

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF FRESNO, CALIFORNIA, AMENDING CHAPTER 15 SECTION 15-2010, TABLE 15-1102, TABLE 15-1402, AND TABLE 15-1502 OF THE FRESNO MUNICIPAL CODE, AMENDING REGULATIONS RELATED TO ELECTRIC FENCES

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

SECTION 1. Section 15-2010 of the Fresno Municipal Code is modified as follows:

SEC. 15-2010. ELECTRI[FI]ED FENCES.

Electrified fences shall comply with the following regulations. [The requirements contained in Section 15-2009 do not apply to Electrified Fencing allowed pursuant to this Section.]

A. Permitted Locations.

1. In non-residential zones, ~~in which Security Fencing is permitted.~~ [including all Commercial Districts, all Employment Districts, and specified Use Classifications under Mixed-Use Districts, Public and Semi-Public Districts, and Downtown Districts as noted under sub-section A.5. below].
2. Electri[fi]ed fences shall not encroach into the public right-of-way.
3. [Electrified fences shall not be permitted for residential uses, public park facilities, or school sites.]
4. [When the subject property has a Mixed-Use or Downtown zoning designation and abuts vacant or existing residential uses within a Residential, Mixed-Use, or Downtown district, such properties are subject to additional requirements as outlined in Section 15-2010.K below.]
5. [When the subject property has a Mixed-Use, Public and Semi-Public, or Downtown zoning designation, only certain uses shall be permitted to have electrified fences as identified in Table 15-1102 (Mixed-Use), 15-1402 (Public and Semi-Public), and 15-1502 (Downtown)].
6. [When the subject property contains legal non-conforming uses pursuant to Section 15-404 in any district, such uses shall be permitted to have electrified fences if such use is a use permitted in an Employment District.]

B. Compliance with State and Federal Regulations.

1. Electri[fi]ed fencing shall comply with the California Civil Code Section 835 and the

California Building Code, as amended from time to time.

2. Only allowed to be installed with a permit issued under the requirements of applicable building and electrical codes, and only allowed to be activated after an approved final inspection of the installation.
3. Fire access, warning signs, electrical connections, etc., shall comply with the Building Code and Fire regulations.

C. Electricity.

1. Shall conform to the California Civil Code Section 835 and shall only be powered by a commercial storage battery not to exceed 12 volts of direct current (DC) or another approved 12 volt DC or lower voltage-power source.
2. The electric charge produced by the fence upon contact shall not exceed energizer characteristics set forth in paragraph 22.108 and depicted in Figure 102 of International Electrotechnical Commission (IEC) Standard No. 60335-2-76.
3. Non-low voltage electrical components (e.g. controllers, transformers) of the electric fencing system shall be approved and listed by an Occupational Safety and Health Act (OSHA) Nationally Recognized Testing laboratory (NRTL).

D. Perimeter Fence or Wall. No electric fence shall be installed or used unless it is completely surrounded by a nonelectrical fence or wall that is a minimum ~~six~~ [five] feet in height. Should a non-electrical fence not exist, one shall be installed prior to the electric fence being operational. [When abutting an existing residential use, the protective barrier shall consist of a solid material (i.e. wooden fence, block wall, an approved mesh material, or equivalent material)].

E. Setbacks. Non-electrical fencing behind which electric fencing is installed shall comply with setbacks of the underlying zone district unless the non-electrical fence is legally non-conforming.

F. Height. Shall have a maximum height of ten feet regardless of location on the property.

G. Warning Signs. Shall be clearly identified with warning signs that read: "Warning-Electric Fence" at intervals of not less than 30 feet.

H. Permit. Property owner(s) shall apply for a permit with the City prior to installation.

I. City Indemnification. Prior to the installation of electric fencing, the fence owner shall obtain a permit and execute an agreement to defend, hold harmless, and indemnify the City against all claims related to the fencing.

J. Emergency Access.

1. An electrical disconnect device secured with a Police/Fire X-1 keyway or other

approved means for emergency access by Police and Fire Departments shall be provided at a location approved by the Fire Department.

2. The disconnect device shall include an LED pilot light to indicate the status of power to the electric fence.
3. The emergency access disconnect device shall be located outside the primary drive gate entrance of the property and shall not be obscured in any manner from the street/private driveway access. The details and location of the disconnect device shall be shown on the site plan.
4. Approved signs stating the identification of such switches/controls in addition to informational instructions as to how to disable the electrical system shall be installed to the satisfaction of the Fire Marshal.
5. In the event that access by the City of Fresno Fire Department and/or Police Department is required due to an emergency or urgent circumstances and the emergency access disconnect device is absent or non-functional and no authorized property personnel is present to disable the electric fence. City of Fresno Fire or Police personnel shall be authorized to disable the electric fence in order to gain access to the property. All applicants issued building permits to install or use an electric fence as provided in this chapter agree to waive any and all claims for damages to the electric fence against the City of Fresno and/or its personnel under such circumstances.

