

4.10 LAND USE AND PLANNING

This chapter describes the regulatory framework and existing conditions related to land use in the vicinity of the Parkway Plan Area, and the potential land use and policy consistency impacts that could result from development and implementation of the proposed Plan.

4.10.1 ENVIRONMENTAL SETTING

4.10.1.1 REGULATORY FRAMEWORK

This section describes land use plans and policies relevant to the proposed Plan. The proposed Plan, the Parkway Master Plan Update, sets forth the policies of the Conservancy for developing and implementing the Parkway. Many of the existing Parkway Plan policies have been adopted in whole or in part by the three local land use agencies: the County of Fresno, County of Madera, and City of Fresno. Although local land use policies and regulations do not directly apply to State development on State-owned land, they guide Parkway development on Conservancy lands. Local land use policies and regulations shall apply to Parkway development on lands that are not State-owned.

Parkway Master Plan Policies

The Conservancy will implement its mission and the Parkway Master Plan in a manner consistent with its adopted Parkway Master Plan goals, objectives, policies, design guidelines, and best management practices (BMPs) to the extent practicable.

Local Plans and Ordinances

The Conservancy is the lead agency responsible for preparing, approving, and implementing the proposed Parkway Master Plan. The Conservancy may assist other government agencies and nonprofit organizations in implementing elements of the proposed Plan. The Conservancy's authorities and jurisdiction are described in Chapter 3, Project Description. Local land use policies relevant to Parkway development and implementation are discussed in this section.

Madera County General Plan

Adopted on October 24, 1995, the Madera County General Plan sets forth the goals, regulations, and vision to provide guidance to developers, decision-makers, and the general community for developing areas within the unincorporated area in Madera County. Part II, Section 1, Land Use, includes goals and policies to guide land use development in Madera County. Table 4.10-1, below, shows policies and goals relevant to the project area.

Additionally, other local specialized plans guide development within specified boundaries; however, the Madera County General Plan is the primary regulatory document. Although many area plans exist within Madera County,

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TABLE 4.10-1 POLICY CONSISTENCY MADERA COUNTY GENERAL PLAN GOALS AND POLICIES

Policy/Goal Number	Policy/Goal	Determination of Plan Consistency
Goal 1.A	To promote the wise, efficient, and environmentally-sensitive use of Madera County land to meet the present and future needs of Madera County residents and businesses.	Consistent. One of the primary purposes of the proposed Plan includes habitat conservation and the creation of protected open space. For example, one of the goals of the Plan is to <i>“Conserve, restore and enhance natural resources and protect cultural resources while also meeting recreational and educational needs.”</i>
Policy 1.A.1	The County shall promote the efficient use of land and natural resources.	Consistent. The proposed Plan contains several policies and goals which seek to promote efficient use of land and natural resources through collaboration with adjacent landowners, agencies, and organizations. For example, the Plan includes a goal to <i>“Develop the Parkway in a transparent and cooperative manner among local and State agencies; nonprofit land trusts, conservation, and stewardship organizations; neighboring landowners, and other stakeholders.”</i>
Policy 1.A.2	The County shall designate sufficient land to accommodate projected population and employment growth in Madera County.	Consistent. While the proposed Plan itself does not contain a residential component, it would provide increased open space and opportunities for low-impact recreational activities such as hiking, biking, camping, kayaking and canoeing, all of which would accommodate the recreational needs of future county residents. Further, although the Plan is not expected to generate significant employment opportunities, the Plan does support recreational services such as concessions, which could provide a limited number of job opportunities.
Policy 1.A.3	New development should be centered in existing communities and designated new growth areas.	Consistent. The County’s policy encourages development in areas already served by public infrastructure and services or in areas planned for community infrastructure and services. The proposed Plan conserves open space areas that are not served by urban infrastructure or planned for urban development.
Policy 1.A.5	The County shall permit only low-intensity forms of development in areas with sensitive environmental resources or where natural or human-caused hazards are likely to pose a significant threat to health, safety, or property.	Consistent. The proposed Plan focuses on conserving open space and habitat and providing for low-impact recreational activities, such as hiking, bicycling, walking, nature observation, camping, and picnicking in a manner compatible with conservation of the natural and cultural resources of the area.

Source: Madera County General Plan Policy Document, October 24, 1995.

the River West Madera Master Plan, the Gunner Ranch Area Plan, the Rio Mesa Area Plan, and the Tesoro Viejo Specific Plan fall within the Parkway Plan Area and, therefore, must be considered in the event of future development within their boundaries.

