

Exhibit R

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF FRESNO, CALIFORNIA,
AMENDING THE OFFICIAL ZONING MAP AS DESCRIBED
BY SECTION 15-108 OF 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. P22-00442 has been filed by D. R. Horton with the City of Fresno to pre-zone the 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 7th day of September 2022, to consider Pre-zone Application No. P22-00442 and related Environmental Assessment No. T-6345/P22-00411/P22-00442 dated August 12, 2022, during which the Commission considered the environmental assessment and pre-zone application, and recommended to the Council of the City of Fresno approval of the subject environmental assessment and pre-zone application to amend the City's Zoning Ordinance on real property described herein below from the Fresno County AL20 (*Limited Agriculture*) zone district to the City of Fresno RS-5 (*Single-Family Residential, Medium Density*), City of Fresno RS-5/ANX (*Single-Family Residential, Medium Density/Annexed Rural Residential Transitional Overlay*), and City of Fresno RM-2/ANX (*Multi-Family*

1 of 5

Date Adopted:

Date Approved

Effective Date:

City Attorney Approval: *ke*

Ordinance No.

Residential, Urban Neighborhood/Annexed Rural Residential Transitional Overlay) zone districts; and

WHEREAS, the Council of the City of Fresno, on the 7th day of September 2022, received the recommendation of the Planning Commission.

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 judgement that with the project specific mitigation imposed, there is no substantial evidence in the record that Pre-zone Application No. P22-00411 may have additional significant effects on the environment and that all applicable mitigation measures of the Project Specific Mitigation Monitoring Checklist dated August 12, 2022 have been applied to the project 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 Fresno General Plan Program Environmental Impact Report SCH No. 2019 (“PEIR”) was certified; and, that no new information, which was not known and could not have been known at that time that the PEIR was certified as complete, has become available. Accordingly, the Council adopts the Mitigated Negative Declaration prepared for Environmental Assessment No. T-6345/P22-00411/P22-00442 dated August 12, 2022.

SECTION 2. The Council finds the requested RS-5 (*Single-Family Residential, Medium Density*), RS-5/ANX (*Single-Family Residential, Medium Density/Annexed Rural Residential Transitional Overlay*), and RM-2/ANX (*Multi-Family Residential, Urban Neighborhood/Annexed Rural Residential Transitional Overlay*) zone districts are consistent with the Medium Density Residential and Urban Neighborhood 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 herein below, located in the City of Fresno, is pre-zoned from the Fresno County AL20 (*Limited Agriculture*) zone district to the City of Fresno RS-5 (*Single-Family Residential, Medium Density*), City of Fresno RS-5/ANX (*Single-Family Residential, Medium Density/Annexed Rural Residential Transitional Overlay*), and City of Fresno RM-2/ANX (*Multi-Family Residential, Urban Neighborhood/Annexed Rural Residential Transitional Overlay*) 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 final passage and upon annexation to the City of Fresno.

* * * * *

STATE OF CALIFORNIA)
COUNTY OF FRESNO) ss.
CITY OF FRESNO)

I, TODD STERMER, City Clerk of the City of Fresno, certify that the foregoing ordinance was adopted by the Council of the City of Fresno, at a regular meeting held on the _____ day of _____ 2022.

AYES :
NOES :
ABSENT :
ABSTAIN :

Mayor Approval: _____, 2022
Mayor Approval/No Return: _____, 2022
Mayor Veto: _____, 2022
Council Override Vote: _____, 2022

