RESOLUTION NO. 2017-174

A RESOLUTION OF THE COUNCIL OF THE CITY OF FRESNO, CALIFORNIA, INITIATING A TEXT AMENDMENT TO THE ZONING ORDINANCE OF THE CITY OF FRESNO PURSUANT TO FRESNO MUNICIPAL CODE SECTIONS 15-2009(F) and 15-2010(I) RELATING TO SECURITY AND ELECTRIC FENCES

WHEREAS, on December 3, 2015, the Council of the City of Fresno, (Council) voted to adopt Ordinance Bill No. B-43, adding Chapter 15 to the Fresno Municipal Code, which is a comprehensive update to the City's Zoning Ordinance and is referred to as the "Citywide Development Code"; and

WHEREAS; the Citywide Development Code sets forth requirements for security and electric fences within the City; and

WHEREAS, the Council desires to amend the Citywide Development Code requirements for security and electric fences to allow fence owners to execute an indemnity agreement for all fence-related claims with the City and remove the requirement that property owners must execute a covenant to indemnify the City for all fence-related claims.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Fresno as follows:

1. Pursuant to Fresno Municipal Code, Section 15-5803-A(1), the Council initiates the necessary proceedings to amend the text of the City of Fresno's Zoning Ordinance relating to security and electric fences.

2. The Council further directs staff to bring the Text Amendment before the Airport Land Use Commission for review within thirty-one days (or as soon thereafter as environmental review under CEQA may be legally completed) of the effective date of this

Date Adopted: 06/22/2017
Date Approved: 06/22/2017
Effective Date: See Section 2

Resolution, before the Planning Commission for review within thirty days of it being reviewed by the Airport Land Use Commission, and back before the Council for consideration within thirty days of the Planning Commission's review. Staff shall return to Council thirty days from the effective date of this Resolution to update the Council on the status of the proposed Text Amendment and shall return to Council every thirty days thereafter until it returns to Council for final consideration.

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STATE OF CALIFORNIA)
COUNTY OF FRESNO) ss.
CITY OF FRESNO)

I, YVONNE SPENCE, City Clerk of the City of Fresno, certify that the foregoing resolution was adopted by the Council of the City of Fresno, at a regular meeting held on the 22nd day of June, 2017.

AYES : Baines, Brandau, Bredefeld, Caprioglio, Chavez, Olivier
NOES : None
ABSENT : Soria
ABSTAIN : None

YVONNE SPENCE, CMC
City Clerk

BY: Yvonne Spence
Deputy

APPROVED AS TO FORM:
CITY ATTORNEY'S OFFICE

BY: Tracy N. Parvanian
Tracy N. Parvanian Date
Deputy City Attorney 7·12·17

TNP:prn [75507prn/reso] 06-17-17