

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. P19-00801 has been filed by Tri-Wilson L.P., with  
the City of Fresno to pre-zone 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  
8<sup>th</sup> day of January 2020, to consider Rezone Application No. P19-00801 and related  
Environmental Assessment No. P19-00801/P19-00843/P19-00846/T-6201/T-6235 dated  
December 23, 2019, during which the Commission considered the environmental  
assessment and rezone application, and recommended to the Council of the City of Fresno  
approval, 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 AE-  
20 (*Exclusive 20-acre Agricultural District*) to the City of Fresno RS-3/UGM/ANX (*Residential  
Single Family, Low Density / Urban Growth Management / Annexed Rural Residential  
Transitional Overlay*) & RS-5/UGM/ANX (*Residential Single Family, Medium Density / Urban  
Growth Management / Annexed Rural Residential Transitional Overlay*) zone districts; and,

WHEREAS, the Council of the City of Fresno, on the 16<sup>th</sup> day of January 2020,  
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 rezoning 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 Rezone Application No. P19-00801 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. A P19-00801/P19-00843/P19-00846/T-6201/T-6235 dated December 23, 2019.

SECTION 2. The Council finds the requested RS-3/UGM/ANX (*Residential Single Family, Low Density / Urban Growth Management / Annexed Rural Residential Transitional Overlay*) & RS-5/UGM/ANX (*Residential Single Family, Medium Density / Urban Growth Management / Annexed Rural Residential Transitional Overlay*) zone districts are consistent with the Low Density Residential (±86.13 acres) and Medium Density Residential (±37.83

acres) planned land use designations of the Fresno General Plan and McLane Community Plan.

SECTION 3. The Council finds that the zone district of the real property described hereinbelow, located in the City of Fresno, is pre-zoned from the Fresno County AE-20 (*Exclusive 20-acre Agricultural District*) to the City of Fresno RS-3/UGM/ANX (*Residential Single Family, Low Density / Urban Growth Management / Annexed Rural Residential Transitional Overlay*) & RS-5/UGM/ANX (*Residential Single Family, Medium Density / Urban Growth Management / Annexed Rural Residential Transitional Overlay*) zone districts in accordance with and 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 and upon annexation to the City of Fresno.

\* \* \* \* \*

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 16<sup>th</sup> day of January 2020, 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 \_\_\_\_\_  
Rina Gonzales                      Date  
Deputy City Attorney

Attachments: Exhibit A