 2020. Likewise, the City's General Plan and the SJVAPCD have developed measures to reduce GHG emissions from individual development projects. In addition, the City's air quality update (City of Fresno 2009b), adopted in May 2009, includes Policy G-1B-a(2) whereby "after protocols and parameters for GHG analysis, inventorying, and benchmarking are ratified by the State of California and SJVAPCD, the City shall participate in GHG emission inventory and benchmarking efforts to evaluate the current status of emissions for the incorporated City and for City facilities and shall use this information to set appropriate targets for the City's proportionate responsibility to achieve GHG reductions in order to achieve compliance with AB 32 mandates to roll back GHG levels to 1990 levels." However, at the time of writing of this document, the City has not yet performed a GHG inventory or prepared an associated plan to achieve reduction targets.

The December 2009 GHG guidance adopted by SJVAPCD does not establish specific thresholds for land use or development projects. Rather, the guidelines outline a process for evaluating project-level GHG emissions. For projects that fail to comply with an approved GHG reduction plan, SJVAPCD recommends implementing “best performance standards” (BPS) to reduce project-specific GHG emissions by at least 29% compared with business as usual (BAU), consistent with GHG emissions-reduction goals of AB 32.

Redevelopment activities are required by the Redevelopment Plan to be consistent with the City's General Plan and must conform to all other applicable land development plans and policies in the Project Area. In the absence of a specific threshold, future redevelopment activities in the Project Area will comply with the City's General Plan and the applicable guidance from SJVAPCD and, by inference, the AB 32 scoping plan by requiring development projects to conform to the provisions of SJVAPCD's guidance. Accordingly, prior to the Agency's approval and issuance of development project-related entitlements, the Agency will require redevelopment activities to conform to that guidance.

To reduce project-level GHG emissions, specific developments shall implement any combination of the measures below above to reduce project-specific GHG emissions by at least 29% compared with BAU.

Mitigation Measures

MM-1. Implement GHG Reduction Measures Identified in Planning Documents Adopted by Fresno County and the SJVAPCD to Achieve at Least a 29% Reduction in GHG Emissions Relative to business as usual (BAU).

The Agency will require project applicants to implement any combination of GHG reduction measures necessary to achieve a combined 29% reduction in emissions relative to BAU, consistent with the City's General Plan and SJVAPCD guidelines.

Available BPS and their reduction potentials have been proposed by the SJVAPCD and are summarized below.

City of Fresno General Plan

The following measures as listed in the air quality update to the general plan (City of Fresno 2009b), shall be pursued, where feasible:

- Encourage development proponents to offset or mitigate emissions by removing older, less-efficient and higher emitting vehicles from service;
- Develop a policy for emission credits generated through City facilities, programs, and policies;
- Increase efforts to incorporate GHG emission reductions into land use decisions, facility design, and operational measures subject to Agency jurisdiction;
- Consider strengthening Agency standards for purchasing low-polluting and climate friendly goods and services;
- Prioritize energy and water conservation through various measures;
- Maintain current levels of achievement for recycling and reuse;
- Make transportation services more efficient; and
- Continue to enhance landscaping consistent with energy and water conservation principles.

SJVAPCD GHG Guidance

Appendix J of the Final SJVAPCD GHG Guidance (2009) identifies several GHG emissions reduction measures. Each of these strategies has been assigned a land use type for which a reduction point value can be claimed. Point values are used to approximate the emission reduction factor associated with particulate control measures.

The following BPS have been selected from Appendix J because they are the most applicable to projects that may be developed in the plan area. Reduction potentials, as well as land use types, are also provided. Please refer to Appendix J of the Final SJVAPCD GHG Guidance (2009) for the stipulations and requirements of each measure.

GHG Reduction Measure ^a	Applicable Land Use	CO ₂ e Point Reduction
Bike Parking	C, M	0.625
End-of-Trip Facilities	C, M	0.625
Bike Parking at Multi-Unit Residential	R	0.625
Pedestrian Network	C, M, R	0.5-1
Pedestrian Barriers Minimized	C, M, R	1
Bus Shelter for Existing or Planned Transit Service	C, M, R	0.25-0.5
Traffic Calming	C, M, R	0.25-1
Paid Parking	C, M, R	0.6-5
Minimum Parking	C, M, R	3
Pedestrian Pathway through Parking	C, M, R	0.5
Office/Mixed Use Proximate to Transit	C, M	0.2-1.5
Orientation toward Existing or Planned Transit, Bikeway, or Pedestrian Corridor	C, M, R	0.25-0.5
Residential Density ^b	R	0-6
Neighborhood Electric Vehicle Access	C, M, R	0.5-1.5
Urban Mixed Use ^c	M	1-9
Suburban Mixed Use	C, M, R	3
Other Mixed Use	M, R	1
Energy Star Roof	C, M, R	0.5
On-site Renewable Energy System	C, M, R	1
Exceed Title 24	C, M, R	1
Solar Orientation	R	0.5
Non-Roof Surfaces	C, M, R	1
Green Roof	C, M, R	0.5

(C) Commercial, (M) Mixed Use, (R) Residential

^a The SJVAPCD stresses that the BPS outlined above are still undergoing development through a public review and input process.

^b Reduction potential dependent on the presence of existing or planned transit.

^c Reduction potential dependent on the jobs-to-housing ratio.

Future developers, whether the Agency or another entity, may use other reduction measures and is not limited to those identified by the SJVAPCD in order to reach a 29% reduction. The Bay Area Air Quality Management District (BAAQMD) has also identified several feasible mitigation measures as well as estimated their reduction potentials. The table below identifies available measures in addition to those presented by the SJVAPCD. Note that the reduction potentials are still being reviewed by the BAAQMD and may change with improved guidance on quantifying mitigation. The reduction potentials are therefore provided as an estimate of what may be achieved through implementation of the measure.

GHG Reduction Measure^a	Sector	CO₂e Point Reduction
Free Transit Passes to Employees and Residents	Resident/Employee	25% transit
Employee Telecommuting	Mobile-Source Worker	1%-100%
Compressed Work Schedule	Mobile-Source Worker	1%-40%
Electrically Powered Landscape Equipment and Outdoor Electrical Outlets	Residential Landscape Emissions	Same % as land equipment emissions
Low-VOC Architectural Coatings	Building Operations	Same % as ROG emissions
Plant Shade Trees within 40 feet of the South Side or within 60 feet of the West Side of Properties	R/C Air-Conditioning Electricity	30%
Require Smart Meters or Programmable Thermostats	R/C Electricity or Natural Gas	10%
Meet Green Building Standards in All New Construction	R/C Electricity or Natural Gas	3%-17%
Install Solar Water Heaters	R/C Natural Gas Water Heating	70%
Install Tankless Water Heaters	R/C Natural Gas Water Heating	35%
HVAC Duct Sealing	R/C Air-Conditioning Electricity	30%
Provide Necessary Infrastructure and Treatment to Allow Use of 50% Greywater/ Recycled Water in Residential and Commercial Uses for Outdoor Irrigation	R/C Electricity (water consumption)	SFR: 37.5%, MFR: 29%, C: 6%

(C) Commercial, (R) Residential, (SFR) Single-Family Residential, (MFR) Multifamily Residential
^a Reduction potentials have not been scaled to project-specific emissions or resource sectors (e.g., natural gas, electricity). "Reduction potentials should be scaled proportionally to their sector of project-generated emissions. For example, if a measure would result in a 50% reduction in residential natural gas consumption but only 20% of a project's emissions are associated with natural gas consumption and only 10% of a project's emissions are from residential land uses, then the scaled reduction would equal 1% (50% * 20% * 10% = 1%)" (BAAQMD 2010).

Level of Significance after Mitigation

Adoption of the measures described above, when fully incorporated into future development projects within the Project Area, would lessen GHG emissions from within the project area and achieve a reduction target of 29% below BAU, as stated in the SJVAPCD GHG guidance and, by inference, AB 32. Impacts would, therefore, be less than significant.

- b. **Less-than-Significant Impact with Mitigation Incorporated.** See VII.a., above. Adoption of MM-1 described above, when fully incorporated into future development projects within the Project Area, would lessen GHG emissions from within the project area and achieve a reduction target of 29% below BAU, as stated in the SJVAPCD GHG guidance and, by inference, AB 32. Impacts would, therefore, be less than significant.

VIII. Hazards and Hazardous Materials	Potentially Significant Impact	Less-than-Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
Would the project:				
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Emit hazardous emissions or involve handling hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Be located within an airport land use plan area or, where such a plan has not been adopted, be within two miles of a public airport or public use airport, and result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Be located within the vicinity of a private airstrip and result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a. **Less-than-Significant Impact.** Hazardous substances typically used for construction, such as paints, solvents, and cleaners, would be transported and used for future development. Also, grading and construction activities would require the transport, storage, use, and/or disposal of hazardous materials such as fuels and greases for the fueling/servicing of construction equipment. Substances may also be stored in temporary storage tanks/sheds that would be located on site. Although these types of materials are not acutely hazardous, they are classified as hazardous materials and create the potential for accidental spillage, which could expose workers. Compliance with the requirements set forth in U.S. Code and California Health and Safety Code, under the direct oversight of Fresno Fire Department and Fresno County Health Department, would be required for future development.

