

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF FRESNO, CALIFORNIA, APPROVING REZONE APPLICATION NO. R-18-004, 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-18-004, along with associated Plan Amendment Application No. A-18-003 and Text Amendment Application No. TA-18-002 have been filed by the Development and Resource Management Director within the City and County of Fresno to rezone property as described in Exhibit A; and

WHEREAS, on April 3, 2018, the District 1 Plan Implementation Committee recommended approval of the proposed Rezone application; and

WHEREAS, on April 2, 2018, the District 2 Plan Implementation Committee recommended approval of the proposed Rezone application; and

WHEREAS, the District 3 Plan Implementation Committee is currently inactive and therefore did not meet to consider the applications; and

WHEREAS, on April 2, 2018, the District 4 Plan Implementation Committee recommended approval of the proposed Rezone application; and

WHEREAS, on April 2, 2018, the District 5 Plan Implementation Committee recommended approval of the proposed Rezone application; and

WHEREAS, on April 2, 2018, the District 6 Plan Implementation Committee recommended approval of the proposed Rezone application; and

Page 1 of 6

Date Adopted:

Date Approved

Effective Date:

City Attorney Approval: 

Ordinance No.

WHEREAS, the District 7 Plan Implementation Committee is currently inactive and therefore did not meet to consider the applications; and

WHEREAS, on April 3, 2018, the Tower District Design Review Committee recommended approval of the proposed Rezone application; and

WHEREAS, on April 2, 2018, the Fulton-Lowell Design Review Committee recommended approval of the proposed Plan Amendment and associated Rezone and Text Amendment applications; and

WHEREAS, on April 2, 2018, the Airport Land Use Commission reviewed the Rezone application and failed to find consistency between rezone requests 3, 4 18, 25 and 28 and the Sierra Sky Park Land Use Policy Plan (requests 3 and 4), the Fresno Yosemite International Airport Land Use Compatibility Plan (request 18) and the Chandler Executive Airport Land Use Compatibility Plan (items 25 and 28); 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 April 4, 2018, to consider Rezone Application No. R-18-004, along with related Plan Amendment Application No. A-18-002, Text Amendment Application No. TA-18-003 and Environmental Assessment No. A-18-003, R-18-004, TA-18-002 during which the Commission considered the environmental assessment and recommended approval of Rezone Application No. R-18-004 to the Council of the City of Fresno as set forth in Exhibit A, with errata, as evidenced in Planning Commission Resolution No. 13526, with the exception of sites 27 and 28, on which they recommended denial; and

WHEREAS, the Council of the City of Fresno, on April 19, 2018, 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-18-004 is in the best interest of the City of Fresno. The City of Fresno has determined that an addendum to MEIR No. SCH 2012111015 and PEIR SCH No. 2012041009 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.

SECTION 2. The Council finds the rezones requested in Rezone Application No. R-18-004 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 in Plan Amendment Application No. A-18-003, respectively and makes the following findings pursuant to section 65863 of the California Government Code:

a. The reduction in residential densities and proposed rezoning on sites within the Housing Element inventory included in the Plan Amendment Application No. A-18-003 and the proposed Rezone is consistent with the goals and objectives of the Fresno General Plan, and is consistent with the Housing Element; and

b. The remaining sites identified in the Housing Element are adequate to meet the requirements of Section 65583.2 and to accommodate the City's share of the regional housing need pursuant to Section 65584. The capacity quantification for all income categories is as follows:

i. The 2013-2023 RHNA capacity for very low/low is proposed to be increased by 118 units which will increase the surplus from 5,996 to 6,114. The 2013-2023 RHNA for very low/low is 13,114 and the total capacity remaining after the proposed increase is 19,228.

ii. The 2013-2023 RHNA capacity for moderate is proposed to be reduced by 134 units which will reduce the surplus from 2,250 to 2,116. The 2013-2023 RHNA for moderate is 1,723, and the total capacity remaining after the proposed reduction is 3,839.

iii. The 2013-2023 RHNA capacity for above moderate is proposed to be increased by 50 units which will increase the surplus from 3,668 to 3,718. The 2013-2023 RHNA for above moderate is 6,193, and the total capacity after the proposed increase is 9,911.

iv. The 2008-2013 RHNA total capacity for very low/low has no changes proposed.

