

Exhibit H:
City Council Ordinance Bill for Rezone No. R-16-007

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-16-007 has been filed by the Development and Resource Management Director within the City and County of Fresno to rezone property as described herein below; and

WHEREAS, on August 23, 2016, the District 1 Plan Implementation Committee recommended [_____]TBD]; and,

WHEREAS, on August 8, 2016, the District 2 Plan Implementation Committee recommended approval of the Rezone application; and

WHEREAS, on August 15, 2016, the District 3 Plan Implementation Committee reviewed the Rezone application and provided no comments in support or opposition; and

WHEREAS, on August 22, 2016, the District 4 Plan Implementation Committee recommended [_____]TBD]; and

WHEREAS, on August 8, 2016, the District 5 Plan Implementation Committee recommended approval of the Rezone application; and

WHEREAS, on August 15, 2016, the District 6 Plan Implementation Committee recommended approval of the Rezone application; and

WHEREAS, on August 5, 2016, the Tower District Design Review Committee recommended approval of the Rezone application; and

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Date Adopted:

Date Approved

Effective Date:

City Attorney Approval: 

Ordinance No.

WHEREAS, on August 8, 2016, the Fulton/Lowell Design Review Committee continued the item; and

WHEREAS, on August 1, 2016 the Airport Land Use Commission reviewed the applicable portions of the Rezone and found them to be consistent with the applicable airport land use compatibility plans; and

WHEREAS, pursuant to the provisions of 15-5809, of the Fresno Municipal Code, the Planning Commission of the City of Fresno held a public hearing on August 17, 2016, to consider Rezone Application No. R-16-007, related Plan Amendment Application No. A-16-006, Text Amendment Application No. TA-16-001 and Environmental Assessment No. A-16-006, R-16-007, TA-16-001 during which the Commission considered the environmental assessment and recommended approval to the Council of the City of Fresno, of the rezone application as set forth in Exhibit A, with errata, as evidenced in Planning Commission Resolution No. 13400; and

WHEREAS, the Council of the City of Fresno, on August 25, 2016, 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 Rezone Application No. R-16-007 is in the best interest of the City of Fresno. The Council finds in accordance with its own independent judgment that that an addendum to MEIR No. SCH 2012111015 is appropriate given that none of the conditions described in Section

15162 of the CEQA Guidelines calling for preparation of a subsequent EIR have occurred; and new information added is only for the purposes of providing minor changes or additions, in accordance with Section 15164 of the CEQA Guidelines. Accordingly, the Council adopts the addendum prepared for Environmental Assessment No. A-16-006, R-16-007, TA-16-001 dated August 12, 2016.

SECTION 2. The Council finds the rezones requested in Rezone Application No. R-16-007 are consistent with the corresponding planned land use designations of the Fresno General Plan as expressed in Figure LU-1: Land Use and Circulation Map, and Figure LU-2: Dual Designation Diagram, respectively.

SECTION 3. The Council finds that the zone districts of the real property described in Exhibit A (with errata), located in the City of Fresno and shown on the Official Zone Map of the City of Fresno, are reclassified as depicted in the table in Exhibit A (with errata). All conditions of zoning shall remain in full force and effect.

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.

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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 ____ day of _____, 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: _____
Deputy