Operations of future development, depending on the type of development, could require the use or storage of acutely hazardous materials. Regardless of the development, some amount of hazardous materials may be used for regular maintenance and cleaning of commercial businesses and residences, but these materials are usually not considered a significant risk to health and safety, and use, handling, and storage of hazardous materials would be expected to be in compliance with the appropriate safety standards. According to the Program EIR, heavier commercial and industrial uses that involve warehousing, manufacturing, processing, rendering, or fabrication or other operation that may include hazardous materials, are required to obtain a conditional use permit (CUP) from the City. The purpose of the CUP process is to ensure that the public's health safety and welfare are protected. Projects are routed to responsible agencies for their review and comment. For example, projects are routed to the City of Fresno Fire Department and the Fresno County Health Department for review and recommended conditions to insure compliance with applicable health and safety regulations. In the event hazardous materials would be stored on-site (including solvents, pesticides and other chemicals) a business response plan is required by Fresno County Health Department. (City of Fresno 1999, p. 1.4-15).

While it is unknown at this time how or when development projects made possible by the Amendment will occur, redevelopment activities are required by the Redevelopment Plan to be consistent with the City's General Plan and must conform to all other applicable land development plans and policies in the Project Area. The proposed redevelopment activities would not generate significant effects related to Hazards, and redevelopment activities would have a beneficial effect on the remediation and reuse of sites that may contain hazardous wastes (City of Fresno 1999, p. 1.4-15). Additionally, all future development would have to fully comply with applicable federal, state, and local law regarding the transport, use, and disposal of hazardous materials. Future development would be designed in accordance with City development standards and would be subject to additional environmental review, if required by CEQA. The Amendment makes no changes that affect this consistency. Therefore, the Project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials, and impacts would be less than significant.

- b. **Less-than-Significant Impact.** As discussed above, hazardous substances would be used in the construction and operation of future development within the Project Area. The risk of accidental release or explosion is possible. However, as described in VII.a., all future development would have to fully comply with applicable federal, state, and local law regarding the transport, use, and disposal of hazardous materials. Future development would also require Fresno Fire Department, City of Fresno Development Department, and Fresno County Health Department review, and conditions could be placed on development to ensure compliance with applicable codes and regulation. Additionally, for future development that has a reasonable possibility of releasing hazardous materials into the environment, the City would require the development of a business response plan and, if necessary, a Risk Management and Prevention Program. The proposed redevelopment activities would not generate significant effects related to Hazards, and redevelopment activities would have a beneficial effect on the remediation and reuse of sites that may contain hazardous wastes (City of Fresno 1999, p. 1.4-15). No substantive changes have occurred since certification of the Program EIR. Therefore, impacts would be less than significant.

- c. **Less-than-Significant Impact.** There are no schools within the Project Area (City of Fresno 2009a). Schools may be developed in the future. However, as discussed in VII.a and VII.b, all future development would have to fully comply with applicable federal, state, and local law regarding the transport, use, and disposal of hazardous materials. Future development would also require Fresno Fire Department, City of Fresno Development Department, and Fresno County Health Department review, and conditions could be placed on development to ensure compliance with applicable codes and regulation. Additionally, for future development that has a reasonable possibility of releasing hazardous materials into the environment, the City would require the development of a business response plan and, if necessary, a Risk Management and Prevention Program. With proper implementation of necessary plans and programs, future development within the Project Area would not emit hazardous emissions or involve handling hazardous or acutely hazardous materials, substances, or waste that would result in a significant adverse risk to a nearby proposed school. The proposed redevelopment activities would not generate significant effects related to hazards, and redevelopment activities would have a beneficial effect on the remediation and reuse of sites that may contain hazardous wastes (City of Fresno 1999, p. 1.4-15). No substantive changes have occurred since certification of the Program EIR. Therefore, impacts would be less than significant.
- d. **Less-than-Significant Impact.** The Project Area contains an active site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 (Cortese List): 1) Fresno Air Terminal/Old Hammer Field. This site is considered "active" by the California Department of Toxic Substance Control (DTSC), but is not a "Super Fund" site (California Department of Toxic Substance Control 2009). This site was active during the preparation of the Program EIR (California Department of Toxic Substance Control 2009). Remediation of this site is governed by the DTSC, which is charged with conducting and overseeing cleanups for sites found on the Cortese List. The Cortese List also displays a number of leaking underground fuel tank (LUFT) cleanup sites.

The Program EIR acknowledges that older commercial and industrial properties may contain underground storage tanks, and that former uses may have used or stored hazardous materials in manners that are not consistent with today's standards and regulations. As a result, there may be localized sites that contain hazardous wastes. Older structures may also have been constructed with materials containing asbestos. As standard course of project development, Phase 1- Initial Site Assessments for hazardous wastes are required by the City of Fresno and by Fresno County Health Department. Should the Phase 1 Initial Site Assessment determine that hazardous materials may exist on a site, a Phase II Study is then conducted to determine the extent of any hazardous wastes and the level of the remediation efforts that would be required. Fresno County Health Department is actively involved in the review and conditioning of demolition and construction permits to ensure health and safety concerns are addressed. With regards to asbestos, an asbestos removal plan is required to be approved by Fresno County Health Department and the SJVAPCD prior to the issuance of a demolition or construction plan (City of Fresno 1999, p. 1.4-15).

Additionally and in recognition that redevelopment and reuse is important in the remediation of future hazardous waste sites, the U.S. Environmental Protection Agency (EPA) has established the "Brownfield" grants program to further redevelopment activities on such sites. Brownfields are those sites that have or are suspected to have hazardous wastes but are not contaminated to the extent of being a "Super Fund" site (City of Fresno 1999, p. 1.4-15), and funding through this program could be used within the Project Area for future development on contaminated sites.

These redevelopment activities would have a beneficial effect on the remediation and reuse of sites that may contain hazardous wastes (City of Fresno 1999, p. 1.4-16). No substantive changes have occurred since certification of the Program EIR. Therefore, impacts would be less than significant.

- e. **Less-than-Significant Impact.** The Project Area is located adjacent to and within the vicinity of Fresno Yosemite International Airport. It is also located within the *Fresno Yosemite International Airport and Environs Specific Plan* (the "Airport Plan") area, formerly known as the *Fresno Air Terminal Airport and Environs Specific Plan*, adopted in September 1992 and amended on June 24, 1997, before the certification of the Program EIR. As described in the Program EIR, the Redevelopment Plan for the Project Area has adopted the Airport Plan to protect the airport from encroachment from non-compatible land uses, including uses that may result in a safety hazard for people residing or working in the Project Area. The Airport Plan establishes an Airport Review Area that requires referral of projects to the Airport Land Use Commission to determine consistency with the Airport Plan (City of Fresno 1999, p. 1.4-15). The Airport Referral Area covers the majority of the Project Area with the exception of the commercial centers at Shields and Cedar Avenues and the industrial area south of McKinley between Maple and Chestnut Avenues (City of Fresno 1999, p. 3.2.1-7).

As further described in the Program EIR, the Airport Plan regulates development on airport property and within the Specific Plan Area. The Airport Plan includes restrictions on the location and height of uses based on the proximity to the airport and its location with respect to the runways. The Airport Referral Area includes all property that is either subject to the 60 db community noise exposure level (CNEL) noise contour or greater and/or is affected by an airport safety zone. Within the Airport Review Area, the Airport Plan is the controlling land use document (City of Fresno 1999, p. 3.2.1-7). Because future development would be required to comply with the Airport Plan, future development would not result in building heights in close proximity that could affect landing and takeoff approaches nor expose people to undue hazards. No substantive changes have occurred since certification of the Program EIR. Therefore, impacts would be less than significant.

- f. **No Impact.** The Project Area is not located within the vicinity of a private airstrip and therefore, would not result in a safety hazard for people residing or working in the Project Area. See VII.e for more information. There would be no impact.
- g. **Less-than-Significant Impact.** Future construction within the Project Area could cause temporary detours and lane closures on streets, but it is the City's standard practice to coordinate construction activities with emergency service providers and encroachment permits would be required within City right-of-ways. As described in the Program EIR, future development within the Project Area is required to comply with Fresno Fire Department, City of Fresno Development Department, and Fresno County Health Department codes and regulations, including applicable emergency response and evacuation plans (City of Fresno 1999, p. 1.4-15). The proposed redevelopment activities would not generate significant effects related to Hazards, and redevelopment activities would have a beneficial effect on the remediation and reuse of sites that may contain hazardous wastes (City of Fresno 1999, p. 1.4-15). No substantive changes have occurred since certification of the Program EIR. Therefore, impacts would be less than significant.

