

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF FRESNO, CALIFORNIA, AMENDING THE OFFICIAL ZONE MAP OF THE CITY OF FRESNO HERETOFORE ADOPTED BY ARTICLES 1 TO 4.5 INCLUSIVE, CHAPTER 12, OF THE FRESNO MUNICIPAL CODE, BEING THE ZONING ORDINANCE OF THE CITY OF FRESNO

WHEREAS, Rezone Application No. R-15-008 has been filed by Dirk Poeschel of Land Development Services, Inc., on behalf of John Brelsford, with the City of Fresno to rezone property as depicted in the attached Exhibit "A"; and,

WHEREAS, pursuant to the provisions of Article 4, Chapter 12, of the Fresno Municipal Code, the Planning Commission of the City of Fresno held a public hearing on the 5th day of August, 2015, to consider Rezone Application No. R-15-008 and related Environmental Assessment No. R-15-008/S-15-068/ANX-15-001 dated July 2, 2015, 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. 13336, of the subject environmental assessment and rezone application to amend the City's Zoning Ordinance on real property described herein below from the AL-20 (*Limited 20-Acre Agricultural [Fresno County]*) zone district to the M-3/UGM (*Heavy Industrial/Urban Growth Management*) zone district; and,

WHEREAS, the Council of the City of Fresno, on the 27th day of August 2015, received the recommendation of the Planning Commission.

1 of 3

Date Adopted:

Date Approved

Effective Date:

City Attorney Approval:



Ordinance No.

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 there is no substantial evidence in the record that Rezone Application No. R-15-008 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 no new or additional mitigation measures or alternatives may be required. 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. R-15-008/S-15-068/ANX-15-001 dated July 2, 2015.

SECTION 2. The Council finds the recommended M-3/UGM (*Heavy Industrial/Urban Growth Management*) zone district is consistent with the Heavy Industrial planned land use designation of the Fresno General Plan and Edison Community Plan as specified in Figure LU-1 of the Fresno General Plan.

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 AL-20 (*Limited 20-Acre Agricultural [Fresno County]*) zone district to the M-3/UGM (*Heavy Industrial/Urban Growth Management*) zone district, 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, or upon annexation of the subject property into the City of Fresno and payment of any required fire district "transitional fees" by the applicant or developer, whichever occurs last.

* * * * *

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 27th day of August 2015, by the following vote:

AYES :
NOES :
ABSENT :
ABSTAIN :

Mayor Approval: _____, 2015
Mayor Approval/No Return: _____, 2015
Mayor Veto: _____, 2015
Council Override Vote: _____, 2015

YVONNE SPENCE, CMC
City Clerk

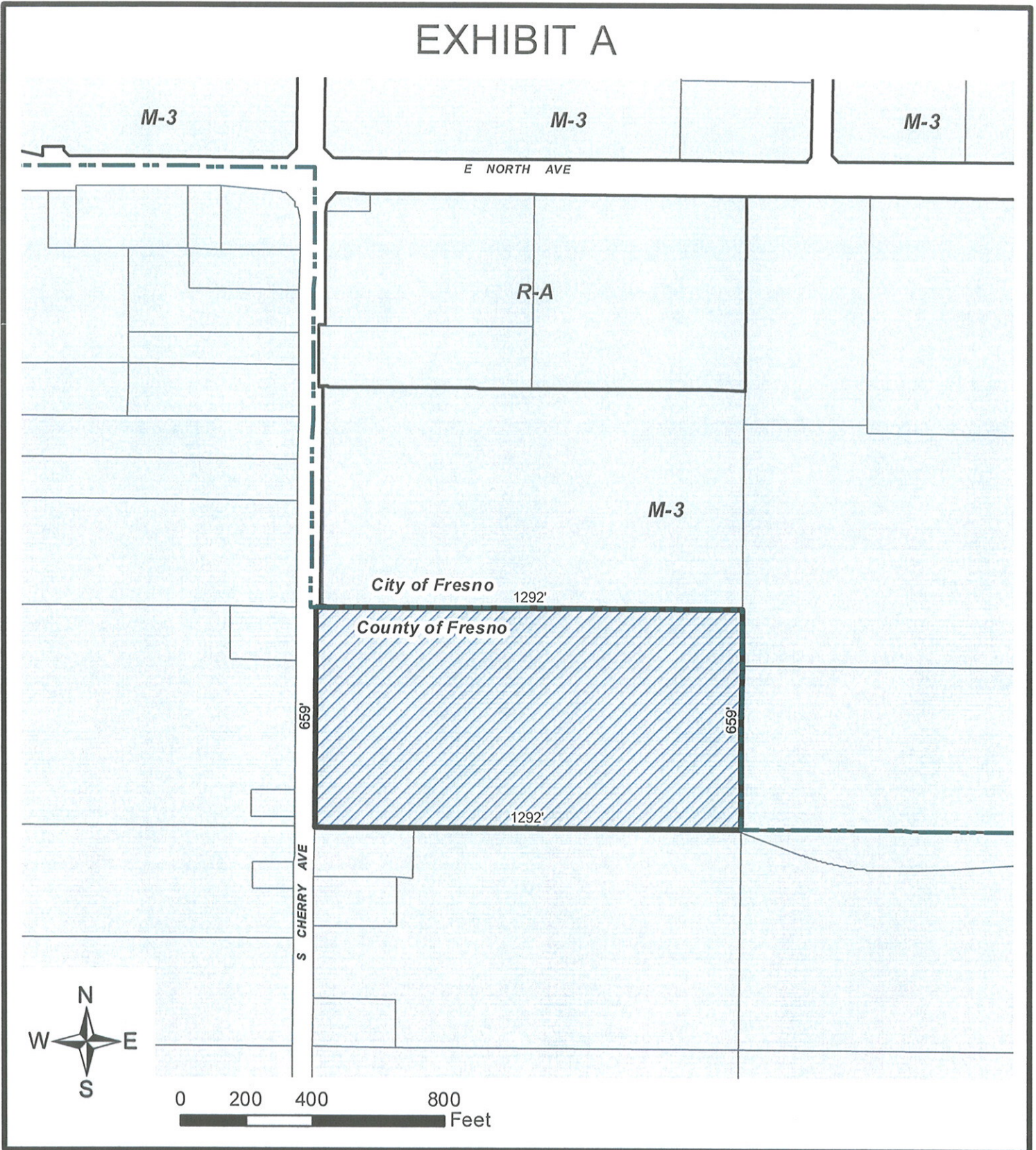
By: _____
Deputy

APPROVED AS TO FORM:
DOUGLAS T. SLOAN
City Attorney

By: _____
Katherine B. Doerr Date
Assistant City Attorney

Attachments: Exhibit A

EXHIBIT A



R-15-008
Site Plan Review S-15-068
Annexation ANX-15-001
APN: 329-011-07
3264 South Cherry Avenue

--- City Limits

 AL-20 (County) to M-3/UGM, 19.54 Acres