

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, AMENDING THE FRESNO GENERAL PLAN AND THE SOUTHWEST FRESNO SPECIFIC PLAN (PLAN AMENDMENT APPLICATION NO. P20-04209)

WHEREAS, on December 18, 2014, by Resolution No. 2014-226, the City Council adopted the Fresno General Plan by Resolution No. 2014-225, certified Master Environmental Impact Report SCH No. 2012111015 ("MEIR") which evaluated the potentially significant adverse environmental impacts of urban development within the City of Fresno's designated urban boundary line and sphere of influence;

WHEREAS, on October 26, 2017, by Resolution No. 2017-301, the City Council subsequently adopted the Southwest Fresno Specific Plan and by Resolution No. 2017-299, certified Southwest Fresno Specific Plan Program Environmental Impact Report SCH 201731012 ("SWFSP PEIR") which is tiered from the MEIR and evaluated the potentially significant adverse environmental impacts of urban development within Southwest Fresno Specific Plan Area within the City of Fresno's designated urban boundary line and sphere of influence;

WHEREAS, Armen Devejian of Associated Design & Engineering, Inc., on behalf of Busseto Foods, Inc., has filed an application to amend the Fresno General Plan and the Southwest Fresno Specific Plan Area to change the planned land use designation for the subject property from Commercial - Community planned land use to the Residential – Urban Neighborhood planned land use;

1 of 5

Date Adopted:

Date Approved:

Effective Date:

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

Resolution No.

WHEREAS, the environmental assessment conducted for the proposed plan amendment resulted in the filing of a Negative Declaration on March 4, 2022;

WHEREAS, on May 18, 2022, the Fresno City Planning Commission held a public hearing to consider Plan Amendment Application No. P20-04209 and the associated Negative Declaration prepared for Environmental Assessment No. P20-04209/P20-04211;

WHEREAS, the Fresno City Planning Commission took action, as evidenced in Planning Commission Resolution No. 13743, to recommend approval of Plan Amendment Application No. No. P20-04209 which proposes to amend the Fresno General Plan and the Southwest Fresno Specific Plan to change the planned land use designation for the subject property from Residential – Medium Density ( $\pm 18.9$  acres) to Employment – Light Industrial ( $\pm 18.9$  acres) planned land use; and,

WHEREAS, on October 13, 2022, the Fresno City Council held a public hearing to consider Plan Amendment Application No. P20-04209 and received both oral testimony and written information presented at the hearing regarding Plan Amendment Application No. P20-04209.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Fresno, based upon the testimony and information presented at the hearing and upon review and consideration of the environmental documentation provided, as follows:

1. 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 Plan Amendment Application P20-04209 may have less than significant effects with mitigation on the environment that were not identified in the Fresno General Plan Master

Environmental Impact Report SCH No. 2012111015 (“MEIR”) and Southwest Fresno Specific Plan Program Environmental Impact Report SCH No. 201731012 (“SWFSP PEIR”); and, that all applicable mitigation measures of the MEIR and SWFSP PEIR 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 MEIR and SWFSP PEIR as provided by CEQA Section 15178(a). Therefore, it has been determined based upon the evidence in the record that the project will not have a significant impact on the environment and that the filing of a 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 Negative Declaration prepared for Environmental Assessment No. P20-04209/P20-04211 dated March 4, 2022.

2. The Council finds the adoption of the proposed plan amendment as recommended by the Planning Commission is in the best interest of the City of Fresno.
3. The Council of the City of Fresno hereby adopts Plan Amendment Application No. P20-04209 amending the Fresno General Plan and Southwest Fresno Specific Plan planned land use designation for the subject property from Residential – Medium Density ( $\pm 18.9$  acres) planned land use to Employment – Light Industrial ( $\pm 18.9$  acres) planned land use, as depicted by Exhibit “A” attached hereto and incorporated herein by reference.

