

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. P19-00417 has been filed by Gary Giannetta on behalf of GVM Holdings, Inc., with the City of Fresno to 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 2nd day of December 2020, to consider Rezone Application No. P19-00417 and related Environmental Assessment No. T-6212/T-6276/P19-00417 dated June 30, 2020, during which the Commission considered the environmental assessment and rezone application, and recommended approval to the Council of the City of Fresno, as evidenced in Planning Commission Resolution No. _____, of the Final EIR SCH No. 2020039061 the Rezone Application No. P19-00417 to amend the City's Zoning Ordinance on real property described herein below from the City of Fresno CC/UGM/cz (*Commercial – Community/Urban Growth Management/conditions of zoning*) zone district to the RS-5/UGM/cz (*Residential Single Family, Medium Density/Urban Growth Management/conditions of zoning*) zone district; and,

WHEREAS, the Council of the City of Fresno, on the 10th day of December, 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 FEIR SCH No. 2020039061 dated September 2020 has been properly certified pursuant to the requirements of CEQA Guidelines Section 15090 including all required written findings pursuant to CEQA Guidelines Section 15091, through Resolution No. _____.

SECTION 2. The Council finds the requested RS-5/UGM/cz (*Residential Single Family/Urban Growth Management/conditions of zoning*) 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 reclassified from the CC/UGM/cz (*Commercial – Community/Urban Growth Management/conditions of zoning*) zone district to the RS-5/UGM/cz (*Residential Single Family, Medium Density/Urban Growth Management/conditions of zoning*) zone district, as depicted in the attached Exhibit “A”.

SECTION 5. In addition, for the parcels comprising the subject property as shown in Exhibit “A,” Rezone Application No. P19-00417 shall replace the conditions of zoning previously approved through Rezone No. R-07-008 (Ordinance Bill No. 2013-39) by applying the conditions of zoning as listed below, which shall be recorded and put on

file with the Fresno County Recorder's Office by the record owners of the subject property executing and causing to be recorded a covenant running with the land guaranteeing compliance with these conditions:

The project shall comply with the City of Fresno, Department of Public Works, Memorandum dated October 23, 2020, November **, 2020 and November **, 2020 which specifies the phased implementation and construction of the Public Works improvements for the project and may only be superseded by the adoption of a Development Agreement by the City Council. True and correct copies of the Department of Public Works Memorandum dated October 23, 2020, November "", 2020 and November "", 2020 are attached hereto as Exhibit "" of this ordinance bill.

SECTION 5. 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 10th day of December 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 _____
Mary Raterman-Doidge Date
Senior Deputy City Attorney

Attachment: Exhibit A