- h. **No Impact.** The Project Area is surrounded by existing urban development and is not located adjacent to a wildland area. The future development would consist of residential, commercial, and industrial development with appreciable amounts of impervious surfaces and therefore, is not susceptible to wildland fires. Additionally, periodic weed abatement efforts are required in the Project Area in accordance with City standards. Therefore, wildland fires do not have the potential to affect the site, and no impacts would occur.

IX. Hydrology and Water Quality	Potentially Significant Impact	Less-than-Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
Would the project:				
a. Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge, resulting in a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level that would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation onsite or offsite?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding onsite or offsite?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. Place housing within a 100-year flood hazard area, as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h. Place within a 100-year flood hazard area structures that would impede or redirect floodflows?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i. Expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j. Contribute to inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a. **Less-than-Significant Impact.** Future construction activities have the potential to result in erosion, sedimentation, and the discharge of construction debris from the Project site. Clearing of vegetation and grading activities, for example, could lead to exposed or stockpiled soils susceptible to peak storm water runoff flows and wind forces. The compaction of soils by heavy equipment may minimally reduce the infiltration capacity of soils (exposed during construction) and increase runoff and erosion potential. The presence of large amounts of raw materials for construction, including concrete, asphalt, and slurry, may lead to stormwater runoff contamination. If uncontrolled, these materials could lead to water quality problems, including sediment-laden runoff, prohibited non-stormwater discharges, and ultimately the degradation of downstream receiving water bodies. Construction activities that disturb greater than 1 acre would be required to obtain coverage under the Statewide General Construction NPDES permit and prepare a SWPPP to minimize the potential runoff water quality impacts associated with construction. By obtaining coverage under the statewide NPDES General Permit for Construction Activities (Permit No. CAS000002) and the related preparation of a SWPPP, future site-specific construction activities would not violate any water quality standards or waste discharge requirements during the construction period and impacts would be less than significant.

Nonpoint source pollution is caused by surface runoff that picks up and carries away natural and human-made pollutants, depositing them into lakes, rivers, wetlands, coastal waters, and groundwater. Surface parking areas especially contribute to nonpoint source pollution (e.g., oil, grease, radiator fluid, pesticides, and excess fertilizer from landscape maintenance activities) washed into stormwater conveyance structures during rain events. As a result, urban development can result in the pollution of offsite drainages and aquifers. Future development must comply with the NPDES permit (NPDES No. CA0083500) and Waste Discharge Requirements (WDR) order (Order No. 5-01-048) issued by the Central Valley Regional Water Quality Control Board (CVRWQCB) for stormwater conveyance flows in Fresno County (Central Valley Regional Water Quality Control Board 2001). These 2001 NPDES and WDR standards are more protective than the 1999 stormwater quality standards. Future development in the Project Area would be subject to the requirements of the NPDES permit and WDR order, which are met in the Fresno area through compliance with the City and Fresno Metropolitan Flood Control District grading and drainage standards (City of Fresno 1999, , p. 1.4-4).

The Program EIR found effects related to hydrology would be less than significant (City of Fresno 1999, , p. 1.4-4). No substantive changes have occurred since certification of the Program EIR, and a less-than-significant impact would result from the Project.

- b. **Less-than-Significant Impact.** Future development within the Project Area would incrementally increase the demand for potable water. The majority of the water supply for the Fresno area is obtained through percolated and recharged groundwater (70% to 85% during low-demand winter periods and high-demand summer periods, respectively) (City of Fresno 2009a). According to the City's Urban Water Management Plan (UWMP), there are "no projected supply shortfalls" in water supply contingent upon the timely implementation of the Planned Supply Projects and Programs (UWMP, 4-15) (a significant portion of which is obtained from groundwater) for normal, single dry, and multiple dry year scenarios ending in 2010, 2015, 2020, and 2030 provided that future development is consistent with the General Plan (City of Fresno 2008a). The UWMP was adopted on August 19, 2008, after the certification of the Program EIR. If proposed future development within the Project Area is consistent with the General Plan and future updates, then development has been accounted for in the UWMP,

provided that development does not exceed land use based water allocations identified in the UWMP by constructing high water use characteristics, e.g., water features, excessive amount of landscaping, over densification. The Redevelopment Plan's expiration date (6/29/2029) and the Amendment's expiration date (12 years from approval) are within the 2030 date analyzed in the UWMP. Therefore, water supply has been adequately analyzed in the UWMP for the Project Area, and a less-than-significant impact would result from the Project.

- c. **Less-than-Significant Impact.** As discussed in VI.b and VIII.a, compliance with the Statewide General Construction NPDES permit is required for direct or indirect discharges of stormwater runoff to waters of the United States from future construction that causes soil disturbance over 1 acre. Adherence to the Statewide General Construction NPDES permit requires that any site-specific project applicant develop and implement a SWPPP. A SWPPP includes Best Management Practices (BMPs) to stop all products of erosion as a result of runoff from moving off site into receiving waters during construction.

The Project Area is essentially flat ground with modest potential for runoff. Future construction and placement of commercial structures, landscaping, parking lots, and other impermeable surfaces would alter the existing drainage patterns of the Project Area by preventing precipitation from entering the soil column. However, implementation of the City and Fresno Metropolitan Flood Control District (FMFCD) grading and drainage standards would prevent operational runoff from the Project site from exceeding existing peak flows. Increased impervious surfaces would also virtually eliminate erosion potential because there would be minimal soil surface area exposed to erosion processes, and landscaping in areas not paved over would anchor and stabilize soils to further reduce erosion potential.

As discussed in the Program EIR, the storm drain system has been designed by FMFCD to accommodate build-out of the Project Area. The majority of the permanent storm drain facilities have been constructed in the Project Area. Development projects are reviewed by the City of Fresno and the Fresno Metropolitan Flood Control District for compliance with drainage requirements. Future Development is required to participate in the completion of the drainage system, and the Program EIR found effects related to hydrology would be less than significant (City of Fresno 1999, p. 1.4-4). No substantive changes have occurred since certification of the Program EIR, and a less-than-significant impact would result from the Project.

- d. **Less-than-Significant Impact.** See response to VIII.c. No substantive changes have occurred since certification of the Program EIR, and a less-than-significant impact would result from the Project.
- e. **Less-than-Significant Impact.** The Project Area is essentially flat ground with minimal potential for runoff. Future construction would create bare ground that would be exposed to potential erosion; any erosion off site would create a significant impact because it could flow into downstream water bodies. The federal Clean Water Act regulates the discharge of pollutants to waters of the United States in accordance with state and local NPDES permits. As discussed in VI.b, compliance with the Statewide General Construction NPDES permit is required for direct or indirect discharges of stormwater runoff to waters of the United States from construction projects that cause soil disturbance over 1 acre and potential runoff. Adherence to the Statewide General Construction NPDES permit requires that any site-specific project applicant develop and implement a SWPPP.

As discussed in the Program EIR, the storm drain system has been designed by the FMFCD to accommodate build-out of the Project Area. The majority of the permanent storm drain facilities have been constructed in the Project Area. Development projects are reviewed by the City of Fresno and the Fresno Metropolitan Flood Control District for compliance with drainage requirements. Future Development is required to participate in the completion of the drainage system. Proposed redevelopment activities would also aid in the construction of infrastructure consistent with the FMFCD drainage plans and the City's Water Resources Management Plan. The redevelopment activities would assist in removal of underground storage tanks and the clean-up of sites that otherwise would be continuing threats to groundwater quality (City of Fresno 1999, p. 1.4-4). There is no evidence indicating that this is not still the case. Because no substantive changes have occurred since certification of the Program EIR, a less-than-significant impact would result from the Project.