Madera County Municipal Code

Madera County Municipal Code Title 18, Zoning, governs land use within Madera County such as permitted and non-permitted uses, establishes zoning districts, and sets forth regulations for permits and the permit approval

process. Madera County Zoning districts within the Plan Area include, ARE-40 – Agricultural, rural, exclusive (40-acre) district, ARV-20 – Agricultural, rural, valley (20-acre) district, and ARF – Agricultural, rural, foothill district.

Fresno County General Plan

The 2000 Fresno County General Plan Open Space and Conservation Element establishes numerous goals and policies aimed at protecting and enhancing the aesthetic and scenic qualities of the area. The Fresno County General Plan considers scenic resources important in the economic development of the region with respect to tourism and tourism based industries. Additionally, the Fresno County General Plan includes urban development components regulating the character of development within the county (see Table 4.10-2.). Fresno County community plans in the Plan Area include the Friant Ranch Specific Plan, Friant Community Plan, and the Regional Bicycle & Recreational Trails Master Plan.

Fresno County Municipal Code

Title 19, Planning, of the Fresno County Municipal Code, establishes regulations with respect to land use. Specifically, Chapter 19.04, Regulations and Procedures, requires that specific departments within the County that have the authority to issue licenses or permits, shall review plans according to the provisions of Title 19.

Fresno County Zoning Ordinance

Fresno County's Zoning Ordinance was last amended in December 2011. Fresno County land in Parkway Plan Area includes AE-20 (Exclusive Agricultural), AE-5 (Exclusive Agricultural), AL-20 (Limited Agricultural), RA (Single Family Residential Agricultural) and AC (Agricultural Commercial Center).

City of Fresno General Plan

The City of Fresno's General Plan was last updated in 2014.¹ The City of Fresno General Plan includes objectives, goals, and policies relevant to the Parkway. Chapter 3, the Urban Form, Land Use, and Design Element, sets forth the policies, objectives, and goals to guide development in the City of Fresno. General Plan Land Use Designations include open space uses including, Regional Park, Ponding Basin, and Golf Course and residential uses including medium density residential, and medium low density residential. Community Plans near the Parkway Plan Area include Bullard Community Plan, Sierra Sky Park, West Area Community Plan, and the Woodward Park Community Plan.

City of Fresno Municipal Code

Chapter 12, Land Use Planning and Zoning, of the City of Fresno Municipal Code sets forth ordinances relating to land use and development. Article 4.6 of Chapter 12 requires the payment of developer fees and charges to offset or mitigate the impact to of development that results in an increase in demand for existing municipal services. Article 6, Local Planning and Procedures, establishes the planning process for development to occur

¹ City of Fresno, 2014. Fresno General Plan, adopted December 18.

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TABLE 4.10-2 POLICY CONSISTENCY FRESNO COUNTY GENERAL PLAN GOALS AND CONSISTENCY

Policy/Goal Number	Policy/Goal	Determination of Plan Consistency
Policy LU-A.12	In adopting land use policies, regulations and programs, the County shall seek to protect agricultural activities from encroachment of incompatible land uses.	Consistent. The proposed Plan includes several policies to support adjacent agriculture and farmland by requiring adequate buffers between Parkway uses and facilities and adjacent agricultural land, to the extent feasible. Agricultural uses are encouraged in the proposed Plan to buffer potential impacts between urban uses and Parkway open space/habitat.
Goal LU-C	<i>To preserve and enhance the value of the river environment as a multiple use, open space resource; maintain the environmental and aesthetic qualities of the area; protect the quality and quantity of the surface and groundwater resources; provide for long term preservation of productive agricultural land; conserve and enhance natural wildlife habitat; and maintain the flood-carrying capacity of the channel at a level equal to the one (1) percent flood event (100-year flood).</i>	Consistent. The overall purpose of the proposed Plan is to develop the Parkway as a low-impact recreation area, as well as to conserve and enhance open space and habitat within the Parkway Plan Area. Policies are included in the proposed Plan to require Parkway structures to be developed in areas outside the 100-year flood zone.
Policy LU-C.2	Within the San Joaquin River Corridor Overlay, the County shall accommodate agricultural activities with incidental home sites, recreational uses, sand and gravel extraction, and wildlife habitat and open space areas.	Consistent. The proposed Plan includes several policies to ensure that Parkway operations do not interfere with agricultural and mineral resource extraction activities that exist adjacent to or within the Parkway Plan Area. The proposed Plan will conserve open space and wildlife habitat through acquiring lands on a willing seller/willing buyer basis, and provide for habitat enhancement on those lands.
Policy LU-C.3	The County may allow by discretionary permit commercial activities needed to serve San Joaquin River Parkway visitors, such as sales of food and beverages, camper's grocery items, books, guides, and educational materials, consistent with the objectives and policies of the San Joaquin River Parkway Master Plan.	Consistent. The proposed Plan would support the development of facilities and services to the extent necessary to serve Parkway visitors.
Policy LU-C.7	The County, in approving recreational facilities in the San Joaquin River Parkway adjacent to residential uses, shall require a buffer of at least 150 feet and screening vegetation as necessary to address land use compatibility issues.	Consistent. The proposed Plan includes a policy that, to the extent feasible, would provide a minimum 150 foot buffer between residential uses and the Parkway multi-use trail, and greater buffers for more intensive uses.
Policy LU-C.8	Fresno County shall take into consideration the presence of the regulatory floodway or other designated floodway, the FEMA-designated 100-year floodplain, estimated 250-year floodplain, the Standard Project Flood, and the FMFCD Riverine Floodplain Policy in determining the location of future development within the San Joaquin River	Consistent. The proposed Plan includes several policies that would ensure compliance with applicable local, State, and federal regulations with respect to development in flood zones. Such policies protect against increased erosion, ensure facilities do not displace or obstruct flood flows, and encourage collaboration with emergency planning and response agencies as necessary.

