

Exhibit M

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF FRESNO, CALIFORNIA,
AMENDING 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, Pre-zone Application No. P23-03758 has been filed by the City of Fresno to pre-zone the 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 6th day of December 2023, to consider Pre-zone Application No. P23-03758 and related Environmental Assessment No. P23-03757/P23-03758 dated November 10, 2023, during which the Commission considered the environmental assessment and pre-zone application, and recommended to the Council of the City of Fresno approval of the subject environmental assessment and pre-zone application to amend the City's Zoning Ordinance on real property described herein below from the Fresno County RR/NB (*Rural Residential/Neighborhood Beautification*) zone district to the City of Fresno RS-5/ANX (*Single-Family Residential, Medium Density/Annexed Rural Residential Transitional Overlay*), City of Fresno RM-2/ANX (*Multi-Family Residential, Urban Neighborhood/Annexed Rural Residential Transitional Overlay*), City of Fresno RS-1/ANX (*Single-Family Residential, Low Density/Annexed Rural Residential Overlay*), and

1 of 4

Date Adopted:

Date Approved

Effective Date:

City Attorney Approval:

Ordinance No.

City of Fresno OS/ANX (*Open Space/Annexed Rural Residential Overlay*) zone districts;
and

WHEREAS, the Council of the City of Fresno, on the 14th day of December 2023, received the recommendation of the Planning Commission.

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-zoning is in the best interest of the City of Fresno. The Council finds in accordance with its own independent judgement that with the project specific mitigation imposed, there is no substantial evidence in the record that Pre-zone Application No. P23-03758 may have additional significant effects on the environment and that all applicable mitigation measures of the Project Specific Mitigation Monitoring Checklist dated November 10, 2023 have been applied to the project 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 Fresno General Plan Program Environmental Impact Report SCH No. 2019050005 ("PEIR") was certified; and, that no new information, which was not known and could not have been known at that time that the PEIR was certified as complete, has become available. Accordingly, the Council adopts the Mitigated Negative Declaration prepared for Environmental Assessment No. P23-03757/P23-03758 dated November 10, 2023.

SECTION 2. The Council finds the requested RS-5/ANX (*Single-Family Residential, Medium Density/Annexed Rural Residential Transitional Overlay*), RM-2/ANX (*Multi-Family Residential, Urban Neighborhood/Annexed Rural Residential Transitional Overlay*), RS-1/ANX (*Single-Family Residential, Low Density/Annexed Rural Residential Overlay*), and OS/ANX (*Open Space/Annexed Rural Residential Overlay*) zone districts are consistent with the Medium Density Residential, Urban Neighborhood, Low Density Residential, and Open Space planned land use designations of the Fresno General Plan and West Area Community Plan.

SECTION 3. The Council finds that the zone district of the real property described herein below, located in the City of Fresno, is pre-zoned from the Fresno County RR/NB (*Rural Residential/Neighborhood Beautification*) zone district to the City of Fresno RS-5/ANX (*Single-Family Residential, Medium Density/Annexed Rural Residential Transitional Overlay*), City of Fresno RM-2/ANX (*Multi-Family Residential, Urban Neighborhood/Annexed Rural Residential Transitional Overlay*), City of Fresno RS-1/ANX (*Single-Family Residential, Low Density/Annexed Rural Residential Overlay*), and City of Fresno OS/ANX (*Open Space/Annexed Rural Residential Overlay*) zone districts in accordance with and 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 final passage and upon annexation to the City of Fresno.

* * * * *

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, at a regular meeting held on the _____ day of _____ 2023.