APPROVED AS TO FORM:
DOUGLAS T. SLOAN,
City Attorney

BY: _____
TALIA KOLLURI-BARBICK
Senior Deputy City Attorney

Attachment: Exhibit A

TKB/dy [72220dy/tkb] 08/18/16

Exhibit A

City of Fresno Proposed General Plan Amendment and Rezone Change Requests

Date: 8/2/2016

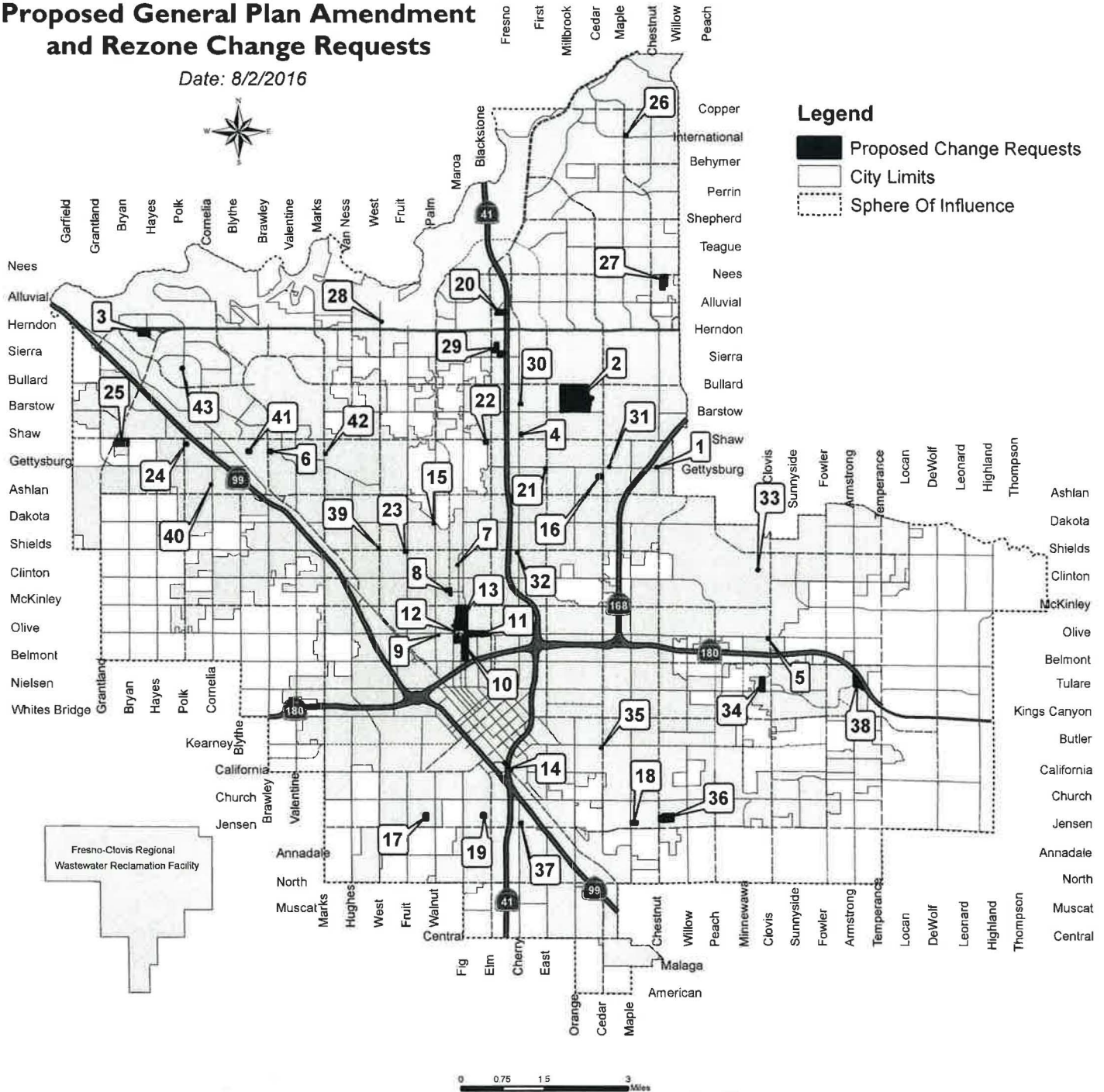


Table with Errata - City of Fresno Proposed General Plan Amendment and Rezones - August 17, 2016