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TABLE 4.10-2 POLICY CONSISTENCY FRESNO COUNTY GENERAL PLAN GOALS AND CONSISTENCY

Policy/Goal Number	Policy/Goal	Determination of Plan Consistency
	Parkway area. Any development sited in a designated 100-year floodplain shall comply with regulatory requirements at a minimum and with the FMFCD Riverine Floodplain Policy criteria, or requirements of other agencies having jurisdiction, where applicable.	
Policy LU-C.9	The County shall administer its land use regulations in the San Joaquin River Corridor Overlay to preserve and protect identified wildlife corridors along the San Joaquin River. The County shall administer these regulations in consultation with the San Joaquin River Conservancy.	Consistent. The proposed Plan includes numerous policies and goals that would conserve and enhance wildlife habitat and create a continuous wildlife movement corridor.
Policy LU-C.10	The County shall administer its land use regulations in the San Joaquin River Corridor Overlay to protect natural reserve areas in the San Joaquin River Parkway, principally in those areas adjoining the wildlife corridor along the river where the largest acreage's of highest quality habitat exist. The County shall administer these regulations in consultation with the San Joaquin River Conservancy.	Consistent. The policies and goals in the proposed Plan would ensure the protection, enhancement, and acquisition of open space to serve as wildlife habitat and wildlife movement corridors. One of the overarching goals and visions is to increase the amount of open space and land conserved in the Parkway Plan Area.
Goal LU-E	<i>To provide for the continued development of areas already designated for non-agricultural rural-residential development in a manner that minimizes environmental impacts and public infrastructure and service costs while restricting designation of new areas for such development.</i>	Consistent. The proposed Plan includes policies that encourage enhancing habitat and developing recreational features in areas that have previously been disturbed, thereby, minimizing environmental impacts. Additionally, policies support the connection to public infrastructure, such as municipal drinking water systems, wherever feasible. Many areas of the Parkway plan area are not served by existing public infrastructure; in those areas self-contained vault toilet restrooms may be developed which would not impact municipal infrastructure.
Policy LU-E.12	The County shall ensure through discretionary permit approvals and other development regulations that development within areas designated Rural Residential does not encroach upon natural water channels or restrict natural water channels in such a way as to increase potential flooding damage. Land divisions shall not render inoperative any existing canal.	Consistent. The proposed Plan includes policies that require that Parkway structures are not constructed in areas that would affect designated floodways, and are not constructed in the FEMA 100-year flood zone.

Source: Fresno County General Plan, October 2000.

within the City. The stated purpose of Article 6 is to establish comprehensive and orderly procedures for the formulation, adoption, amendment, repeal, and administration of plans that manage the City's physical growth.

