

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-16-006 has been filed by Nick Yovino Jr. of California Land Consulting with the City of Fresno to rezone property as described herein below; and,

WHEREAS, on April 18, 2016, the District 6 Plan Implementation Committee recommended approval of the rezone application; 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 20th day of July 2016, to consider Rezone Application No. R-16-006 and related Environmental Assessment No. A-16-005/R-16-006/D-16-031, during which the Commission considered the environmental assessment and recommended to the Council of the City of Fresno approval, as evidenced in Planning Commission Resolution No. 13386 of the rezone application to amend the Official Zone Map to rezone the approximately 2.27 acre subject property from the RS-4/UGM (Residential Single Family, Medium Low Density/Urban Growth Management) zone district to the RM-1/UGM (Residential Multiple Family, Medium High Density/Urban Growth Management) zone district; and,

1 of 4

Date Adopted:

Date Approved

Effective Date:

City Attorney Approval: MYD

Ordinance No.

WHEREAS, the Council of the City of Fresno, on the 18th day of August 2016, 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 all applicable project specific mitigation measures imposed, there is no substantial evidence in the record that Rezone Application No. R-16-006 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 project specific mitigation measures necessary to assure that the project will not cause significant adverse cumulative impacts, growth inducing impacts, and irreversible significant effects beyond those identified by the MEIR as provided by CEQA Section 15178(a). Therefore, it has been determined based upon the evidence in the record that the project will not have a significant impact on the environment and that the filing of a mitigated negative declaration is appropriate in accordance with the provisions of CEQA Section 21157.5(a)(2) and CEQA Guidelines Section 15178(b)(1) and (2). Accordingly, the Council adopts the Mitigated Negative Declaration prepared for Environmental Assessment No. A-16-005/R-16-006/D-16-031 dated June 3, 2016.

SECTION 2. The Council finds the requested RM-1/UGM (Residential Multi-Family, Medium High Density/Urban Growth Management) zone district is consistent with the proposed Medium High Density Residential planned land use designation of the

Fresno General Plan and the Woodward Park Community Plan as specified in the Fresno General Plan and Municipal Code.

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 RS-4/UGM (Residential Single Family, Medium Low Density/Urban Growth Management) zone district to the RM-1/UGM (Residential Multiple Family, Medium High Density/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 18th day of August 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

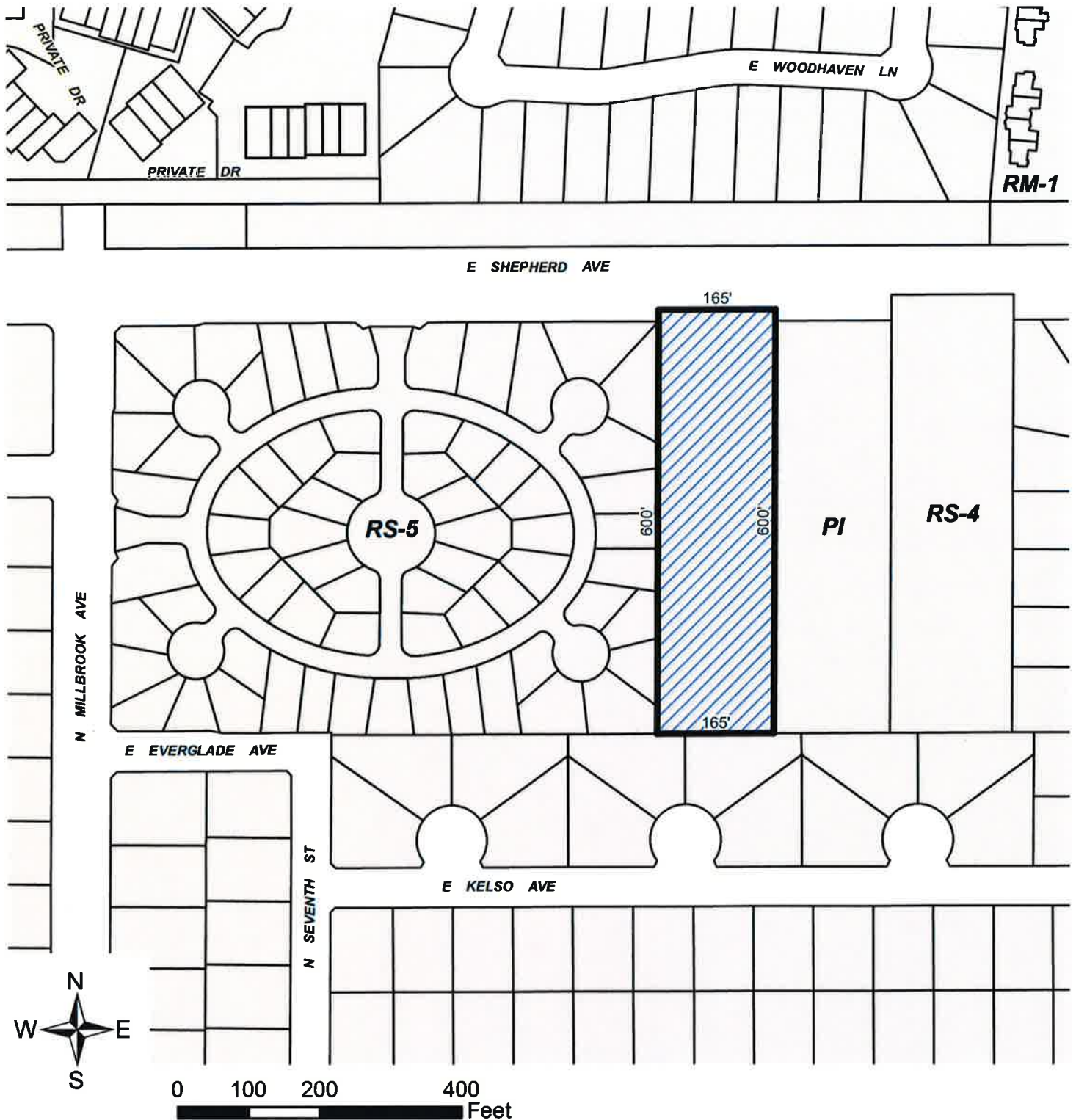
By: \_\_\_\_\_

APPROVED AS TO FORM:  
DOUGLAS T. SLOAN  
City Attorney

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

Attachment: Exhibit A

# EXHIBIT A



**R-16-006**  
**APN: 403-021-03**  
**1161 East Shepherd Avenue**

 **RS-4/UGM to RM-1/UGM, 2.27 Acres**