

  
Jen Clark  
DEPARTMENT DIRECTOR

August 17, 2016

FROM: DANIEL ZACK, AICP, Assistant Director  
Development and Resource Management Department

BY: SOPHIA PAGOULATOS, Planning Manager  
Development Services Division

SUBJECT: CONSIDERATION OF PLAN AMENDMENT APPLICATION NO. A-16-006,  
REZONE APPLICATION NO. R-16-007, DEVELOPMENT CODE TEXT  
AMENDMENT APPLICATION NO. TA-16-001 AND RELATED  
ENVIRONMENTAL FINDING FILED BY THE DEVELOPMENT AND RESOURCE  
MANAGEMENT DEPARTMENT DIRECTOR PERTAINING TO 338.66 ACRES  
WITHIN THE CITY OF FRESNO

## RECOMMENDATION

The appropriateness of the proposed project has been examined with respect to its consistency with goals and policies of the Fresno General Plan, the Bullard, Fresno High, McLane, Roosevelt, West Area, and Woodward Park Community Plans, the Tower District Specific Plan, the Fresno Yosemite Airport Land Use Compatibility Plan and the Sierra Sky Park Land Use Policy Plan; its compatibility with surrounding existing uses, and its avoidance or mitigation of potentially significant adverse environmental impacts. These factors have been evaluated as described above and by the accompanying environmental assessment.

Upon consideration of staff evaluation, it can be concluded that proposed Plan Amendment Application No. A-16-006, Rezone Application No. R-16-007, and Text Amendment Application No. TA-16-001 and are appropriate for the project site. Therefore, staff recommends the Planning Commission take the following actions:

1. RECOMMEND APPROVAL (to the City Council) of Environmental Assessment No. A-16-006/R-16-007/TA-16-001, an Addendum to Final Master Environmental Impact Report SCH No. 2012111015 (MEIR) certified by the Fresno City Council on December 18, 2014 for the Fresno General Plan and Development Code, pursuant to California Environmental Quality Act Guidelines Sections 15162 and 15164.
2. RECOMMEND APPROVAL (to the City Council) of Plan Amendment Application No. A-16-006, pertaining to 271.63 acres, to amend the Fresno General Plan (Figure LU-1: Land Use and Circulation Map, and Figure LU-2: Dual Designation Diagram), the Bullard, Fresno High, McLane, Roosevelt, West Area, and Woodward Park Community Plans, the Tower District Specific Plan, the Fresno Yosemite Airport Land Use Compatibility Plan and the Sierra Sky Park Land Use Policy Plan, as described in Exhibit A, Requests 1-25.
3. RECOMMEND APPROVAL (to the City Council) of Rezone Application No. R-16-007, pertaining to 67.03 acres, to amend the City of Fresno Zoning Map to effect technical

changes to zoning on properties that were inadvertently omitted from the zoning map update. The rezones are requested to attain consistency with the approved general plan land use designation, and are further described in Exhibit A, Requests 26-43.

4. RECOMMEND APPROVAL (to the City Council) of Text Amendment Application No. TA-16-001 for minor changes to the Development Code in order to improve functionality, clarity, and internal consistency. Proposed amendments affect the following standards and/or procedures: rear setbacks, private open space, fencing, signage, hours of operation for establishments serving alcohol, design standards within mixed use districts, the apartment house overlay, intersection visibility; the addition of produce stands, urban farms and large family day care to certain zone districts; the deletion of the airport environs and planned development overlay districts (due to redundancy); and posting requirements, among others (see Exhibit B for complete text amendment). The affected sections are 15-404-F, 15-904-A, 15-1004-C-1, 15-1004-D-1-a, 15-1104-D-1, 15-2006-F, 15-2305-C-2, 15-2609-B, 15-2610-E-2, 15-2611-G, 15-2735-G, 15-2741-A-7-a, Table 15-2744-A, 15-2744-C-1, 15-2747, Table 15-751-G, 15-4906-D-1, 15-4906-H, 15-5003-A, 15-5302-D, 15-5602-A, 15-6703, 15-104-A, Table 15-107-B, 15-313, Table 15-902, Table 15-1002, Table 15-1102, 15-1104-G.1, Table 15-1202, Table 15-1302, Table 15-1402, 15-1601, 15-1602, 15-1609-B, 15-2006-F, Table 15-2015-B.4, 15-2018, 15-2102-A, 15-2707, 15-2754, 15-5007-C, 15-5810-A.

## **EXECUTIVE SUMMARY**

On February 4, 2016, as part of its consideration of the zoning map update, the City Council directed that a 180-day grace period be established to allow property owners to request reversion to a zone district equivalent to that existing prior to the zoning map update. Plan Amendment and Rezone Requests 1-25 include such property owner requests (it should be noted that rezones also require plan amendments to maintain consistency). Rezone Requests 26-43 include technical changes to zoning on properties that were inadvertently omitted from the zoning map update in order to bring them into consistency with the planned land use. The text amendment includes minor changes to the Development Code in order to improve functionality, clarity, and internal consistency.

## **BACKGROUND**

In order to provide for the smoothest transition possible after the zoning map update, the City Council directed staff to accept requests which would change the zoning back to a classification which more closely resembled the zoning that previously existed on the site and which was consistent with General Plan goals, policies, and environmental review. This was to be done free of charge for 180 days. The 180-day period concluded recently, and staff is bringing 25 such "cleanup" changes to Planning Commission and City Council for consideration.

A total of 43 requests are included in the proposed action. As previously described, 25 of them are property owner requests to return to an equivalent former zone district as directed

by Council. Seven of these improve consistency with the Tower District Specific Plan and built conditions in that area as requested by neighborhood representatives. The remaining 18 requests have been included to repair inconsistencies with the General Plan land use map that were caused by a minor digital mapping inaccuracy.

The text amendment includes minor changes to the Development Code in order to improve functionality, clarity, and internal consistency. Proposed amendments affect the following standards and/or procedures: rear setbacks, private open space, fencing, signage, hours of operation for establishments serving alcohol, design standards within mixed use districts, the apartment house overlay, intersection visibility; the addition of produce stands, urban farms and large family day care to certain zone districts; the deletion of the airport environs and planned development overlay districts (due to redundancy); and posting requirements, among others (see Exhibit B for complete text amendment).

Staff finds all of the requests and the proposed text amendment to be consistent with general plan goals, objectives, and policies.

