

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, Rezone Application No. P19-01470 has been filed by Lennar Homes of California, Inc., with the City of Fresno to rezone property as described herein below; and,

WHEREAS, on May 20, 2019, the District 6 Plan Implementation Committee recommended approval of the rezone application; 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 17th day of July, 2019, to consider Plan Amendment Application No. P19-01470, Rezone Application No. P19-01470, Planned Development Permit Application No. P19-01259, Tentative Tract Map No. 6249, and related Environmental Assessment No. P19-01469, during which the Commission considered the environmental assessment and rezone application, and recommended to the Council of the City of Fresno approval, as evidenced in Planning Commission Resolution No. 13593 of the subject environmental assessment and rezone application to amend the Official Zone Map to rezone the approximately 24.03 acres of the subject property from the RS-5 (*Residential Single Family, Medium Density*) (±15.82) and BP (*Business Park*) (±8.21 acres) zone districts

1 of 4

Date Adopted:
Date Approved
Effective Date:
City Attorney Approval:

MRD

Ordinance No.

to the RM-1 (*Residential Multiple Family, Medium High Density*) (±18.85 acres) and CMX (*Corridor/Center Mixed-Use*) (±5.18 acres) zone districts; and,

WHEREAS, the Council of the City of Fresno, on the 22nd day of August, 2019, 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 rezoning is in the best interest of the City of Fresno. 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 Rezone Application P19-01470 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, 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 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 mitigated 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 Mitigated Negative Declaration prepared for Environmental Assessment No. P19-01469 dated July 5, 2019.

SECTION 2. The Council finds the requested RM-1 (*Residential Multiple Family, Medium High Density*) (±18.85 acres) and CMX (*Corridor/Center Mixed-Use*) (±5.18 acres) zone districts are consistent with the proposed Medium High Density Residential planned land use designation of the Fresno General Plan and the Woodward Community Plan as specified in the Fresno General Plan and Municipal Code and pursuant to Plan Amendment Application No. P19-01470.

SECTION 3. The Council finds that the zone district of the real property described hereinbelow, located in the City of Fresno and shown on the Official Zone Map of the City of Fresno, is reclassified from the RS-5 (*Residential Single Family, Medium Density*) (±15.82) and BP (*Business Park*) (±8.21 acres) zone districts to the RM-1 (*Residential Multiple Family, Medium High Density*) (±18.85 acres) and CMX (*Corridor/Center Mixed-Use*) (±5.18 acres) zone districts, 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 passage.

* * * * *

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 22nd day of August 2019, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

YVONNE SPENCE, MMC CRM
City Clerk

By: _____

APPROVED AS TO FORM:
DOUGLAS T. SLOAN
City Attorney

By: _____
Mary Raterman-Doidge Date
Senior Deputy City Attorney

Attachment: Exhibit A