

Exhibit N
Resolution Amending the Fresno General Plan, Chapter 3

RESOLUTION NO. _____

A RESOLUTION OF THE COUNCIL OF THE CITY OF
FRESNO, CALIFORNIA, AMENDING THE URBAN FORM,
LAND USE AND DESIGN ELEMENT OF THE FRESNO
GENERAL PLAN

WHEREAS, on December 18, 2014, by Resolution No. 2014-226, the City Council adopted the Fresno General Plan, and by Resolution No. 2014-225, certified Master Environmental Impact Report SCH No. 2012111015 ("MEIR") which evaluated the potentially significant adverse environmental impacts of urban development within the City of Fresno's designated urban boundary line and sphere of influence; and

WHEREAS, on September 30, 2021, by Resolution No. 2021-270, the City Council amended the Fresno General Plan to incorporate Vehicle Miles Traveled revisions, consistent with Senate Bill 743, and by Resolution No. 2021-269, certified Program Environmental Impact Report SCH No. 2019050005 ("PEIR") which updated the MEIR and converted it to a PEIR; and

WHEREAS, on October 14, 2020, the Fresno City Council unanimously approved a budget motion to allocate funds for an environmental assessment to analyze increasing the allowed densities in all zone districts that allow mixed-use, specifically Neighborhood Mixed-Use, Corridor/Center Mixed-Use, Regional Mixed-Use, Commercial Main Street and Commercial Regional; and

WHEREAS, the Director of the Planning and Development Department filed Application No. P22-02413, consisting of both a Text Amendment to Chapter 15 of the Fresno Municipal Code and a revision to the Urban Form, Land Use and Design Element of the Fresno General Plan, wherein the FMC Text Amendment proposes revisions to Tables 15-1102, and 1103, Section 15-1104-A, Tables 15-1202, 1203-1, and Table 15-

Date Adopted:

Date Approved:

Effective Date:

City Attorney Approval:



Resolution No.

4907, Section 15-5102, and adding Section 15-1106 to the Fresno Municipal Code (FMC) and the General Plan Text Amendment proposes revisions to the Urban Form, Land Use and Design Element of the Fresno General Plan, Table 3-1 and related text on pages 3-41 and 3-42, relating to density; and

WHEREAS, the environmental assessment conducted for the proposed application, inclusive of both the Text Amendment to the FMC and the General Plan Amendment revising the text of the Fresno General Plan as noted above, resulted in the preparation of a Mitigated Negative Declaration, prepared pursuant to the requirements of CEQA dated July 6, 2022, and recirculated on August 19, 2022; and

WHEREAS, on July 20, 2022, the Fresno City Planning Commission held a public hearing to consider General Plan Text Amendment Application No. P22-02413 and the associated Mitigated Negative Declaration prepared for Environmental Assessment No. P22-02413; and

WHEREAS, the Fresno City Planning Commission took action, as evidenced in Planning Commission Resolution No. 13758, to recommend approval of General Plan and Development Code Text Amendment Application No. P22-02413, which proposes to: (1) remove the maximum density limits for zone districts that allow mixed-use; (2) modify the restriction that prohibits ground floor residential uses in mixed-use districts so that only corner properties at two or more major streets and properties near Bus Rapid Transit (BRT) stops will have mandated active uses; and (3) revise Fresno Municipal Code (FMC) Section 15-4907 to allow ministerial approval of residential uses in districts that allow mixed-use within the City's Priority Areas for Development (areas identified on Figure IM-1 in the Fresno General Plan); and

WHEREAS, on July 5, 2022, the Council District 1 Project Review Committee recommended approval of the density and commercial provisions of Application No. P22-02413 and denial of the ministerial provisions through a vote of 5-0-2; and

WHEREAS, on July 11, 2022, the Council District 2 Project Review Committee recommended approval of Application No. P22-02413 through a vote of 3-0; and

WHEREAS, on July 12, 2022, the Council District 3 Project Review Committee recommended approval of the proposed density provision with added recommendation to increase the minimum density by 10%, supported the commercial provisions, and recommended denial of the ministerial provision through a vote of 3-1; and

WHEREAS, on July 11, 2022, the Council District 5 Project Review Committee recommended approval of the density and commercial provisions of Application No. P22-02413 and denial of the ministerial provisions through a vote of 2-0-1; and

WHEREAS, on July 18, 2022, the Council District 6 Project Review Committee recommended approval of Application No. P22-02413 through a vote of 6-0; and

WHEREAS, on July 11, 2022, the Lowell Project Review Committees recommended approval of Application No. P22-02413 through a vote of 3-0; and

WHEREAS, on July 19, 2022, the Tower District Design Review Committee recommended approval of Application No. P22-02413 through a vote of 6-0; and

WHEREAS, on August 1, 2022, the Airport Land Use Commission found General Plan Text Amendment Application No. P22-01324 to be consistent with the Airport Land Use Compatibility Plan through a vote of 6-0; and

WHEREAS, on October 13, 2022, the Fresno City Council held a duly noticed public hearing to consider General Plan Text Amendment Application No. P22-02413 and

received both oral testimony and written information presented at the hearing regarding the application.

