

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. P18-00826 has been filed by Giorgio Russo with Ginder Development on behalf of Russ Nakata, with the City of Fresno to rezone 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 February 2019, to consider Rezone Application No. P18-00826 and related Environmental Assessment for P18-00826/P18-02232, during which the Commission recommended to the Council of the City of Fresno approval, as evidenced in Planning Commission Resolution No. 13570, of the subject rezone application to amend the City's Zoning Ordinance on a portion of real property described herein below from the CRC/UGM/cz (*Commercial Recreation /Urban Growth Management/conditions of zoning*) to the RM-1/UGM/cz (*Residential Multi-Family, Medium High Density/Urban Growth Management/Conditions of Zoning*) zone district in accordance with Plan Amendment Application No. P18-00826; and,

WHEREAS, the Council of the City of Fresno, on the 25th day of April 2019, received the recommendation of the Planning Commission.

1 of 4

Date Adopted:

Date Approved:

Effective Date:

City Attorney Approval: MVC

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 judgment that there is no substantial evidence in the record that Rezone Application No. P18-00826 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, 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 Negative Declaration prepared for Environmental Assessment No. P18-00826/P18-02232 dated March 21, 2019.

SECTION 2. The Council finds the requested RM-1/UGM/cz (*Residential Multi-Family, Medium High Density/Urban Growth Management/Conditions of Zoning*) zone district is consistent with the proposed *Residential Medium High Density (12-16 Dwelling Units/Acre)* planned land use designation of the Fresno General Plan and the Woodward Park Community Plan pursuant to Plan Amendment Application No. P18-00826.

SECTION 3. The Council finds that the zone district of the real property described hereinbelow, located in the City of Fresno, is rezoned from the CRC/UGM/cz (*Commercial Recreation /Urban Growth Management/conditions of zoning*) to the RM-1/UGM/cz

(Residential Multi-Family, Medium High Density/Urban Growth Management/Conditions of Zoning) zone district in accordance with Plan Amendment Application No. P18-00826 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.

* * * * *

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 April 2019, 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 _____
Mary Raterman-Doidge Date
Senior Deputy City Attorney

Attachments: Exhibit A