

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF FRESNO, CALIFORNIA,
UPDATING 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. R-18-001 has been filed by Dennis M. Gaab on behalf of BMCH California, LLC; c/o Century Communities, INC., with the City of Fresno to pre-zone 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 18th day of April 2018, to consider Pre-zone Application No. R-18-001 and related Environmental Assessment No. ANX-18-001/R-18-001 dated March 29, 2018, during which the Commission considered the environmental assessment and pre-zone application, and recommended to the Council of the City of Fresno approval, as evidenced in Planning Commission Resolution No. 13529, of the subject environmental assessment and pre-zone application to amend the City's Zoning Ordinance on real property described herein below from the RR (*Rural Residential—Fresno County*) zone district to the City of Fresno RS-5/UGM (*Single Family Residential, Medium Density/Urban Growth Management*), RM-2/UGM (*Urban Neighborhood/Urban Growth Management*), RM-3/UGM (*Multi-Family Residential, High Density/Urban Growth Management*), and OS/UGM (*Open Space/Urban Growth Management*) zone districts with the Annexed Rural Residential Transitional (ANX) Overlay District as depicted in the attached Exhibit "B"; and,

1 of 4

Date Adopted:

Date Approved:

Effective Date:

City Attorney Approval: MED

Ordinance No. _____

WHEREAS, the Council of the City of Fresno, on the 17th day of May 2018, 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-zoning is in the best interest of the City of Fresno. The Council finds in accordance with its own independent judgment, that there is no substantial evidence in the record that Pre-zone Application No. R-18-001 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 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 Finding of Conformity prepared for Environmental Assessment No. ANX-18-001/R-18-001 dated March 29, 2018.

SECTION 2. The Council finds the requested RS-5/UGM (*Single Family Residential, Medium Density/Urban Growth Management*), RM-2/UGM (*Urban Neighborhood/Urban Growth Management*), RM-3/UGM (*Multi-Family Residential, High Density/Urban Growth Management*), and OS/UGM (*Open Space/Urban Growth Management*) zone districts and the ANX overlay district are consistent with the existing Medium Density Residential, Urban

Neighborhood Residential, High 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 hereinbelow, located in the City of Fresno, is pre-zoned from the RR (*Rural Residential—Fresno County*) zone district to the City of Fresno RS-5/UGM (*Single Family Residential, Medium Density/Urban Growth Management*), RM-2/UGM (*Urban Neighborhood/Urban Growth Management*), RM-3/UGM (*Multi-Family Residential, High Density/Urban Growth Management*), and OS/UGM (*Open Space/Urban Growth Management*) zone districts, as depicted in the attached Exhibit “A” and the applied ANX overlay district, as depicted in the attached Exhibit “B”.

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.

* * * * *

CLERK'S CERTIFICATION

STATE OF CALIFORNIA)
COUNTY OF FRESNO)
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 17th day of May 2018, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Mayor Approval: _____, 2018
Mayor Approval/No Return: _____, 2018
Mayor Veto: _____, 2018
Council Override Vote: _____, 2018

YVONNE SPENCE, MMC
City Clerk

By _____
Deputy

APPROVED AS TO FORM:
DOUGLAS T. SLOAN
City Attorney

By _____
Mary Raterman-Doidge Date
Senior Deputy City Attorney

Attachments: Exhibit A – Pre-Zone
Exhibit B – ANX Overlay District