

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. P19-02237 has been filed by Precision Civil Engineering, Inc., on behalf of Edward Fanucchi, 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 20th day of May 2020, to consider Rezone Application No. P19-02237 and related Environmental Assessment No. T-6234/P19-02237/P19-02239 dated March 13, 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 RR (*Rural Residential*) to the City of Fresno RS-5/UGM (*Single Family Residential, Medium Density/Urban Growth Management*), RS-3/UGM/ANX (*Single Family Residential, Low Density/Urban Growth Management/Annexed Rural Residential Transitional Overlay*), RS-5/UGM/ANX (*Medium Density Residential, Single Family/Urban Growth Management/Annexed Rural Residential Transitional Overlay*), RM-2/UGM/ANX (*Multi-Family Residential, Urban Neighborhood/Urban Growth*

Date Adopted:

Date Approved:

Effective Date:

City Attorney Approval:



Ordinance No. _____

Management/Annexed Rural Residential Transitional Overlay), and OS/UGM/ANX (*Open Space/Urban Growth Management/Annexed Rural Residential Overlay*) zone districts; and,

WHEREAS, the Council of the City of Fresno, on the 25th day of June 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 Rezone Application No. P19-02237 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. T-6234/P19-02237/P19-02239 dated March 13, 2020.

SECTION 2. The Council finds the requested RS-5/UGM (*Single Family Residential, Medium Density/Urban Growth Management*), RS-3/UGM/ANX (*Single Family Residential,*

Low Density/Urban Growth Management/Annexed Rural Residential Transitional Overlay), RS-5/UGM/ANX (*Medium Density Residential, Single Family/Urban Growth Management/Annexed Rural Residential Transitional Overlay*), RM-2/UGM/ANX (*Multi-Family Residential, Urban Neighborhood/Urban Growth Management/Annexed Rural Residential Transitional Overlay*), and OS/UGM/ANX (*Open Space/Urban Growth Management/Annexed Rural Residential Overlay*) zone districts are consistent with the Low Density Residential (±18.64 acres), Medium Density Residential (±142.7 acres), Urban Neighborhood (±53 acres), and Open Space (±19.4 acres) planned land use designations of the Fresno General Plan and West Area 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 RR (*Rural Residential*) to the City of Fresno RS-5/UGM (*Single Family Residential, Medium Density/Urban Growth Management*), RS-3/UGM/ANX (*Single Family Residential, Low Density/Urban Growth Management/Annexed Rural Residential Transitional Overlay*), RS-5/UGM/ANX (*Medium Density Residential, Single Family/Urban Growth Management/Annexed Rural Residential Transitional Overlay*), RM-2/UGM/ANX (*Multi-Family Residential, Urban Neighborhood/Urban Growth Management/Annexed Rural Residential Transitional Overlay*), and OS/UGM/ANX (*Open Space/Urban Growth Management/Annexed Rural Residential 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 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 25th day of June 2020, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

YVONNE SPENCE, MMC
City Clerk

By _____
Deputy

APPROVED AS TO FORM:
DOUGLAS T. SLOAN
City Attorney

By _____
Rina Gonzales Date
Deputy City Attorney

Attachments: Exhibit A