

Attachment E
Planning Commission Resolution

**FRESNO CITY PLANNING COMMISSION
RESOLUTION NO. 13600**

The Fresno City Planning Commission, at its regular meeting on August 7, 2019, adopted the following resolution relating to Text Amendment Application No. P19-01036:

WHEREAS, in December of 2018 the Fresno County Airport Land Use Commission (ALUC) adopted a new Fresno County Airport land Use Compatibility Plan (ALUCP); and

WHEREAS, Government Code Section 65302.3(a) states that a county's or city's land use plans and regulations shall be consistent with an ALUCP; and

WHEREAS, this matter was considered by the Airport Land Use Commission on May 13, 2019, and June 3, 2019, at which time they rejected the City of Fresno's proposed Consistency Finding; and

WHEREAS, the Citywide Development Code implements the General Plan by regulating land use within Fresno's City Limits; and

WHEREAS, in any instance of conflict between the ALUCP and any City of Fresno planning documents, including the Citywide Development Code and the General Plan, the Citywide Development Code states unequivocally that all such conflicts shall be resolved in favor of the ALUCP; and

WHEREAS, Text Amendment No. P19-01036 reinforces this measure by revising the language in the Fresno Municipal Code (FMC) Section 15-104-B-4, Priority of Plans, and adds required consistency findings with the ALUCP for all entitlements in Sections 15-5206; 15-5306; 15-5506-D; 15-5811-A; 15-5905-A; 15-6006-A; and 15-6104-B; and

WHEREAS, the Resolution to Find the City of Fresno's Land Use Plans and Regulations Consistent with the Airport Land Use Compatibility Plan of 2018 (Resolution of Consistency) establishes a clear basis for the consistency finding; and

WHEREAS, the Planning Commission's regularly scheduled August 7, 2019, hearing on Text Amendment Application No. P19-01036 and the Resolution of Consistency was duly noticed by publication in the *Fresno Bee* on July 26, 2019, the newspaper of greatest local circulation; and

WHEREAS, on August 7, 2019, the Fresno Planning Commission conducted a public hearing to consider Text Amendment Application No. P19-01036 and the Resolution of Consistency; and,

WHEREAS, during the August 7, 2019, hearing, the Commission received and considered the Planning and Development Department's report recommending approval of the Text Amendment, the Resolution of Consistency and associated environmental documents and provided the opportunity for consideration of testimony from the applicant and the public; and

WHEREAS, no members of the public provided testimony in support or in opposition.

NOW, THEREFORE, BE IT RESOLVED that the Fresno City Planning Commission, based upon information presented at the hearing, finds in accordance with its own independent judgment that there is no substantial evidence in the record to indicate that the Text Amendment or Resolution of Consistency may have a significant effect on the environment as identified by, and evaluated within, Environmental Assessment No. 19-01036, a Categorical Exemption pursuant to the California Environmental Quality Act Guidelines, Section 15061 (b) (3), dated July 22, 2019.

BE IT FURTHER RESOLVED that the Fresno City Planning Commission finds that the approval of Text Amendment No. P19-01036 and the Resolution of Consistency is consistent with the adopted Fresno General Plan, and the findings required pursuant to Section 66410 et.seq of the Government Code

BE IT FURTHER RESOLVED that the Fresno City Planning Commission hereby recommends that the City Council approve Text Amendment Application No. 19-01036, and the Resolution of Consistency.

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The foregoing Resolution was adopted by the Fresno City Planning Commission upon a motion by Commissioner Vang, seconded by Commissioner Sodhi-Layne.

VOTING: Ayes - Vang, Sodhi-Layne, Torossian, Bray, Hardie,
 Noes - McKenzie
 Not Voting - None
 Absent - None

DATED: August 7, 2019



Jennifer K. Clark, Secretary
Fresno City Planning Commission

Resolution No. 13600
Text Amendment No. P19-01036
Resolution of Consistency
Action: Recommend Approval (to the City Council)