



BILL NO. 9

ORDINANCE NO. 2021-009

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. P20-00635 has been filed by Nick Yovino, of Quad Knopf, Inc., on behalf of Hamel Investment Properties, Inc., with the City of Fresno to rezone property as described herein below; and,

WHEREAS, on July 13, 2020, the District 5 Plan Implementation Committee recommended approval of the rezone application; 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 17th day of February, 2021, to consider Rezone Application No. P20-00635; and related Environmental Assessment No. P20-00635/P20-00636, 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. 2021-02 of the subject environmental assessment and rezone application to amend the Official Zone Map to rezone approximately 12.18 acres of property from the RM-2/UGM (*Residential Multi-Family, Urban Neighborhood/Urban Growth Management*)(±3.53 acres), CC/UGM (*Community Commercial/Urban Growth Management*)(±2.15 acres) and IL (*Light Industrial/Urban Growth Management*)(±5.90 acres) to the RM-3/UGM (*Residential Multi-Family, High Density/Urban Growth*

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Date Adopted: 03/04/2021
Date Approved: 03/04/2021
Effective Date: 04/04/2021

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Management)(±3.4 acres), CC/UGM (Community Commercial/Urban Growth Management)(±6.5 acres) and IL/UGM (Light Industrial/Urban Growth Management)(±2.2 acres) zone districts as described in Exhibit "A"; and,

WHEREAS, the Council of the City of Fresno, on the 4th day of March, 2021, 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 rezoning is in the best interest of the City of Fresno. The Council finds in accordance with its own independent judgment that with all applicable project specific mitigation measures imposed, there is no substantial evidence in the record that Rezone Application P20-00635 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 necessary to assure that the project will not cause significant adverse cumulative impacts, growth inducing impacts, and irreversible significant effects beyond those identified by the MEIR as provided by CEQA Section 15178(a). Therefore, it has been determined based upon the evidence in the record that the project will not have a significant impact on the environment and that the adoption of Mitigated Negative Declaration is appropriate in accordance with the provisions of CEQA Section 21157.5(a)(2) and CEQA Guidelines Section 15178(b)(1) and (2). Accordingly, the Council adopts the Mitigated Negative



Declaration prepared for Environmental Assessment (EA) No. P20-00635/P20-00636, dated February 10, 2021.

SECTION 2. The Council finds the requested RM-3/UGM (*Residential Multi-Family, High Density/Urban Growth Management*)(±3.4 acres), CC/UGM (*Community Commercial/Urban Growth Management*)(±6.5 acres) and IL/UGM (*Light Industrial/Urban Growth Management*)(±2.2 acres) zone districts are consistent with the Residential Urban Neighborhood, Commercial Community, and Light Industrial planned land use designations of the Fresno General Plan and the Roosevelt 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 rezoned from the RM-2/UGM (*Residential Multi-Family, Urban Neighborhood/Urban Growth Management*)(±3.53 acres), CC/UGM (*Community Commercial/Urban Growth Management*)(±2.15 acres) and IL (*Light Industrial/Urban Growth Management*)(±5.90 acres) to the RM-3/UGM (*Residential Multi-Family, High Density/Urban Growth Management*)(±3.4 acres), CC/UGM (*Community Commercial/Urban Growth Management*)(±6.5 acres) and IL/UGM (*Light Industrial/Urban Growth Management*)(±2.2 acres) zone districts in accordance with Plan Amendment No. P20-00635, 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.

* * * * *



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 March 2021, by the following vote:

AYES : Arias, Bredefeld, Esparza, Karbassi, Maxwell, Soria, Chavez
NOES : None
ABSENT : None
ABSTAIN : None

YVONNE SPENCE, MMC CRM
City Clerk

By: Yvonne Spence 3/12/21
Deputy Date

APPROVED AS TO FORM:
DOUGLAS T. SLOAN
City Attorney

By: Rina Gonzales 3/16/2021
Rina Gonzales Date
Senior Deputy City Attorney

Attachment: Exhibit A



Exhibit A - Proposed Zoning



P20-00635
APN: 480-030-60 **HE Site**
Northeast corner of S Maple Avenue and E Jensen Avenue

-  Subject Property
-  City Limits