[K. Additional Requirements Pertaining to Certain Property

1. When the subject property has a Mixed-Use or Downtown zoning designation and abuts vacant or existing residential uses within a Residential, Mixed-Use or Downtown district, the following special permit provisions apply.
 - a. Requests for Electrified Fences shall be processed as a Development Permit in accordance with Chapter 15, Article 52 of the Fresno Municipal Code. These applications shall go before the appropriate Council District Project Review Committee for review and recommendation.
 - b. Within 3 days of the Director’s decision, a notice shall be sent from the Director or designee via e-mail to the Councilmember whose district the approved electrified fence is located.]

SECTION 2. Table 15-1102 of the Fresno Municipal Code is amended to read:

| TABLE 15-1102: USE REGULATIONS—MIXED-USE DISTRICTS | | | | |
|--|-----|-----|-----|------------------------|
| Use Classifications | NMX | CMX | RMX | Additional Regulations |
| Residential Use Classifications | | | | |
| Residential Housing Types | | | | |

| | | | | |
|--|---------|----------------|----------------|--|
| Single-Unit Dwelling, Attached | P(1) | P(1) | P(1) | § 15-2754, Second Dwelling Units, Backyard Cottages, and Accessory Living Quarters |
| Multi-Unit Residential | P(1) | P(1) | P(1) | |
| Adult Family Day Care | | | | |
| Small (6 clients or less) | P(1) | P(1) | - | |
| Large (7 to 12 clients) | P(1) | - | - | |
| Caretaker Residence | P(1) | P(1) | P(1) | |
| Domestic Violence Shelter | | | | |
| Small (6 persons or less) | P(1) | P(1) | P(1) | |
| Large (7 persons or more) | P(1) | P(1) | P(1) | |
| Elderly and Long-Term Care | P(1) | P(1) | P(1) | |
| Family Day Care | | | | |
| Small (8 or fewer children) | P(1) | P(1) | P(1) | § 15-2725, Day Care Centers and Family Child Care Homes |
| Large (9 to 14 children) | P(1) | P(1) | P(1) | |
| Group Residential | | | | |
| Small (6 persons or less) | P(1) | P(1) | P(1) | |
| Large (7 persons or more) | P(1) | P(1) | P(1) | |
| Lodging-to-Dwelling Conversion | C | C | C | § 15-2737.5 Lodging-to-Dwelling Conversion Requirements |
| Residential Care Facilities | | | | |
| Residential Care, Limited | P(1) | P(1) | P(1) | |
| Residential Care, Senior | P(1) | P(1) | P(1) | |
| Single Room Occupancy | C | C | C | |
| Public and Semi-Public Use Classifications | | | | |
| Colleges and Trade Schools, Public or Private | C | C | C (3) | |
| Community and Religious Assembly (less than 2,000 square feet) | P | P | P | § 15-2719, Community and Religious Assembly Facilities |
| Community and Religious Assembly (2,000 square feet or more) | P | P | P | |
| Community Garden | P | P | P | § 15-2720, Community Gardens/Urban Farms |
| Conference/Convention Facility | C | C | C | |
| Cultural Institutions | P | P | P | |
| Day Care Centers | P | P | P | § 15-2725, Day Care Centers and Family Child Care Homes |
| Emergency Shelter | - | - | P | § 15-2729, Emergency Shelters |
| Government Offices | P(1) | P(1) | P(1) | |
| Hospitals and Clinics | | | | |
| Hospital | - | C(11) | C(11) | |
| Clinic | P | P | P | |
| Substance Abuse Treatment Clinic | C(14) | C(14) | C(14) | |
| Instructional Services | P | P | P | |
| Park and Recreation Facilities, Public | P | P | P | |
| Parking, Public or Private | - | C(6) [(20)] | C(6) [(20)] | |
| Public Safety Facilities | C[(20)] | C[(20)] | C[(20)] | |
| Schools, Public or Private | P | P | P | |
| Social Service Facilities | P(1) | P(1) | P(1) | |
| Commercial Use Classifications | | | | |

