

Exhibit J
Resolution Approving Plan Amendment Application
No A-16-011

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF
FRESNO, CALIFORNIA, TO ADOPT THE DOWNTOWN
NEIGHBORHOODS COMMUNITY PLAN (PLAN
AMENDMENT APPLICATION NO. A-16-011)

WHEREAS, in January of 2010, the Fresno City Council and Mayor Swearingin appointed a twenty-one member Downtown Neighborhoods Community Plan Advisory Committee, comprised of a variety of different stakeholders to offer guidance and review during the development of a Downtown Neighborhoods Community Plan, pertaining to approximately 7,290 acres located in the Downtown Planning Area; and,

WHEREAS, from February to October of 2010, the Downtown Neighborhoods Community Plan Advisory Committee held a series of outreach events including two public workshops and a six-day long design workshop to engage public input in the development of the Downtown Neighborhoods Community Plan; and,

WHEREAS, on October 14, 2011, the City released a Public Draft of the Downtown Neighborhoods Community Plan for a 30-day public comment period; and,

WHEREAS, during the public comment period, the Downtown Neighborhoods Community Plan Advisory Committee convened four public workshops to take public input, with additional opportunities for public comment provided at a October 19, 2011 Planning Commission Workshop and an October, 20, 2011 City Council Workshop; and,

WHEREAS, on December 18, 2014, by Resolution No. 2014-226, the City Council adopted the Fresno General Plan; and,

1 of 5

Date Adopted: _____

Date Approved: _____

Effective Date: _____

City Attorney Approval:  _____

Resolution No. _____

WHEREAS, on December 3, 2015, by Ordinance 2015-39, the City Council adopted the Citywide Development Code to implement the Fresno General Plan, reserving Article 15 for future inclusion of Downtown Districts; and,

WHEREAS, the City prepared a second public draft of Downtown Neighborhoods Community Plan in July of 2016, which refines and builds upon the earlier draft and incorporates the goals set forth in Fresno General Plan and provides specific policies, measures and projects to implement those goals for the planning area; and,

WHEREAS, from June to September of 2016, the City held a series of public outreach events, including to the original stakeholders involved in the creation of the first draft Downtown Neighborhoods Community Plan and to the general public, with additional opportunities for public comment provided at a City Council Workshop on August 25, 2016 and Planning Commission Workshop on September 21, 2016; and,

WHEREAS, the City of Fresno Development and Resource Management Department Director has filed Plan Amendment Application No. A-16-011 to adopt Downtown Neighborhoods Community Plan, Plan Amendment Application No. A-16-012 to adopt the Fulton Corridor Specific Plan, and Text Amendment Application No. TA-16-002 to incorporate the Downtown Development Code into the existing Citywide Development Code; and,

WHEREAS, on August 22, 2016, the Historic Preservation Commission recommended approval of the Plan Amendment application; and,

WHEREAS, on September 26, 2016, the Fulton/Lowell Specific Plan Design Review Committee recommended approval of the Plan Amendment application; and,

WHEREAS, on September 26, 2016, the Council District 5 Plan Implementation Committee recommended approval of the Plan Amendment application; and,

WHEREAS, on October 3, 2016, the Council District 3 Plan Implementation Committee had a scheduled meeting to review the Plan Amendment but was unable to do so due to lack of a quorum; and,

WHEREAS, on October 3, 2016, the Airport Land Use Commission reviewed the Plan Amendment and failed to find consistency between the Chandler Executive Airport Land Use Compatibility Plan and the Downtown Neighborhoods Community Plan, Fulton Corridor Specific Plan and the Downtown Development Code; and,

WHEREAS, pursuant to the provisions of 15-5809 of the Fresno Municipal Code, the Planning Commission of the City of Fresno held a public hearing on October 12, 2016 to consider Plan Amendment Application A-16-011, A-16-012, TA-16-002, as amended by October 2016 changes and two errata presented at the hearing, along with the associated Final Program EIR; and,

WHEREAS, the Fresno City Planning Commission took action, as evidenced in Planning Commission Resolution No.13415 to recommend approval of Plan Amendment Application A-16-011, A-16-012, TA-16-002; and,

WHEREAS, on October 20, 2016, the Fresno City Council held a public hearing to consider Plan Amendment Application No. A-16-011 and received both oral testimony and written information presented at the hearing regarding Plan Amendment Application A-16-011, A-16-012, and TA-16-002; and,

WHEREAS, prior to taking action on this project, Council certified the Final Program EIR (SCH No. 2012041009) for the Downtown Neighborhoods Community Plan,

the Fulton Corridor Specific Plan and the Downtown Development Code, adopting a Mitigation Monitoring and Reporting Program and a Statement of Overriding Considerations, and determining that it was prepared in compliance with the California Environmental Quality Act.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Fresno as follows:

1. The Council finds the adoption of Plan Amendment Application A-16-011, as recommended by the Planning Commission, is in the best interest of the City of Fresno.
2. The Council finds the adoption of the proposed Plan Amendment is consistent with the purpose of the Airport Land Use Commission statute of protecting public health, safety and welfare by ensuring the orderly expansion of airports and the adoption of land use measures that minimize the public's exposure to excessive noise and safety hazards within areas around public airports.
3. The Council of the City of Fresno hereby adopts Plan Amendment Application No. A-16-011, pertaining to approximately 7,290 acres located in the Downtown Planning Area, as depicted on Exhibit A.