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 to indicate that General Plan Text Amendment Application No. P22-02413 may have a significant effect on the environment as identified by and evaluated within Environmental Assessment No. P22-02413, and has further determined that with the project-specific mitigation imposed, there is no substantial evidence in the record that this Project may have additional significant, direct, indirect or cumulative effects on the environment that are significant and that were not identified and analyzed in the Fresno General Plan PEIR.

2. The Council finds the adoption of the proposed General Plan Text 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 General Plan Text Amendment Application No. P22-02413 amending the Urban Form, Land Use and Design Element of the Fresno General Plan as depicted in Exhibit A.

* * * * *

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

I, TODD STERMER, 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 _____ day of _____ 2022.

AYES :
NOES :
ABSENT :
ABSTAIN :

Mayor Approval: _____, 2022
Mayor Approval/No Return: _____, 2022
Mayor Veto: _____, 2022
Council Override Vote: _____, 2022

TODD STERMER, CMC
City Clerk

By: _____
Deputy Date

APPROVED AS TO FORM:
RINA M. GONZALES
Interim City Attorney

By: _____
Talia Kolluri [date]
Assistant City Attorney

Attachment: Exhibit A

Exhibit A
General Plan Text Amendment No. P22-02413

Fresno General Plan Chapter 3: Urban Form, Land Use and Design

TABLE 3-1: CITYWIDE STANDARDS FOR DENSITY AND DEVELOPMENT INTENSITY		
Land Use	Minimum to Maximum Residential Density (du/net acre) ^{1,2,3}	Maximum Floor Area Ratio
Buffer	Max = 0.05 (1 unit per 20 net acres)	-
Residential		
Low Density	Min = 1 unit per 5 acres Max = 3.5 units per acre	-
Medium Low Density	Min = 3.5 units per acre Max = 6 units per acre	-
Medium Density	Min = 5 units per acre Max = 12 units per acre	-
Medium High Density	Min = 12 units per acre Max = 16 units per acre	-
Urban Neighborhood Density	Min = 16 units per acre Max = 30 units per acre	-
High Density	Min = 30 units per acre Max = 45 units per acre	-
Commercial		
Main Street		1.0
Community		1.0
Recreation		0.5
General		2.0
Highway & Auto		0.75
Regional		1.0
Mixed-Use		
Neighborhood Mixed-Use	Min = 12 units per acre Max = 16 units per acre [No Limit]	1.5
Corridor/Center Mixed-Use	Min = 16 units per acre Max = 30 units per acre [No Limit]	1.5
Regional Mixed-Use	Min = 30 units per acre Max = 45 units per acre [No Limit]	2.0
Downtown		
Downtown Neighborhood	Min = No limit Max = No limit	No limit
Downtown General	Min = No limit Max = No limit	No limit
Downtown Core	Min = No limit Max = No limit	No limit
Employment		
Office	-	2.0
Business Park	-	1.0
Regional Business Park	-	1.0
Light Industrial	-	1.5
Heavy Industrial	-	1.5

1. Based on Net Acreage.
2. Residential density refers to the ratio of residential dwelling units per acre (43,560 square feet) of land which is calculated by dividing the number of existing or proposed residential dwelling units by the land area of the property designated for, or proposed for development with, a residential use. The residential land area includes property upon which the residential and ancillary structures are located, together with yards and other private or common open spaces, and includes vehicle access drives and parking areas together with public and private roadways. The residential land area does not include major streets or State Routes designated by Figure MT-1: General Plan Circulation Diagram, and does not include schools or regional trails.
3. Additional density may be allowed for affordable housing or provision of community benefits (pursuant to California Government Code Sections 65915 – 65918, as may be amended).



An example of Fresno's established residential neighborhoods, with wide streets, sidewalks, and large trees.

HIGH DENSITY

High Density residential is intended to accommodate attached homes, two- to four-plexes, and apartment buildings, and it will be supported by walkable access to frequent transit, retail and services, and community facilities such as parks and schools. High Density allows for 30 to 45 units per acre.

Commercial

Commercial land use designations allow a wide range of retail and service establishments intended to serve local and regional needs.

MAIN STREET

Main Street Commercial encourages a traditional Main Street character with active storefronts, outdoor seating and pedestrian-oriented design. This designation promotes primarily one to two story retail uses. It also preserves small-scale, fine-grain character in neighborhoods where single-family residential and townhomes are predominant. The maximum FAR is 1.0.

COMMUNITY

Community Commercial is intended for commercial development that primarily serves local needs such as convenience shopping and small offices. Many of the city's current commercial districts fall into this designation. Specific uses allowed include medium-scale retail, office, civic and entertainment uses, supermarkets, drug stores and supporting uses. The maximum FAR is 1.0.

RECREATION

The Recreation designation is intended for areas of private commercial recreation uses, such as bowling alleys and golf driving ranges. The maximum FAR is 0.5.

GENERAL

The General Commercial designation is intended for a range of retail and service uses that are not appropriate in other areas because of higher volumes of vehicle traffic and potential adverse impacts on other uses. Development such as strip malls fall into this designation. Examples of allowable uses include: building materials, storage facilities with active storefronts, equipment rental, wholesale businesses, and specialized retail not normally found in shopping centers. The maximum FAR is 2.0.