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Sierra Sky Park Land Use Policy Plan

The Sierra Sky Park Land Use Policy Plan (Sierra Sky Park Plan) was adopted in August 1985, and most recently amended on September 15, 1998. The Sierra Sky Park Plan establishes criteria which the City of Fresno must use in evaluating development proposals in the vicinity of Sierra Sky Park Airport. Proposed General Plan amendments and rezoning as a result of proposed development are then referred to the Airport Land Use Commission (ALUC) to perform a consistency review with the Sierra Sky Park Plan. Accordingly, the Sierra Sky Park Plan sets forth objectives and policies addressing land use compatibility with noise, airspace protection, safety, and general nuisance impacts (Table 4.10-3).

4.10.1.2 EXISTING SETTING

This section describes existing conditions within the Parkway Plan Area and the general vicinity.

Surrounding Land Uses and Context

As the San Joaquin River flows from Friant Dam, land uses at the eastern end of the Parkway Plan Area include, but are not limited to, agriculture fields, open space, gravel mining facilities, recreational, rural residential, suburban residential, and commercial uses. Lost Lake Park and the community of Friant are located on the southern banks of the river. Friant primarily consists of rural residential and commercial uses. Lost Lake Park, a Fresno County-administered park, includes camping, river access, picnic tables and large-group gathering areas. Steep bluffs leading to agricultural uses are located on the north bank of the river in the vicinity.

As the river continues to flow in a westerly direction, operational and reclaimed gravel mining pits are located on the south bank. Mining operations and gravel ponds comprise the majority of land uses as the river approaches Highway 41; riparian set-backs buffer the mining operations from the river. There is a golf course (Riverbend Golf Club) on the north bank. Beyond the Parkway Plan Area a private air field (Arnold Ranch Airport), rural residential, and agricultural uses continue to Highway 41. Mobile home parks are located directly adjacent to Highway 41 on both sides of the river.

Continuing past Highway 41, the Parkway Plan Area contains large expanses of open space and ponds created by former gravel mining operations. On the south side of the river, located above the floodplain and adjacent to the Parkway Plan Area, is a residential area of the City of Fresno called the Bluffs. On the north side of the river, located above the floodplain on the bluffs adjacent to the Parkway Plan Area, is a largely undeveloped rural residential area called San Joaquin River Estates.

Between Highway 41 and Highway 99 on the south side of the river within the City of Fresno, the Parkway Plan Area and adjacent area are comprised of urban uses including, residential, commercial and airport uses. Three golf courses (Fig Garden Golf Course, Bluff Pointe Golf Course, and San Joaquin Country Club) are located adjacent to the river within the Parkway Plan Area. Riverside Municipal Golf Course is above the bluff adjacent to the Plan Area. On the north bank of the river, agricultural uses are located within and adjacent to the Parkway Plan Area.

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TABLE 4.10-3 POLICY CONSISTENCY CITY OF FRESNO GENERAL PLAN GOALS AND POLICIES

Policy / Goal/ Objective Number	Policy / Goal/Objective	Determination of Plan Consistency
Policy B-3-a	Coordinate planning and development project reviews with relevant agencies or special districts to ensure consistency with Fresno General Plan policies and programs.	Consistent. The proposed Plan includes policies that require or encourage collaboration with local agencies and adjacent jurisdictions throughout implementation of the Plan. Additionally, Goals FG.6 of the proposed Plan is to <i>“Develop the Parkway in a transparent and cooperative manner among local and state agencies; nonprofit land trusts, conservation, and stewardship organizations; neighboring landowners; and other stakeholders.”</i>
Goal 1.	<i>Enhance the quality of life for the citizens of Fresno and plan for the projected population within the moderately expanded Fresno urban boundary in a manner which will respect physical, environmental, fiscal, economic, and social issues.</i>	Consistent. The proposed Plan’s purpose is to not only provide sufficient facilities to support low-impact recreational activities, but also to enhance the overall quality of life and economic vitality of the region’s residents. One goal of the proposed Plan is to <i>“Create a Parkway and encourage land use and management policies for the San Joaquin River, its floodplain and bluffs, that will contribute to the economic vitality of the region, and enhance the health and quality of life of the region’s residents.”</i>
Policy C-2-m	<p>Development of the North Growth Area, bound by Copper Avenue, Willow Avenue, Little Dry Creek, and the San Joaquin River, will not proceed unless it is determined that any long-term adverse water impacts upon the Fresno and Clovis metropolitan areas have been mitigated.</p> <ul style="list-style-type: none"> ▪ Obtain approval of the additional area within the urban boundary and sphere of influence in accordance with the provisions of the 1983 Joint Resolution on Metropolitan Planning. ▪ Establish policies and standards as amendments to the Woodward Park Community Plan or as a new community plan or specific plan to direct development of an appropriate range of land uses with adequate public facilities and services. ▪ Apply all appropriate development standards, including urban growth management policies necessary to ensure the timely provision of adequate public facilities and services consistent with 2025 General Plan policies that new development not be subsidized by existing development. ▪ Implement the proposed “Copper River Ranch” project consistent with the 2025 General Plan to establish a unique mixed use village that 	Consistent. The proposed Plan will not involve urban development and will not generate significant demands on water supply or urban water infrastructure. The proposed Plan would not result in a significant impact to local water sources or water conveyance systems. In most instances, due to the distance from municipal utilities, the proposed Plan will rely on a small number of small-scale wells to provide visitors’ drinking water, and septic systems or vault toilets, therefore, impacts to municipal water systems will be minimal.

