



BILL NO. B-23

ORDINANCE NO. 2014-25

AN ORDINANCE OF THE CITY OF FRESNO, CALIFORNIA,
AMENDING THE OFFICIAL ZONE MAP OF THE CITY OF
FRESNO HERETOFORE ADOPTED BY ARTICLES 1 TO 4.5
INCLUSIVE, CHAPTER 12, OF THE FRESNO MUNICIPAL CODE,
BEING THE ZONING ORDINANCE OF THE CITY OF FRESNO

WHEREAS, Rezone Application No. R-11-003 has been filed by Jeffrey T. Roberts of Granville Homes, Inc, within the City and County of Fresno to rezone property as described herein below; and,

WHEREAS, on April 14, 2014, the District 4 Plan Implementation Committee recommended approval of the rezone application; and,

WHEREAS, pursuant to the provisions of Article 4, Chapter 12, of the Fresno Municipal Code, the Planning Commission of the City of Fresno held a public hearing on the 16th day of April, 2014, to consider Rezone Application No. R-11-003 and related Environmental Assessment No. A-11-003/R-11-003/C-13-092/T-6033, during which the Commission considered the environmental assessment and recommended approval to the Council of the City of Fresno, as evidenced in Planning Commission Resolution No. 13279, of the rezone application to amend the Official Zone Map for approximately 34.01 net acres of property located on the northeast corner of North Fowler and East Clinton Avenues from the C-M/UGM/cz (*Commercial and Light Manufacturing/Urban Growth Management/with conditions of zoning*) zone district to the C-1/UGM/cz (*Neighborhood Shopping Center/Urban Growth Management/conditions of zoning*) zone district for 2.14 acres and to the R-1/UGM/cz (*Single Family Residential/Urban Growth Management/conditions of zoning*) zone district for 31.87 acres; and,

WHEREAS, the Council of the City of Fresno, on the 15th day of May, 2014, 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 the project specific mitigation imposed, there is no substantial evidence in the record that Rezone Application No. R-13-011 may have additional significant effects on the environment that were not identified in the 2025 Fresno General Plan Master Environmental Impact Report No. 10130 ("MEIR") and Mitigated Negative Declaration No. A-09-02/SCH No. 2009051016; and, that all applicable mitigation measures of MEIR No. 10130 and MND No. A-09-02 have been applied to the project, together with project specific mitigation measures necessary to assure that the project will not cause significant adverse cumulative impacts, growth inducing impacts and irreversible significant effects beyond those identified by MEIR No. 10130 or MND No. A-09-02 as provided by CEQA Section 15178(a). 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 Mitigated Negative Declaration No. A-09-02/SCH No. 2009051016 was adopted; 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, and Mitigated Negative Declaration No. A-09-02/SCH No. 2009051016 was adopted, has become available. Accordingly, the Council adopts the Mitigated Negative Declaration prepared for Environmental Assessment No. A-11-003/R-11-003/C-13-092/T-6033 dated March 21, 2014.



SECTION 2. The Council finds the requested C-1/UGM/cz (*Neighborhood Shopping Center/Urban Growth Management/conditions of zoning*) and the R-1/UGM/cz (*Single Family Residential/ Urban Growth Management/conditions of zoning*) zone districts are consistent with the proposed Neighborhood Commercial and Medium Density Residential planned land use designations of the 2025 Fresno General Plan and the Bullard Community Plan as specified in Section 12-403-B of the Fresno Municipal Code, respectively.

SECTION 3. The Council finds that the zone districts of the real property described hereinbelow, located in the City of Fresno and shown on the Official Zone Map of the City of Fresno, are reclassified from the C-M/UGM/cz (*Commercial and Light Manufacturing/Urban Growth Management/with conditions of zoning*) zone district to the C-1/UGM/cz (*Neighborhood Shopping Center/Urban Growth Management/conditions of zoning*) zone district for 2.14 acres and to the R-1/UGM/cz (*Single Family Residential/Urban Growth Management/conditions of zoning*) zone district for 31.87 acres, as depicted in the attached Exhibit "A," subject to the conditions below:

1. The applicant shall participate with the City Planning and Development and Economic Development Departments in the preparation and submittal of applications for a 40-acre plan amendment and rezoning (to either the C-M or M-1 zone district) to accommodate a future industrial user. The applicant shall pay all (100%) of the costs of the application submittal. Said costs shall include City processing fees, engineering fees incurred in application submittal, graphics, and other incidental costs. The City of Fresno Planning and Development and Economic Development Departments shall be responsible for selecting the property that will be the subject of the applications. The application shall be submitted and paid in full prior to the issuance of the first building permit for the northerly 20 acres of the residential portion of the project proposed by Plan Amendment A-06-02 and Rezone Application No. R-06-028.
2. Prior to the issuance of the first building permit on the northerly 20 acres proposed for medium low density residential uses by Plan Amendment A-06-02 and Rezone Application No. R-06-028, all infrastructure for the northern 40 acres planned light industrial and proposed for C-M zoning shall be installed.



