

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. P19-06286 has been filed by Harbour and Associates, on behalf of Wilson Premier 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 20th day of May 2020, to consider Pre-zone Application No. P19-06286 and related Environmental Assessment No. P19-06018/P19-06286/P20-00369/T-6241 dated May 15, 2020, 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. 13650, 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 AE-20 (*Exclusive 20-acre Agricultural District*) zone district to the RS-5/UGM (*Residential Single Family/Urban Growth Management*) (19.38) and RS-5/UGM/ANX (*Residential Single Family/Urban Growth Management/Annexed Rural Transition Overlay*) (59.74) zone district; and,

1 of 4

Date Adopted:

Date Approved

Effective Date:

City Attorney Approval:



Ordinance No.

WHEREAS, the Council of the City of Fresno, on the 18th day of June, 2020, 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 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. P19-06286 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. P19-06018/P19-06286/P20-00369/T-6241 dated May 15, 2020.

SECTION 2. The Council finds the recommended RS-5/UGM (*Residential Single Family/Urban Growth Management*) and RS-5/UGM/ANX (*Residential Single Family/Urban Growth Management/Annexed Rural Transition Overlay*) zone district is

consistent with the Medium Density Residential planned land use designation of the Fresno General Plan and McLane 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 AE-20 (*Exclusive 20-acre Agricultural District*) zone district to the RS-5/UGM (*Residential Single Family/Urban Growth Management*) and RS-5/UGM/ANX (*Residential Single Family/Urban Growth Management/Annexed Rural Transition Overlay*) 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 18th day of June 2020, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

YVONNE SPENCE, MMC CRM
City Clerk

By _____
Deputy

APPROVED AS TO FORM:
DOUGLAS T. SLOAN
City Attorney

By _____
Rina Gonzales Date
Deputy City Attorney

Attachment: Exhibit A