

**CITY OF FRESNO
ENVIRONMENTAL FINDING OF NO POSSIBILITY OF SIGNIFICANT EFFECT
ENVIRONMENTAL ASSESSMENT NO. P20-02212**

THE PROJECT DESCRIBED HEREIN IS DETERMINED TO HAVE NO
SIGNIFICANT EFFECT ON THE ENVIRONMENT PURSUANT TO ARTICLE 20 OF THE
STATE OF CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) GUIDELINES

APPLICANT: City of Fresno
Planning and Development Department,
2600 Fresno Street Room 3043
Fresno, California 93721

PROJECT LOCATION: Areas within the jurisdiction of the City of Fresno

PROJECT DESCRIPTION:

A proposed Text Amendment P20-02212 (Text Amendment) for establishments that sell alcoholic beverages for off-site consumption. The Text Amendment sets forth additional restrictions for sale of off-site consumption including: location restrictions for sensitive uses and other alcohol establishments will be a minimum of 1,000 feet; mandatory annual inspections will be performed; new establishments must transfer and surrender existing alcohol licenses from areas of overconcentration within the City limit; and specific distance requirements for alcohol interior displays and exterior signage.

This project is exempt under Section 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines.

Finding:

Staff has conducted a preliminary review of the project and has determined that it is exempt from CEQA pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15061(b)(3) under the common sense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Because the proposed Text Amendment is for City Council to approve changes to the Zoning Ordinance in order to establish a framework for future and existing establishments that sell alcoholic beverages for off-site consumption and does not commit the City to any specific project, it can be seen with certainty that there is no possibility that approval of the proposed Text Amendment may have a significant effect on the environment. Therefore, this action is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3)

Evidence:

The proposed Text Amendment states the requirements for new or modifications to existing alcohol licenses and establishes a process consistent with Fresno City Council Resolution No. 2019-090 (The Responsible Neighborhood Market Act). Establishments are eligible to apply for a Alcohol Beverage Control Conditional Use Permit (ABC CUP) as long as the

establishment is located in a zone district where alcohol uses are permitted and the establishment meets the regulations of the proposed Text Amendment.

There will be no physical change to the environment as a result of the adoption of this Text Amendment as it is an amendment to the application process for new or modified alcohol licenses. The Text Amendment does not relate to any physical project.

The regulations of the proposed Text Amendment will not intensify the use of any establishment. The application process already exists within the Fresno Municipal Code and the proposed Text Amendment creates additional regulations for reviewing and approving a project. As such, the proposed Text Amendment will not intensify any existing uses.

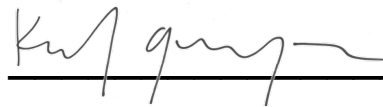
All individual projects under the proposed Text Amendment will be subject to discretionary review with a Conditional Use Permit (CUP). Each individual CUP application will be evaluated pursuant to the requirements of CEQA and the appropriate level of environmental review will be completed when the scope and impacts of each individual entitlement are known.

Approval of this Text Amendment does not automatically permit alcohol uses in any district. Rather, it creates additional procedures and regulations for establishments seeking a new off-site alcohol license or modification to an existing license. An individual application would be subject to future discretionary review by the City of Fresno and the State of California ABC CUP application process. Because this Text Amendment does not effectuate any approvals, and does not result in any changes in use or intensity, it can be seen with certainty that there is no possibility that approval of this Text Amendment will have a significant effect on the environment or a reasonably foreseeable indirect effect on the environment.

Therefore, Text Amendment P20-022012 is exempt from CEQA pursuant to the common sense exemption set forth in Section 15061(b)(3) of the CEQA Guidelines.

Date: July 29, 2020

Submitted By:

A handwritten signature in black ink, appearing to read "Kelsey George", is written over a solid black horizontal line.

Kelsey George, Planner
City of Fresno
Planning and Development
Department