### **Public Notice and Comment**

Notice was provided by the following methods pursuant to Fresno Municipal Code (FMC) Sections 15-5007-C and D (See Exhibit C for copies of the mailer sent out to affected property owners):

1. A legal notice was published in the Fresno Bee on August 5, 2016
2. The legal notice was mailed to all affected property owners on August 5, 2016
3. The notice was posted with the City Clerk on August 5, 2016;
4. The proposed amendments were posted on the city's website on the City Clerk's page and at: [www.fresno.gov/gpcleanup](http://www.fresno.gov/gpcleanup)
5. Legal notices were posted at all of the vacant sites that were the subject of Plan Amendment on August 5, 2016
6. A Spanish notice was published in Vida en al Valle on August 10, 2016.

To date, four public comments have been received on the applications, mostly requesting clarification of the amendments and what the impacts are to specific properties. A summary of public comment is included in Exhibit D.

### **Citizen Committees**

Below is a status of the Council District Plan Implementation Committee recommendations, along with those of the Fulton-Lowell and Tower District Design Review Committees. The Airport Land Use Commission found the applications to be consistent with the applicable airport land use compatibility plans during its review on August 1, 2016.

District 1: Scheduled for August 16, 2016  
District 2: Approval, August 8, 2016  
District 3: Scheduled for review on August 15, 2016  
District 4: Continued  
District 5: Approval, August 8, 2016  
District 6: Scheduled for review on August 15, 2016  
Fulton/Lowell Design Review Committee: Continued  
Tower District Design Review Committee: Approval, August 5, 2016

## **ENVIRONMENTAL FINDINGS**

The adoption of the Fresno General Plan and Citywide Development Code were previously analyzed in Master Environmental Impact Report ("MEIR") SCH No. 2012111015, certified by the Fresno City Council on December 18, 2014. The Introduction to the MEIR specifically stated that "[t]he City of Fresno proposes to update their General Plan and Development Code and this Master Environmental Impact Report (MEIR) has been prepared to assess the impacts of those actions on the environment." The Plan Amendment presented includes minor amendments to the General Plan land use map adopted in December of 2014. Plan Amendment Application No. A-16-006 and Rezone Application No. R-16-007 propose 43 clean up amendments to the General Plan Land Use and Circulation Map and the Zoning Map for one of the following reasons: 1) to implement City Council direction provided in February 2016 allowing property owners to request a reversion to previously existing zoning on their property (Requests 1-7 and 16-25); to bring property into conformance with an existing specific plan (Requests 8-13); or to make technical corrections to zoning for consistency with the land use designation (Requests 26-43). These land use changes were analyzed would not result in additional impacts beyond those analyzed in the MEIR.

Since the proposed project will not result in additional impacts, it may be determined that: (1) The project falls within the scope of MEIR No. SCH 2012111015 prepared for the Fresno General Plan and Citywide Development Code; (2) No substantial changes are proposed in the project which require major revisions to the previous environmental finding due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; (3) No substantial changes will occur with respect to the circumstances under which the project is undertaken; and, (4) No new information, which was not known and could not have been known, at the time the environmental finding for MEIR No. SCH 2012111015 was adopted, has become available.

Therefore, the City of Fresno has determined that an addendum to MEIR No. SCH 2012111015 is appropriate given that none of the conditions described in Section 15162 of the CEQA Guidelines calling for preparation of a subsequent EIR have occurred; and new information added is only for the purposes of providing minor changes or additions, in accordance with Section 15164 of the CEQA Guidelines.

REPORT TO THE PLANNING COMMISSION  
Plan Amendment Application No. A-16-006  
Rezone Application No. R-16-007  
Text Amendment Application No. TA-16-001  
August 17, 2016  
Page 5

## **LOCAL PREFERENCE**

N/A – no contracts under consideration.

## **FISCAL IMPACT**

N/A

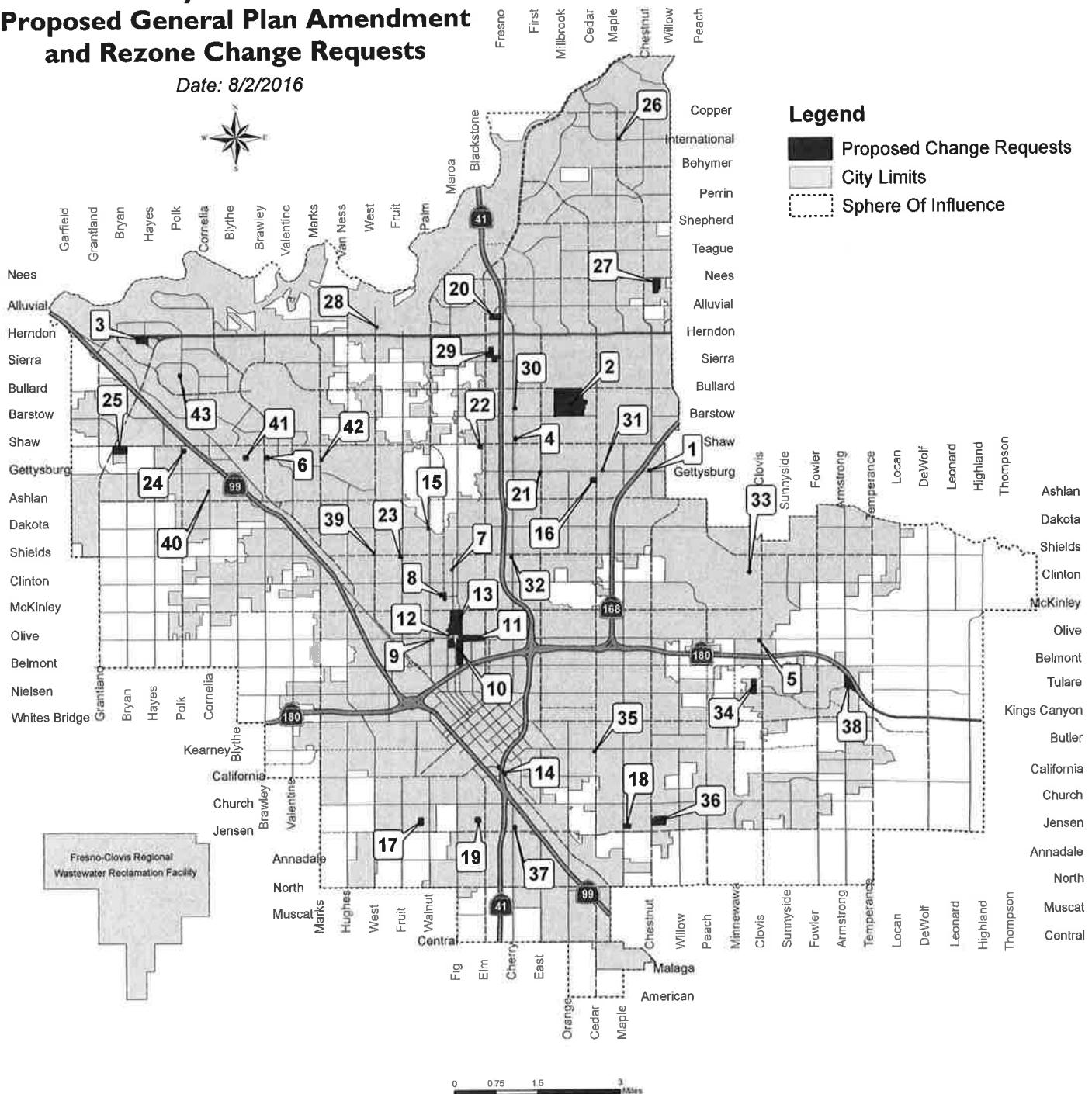
### Attachments:

- Exhibit A: Plan Amendment Application No. A-16-006 and Rezone Application No. R-16-007 Table and Maps
- Exhibit B: Text Amendment Application No. TA-16-001
- Exhibit C: Public Notice
- Exhibit D: Public Comment
- Exhibit E: Environmental Assessment

**Exhibit A**  
**Plan Amendment Application No. A-16-006,**  
**Rezone Application R-15-007**  
**Maps & Table**

# City of Fresno Proposed General Plan Amendment and Rezone Change Requests

Date: 8/2/2016



City of Fresno Proposed General Plan Amendment and Rezones - August 2, 2016

Number	Area	APN	Current				Proposed				Acres	
			Planned Land Use		Zoning		Planned Land Use		Zoning			
			Prefix	Description	Prefix	Description	Prefix	Description	Prefix	Description		
1	Chestnut and Gettysburg	43025313 and 14	RMH	Residential Medium High Density	RM-1	Residential Multi-Family, Medium High Density	CC	Commercial - Community	CC	Commercial - Community	0.86	
2	Bullard and Cedar	41803027, 41810101-08, 41810201-16, 41810301-16, 41810401-16, 41810501-08, 41811101-08, 41811201-15, 19-23, 26 and 27, 41811301-12, 41811401-13, 41811501-08, 41812101-15, 41812201-11, 41812301-22, 41813101-20, 21T, 22-39, 41813201-16 and 19, 41814101-08, 41814201, 04-08, 41814301-04, 41814401-05, 41814501-16, 41814601-15, 41827101-03, 06-10, 41827202-16, 41827301 and 02, 41827401-07, 41828101-11, 41828201-10, 13, 16-29, 31, 32, and 34, 41828301-04, 41832101, 04, 07, 09-11, and 13, 41832201-14, 41832301-07, 41833101-06, 41833201-09, 15-17, and 19, 41833301-05, 41838101-10, 41838201-08, 11-18, 41839101-17, 23-32, 41839201, 04-12, 41839410, and 41841001-09	RML	Residential Medium Low Density	RS-4	Residential Single Family, Medium Low Density	RL	Residential Low Density	RS-3	Residential Single Family, Low Density	120.35	
3	Herndon and Hayes	50409130-34	RUN	Residential Urban Neighborhood	RM-2	Residential Multi-Family, Urban Neighborhood	CO	Employment - Office	O	Office	11.36	
4	Keats and Fresno	41820102 and 30	RML	Residential Medium Low Density	RS-4	Residential Single Family, Medium Low Density	CO	Employment - Office	O	Office	0.74	
5	Olive and Clovis	45603015	CMX	Corridor/Center Mixed-Use	CMX	Corridor/Center Mixed Use	CGH	Commercial - General	CG	Commercial - General	20.23	
6	Shaw and Brawley	42402118	RMX	Regional Mixed-Use	RMX	Regional Mixed-Use	IL	Employment - Light Industrial	IL	Industrial Light	2.01	
7	Tower District (Princeton and Wishon)	44324112	RM	Residential Medium Density	RS-5	Residential Single-Family, Medium Density	NMX	Neighborhood Mixed-Use	NMX	Neighborhood Mixed-Use	0.26	
8	Tower District (Echo and Weldon)	44414305-09, 44415301, 02 and 28S, 44422101, 02, 28, and 29	CC	Commercial - Community	CC	Commercial - Community	CMS	Commercial - Main Street	CMS	Commercial - Main Street	2.90	
9	Tower District (Palm and Olive)	45202106	RH	Residential High Density	RM-3	Residential Multi-Family, High Density	CMS	Commercial - Main Street	CMS	Commercial - Main Street	0.17	
10	Tower District (Van Ness and Belmont)	45204105	RH	Residential High Density	RM-3	Residential Multi-Family, High Density	CMS	Commercial - Main Street	CMS	Commercial - Main Street	0.74	
	Tower District (Van Ness and Belmont)	45220701, 06-08, 45228216, 45204501-03, 45204601 and 07, 45212101-03, 45212501-06, 45212601, 05, 07, and 10, 45220103-08, 45220212, 13, 15-19, 24 and 28, 45220601-03, 45228101, 02, 05, 06, 10, 13, 19 and 20, 45228217, 19-25 and 28	RMH	Residential Medium High Density	RM-1	Residential Multi-Family, Medium High Density	CMS	Commercial - Main Street	CMS	Commercial - Main Street	14.66	
11	Tower District (Olive and Blackstone)	45205303-07, 08-10	PF	Public Facility	RS-5	Residential Single-Family, Medium Density	CMS	Commercial - Main Street	CMS	Commercial - Main Street	1.67	
	Tower District (Olive and Blackstone)	45127321-23, 45127411-16, 45127412-16, 45127511-14, 45128110 and 14, 45128212-17, and 31, 45128312-15, 45128511-13, 45204202 and 03, 45204303, 45204308, 09, 11, 12, 45205101, 03, 04, 25-27, 45205202, 03, and 17	RM	Residential Medium Density	RS-5	Residential Single-Family, Medium Density	CMS	Commercial - Main Street	CMS	Commercial - Main Street	9.67	
12	Tower District (Wishon and McKinley)	45126302, 05-07, 18, 19, 45126401, 11, 13, and 15	CGH	Commercial - General	CG	Commercial - General	CMS	Commercial - Main Street	CMS	Commercial - Main Street	2.68	
	Tower District (Wishon and McKinley)	45104314, 16 and 18, 45104611 and 12, 45111602, 08, and 14, 45118301-03, 10, 15-18, 45126204 and 30, 45126301, 08, 09, 12, 15, and 16	RM	Residential Medium Density	RS-5	Residential Single-Family, Medium Density	RUN	Residential Urban Neighborhood	RM-2	Residential Multi-Family, Urban Neighborhood	6.25	
	Tower District (Wishon and McKinley)	45104206, 07, and 16, 45104312 and 17, 45104506-10, 45104601, 10, 11, 16 and 17, 45111206-09, 45111301, 07-10, 45111504-07, 45118304-07, 09, and 17, 45118401, 10, 12, 13, and 16, 45126213 and 14T	RM	Residential Medium Density	RS-5	Residential Single-Family, Medium Density	CMS	Commercial - Main Street	CMS	Commercial - Main Street	10.67	
13	Tower District (Van Ness and McKinley)	45105110, 16 and 17, 45105215, 16 and 25, 45112214-22, and 24, 45112101-10	CC	Commercial - Community	CC	Commercial - Community	CMS	Commercial - Main Street	CMS	Commercial - Main Street	4.54	
	Tower District (Van Ness and McKinley)	45126404-07	CGH	Commercial - General	CG	Commercial - General	CMS	Commercial - Main Street	CMS	Commercial - Main Street	1.07	

