

BILL NO. \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF FRESNO, CALIFORNIA, AMENDING THE OFFICIAL ZONE MAP OF THE CITY OF FRESNO HERETOFORE ADOPTED BY ARTICLES 1 TO 4.5 INCLUSIVE, CHAPTER 12, OF THE FRESNO MUNICIPAL CODE, BEING THE ZONING ORDINANCE OF THE CITY OF FRESNO

WHEREAS, Rezone Application No. R-15-007 has been filed by Gary Giannetta, on behalf of Gary McDonald Homes, with the City of Fresno to rezone property as depicted in the attached Exhibit "A"; and,

WHEREAS, pursuant to the provisions of Article 4, Chapter 12, of the Fresno Municipal Code, the Planning Commission of the City of Fresno held a public hearing on the 19<sup>th</sup> day of August, 2015, to consider Rezone Application No. R-15-007 and related Environmental Assessment No. R-15-007/T-6091 dated July 2, 2015, during which the Commission considered the environmental assessment and rezone application, and recommended to the Council of the City of Fresno approval, as evidenced in Planning Commission Resolution No. 13337, of the subject environmental assessment and rezone application to amend the City's Zoning Ordinance on real property situated on the east side of Cornelia Ave. between McKinley Ave. and Normal Ave. from the AE-5 (*Exclusive Five-Acre Agricultural District*) zone district to the R-1/UGM (*Single Family Residential/Urban Growth Management*) zone district; and,

WHEREAS, the Council of the City of Fresno, on the 29<sup>th</sup> day of October 2015, received the recommendation of the Planning Commission.

1 of 3

Date Adopted:

Date Approved

Effective Date:

City Attorney Approval: MVED

Ordinance No.

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. R-15-007 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 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. R-15-007/T-6091 dated July 2, 2015.

SECTION 2. The Council finds the recommended R-1/UGM (*Single Family Residential/Urban Growth Management*) zone district is consistent with the Medium Low Density Residential planned land use designation of the Fresno General Plan and West Area Community Plan as specified in Figure LU-1 of the Fresno General Plan.

SECTION 3. The Council finds that the zone district of the real property described hereinbelow, located in the City of Fresno and shown on the Official Zone Map of the City of Fresno, is reclassified from the AE-5 (*Exclusive Five Acre Agricultural District*) zone district to the R-1/UGM (*Single Family Residential/Urban Growth Management*) zone district, 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, 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 29<sup>th</sup> day of October 2015, by the following vote:

AYES :  
NOES :  
ABSENT :  
ABSTAIN :

Mayor Approval: \_\_\_\_\_, 2015  
Mayor Approval/No Return: \_\_\_\_\_, 2015  
Mayor Veto: \_\_\_\_\_, 2015  
Council Override Vote: \_\_\_\_\_, 2015

YVONNE SPENCE, CMC  
City Clerk

By: \_\_\_\_\_  
Deputy

APPROVED AS TO FORM:  
DOUGLAS T. SLOAN  
City Attorney

By: \_\_\_\_\_  
Mary Raterman-Doidge Date  
Deputy

Attachment: Exhibit A