\* \* \* \* \*

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

I, TODD STERMER, City Clerk of the City of Fresno, certify that the foregoing Resolution was adopted by the Council of the City of Fresno, California, at a regular meeting held on the 18th day of October 13, 2022, by the following vote:

**AYES:**

## NOES:

**ABSENT:**

## ABSTAIN:

Mayor Approval: \_\_\_\_\_, 2022

Mayor Approval/No Return: \_\_\_\_\_, 2022

Mayor Veto: \_\_\_\_\_, 2022

Council Override Vote: \_\_\_\_\_, 2022

TODD STERMER, CMC  
City Clerk

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

**APPROVED AS TO FORM:**

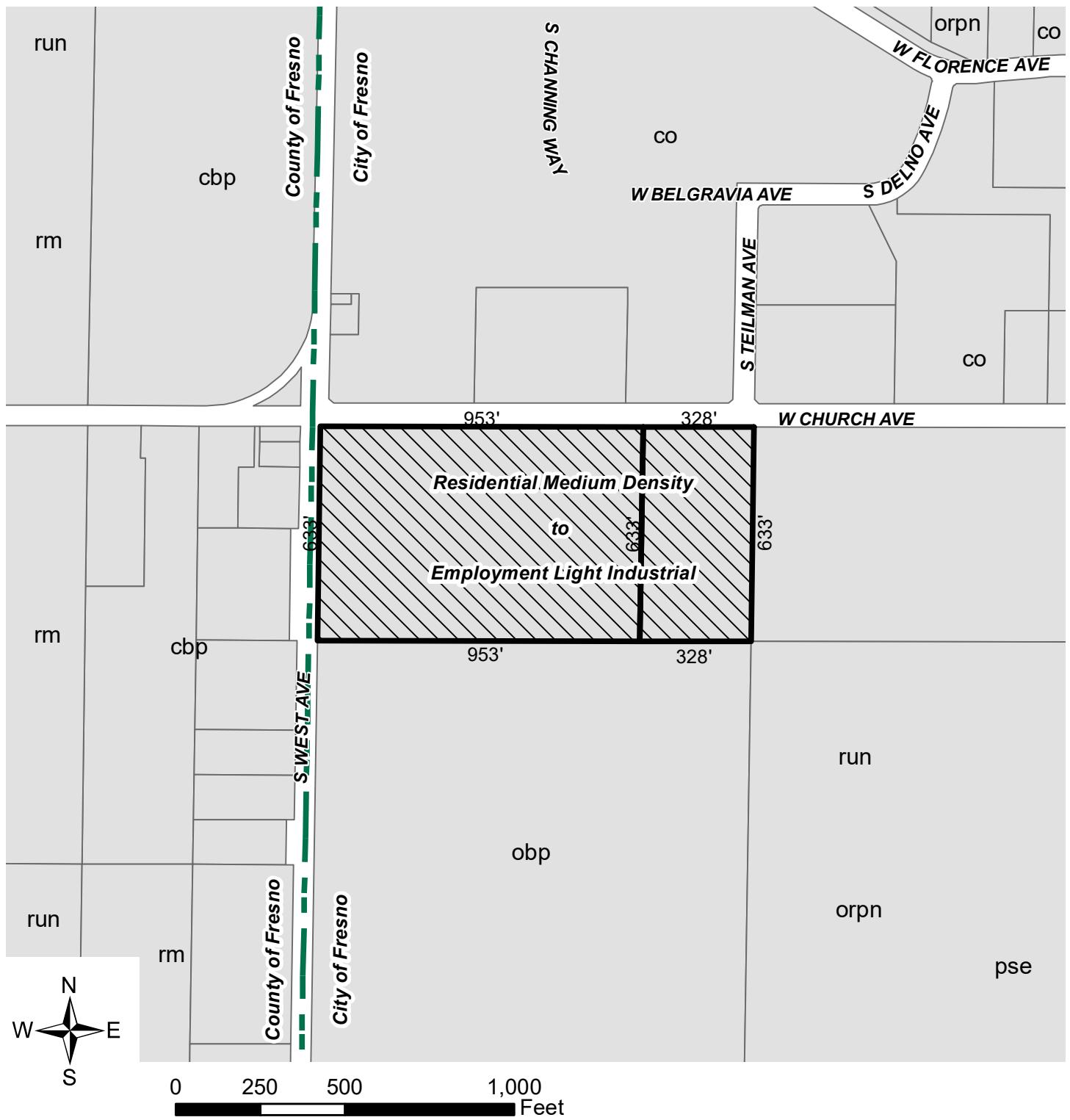
RINA GONZALES

## City Attorney

By \_\_\_\_\_  
Kristi Costa \_\_\_\_\_ Date  
Deputy City Attorney

## Attachment: Exhibit A

## EXHIBIT A- Plan Amendment



**P20-04209**

**APN: 477-030-20 & 21**

## **995 W. Church Avenue and 2325 S. West Avenue**



Requesting to change ±18.9 acres from the RM (*Residential - Medium Density*) land use designation to the IL (*Employment - Light Industrial*) land use designation.

— — City Limits