City of Fresno Proposed General Plan Amendment and Rezones - August 2, 2016

	Tower District (Van Ness and McKinley)	45105101-08, 45105201, 17-19, 21 and 26	CO	Employment - Office	O	Office	CMS	Commercial - Main Street	CMS	Commercial - Main Street	2.31
13 Continue d	Tower District (Van Ness and McKinley)	45126402 and 03, 45118402-09, 45111603 and 05, 45111302-04, 06, 11 and 12, 45104608-10, 45104313 and 21	RM	Residential Medium Density	RS-5	Residential Single-Family, Medium Density	RUN	Residential Urban Neighborhood	RM-2	Residential Multi-Family, Urban Neighborhood	5.72
	Tower District (Van Ness and McKinley)	45127101-04, 45119201, 14, 15, 17, 18-24 and 26, 45119102, 05, 06, 10, 12, 16-18, 45127201, 13, 14, and 17-22	RMH	Residential Medium High Density	RM-1	Residential Multi-Family, Medium High Density	CMS	Commercial - Main Street	CMS	Commercial - Main Street	5.62
14	G and SR 41	Not assigned yet	None	None	None	None	PF	Public/Quasi Public Facility	PI	Public and Institutional	2.37
15	Palm and Dakota	43506219	RMH	Residential Medium High Density	RM-1	Residential Multi-Family, Medium High Density	CC	Commercial - Community	CC	Commercial - Community	0.15
16	Gettysburg and Cedar	42807223	RM	Residential Medium Density	RS-5	Residential Single-Family, Medium Density	CC	Commercial - Community	CC	Commercial - Community	3.33
17	Jensen and Walnut	47720048T	CO	Employment - Office	O	Office	PB/P	Open Space - Ponding Basin (Park Use)	OS	Open Space	4.47
18	Jensen and Maple	48003060	RMH	Residential Medium High Density	RM-1	Residential Multi-Family, Medium High Density	RUN	Residential Urban Neighborhood	RM-2	Residential Multi-Family, Urban Neighborhood	3.53
19	Elm and Jensen	47902052	NP	Open Space - Neighborhood Park	PR	Parks and Recreation	NP with RM Dual Designation Land Use	Open Space - Neighborhood Park with Residential Medium Density Dual Designation Land Use	RS-5	Residential Single-Family, Medium Density	3.16
20	Alluvial and Abby	30320127	NP	Open Space - Neighborhood Park	PR	Parks and Recreation	CR	Commercial - Regional	CR	Commercial - Regional	7.75
21	Gettysburg and First	42804145	RM	Residential Medium Density	RS-5	Residential Single-Family, Medium Density	CC	Commercial - Community	CC	Commercial - Community	0.48
22	Blackstone and Shaw	42509213	NP	Open Space - Neighborhood Park	RS-4	Residential Single-Family, Medium Low Density	NP with CMX Dual Designation Land Use	Open Space - Neighborhood Park with Corridor/Center Mixed-Use Dual Land Use Designation	CMX	Corridor/Center Mixed-Use	2.25
23	Shields and Fruit	44303209 and 44303249	RMH	Residential Medium High Density	RM-1	Residential Multi-Family, Medium High Density	CC	Commercial - Community	CC	Commercial - Community	0.84
24	Shaw and Polk	51022019, 51022020, 51022038, 51022038, 51022040, and 51022041	CG	Commercial - General	CG	Commercial - General	RUN	Residential Urban Neighborhood	RM-2	Residential Multi-Family, Urban Neighborhood	1.52
25	Shaw and Bryan	51203028, 51203031, 51203032, 51203033, 51203037, 51203038, 51203052, and 51203082	RMH	Residential High Density	RM-3	Residential Multi-Family, High Density	RMX	Regional Mixed-Use	RMX	Regional Mixed-Use	17.32

Total: 271.63

Rezone Change Requests Only - Numbers 26 through 43

Number	Area	APN	Current Zoning		Proposed Zoning		Acres
			Prefix	Description	Prefix	Description	
26	International and Maple	57801001T	PR	Parks and Recreation	PI	Public and Institutional	1.11
27	Nees and Willow	40407240S	PI	Public and Institutional	RS-4	Residential Single-Family, Medium Low Density	4.70
28	Herndon and West	40548344ST	PR	Parks and Recreation	PI	Public and Institutional	0.44
29	Sierra and Blackstone	40805009, 40805037, and 40805004	RM-MH	Mobile Home Park	CMX	Corridor/Center Mixed-Use	11.23
30	Barstow and Fresno	41802110T	PR	Parks and Recreation	PI	Public and Institutional	0.84
31	Gettysburg and Cedar	43014021T	PR	Parks and Recreation	PI	Public and Institutional	0.39

