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**Title:** WORKSHOP- On the Noticing and Adjustment Procedures for the 2035 General Plan and its Related Zoning Implementation

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**Attachments:** 1. August 18 Workshop on Development Code and Zoning Implementation

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8/18/2016	1	City Council	presented	

**REPORT TO THE CITY COUNCIL**

**August 18, 2016**

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Development and Resource Management Department

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Development and Resource Management Department

**SUBJECT**

WORKSHOP- On the Noticing and Adjustment Procedures for the 2035 General Plan and its Related Zoning Implementation

**RECOMMENDATION**

NA - Workshop only; no action requested.

**EXECUTIVE SUMMARY**

In December of 2014 the new General Plan was adopted. Soon thereafter, work began to finalize the Citywide Development Code, which was to replace the 1962 Zoning Ordinance in order to implement the vision of the General Plan. The Development Code was adopted in December of 2015, and a new Zoning Map was adopted soon thereafter by the City Council in February of 2016. With that action, all parcels within the city now had a zoning designation which was consistent with its planned land use. Since such consistency is required for new development, this action was an important way

to remove uncertainty, delay, and extra costs from development projects which conformed to the Council's vision for Fresno as expressed in the General Plan. It was an important way to streamline compatible projects, especially infill projects. In order to provide for the smoothest transition possible, staff is bringing 43 "cleanup" zoning changes to the Council for their consideration on August 25. At this workshop staff will discuss the areas most affected by the new Zoning Map, the notification process for the new Zoning Map, the nature of the upcoming cleanup proposal, and potential next steps.

## **BACKGROUND**

In 2010, work commenced on a new General Plan for the City of Fresno. By 2012 a draft planned land use map had been developed. In December of 2014 the new General Plan was adopted. The planned land use map was mostly unchanged, but some alterations had been made in response to public comments and City Council direction.

Soon thereafter, work began to finalize the Citywide Development Code, which was to replace the 1962 Zoning Ordinance in order to implement the vision of the General Plan. The Development Code was adopted in December of 2015. Simultaneously, the old Zoning Ordinance was repealed in its entirety.

With a new General Plan and Development Code in effect, a new Zoning Map was needed to conform with the General Plan land use map and to apply development standards to properties as intended by these documents. The Zoning Map was adopted by the City Council in February of 2016, with additional direction for potential future corrections. With that action, all parcels within the city now had a zoning designation which was consistent with its planned land use. Since such consistency is required for new development, this action was an important way to remove uncertainty, delay, and extra costs from development projects which conformed to the Council's vision for Fresno as expressed in the General Plan. It was an important way to streamline compatible projects, especially infill projects.

The method for creating the Zoning Map was relatively straight-forward and simple. Each General Plan land use designation had an equivalent zoning district in the new Development Code, and these zones were applied to properties to correspond directly with their equivalent planned land use. There were minor adjustments to this approach in order to account for existing conditions: for example, there were special zones in the Development Code to accommodate existing large lot neighborhoods and mobile home parks, which didn't have their own dedicated planned land uses in the General Plan. This ensured continuity for these areas while still implementing the City's new vision.

Notification of the City Council's consideration of the new Zoning Map was provided in compliance with procedures recently adopted by the City Council in the new Development Code. A large legal notice was placed in the Fresno Bee 10 days prior to the public hearing. In addition, a full-color fold-out poster was provided in the Sunday edition a month prior to the public hearing which showed the new Zoning Map and an explanation of each new zoning district. A website was also created which explained the proposed changes and allowed property owners to compare the recommended new zoning on their property with the then-current zoning.

Many properties did not see dramatic changes in their zoning regulations. Some areas did change significantly, however. At the workshop, an analysis will be provided which identifies areas of the City which were changed from one category of uses to another (for example, properties which were previously zoned commercial and are now zoned for residential).

In order to provide for the smoothest transition possible, Council directed staff to accept requests

which would change the zoning for sites back to something which more closely resembles the zoning that previously existed on the site and which doesn't conflict with General Plan goals, policies, and environmental review. This was to be done free of charge for 180 days. The 180-day period concluded recently, and staff is bringing 43 such "cleanup" changes to the Council for their consideration on August 25. If so directed by Council, staff will continue to accept such requests for a longer period. Property owners who wish to change their zoning in a way which differs from General Plan goals, policies, and environmental review may propose to do so through the standard General Plan Amendment/Rezone application process.

Forty-three sites are included in the upcoming cleanup. Eighteen of them are property owner requests to return to equivalent of former zoning as directed by Council. Seven of them improve consistency with the Tower District Specific Plan and built conditions in that area as requested by neighborhood representatives, and another 18 sites have been included to repair inconsistencies with the General Plan land use map that were caused by a minor digital mapping inaccuracy.

## **ENVIRONMENTAL FINDINGS**

NA

## **LOCAL PREFERENCE**

NA

## **FISCAL IMPACT**

NA

## **ATTACHMENT**

Workshop on Development Code