Number	Area	APN	Current				Proposed				Acres
			Planned Land Use		Zoning		Planned Land Use		Zoning		
			Prefix	Description	Prefix	Description	Prefix	Description	Prefix	Description	
1	Chestnut and Gettysburg	43025313 and 14	RMH	Residential Medium High Density	RM-1	Residential Multi-Family, Medium High Density	CC	Commercial - Community	CC	Commercial - Community	0.86
2	Bullard and Cedar	41803027, 41810101-08, 41810201-16, 41810301-16, 41810401-16, 41810501-08, 41811101-08, 41811201-15, 19-23, 26 and 27, 41811301-12, 41811401-13, 41811501-08, 41812101-15, 41812201-11, 41812301-22, 41813101-20, 21T, 22-39, 41813201-16 and 19, 41814101-08, 41814201, 04-08, 41814301-04, 41814401-05, 41814501-16, 41814601-15, 41827101-03, 06-10, 41827202-16, 41827301 and 02, 41827401-07, 41828101-11, 41828201-10, 13, 16-29, 31, 32, and 34, 41828301-04, 41832101, 04, 07, 09-11, and 13, 41832201-14, 41832301-07, 41833101-06, 41833201-09, 15-17, and 19, 41833301-05, 41838101-10, 41838201-08, 11-18, 41839101-17, 23-32, 41839201, 04-12,41839410, and 41841001-09	RML	Residential Medium Low Density	RS-4	Residential Single Family, Medium Low Density	RL	Residential Low Density	RS-3	Residential Single Family, Low Density	120.35
3	Herndon and Hayes	50409130-34	RUN	Residential Urban Neighborhood	RM-2	Residential Multi-Family, Urban Neighborhood	CO	Employment - Office	O	Office	11.36
4	Keats and Fresno	41820102 and 30	RML	Residential Medium Low Density	RS-4	Residential Single Family, Medium Low Density	CO	Employment - Office	O	Office	0.74
5	Olive and Clovis	45603015 45603016	CMX	Corridor/Center Mixed-Use	CMX	Corridor/Center Mixed Use	CGH	Commercial - General	CG	Commercial - General	20.23 0.82
6	Shaw and Brawley	42402118	RMX	Regional Mixed-Use	RMX	Regional Mixed-Use	IL	Employment - Light Industrial	IL	Industrial Light	2.01
7	Tower District (Princeton and Wishon)	44324112	RM	Residential Medium Density	RS-5	Residential Single-Family, Medium Density	NMX	Neighborhood Mixed-Use	NMX	Neighborhood Mixed-Use	0.26
8	Tower District (Echo and Weldon)	44414305-09, 44415301, 02 and 28S, 44422101, 02, 28, and 29	CC	Commercial - Community	CC	Commercial - Community	CMS	Commercial - Main Street	CMS	Commercial - Main Street	2.90
9	Tower District (Palm and Olive)	45202106	RH	Residential High Density	RM-3	Residential Multi-Family, High Desnity	CMS	Commercial - Main Street	CMS	Commercial - Main Street	0.17
10	Tower District (Van Ness and Belmont)	45204105	RH	Residential High Density	RM-3	Residential Multi-Family, High Desnity	CMS	Commercial - Main Street	CMS	Commercial - Main Street	0.74
	Tower District (Van Ness and Belmont)	45220701, 06-08, 45228216, 45204501-03, 45204601 and 07, 45212101-03, 45212501-06, 45212601, 05, 07, and 10, 45220103-08, 45220212, 13, 15-19, 24 and 28, 45220601-03, 45228101, 02, 05, 06, 10, 13, 19 and 20, 45228217, 19-25 and 28	RMH	Residential Medium High Density	RM-1	Residential Multi-Family, Medium High Density	CMS	Commercial - Main Street	CMS	Commercial - Main Street	14.66
11	Tower District (Olive and Blackstone)	45205303-07, 08-10	PF	Public Facility	RS-5	Residential Single-Family, Medium Density	CMS	Commercial - Main Street	CMS	Commercial - Main Street	1.67
	Tower District (Olive and Blackstone)	45127321-23, 45127411-16, 45127412-16, 45127511-14, 45128110 and 14, 45128212-17, and 31, 45128312-15, 45128511-13, 45204202 and 03, 45204303, 45204308, 09, 11, 12, 45205101, 03, 04, 25-27, 45205202, 03, and 17	RM	Residential Medium Density	RS-5	Residential Single-Family, Medium Density	CMS	Commercial - Main Street	CMS	Commercial - Main Street	9.67
12	Tower District (Wishon and McKinley)	45126302, 05-07, 18, 19, 45126401, 11, 13, and 15	CGH	Commercial - General	CG	Commercial - General	CMS	Commercial - Main Street	CMS	Commercial - Main Street	2.68
	Tower District (Wishon and McKinley)	45104314, 16 and 18, 45104611 and 12, 45111602, 08, and 14, 45118301-03, 10, 15-18, 45126204 and 30, 45126301,08, 09, 12, 15, and 16	RM	Residential Medium Density	RS-5	Residential Single-Family, Medium Density	RUN	Residential Urban Neighborhood	RM-2	Residential Multi-Family, Urban Neighborhood	6.25
	Tower District (Wishon and McKinley)	45104206, 07, and 16, 45104312 and 17, 45104506-10, 45104601, 10, 11, 16 and 17, 45111206-09, 45111301, 07-10, 45111504-07, 45118304-07, 09, and 17, 45118401, 10, 12, 13, and 16, 45126213 and 14T	RM	Residential Medium Density	RS-5	Residential Single-Family, Medium Density	CMS	Commercial - Main Street	CMS	Commercial - Main Street	10.67
13	Tower District (Van Ness and McKinley)	45105110, 16 and 17, 45105215, 16 and 25, 45112214-22, and 24, 45112101-10	CC	Commercial - Community	CC	Commercial - Community	CMS	Commercial - Main Street	CMS	Commercial - Main Street	4.54
	Tower District (Van Ness and McKinley)	45126404-07	CGH	Commercial - General	CG	Commercial - General	CMS	Commercial - Main Street	CMS	Commercial - Main Street	1.07