- f. **Less-than-Significant Impact.** See responses to VIII.a and VIII.e. No substantive changes have occurred since certification of the Program EIR, and a less-than-significant impact would result from the Project.
- g. **No Impact.** According to the Program EIR, the Redevelopment Plan areas analyzed are located in Flood Zone B (areas between the 100-year flood and the 500-year flood) or Zone C (areas of minimal flooding), and the Program EIR found effects related to hydrology would be less than significant (City of Fresno 1999, , p. 1.4-4). Flood Zone A areas (areas subject to 100-year floods) are limited to the canals and ponding basins within the Project Area (City of Fresno 1999, , p. 1.4-3). According to Flood Insurance Rate Map (FIRM) No. 0619C1590H (Federal Emergency Management Agency 2009), the Project Area is mostly designated Zone X⁹ with limited areas designated Zone A, consistent with the Program EIR. Zone X is not within the 100-year floodplain. Also, the Best Available Data maps for the Fresno area compiled by the Department of Water Resources do not show any additional risk of flooding (California Department of Water Resources 2008). Therefore, the Project would not place housing within a 100-year flood hazard area, as mapped on a federal Flood Hazard Boundary, FIRM, or other flood hazard delineation map and there would be no impact.
- h. **Less-than-Significant Impact.** As discussed in VIII.g, portions of the Project Area are within the 100-year flood plain (City of Fresno 1999; Federal Emergency Management Agency 2009). Future development, if proposed in areas subject to shallow flooding, would meet the requirements of the City and the Fresno Metropolitan Flood Control District. With these requirements, the impacts are not new or more severe than in the 1999 Program EIR. Therefore, a less-than-significant impact would result from the Project.
- i. **Less-than-Significant Impact.** See response to VII.h. A surface water body does not traverse the Project Area, and the area is not within a dam failure flood inundation zone. Therefore, the Project would not expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam and impacts would be less than significant.
- j. **No Impact.** The Project Area is not located near any significantly sized enclosed body of water or coastal area and is, therefore, not susceptible to a seiche or tsunami. The site is not located at the foot of any significant topographical feature with the potential for mudflow. No impacts would occur.

⁹ Zone X is a zone with areas of 0.2% annual flood chance (500-year floodplain).

X. Land Use and Planning	Potentially Significant Impact	Less-than-Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
Would the project:				
a. Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, a general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a. **No Impact.** The Project Area is located within the highly urbanized vicinity of Fresno Yosemite International Airport and is surrounded by built land uses, including various residential, commercial, public facilities, and industrial land uses as well as some open space. Development under the Project would be urban infill, consistent with the General Plan. As such, the Project does not have the capacity to divide an established community and there would be no impact.
- b. **No Impact.** As described in the Program EIR, no land use changes are proposed to the City's General Plan or applicable community and specific plans in the Project Area, including the McLane Community Plan (City of Fresno 1979), Roosevelt Community Plan (City of Fresno 1992a), or the Airport Plan (City of Fresno 1992b). The proposed redevelopment actions and activities are considered to be implementation tools of the City's adopted land use plans. The redevelopment activities would facilitate continued development within the Project Area consistent with the City's adopted land use plans. The redevelopment activities would assist in the removal of physical and economic blighted conditions in the Project Area. In certain locations in the Project Area, the redevelopment activities may expedite the conversion of non-conforming uses to uses that are consistent with the City's adopted land plans (City of Fresno 1999, p. 3.2.1-1). Future development within the Project Area would need to be consistent with the City's adopted land use plans and policies. As such, the Project would not conflict with any applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigation an environmental effect and no impacts would occur.
- c. **No Impact.** As discussed in IV.f above, there is no adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan that is applicable to the Project Area. Therefore, the Project would not conflict with any applicable habitat conservation plan or natural community conservation plan and there would be no impact.

XI. Mineral Resources	Potentially Significant Impact	Less-than-Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
Would the project:				
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- a. **No Impact.** According to the Program EIR, the most significant mineral resources within the City are sand and gravel. These resources are located principally along the San Joaquin River, outside of the Plan Area. Gas and oil resources are not found within the greater Fresno-Clovis Metropolitan Area (City of Fresno 1999, p. 1.4-13). The *City of Fresno 2025 Fresno General Plan Land Use and Circulation Map* does not show any General Plan mineral resource land use designations within the Project Area (City of Fresno 2009a). Therefore, the Project would not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state, and there would be no impact.
- b. **No Impact.** No portion of the Project Area is designated as a locally important mineral resource recovery site as determined by the California Department of Conservation, Division of Mines and Geology (City of Fresno 2002, p. VO-1) site. Also, see X.a above for more information. Therefore, there is no impact.

XII. Noise	Potentially Significant Impact	Less-than-Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
Would the project:				
a. Expose persons to or generate noise levels in excess of standards established in a local general plan or noise ordinance or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Expose persons to or generate excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Be located within an airport land use plan area, or, where such a plan has not been adopted, within two miles of a public airport or public use airport and expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Be located in the vicinity of a private airstrip and expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a. **Less-than-Significant Impact.** The 1999 Program EIR concludes that construction activities, because they are short-term and intermittent, would not result in significant noise impacts (City of Fresno 1999, p. 3.2.4-1). The Program EIR requires that future development within the Project Area adhere to City standards, which include and the City's current performance standards found in the zoning ordinance, noise ordinance, the City's General Plan and relevant specific plans. Adherence to the City's performance standards would reduce noise effects to a level of less than significance. In addition, development within the Airport Plan area is required to be consistent with the Airport Plan's land use/noise compatibility matrix. The City also requires locating potential noise generating uses away from sensitive land uses/receptors (e.g., educational facilities, hospitals, churches, and residential land uses).

The Program EIR found that adherence to the City's performance standards contained in its zoning ordinance and its noise ordinance would reduce noise effects to a level of less than significance (City of Fresno 1999, p. 3.2.4-1). Continued implementation of the Airport Plan acts to mitigate noise, and addition mitigation to further attenuate noise was incorporated to further reduce potential noise impact to less-than-significant levels. These include: evaluation of industrial uses for their noise effects on adjoining noise sensitive uses and consideration of operational controls to reduce noise; muffling construction vehicles and equipment; limiting

construction operations adjacent to noise sensitive uses to between the hours of 7:00 a.m. and 7:00 p.m.; continued implementation of the noise control techniques recommended in the Noise Element of the Fresno General Plan; and special permit applications for commercial, industrial, and public facilities (City of Fresno 1999, p. 3.2.4-6).

The Amendment could potentially result in future development within the Project Area that would create new sources of noise. While it is unknown at this time how or when development projects made possible by the Amendment will occur, redevelopment activities are required by the Redevelopment Plan to be consistent with the City's General Plan and must conform to all other applicable land development plans and policies in the Project Area, including applicable noise standards. Additionally, future development would be designed in accordance with City development standards and would be subject to additional environmental review, if required by CEQA. The Amendment makes no changes that affect this consistency. Therefore, the Project would not result in a new or more severe impact in the context of the Program EIR, and impacts would be less than significant.

- b. **Less-than-Significant Impact.** Similar to noise generation (see XI.a above for more information), the Program EIR requires that future development within the Project Area adhere to City standards, which include locating potential vibrational (or ground-borne noise) generating uses (typically trucking and manufacturing operations) away from sensitive land uses/receptors (City of Fresno 1999, p. 3.2.4-1). Also, similar to noise generation, future construction could generate short-term vibration (or ground-borne noise) generation, such as by the use of earthmoving equipment, jack hammers, and pile drivers, but such activities would be short-term and intermittent and would not be significant (City of Fresno 1999, p. 3.2.4-1). Future development would be required to comply with applicable City standards regarding vibration (or ground-borne noise) generation for the construction and operational periods. No substantive changes have occurred since certification of the Program EIR, and impacts would be less than significant.
- c. **Less-than-Significant Impact.** See XI.a for more information. As discussed above, with inclusion of migration measures, the Program EIR concluded that noise impacts resulting from the Redevelopment Plan would be less-than-significant. While it is unknown at this time how or when development projects made possible by the Amendment will occur, redevelopment activities are required by the Redevelopment Plan to be consistent with the City's General Plan and must conform to all other applicable land development plans and policies in the Project Area, including applicable noise standards. Additionally, future development would be designed in accordance with City development standards and would be subject to additional environmental review, if required by CEQA. The Amendment makes no changes that affect this consistency. Therefore, the Project would not result in new or more severe impacts in the context of the Program EIR, and impacts would be less than significant.
- d. **Less-than-Significant Impact.** Temporary noise impacts could occur from future construction within the Project Area. As discussed in XII.a, future construction would also be required to adhere to applicable standards and established mitigation. No substantive changes have occurred since certification of the Program EIR indicating that the Amendment would result in a new or more severe impact from temporary or intermittent noise from construction. Therefore, impacts would be less than significant.

- e. **Less-than-Significant Impact.** As discussed in VIII.e, the Project Area is located within the vicinity of Fresno Yosemite International Airport and within the Airport Plan area. As discussed above in XII.a., future development within the Airport Plan area is required to be consistent with the Airport Plan's land use/noise compatibility matrix, and continued implementation of the Airport Plan acts to mitigate noise. Because future development would be required to comply with the Airport Plan and all other City noise standards, future development would not expose people residing or working in the project area to excessive noise levels. No substantive changes have occurred since certification of the Program EIR. Therefore, impacts would be less than significant.

- f. **No Impact.** As discussed in VII.f, the Project Area is not located within the vicinity of a private airstrip and therefore, would not expose people located in the vicinity of a private airstrip and residing or working in the Project Area to excessive noise levels. There would be no impact.