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|--|---------------------|-----------------|-----------------|---|
| Animal Care, Sales and Services | | | | |
| Grooming and Pet Stores | P | P | P | |
| Veterinary Services | - | C(7) | C(7) | |
| Artist's Studio | P | P | P | |
| Automobile/Vehicle Sales and Services | | | | |
| Automobile/Vehicle Sales and Leasing | C(18) [(20)] | C(13) [(20)] | C(13) [(20)] | § 15-2709, Automobile and Motorcycle Retail Sales and Leasing |
| Automobile Rentals | C(12)(19) [(20)] | C(12) [(20)] | C(12) [(20)] | |
| Automobile/Vehicle Repair, Major | C(12)(19) [(20)] | C(12) [(20)] | C(12) [(20)] | |
| Automobile/Vehicle Service and Repair, Minor | C(12)(19) [(20)] | C(12) [(20)] | C(12) [(20)] | |
| Automobile Washing | C(12)(19) | C(12) | C(12) | |
| Service Station | C | C | C | § 15-2755, Service Stations |
| Banks and Financial Institutions | | | | |
| Banks and Credit Unions | P | P | P | |
| Check Cashing Businesses and Payday Lenders | - | - | - | § 15-2715, Check Cashing Businesses, Payday Lenders, and Similar Financial Services |
| Banquet Hall | C | C | C | § 15-2712, Banquet Hall |
| Business Services | P | P | P | |
| Eating and Drinking Establishments | | | | |
| Bars/Nightclubs/Lounges | C | C | C | § 15-2743, Outdoor Cooking for Commercial Purposes; § 15-2744, Outdoor Dining and Patio Areas; § 15-2751, Restaurants with Alcohol Sales, Bars, Nightclubs, and Lounges |
| Restaurant with Alcohol Sales | C | C | C | |
| Restaurant without Alcohol Sales | P | P | P | |
| Entertainment and Recreation | | | | |
| Cinema/Theaters | P | P | P | |
| Cyber/Internet Cafe | C | C | C | § 15-2724, Cyber/Internet Cafes |
| Small-Scale | P | P | P | § 15-2708, Arcades, Video Games, and Family Entertainment Centers, § 9-1801, Billiard Rooms |
| Food and Beverage Sales | | | | |
| Farmer's Markets | P | P | P | § 15-2730, Farmer's Markets |
| General Market | P | P | P | § 15-2744, Outdoor Dining and Patio Areas; § 15-2745, Outdoor Retail Sales |
| Healthy Food Grocer | P | P | P | |
| Liquor Stores | C(12) | C(12) | C(12) | § 15-2707, Alcohol Sales; § 15-2745, Outdoor Retail Sales |
| Food Preparation | P(1) | P(1) | P(1) | |
| Funeral Parlors and Internment Services | P(1) | P(1) | P(1) | § 15-2714, Body Preparation and Funeral Services |
| Live/Work | P | P | P | |
| Lodging | | | | |
| Bed and Breakfast | P | P | P | |
| Hotels and Motels | P(8) | P(8) | P | |
| Maintenance and Repair Services | P | P | P | |

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| Offices | | | | |
| Business and Professional | P | P | P | |
| Medical and Dental | P | P | P | |
| Walk-in Clientele | P | P | P | |
| Personal Services | | | | |
| General Personal Services | P(5) | P | P | |
| Tattoo or Body Modification Parlor | P(5)(12) | P(12) | P(12) | § 15-2758, Tattoo or Body Modification Parlor |
| Retail Sales | | | | |
| Building Materials and Services | - | - | C[(20)] | § 15-2745, Outdoor Retail Sales |
| Convenience Retail | P | P | P | § 15-2745, Outdoor Retail Sales; 15-2761 Tobacco and Vapor Shops |
| General Retail | P | P | P | § 15-2733, Hobby Stores; § 15-2745, Outdoor Retail Sales |
| Large-Format Retail | P | P | P | § 15-2737, Large-Format Retail; § 15-2745, Outdoor Retail Sales |
| Nurseries and Garden Centers | P | P | P | § 15-2745, Outdoor Retail Sales |
| Second Hand/Thrift Stores | P | P | P | |
| Swap Meet/Flea Market | C | C | C | § 15-2730, Flea Markets |
| Industrial Use Classifications | | | | |
| Custom Manufacturing | P(12)(19) [(20)] | P(12) [(20)] | P(12) [(20)] | |
| Limited Industrial | C(13)(18) (19) [(20)] | C(13) [(20)] | C(13) [(20)] | |
| Recycling Facility | | | | |
| Reverse Vending Machine | P | P | P | § 15-2750, Recycling Facilities |
| Warehousing, Storage, and Distribution | | | | |
| Personal Storage | C[(20)] | C[(20)] | C[(20)] | § 15-2747, Personal (Mini) Storage |
| Transportation, Communication, and Utilities Use Classifications | | | | |
| Airports and Heliports | - | - | C(10) [(20)] | |
| Communication Facilities | | | | |
| Antenna and Transmission Towers | See Section 15-2759, Telecommunications and Wireless Facilities [(20)] | | | |
| Transportation Passenger Terminals | - | - | C | |
| Utilities, Minor | P[(20)] | P[(20)] | P[(20)] | |
| Agricultural and Extractive Use Classifications | | | | |
| Produce Stand | P | P | P | § 15-2752, Roadside Fruit Stands/Grower Stands |
| Tasting Room | C | C | C | |
| Urban Farm | P | - | - | § 15-2719, Community Gardens/Urban Farms |
| Other Applicable Types | | | | |
| Accessory Uses and Structures | § 15-2703, Accessory Uses | | | |
| Home Gardens | § 15-2734, Home Gardens and Edible Landscaping | | | |
| Home Occupations | § 15-2735, Home Occupations | | | |
| Animal Keeping | § 15-2707, Animal Keeping | | | |
| Drive-In and Drive-Through Facilities | C(15) | C(15) | C(15) | § 15-2728, Drive-In and Drive-Through Facilities |
| Walk-Up Facilities | § 15-2766, Walk-Up Facilities | | | |

