

Exhibit T

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, Pre-zone Application No. R-18-002 has been filed by Yamabe and Horn Engineering, on behalf of Lennar Homes, 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 December 2018, to consider Pre-zone Application No. R-18-002 and related Environmental Assessment No. ANX-18-002/A-18-001/R-18-002/T-6198 dated May 11, 2018, with Addendum dated December 19, 2018, during which the Commission considered the environmental assessment and pre-zone application, and recommended approval to the Council of the City of Fresno, as evidenced in Planning Commission Resolution No. 13564, of the subject environmental assessment and pre-zone 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 RS-5/UGM (*Residential Single Family/Urban Growth Management*) zone district; and,

WHEREAS, the Council of the City of Fresno, on the 7th day of March, 2019, received the recommendation of the Planning Commission.

1 of 4

Date Adopted:

Date Approved

Effective Date:

City Attorney Approval: 

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-zoning is in the best interest of the City of Fresno. The Council finds in accordance with its own independent judgment that with the project specific mitigation imposed, there is no substantial evidence in the record that Pre-zone Application No. R-18-002 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 all applicable mitigation measures of the MEIR have been applied to the project, together with the project specific mitigation measures necessary to assure that the project will not cause significant adverse cumulative impacts. 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 Mitigated Negative Declaration prepared for Environmental Assessment No. ANX-18-002/A-18-001/R-18-002/T-6198 dated May 11, 2018, with Addendum dated December 19, 2018.

SECTION 2. The Council finds the recommended RS-5/UGM (*Residential Single Family/Urban Growth Management*) zone district is consistent with the Medium Density Residential planned land use designation 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 RS-5/UGM (*Residential Single Family/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.

* * * * *

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 7th day of March 2019, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Mayor Approval: _____, 2019
Mayor Approval/No Return: _____, 2019
Mayor Veto: _____, 2019
Council Override Vote: _____, 2019

YVONNE SPENCE, MMC CRM
City Clerk

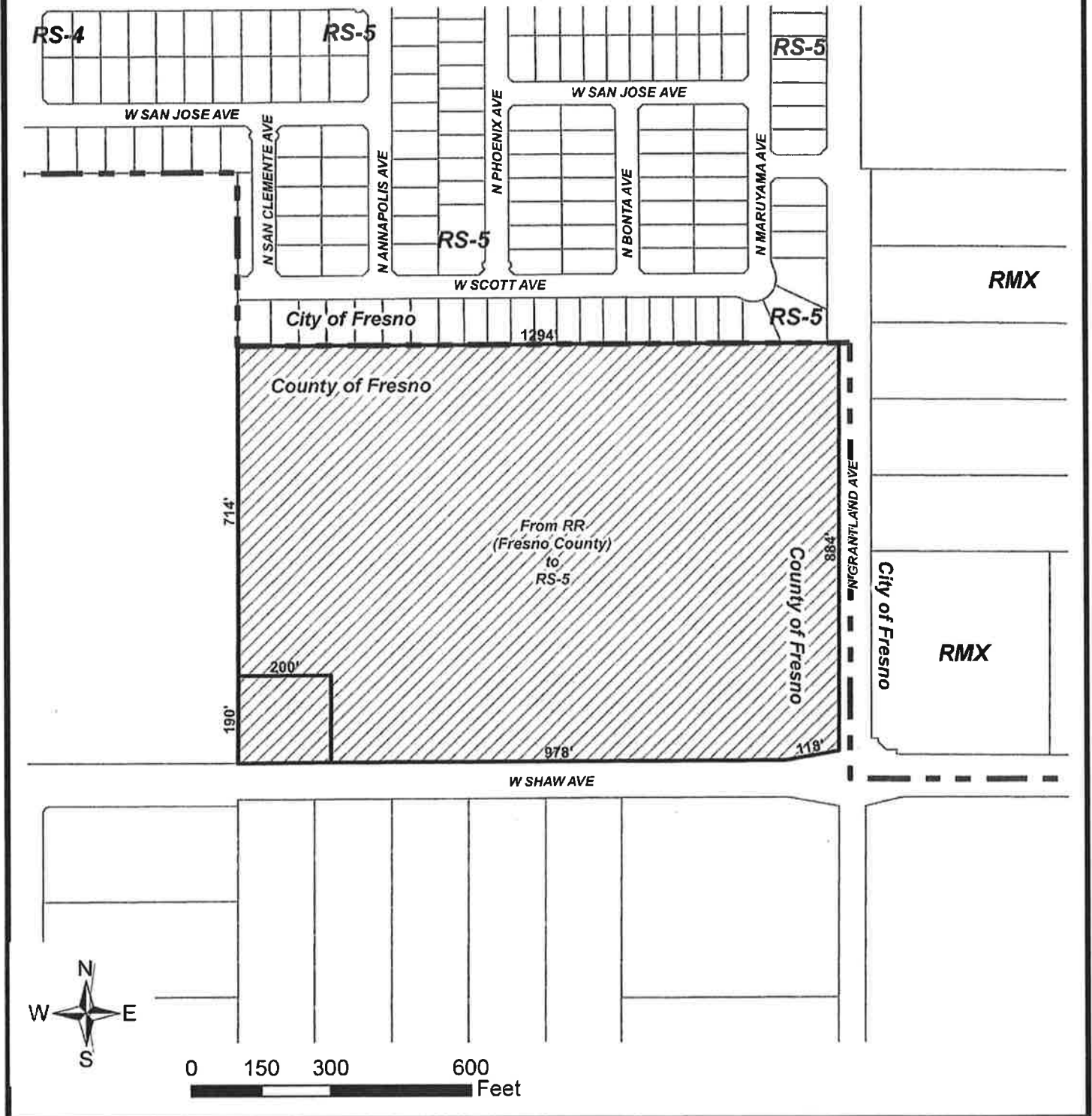
By _____
Deputy

APPROVED AS TO FORM:
DOUGLAS T. SLOAN
City Attorney

By _____
Mary Raterman-Doidge Date
Senior Deputy City Attorney

Attachment: Exhibit A

Exhibit A



R-18-002

APN: 505-050-12 & 13

7122 W Shaw Ave.

--- City Limits

Proposes to amend the Official Zone Map to prezone the property from Fresno County RR (Rural Residential) zone district to the City of Fresno RS-5/UGM (Residential Single Family/Urban Growth Management) zone district.