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TABLE 4.10-3 POLICY CONSISTENCY CITY OF FRESNO GENERAL PLAN GOALS AND POLICIES

Policy / Goal/ Objective Number	Policy / Goal/Objective	Determination of Plan Consistency
	<p>compliments and strengthens the metropolitan areas.</p> <ul style="list-style-type: none"> ▪ Extend San Joaquin River Environs goals, objectives and policies to the river bottom area north of Copper Avenue. 	
Policy E-15-j	<p>Wherever possible, provide linkages between bikeways, the city's multi-purpose trails, and other regional trail networks such as the San Joaquin River environs trail system and the Fancher Creek water conveyance and riparian corridor.</p>	<p>Consistent. The proposed Project will increase trails and trail connections for hiking, walking, bicycling, and equestrian uses. Implementation of the Plan would result in many miles of new trails and provide connectivity among the primary Parkway trail, secondary Parkway trails, and other regional trails.</p>
Policy E-15-t	<p>As directed by Resolution of the City Council adopted on November 2001, the city shall actively participate in a multi-agency planning and implementation partnership (including the County of Fresno, County of Madera, the City of Clovis, the San Joaquin River Conservancy, the Council of Fresno County Governments, the Fresno Metropolitan Flood Control District, the San Joaquin River and Parkway and Conservation Trust, Coalition for Community Trails and other agencies and organizations) in order to ensure the coordinated development of the Fresno-Clovis Metropolitan Area planned trail system.</p>	<p>Consistent. The proposed Plan has several policies and goals that require, support, and encourage a collaborative process throughout implementation of the proposed Plan, including development of the Parkway trails—components of the Fresno-Clovis Metropolitan Area planned trail system. Policies in the proposed Plan would ensure transparency and public participation in the trail planning and implementation process.</p>
Objective F-7	<p>Delineate the San Joaquin River Parkway and define its existing and future uses so Fresno-Madera area land use/development, infrastructure/public service, and resource conservation decisions can proceed with a clearer sense of ultimate uses of the regionally important assets represented by the San Joaquin River corridor.</p>	<p>Consistent. The proposed Plan is intended to serve as long-range planning document for local, State, and federal agencies, decision-makers, and stakeholders. The proposed Plan presents the and the overall vision, goals, and potential Parkway uses within the Parkway Plan Area.</p>
Policy F-7-a	<p>The city will continue to support the concept of a regional river parkway system in the riverbottom, in coordination with Fresno County, Madera County, public interest groups, property owners, and the State of California.</p>	<p>Consistent. The proposed Plan presents policies for developing and implementing a regional river parkway system in the San Joaquin River floodplain through the collaboration of the San Joaquin River Conservancy, its member agencies, and stakeholders.</p>
Policy F-7-b	<p>The city will continue to use a consultative public planning process for the river corridor and parkway, involving the San Joaquin River Conservancy, the counties of Fresno and Madera, the State of California, land owners, and interested members of the community.</p> <ul style="list-style-type: none"> ▪ Large general meetings and smaller working sessions will be used to maximize involvement of 	<p>Consistent. The San Joaquin River Conservancy board is the lead agency for discretionary approval of the proposed Plan. The board consists of elected representatives of local agencies, state agency representatives, and citizen representatives. Approval of the proposed Plan and future actions to implement the plan are taken at open public meetings, and include other workshops, planning committees, and hearings.</p>

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TABLE 4.10-3 POLICY CONSISTENCY CITY OF FRESNO GENERAL PLAN GOALS AND POLICIES

