

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. R-16-013 has been filed by Citadel Development Group, Inc., on behalf of High and Mighty Farms, Inc., 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 19th day of April 2017, to consider Rezone Application No. R-16-013 and related Environmental Assessment No. A-16-014/R-16-013/T-6165 dated October 21, 2016, 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. 13446, of the subject environmental assessment and rezone application to amend the City's Zoning Ordinance on real property described herein below from the RS-4 (*Residential Single Family, Medium-Low Density*) (±22 acres), RS-5 (*Residential Single Family, Medium Density*) (±35 acres), and RM-2 (*Residential Multi Family Urban Neighborhood*) (±21 acres) to RS-5 (*Residential Single Family, Medium Density*) (±63 acres), RM-2 (*Residential Multi Family Urban Neighborhood*) (±5 acres), CC (*Commercial-Community*) (±7 acres), and PR (*Parks and Recreation*) (±3 acres) zone districts; and,

1 of 4

Date Adopted:

Date Approved:

Effective Date:

City Attorney Approval: MED

Ordinance No.

WHEREAS, the Council of the City of Fresno, on the 25th day of May 2017, received the recommendation of the Planning Commission.

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 with the project specific mitigation imposed, there is no substantial evidence in the record that Rezone Application No. R-16-013 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, together with the project specific mitigation measures necessary 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 Mitigated Negative Declaration prepared for Environmental Assessment No. A-16-014/R-16-013/T-6165 dated October 21, 2016.

SECTION 2. The Council finds the requested RS-5 (*Residential Single Family, Medium Density*) (±63 acres), RM-2 (*Residential Multi Family Urban Neighborhood*)

(±5 acres), CC (*Commercial-Community*) (±7 acres), and PR (*Parks and Recreation*) (±3 acres) zone districts are consistent with the proposed Medium Density Residential (±63 acres), Residential Multi-Family Urban Neighborhood (±5 acres), Community Commercial (±7 acres), and Open Space/Neighborhood Park with a dual designation of Medium Density Residential (±3 acres) planned land use designations of the Fresno General Plan and Roosevelt Community Plan pursuant to Plan Amendment Application No. A-16-014.

SECTION 3. The Council finds that the zone district of the real property described hereinbelow, located in the City of Fresno, is reclassified from the RS-4 (*Residential Single Family, Medium-Low Density*) (±22 acres), RS-5 (*Residential Single Family, Medium Density*) (±35 acres), and RM-2 (*Residential Multi Family Urban Neighborhood*) (±21 acres) to the RS-5 (*Residential Single Family, Medium Density*) (±63 acres), RM-2 (*Residential Multi Family Urban Neighborhood*) (±5 acres), CC (*Commercial-Community*) (±7 acres), and PR (*Parks and Recreation*) (±3 acres) 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.

* * * * *

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 May 2017, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Mayor Approval: _____, 2017
Mayor Approval/No Return: _____, 2017
Mayor Veto: _____, 2017
Council Override Vote: _____, 2017

YVONNE SPENCE, CMC
City Clerk

By _____
Deputy

APPROVED AS TO FORM:
DOUGLAS T. SLOAN
City Attorney

By _____
Mary Raterman-Doidge Date
Deputy City Attorney

Attachments: Exhibit A