XIII. Population and Housing	Potentially Significant Impact	Less-than-Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
Would the project:				
a. Induce substantial population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Displace a substantial number of existing housing units, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Displace a substantial number of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

a. **Less-than-Significant Impact.** The Program EIR concludes that the provision of new housing would result in population gains in the area from new housing units, but that effects to population would be generally positive, and not environmentally significant (City of Fresno 1999, p. 3.2.2-3). Proposed redevelopment activities would be consistent with the goals and implementation strategies of the City's Housing Element of the General Plan, the residential land use policies of the General Plan, and relevant community and specific plans to meet the City's housing needs, including affordable housing. Future development may also bring additional people into the greater Fresno area as a result of job opportunities created by future development. Future development is required to be consistent with population forecasts adopted by the Council of Fresno County Governments in order to accommodate Fresno's fair share of the regional growth forecast. Additionally, the Project would not result in the extension of infrastructure (e.g., extending roads, potable water lines, sewer lines, etc. into open space on the fringe of the City) that would facilitate future development in nonurban areas and therefore, would not induce population growth.

While it is unknown at this time how or when development projects made possible by the Amendment will occur, redevelopment activities are required by the Redevelopment Plan to be consistent with the City's General Plan and must conform to all other applicable land development plans and policies in the Project Area. Additionally, future development would be designed in accordance with City development standards and would be subject to additional environmental review, if required by CEQA. The Amendment makes no changes that affect this consistency. Therefore, the Project would not result in a new or more severe impact in the context of the Program EIR, and impacts would be less than significant.

b. **Less-than-Significant Impact.** The proposed Airport Area Revitalization Redevelopment Project Area was found to affect approximately 28 residential units that are non-conforming with respect to the property's planned industrial use. State law and Agency procedures require the payment of just compensation, including relocation assistance for those displaced as a result of redevelopment activities, whenever eminent domain is used to acquire property. Redevelopment law also requires replacement on a one-for-one basis of any low- and moderate income housing unit removed or destroyed by the Agency. The Redevelopment Agency is

required to provide that a minimum of 20-percent of tax increment funds be aside for low and moderate housing projects. The Redevelopment Plan includes a low- and moderate-income program aimed at stabilizing housing conditions and increasing the supply of affordable housing. Therefore, the Program EIR concludes that effects related to housing would be mitigated to a level of less than significant (City of Fresno 1999, p. 3.2.2-1).

While it is unknown at this time how or when development projects made possible by the Amendment will occur, redevelopment activities are required by the Redevelopment Plan to be consistent with the City's General Plan and must conform to all other applicable land development plans and policies in the Project Area, including those related to housing relocation. No substantive changes have occurred since certification of the Program EIR, and impacts would be less than significant.

- c. **Less-than-Significant Impact.** As discussed in XIII.b., above, future actions as a result of the Project could displace people within the Project Area. These actions include removal of nonconforming residential units. However, displaced people as a result of future actions by the Agency within the Project Area are entitled to just compensation and relocation assistance (City of Fresno 1999, p. 3.2.2-1). No substantive changes have occurred since certification of the Program EIR, and impacts would be less than significant.

XIV. Public Services

Potentially Significant Impact	Less-than-Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
--------------------------------	--	------------------------------	-----------

Would the project:

- a. Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities or a need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the following public services:

Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- a. **Less-than-Significant Impact.** The need for public services is primarily driven by population growth. As population grows, so does the need for additional public services (facilities and personnel) to meet necessary service ratios, school class size requirements, and the goal of ample recreational opportunities for a healthier citizenry. As discussed in XIII.a, the Project would not induce substantial population growth. Future development within the Project Area would generate an incremental increase in the need for some public services (City of Fresno 1999, p. 3.2.5-1). The following discussions further describe the Project’s effect on specific public services:

Fire Protection

The Program EIR found that construction activities as a result of future development may increase the potential for fires, but are not considered to be significant. City of Fresno Fire Department regulations require that for large projects, a fire inspector be on site until completion of the shell structure (City of Fresno 1999, p. 3.2.5-4). Operations of future development within the Project Area would incrementally increase demand for fire protection services within the Project Area, but the Program EIR found that staffing and equipment levels would be sufficient to accommodate future development in the Project Area (City of Fresno 1999, p. 3.2.5-4). Additionally, all future structures and site improvements would have to be constructed in accordance with the most current building, safety, and fire codes adopted by the City. Fire flows in the Project Area are adequate to accommodate development projects, and the Fire Department reviews and conditions development projects to insure fire safety (City of Fresno 1999, p. 3.2.5-4). Removal of blighted conditions through rehabilitation/conservation, demolition, and construction of new structures as a result of the Project would also reduce the fire safety threat caused by vacant, abandoned, or substandard structures. This would be a beneficial effect (City of Fresno 1999, p. 3.2.5-4). No substantive changes have occurred since certification of the Program EIR, and a less-than-significant impact would result from the Project.

Police Protection

The Program EIR found that construction activities may result in potential equipment theft, trespassing, or vandalism, but this would not affect police protection service. Operations of future development would increase human activity, resulting in an incrementally increased need for police protection services due to the increased potential for theft, vandalism, and other crimes (City of Fresno 1999, p. 3.2.5-5). However, design considerations for future development to be approved by the City would include security lighting, call boxes, and other required security measures, which would reduce the potential for crime. In addition, the removal of blighted conditions would have the anticipated effect of lowering police calls and therefore would have a beneficial effect on police services. (City of Fresno 1999, p. 3.2.5-5). The Program EIR found that impacts from the Redevelopment Plan on police services would be less-than-significant. No substantive changes have occurred since certification of the Program EIR, and a less-than-significant impact would result from the Project.

Schools

As described in the Program EIR, there are no school facilities in the Project Area (City of Fresno 1999, p. 3.2.7-2). Nonetheless, redevelopment projects may affect schools through the addition or removal of residential units, and future residential projects may increase the number of school aged children that need to be served. In addition, non-residential development may result in a small increase in the number of school-age children as a result of an increase in employment opportunities and families that might relocate to the Fresno area because of those opportunities. However, the Fresno Unified School District has enacted developer's fees to offset the effects residential and non-residential development projects may have related to school facilities. Also, state law establishes a formula to offset property tax revenues lost to the Fresno Unified School District due to the fact that the Agency receives the tax increment generated by future development (City of Fresno 1999, p. 3.2.7-2). The Program EIR found impact on school facilities to be less than significant. No substantive changes have occurred since certification of the Program EIR, and a less-than-significant impact would result from the Project.

Parks

The Program EIR states that there are no publicly maintained parks located within the Project Area, only that a neighborhood park is planned to be located south of Olive Avenue on Minnewawa Avenue, and that impacts to park and recreational facilities would be less than significant (City of Fresno 1999, p. 3.2.5-2 to 3.2.5-5). However, the Palm Lakes Municipal Golf Course property is located in the Plan Area, just north of the airport. Therefore, future development in the Plan Area has the potential to effect park and recreational facilities. While it is unknown at this time how or when development projects made possible by the Amendment will occur, redevelopment activities are required by the Redevelopment Plan to be consistent with the City's General Plan and must conform to all other applicable land development plans and policies in the Project Area, including the City's Park Master Plan and payment of any required park and recreation fees. Additionally, future development would be designed in accordance with City development standards and would be subject to additional environmental review, if required by CEQA. The Amendment makes no changes that affect this consistency. Therefore, the Project would not result in any additional effects that were not already analyzed in the Program EIR, and impacts would be less than significant.

Other Facilities

The demand for emergency services would incrementally increase as a result of future development as a result of increased human activities in the Project Area. However, the Program EIR determined that emergency service providers have adequate capacity to accommodate future development without affecting response times (City of Fresno 1999, p. 3.2.5-5). Also, redevelopment projects that include road reconstruction, widening, and other improvements would decrease the need for continual and incremental repairs. This would be a beneficial effect but is not considered to be environmentally significant. Due to the fact that the Agency collects a property tax increment from future development, and because this would result in fiscal effects to a number of other public services, including public schools and library services (City of Fresno 1999, p. 3.2.7-2), state redevelopment law establishes a formula to offset these lost revenues. However, as explained in the Program EIR, potential financial effects are not considered to be significant as they would not represent a significant physical change or effect on the environment (City of Fresno 1999, p. 3.2.5-6). No substantive changes have occurred since certification of the Program EIR, and a less-than-significant impact would result from the Project.