SECTION 3. The Council finds that the zone districts of the real property described in Exhibit A, 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. 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 19th day of April, 2018, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

YVONNE SPENCE, MMC
City Clerk

BY: _____
Deputy

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

BY: _____
TALIA KOLLURI-BARBICK
Supervising Deputy City Attorney

Attachment: Exhibit A

City of Fresno

Proposed General Plan Amendments and Rezonings

Development and Resource Management Department

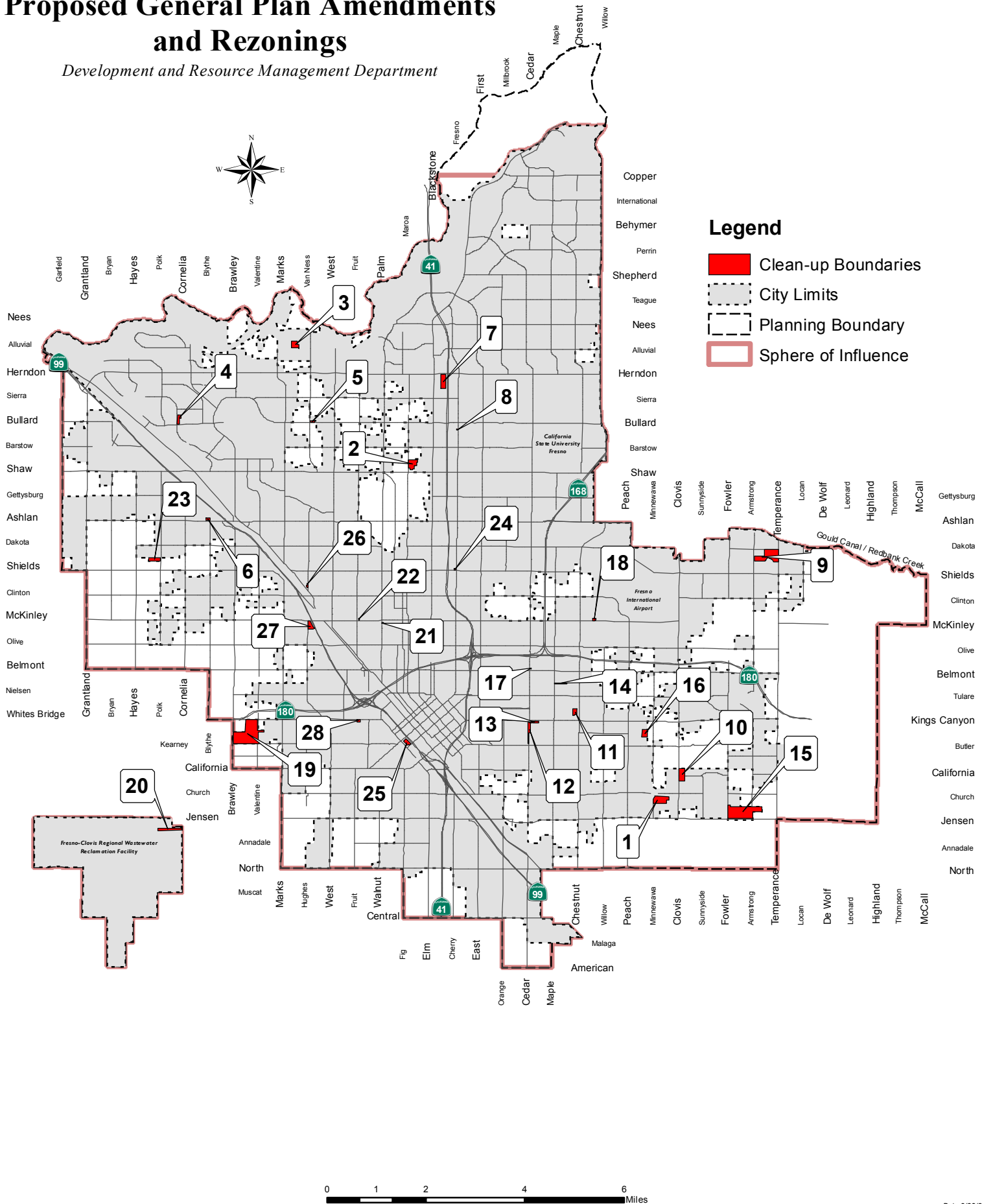


Exhibit A -2

#	Description	APN	City Council District	Zoning			General Plan Land Use			Acres	Staff Recommendation
				Past	Now	Request	Past	Now	Request		
1	Minnewawa Ave./ Church Ave.	Tract Map 5513: 48143105-07, 48143225-31, 48153101-18, 48153201-03, 48153301-33, 48153401-28, 48153501-22, and 48153601T	5	NA, New Annex-ation	NA, New Annex-ation	RS-4	NA, New Annex-ation	Medium High Density Residential	Medium Low Density Residential	18.92	Approve
2	Maroa Ave./ Shaw Ave.	41725104, 41725120-22, 41725155-58, 41733102-05, 41733112, 41733115-17, 41733201-03, 41733210-13, 41733215, 41733217, and 41733216T	NA	NA	NA	NA	Medium Density Residential	Corridor/ Center Mixed Use	Medium Density Residential	16.29	Approve
		41725123-30, 41725134-54, 41725301-08, 41753001-08 417250X1, and 417530XA	2	R-1-C and R-2-A	CMX	RS-5					
3	2626 W. Alluvial Ave.	50043021 and 24T	2	R-1-B R-A	PR CRC	RS-4	Open Space/ Commercial Recreation	Open Space/ Commercial Recreation	Medium Low Density Residential	11.84	Approve
4	Dante Ave./ Bullard Ave.	50613008S and 09S	2	R-3	RM-1	RM-2	Medium High Density Residential	Medium High Density Residential	Urban Neighborhood Residential	6.70	Approve
5	Van Ness Blvd./ Bullard Ave.	40609114, 31, and 32	2	NA, New Annex-ation	NA, New Annex-ation	RS-1	Low Density Residential	Low Density Residential	Low Density Residential	1.50	Approve