TODD STERMER, CMC
City Clerk

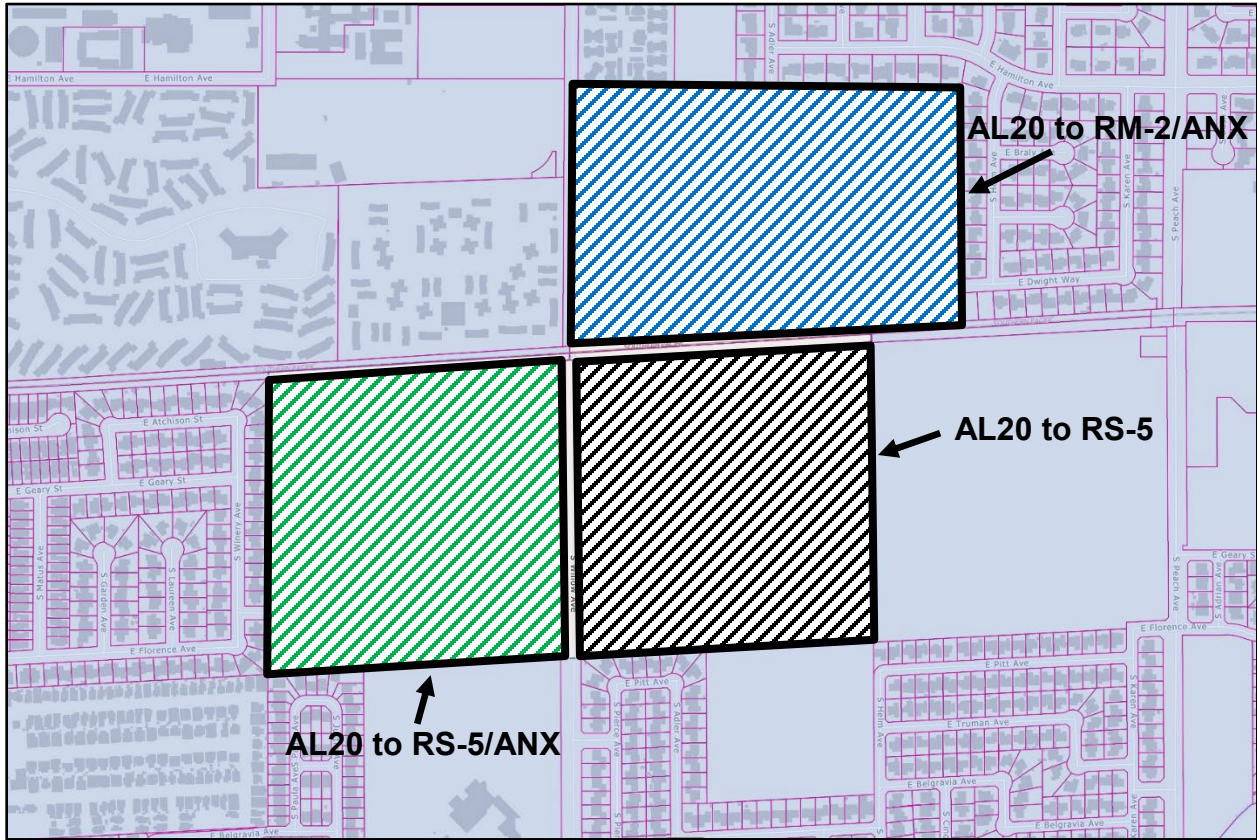
By: _____
Date

Deputy

APPROVED AS TO FORM:
RINA M. GONZALES
Interim City Attorney

By: _____
Kristi Costa Date
Senior Deputy City Attorney

Exhibit "A"





Pre-zone Application No. P22-00442


APNs: 481-020-01, 481-060-02S, 473-030-63, 473-030-10



 City Limits

 Proposes to pre-zone approx. 38.37 acres of property from the Fresno County AL20 (*Limited Agriculture*) zone district to the City of Fresno RS-5 (*Single-Family Residential, Medium Density*) zone district.

 Proposes to pre-zone approx. 37.90 acres from the Fresno County AL20 (*Limited Agriculture*) zone district to the City of Fresno RS-5/ANX (*Single-Family Residential, Medium Density/Annexed Rural Residential Transitional Overlay*) zone district.

 Proposes to pre-zone approx. 41.70 acres from the Fresno County AL20 (*Limited Agriculture*) zone district to the City of Fresno RM-2/ANX (*Multi-Family Residential, Urban Neighborhood/Annexed Rural Residential Transitional Overlay*) zone district.