XV. Recreation	Potentially Significant Impact	Less-than-Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
Would the project:				
a. Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- a. **Less-than-Significant Impact.** As discussed in XIII.a, the Program EIR concludes that future development may result in small population gains in the Project Area due to the construction of new housing units, which would result in the increased use of existing neighborhood and regional parks. While it is unknown at this time how or when development projects made possible by the Amendment will occur, redevelopment activities are required by the Redevelopment Plan to be consistent with the City's General Plan and must conform to all other applicable land development plans and policies in the Project Area, including the City's Park Master Plan and payment of any required park and recreation fees. Future development would be designed in accordance with City development standards and would be subject to additional environmental review, if required by CEQA. The Amendment makes no changes that affect this consistency. Therefore, the Project would not result in any additional effects that were not already analyzed in the Program EIR, and impacts would be less than significant.
- b. **Less-than-Significant Impact.** As discussed in XIV.a, park and recreational areas would need to be provided within the Project Area in accordance the City's General Plan and must conform to all other applicable land development plans and policies in the Project Area, including the City's Park Master Plan and payment of any required park and recreation fees. Future development would be designed in accordance with City development standards and would be subject to additional environmental review, if required by CEQA. The Amendment makes no changes that affect this consistency. Therefore, the Project would not result in any additional effects that were not already analyzed in the Program EIR, and impacts would be less than significant.

XVI. Transportation/Traffic	Potentially Significant Impact	Less-than-Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
Would the project:				
a. Conflict with an applicable plan, ordinance, or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation, including mass transit and non-motorized travel and relevant components of the circulation system, including, but not limited to, intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Conflict with an applicable congestion management program, including, but not limited to, level-of-service standards and travel demand measures or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Substantially increase hazards because of a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Conflict with adopted policies, plans, or programs regarding public transit, bicycle or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- a. **Less-than-Significant Impact.** Transportation planning within the Project Area is the responsibility of the City, Caltrans, Fresno County, and the Fresno Council of Governments (Fresno COG). Future development may entail abandonment and/or realignment of certain streets, alleys, or other right-of-ways. Any changes in the Project Area's existing circulation system would have to comply with the current General Plan and future updates, objectives of the Redevelopment Plan, relevant community plans or other future adopted plans, and City design standards. Future development would be reviewed on a case-by-case basis for compliance with these plans, strategies, and standards.

The City's adopted circulation plan is the City's primary long range transportation planning tool. The Circulation Elements of the General Plan and relevant community plans establishes the relationship between planned land uses and the necessary circulation system to support those

land uses in the Project Area. In summary of the Circulation Elements, the elements establish a hierarchy of streets, ranging from local streets upward to freeways. The City of Fresno has adopted standards for each street classification (City of Fresno 1999, p. 3.2.3-1).

Since 1998, there have been a number of circulation improvements within the Project Area. Although, these topics were not analyzed in the Program EIR, these changes were intended to reduce traffic congestion within the Project Area and were done in compliance with applicable plans, strategies, and standards. Therefore, the Project would not result in a new or more severe impact as a result of these changes.

Future development that produces 100 or more peak-hour trips would be required to prepare a traffic analysis to evaluate its contribution to increased peak-hour vehicle delay at major street intersections adjacent or proximate to the future development in accordance with Mitigation Measure B-4 of the 2025 Fresno General Plan Master EIR (MEIR).

The extension of the eminent domain power within the Redevelopment Plan Area may result in intensification of land uses within the Project Area. The Program EIR concludes that the short-term, construction-related traffic effects as a result of future development would be less than significant by complying with established City and Agency procedures that call for the coordination of construction plans, temporary street closures, and detour plans with affected agencies as well as notification of users (City of Fresno 1999, p. 3.2.3-9). The Program EIR concluded that long-term traffic impacts would be reduced with the continued construction of public improvements, including but not limited to street widening and extensions, intersection improvements, railroad grade improvements, provision of public parking, and construction of curb, gutter, sidewalk, and streetscape improvements such as lighting and landscaping (City of Fresno 1999, p. 3.2.3-9). Implementing improvements in conformance with the current General Plan and applicable community plans or other future plans would reduce long-term traffic impacts as a result of future development in the Project Area to a less-than-significant level. The Program EIR concludes, however, that even with sufficient mitigation for the long-term, the contribution of future development within the Project Area would result in a significant and unavoidable cumulative traffic impact due to the decline in level of service (LOS) at several local intersections in the Project Area (City of Fresno 1999, p. 1.4-16). The cumulative impacts of the Project were disclosed in the Program EIR and have not changed; therefore, the Project would not result in a new or more severe impact as a result of these changes. Impacts would be less than significant.

- b. **Less-than-Significant Impact.** As discussed in XVI.a, by complying with applicable plans, strategies, and standards, future development in the Project Area would not significantly impact traffic, and therefore related LOS, during the construction and operational periods, but it would result in a significant and unavoidable cumulative traffic impact due to the decline of LOS at local intersections in the Project Area. However, the cumulative significance of this impact was disclosed in the Program EIR; therefore, the Project would not result in a new or more severe impact in this area.
- c. **No Impact.** As discussed in VIII.e, a significant portion of the northwestern part of the Project Area is located within the Airport Plan area, but because future development would be required to comply with the Airport Plan, future development would not result in building heights in close proximity that could affect landing and takeoff approaches. Additionally, the Project would not appreciably increase population (see XIII.a above) that would result in a significant

increase in air traffic levels, and the project would not require the airport to change locations. Discussions about airport hazards and airport-related noise have been discussed above. No substantive changes have occurred since certification of the Program EIR indicating that the Project would result in a new or more severe impact. Therefore, no impact on air traffic patterns would result from the Project.

- d. **Less-than-Significant Impact.** Future development would be required to comply with Caltrans and/or City road design standards, which would ensure that hazardous design features or incompatible uses would not occur. Future development would also remove existing hazardous road conditions in order to be compliant with these standards. No substantive changes have occurred since certification of the Program EIR indicating that the Project would result in a new or more severe impact. Therefore, a less-than-significant impact is anticipated from the Project.
- e. **No Impact.** Future development would be required to comply with City of Fresno Fire Department standards for adequate emergency access. Future development would also assist in removing currently inadequate access points within the Project Area in order to be compliant with these standards. No substantive changes have occurred since certification of the Program EIR indicating that the Project would result in a new or more severe impact. Therefore, no impact would result from the Project.
- f. **Less-than-Significant Impact.** As discussed in XVI.a, any changes in the Project Area's existing circulation system would have to comply with the current General Plan or other future adopted plans, and City design standards. Future development would be reviewed on a case-by-case basis for compliance with these plans, strategies, and standards. Agency-allowed redevelopment activities include alternative transportation improvements projects, such as streetscape improvements, street lights, pedestrian walkways, bridges, sidewalks, traffic signals, utility undergrounding, bicycle paths, street medians, trails, and trolley crossings. These allowed improvements would support alternative transportation in the area. The Project would extend eminent domain power to provide assistance in implementing City strategies and policies found in the current General Plan or other future adopted plans to improve pedestrian, bicycle, and transit access in the Project Area. No substantive changes have occurred since certification of the Program EIR indicating that the Project would result in a new or more severe impact. Therefore, a less-than-significant impact would result from the Project.

XVII. Utilities and Service Systems	Potentially Significant Impact	Less-than-Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
Would the project:				
a. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Have sufficient water supplies available to serve the project from existing entitlements and resources, or would new or expanded entitlements be needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. Result in a determination by the wastewater treatment provider that serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

a. **Less-than-Significant Impact.** Future development within the Project Area would generate additional wastewater that would need to be treated before properly disposed or recycled. This wastewater water would be treated at the Fresno/Clovis Regional Water Reclamation Facility in accordance with specific effluent water quality requirements specified in the Central Valley Regional Water Quality Control Board's (CVRWQCB) Tulare Lake Basin Plan, the Waste Discharge Requirements (WDR) order (Order No. 2006-0003-DWQ, Statewide General Waste Discharge Requirements for Sanitary Sewer Systems, State Water Resources Control Board (SWRCB), May 2, 2006), and in compliance with California Code of Regulations (CCR) Title 22 requirements for recycled water quality. By law, the facility must comply with CVRWQCB, SWRCB, and CCR requirements or make improvements and pay fines if found to be out of compliance. In the Sewer System Management Plan, the City has developed a comprehensive strategy to address necessary improvements within the existing wastewater distribution system in order to ensure applicable wastewater treatment requirements are met (City of Fresno 2009c). Water quality requirements in these documents are more stringent than requirements

placed on the Project in 1999. No substantive changes have occurred since certification of the Program EIR indicating that the Project would result in a new or more severe impact. Therefore, a less-than-significant impact would result from the Project.

- b. **Less-than-Significant Impact.** The Program EIR acknowledges that sections of the wastewater distribution system (sewer system) are antiquated and in need of repair or replacement (City of Fresno 1999, p. 3.2.6-3). As described in the Program EIR, although the trunk sewer lines that serve the Project Area have been completed and are adequate in capacity to accommodate planned land uses, there are deficiencies in the sewer main system that serves the area (City of Fresno 1999, p. 3.2.6-3). Several of the sewer lines are experiencing increasingly high maintenance and are in need of replacement. Sections of the sewer system in the Project Area would not be able to support planned land uses as a result of future redevelopment activities (City of Fresno 1999, p. 1.4-16). Additionally, the City's recent Sewer System Management Plan includes a number of necessary rehabilitation and capacity upgrade sewer system projects that are necessary in the Project Area (City of Fresno 2009c).