City of Fresno Proposed General Plan Amendment and Rezones - August 2, 2016

32	Shields and Fresno	44504143T	PR	Parks and Recreation	PI	Public and Institutional	0.61
33	Shields and Clovis	49406051T	PR	Parks and Recreation	PI	Public and Institutional	0.87
34	Tulare and Clovis	46202024	RM-MH	Mobile Home Park	CMX	Corridor/Center Mixed-Use	9.65
35	Butler and Cedar	47106228T	PR	Parks and Recreation	PI	Public and Institutional	0.38
36	Jensen and Chestnut	48111037T	RM-MH	Mobile Home Park	RS-5	Residential Single Family, Medium Low Density	18.29
37	Jensen and Cherry	47932002T	PR	Parks and Recreation	PI	Public and Institutional	1.10
38	Tulare and Armstrong	31327044T	PR	Parks and Recreation	BP	Business Park	12.79
39	Shields and West	43335408	PR	Parks and Recreation	PI	Public and Institutional	0.81
40	Gettysburg and Cornelia	51032632T and 51032633T	PR	Parks and Recreation	PI	Public and Institutional	0.19
41	Shaw and Brawley	51043301T	IL	Industrial Light	PR	Parks and Recreation	2.37
42	Shaw and Marks	42432126T	PR	Parks and Recreation	PI	Public and Institutional	0.34
43	Bullard and Polk	50618249ST	PR	Parks and Recreation	PI	Public and Institutional	0.92

