

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. R-17-005 has been filed by Betsy McGovern-Garcia of Self-Help Enterprises, Inc. with the City of Fresno to rezone 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 17th day of May 2017, to consider Rezone Application No. R-17-005 and related Environmental Assessment No. EA-17-003 dated March 17, 2017, during which the Commission considered the environmental assessment and recommended to the Council of the City of Fresno approval, as evidenced in Planning Commission Resolution No. 13454 of the subject environmental assessment and rezone application to amend the Official Zone Map to rezone the approximately 8.02 acre subject property from the RM-3 (Residential Multiple Family, High Density) zone district to the RS-5 (Residential Single Family, Medium Density) zone district; and,

WHEREAS, the Council of the City of Fresno, on the 15th day of June 2017, received the recommendation of the Planning Commission.

NOW, THEREFORE, THE COUNCIL OF THE CITY OF FRESNO DOES ORDAIN
AS FOLLOWS:

1 of 4

Date Adopted:
Date Approved
Effective Date:

City Attorney Approval: MRD

Ordinance No.

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 No. R-17-005 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. EA-17-003 dated March 17, 2017.

SECTION 2. The Council finds the requested RS-5 (Residential Single Family, Medium Density) zone district is consistent with the proposed Medium Density Residential planned land use designation of the Fresno General Plan and the Edison Community Plan as specified in the Fresno General Plan and Municipal Code.

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 RM-3 (Residential Multiple Family, High Density) zone district to the RS-5 (Residential Single Family, Medium Density) 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.

* * * * *

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 15th day of June 2017, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Mayor Approval: _____, 2017
Mayor Approval/No Return: _____, 2017
Mayor Veto: _____, 2017
Council Override Vote: _____, 2017

YVONNE SPENCE, CMC
City Clerk

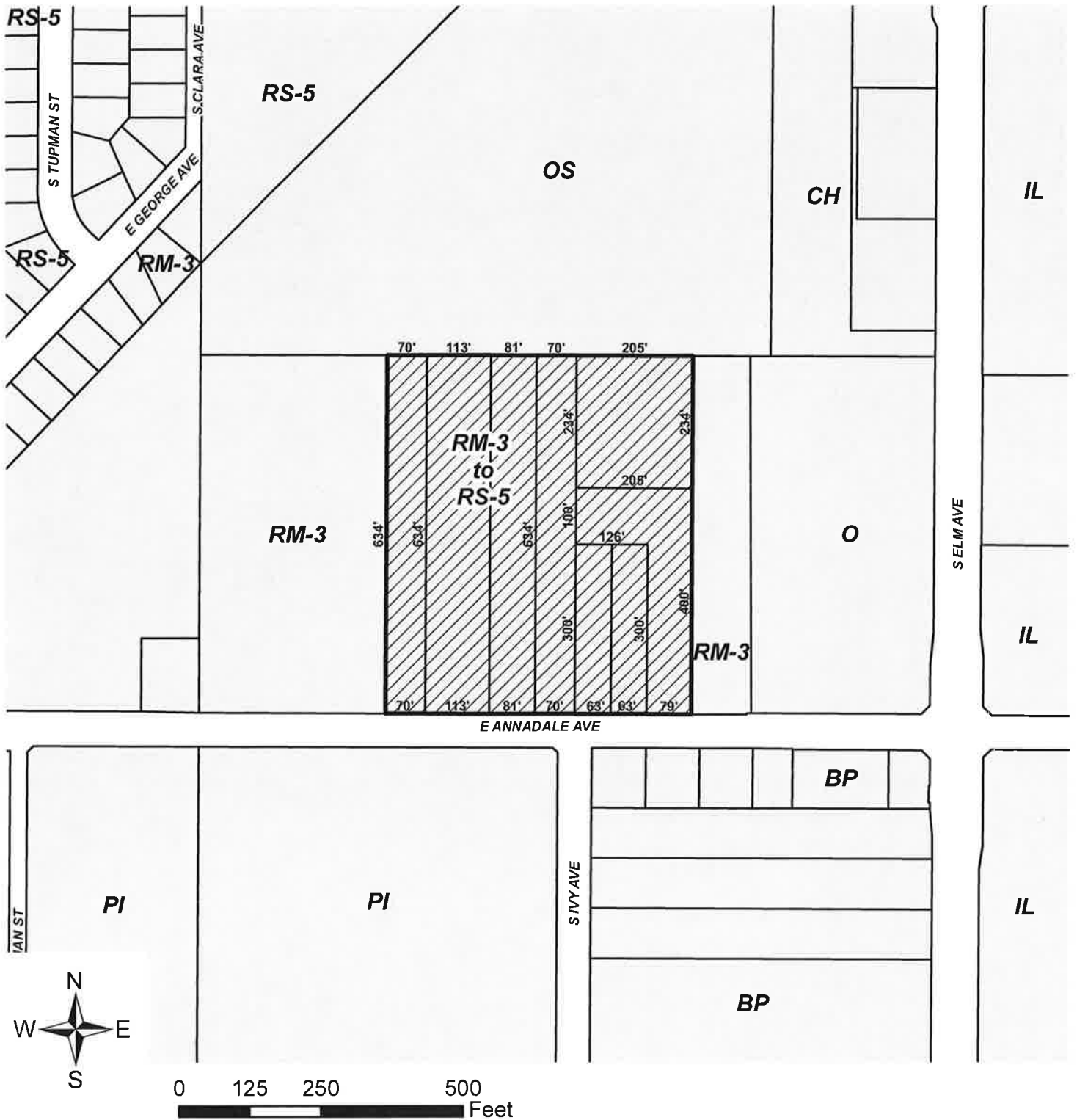
By: _____
Deputy

APPROVED AS TO FORM:
DOUGLAS T. SLOAN
City Attorney

By: _____
Mary Raterman-Doidge Date
Deputy City Attorney

Attachment: Exhibit A

EXHIBIT A



R-17-005-HE

APN: 479-270-02T, 03T, 04T, 05T, 06T, 15T, 16T, 24T (8.02 Acres)

1405-1529 East Annadale Avenue



Zoning From RM-3 to RS-5