Policy / Goal/ Objective Number	Policy / Goal/Objective	Determination of Plan Consistency
	<p>the river corridor's stakeholders.</p> <ul style="list-style-type: none"> ▪ The process will be used to achieve the greatest degree of consensus possible in the community in an attempt to meet parkway, local jurisdiction, and landowner needs on mutually acceptable terms. ▪ The process will facilitate the city's commitment to address concerns of the general public regarding the natural resources of the river corridor. 	<p>Further, there are several policies in the proposed Plan that would require and encourage public participation in a transparent and open manner throughout implementation of the Plan.</p>
Policy F-7-e	<p>The city shall participate in the interagency planning process administered by the San Joaquin River Conservancy to identify the following:</p> <ul style="list-style-type: none"> ▪ Criteria for determining land acquisition priorities and the sequence of other implementing actions to be taken toward realization of the parkway. ▪ Methods to unify diverse parkway elements into a functionally and visually integrated, manageable park system. ▪ Establishment of a single overlay zone district, to be implemented by the underlying land use jurisdictions in order to facilitate the uniform application of the goals, objectives, and policies that relate to land use in the parkway. ▪ Standards for parkway improvements/facilities, including signage. ▪ Interim and permanent policies through which to operate, maintain, and manage the river parkway area to include service provision, managerial, and administrative responsibilities and law enforcement. 	<p>Consistent. In addition to the collaboration described above, staff of the Conservancy's member agencies participate in an interagency planning and coordination process.</p>
Policy F-7-i	<p>Local ordinances and land use policies that are adopted to support the parkway should enable landowners to coordinate their objectives with parkway objectives.</p> <ul style="list-style-type: none"> ▪ Land use and management policies for the San Joaquin River and areas of the riverbottom included in the proposed parkway should enhance the attractiveness of the Fresno-Madera Metropolitan Area and enhance the quality of life of its residents. ▪ Ordinances and land use policies enacted for the parkway should ensure that landowners will assist in the realization of parkway objectives by 	<p>Consistent. The Conservancy does not regulate local land use and the proposed Plan would not interfere with land use entitlements. The Conservancy coordinates with the City on Parkway planning and implementation as described above.</p>

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TABLE 4.10-3 POLICY CONSISTENCY CITY OF FRESNO GENERAL PLAN GOALS AND POLICIES

Policy / Goal/ Objective Number	Policy / Goal/Objective	Determination of Plan Consistency
	<p>siting private development projects so as to protect the riverbottom and its related wildlife corridors.</p> <ul style="list-style-type: none"> ▪ Ordinances and land use policies enacted to support the parkway should be reviewed to ensure that creation of parkway amenities does not infringe upon or reduce existing valid entitlements. ▪ Existing development entitlements should be protected in a manner that retains property values while meeting parkway objectives. 	
Objective F-8	<p>The city will continue to protect and enhance the San Joaquin River corridor's unique resources, will continue to maintain standards to protect public health and safety in the river corridor, and will provide for development of substantial recreational opportunities for all segments of the rapidly-growing population of the Fresno-Madera region by preserving open space on the bluffs and riverbottom while allowing appropriate recreational development.</p>	<p>Consistent. The proposed Plan will meet the City's objective. The proposed Plan includes policies that address protection of public health and safety, conservation of public resources, and the development of low-impact recreational facilities and services in the Parkway. Overall, the Plan's purpose is to increase conservation areas, while enhancing the network of trails and facilities to support low-impact recreational activities such as camping, picnicking, canoeing and kayaking, bicycling, and nature observation.</p>
Policy F-9-c	<p>Use the most recently adopted California Department of Water Resources and US Army Corps of Engineers' 100-year flood data to guide the siting of parkway facilities.</p> <ul style="list-style-type: none"> ▪ Do not construct any parkway facilities that would sustain more than slight damage from inundation in any area where there is a potential flood risk. ▪ Engineer parkway trails, service roads, and bridges to avoid and minimize significant flood damage. 	<p>Consistent. The proposed Plan precludes constructing above-grade structures within the FEMA designated 100-year flood zone. Further, policies would ensure that facilities are not sited in areas that would displace, obstruct, or be damaged by flood flows.</p>
Objective F-11	<p>Responsible agencies should minimize impacts from parkway recreational facilities and uses upon adjacent private property.</p>	<p>Consistent. The proposed Plan includes several policies, goals, design measures, and buffers between Parkway facilities and uses and adjacent residential, agricultural, and gravel mining uses. Such policies would ensure that potential impacts are minimized to the extent feasible.</p>
Policy F-11-a	<p>Recreational activity sites for the parkway should be chosen, developed, and managed so as to prevent and control negative impacts on adjacent private property.</p> <ul style="list-style-type: none"> ▪ Locate, design, and improve recreational facilities to minimize noise, visual contact, trespass, and crime on adjacent private property. 	<p>Consistent. The proposed Plan would provide buffers between adjacent land uses and the Parkway trail. Additionally, the overall goal and vision of the Parkway Plan is to enhance the Parkway Area and work collaboratively with local agencies, property owners, and residents to ensure that implementation of the Plan is carried out in a manner that minimizes potential</p>