Future development within the Project Area would be required to obtain a sewer permit from the City director of development to connect to the existing sewer system and pay a sewer connection charge in accordance with City Municipal Code Section 6-304. During operations, future development would also have to pay a sewer service charge in accordance with City Municipal Code Section 6-305. In accordance with City Municipal Code Section 6-337, a sewer service fund has been established where sewer connection and sewer service charges are deposited to pay for acquisition, construction, and reconstruction of the publicly owned treatment works (POTW), including wastewater treatment plant (WWTP) expansions and new construction. Necessary sewer capital improvements in the Project Area outlined in the Sewer System Management Plan would also be funded through the sewer service fund. Future POTW acquisition, construction, and reconstruction (WWTP and sewer capital improvements) would be subject to additional CEQA analysis that includes mitigating environmental impacts to the greatest extent feasible, which is out of the scope of this documentation. Obtaining a sewer permit and paying necessary charges in accordance with City Municipal Code, coupled with future WWTP CEQA review, would result in a less-than-significant impact due to the construction of new wastewater treatment facilities or expansion of existing facilities, including sewer capital improvements.

The Program EIR acknowledges that sections of the City's wastewater collection system are in need of replacement due to age but that compliance with the City Municipal Code would reduce impacts to less than significant. As discussed above, future development would have to comply with the City Municipal Code. Therefore, pursuant to State CEQA Guidelines Section 15162, no new or more severe impacts on wastewater treatment facilities would result as part of the Project that have not already been disclosed in the Program EIR.

Please note that, unlike potable water, wastewater impacts are primarily the product of the capacity and condition of the conveyance facilities as well as the treatment plant's capacity rather than the availability of the water supply (see XVII.d for more information about water supply). Unlike water supply, where future development would either have to comply with the UWMP or be required to have sufficient water supplies for implementation during the site review process, wastewater adequacy does not have a project-level discretionary process that ensures that sufficient facilities are present prior to development. The Sewer System

Management Plan is the City's planning document to address and prioritize current and future wastewater capacity and conveyance needs.

- c. **Less-than-Significant Impact.** The Program EIR concluded that the stormwater drainage facilities have been completed within the Project Area and are sized to adequately convey stormwater flows for current development (City of Fresno 1999, p. 3.2.6-6). The Project Area is essentially flat ground with minimal potential for runoff. Future construction would create bare ground that would be exposed to potential erosion (during construction); any erosion off site would create a significant impact because it could flow into downstream water bodies. The federal Clean Water Act regulates the discharge of pollutants to waters of the United States in accordance with state and local NPDES permits. As discussed in VI.b, compliance with the Statewide General Construction NPDES permit is required for direct or indirect discharges of stormwater runoff to waters of the United States from construction projects that cause soil disturbance of at least 1 acre (or less than 1 acre if part of a larger common plan of development or sale). Adherence to the Statewide General Construction NPDES permit requires that the applicant develop and implement a SWPPP. No substantive changes have occurred since certification of the Program EIR indicating that the Project would result in a new or more severe impact. As discussed in VI.b and IX.e, future development would have to conform to requirements of the City and Fresno Metropolitan Flood Control District (i.e., the District's master plan); individual development's stormwater conveyance needs would have to be reviewed and approved by the City (City of Fresno 1999, p. 1.4-4). A future development's stormwater drainage system improvements would have to be reviewed and approved by the Fresno Metropolitan Flood Control District for conformance with the District's master plan prior to improvement construction. Therefore, the Project may require or result in the construction of new stormwater drainage facilities or expansion of existing facilities. However, this was contemplated in the Program EIR, and no substantive changes have occurred since certification of the Program EIR indicating that the Project would result in a new or more severe impact. Therefore, a less-than-significant impact is anticipated.
- d. **Less-than-Significant Impact.** As discussed in IX.b, the City's Department of Public Utilities notes that, if proposed future development within the Project Area is consistent with the General Plan and future updates, then development has been accounted for in the UWMP provided that development does not exceed land use based water allocations identified in the UWMP by constructing high water use characteristics, e.g., water features, excessive amount of landscaping, over densification. Future development that may exceed land based water allocations would be subject to the City's Special Permit review process, set forth in Fresno Municipal Code (FMC) Sections 12-405 and 12-406. In accordance with FMC, the City could place water conservation conditions on future developments or require the purchasing of additional water entitlements necessary to offset the water demand of future developments not covered in the UWMP as part of the issuance of a special permit. Required compliance with FMC Sections 12-405 and 12-406, as necessary, would result in future development compliance with the UWMP, which relies predominantly on groundwater pumping for current and anticipated water supplies. Additionally, the Redevelopment Plan's expiration date (6/29/2029) and the Amendment's expiration date (12 years from approval) are within the 2030 date analyzed in the UWMP. Since redevelopment within the Project Area is required to be compliance with the General Plan, and because the General Plan has already accounted for the Project in its analysis, water supply has been analyzed for these Constituent Project Areas under the UWMP. Therefore, the Project would have sufficient water supplies available to serve the project from

existing entitlements and resources, nor would new or expanded entitlements be needed. Impacts would be less than significant.

- e. **Less-than-Significant Impact.** See response to XVII.b. As set forth therein, the Project would not result in a determination by the wastewater treatment provider that serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments. Impacts would be less than significant.
- f. **Less-than-Significant Impact.** Future development would increase the amount of solid waste generated in the City but was determined to be less than significant in the Program EIR (City of Fresno 1999, 3.2.6-6). Mitigation has been adopted by the current General Plan that requires adequate solid waste facilities and services for the collection, transfer, recycling, and disposal of solid waste for existing and planned development within the City (City of Fresno 2002). In order to effectuate the General Plan mandate, the City has recently adopted industrial, commercial, and multifamily recycling requirements as well as construction recycling requirements outlined in the City's Zero Waste Strategic Action Plan (City of Fresno 2008b). This plan's purpose is to achieve 75% diversion by 2012 and zero-waste status by 2025 (City of Fresno 2009c). Future development's compliance with the action plan would allow future development to be served by a landfill with sufficient permitted capacity to accommodate the Project's solid waste disposal needs. The requirements in the City's Zero Waste Strategic Action Plan are more stringent than the requirements placed on the Project in 1999. No substantive changes have occurred since certification of the Program EIR indicating that the Project would result in a new or more severe impact. Therefore, no analysis is required in the Subsequent EIR.
- g. **Less-than-Significant Impact.** As discussed in the Program EIR, future development would comply with all local, state, and federal requirements for integrated waste management (e.g., recycling) and solid waste disposal (City of Fresno 1999, p. 3.2.6-4). Future development would also comply with all local, state, and federal requirements hazardous wastes or materials that require special disposal; see Hazards and Hazardous materials above for more information. Therefore, the Project would comply with federal, state, and local statutes and regulations related to solid waste. No substantive changes have occurred since certification of the Program EIR indicating that the Project would result in a new or more severe impact. Therefore, impacts from the Project would be less-than-significant.

XVIII. Mandatory Findings of Significance	Potentially Significant Impact	Less-than-Significant with Mitigation Incorporated	Less-than-Significant Impact	No Impact
a. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Does the project have impacts that are individually limited but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

a. **Less-than-Significant Impact.** As discussed in Biological Resources above, there is no change to the Project or its circumstances, nor new information that the Project would result in a new or more severe impact (compared to those discussed in the Program EIR) that would degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, or substantially reduce the number or restrict the range of a rare or endangered plant or animal because there are no native habitats or wetlands within the Project Area. Therefore, the lack of suitable habitat, significant disturbance in the Project Area, and unsuitable hydrology or other critical resources precludes rare or endangered plants or animals. The Project would also not eliminate important examples of the major periods of California prehistory because the Project Area does not contain any known archaeological or paleontological resources, and appropriate mitigation is in place in the event that previously unknown resources are discovered (see V.b and V.c). Also, as discussed in V.a, the Program EIR found no known no known historic resources in the Project Area. Although there may be buildings and other resources not listed in the Program EIR that are now eligible for listing as historic resources, the Program EIR requires that the City and Agency to evaluate each structure on a proposed development site to determine its eligibility for listing on the City's Official Local List of Historic Places. Should a structure be determined to be eligible for listing, the project shall be processed in accordance with the City's established procedures and building codes with respect to preserving potential historic resources. Therefore, the Project would not cause a substantial adverse change in the significance of a historical resource, and impacts would be less than significant.

