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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-43

ORDINANCE NO. 2007-43

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-07-007 has been filed by John Ford, on behalf of Xai Shoua Vang, property owner, with the City of Fresno to rezone property as described hereinbelow; 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 18th day of April, 2007, to consider Rezone Application No. R-07-007 and related Environmental Assessment No. R-07-007, during which the Commission considered the environmental assessment and recommended to the Council of the City of Fresno approval of the rezone application which proposes to amend the City's Zoning Ordinance on real property described hereinbelow from the AE-5/UGM (*Exclusive Five Acre Agricultural District/Urban Growth Management*) zone district to the R-1/UGM (*Single Family Residential District/Urban Growth Management*) zone district; and,

WHEREAS, the Council of the City of Fresno, on the 1st day of May, 2007, 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

Adopted 5-1-07
Approved 5-1-07
Effective 6-1-07

2007-43



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 a significant effect on the environment as identified by the Finding of Conformity dated March 29, 2007, prepared for Environmental Assessment No. R-07-007. Accordingly, Environmental Assessment No. R-07-007 is hereby approved.

SECTION 2. The Council finds the staff proposed R-1/UGM zone district is consistent with the medium density residential planned land use designation of the 2025 Fresno General Plan and the Roosevelt Community 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 County of Fresno and shown on the Official Zone Map of the City of Fresno, is reclassified from the AE-5/UGM (*Exclusive Five Acre Agricultural District/Urban Growth Management*) zone district to the R-1/UGM (*Single Family Residential District/Urban Growth Management*) zone district:

From AE-5/UGM to R-1/UGM:

Real property in the City of Fresno, County of Fresno, State of California, described as follows:

APN No. 480-120-04:

The West half of the North half of the East 396 feet of Lot 15 of Richland Tract, in the City of Fresno, County of Fresno, State of California, according to the map thereof recorded in Book 4, Page 28 of Plats, Fresno County Records.

Except the West 72 feet of the North 150 feet thereof.

APN No. 480-120-16:

The East half of the North half of the East 396 feet of Lot 15 of Richland Tract, in the City of Fresno, County of Fresno, State of California, according to the map thereof recorded in Book 4, Page 28 of Plats, Fresno County Records.

Except the North 150 feet thereof; also except the South 90 feet thereof; and also except the West 168 feet of the North 64 feet of the South 154 feet thereof.

APN No. 480-120-12:

The West half of the North half of the South half of the North half of Lot 16 of Richland Tract, in

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Rezone Application No. R-07-007
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the City of Fresno, County of Fresno, State of California, according to the map thereof recorded in Book 4, Page 28 of Plats, Fresno County Records.

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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CLERKS 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 _____ 1st _____ day of _____ May _____, 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 E. Klisch

APPROVED AS TO FORM:

James Sanchez
City Attorney

By John Fox
John Fox, Deputy City Attorney

Date 4/25/2007

Rezone Application No. R-07-007
Filed by John Ford
Assessor Parcel Nos. 480-120-04, 12, & 16

RECEIVED
MAY 25 2007