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13 Continued	Tower District (Van Ness and McKinley)	45105101-08, 45105201, 17-19, 21 and 26	CO	Employment - Office	O	Office	CMS	Commercial - Main Street	CMS	Commercial - Main Street	2.31
	Tower District (Van Ness and McKinley)	45126402 and 03, 45118402-09, 45111603 and 05, 45111302-04, 06, 11 and 12, 45104608-10, 45104313 and 21	RM	Residential Medium Density	RS-5	Residential Single-Family, Medium Density	RUN	Residential Urban Neighborhood	RM-2	Residential Multi-Family, Urban Neighborhood	5.72
	Tower District (Van Ness and McKinley)	45127101-04, 45119201, 14, 15, 17, 18-24 and 26, 45119102, 05, 06, 10, 12, 16-18, 45127201, 13, 14, and 17-22	RMH	Residential Medium High Density	RM-1	Residential Multi-Family, Medium High Density	CMS	Commercial - Main Street	CMS	Commercial - Main Street	5.62
14	G and SR 41	Not assigned yet	None	None	None	None	PF	Public/Quasi Public Facility	PI	Public and Institutional	2.37
15	Palm and Dakota	43506219	RMH	Residential Medium High Density	RM-1	Residential Multi-Family, Medium High Density	CC	Commercial - Community	CC	Commercial - Community	0.15
16	Gettysburg and Cedar	42807223	RM	Residential Medium Density	RS-5	Residential Single-Family, Medium Density	CC	Commercial - Community	CC	Commercial - Community	3.33
17	Jensen and Walnut	47720048T	CO	Employment - Office	O	Office	PB/P	Open Space - Ponding Basin (Park Use)	OS	Open Space	4.47
18	Jensen and Maple	48003060	RMH	Residential Medium High Density	RM-1	Residential Multi-Family, Medium High Density	RUN	Residential Urban Neighborhood	RM-2	Residential Multi-Family, Urban Neighborhood	3.53
19	Elm and Jensen	47902052	NP	Open Space - Neighborhood Park	PR	Parks and Recreation	NP with RM Dual Designation n Land Use	Open Space - Neighborhood Park with Residential Medium Density Dual Designation Land Use	RS-5	Residential Single-Family, Medium Density	3.16
20	Alluvial and Abby	30320127	NP	Open Space - Neighborhood Park	PR	Parks and Recreation	CR	Commercial - Regional	CR	Commercial - Regional	7.75
21	Gettysburg and First	42804145	RM	Residential Medium Density	RS-5	Residential Single-Family, Medium Density	CC	Commercial - Community	CC	Commercial - Community	0.48
22	Blackstone and Shaw	42509213	NP	Open Space - Neighborhood Park	RS-4	Residential Single-Family, Medium Low Density	NP with CMX Dual Designation n Land Use	Open Space - Neighborhood Park with Corridor/Center Mixed-Use Dual Land Use Designation	CMX	Corridor/Center Mixed-Use	2.25
23	Shields and Fruit	44303209 and 44303249	RMH	Residential Medium High Density	RM-1	Residential Multi-Family, Medium High Density	CC	Commercial - Community	CC	Commercial - Community	0.84
24	Shaw and Polk	51022019, 51022020, 51022038, 51022038, 51022040, and 51022041	CG	Commercial - General	CG	Commercial - General	RUN	Residential Urban Neighborhood	RM-2	Residential Multi-Family, Urban Neighborhood	1.52
25	Shaw and Bryan	51203028, 51203031, 51203032, 51203033, 51203037, 51203038, 51203052, and 51203082	RMH	Residential High Density	RM-3	Residential Multi-Family, High Density	RMX	Regional Mixed-Use	RMX	Regional Mixed-Use	17.32