* * * * *

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 ____ day of _____, 2016, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Mayor Approval: _____, 2016
Mayor Approval/No Return: _____, 2016
Mayor Veto: _____, 2016
Council Override Vote: _____, 2016

YVONNE SPENCE, CMC
City Clerk

BY: _____
Deputy

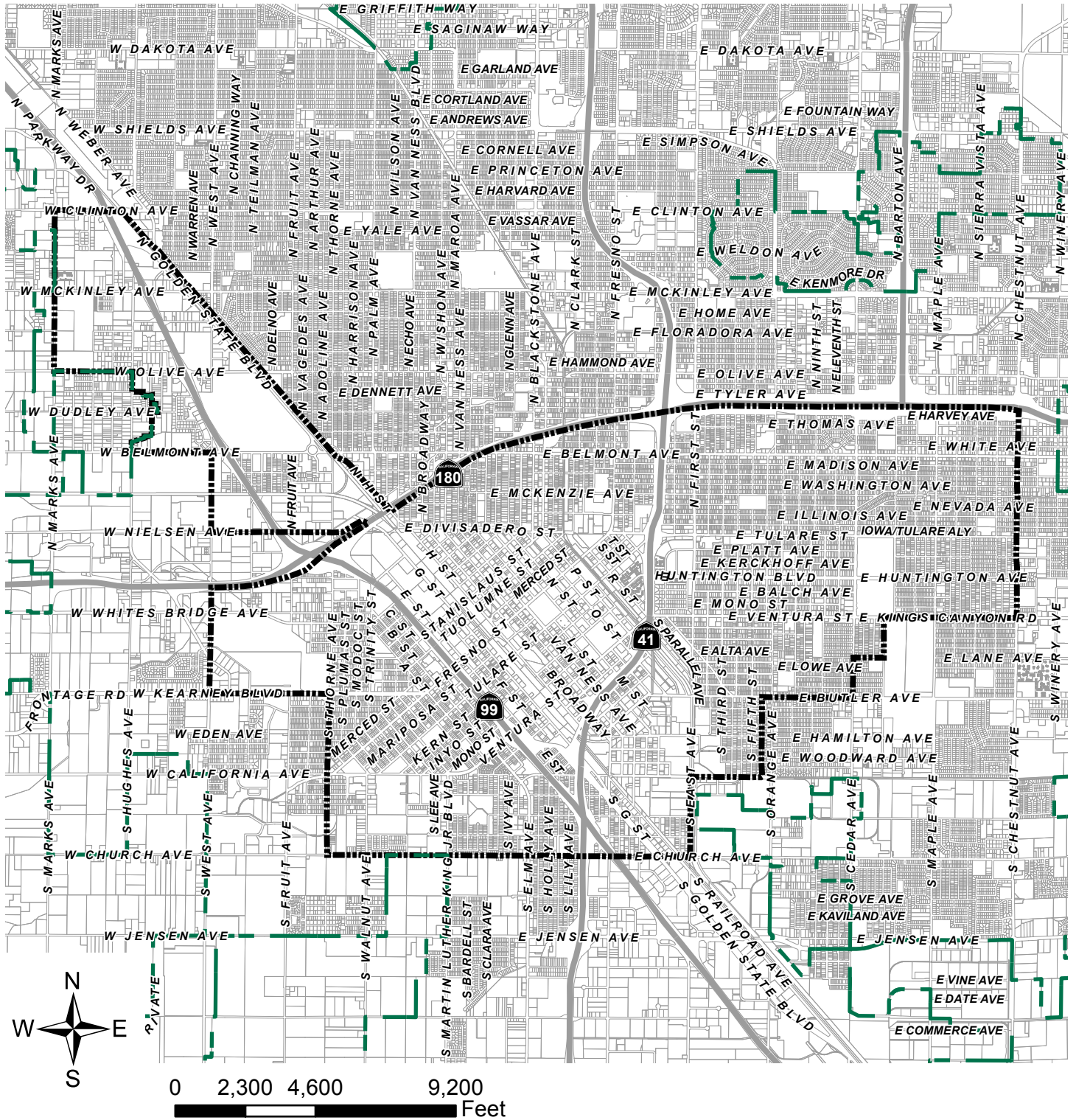
APPROVED AS TO FORM:
DOUGLAS T. SLOAN,
City Attorney

BY: _____
TALIA KOLLURI-BARBICK
Supervising Deputy City Attorney

TKB/dy [72720dy/tkb] 10/14/16

Attachment – Exhibit A

EXHIBIT A



Downtown Neighborhoods Community Plan Location Map

Plan Proposed for Adoption

 Downtown Neighborhoods Community Plan

 City Limits