

DRAFT

ORDINANCE NO. XX-2019

AN ORDINANCE OF THE CITY OF FREMONT REZONING A 1.19-ACRE SITE FROM R-1-6 (SINGLE FAMILY RESIDENTIAL) TO PRELIMINARY AND PRECISE PLANNED DISTRICT P-2018-292, TO ALLOW THE DEVELOPMENT OF EIGHT SMALL-LOT SINGLE-FAMILY HOMES AND RELATED IMPROVEMENTS

THE CITY COUNCIL OF THE CITY OF FREMONT DOES ORDAIN AS FOLLOWS:

SECTION 1. ZONING MAPS AMENDED

The Zoning Maps of the City of Fremont, codified as Fremont Municipal Code Title 18, Chapter 18.35 (Zoning Maps), Section 18.35.010, are hereby amended by rezoning the property located at 39392 Blacow Road, as more particularly shown on the PLN2018-00292 Planned District Zoning Map attached hereto and incorporated herein as Attachment 1, from R-1-6 (Single Family Residential) to Preliminary and Precise Planned District P-2018-292.

SECTION 2. PRECISE PLAN FOR P-2018-292 ADOPTED

The project plans for PLN2018-00292, which are attached as Exhibit “C” to the January 15, 2019 City Council staff report, together with the findings and conditions and Planned District Land Use and Development Provisions, attached respectively as Exhibits “D” and “E” to the staff report, are hereby approved and adopted as the precise plan for P-2018-292. Copies of the approved plans and design guidelines are on file with the Planning Division, and the findings and conditions of approval are made Attachment 2 to this ordinance.

SECTION 3. CALIFORNIA ENVIRONMENTAL QUALITY ACT COMPLIANCE

The City Council determines that the Mitigated Negative Declaration and Mitigation Monitoring Plan prepared for this ordinance have been completed in compliance with the requirements of the California Environmental Quality Act (CEQA), and finds on the basis of the whole record before it (including the initial study and any comments received) that there is no substantial evidence that the project will have a significant effect on the environment and that this action reflects the independent judgment of the City of Fremont. The Director of Community Development shall file a Notice of Determination with the County Clerk in accordance with the CEQA guidelines.

SECTION 4. EFFECTIVE DATE

This ordinance shall take effect and will be enforced thirty (30) days after its adoption.

SECTION 5. PUBLICATION AND POSTING

The City Clerk has prepared and published at least five days before the date of adoption a summary of this ordinance once in a newspaper of general circulation printed and published in Alameda County and circulated in the City of Fremont. A certified copy of the full text of the ordinance was posted in the office of the City Clerk since at least five days before this date of adoption. Within 15 days after adoption of this ordinance, the City Clerk shall cause the summary to be published again with the names of those City Council members voting for and against the ordinance and shall post in the office of the City Clerk a certified copy of the full text of this adopted ordinance with the names of those City Council members voting for and against the ordinance.

* * *

The foregoing ordinance was introduced before the City Council of the City of Fremont at the regular meeting of the City Council, held on the 15th day of January, 2019, and finally adopted at a regular meeting of the City Council held on the __ day of _____, 2019, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Mayor

ATTEST:

APPROVED AS TO FORM:

City Clerk

Deputy City Attorney