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| Non-Conforming Use | Article 4, Non-Conforming Uses, Structures, Site Features, and Lots |
| Temporary Use | § 15-2760, Temporary Uses |
| Transitional and Supportive Housing | § 15-2762, Transitional and Supportive Housing |
| <p>Specific Limitations:</p> <ol style="list-style-type: none"> 1. Not allowed on the ground floor of portions of the site which abut a major street, but allowed in the interior of all sites. Projects with frontage on more than one major street may be excepted from this restriction on one of the major streets at the discretion of the Review Authority. 2. Reserved. 3. Not to include industrial training such as welding or automotive repair involving the use of tools and materials appropriate to an industrial use area. 4. Must be located along a major street. 5. Limited to establishments with a gross floor area of 5,000 square feet or less. 6. Shall be below grade or in structures faced with active uses along the street. 7. Provided that such use shall be completely enclosed in a building of soundproof construction. 8. Limited to upper stories unless at least 50 percent of ground floor street frontage is occupied by food service use. 9. Reserved. 10. Limited to heliports used as accessory to a hospital. 11. Building heights for hospitals shall not exceed 150 ft. There is no maximum Floor Area Ratio for hospitals. 12. Not allowed within 500 feet of an existing or planned Bus Rapid Transit stop. 13. Must take place entirely within a building. 14. Must include an indoor waiting area. 15. Not allowed within 100 feet of a planned or existing Bus Rapid Transit station and not allowed between a building and a sidewalk. 16. Reserved. 17. Reserved. 18. Permitted only after review and approval of a Conditional Use permit, and only in the following areas: <ul style="list-style-type: none"> a) NMX-zoned parcels which are located south of State Route 180 and east of State Route 41 and which are not within 500 feet of a Bus Rapid Transit route; or b) NMX-zoned parcels which are located north of State Route 180 and west of the Union Pacific Railroad. 19. Prohibited in the following areas: Parcels which are located south of State Route 180 and west of the Union Pacific Railroad. [20. Electrified fences are permitted pursuant to FMC Section 15-2010. When the subject property has a Mixed-Use zoning designation and abuts vacant or existing residential uses within a Residential, Mixed-Use, or Downtown District, additional requirements are applicable as outlined in Section K of FMC Section 15-2010.] | |

SECTION 3. Table 15-1402 of the Fresno Municipal Code is amended to read:

| TABLE 15-1402: LAND USE REGULATIONS—PUBLIC AND SEMI-PUBLIC DISTRICTS | | | | |
|--|--------|------|--------|--|
| Use Classifications | OS | PR | PI | Additional Regulations |
| Residential Use Classifications | | | | |
| Multi-Unit Residential | - | - | P(8) | |
| Public and Semi-Public Use Classifications | | | | |
| Cemetery | P[(9)] | - | P[(9)] | |
| Colleges and Trade Schools, Public or Private | - | - | P | |
| Community and Religious Assembly (less than 2,000 square feet) | C(1) | P(1) | P | § 15-2719, Community and Religious Assembly Facilities |
| Community and Religious Assembly (2,000 square feet or more) | - | P(1) | P | |
| Community Garden | P | P | P | § 15-2720, Community Gardens/Urban Farms |

