

City Council Resolution for Plan Amendment
Application No. A-13-009

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, AMENDING THE 2025 FRESNO GENERAL PLAN AND THE ROOSEVELT COMMUNITY PLAN (PLAN AMENDMENT APPLICATION NO. A-13-009)

WHEREAS, on November 19, 2002, by Resolution No. 2002-379, the City Council adopted the 2025 Fresno General Plan which correspondingly adopted the Roosevelt Community Plan; and,

WHEREAS, Dirk Poeschel, on behalf of John Bonadelle, has filed an application to amend the 2025 Fresno General Plan and the Roosevelt Community Plan for ± 24.71 acres, shown in Exhibit "A," from the agricultural designation in the County of Fresno to the Medium Low Density Residential planned land use designation in the City of Fresno; and,

WHEREAS, the environmental assessment conducted for the proposed plan amendment resulted in the filing of a Mitigated Negative Declaration on October 17, 2014; and,

WHEREAS, on October 15, 2014, the Fresno City Planning Commission held a public hearing to consider Plan Amendment Application No. A-13-009 and the associated mitigated negative declaration prepared for Environmental Assessment No. A-13-009/R-13-016/TM-6067; and,

WHEREAS, the Fresno City Planning Commission took action, as evidenced in Planning Commission Resolution No. 13309 to recommend approval of Plan Amendment Application No. A-13-009, which proposes to amend the 2025 Fresno General Plan and the Roosevelt Community Plan for ± 24.71 acres from the agricultural designation in the County

of Fresno to the Medium Low Density Residential planned land use designation in the City of Fresno; and,

WHEREAS, on November 20, 2014, the Fresno City Council held a public hearing to consider Plan Amendment Application No. A-13-009 and received both oral testimony and written information presented at the hearing regarding Plan Amendment Application No. A-13-009.

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 although Plan Amendment Application No. A-13-009 could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent that would avoid or mitigate the effects to a point where clearly no significant effects on the environment will occur, and there is no substantial evidence that the project, as revised, may have a significant effect on the environment. It has been further determined that all applicable project specific mitigation measures have been incorporated to assure that the project will not cause significant adverse cumulative impacts, growth inducing impacts, and irreversible significant effects. 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 mitigated negative declaration is appropriate in accordance with the provisions of Public Resources Code 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. A-13-009/R-13-016/TM-6067 dated October 17, 2014.

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. A-13-009 amending the 2025 Fresno General Plan and Roosevelt Community Plan planned land use designation for ± 24.71 acres from the agricultural designation in the County of Fresno to the Medium Low Density Residential planned land use designation in the City of Fresno, as depicted by Exhibit "A" attached hereto and incorporated herein by reference.

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

I, YVONNE SPENCE, 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 20th day of November, 2014, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Mayor Approval: _____, 2014
Mayor Approval/No Return: _____, 2014
Mayor Veto: _____, 2014
Council Override Vote: _____, 2014

YVONNE SPENCE, CMC
City Clerk

By _____ Deputy

APPROVED AS TO FORM:
DOUGLAS T. SLOAN
City Attorney

By _____ Date
Mary Raterman-Doidge
Deputy City Attorney

Attachment: Exhibit A