

**CITY OF FRESNO  
ENVIRONMENTAL FINDING OF NO POSSIBILITY OF SIGNIFICANT EFFECT  
ENVIRONMENTAL ASSESSMENT NO. P21-05185**

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, generally located within the corporate boundaries

**PROJECT DESCRIPTION:**

A proposed Text Amendment to Section 15-2706 of the Citywide Development Code; otherwise known as the Responsible Neighborhood Market Act (RNMA). The RNMA currently provides regulations relating to the sale of alcoholic beverages for off-site consumption. The proposed text amendment would allow an exception from the existing Location Restrictions set forth in Section 15-2706-F and would allow an exemption from the existing Cancel and Transfer requirements set forth in Section 15-2706-S for an existing off-sale establishment that relocates to a new location across the street and within a ¼ mile radius of the current location; within the same Council District; within the same Census Tract; not located within 500 feet of a nursery school, preschool, a public or private State-licensed or accredited school or daycare facility; and not in an area of high crime, as defined by the California Business and Professions Code 23958.4(a)(1) et seq., and as determined by the Department of Alcoholic Beverage Control; and the original location will be required to forfeit its existing alcohol entitlements for the original location.

**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 Council to approve in order to modify the established framework for future and existing alcohol uses and approvals and does not commit the City to any specific project, it can be seen with certainty that there is no possibility that accepting the Strategy document 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 modifies the existing regulations for off-sale establishments by allowing an exception to the established Location Restrictions and an exemption to the Cancel and Transfer Provisions for qualifying establishments seeking to relocate.

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 existing establishments. 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 modifies existing regulations for reviewing and approving a project. As such, the proposed Text Amendment will not intensify any existing uses.

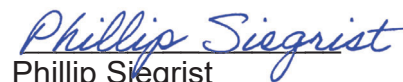
All individual projects under the proposed Text Amendment will be subject to discretionary review with a Conditional Use Permit (CUP). Each individual CUP will be evaluated pursuant to the requirements of CEQA and the appropriate level of environmental review will be completed when the scope and impacts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

Approval of this Text Amendment does not automatically permit alcohol uses in any district. Rather, it creates flexibility for existing establishments seeking to relocate by allowing an additional exception to the Location Restrictions and an exemption to the Cancel & Transfer Provisions. An individual applicant seeking to relocate will 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 P21-05185 is exempt from CEQA pursuant to the common sense exemption set forth in Section 15061(b)(3) of the CEQA Guidelines.

Date: October 20, 2021

Submitted By:



Phillip Siegrist  
City of Fresno  
Planning and Development  
Department