

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. P19-06060 has been filed by Nick Yovino, Jr., on behalf of TEF Group, 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 5th day of August 2020, to consider Pre-zone Application No. P19-06060 and related Environmental Assessment No. P19-06059/P19-06060/P19-06061 dated June 5, 2020, during which the Commission considered the environmental assessment and rezone application, and recommended to the Council of the City of Fresno approval, of the subject environmental assessment and rezone application to amend the City's Zoning Ordinance on real property described herein below from the Fresno County RA NB (*Single Family Residential Agriculture / Neighborhood Beautification*), Fresno County R2 NB (*Low Density Multiple Family Residential / Neighborhood Beautification*), Fresno County AL20 (*Limited Agriculture*), and Fresno County C1 (*Neighborhood Shopping Center*) zone districts to the City of Fresno RM-2 (*Multi-Family Residential, Urban Neighborhood*), City of Fresno RS-5 (*Single Family Residential, Medium Density*), and City of Fresno CMS (*Commercial – Main Street*) zone districts; and

1 of 5

Date Adopted:

Date Approved:

Effective Date:

City Attorney Approval: 

Ordinance No. _____

WHEREAS, the Council of the City of Fresno, on the 5th day of August 2020, 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 the project specific mitigation imposed, there is no substantial evidence in the record that Pre-zone Application No. P19-06060 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 the project specific mitigation measures necessary 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 Mitigated Negative Declaration prepared for Environmental Assessment No. P19-06059/P19-06060/P19-06061 dated June 5, 2020, which incorporates the Addendum thereto dated August 14, 2020.

SECTION 2. The Council finds the requested RM-2 (*Multi-Family Residential, Urban Neighborhood*), RS-5 (*Single Family Residential, Medium Density*), and CMS (*Commercial – Main Street*) zone districts are consistent with the Urban Neighborhood Residential (± 4.38

acres), Medium Density Residential (±2.40 acres), and Commercial Main Street (±0.74 acres) planned land use designations of the Fresno General Plan and Roosevelt 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 Fresno County RA NB (*Single Family Residential Agriculture / Neighborhood Beautification*), Fresno County R2 NB (*Low Density Multiple Family Residential / Neighborhood Beautification*), Fresno County AL20 (*Limited Agriculture*), and Fresno County C1 (*Neighborhood Shopping Center*) zone districts to the City of Fresno RM-2 (*Multi-Family Residential, Urban Neighborhood*), City of Fresno RS-5 (*Single Family Residential, Medium Density*), and City of Fresno CMS (*Commercial – Main Street*) zone districts in accordance with and 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 and upon annexation to the City of Fresno.

* * * * *

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 27th day of August 2020, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