6	Ashlan Ave./ Blythe Ave.	51009036	1	C-6	RM-1	CG	Commercial General-Heavy	Medium High Density Residential	General Commercial	2.85	Approve
7	Herndon Ave./ State Route 41	40802201-20, 40802301-16, 40803201-18, 40803301-18, 40804301-10, 40804401-10 and 40806119T	6	R-A	CMX	RS-5	Medium Density Residential	Corridor/ Center Mixed Use	Medium Density Residential	17.94	Approve
8	5677 N. Fresno St.	418520X1, 38, and 39	4	R-P	RM-1	O	Medium High Density Residential	Medium High Density Residential	Office Employment	0.49	Approve
9	Dakota Ave./ Armstrong Ave.	31002089S, 31073102S, 31091101S-32S, 31091201S and 2S, 31091301S-23S, 31091401S-10S, 31091501S-10S, 31091601S-10S, and 31091701S-10S	4	R-A	RM-2	RS-4	Medium Density Residential	Urban Neighborhood Residential	Medium Low Density Residential	21.02	Approve
		31002085S and 88S	4	R-A	RS-5	RS-4	Medium Density Residential	Medium Density Residential	Medium Low Density Residential	28.11	
10	Clovis Ave./ California Ave.	31602201 and 31628036T	5	AE-20	CMX	RS-4	Medium Low Density Residential	Corridor/ Center Mixed Use	Medium Low Density Residential	17.23	Approve
11	Huntington Blvd./ Chestnut Ave.	46123302 - 07, 46123401, 02, 12 - 17, and 46130301	5	R-3 R-2 (1 lot) R-1 (1 lot)	RS-5	RM-2	Medium High Density Residential	Medium Density Residential	Urban Neighborhood Residential	5.76	Approve
12	Cedar Ave./ Kings Canyon Rd.	47006104, 47006215 and 16, 47006315, 47007129 - 41, 47014115, 47014215 and 16, 47014315 and 16, 47015127 - 34, 36, and 38 - 41, 47021308 and 13, 47021605 and 08, 47028304 and 07, and 47028604 and 13	5	R-1 R-2 (1 lot)	NMX	RS-5	Medium Density Residential	Neighborhood Mixed Use	Medium Density Residential	6.27	Approve
13	Kings Canyon Rd./ Chance Ave.	47007105, 06, and 29, 47007201, 24, 27, and 29, 47007301 and 19	5	C-6	RS-5	NMX	Commercial General-Heavy	Medium Density Residential	Neighborhood Mixed Use	2.77	Approve
14	McKenzie Ave. median islands between Maple Ave. and Sierra Vista Ave.	46016501T	7	R-1 C-5 (small corner at Maple)	RS-5	PR	None	Medium Density Residential	Open Space	1.63	Approve

