

Exhibit "H"

City Council Ordinance Bill for the Official Plan Lines for
South Temperance Avenue between East Jensen Avenue
and State Route 180; and, the related Environmental
Assessment.

Recording Requested by:
City Clerk, Fresno, California
No Fee-Govt. Code 6103

Return to City Clerk, Fresno

Space above this line reserved for Fresno County Recorder's Office

ORDINANCE OF THE COUNCIL OF THE CITY OF FRESNO
PROPOSED AND INITIATED BY _____
MOVED BY _____ SECONDED BY _____

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF FRESNO, CALIFORNIA, ADOPTING
THE OFFICIAL PLAN LINES FOR SOUTH TEMPERANCE AVENUE
BETWEEN EAST JENSEN AVENUE AND STATE ROUTE 180.

WHEREAS, the Director of the City of Fresno Department of Public Works has initiated a recommendation for the adoption of an Official Plan Lines (OPL), for the major street segment of South Temperance Avenue between East Jensen Avenue and State Route 180; and,

WHEREAS, the Initial Study prepared for Environmental Assessment No. EA-17-017, which was conducted pursuant to the requirements of the California Environmental Quality Act (CEQA) Guidelines, resulted in the filing of a Finding of Conformity to the Fresno General Plan Master Environmental Impact Report (MEIR #2012111015) dated September 29, 2017; and,

WHEREAS, pursuant to the provisions of Article 7, Chapter 12, of the Fresno Municipal Code, the Planning Commission of the City of Fresno held a public hearing on the 7th day of February, 2018, to consider the adoption of the proposed OPL for South Temperance Avenue between East Jensen Avenue

Date Adopted:
Date Approved:
Effective Date:
City Attorney Approval: MRO

Ordinance No.

and State Route 180, during which the Commission considered the environmental assessment and recommended approval to the Council of the City of Fresno, as evidenced in Planning Commission Resolution No. 13517, of the adoption of the proposed OPL for South Temperance Avenue East Jensen Avenue and State Route 180; and,

WHEREAS, the Council of the City of Fresno, on the 1st day of March, 2018, received the recommendation of the Planning Commission.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF FRESNO DOES ORDAIN AS FOLLOWS:

SECTION 1. Based upon the testimony and information presented at the hearing and upon review and consideration of the environmental documentation provided, the adoption of the proposed OPL is in the best interest of the City of Fresno. The Council finds in accordance with its own independent judgment that with the mitigation imposed, there is no substantial evidence in the record that adoption of the proposed OPL may have additional significant effects on the environment that were not identified in the Fresno General Plan Master Environmental Impact Report (MEIR #2012111015); and, that all applicable mitigation measures of the MEIR have been applied to the project, as necessary to assure that the project will not cause significant adverse cumulative impacts, growth inducing impacts and irreversible significant effects beyond those identified by the MEIR as provided by CEQA Section 15178(a). In addition, pursuant to Public Resources Code, Section 21157.6(b)(1), Council finds that no substantial changes have occurred with respect to the circumstances under which the MEIR was certified and that no new information, which was not known and could not have been known at the time that the MEIR was certified as complete, has become available. Accordingly, the Council adopts the Finding of Conformity to the MEIR prepared for Environmental Assessment No. EA-17-017 dated September 29, 2017.

SECTION 2. The Council finds the map presented to the Council concurrently with this ordinance (Exhibit "A") and on file in the City's Public Works Department, entitled "Official Plan Lines for South Temperance Avenue between East Jensen Avenue and State Route 180", containing 8 sheets, being a precise section of the Major Street and Highway Plan of the City of Fresno and setting forth the Official

Plan Lines for South Temperance Avenue between East Jensen Avenue and State Route 180, is hereby adopted and made part of the Official Plan Lines of Streets and Highways for street use .

SECTION 3. This ordinance shall become effective and in full force and effect at 12:01 a.m. on the thirty-first day after its passage.

* * * * *

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

I, YVONNE SPENCE, City Clerk of the City of Fresno, certify that the foregoing Ordinance was adopted by the Council of the City of Fresno, California, at a regular meeting held on the 1st day of March 2018, by the following vote:

AYES :
NOES :
ABSENT :
ABSTAIN :

Mayor Approval: _____, 2018
Mayor Approval/No Return: _____, 2018
Mayor Veto: _____, 2018
Council Override Vote: _____, 2018

YVONNE SPENCE, MMC
City Clerk

By: _____
Deputy

APPROVED AS TO FORM:
DOUGLAS T. SLOAN
City Attorney

By: _____
Mary Raterman-Doidge Date
Deputy

Attachments: Exhibit "A"

MRD:sn [78646sn/mrd] 1/29/18

Official Plan Lines for West Central Avenue between
State Route 41 and South Cedar Avenue
Filed by:
City of Fresno Public Works Department, Traffic
and Engineering Services Division.