



RESOLUTION NO. 2011-81

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA,
AMENDING THE 2025 FRESNO GENERAL PLAN AND THE BULLARD AREA
COMMUNITY PLAN (PLAN AMENDMENT APPLICATION NO. A-10-010)

WHEREAS, on November 19, 2002, by Resolution No. 2002-379, the City Council adopted the 2025 Fresno General Plan which correspondingly adopted the Bullard Community Plan and by Resolution No. 2002-378 certified Master Environmental Impact Report No. 10130 which evaluated the potentially significant adverse environmental impacts of urban development within the City of Fresno's designated urban boundary line and extended sphere of influence; and,

WHEREAS, Dirk Poeschel Land Development Services, Inc., on behalf of Wathen-Castanos Hybrid Homes, Inc., has filed an application to amend the land use designation of the aforementioned plans by changing the planned land use designation of an approximately 4.54 acre subject property, located on the east side of North Forkner Avenue between West Barstow and West Bullard Avenues, from the Low Density Residential planned land use designation to the Medium Density Residential planned land use designation; and,

WHEREAS, the environmental assessment conducted for the proposed plan amendment resulted in the filing of a Mitigated Negative Declaration on March 4, 2011; and,

WHEREAS, on April 6, 2011, the Fresno City Planning Commission held a public hearing to consider Plan Amendment Application No. A-10-010 and the associated mitigated negative declaration prepared for Environmental Assessment No. A-10-010/R-10-011/C-10-235/T-5987; and,

WHEREAS, the Fresno City Planning Commission took action, as evidenced in Planning Commission Resolution No. 13086, to recommend approval of Plan Amendment Application No. A-10-010, which proposes to amend the planned land use designation for the subject site from the Low Density Residential planned land use designation to the Medium Density Residential planned land use designation; and,

Adopted 4-28-11
Approved 4-28-11
Effective 4-28-11

2011-81



WHEREAS, on April 28, 2011, the Fresno City Council held a public hearing to consider Plan Amendment Application No. A-10-010 and received both oral testimony and written information presented at the hearing regarding Plan Amendment Application No. A-10-010.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Fresno, based upon the testimony and information presented at the hearing and upon review and consideration of the environmental documentation provided, as follows:

1. The Council finds in accordance with its own independent judgment that there is no substantial evidence in the record that, with the project specific mitigation imposed, Plan Amendment Application No. A-10-010 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") or Mitigated Negative Declaration No. A-09-02, and that all applicable mitigation measures of MEIR No. 10130 and MND No. A-09-02 have been applied to the project. 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, has become available. Accordingly, the Council adopts the Mitigated Negative Declaration prepared for Environmental Assessment No. A-10-010/R-10-011/C-10-235/T-5987 dated March 4, 2011.
2. The Council finds the adoption of the proposed plan amendment as recommended by the Planning Commission is in the best interest of the City of Fresno.
3. The Council of the City of Fresno hereby adopts Plan Amendment Application No.

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Plan Amendment No. A-10-010
April 28, 2011
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A-10-010 amending the 2025 Fresno General Plan and Bullard Community Plan planned land use designation from Low Density Residential to Medium Density Residential, as depicted by Exhibit "A" attached hereto and incorporated herein by reference.

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Council Resolution

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 28th day of April, 2011, by the following vote:

AYES: Baines, Borgeas, Olivier, Quintero, Westerlund, Xiong, Brand
NOES: None
ABSENT: None
ABSTAIN: None

REBECCA E. KLISCH
City Clerk

By Rebecca E. Klisch

APPROVED AS TO FORM:

JAMES C. SANCHEZ
City Attorney

By Shannon L. Chaffin
Senior Deputy City Attorney

Date: 4/7/11

Plan Amendment Application No. A-10-010
Filed by Dirk Poeschel Land Development Services, Inc. on behalf of Wathen-Castanos Hybrid Homes, Inc.
APN(s): 415-034-18