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| Conference/Convention Facility | - | - | P | |
| Cultural Institutions | - | P | P | |
| Day Care Centers | - | - | P | § 15-2725, Day Care Centers and Family Child Care Homes |
| Emergency Shelter | - | - | P | § 15-2729, Emergency Shelters |
| Government Offices | - | - | P | |
| Hospitals and Clinics | | | | |
| Hospital | - | - | P(5) | |
| Clinic | - | - | P | |
| Substance Abuse Treatment Clinic | - | - | C(6) | |
| Instructional Services | - | - | P | |
| Park and Recreation Facilities, Public | P | P | P | |
| Parking, Public or Private | C[(9)] | C[(9)] | C[(9)] | |
| Public Safety Facilities | C[(9)] | C[(9)] | P[(9)] | |
| Schools, Public or Private | - | - | P | |
| Social Service Facilities | - | - | P | |
| Commercial Use Classifications | | | | |
| Animal Care, Sales and Services | | | | |
| Kennels | - | - | C(2) | |
| Eating and Drinking Establishments | | | | |
| Restaurant with Alcohol Sales | - | - | C(3) | § 15-2751, Restaurants with Alcohol Sales, Bars, Nightclubs, and Lounges; § 15-2744, Outdoor Dining and Patio Areas |
| Restaurant without Alcohol Sales | - | P(3) | P(3) | |
| Entertainment and Recreation | | | | |
| Large-Scale | - | P(7) | - | |
| Food and Beverage Sales | | | | |
| Farmer's Markets | - | C | P | § 15-2730, Farmer's Markets |
| Retail Sales | | | | |
| General Retail | - | - | P(3) | § 15-2745, Outdoor Retail Sales |
| Industrial Use Classifications | | | | |
| Recycling Facility | | | | |
| Reverse Vending Machine | - | - | - | § 15-2750, Recycling Facilities |
| Recycling Processing Facility | - | - | C[(9)] | |
| Transportation, Communication, and Utilities Use Classifications | | | | |
| Airports and Heliports | - | - | C(4) [(9)] | |
| Communication Facilities | | | | |
| Antenna and Transmission Towers | § 15-2759, Telecommunications and Wireless Facilities [(9)] | | | |
| Facilities within Buildings | - | - | P | |
| Transportation Passenger Terminals | - | - | P | |
| Utilities, Major | C[(9)] | - | P[(9)] | |
| Utilities, Minor | P[(9)] | P[(9)] | P[(9)] | |
| Waste Transfer Facility | - | - | C[(9)] | |
| Agricultural and Extractive Use Classifications | | | | |
| Crop Cultivation | P | - | - | § 15-2716, Crop Cultivation |
| Produce Stand | P | - | - | § 15-2752, Roadside Fruit Stands/Grower Stands |
| Urban Farm | P | - | - | § 15-2720, Community Gardens/Urban Farms |
| Other Applicable Types | | | | |
| Accessory Uses and Structures | § 15-2703, Accessory Uses | | | |
| Home Gardens | § 15-2734, Home Gardens and Edible Landscaping | | | |

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| Animal Keeping | § 15-2707, Animal Keeping | | | |
| Drive-In and Drive-Through Facilities | - | - | - | § 15-2728, Drive-In and Drive-Through Facilities |
| Walk-Up Facilities | § 15-2766, Walk-Up Facilities | | | |
| Non-Conforming Use | Article 4, Non-Conforming Uses, Structures, Site Features, and Lots | | | |
| Temporary Use | § 15-2760, Temporary Uses | | | |
| Specific Limitations: | | | | |
| <ol style="list-style-type: none"> 1. Limited to facilities associated with park and recreation facilities. 2. Limited to government or non-profit animal shelters located a minimum of 100 feet from a residential use or district. 3. Limited to gift shops, cafes, and restaurants that are an accessory to cultural institutions, community and religious assembly, and conference/convention centers. 4. Heliports used as accessory to a hospital are permitted by right and shall not require a Conditional Use Permit. 5. Building heights for hospitals shall not exceed 150 ft. There is no maximum Floor Area Ratio for hospitals. 6. Must include an indoor waiting area. 7. Limited to golf courses. 8. Limited to on-campus housing operated by an accredited school. 9. Electrified fences are permitted pursuant to FMC Section 15-2010.] | | | | |

SECTION 4. Table 15-1502 of the Fresno Municipal Code is amended to read:

| TABLE 15-1502: USE REGULATIONS—DOWNTOWN DISTRICTS | | | | | | | | | | |
|--|----------------|---|---|------|---|---|------|---|---|--|
| Use Classification | Activity Class | | | | | | | | | Additional Regulations See Figure 15-1501 for Activity Classifications Map |
| | DTN | | | DTG | | | DTC | | | |
| | A | B | C | A | B | C | A | B | C | |
| Residential Use Classifications | | | | | | | | | | |
| Residential Housing Types | | | | | | | | | | |
| Single-Unit Dwelling, Attached | — | P | P | — | P | P | — | — | — | |
| Second Dwelling Unit | — | P | P | — | P | P | — | — | — | § 15-2754, Second Dwelling Units, Backyard Cottages, and Accessory Living Quarters |
| Duplex | — | P | P | — | P | P | — | P | P | |
| Multi-Unit Residential | P(1) | P | P | P(1) | P | P | P(1) | P | P | |
| Adult Family Day Care | | | | | | | | | | |
| Small (6 clients or less) | P(1) | P | P | P(1) | P | P | P(1) | P | P | |
| Large (7 to 12 clients) | P(1) | P | P | P(1) | P | P | P(1) | P | P | |
| Caretaker Residence | P(1) | P | P | P(1) | P | P | P(1) | P | P | |

