

Exhibit "M"  
City Council Ordinance Bill for  
Prezone Application No. R-17-010

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, Prezone Application No. R-17-010 Scott Mommar on behalf of  
Sylvesta Hall of Blue Ocean Development America, LLC., with the City and County of  
Fresno to prezone property as described herein below; 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  
August 2, 2017, to consider Prezone Application No. R-17-010 and related  
Environmental Assessment No. A-17-007/R-17-010/ANX-17-005/TPM-2017-06 dated  
August 2, 2017, during, which the Commission considered the environmental  
assessment and prezone application, and recommended to the Council of the City of  
Fresno approval, as evidenced in Planning Commission Resolution No. 13478, of the  
prezone application to amend the City's Zoning Ordinance on 115.95 acres of real  
property, located on the northwest corner of East Church Avenue and South Martin  
Luther King Jr. Boulevard from the AL-20 (*Agricultural Limited, twenty Acres - Fresno  
County*) zone district to the City of Fresno RS-5 (*Residential Single-Family*), CC  
(*Community Commercial*), CR (*Commercial-Regional*), PR (*Parks and Recreation*), and  
PI (*Public and Institutional*) zone districts; and

WHEREAS, the Council of the City of Fresno, on the 24th day of August 2017

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Date Adopted:

Date Approved:

Effective Date:

City Attorney Approval: 

Ordinance No. \_\_\_\_\_

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 rezoning is in the best interest of the City of Fresno. The Council finds in accordance with its own independent judgment that with project specific mitigation imposed, there is no substantial evidence in the record that Prezone Application No. R-17-010 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. 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 adopted and no new information, which was not known and could not have been known at the time the MEIR was certified as complete, has become available. Accordingly, the Council adopts the mitigated negative declaration prepared for Environmental Assessment No. A-17-007/R-17-010/ANX-17-005/TPM-17-06, dated August 2, 2017.

SECTION 2. The Council finds the requested RS-5 (*Residential Single-Family*), CC (*Community Commercial*), CR (*Commercial-Regional*), PR (*Parks and Recreation*), and PI (*Public and Institutional*) zone districts are consistent with the proposed Medium Density Residential, Community Commercial, Commercial-Regional, Park and Public Facility – College Light Industrial planned land use designations of the Fresno General Plan.

SECTION 3. The Council finds that the zone district of the real property

described hereinbelow, located in the County of Fresno, is reclassified from the AL-20 (*Agricultural Limited, twenty Acres - Fresno County*) zone district to the City of Fresno RS-5 (*Residential Single-Family*), CC (*Community Commercial*), CR (*Commercial-Regional*), PR (*Parks and Recreation*), and PI (*Public and Institutional*) zone districts, 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, or upon annexation of the subject property into the City of Fresno and payment of any required fire district "transitional fees" by the applicant or developer, whichever occurs last.

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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 \_\_\_\_\_ day of \_\_\_\_\_ 2017, by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

YVONNE SPENCE, CMC  
City Clerk

By \_\_\_\_\_

APPROVED AS TO FORM:  
DOUGLAS T. SLOAN  
City Attorney

By \_\_\_\_\_  
Talía Kolluri                      Date  
Supervising Deputy City Attorney

Attachment: Exhibit A

[illegible]

— CityLimits