

**Agenda Items: ID#19-11046 (10:30 AM#1)**

**Date: 8/15/2019**

## **FRESNO CITY COUNCIL**



### **Late Submission Information Packet**

**Agenda Related Item(s) – ID#19-11046 (10:30 AM#1)**

#### **Item(s)**

CONTINUED HEARING to consider Plan Amendment and Rezone Application No. P18-03582, Conditional Use Permit Application No. P18-03583 and Environmental Impact Report (EIR) State Clearinghouse (SCH) No. 2018111043 as part of a City-initiated Plan Amendment and Rezone pursuant to Fresno Municipal Code (FMC) Section 15-5803: (Council District 3)

**Contents: Exhibit P - REVISED City Council Ordinance Bill for the Rezone**

#### **Supplemental Information:**

Any agenda related public documents received and distributed to a majority of the City Council after the Agenda Packet is printed are included in Supplemental Packets. Supplemental Packets are produced as needed. The Supplemental Packet is available for public inspection in the City Clerk's Office, 2600 Fresno Street, during normal business hours (main location pursuant to the Brown Act, G.C. 54957.5(2)). In addition, Supplemental Packets are available for public review at the City Council meeting in the City Council Chambers, 2600 Fresno Street. Supplemental Packets are also available on-line on the City Clerk's website.

#### **Americans with Disabilities Act (ADA):**

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, sign language interpreters, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 621-7650. Please keep the doorways, aisles and wheelchair seating areas open and accessible. If you need assistance with seating because of a disability, please see Security.

BILL NO. \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF FRESNO,  
CALIFORNIA, UPDATING THE OFFICIAL ZONING  
MAP AS DESCRIBED BY SECTION 15-108 OF THE  
FRESNO MUNICIPAL CODE, AND PURSUANT TO  
THE PROCEDURES SET FORTH IN ARTICLE 58,  
CHAPTER 15 OF THE FRESNO MUNICIPAL CODE

WHEREAS, Rezone Application No. P18-03582 was initiated by the Director of the Planning and Development Department pursuant to Fresno Municipal Code Section 15-5803-C to rezone property as depicted in the attached Exhibit A; and

WHEREAS, pursuant to the provisions of Article 58, Chapter 15, of the Fresno Municipal Code, the Planning Commission of the City of Fresno held a public hearing on the 7th day of August 2019, to consider Rezone Application No. P18-03582 and related Final EIR SCH No. 2018111043 dated August 2019, during which the Commission considered the environmental document, related mitigation measures, Findings of Fact, Statement of Overriding Considerations, and Rezone Application, and recommended approval to the Council of the City of Fresno, as evidenced in Planning Commission Resolution No. \_\_\_\_\_, of Final EIR SCH No. 2018111043 and Rezone Application No. P18-03582 to amend the Official Zone map to rezone the approximately 40 acre subject property described herein below from the PI/UGM (*Public and Institutional/Urban Growth Management*) zone district to IH (*Heavy Industrial*) zone district; and

WHEREAS, the Council of the City of Fresno, on the 15th day of August 2019, received the recommendation of the Planning Commission; and

1 of 3

Date Adopted:

Date Approved:

Effective Date:

City Attorney Approval:  \_\_\_\_\_

Ordinance No.

WHEREAS, the Council reviewed Rezone Application No. P18-03582 in accordance with Section 15-5812 of the FMC and finds that the proposed rezone meets the criteria established by Section 15-5812.

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 rezoning is in the best interest of the City of Fresno. The Council finds in accordance with its own independent judgment that FEIR SCH No. 2018111043 dated August 2019 has been properly certified pursuant to the requirements of CEQA Guidelines Section 15090 including all required written findings pursuant to CEQA Guidelines Section 15091, through Resolution No. \_\_\_\_\_.

SECTION 2. The Council finds the requested IH (*Heavy Industrial*) zone district is consistent with the proposed Heavy Industrial planned land use designation of the Fresno General Plan.

SECTION 3. The Council finds that the zone district of the real property described hereinbelow, located in the City of Fresno, is reclassified from the PI/UGM (*Public and Institutional/Urban Growth Management*) zone district to IH (*Heavy Industrial*) zone district, as depicted in the attached Exhibit "A".

SECTION 4. This ordinance shall become effective and in full force and effect at 12:01 a.m. on the thirty-first day after its passage.

\* \* \* \* \*

CLERK'S CERTIFICATION

STATE OF CALIFORNIA )  
COUNTY OF FRESNO )  
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 15th day of August 2019, by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

YVONNE SPENCE, CRM MMC  
City Clerk

By \_\_\_\_\_

Deputy

APPROVED AS TO FORM:  
DOUGLAS T. SLOAN  
City Attorney

By \_\_\_\_\_  
Talía Kolluri Date  
Supervising Deputy City Attorney

Attachments: Exhibit A