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ORDINANCE OF THE COUNCIL OF THE CITY OF FRESNO
PROPOSED AND INITIATED BY _____
MOVED BY Dages SECONDED BY Westerlund

BILL NO. B-32

ORDINANCE NO. 2007-32

AN ORDINANCE OF THE CITY OF FRESNO, CALIFORNIA, AMENDING
THE BUTLER WILLOW SPECIFIC PLAN TO ACCOMMODATE THE
TRANSIT VILLAGE PROJECT

WHEREAS, the Butler Willow Specific Plan was formulated by staff with substantial public input and was initiated by the Fresno City Council by Resolution No. 70-124 dated July 16, 1971; in conformance with applicable provision of State Planning Law; and

WHEREAS, the City Council acknowledges and reaffirms that the following fundamental objective of the Butler Willow Specific Plan is to provide:

- a) a land use and circulation plan that will effectively blend the unique qualities of this newly annexed territory with the land use and circulation of the surrounding area;
- b) a land use and circulation plan that will accommodate development of the Internal Revenue Service Center, and, at the same time, reduce the opportunity for the facility to adversely affect the street system and properties in the vicinity;
- c) controls in support of land use and circulation plans that will protect the area from unwarranted changes in the local environment;
- d) opportunities for new and long term development that are consistent with the land economics that determine balanced growth and development of the Fresno urbanized area;
- e) opportunities to retain the aesthetic qualities of existing roads and properties within and adjacent to the Butler/Willow Annexation Area; and
- f) protection for the unique rural-suburban qualities of the area; and

Adopted 3/27/07
Approved 3/27/07
Effective 4/27/07

2007-32



WHEREAS this amendment to the Butler Willow Specific Plan known as the Transit Village Plan Amendment was prepared pursuant to the Local Planning and Procedures Ordinance (LPPO) and was prepared under the direction of staff, with public input, and was initiated by the Director of the Planning and Development Department on August 31, 2006, all in conformance with State Planning Law, and LPPO and guidelines promulgated under it; and

WHEREAS the Transit Village Plan Amendment supports the fundamental objectives of the Butler Willow Specific Plan as noted above; and

WHEREAS, the LPPO requires that specific plans be amended by ordinance; and

WHEREAS, the Roosevelt Implementation Committee considered this application at its meeting of January 8, 2007, continued the matter, and then was dissolved; 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 7th of March, 2007, to consider the Transit Village Plan Amendment and related Environmental Assessment No. A-06-017, during which the Commission recommended to the Council of the City of Fresno approval of the subject plan amendment amending approximately 17.4 acres of the Butler Willow Specific Plan from the office commercial planned land use to the public facilities planned land use for 11.9 acres, and to the medium high density residential planned land use for 5.5 acres as shown on Exhibit A; and

WHEREAS, the Council of the City of Fresno, on March 27, 2007, held a duly noticed public hearing to consider the proposed plan amendment and Environmental Assessment No. A-06-017 and at the public hearing considered all information contained in the staff report and Environmental Assessment No. A-06-017, and all written and oral evidence and testimony related thereto; and

NOW, THEREFORE, THE COUNCIL OF THE CITY OF FRESNO DOES ORDAIN AS FOLLOWS:

SECTION 1. The Council finds that adoption and application of the Transit Village Plan Amendment is necessary to insure full implementation of the Butler Willow Specific Plan, and to protect



the physical integrity and historic character of the Butler Willow Specific Plan Area, the Area's property values, and its economic vitality.

SECTION 2. 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 plan amendment 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 plan amendment may have a significant effect on the environment as identified by the Mitigated Negative Declaration dated February 15, 2007, prepared for Environmental Assessment No. A-06-017. Accordingly, Environmental Assessment No. A-06-017 is hereby approved.

SECTION 3. The Council finds the requested plan amendment consistent with the 2025 Fresno General Plan as specified in Section 12-403-B of the Fresno Municipal Code.

SECTION 4. The Council finds that the plan amendment known as the Transit Village Plan Amendment, located in the City of Fresno, shall amend the Butler Willow Specific Plan as shown in the map contained in Exhibit A.