YVONNE SPENCE, MMC CRM
City Clerk

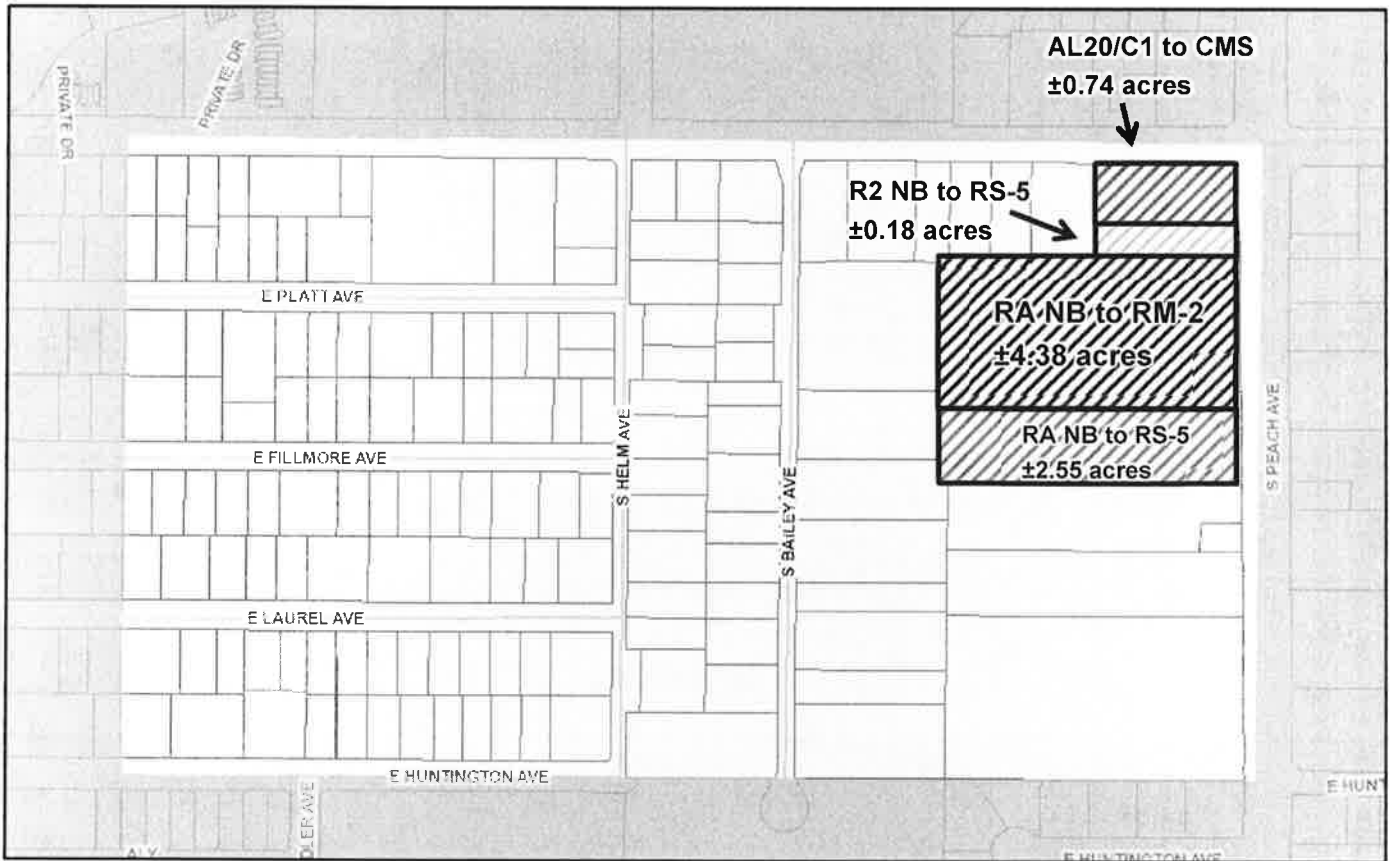
By _____
Deputy

APPROVED AS TO FORM:
DOUGLAS T. SLOAN
City Attorney

By _____
Rina Gonzales Date
Deputy City Attorney

Attachments: Exhibit A

Exhibit A



Pre-zone Application No. P19-06060
APNs: 463-090-10, 11, 27, 28, 29, 43, 57, 59

- City Limits

- Proposes to pre-zone ±4.38 acres of property from the Fresno County RA NB (*Single Family Residential Agriculture/Neighborhood Beautification*) zone district to the City of Fresno RM-2 (*Multi-Family Residential, Urban Neighborhood*) zone district.

- Proposes to pre-zone ±2.55 acres from the Fresno County RA NB (*Single Family Residential/Neighborhood Beautification*) zone district to the City of Fresno RS-5 (*Single-Family Residential, Medium Density*) zone district.

- Proposes to pre-zone ±0.74 acres from the Fresno County AL20 (*Limited Agriculture*) and Fresno County C1 (*Neighborhood Shopping Center*) zone districts to the City of Fresno CMS (*Commercial – Main Street*) zone district.

- Proposes to pre-zone ±0.18 acres from the Fresno County R2 NB (*Low Density Multiple Family Residential/Neighborhood Beautification*) zone district to the City of Fresno RS-5 (*Single-Family Residential, Medium Density*) zone district.

