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ORDINANCE OF THE COUNCIL OF THE CITY OF FRESNO  
PROPOSED AND INITIATED BY \_\_\_\_\_  
MOVED BY Dages SECONDED BY Caprioglio

BILL NO. B-13

ORDINANCE NO. 2009-13

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-08-29 has been filed by R. J. Hill Company, applicant, to rezone property as described hereinbelow; and,

WHEREAS, the District 5 Plan Implementation Committee recommended approval of the proposed project on February 26, 2009; 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 4<sup>th</sup> day of March 2009, to consider Rezone Application No. R-08-29 and related Environmental Assessment No. R-08-29/T-5913, during which the Commission recommended to the Council of the City of Fresno approval of the subject environmental assessment and rezone application amending the City's Zoning Ordinance on real property described hereinbelow from the AE-20/UGM (*Agricultural Exclusive-Twenty Acre Minimum/Urban Growth Management*) zone district to the R-1/UGM (*Single Family Residential/Urban Growth Management*) zone district; and,

Adopted 3/24/09  
Approved 3/24/09  
Effective 4/24/09

2009-13



WHEREAS, the Council of the City of Fresno, on the 24<sup>th</sup> day of March 2009, received the recommendation of the Fresno City 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 there is no substantial evidence in the record that the rezoning 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 that no new or additional mitigation measures or alternatives may be required. Pursuant to Public Resources Code, Section 21157.6(b)(1), Council further 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, Environmental Assessment No. R-08-29, T-5913 which is a Finding of Conformity with the MEIR, is hereby approved.

SECTION 2. The Council finds the requested R-1/UGM (*Single Family Residential/Urban Growth Management*) zone district is consistent with the existing medium low density residential planned land use designation of the Roosevelt Community Plan and the 2025 Fresno General Plan, as specified in Section 12-403-B of the Fresno 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 AE-20/UGM (*Agricultural Exclusive-Twenty Acre Minimum/Urban Growth Management*) zone district to the R-1/UGM (*Single Family Residential/Urban Growth Management*) zone district.

The South half of the Southwest Quarter of the Southeast Quarter of Section 10,  
Township 14 South, Range 21 East, Mount Diablo Base and Meridian



Ordinance Amending Official Zone Map  
Rezone Application No. R-08-29  
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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, REBECCA E. KLISCH, 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 24th day of March, 2009, by the following vote:

Ayes: Borgeas, Caprioglio, Dages, Perea, Xiong, Sterling  
Noes: None  
Absent: Brand  
Abstain: None

REBECCA E. KLISCH  
City Clerk

By Rebecca E. Klisch

APPROVED AS TO FORM:

JAMES C. SANCHEZ  
City Attorney

By: John W. Fox  
John Fox, Deputy  
3/12/2009

Rezone Application No. R-08-29  
Filed by the City of Fresno  
Assessor Parcel No. 313-040-50