| | | | | | | | | | | |
|--|------|---|---|------|---|---|------|---|---|--|
| Domestic Violence Residence | P(1) | P | P | P(1) | P | P | P(1) | P | P | |
| Elderly and Long-Term Care | P(1) | P | P | P(1) | P | P | P(1) | P | P | |
| Family Day Care | | | | | | | | | | |
| Small (8 children or less) | P(1) | P | P | P(1) | P | P | P(1) | P | P | § 15-2725, Day Care Centers and Family Child Care Homes |
| Large (9 to 14 children) | P(1) | P | P | P(1) | P | P | P(1) | P | P | |
| Group Residential | | | | | | | | | | |
| Small (6 persons or less) | P(1) | P | P | P(1) | P | P | P(1) | P | P | |
| Large (7 persons or more) | P(1) | P | P | P(1) | P | P | P(1) | P | P | |
| Lodging-to-Dwelling Conversion | C | C | C | C | C | C | C | C | C | § 15-2737.5 Lodging-to-Dwelling Conversion Requirements |
| Re-Entry Facility | P(1) | P | P | P(1) | P | P | P(1) | P | P | |
| Residential Care Facilities | | | | | | | | | | |
| Residential Care, General | P(1) | P | P | P(1) | P | P | P(1) | P | P | |
| Residential Care, Limited | P(1) | P | P | P(1) | P | P | P(1) | P | P | |
| Residential Care, Senior | P(1) | P | P | P(1) | P | P | P(1) | P | P | |
| Single Room Occupancy | P(1) | P | P | P(1) | P | P | P(1) | P | P | § 15-2756, Single Room Occupancy Hotels and Boarding Homes |
| Public and Semi-Public Use Classifications | | | | | | | | | | |
| Colleges and Trade Schools, Public or Private | P(1) | P | P | P(1) | P | P | P(1) | P | P | |
| Community and Religious Assembly (less than 2,000 square feet) | P(1) | P | P | P(1) | P | P | P(1) | P | P | § 15-2719, Community and Religious Assembly Facilities |
| Community and Religious Assembly (2,000 square feet or more) | P(1) | P | P | P(1) | P | P | P(1) | P | P | |
| Community Garden | P(1) | P | P | P(1) | P | P | P(1) | P | P | § 15-2720, Community Gardens/Urban Farms |

| | | | | | | | | | | |
|--|-------------|-------------|-------------|--------|-------------|-------------|------|------|------|---|
| Conference/Convention Facility | P(1) | P | P | P(1) | P | P | P(1) | P | P | |
| Cultural Institutions | P(1) | P | P | P(1) | P | P | P(1) | P | P | |
| Day Care Centers | P(1) | P | P | P(1) | P | P | P(1) | P | P | § 15-2725, Day Care Centers and Family Child Care Homes |
| Emergency Shelter | P(1) | P | P | P(1) | P | P | P(1) | P | P | § 15-2729, Emergency Shelters |
| Government Offices | P(1) | P | P | P(1) | P | P | P(1) | P | P | |
| Hospitals and Clinics | | | | | | | | | | |
| Hospital | — | C | C | — | C | C | — | C | C | |
| Clinic | P(1) | P | P | P(1) | P | P | P(1) | P | P | |
| Instructional Services | P(1) | P | P | P(1) | P | P | P(1) | P | P | |
| Park and Recreation Facilities, Public | P | P | P | P | P | P | P | P | P | |
| Parking, Public or Private | P[(9)] | P[(9)] | P[(9)] | P[(9)] | P[(9)] | P[(9)] | P | P | P | § 15-1504-G, Parking Buffering; § 15-1504-H, Parking Access and Entrance Design |
| Public Safety Facilities | — | P[(10)] | P[(10)] | — | P[(10)] | P[(10)] | — | P | P | |
| Schools, Public or Private | P(1) | P | P | P(1) | P | P | P(1) | P | P | |
| Social Service Facilities | — | P | P | — | P | P | — | P | P | |
| Commercial Use Classifications | | | | | | | | | | |
| Adult-Oriented Business | — | C | C | — | C | C | — | C | C | § 15-2705, Adult-Oriented Businesses; § 9-2001, Picture and Live Arcades |
| Animal Care, Sales and Services | | | | | | | | | | |
| Grooming and Pet Stores | P(2) | P(2) | P(4) | P(2) | P(2) | P(4) | P(2) | P(2) | P(4) | |
| Veterinary Services | P(1) | P | P | P(1) | P | P | P(1) | P | P | |
| Artist's Studio | P(1) | P | P | P(1) | P | P | P(1) | P | P | |
| Automobile/Vehicle Sales and Services | | | | | | | | | | |
| Automobile Rentals | P(8) [(10)] | P(5) [(10)] | P(5) [(10)] | — | P(5) [(10)] | P(5) [(10)] | — | — | — | § 15-2709, Automobile and Motorcycle |

