

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-15-010 has been filed by Brandon Broussard of Yamabe & Horn Engineering, on behalf of Leland Parnagian of G3 Development Company, 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 3rd day of February 2016, to consider Rezone Application No. R-15-010 and related Environmental Assessment No. R-15-010 dated December 18, 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. 13367, of the subject environmental assessment and rezone application to amend the City's Zoning Ordinance on real property described herein below from the AL-20 (*Agricultural Limited, 20 Acres - Fresno County*) and AE-20 (*Agricultural Exclusive, 20 Acres - Fresno County*) zone districts to the IH/UGM (*Heavy Industrial/Urban Growth Management*) and IL/UGM (*Light Industrial/Urban Growth Management*) zone districts; and,

WHEREAS, the Council of the City of Fresno, on the 17th day of March 2016, received the recommendation of the Planning Commission.

THE COUNCIL OF THE CITY OF FRESNO DOES ORDAIN AS FOLLOWS:

Date Adopted:
Date Approved:
Effective Date:
City Attorney Approval: _____

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Ordinance for Rezone No. R-15-010

Ordinance No. _____

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-15-010 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 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-15-010 dated December 18, 2015.

SECTION 2. The Council finds the recommended IH/UGM (*Heavy Industrial/Urban Growth Management*) and IL/UGM (*Light Industrial/Urban Growth Management*) zone districts are consistent with the Heavy and Light Industrial planned land use designations of the Fresno General Plan and Edison 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 County of Fresno, is reclassified from the AL-20 (*Agricultural Limited, 20 Acres - Fresno County*) and AE-20 (*Agricultural Exclusive, 20 Acres - Fresno County*) zone districts to the IH/UGM (*Heavy Industrial/Urban Growth*

Management) and IL/UGM (*Light Industrial/Urban Growth Management*) 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 17th day of March 2016, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Mayor Approval: _____, 2016

Mayor Approval/No Return: _____, 2016

Mayor Veto: _____, 2016

Council Override Vote: _____, 2016

YVONNE SPENCE, CMC
City Clerk

By _____

APPROVED AS TO FORM:
DOUGLAS T. SLOAN
City Attorney

By _____
Talía Kolluri-Barbick Date
Senior Deputy City Attorney

Attachments:
• Exhibit A