- b. **Less-than-Significant Impact with Mitigation Incorporated.** As discussed in Air Quality and Traffic, the Program EIR acknowledges that the Redevelopment Plan would result in cumulatively considerable air quality and traffic impacts. However, the cumulative impacts of the Redevelopment Plan were disclosed in the Program EIR and have not changed; therefore, the Project would not result in a new or more severe impact as a result of these changes. The Program EIR did not discuss potential impacts of the Redevelopment Plan with respect to global warming and greenhouse gas (GHG) emissions, as this was not required by the CEQA Statute or Guidelines at the time. All future development would generate some quantity of GHGs during its construction and operational period, and would contribute to cumulative global GHG emissions. However, adoption of MM-2, when fully incorporated into future development projects within the Project Area, would lessen GHG emissions from within the project area and achieve a reduction target of 29% below BAU, as stated in the SJVAPCD GHG guidance and, by inference, AB 32. With application of this mitigation, impacts would be less than significant.
- c. **Less-than-Significant Impact.** As discussed above, redevelopment activities could cause substantial adverse air quality and traffic effects on human beings, either directly or indirectly. However, these effects were disclosed in the Program EIR and have not changed; therefore, the Project would not result in a new or more severe impact as a result of these changes. Impacts would be less than significant.

XIX. Earlier Analysis

Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, one or more effects have been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a discussion should identify the following on attached sheets.

- a. **Earlier analyses used.** Identify earlier analyses and state where they are available for review.
- b. **Impact adequately addressed.** Identify which effects from the above checklist were within the scope of and adequately analyzed in the earlier document pursuant to applicable legal standards and state whether such effects were addressed by mitigation measures based on the earlier analysis.
- c. **Mitigation measures.** For effects that are “potentially significant unless mitigated,” describe the mitigation measures which were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

Authority: Public Resources Code Sections 21083 and 21083.05.

Reference: Section 65088.4, Government Code; Sections 21080(c), 21080.1, 21080.3, 21082.1, 21083, 21083.05, 21083.3, 21093, 21094, 21095, and 21151, Public Resources Code; *Sundstrom v. County of Mendocino* (1988), 202 Cal. App. 3d 296; *Leonoff v. Monterey Board of Supervisors* (1990) 222 Cal.App.3d 1337; *Eureka Citizens for Responsible Govt. v. City of Eureka* (2007) 147 Cal.App.4th at 1109; *San Franciscans Upholding the Downtown Plan v. City and County of San Francisco* (2002) 102 Cal.App.4th 656.

Citations and References

- Bay Area Air Quality Management District. 2010. *Greenhouse Gas Reduction Measures*.
- California Department of Conservation. 2007. Williamson Act Program. Last updated: June 24, 2007. Available: <[http://www.consrv.ca.gov/DLRP/lca/basic_contract_provisions/index.htm#What%20is%20the%20California%20Land%20Conservation%20\(Williamson\)%20Act](http://www.consrv.ca.gov/DLRP/lca/basic_contract_provisions/index.htm#What%20is%20the%20California%20Land%20Conservation%20(Williamson)%20Act)>. Accessed: June 28, 2010.
- California Department of Conservation. 2008. Rural Land Mapping Edition, Fresno County Important Farmland 2008, Sheet 2 of 2. June 2010.
- California Department of Toxic Substance Control. 2009. Envirostor, Hazardous Waste and Substance List. Available: <http://www.envirostor.dtsc.ca.gov/public/search.asp?cmd=search&reporttype=CORTESE&site_type=CSITES%2COPEN%2CFUDS%2CCLOSE&status=ACT%2CBKLG%2CCOM&reporttitle=HAZARDOUS%20WASTE%20AND%20SUBSTANCES%20SITE%20LIST>. Accessed: June 30, 2010.
- California Department of Transportation. 2009. California Scenic Highway Mapping System, Fresno County. Available: <http://www.dot.ca.gov/hq/LandArch/scenic_highways/index.htm>. Accessed: June 30, 2010.
- California Department of Water Resources. 2008. Preliminary 100- and 200- Year Floodplains Based Upon Best Available Data. Available: <http://www.water.ca.gov/floodmgmt/lrafmo/fmb/fes/best_available_maps/fresno/fre_h7.pdf>. Accessed: July 9, 2010.
- California Geological Survey. 2007a. Alquist-Priolo Earthquake Fault Zones. Available: <<http://www.consrv.ca.gov/CGS/rghm/ap/index.htm>>. Accessed: June 30, 2010.
- California Geological Survey. 2007b. Special Publication No. 42. Fault-Rupture Hazard Zones in California, Alquist-Priolo Earthquake Fault Zoning Act with Index to Earthquake Fault Zones Maps. Interim Revision. Available: <<ftp://ftp.consrv.ca.gov/pub/dmg/pubs/sp/Sp42.pdf>>. Accessed: June 30, 2010.
- Central Valley Regional Water Quality Control Board. 2001. Central Valley Regional Water Quality Control Board, Order No. 5-01-048, NPDES No. CA0083500, Waste Discharge Requirements for Fresno Metropolitan Control District, City of Fresno, City of Clovis, County of Fresno, and California State University Fresno, Urban Storm Water Discharges, Fresno County. Order Approved: March 21, 2009.
- City of Fresno. 1979. *McLane Community Plan*. May.
- City of Fresno. 1992a. *Roosevelt Community Plan*. April. Prepared by the City of Fresno Development Department, Planning Division, Fresno, CA.
- City of Fresno. 1992b. *Fresno Yosemite International Airport and Environs Specific Plan*. September.
- City of Fresno. 2002. *Draft Master Environmental Impact Report, No. 10130, 2025 Fresno General Plan*. May. Prepared by URS Corporation for the City of Fresno Planning & Development Department.

- City of Fresno. 2008a. *City of Fresno Urban Water Management Plan*. Adopted: August 19, 2008. Available: <<http://www.fresno.gov/Government/DepartmentDirectory/PublicUtilities/Watermanagement/WaterInformation/Default.htm>>. Accessed: June 30, 2010.
- City of Fresno. 2008b. *City of Fresno – Zero Waste Strategic Action Plan*. Approved: February 11, 2008. Available: <<http://www.fresno.gov/NR/rdonlyres/9112A6F3-33A3-428E-9762-6EBC0E0523B7/0/ZeroWasteStrategicActionPlan.pdf>>. Accessed: July 7, 2010.
- City of Fresno. 2009a. *City of Fresno 2025 Fresno General Plan Land Use and Circulation Map*. Updated: January 27, 2009. Available: <<http://www.fresno.gov/NR/rdonlyres/16BFB03A-2306-477A-859A-B1E76224B34C/0/gp2025big.pdf>>. Accessed: June 28, 2010.
- City of Fresno. 2009b. Draft – Air Quality Update of the 2025 Fresno General Plan Resource Conservation Element, 2025 General Plan Objectives, Policies, and Implementation Measures Relating to Air Quality (Pursuant to Assembly Bill 170). Revised May 7, 2009. Prepared for Plan Amendments Application No. A-09-02. Fresno, CA.
- City of Fresno. 2009c. *Sewer System Management Plan*. Prepared by the City of Fresno, Fresno, CA.
- City of Fresno and City of Fresno Redevelopment Agency (City of Fresno). 1999. *Draft and Final Program EIR 98-01, Central City Commercial Revitalization Redevelopment Project Area; Airport Area Revitalization Redevelopment Project Area; Southeast Fresno Redevelopment Project Area; South Fresno Industrial Redevelopment Project Area* (SCH No. 990011008). April (Draft), June (Final).
- Federal Emergency Management Agency. 2009. Flood Insurance Rate Map, Fresno County, California and Incorporated Areas, Map Number 06019C1590H. Map Revised: February 18, 2009.
- National Park Service. 1983. *Secretary of the Interior's Standards and Guidelines for Archeology and Historic Preservation*.
- National Park Service. 1985. *National Register Bulletin 24*.
- Office of Historic Preservation. 1986. *California Historic Resources Survey Workbook*.
- Office of Historic Preservation. 1989. *Archaeological Resource Management Reports: Recommended Contents and Format*.
- Office of Historic Preservation. 1995. *Instructions for Recording Historical Resources and Appendix 6: Types of Survey Activities*.
- San Joaquin Valley Air Pollution Control District. 2009. *Final GHG Guidance*. Appendix J.
- U.S. Fish and Wildlife. 2010. National Wetlands Inventory. Available: <<http://www.fws.gov/wetlands/Data/Mapper.html>>. Accessed: June 30, 2010.

Personal Communications

Hattersley-Drayton, Karana. Historic Preservation Project Manager. City of Fresno Historic Preservation Commission. August 4, 2010—telephone conversation.

List of Preparers

Redevelopment Agency of the City of Fresno

David Martin, Project Manager

Jerry Freeman, Project Consultant

ICF International

Lee Lisecki, Project Director

Steven Esselman, Project Manager/Senior Environmental Planner

Jonathan Riker, Esq., LEED AP, Environmental Counsel/Project Manager

Terry Rivasplata, AICP, Technical Director

Namrata Belliappa, GIS Analyst