Total: 67.03

# *City of Fresno Proposed General Plan Amendment and Rezone Change Requests - August 1, 2016*

1

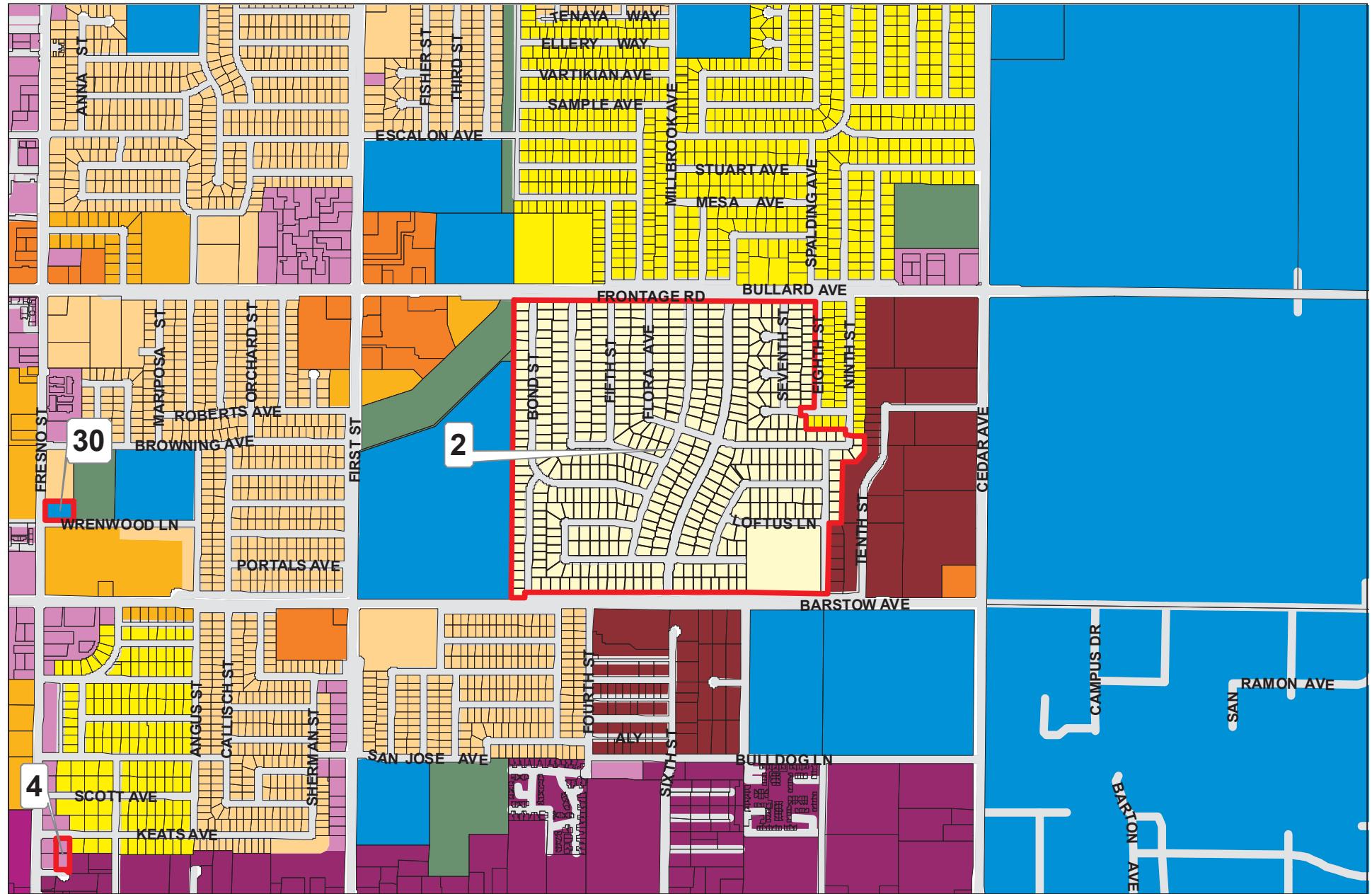


1 inch = 76 feet



# *City of Fresno Proposed General Plan Amendment and Rezone Change Requests - August 1, 2016*

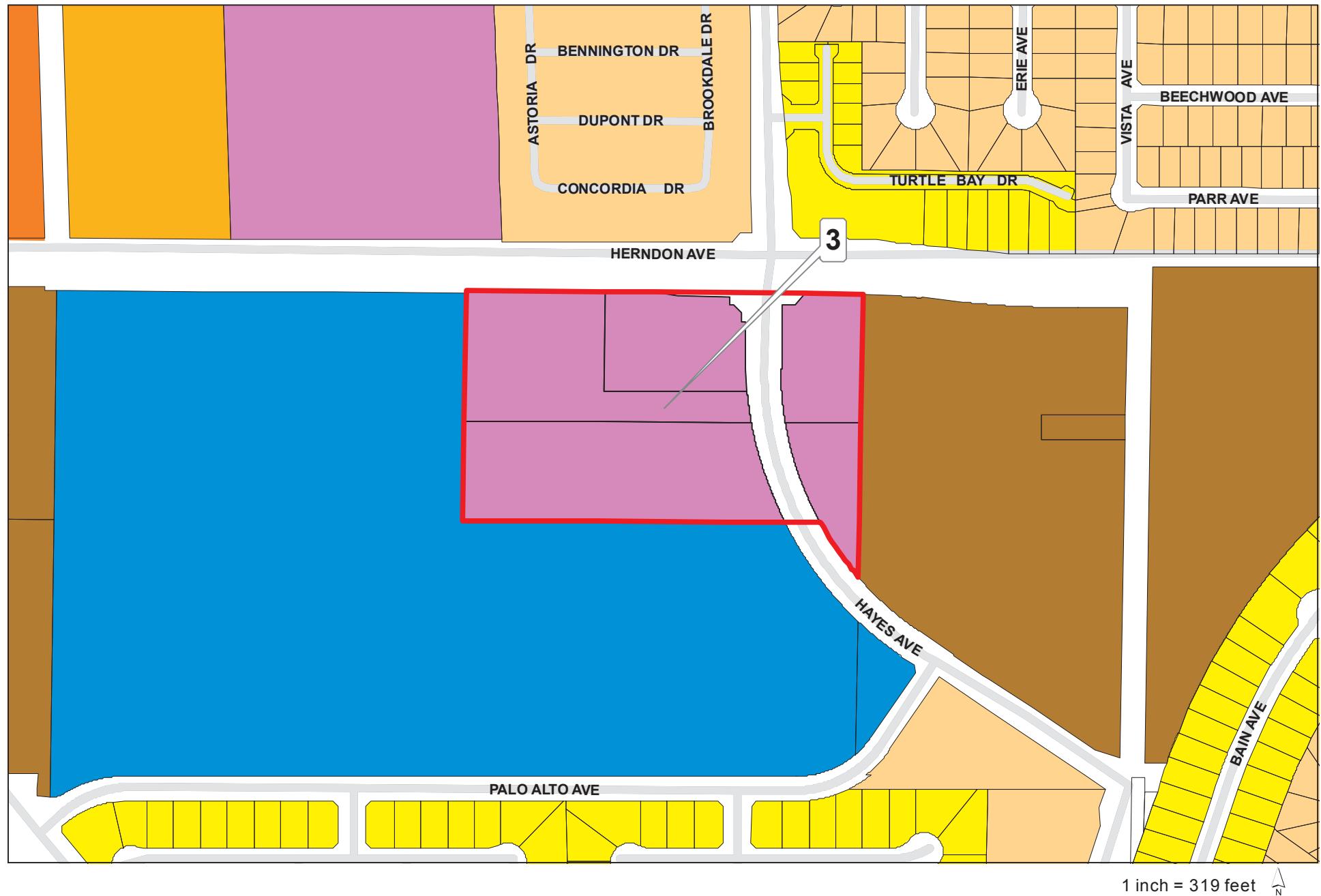
2



1 inch = 1,148 feet

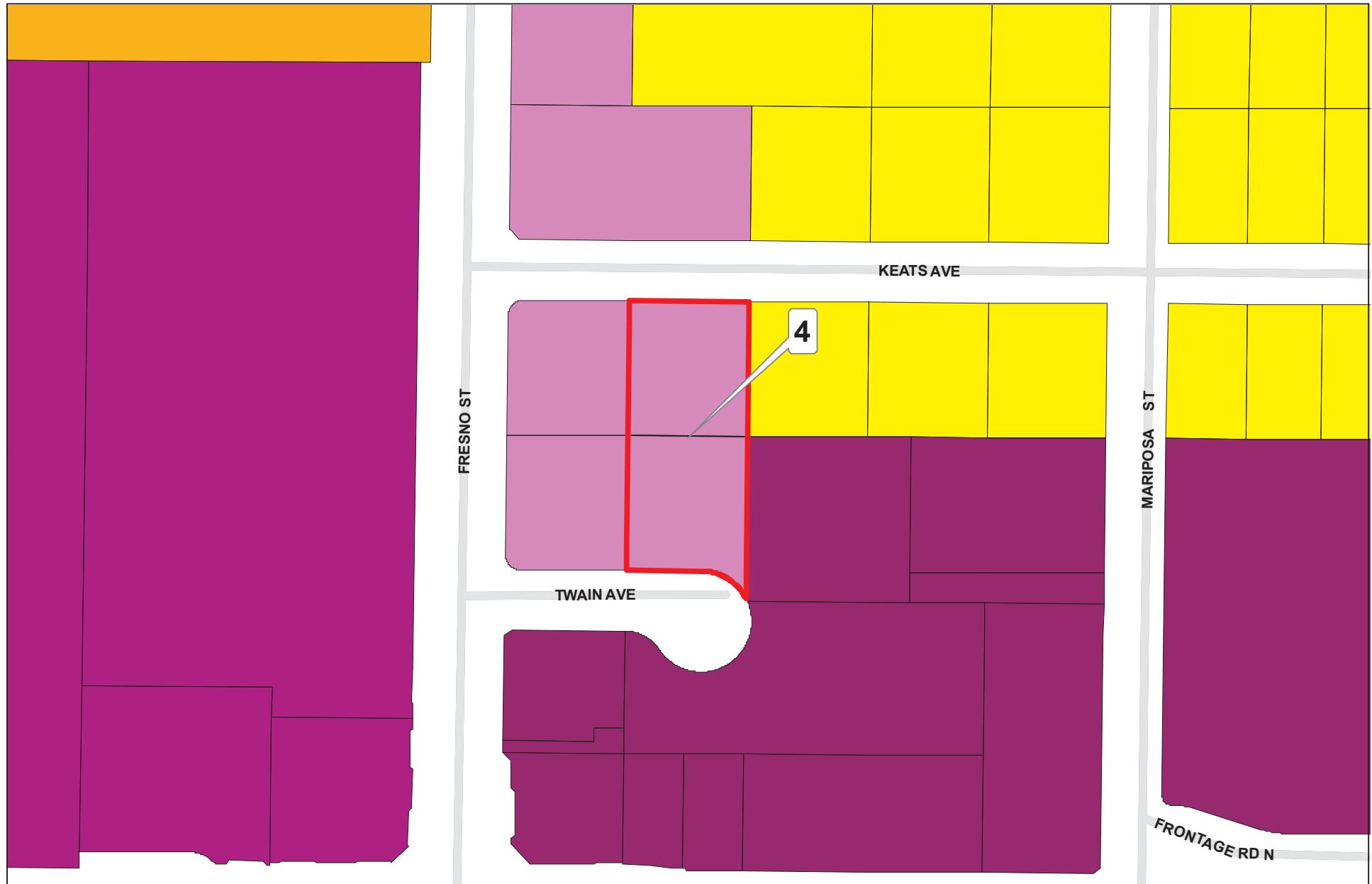
# *City of Fresno Proposed General Plan Amendment and Rezone Change Requests - August 1, 2016*