3. Prior to issuance of certificate of occupancy for the last home on the northerly 20 acres proposed for medium low density residential uses by Plan Amendment A-06-02 and Rezone Application No. R-06-028, the infrastructure for the southerly 40 acres planned for light industrial and proposed for C-M zoning shall be installed.
4. The applicant shall submit a site plan review application for the light industrial development that is designed for uses that create a minimum of 15 jobs per acre
5. Prior to the recordation of the first final map, the applicant shall actively participate in the development of a "Vacant Industrial Land Inventory" document that will be distributed by the Economic Development Department of the City of Fresno. This document will provide the updated basis for those involved with Economic Development to attract new and growing businesses to the City of Fresno.
6. The applicant shall, in coordination with the City of Fresno, support and promote the addition of light industrial land within the Southeast Growth Area, as appropriate, and shall, upon the request of the Economic Development Department of the City of Fresno, participate with the EDC and/or the City of Fresno at out of town conferences, seminars, trade shows (for a two-year period) in an effort to attract industrial users to the City of Fresno.

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.

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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 15th day of May, 2014, by the following vote:

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

YVONNE SPENCE, CMC
City Clerk

By 

APPROVED AS TO FORM:

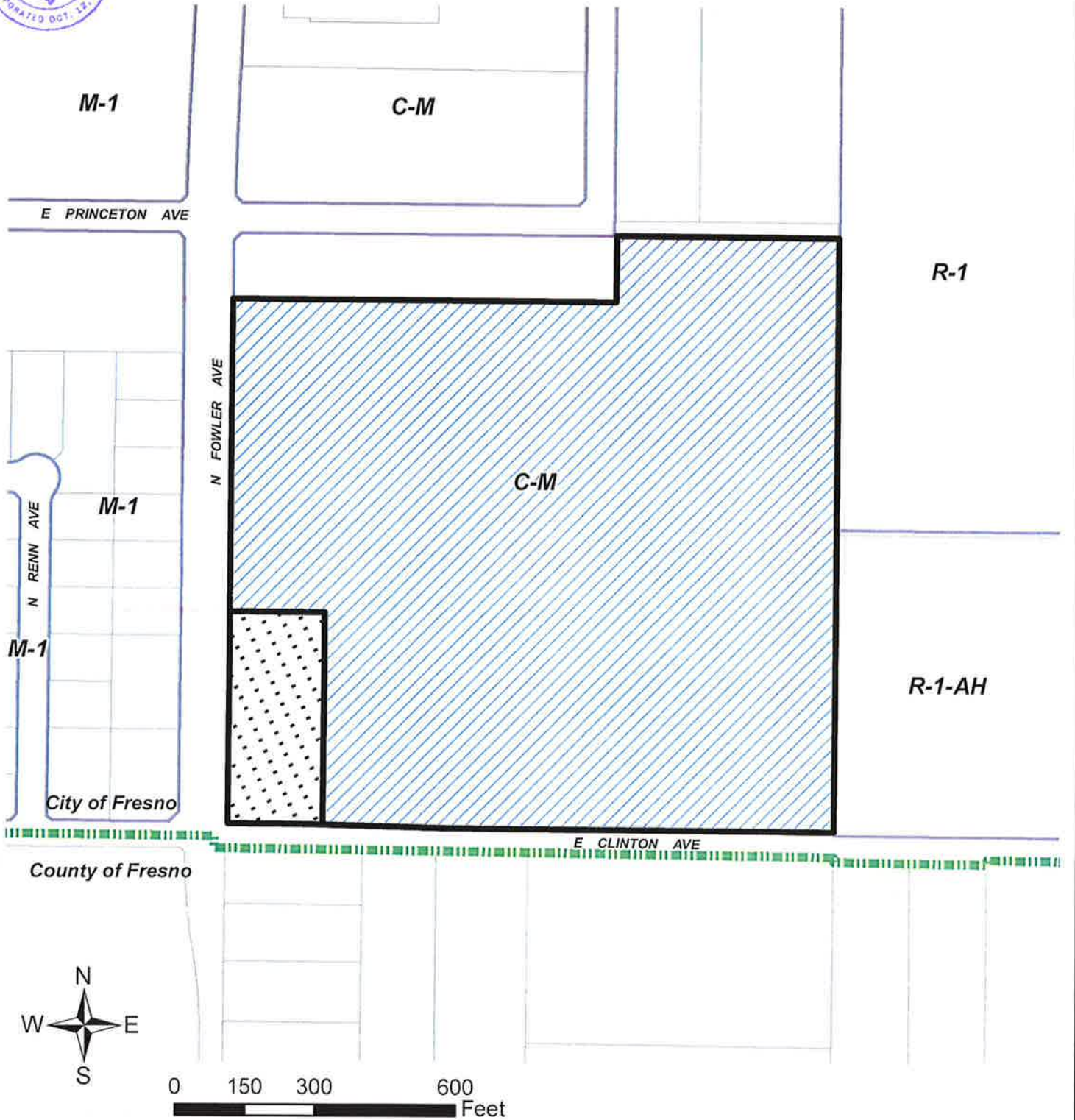
DOUGLAS T. SLOAN
City Attorney

By 
Talia Kolluri-Barbick
Deputy City Attorney II *5/20/14*

Attachment:

- Exhibit A

EXHIBIT A



R-11-003 and A-11-003
APN: 310-041-38 (portion)
310-041-39
2196 North Fowler Avenue



C-M/UGM/cz to C-1/UGM/cz, 2.14 Acres

Light Industrial to Neighborhood Commercial



C-M/UGM/cz to R-1/UGM/cz, 31.87 Acres

Light Industrial to Medium Density Residential