



BILL NO. B-3

ORDINANCE NO. 2016-3

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. R-15-011 has been filed by Fowler Development Company, Inc., with the City of Fresno to rezone property as depicted in the attached Exhibit "A"; and,

WHEREAS, pursuant to the provisions of Article 4, Chapter 12, and Article 58, Chapter 15, of the Fresno Municipal Code, the Planning Commission of the City of Fresno held a public hearing on the 16th day of December, 2015, to consider Rezone Application No. R-15-011 and related Environmental Assessment No. R-15-011/C-15-149/T-6079 dated November 06, 2015, during which the Commission considered the environmental assessment and rezone application, and recommended to the Council of the City of Fresno approval, as evidenced in Planning Commission Resolution No. 13357, of the subject environmental assessment and rezone application to amend the City's Official Zone Map on real property described herein below from the C-M/UGM/cz (*Commercial and Light Manufacturing/Urban Growth Management/with conditions of zoning*) zone district to the RS-5/UGM (*Single Family Residential/Urban Growth Management*) zone district; and,

WHEREAS, the Council of the City of Fresno, on the 4th day of February 2016, received the recommendation of the Planning Commission.

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Date Adopted: 02/04/2016
Date Approved 02/04/2016
Effective Date: See Section 4

Ordinance No. 2016-3



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 there is no substantial evidence in the record that Rezone Application No. R-15-011 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 no new or additional mitigation measures or alternatives may be required. 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 Finding of Conformity prepared for Environmental Assessment No. R-15-011/C-15-149/T-6079 dated November 6, 2015.

SECTION 2. The Council finds the recommended RS-5/UGM (*Single Family Residential/Urban Growth Management*) 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 the Fresno General Plan and Municipal Code.

SECTION 3. The Council finds that the zone district of the real property described hereinbelow, located in the City of Fresno and shown on the Official Zone Map of the City of Fresno, is reclassified from the C-M/UGM/cz (*Commercial and Light Manufacturing/Urban Growth Management/with conditions of zoning*) zone district to the



RS-5/UGM (*Single Family Residential/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, or upon annexation of the subject property into the City of Fresno and payment of any required fire district "transitional fees" by the applicant or developer, whichever occurs last.

* * * * *



STATE OF CALIFORNIA)
COUNTY OF FRESNO) ss
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 4th day of February 2016, by the following vote:

AYES : Baines, Brand, Olivier, Quintero, Soria, Caprioglio
NOES : None
ABSENT : Brandau
ABSTAIN : None

YVONNE SPENCE, CMC
City Clerk

By: Marco Martinez-Velasquez
Deputy Marco Martinez-Velasquez

APPROVED AS TO FORM:
DOUGLAS T. SLOAN
City Attorney

By: Mary Raterman-Doidge 2/18/16
Deputy Date

Attachments: Exhibit A

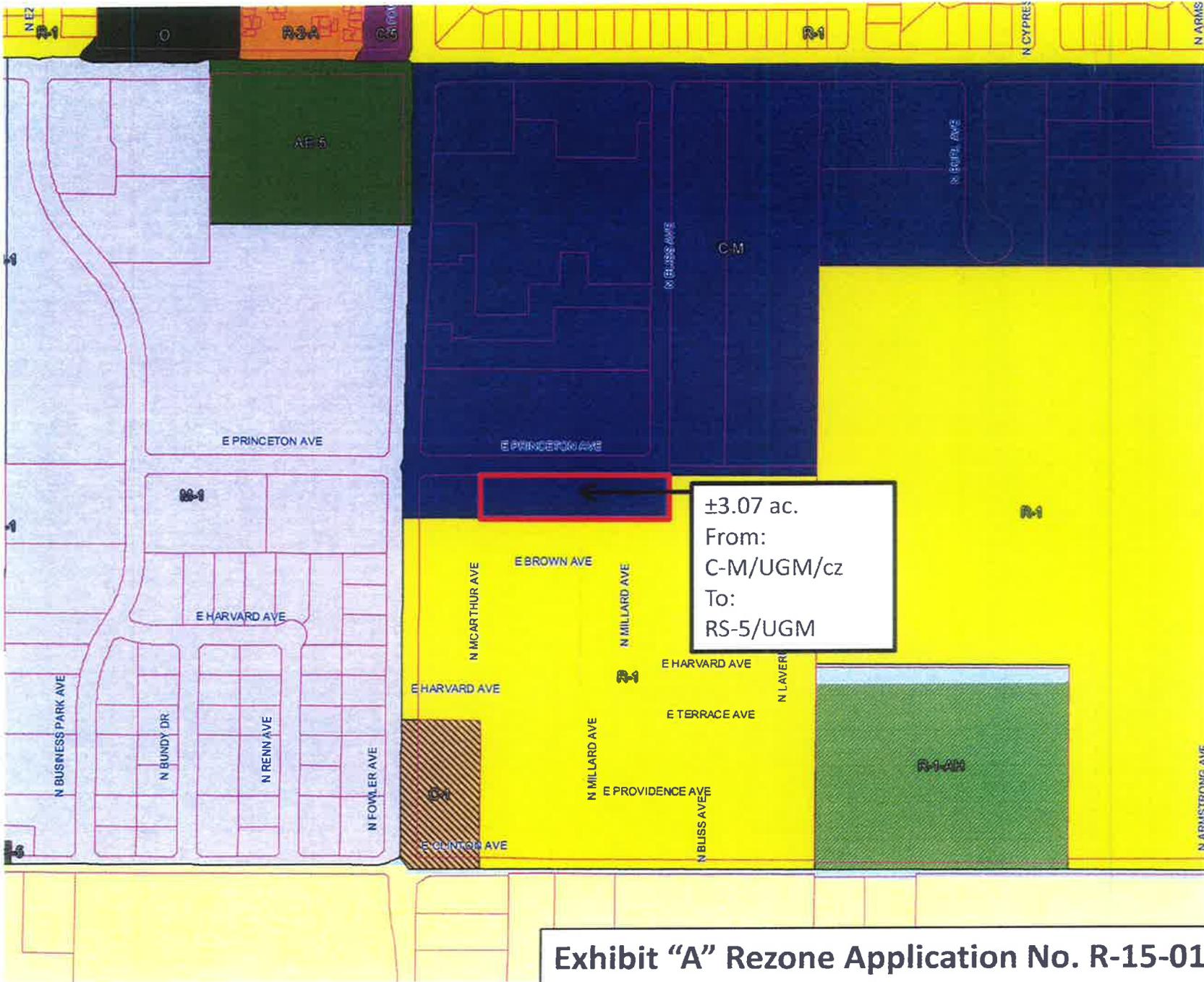


Exhibit "A" Rezone Application No. R-15-011