3



# *City of Fresno Proposed General Plan Amendment and Rezone Change Requests - August 1, 2016*

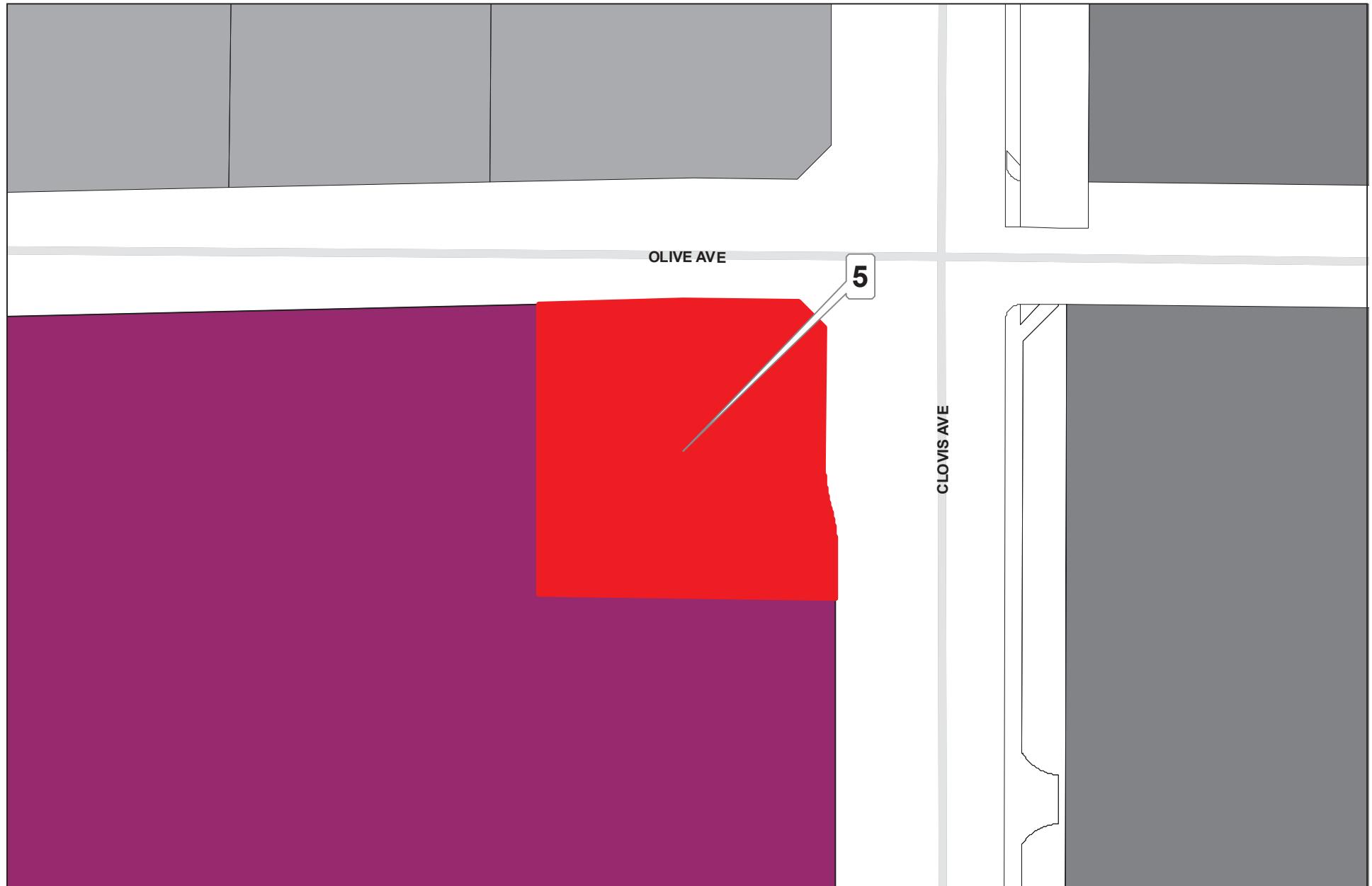
4



1 inch = 135 feet 

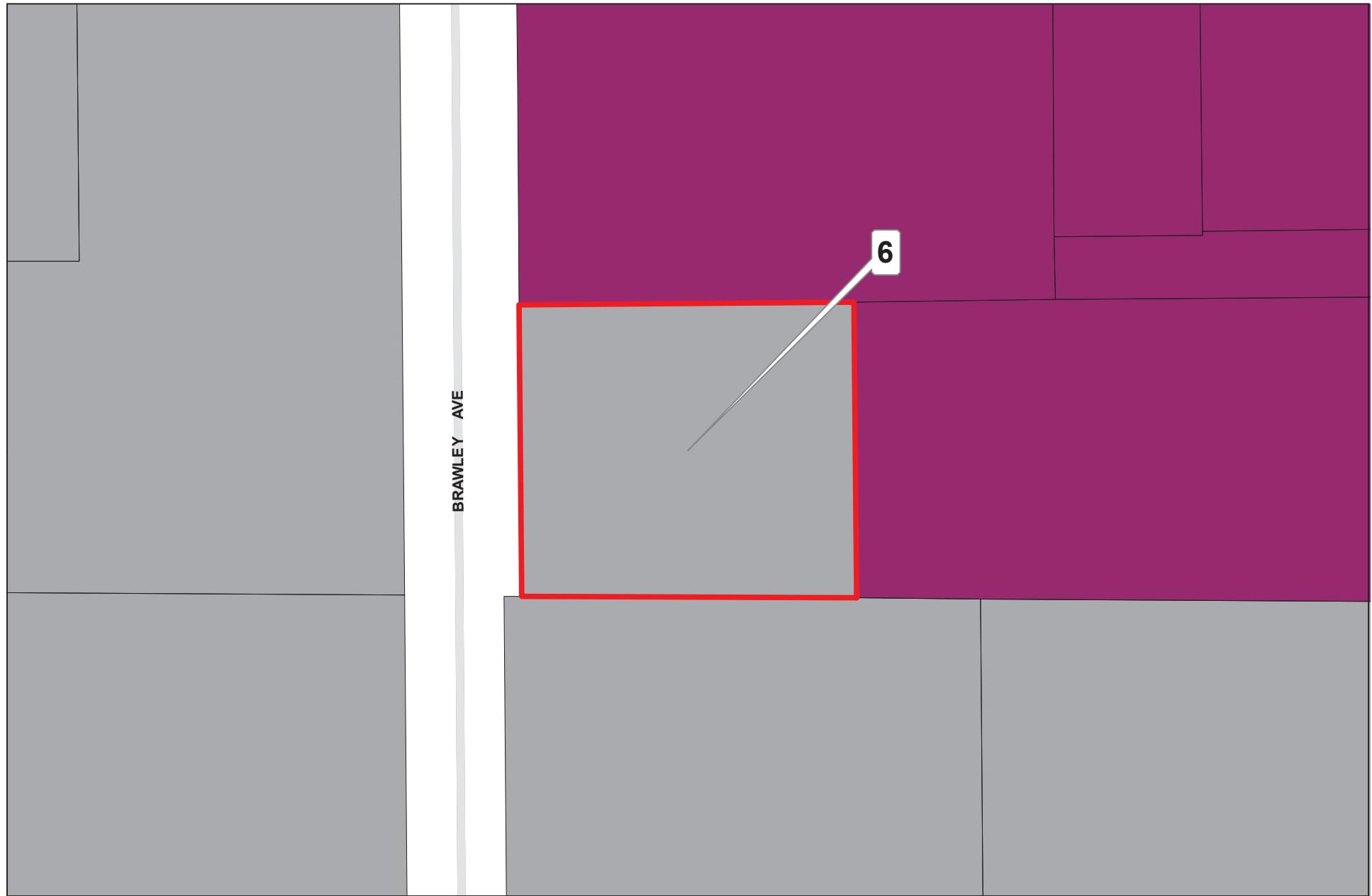
*City of Fresno Proposed General Plan Amendment  
and Rezone Change Requests - August 1, 2016*

