

Exhibit Q

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. P22-00507 has been filed by Roger Hurtado of Centerline Design, LLC, on behalf of Valley Health Team, Inc. with the City of Fresno 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 1st day of March 2023, to consider Plan Amendment Application No. P22-00507, Rezone Application No. P22-00507, Development Permit Application No. P22-00505, and related Environmental Assessment No. P22-00505/P22-00507, dated December 9, 2023, during which the Commission considered the environmental assessment and rezone application and recommended to the Council of the City of Fresno approval, as evidenced in Planning Commission Resolution No. 13790 of the subject environmental assessment and rezone application to amend the Official Zone Map to rezone the approximately ±1.23 acre subject property from the RS-5 (*Residential Single Family, Medium Density*) zone district to the CG (*Commercial – General*) zone district in accordance with Plan Amendment Application No. P22-00507; and,

WHEREAS, the Council of the City of Fresno, on the 29th day of June 2023, received the recommendation of the Planning Commission.

1 of 4

Date Adopted:

Date Approved

Effective Date:

City Attorney Approval: ke

Ordinance No.

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 rezoning is in the best interest of the City of Fresno. The Council finds in accordance with its own independent judgment that with all applicable project specific mitigation measures imposed, there is no substantial evidence in the record that Rezone Application No. P22-00507 may have additional significant effects on the environment that were not identified in the Fresno General Plan Program Environmental Impact Report SCH No. 2019050005 ("PEIR"); and, that all applicable mitigation measures of the PEIR and have been applied to the project, together with project specific mitigation measures 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 PEIR as provided by CEQA Section 15178(a). Therefore, it has been determined based upon the evidence in the record that with mitigation incorporated, the project will not have a significant impact on the environment and that the filing of a mitigated negative declaration is appropriate in accordance with the provisions of CEQA Section 21157.5(a)(2) and CEQA Guidelines Section 15178(b)(1) and (2). Accordingly, the Council adopts the Mitigated Negative Declaration prepared for Environmental Assessment No. P22-00505/P22-00507 dated December 9, 2022. 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 PEIR was certified; and, that no new information, which

was not known and not have been known at the time that the PEIR was certified as complete, has become available.

SECTION 2. The Council finds the requested CG (*Commercial – General*) zone district is consistent with the proposed Commercial – General planned land use designation of the Fresno General Plan, Bullard Community Plan, and Pinedale Neighborhood Plan as specified in the Fresno General Plan and Municipal Code.

SECTION 3. The Council finds that the zone district of the real property described hereinbelow, located in the City of Fresno and shown on the Official Zone Map of the City of Fresno, is reclassified from the RS-5 (*Residential Single Family, Medium Density*) zone district to the CG (*Commercial – General*) 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.

* * * * *

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

I, TODD STERMER, 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 29th day of June 2023, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

TODD STERMER, CMC
City Clerk

By: _____

APPROVED AS TO FORM:
ANDREW JANZ
City Attorney

By: _____
Kristi Costa Date
Deputy City Attorney

Attachment: Exhibit A


EXHIBIT A - Rezone




P22-00507

APN:303-16-148, -49, -50, -51, -52, & -53

49 W Fir Ave. (Northeast corner of W. Fir Ave and N. Sugarpine Ave)

 Proposes to rezone +/- 1.23 acres of property currently zoned RS-5 (Residential Single Family, Medium Density) to CG (Commercial-General) zone district.

 Housing Element Site