				Zoning			General Plan Land Use				
#	Description	APN	City Council District	Past	Now	Request	Past	Now	Request	Acres	Staff Recommendation
15	NE Corner of Jensen Ave. and Fowler Ave. – Sanger Unified School District property	31602232	5	NA, New Annex-ation	NA, New Annex-ation	PI	High Density Residential	Public Facility Middle and High School	Public Facility Middle and High School	19.00	Approve
		31602233									
		31602229ST		NA, New Annex-ation	NA, New Annex-ation	PI	Medium Density Residential	Public Facility Middle and High School	Public Facility Middle and High School	59.71	
		31602231T 31602235T 31602259T		NA, New Annex-ation	NA, New Annex-ation	PI	Medium Density Residential	Public Facility Elementary School	Public Facility Elementary School	13.35	
16	Minnewawa Ave./ Butler Ave.	47209042 - 59, 47249101 - 17, and 47249201 - 08	5	R-1	PR	RS-4	Open Space	Open Space (Medium Low Density Residential Dual Designation Land Use)	Medium Low Density Residential and remove dual designation land use of Medium Low Density Residential	7.89	Approve
17	4206 E. White Ave.	45430321	7	C-1	NMX	CC	Commercial General-Heavy	Medium Density Residential	Neighborhood Mixed Use	0.24	Approve
18	4909 E. McKinley Ave.	49429109T	4	M-1-P	PI	CC	Public Facilities	Public Facilities	Community Commercial	1.49	Approve
19	339 N. Brawley Ave. APNS are incorrect Annexation #1350 RO-06-20	32610076	3	NA, New Annex-ation	NA, New Annex-ation	RM-2	Urban Neighborhood Residential	Urban Neighborhood Residential	Urban Neighborhood Residential	18.38	Approve
		32610039, 77 and 78		NA, New Annex-ation	NA, New Annex-ation	RS-5	Medium Density Residential	Medium Density Residential	Medium Density Residential	58.86	
		32610036		NA, New Annex-ation	NA, New Annex-ation	RS-4	Medium High Residential	Medium High Residential	Medium Low Residential	18.14	
		32610021		NA, New Annex-ation	NA, New Annex-ation	RS-4	Medium Low Residential	Medium Low Residential	Medium Low Residential	1.45	
		32610046		NA, New Annex-ation	NA, New Annex-ation	OS	Open Space - Neighborhood Park	Open Space - Neighborhood Park	Open Space - Neighborhood Park	0.73	
		32610038T		NA, New Annex-ation	NA, New Annex-ation	PI	Public Facilities - Elementary School	Public Facilities - Elementary School	Public Facilities - Elementary School	18.13	
20	Jenson Ave./ Cornelia Ave.	32703041T (southern portion) 32703038T (southern portion)	3	AE-20	PI	IH	Public Facilities - Waste Water Treatment Facility	Public Facilities - Waste Water Treatment Facility	Heavy Industrial Employment	13.65	Approve
21	Palm Ave./ McKinley Ave.	45103104 - 06	1	C-5 (along Palm)	RS-5	CMS (along Palm)	Medium Density Residential	Medium Density Residential	Main Street Commercial (along Palm)	0.23	Approve
				R-2 (along Ferger)	RS-5	RS-5 (along Ferger)	Medium Density Residential	Residential	Medium Density Residential (along Ferger)	0.23	
22	404 W. McKinley Ave.	44426119	1	C-P	RS-5	O	Medium Density Residential	Medium Density Residential	Office Employment	0.53	Approve
23	Shields Ave./ Polk Ave. annexation	51102117 and 18	1	NA, Unincorp.	RS-4	RS-4	Medium Low Residential	Urban Neighborhood Residential	Medium Low Residential	9.84	Approve
24	Shields Ave./ Fresno St.	43726416	7	CP	RS-5	O	Medium Density Residential	Medium Density Residential	Office Employment	0.65	Approve
25	C St./ Tulare Ave.	46710502, 46710601 - 06, 46715207 and 08, 46715217, and 46715301 - 04	3	C-6	RS-5	NMX	Medium High Density Residential	Medium Density Residential	Neighborhood Mixed Use	4.40	Approve
26	Hughes Ave./ Weber Ave.	44208217	1	R-P	RM-1	CC	Medium High Density Residential	Medium High Density Residential	Community Commercial	0.43	Approve
		44208229		C-5	RM-1	CC	Medium High Density Residential	Medium High Density Residential	Community Commercial	0.78	
27	2041 W. McKinley Ave. and 1464 N. Hughes Ave.	44902015	3	M-1	RS-5	BP	Light Industrial	Medium Density Residential	Business Park Employment	5.42	Deny
		44917001	3	C-M	RS-5	BP	General-Heavy Commercial	Medium Density Residential	Business Park Employment	4.16	
28	419 W. Whitesbridge Ave.	46411103, 04, and 11 - 14	3	C-6	RS-5	CG	Light Industrial	Medium Density Residential	General Commercial	2.18	Deny

Exhibit A
General Plan Text Amendment

Policy RC-9-c Farmland Preservation Program.

In coordination with regional partners or independently, establish a Farmland Preservation Program. When Prime Farmland, Unique Farmland, or Farmland of Statewide Importance is converted to urban uses outside City limits, this program would require that the developer of such a project ~~permanently protect an equal amount of similar farmland elsewhere through easement.~~ [mitigate the loss of such farmland consistent with the requirements of CEQA. The Farmland Preservation Program shall provide several mitigation options that may include, but are not limited to the following: Restrictive Covenants or Deeds, In Lieu Fees, Mitigation Banks, Fee Title Acquisition, Conservation Easements, Land Use Regulation, or any other mitigation method that is in compliance with the requirements of CEQA. The Farmland Preservation Program may be modeled after some or all of the programs described by the California Council of Land Trusts.]