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| | | | | | | | | | | Sales and Leasing |
| Automobile/Vehicle Sales and Leasing | P(8) [(10)] | P(5) [(10)] | P(5) [(10)] | — | P(5) [(10)] | P(5) [(10)] | — | — | — | |
| Automobile/Vehicle Service and Repair, Minor | P(8) [(10)] | P(5) [(10)] | P(5) [(10)] | — | P(5) [(10)] | P(5) [(10)] | — | — | — | § 15-2710, Automobile/Vehicle Service and Repair, Major and Minor |
| Large Vehicle and Equipment Sales, Service and Rental | P(8) [(10)] | P(8) [(10)] | P(8) [(10)] | — | — | — | — | — | — | § 15-2710, Automobile/Vehicle Service and Repair, Major and Minor |
| Service Station | — | C(5) | C(5) | — | C(5) | C(5) | — | — | — | § 15-2755, Service Stations |
| Banks and Financial Institutions | | | | | | | | | | |
| Banks and Credit Unions | P(1) | P | P | P(1) | P | P | P(1) | P | P | |
| Business Services | P(1) | P | P | P(1) | P | P | P(1) | P | P | |
| Banquet Hall | P | P | P | P | P | P | P | P | P | § 15-2712, Banquet Hall |
| Eating and Drinking Establishments | | | | | | | | | | |
| Bars/Nightclubs/Lounges | P(3) | P(3) | P(4) | P(3) | P(3) | P(4) | P(3) | P(3) | P(4) | § 15-2751, Restaurants with Alcohol Sales; Bars, Nightclubs, and Lounges; § 15-2744, Outdoor Dining and Patio Areas |
| Restaurant, with Alcohol Sales | P(3) | P(3) | P(4) | P(3) | P(3) | P(4) | P(3) | P(3) | P(4) | |
| Restaurant, without Alcohol Sales | P(3) | P(3) | P(4) | P(3) | P(3) | P(4) | P(3) | P(3) | P(4) | |
| Entertainment and Recreation | | | | | | | | | | |
| Cinema/Theaters | P | — | — | P | — | — | P | P | P | |
| Cyber/Internet Café | P(2) | P(2) | P(4) | P(2) | P(2) | P(4) | P(2) | P(2) | P(4) | § 15-2724, Cyber/Internet Cafés |
| Motorcycle/Riding Club | P(5) | P(5) | P(5) | P(5) | P(5) | P(5) | — | — | — | § 15-2742, Motorcycle/Riding Clubs |
| Large-Scale | — | C | C | — | C | C | — | C | C | § 15-2708, Arcades, Video Games, and Family Entertainment Centers |

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|---|----------------|-----------------------|----------------|----------------|-----------------------|----------------|------|------|------|--|
| Tattoo or Body Modification Parlor | P | P | P | P | P | P | P | P | P | § 15-2758, Tattoo or Body Modification Parlors |
| Retail Sales | | | | | | | | | | |
| Building Materials and Services | — | P(5) [[10]] | P(5) [[10]] | — | P(5) [[10]] | P(5) [[10]] | — | — | — | § 15-2745, Outdoor Retail Sales |
| Convenience Retail | P(2) | P(2) | P(4) | P(2) | P(2) | P(4) | P(2) | P(2) | P(4) | § 15-2745, Outdoor Retail Sales; 15-2761 Tobacco and Vapor Sales |
| General Retail | P(2) | P(2) | P(4) | P(2) | P(2) | P(4) | P(2) | P(2) | P(4) | § 15-2733, Hobby Stores; § 15-2745, Outdoor Retail Sales |
| Large-Format Retail | — | — | — | — | — | — | P | P | P | § 15-2737, Large-Format Retail; § 15-2745, Outdoor Retail Sales |
| Nurseries and Garden Centers | P(7) | P(7) | P(7) | P(7) | P(7) | P(7) | P(7) | P(7) | P(7) | § 15-2745, Outdoor Retail Sales |
| Pawn Shops | — | P | — | — | P | — | — | P | P | |
| Second Hand/Thrift Stores | P(2) | P(2) | P(4) | P(2) | P(2) | P(4) | P(2) | P(2) | P(4) | |
| Swap Meet/Flea Market | — | P | — | — | P | — | — | P | P | § 15-2730, Flea Markets |
| Industrial Use Classifications | | | | | | | | | | |
| Custom Manufacturing | P(1) [[10]] | P[[10]] | P[[10]] | P(1) [[10]] | P[[10]] | P[[10]] | P(1) | P | P | |
| Limited Industrial | C(8) [[10]] | P(1) (5) [[10]] | P(5) [[10]] | — | P(1) (5) [[10]] | P(5) [[10]] | — | — | — | |
| General Industrial | C(8) [[10]] | C(8) [[10]] | C(8) [[10]] | — | — | — | — | — | — | |
| Recycling Facility | | | | | | | | | | |
| Reverse Vending Machine | — | P | P | — | P | P | — | P | P | § 15-2750, Recycling Facilities |
| Research and Development | C(8) [[10]] | P(5) [[10]] | P(5) [[10]] | — | P(5) [[10]] | P(5) [[10]] | — | — | — | |
| Warehousing, Storage, and Distribution | | | | | | | | | | |
| Indoor Warehousing and Storage | C(8) [[10]] | C(8) | C(8) [[10]] | — | — | — | — | — | — | |

