

Exhibit Q – City Council Ordinance Bill for Rezone No. P22-01086

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF FRESNO, CALIFORNIA,
AMENDING 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. P22-01086 has been filed by Ubaldo Garcia of Villa Di Ubaldo, on behalf of John Ashley of Fresno Newbury LP, with the City of Fresno to rezone 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 5th day of April 2023, to consider Rezone Application No. P22-01086 and related Environmental Assessment No. P22-01086/P21-06232 dated March 28, 2023 during which the Commission considered the environmental assessment and rezone application, and recommended to the Council of the City of Fresno, as evidenced in Planning Commission Resolution No. 13797 approval of the subject environmental assessment and rezone application to amend the City's Zoning Ordinance on real property described herein below from the RS-4/UGM (*Residential Single Family, Medium Low Density/Urban Growth Management*) zone district to the RM-1/UGM (*Residential Multi-Family, Medium High Density/Urban Growth Management*) zone district; and

WHEREAS, the Council of the City of Fresno, on the 11th day of May 2023, received the recommendation of the Planning Commission.

1 of 4

Date Adopted:

Date Approved

Effective Date:

City Attorney Approval: *vc*

Ordinance No.

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 judgement that with the mitigation imposed, there is no substantial evidence in the record that Rezone Application No. P22-01086 may have additional significant effects on the environment and that all applicable mitigation measures of the Mitigation Monitoring Checklist 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. 2019050005 ("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. P22-01086/P21-06232 dated March 28, 2023.

SECTION 2. The Council finds the requested RM-1/UGM (*Residential Multi-Family, Medium High Density/Urban Growth Management*) zone district is consistent with the Medium High Density Residential planned land use designation of the Fresno General Plan and Woodward Park 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 rezoned from the RS-4/UGM (*Residential Single Family, Medium Low Density/Urban Growth Management*) zone district to the RM-1/UGM (*Residential Multi-Family, Medium High Density/Urban Growth Management*) zone district 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.

* * * * *

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 _____ 2023.

AYES :
NOES :
ABSENT :
ABSTAIN :

TODD STERMER, CMC
City Clerk

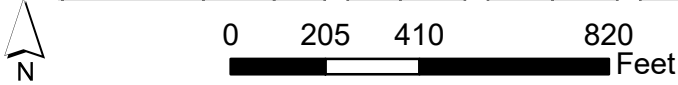
By: _____
Deputy Date

APPROVED AS TO FORM:
ANDREW JANZ
City Attorney

By: _____
Kristi M. Costa Date
Senior Deputy City Attorney

Attachment: Exhibit A

Exhibit A - Rezone Map



P22-01086
 APN:40353228

Bounded by N Chestnut (East), between E Shepherd (North) & E Teague (South).



Proposes to rezone approximately 2.20 acres from RS-4/UGM (Residential Single-Family, Medium Low Density) zoning designation to RM-1/UGM (Residential Multi-Family, Medium High Density) zoning designation.