Total: 249.06

Rezone Change Requests Only - Numbers 26 through 43

Number	Area	APN	Current Zoning		Proposed Zoning		Acres
			Prefix	Description	Prefix	Description	
26	International and Maple	57801001T	PR	Parks and Recreation	PI	Public and Institutional	1.11
27	Nees and Willow	40407240S	PI	Public and Institutional	RS-4	Residential Single-Family, Medium Low Density	4.70
28	Herndon and West	40548344ST	PR	Parks and Recreation	PI	Public and Institutional	0.44
29	Sierra and Blackstone	40805009, 40805037, and 40805004	RM-MH	Mobile Home Park	CMX	Corridor/Center Mixed-Use	11.23
30	Barstow and Fresno	41802110T	PR	Parks and Recreation	PI	Public and Institutional	0.84
31	Gettysburg and Cedar	43014021T	PR	Parks and Recreation	PI	Public and Institutional	0.39

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32	Shields and Fresno	44504143T	PR	Parks and Recreation	PI	Public and Institutional	0.61
33	Shields and Clovis	49406051T	PR	Parks and Recreation	PI	Public and Institutional	0.87
34	Tulare and Clovis	46202024	RM-MH	Mobile Home Park	CMX	Corridor/Center Mixed-Use	9.65
35	Butler and Cedar	47106228T	PR	Parks and Recreation	PI	Public and Institutional	0.38
36	Jensen and Chestnut	48111037T	RM-MH	Mobile Home Park	RS-5	Residential Single Family, Medium Low Density	18.29
37	Jensen and Cherry	47932002T	PR	Parks and Recreation	PI	Public and Institutional	1.10
38	Tulare and Armstrong	31327044T	PR	Parks and Recreation	BP	Business Park	12.79
39	Shields and West	43335408	PR	Parks and Recreation	PI	Public and Institutional	0.81
40	Gettysburg and Cornelia	51032632T and 51032633T	PR	Parks and Recreation	PI	Public and Institutional	0.19
41	Shaw and Brawley	51043301T	IL	Industrial Light	PR	Parks and Recreation	2.37
42	Shaw and Marks	42432126T	PR	Parks and Recreation	PI	Public and Institutional	0.34
43	Bullard and Polk	50618249ST	PR	Parks and Recreation	PI	Public and Institutional	0.92
Total:							67.03

Overlay Zone Change Request - Number 44

Number	AreaAPN		Current Overlay District		Proposed Overlay District		Acres
			Prefix	Description	Prefix	Description	
44	Tower District (Van Ness and M	45112106, 45112214, 45112218, 45112221, 45112222, 45112224, 45105225, 45112101, 45112108, 45112105, 45112104, 45112217, 45105117, 45105215, 45112102, 45105216, 45112109, 45112219, 45112107, 45112110, 45112216, 45112220, 45112103, and 45112215	AH	Apartment House	None	None	4.26