AYES :
NOES :
ABSENT :
ABSTAIN :

TODD STERMER, CMC
City Clerk

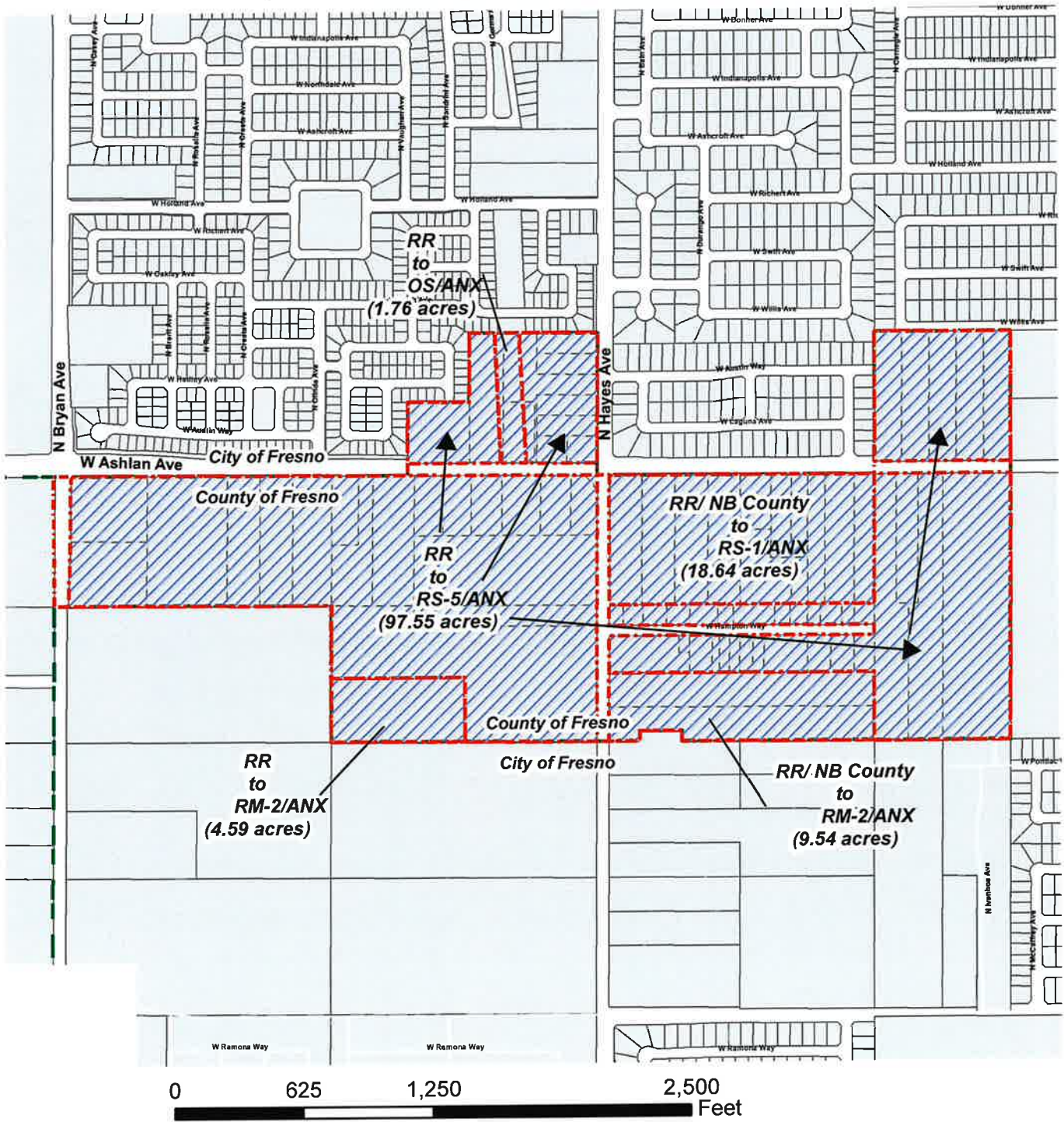
By: _____
Deputy Date

APPROVED AS TO FORM:
ANDREW JANZ
City Attorney



By: _____
Name Date
Title

Attachment: Exhibit A

Exhibit A - Proposed Pre-zone Exhibit



Intersection of W Ashlan Avenue and N Bryan Avenue and all parcels east to the city limits.

-  Pre-zone approx. 97.55 acres from RR/NB to RS-5/ANX; 18.64 acres from RR/NB to RS-1/ANX; 14.13 acres from RR/NB to RM-2/ANX; and 1.76 acres from RR/NB to OS/ANX.
-  Proposed area to be annexed into the City of Fresno (141.00 acres).