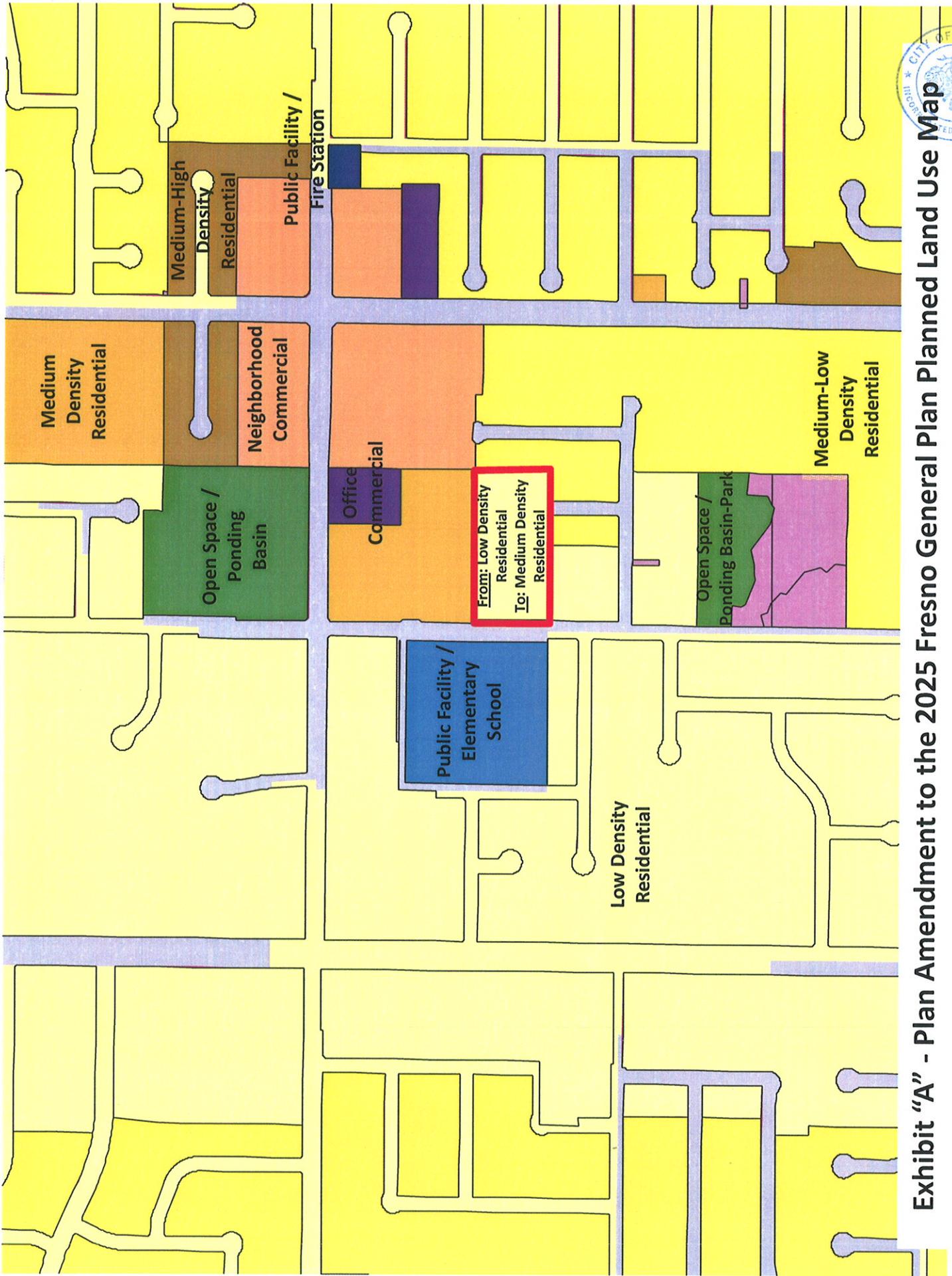


Exhibit "A" - Plan Amendment to the 2025 Fresno General Plan Planned Land Use Map