

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-17-002 has been filed by Bill Robinson, on behalf of Don Orosco of D.B.O. Development, with the City of Fresno to pre-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 July 2017, to consider Rezone Application No. R-17-002 and related Environmental Assessment No. ANX-17-001/R-17-002 dated May 5, 2017, 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. 13475, of the subject environmental assessment and rezone application to amend the City's Zoning Ordinance on real property described herein below from the Fresno County RR (*Rural Residential*) zone district to the CC/UGM (*Commercial – Community/Urban Growth Management*) and OS/UGM (*Open Space/Urban Growth Management*) zone districts; and,

WHEREAS, the Council of the City of Fresno, on the 31st day of August, 2017, received the recommendation of the Planning Commission.

1 of 4

Date Adopted:

Date Approved

Effective Date:

City Attorney Approval: M.R.D.

Ordinance No.

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 pre-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-17-002 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. ANX-17-001/R-17-002 dated May 5, 2017.

SECTION 2. The Council finds the recommended CC (*Commercial – Community/Urban Growth Management*) and OS/UGM (*Open Space/Urban Growth Management*) zone districts are consistent with the Community Commercial and Open Space planned land use designations of the Fresno General Plan and West Area 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 pre-zoned from the Fresno County RR (*Rural Residential*) zone district to the CC/UGM (*Commercial –*

Community/Urban Growth Management) and OS/UGM (*Open Space/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.

* * * * *

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 31st day of August 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

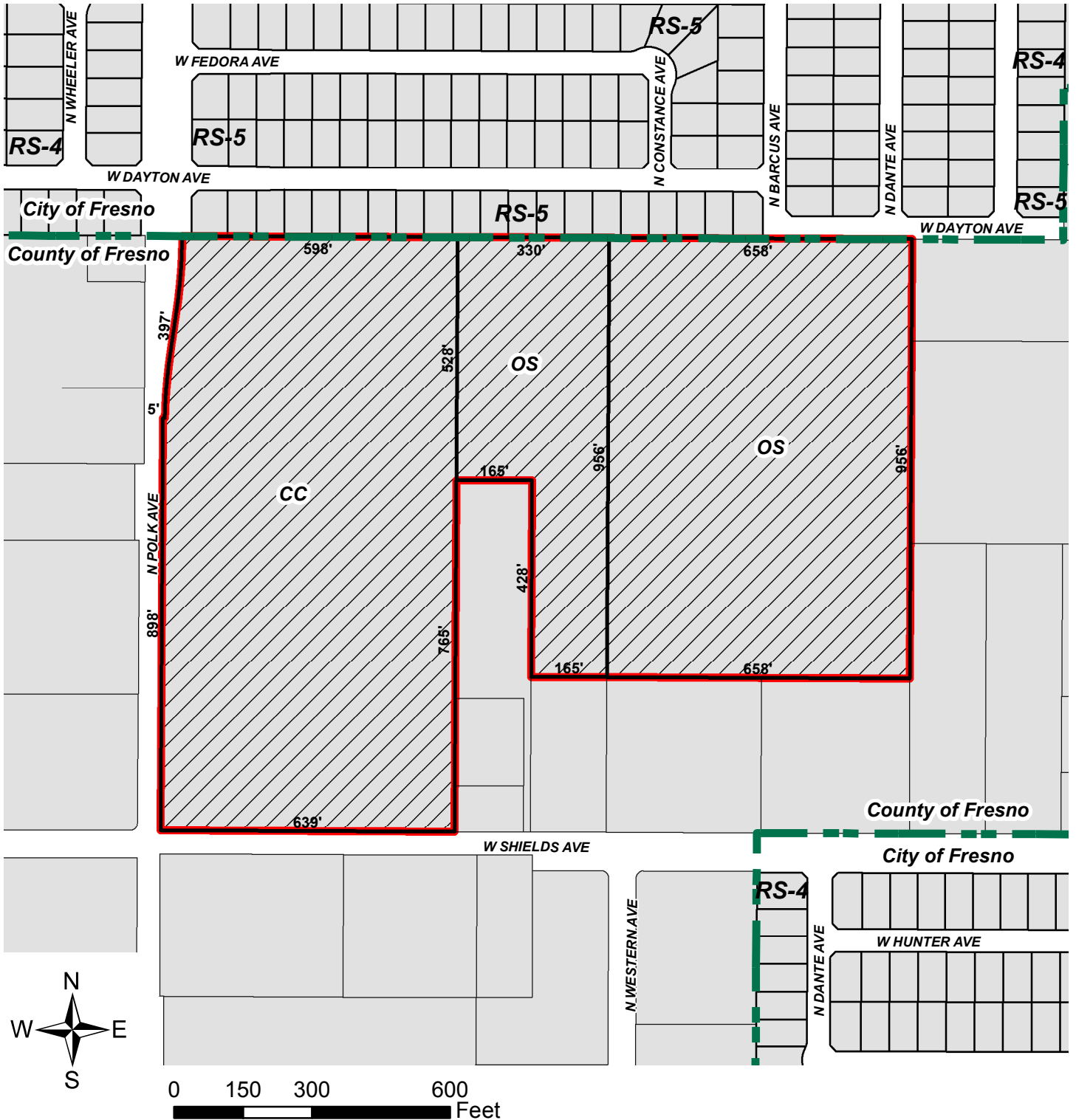
By _____
Deputy

APPROVED AS TO FORM:
DOUGLAS T. SLOAN
City Attorney

By _____
Mary Raterman-Doidge Date
Deputy City Attorney

Attachment: Exhibit A

EXHIBIT A




ANX-17-001, R-17-002

APN: 511-022-01,05ST, 09ST

3120 N Polk Ave., 5340, 5342, 5346, 5348 W Shields Ave.,

 City Limits

 Zoning: From RR (County) to CC/UGM, OS/UGM

 Area to be Annexed to the City of Fresno 38.80 Acres