SECTION 5. 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 27th day of March, 2007, by the following vote:

AYES: Calhoun, Dages, Duncan, Sterling, Westerlund, Xiong, Perea
NOES: None
ABSENT: None
ABSTAIN: None

REBECCA E. KLISCH
City Clerk

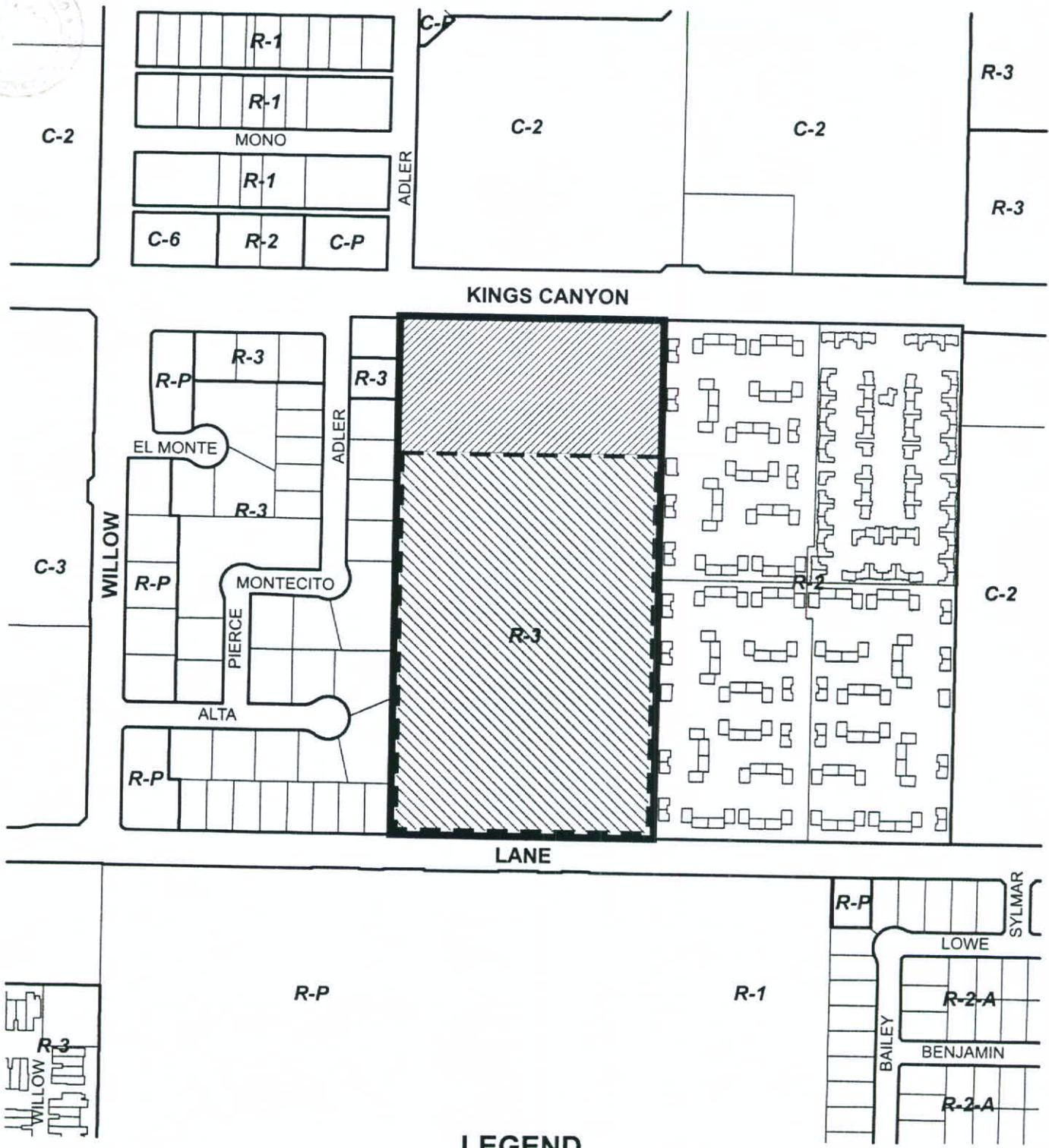
By *Rebecca Klisch*

APPROVED AS TO FORM:

JAMES C. SANCHEZ
City Attorney

By *John W. Fox*
Deputy

Butler Willow Specific Plan Amendment A-06-017
Filed by the City of Fresno
Assessor's Parcel No. 472-021-01T



LEGEND

- Subject Property
- Butler-Willow Specific Plan
From Office Comm. To Public Facilities
- Plan Amendment No. A-06-017
Fresno 2025 General Pain
From Public Facilities to Med. High Density Resid.
Butler-Willow Specific Plan
From Office Commercial to Med. High Density Resid.

VICINITY MAP

PLAN AMENDMENT NO. A-06-017
From Public Facilities to Med. High Density Resid.

5080 E. KINGS CANYON AVE.

PLANNING & DEVELOPMENT DEPARTMENT



NOT TO SCALE

A.P.N.: 472-021-01T

ZONE MAP: 2454

BY/DATE: D.N. / 3-05-07