HIGHWAY & AUTO

The Highway & Auto designation is intended for limited areas near State Route 99 to accommodate uses that depend on or are supported by freeway access but do not generate a large volume of traffic. Hotels, restaurants, and auto malls are typical land uses. The maximum FAR is 0.75.

REGIONAL

The Regional Commercial designation is intended to meet local and regional retail demand, such as large-scale retail, office, civic and entertainment uses; shopping malls, with large format or "big-box" retail allowed; and supporting uses such as gas stations, and hotels. Buildings typically have relatively large footprints. Development and design standards will create a pedestrian orientation within centers and along major corridors. The maximum FAR is 1.0.

Employment

OFFICE

The Office designation is intended for administrative, financial, business, professional, medical, and public offices. This designation is mainly intended to apply to existing office uses on smaller lots, generally located on arterial roadways. This designation is also considered compatible with existing residential neighborhoods given the smaller

Mixed-Use⁵

Mixed-use designations are based on commercial uses and also require a residential or upper-floor office component.

NEIGHBORHOOD MIXED-USE

This designation allows a minimum of 50 percent residential uses and provides for mixed-use districts of local-serving, pedestrian-oriented commercial development, such as convenience shopping and professional offices in two- to three-story buildings. Development is expected to include ground-floor neighborhood retail uses and upper-level housing or offices, with a mix of small lot single family houses, townhomes, and multi-family dwelling units on side streets, in a horizontal or vertical mixed-use orientation. The built form will have a scale and character that is consistent with pedestrian-orientation, to attract and promote a walk-in clientele, with small lots and frequent roadway and pedestrian connections permitting convenient access from residences to commercial space. Automobile-oriented uses are not permitted. ~~Residential densities range between 12 and 16 units per acre and the maximum FAR is 1.5.~~

CORRIDOR/CENTER MIXED-USE

The Corridor/Center Mixed-Use designation is higher intensity than Neighborhood Mixed-Use, and is intended to allow for horizontal and vertical mixed-use development in multiple story buildings along key circulation corridors where height and density can be easily accommodated. Ground-floor retail and upper-floor residential or offices are the primary uses, with personal and business services and public and institutional space as supportive uses. Development will facilitate the transformation of existing transportation corridors into vibrant, highly walkable areas with broad, pedestrian-friendly sidewalks, trees, landscaping, and local-serving uses with new buildings that step down in relationship to the scale and character of adjacent neighborhoods. This designation will largely apply along major roadways, at targeted locations between regional Activity Centers. ~~Residential densities range between 16 and 30 units per acre with~~ A minimum ~~[of]~~ 40 percent residential uses ~~[is required]~~, and the maximum FAR is 1.5.

⁵ The General Plan is long-term in nature, and recognizes the importance of providing for an orderly evolution of existing, legal non-conforming uses during the planning period in a manner that acknowledges their current economic contributions while providing for a transition into conforming uses consistent with applicable land use designations.

REGIONAL MIXED-USE

The Regional Mixed-Use land use designation is intended to accommodate mixed-use development in urban-scale buildings and retail establishments that serve residents and businesses of the region at large. Medium-scale retail, residential, office, civic and entertainment uses, and shopping malls (with large format or “big-box” retail) are allowed, as are supporting uses such as gas stations and hotels in mixed-use or single use buildings. Design standards will support a pedestrian orientation within centers and along major corridors, with parking on the side or rear in general, but automobile-oriented uses also will be accommodated on identified streets and frontages. ~~Residential densities range between 30 and 45 units per acre with A~~ minimum [of] 30 percent residential uses [is required], and the maximum FAR is 2.0.

Open Space

The Open Space designations (Parks and Recreational Facilities; Other Public Open Space) apply to open space areas that are not parks or trails, such as riparian corridors, the clear zone around Fresno-Yosemite International Airport, and the San Joaquin River bottom, which is primarily designated as open space even though it includes a limited number of existing homes.

Public Facilities

This designation applies to public facilities, such as City Hall, county buildings, schools, colleges, the municipal airports, and hospitals. It also includes public facilities, such as fire and police stations, City-operated recycling centers, sewage treatment plants, neighborhood, community and regional parks, recreational centers, and golf courses. Finally, it applies to multi-purpose trails that serve both regional and neighborhood needs.

Buffer

This designation is intended to separate urban uses from long-term agricultural uses in order to preserve long-term viable agricultural areas and intensive farming operations adjoining but outside the Planning Area. The Buffer designation will serve to prevent urban residential and related uses from developing near agricultural operations and infringing on full operation of important farmland. A variety of uses are compatible with the purpose of the Buffer, which will be defined in detail in the Development Code. General categories include environmental habitats; water conveyance, retention and recharge; preservation and preparation of gravel resources for beneficial uses related to permanent water resource facilities; limited agriculture and necessary supportive uses, such as agricultural processing, excluding animal processing or uses that have the potential to create nuisances; and residential uses with 20 acres of land required per residence.