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| | | [(10)] | | | | | | | | |
| Outdoor storage | C(8) [(10)] | C(8)) [(10)] | C(8) [(10)] | — | — | — | — | — | — | |
| Personal Storage | — | C(5)) [(10)] | C(5) [(10)] | — | C(5) [(10)] | C(5) [(10)] | — | — | — | § 2747, Personal (Mini) Storage |
| Wholesaling and Distribution | C(8) [(10)] | C(8)) [(10)] | C(8) [(10)] | — | — | — | — | — | — | |
| Transportation, Communication, and Utilities Use Classifications | | | | | | | | | | |
| Communication Facilities | | | | | | | | | | |
| Antenna and Transmission Towers | § 15-2759, Telecommunications and Wireless Facilities | | | | | | | | | |
| Facilities within Buildings | — | C | C | — | C | C | — | C | C | |
| Freight/Truck Terminals and Warehouses | C(8) [(10)] | C(8)) [(10)] | C(8) [(10)] | — | — | — | — | — | — | |
| Light Fleet-Based Services | C(8) [(10)] | P(5) [(10)] | P(5) [(10)] | — | P(5) [(10)] | P(5) [(10)] | — | — | — | |
| Transportation Passenger Terminals | P | P | P | P | P | P | P | P | P | |
| Utilities, Major | — | C[(10)] | C[(10)] | — | C[(10)] | C[(10)] | — | C | C | |
| Utilities, Minor | — | C[(10)] | C[(10)] | — | C[(10)] | C[(10)] | — | C | C | |
| Agricultural and Extractive Use Classifications | | | | | | | | | | |
| Produce Stand | P | P | P | P | P | P | P | P | P | § 15-2752, Roadside Fruit Stands/Grower Stands |
| Tasting Room | P | P | P | P | P | P | P | P | P | |
| Urban Farm | — | P | P | — | P | P | — | P | P | § 15-2720, Community Gardens/Urban Farms |
| Other Applicable Types | | | | | | | | | | |
| Accessory Uses and Structures | § 15-2703, Accessory Uses | | | | | | | | | |
| Animal Keeping | § 15-2707, Animal Keeping | | | | | | | | | |
| Drive-In and Drive-Through Facilities | — | C(6)) | C(6) | — | C(6) | C(6) | — | C(6)) | C(6)) | § 15-2728, Drive-In and Drive-Through Facilities |
| Home Gardens | § 15-2734, Home Gardens and Edible Landscaping | | | | | | | | | |
| Home Occupations | § 15-2735, Home Occupations | | | | | | | | | |
| Nonconforming Use | Article 4, Nonconforming Uses, Structures, Site Features, and Lots | | | | | | | | | |

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| Temporary Use | § 15-2760, Temporary Uses |
| Transitional and Supportive Housing | § 15-2762, Transitional and Supportive Housing |
| Walk-Up Facilities | § 15-2766, Walk-Up Facilities |
| <p>Specific Limitations:</p> <ol style="list-style-type: none"> 1. Permitted only on upper floors and rear portions of the ground floor, no closer than 30 feet from a public street, public plaza, or park. Exception: Lobbies may occupy ground floor space adjacent to a public street, public plaza, or park. Lobbies may not occupy more than 25 feet of frontage. 2. Permitted only on ground floor. Prohibited on upper floors. 3. Permitted only on ground floor. Prohibited on upper floors. Exception: Also permitted on uppermost floors of buildings over 4 stories in height. 4. Permitted only on ground floor at intersection of two public streets. May not exceed 2,500 square feet in floor area. 5. Permitted south of Inyo Street only. 6. Not allowed between a building and a sidewalk. 7. Permitted if located entirely within a building. When located outdoors, permitted south of Inyo Street only. 8. East of State Route 41 only. <p>[9. Electrified fences are permitted for private parking only pursuant to FMC Section 15-2010.]</p> <p>[10. Electrified fences are permitted pursuant to FMC Section 15-2010.]</p> | |

SECTION 5: This ordinance shall become effective and in full force and effect at 12:01 a.m. on the thirty-first day after its passage.

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

I, TODD STERMER, City Clerk of the City of Fresno, certify that the foregoing ordinance 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

City Clerk

BY: _____
Deputy Date

APPROVED AS TO FORM:
RINA GONZALES,
City Attorney

BY: _____
Name Date
Title