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TABLE 4.10-3 POLICY CONSISTENCY CITY OF FRESNO GENERAL PLAN GOALS AND POLICIES

Policy / Goal/ Objective Number	Policy / Goal/Objective	Determination of Plan Consistency
	<ul style="list-style-type: none"> ▪ Intensive recreational activity sites will be distanced from private residences whenever possible. These facilities should be set back from private dwellings at least 150 feet with a buffer zone planted with screening vegetation where possible. ▪ Operational statements for recreational uses shall detail how the proposed activities and visitors will be managed to minimize conflicts with, and impacts upon, private land owners. ▪ Private property impacts of recreational uses should be monitored by maintaining a centralized database of complaints received from nearby land owners. In conjunction with other agencies, the city should routinely review this file to determine which complaints represent serious problems or patterns of disturbances that need prompt remedial action. ▪ If a recreational facility or use has demonstrably negative impacts on nearby private property, some or all of the following measures should be implemented to prevent the situation from continuing or worsening: <ul style="list-style-type: none"> - Increase maintenance at the facility. - Change methods of operation or the type of recreational uses allowed at the site. - Discontinue one or more recreational activities at the location. - Institute more intensive and effective supervision and management of visitors. - Limit or curtail hours of operation and/or visitor numbers. - Institute a permit system for certain activities. - Institute user fees, or increase fees, for the recreational activity or facility causing impacts (to pay for mitigative measures). - Redesign the recreational site, its access control structures, and/or its buffering area. - Close or relocate all or part of the recreational site. 	<p>impacts to the Parkway itself, as well as adjacent land uses. Although the proposed Plan does not propose specific projects, projects carried under the implantation of the proposed Plan would be subject to separate project-level CEQA review to further identify specific impacts and mitigation measures to the extent necessary to comply with CEQA.</p>

Source: City of Fresno 2025 General Plan, February 1, 2002.

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Existing Uses in the Plan Area

The Parkway Plan Area consists of floodplain lands along an approximately 23-mile reach of the San Joaquin River from the face of the Friant Dam to Highway 99. The existing Parkway supports several low-impact recreational uses, including kayaking, canoeing, horseback riding, camping, hiking, jogging, walking, bicycle riding, fishing, swimming, picnicking, and nature observation. Ancillary facilities, such as parking areas and visitor centers are in place. Parkway lands also support open space and wildlife habitat. Lands utilized for Parkway purposes are owned by several agencies and organizations, including the State of California (San Joaquin River Conservancy, California Department of Fish and Wildlife, and the State Lands Commission), City of Fresno, County of Fresno, and the San Joaquin River Parkway and Conservation Trust.

Figure 3-3 in Chapter 3 of this Draft EIR illustrates the existing and planned features of the proposed Plan.

4.10.2 STANDARDS OF SIGNIFICANCE

The proposed Plan would result in a significant land use impact if it would:

1. Physically divide an established community.
2. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction in the Plan Area (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect.
3. Conflict with any applicable habitat conservation plan or natural community conservation plan.

4.10.3 IMPACT DISCUSSION

LAND-1	The proposed Plan would not physically divide an established community.
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The proposed Plan would result in a significant impact if it physically divided an established community.

Although implementation of the proposed Plan would result in the acquisition of lands, conservation and restoration of habitat, expansion of trails, hiking and biking areas, and construction of additional facilities to support low-impact recreation, such as restrooms, canoe and kayak launches, parking areas, and campsites, none of those features would physically divide an established community.

The San Joaquin River serves as the boundary between Madera and Fresno counties. The River physically separates established communities from one another, and there are only three public transportation bridges physically connecting them in the Parkway Plan Area. Implementation of the proposed Plan would have *no impact* with respect to the physical division of an established community.

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Applicable Laws, Regulations, and Permits, Relevant Local Land Use Policies:

- N/A

Significance Without Mitigation: No Impact.

