

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

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

AN ORDINANCE OF THE CITY OF FRESNO, CALIFORNIA,  
AMENDING THE OFFICIAL ZONE 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. R-04-098 has been filed by Ken Vang of Precision Civil Engineering, on behalf of RJF Fresno, LLC., 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 5th day of July 2017, to consider Rezone Application No. R-04-098 and related Environmental Assessment No. R-04-098/T-5434/ANX-17-002 dated May 5, 2017, 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. 13468, of the subject environmental assessment and rezone application to amend the City's Zoning Ordinance on real property described herein below from the AE-20 (*Agricultural Exclusive, 20 acres—Fresno County*) zone district to the RS-4/UGM (*Residential Single Family, Medium Low Density/Urban Growth Management*) zone district; and,

WHEREAS, the Council of the City of Fresno, on the 17th day of August 2017, 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 pre-rezoning is in the best interest of the City of Fresno. The Council finds in accordance with its own independent judgment that with the project specific mitigation imposed, there is no substantial evidence in the record that Rezone Application No. R-04-098 may have additional significant effects on the environment that were not identified in the Fresno General Plan Master Environmental Impact Report SCH No. 2012111015 (MEIR) and that all applicable mitigation measures of the MEIR have been applied to the project, together with the project specific mitigation measures necessary to assure that the project will not cause significant adverse cumulative impacts. 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 Mitigated Negative Declaration prepared for Environmental Assessment No. R-04-098/T-5434/ANX-17-002 dated May 5, 2017.

SECTION 2. The Council finds the recommended RS-4/UGM (*Residential Single Family, Medium Low Density/Urban Growth Management*) zone district is consistent with the Medium Low Density Residential planned land use designation of the Fresno General Plan and McLane Community Plan as specified in Figure LU-1 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 and shown on the Official Zone Map of the City

of Fresno, is reclassified from the AE-20 (*Agricultural Exclusive, 20 acres—Fresno County*) zone district to the RS-4/UGM (*Residential Single Family, Medium Low Density/Urban Growth Management*) 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, or upon annexation of the subject property into the City of Fresno and payment of any required fire district “transitional fees” by the applicant or developer, whichever occurs last.

\* \* \* \* \*

## CLERK'S CERTIFICATION

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 17<sup>th</sup> day of August 2017, by the following vote:

AYES      :  
NOES      :  
ABSENT    :  
ABSTAIN   :

Mayor Approval: \_\_\_\_\_, 2017  
Mayor Approval/No Return: \_\_\_\_\_, 2017  
Mayor Veto: \_\_\_\_\_, 2017  
Council Override Vote: \_\_\_\_\_, 2017

YVONNE SPENCE, CMC  
City Clerk

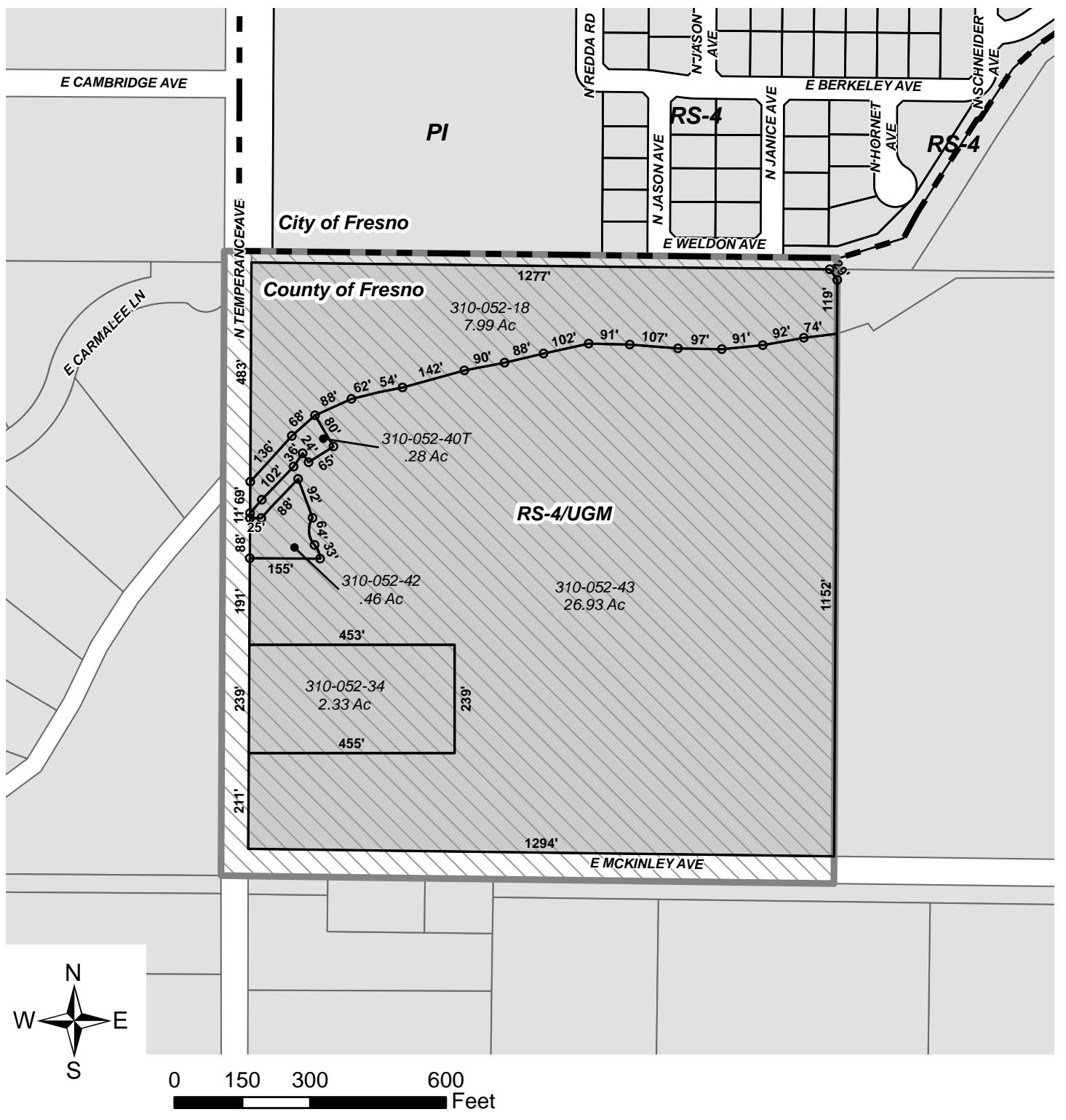
By: \_\_\_\_\_  
Deputy

APPROVED AS TO FORM:  
DOUGLAS T. SLOAN  
City Attorney

By: \_\_\_\_\_  
Mary Raterman-Dodge      Date  
Deputy City Attorney

Attachments: Exhibit A

# EXHIBIT A



**ANX-17-002, R-04-098  
APN: 310-052-34, 40T, 42, 43, 18  
7190 East McKinley Avenue**

— — City Limits

 Area to be Annexed to the City of Fresno - 42.08 Acres

From AE-20 (County) to RS-4/UGM - 37.99 Acres