

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF FRESNO, CALIFORNIA,
ADOPTING AN OFFICIAL PLAN LINE MODIFICATION FOR
WEST MCKINLEY AVENUE FROM NORTH BLYTHE
AVENUE TO THE 265 FEET EAST OF NORTH MARKS
AVENUE.

WHEREAS, the Director of the City of Fresno Department of Public Works has initiated a recommendation for the adoption of an Official Plan Line (OPL) modification for the planned major street segment of West McKinley Avenue from North Blythe Avenue to 265 feet east of North Marks Avenue;

WHEREAS, the Initial Study prepared for Environmental Assessment No. EA-14-018, which was conducted pursuant to the requirements of the California Environmental Quality Act (CEQA) Guidelines, resulted in the filing of a Finding of Conformity to the 2025 Fresno General Plan Master Environmental Impact Report (MEIR) No. 10130 (SCH#2001071097) and Mitigated Negative Declaration (MND) No. A-09-02 (SCH#2009051016) on July 18, 2014;

WHEREAS, pursuant to the provisions of Article 7, Chapter 12, of the Fresno Municipal Code, the Planning Commission of the City of Fresno held a public hearing on the 20th day of August, 2014, to consider the adoption of the proposed OPL modification, during which the Commission considered the environmental assessment and recommended approval to the Council of the City of Fresno, as evidenced in Planning Commission Resolution No. 13302, of the adoption of the proposed OPL modification for West McKinley Avenue from North Blythe Avenue to 265 feet east of North Marks Avenue; and,

WHEREAS, the Council of the City of Fresno, on the 25th day of September, 2014, received the recommendation of the Planning Commission.

Page 1 of 3

Date Adopted:

Date Approved:

Effective Date:

City Attorney Approval: MRD

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 OPL modification is in the best interest of the City of Fresno. The Council finds in accordance with its own independent judgment that there is no substantial evidence in the record that adoption of the proposed OPL modification may have additional significant effects on the environment that were not identified in the 2025 Fresno General Plan MEIR No. 10130 (SCH#2001071097) and MND No. A-09-02 (SCH#2009051016) and that no new or additional mitigation measures or alternatives may be required. 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 Finding of Conformity prepared for Environmental Assessment No. EA-14-018 dated July 18, 2014.

SECTION 2. The Council finds the map presented to the Council concurrently with this ordinance (Exhibit A) and on file in the City's Public Works Department, entitled "Official Plan Line modification for West McKinley Avenue from North Blythe to 265 feet east of North Marks Avenue," containing 6 sheets, being a precise section of the Major Street and Highway Plan of the City of Fresno and setting forth the Official Plan Line for West McKinley from North Blythe Avenue to 265 feet east of North Marks Avenue, is hereby adopted and made part of the Official Plan Line of Streets and Highways for street use.

SECTION 3. 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)
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 September, 2014, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Mayor Approval: _____, 2014
Mayor Approval/No Return: _____, 2014
Mayor Veto: _____, 2014
Council Override Vote: _____, 2014

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