LAND-2 **The proposed Plan would not conflict with applicable land use plans, policies, or regulations.**

The proposed Plan would have a significant impact if it conflicted with applicable land use plans, policies, or regulations.

Adjacent to the Parkway Plan Area is the Sierra Sky Park Airport. The Sierra Sky Park Land Use Policy Plan establishes policies and objectives to ensure development within the vicinity of Sierra Sky Park Airport is compatible with noise, safety, and airspace protection of the airport. Potential hazards associated with the Sierra Sky Park Airport are addressed in Section 4.8, Hazards and Hazardous Materials.

A policy consistency analysis with the relevant plans described above was conducted: Table 4.10-1 addresses consistency between the proposed Plan and the Madera County General Plan, Table 4.10-2 addresses consistency between the proposed Plan and the Fresno County General Plan, and Table 4.10-3 addresses consistency between the proposed Plan and the City of Fresno General Plan. Each table is divided into three columns: a column with the goal or policy number; a column with the language of the policy or goal; and a column that includes a determination of the proposed Plan's consistency with the policy or goal.

As indicated throughout the policy consistency tables, the proposed Plan would not conflict with the land use policies and goals of Madera County, Fresno County, or the City of Fresno. Further, the proposed Plan includes policies to ensure a collaborative process among local, federal, and State agencies throughout implementation of the Project. Therefore, projects proposed under implementation of the Plan are not likely to conflict with the respective General Plans of the jurisdictions adjacent to the Parkway, and the impact would be *less than significant*.

Applicable Laws, Regulations, and Permits, Relevant Local Land Use Policies:

- Madera County General Plan
- Fresno County General Plan
- City of Fresno General Plan

Significance Without Mitigation: Less than significant.

LAND-3 **The proposed Plan would not conflict with applicable Habitat Conservation Plan or Natural Community Conservation Plan.**

The proposed Plan would have a significant impact if it conflicted with an applicable Habitat Conservation Plan or Natural Community Conservation Plan; however, there is not a Habitat Conservation Plan or Natural Community

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Conservation Plan applicable to the Parkway Plan Area.² Additionally, the proposed Plan includes several policies to conserve and enhance habitat. Therefore, no impact would occur with regard to conflicting with an applicable Habitat Conservation or Natural Community Conservation Plan.

Applicable Laws, Regulations, and Permits, Relevant Local Land Use Policies:

- N/A

Significance Without Mitigation: Less than significant.

4.10.4 CUMULATIVE IMPACTS

LAND-4	The proposed Plan, in combination with past, present, and reasonably foreseeable projects, would not result in significant cumulative impacts with respect to land use and planning.
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The geographic scope for purposes of the cumulative impacts discussion is the Parkway Plan Area and the general vicinity that could be affected as a result of implementation of the proposed Plan. Although the proposed Plan would secure lands for Parkway, open space, and conservation purposes, and introduce new structures and facilities to support low-impact recreational activities, enhance wildlife habitat, and increase connectivity among Parkway trails, all of which could impact land use, implementation would be carried out in accordance with all local, State, and federal laws as applicable. Further, future projects that would result from implementation of the proposed Plan would be subject to separate project-level CEQA review where potential site-specific impacts would be identified along with appropriate mitigation measures.

As discussed in Chapter 3, Project Description, the Conservancy is a regionally governed agency of the State of California and must comply with all laws, regulations, manuals, policies, and directives that apply to State agencies. However, Conservancy-approved projects on State lands are not subject to local land use regulation. All zoning and land use regulations remain the exclusive authority of the local agencies for all non-State lands in the Parkway. Local governments are implementing zoning and land use policies to conserve the River bottom area as open space; have incorporated Parkway Master Plan policies in their General, Community, and Specific Plans; and require public access to the river in accordance with the Subdivision Map Act. As a result, implementation of the proposed Plan cumulative impacts to land use and planning would be considered *less than significant*.

Applicable Laws, Regulations, and Permits, Relevant Local Land Use Policies:

- Madera County General Plan
- Madera County Municipal Code, Title 18, Zoning
- Fresno County General Plan
- Fresno County Municipal Code, Title 19, Planning

² California Department of Fish and Wildlife, <https://www.wildlife.ca.gov/Conservation/Planning>, accessed April 20, 2017.

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- City of Fresno General Plan
- City of Fresno Municipal Code, Chapter 12, Land Use Planning and Zoning

Significance Without Mitigation: Less than significant.

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