5



*City of Fresno Proposed General Plan Amendment  
and Rezone Change Requests - August 1, 2016*

6



1 inch = 128 feet 

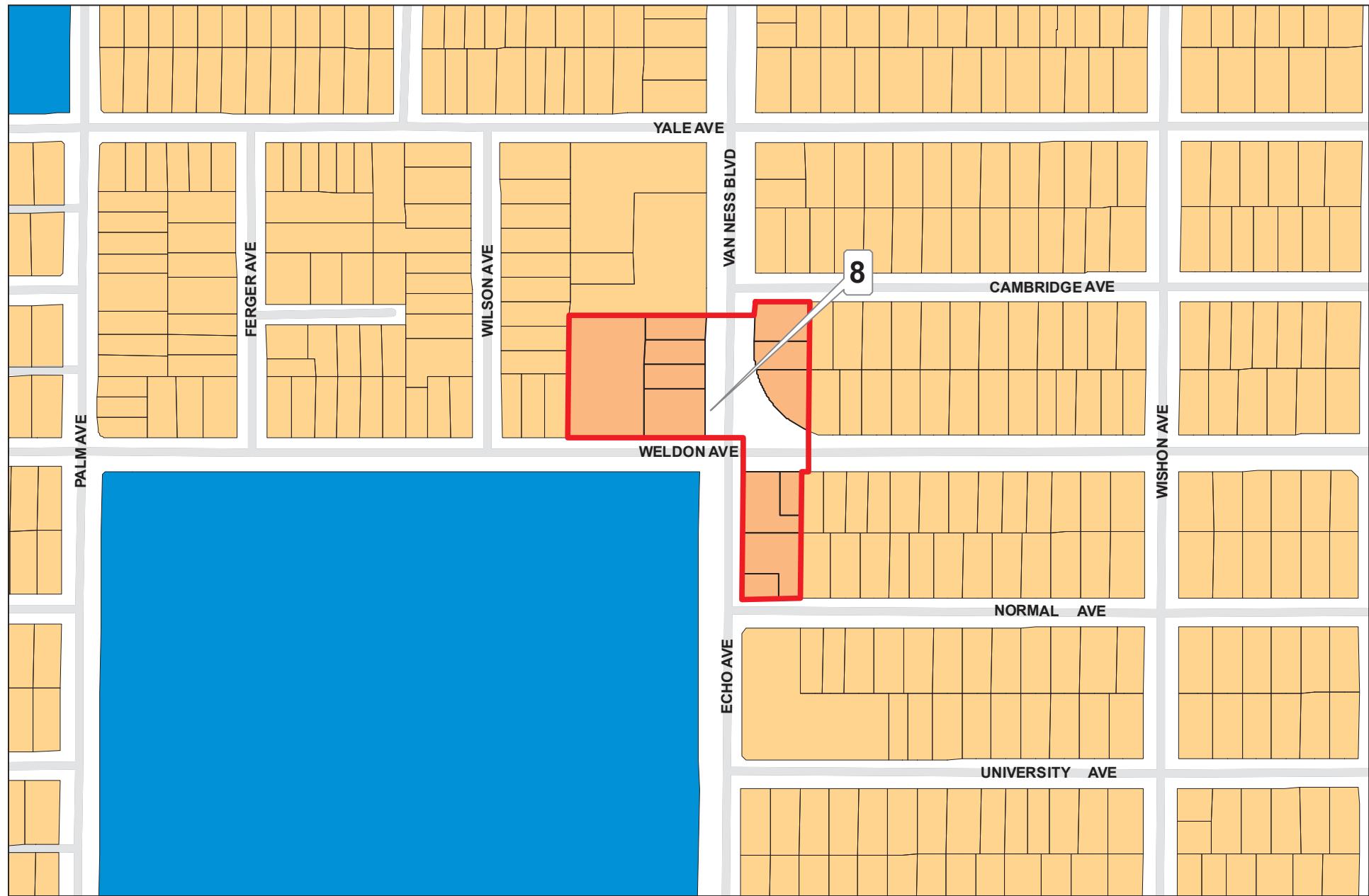
# *City of Fresno Proposed General Plan Amendment and Rezone Change Requests - August 1, 2016*

7



# *City of Fresno Proposed General Plan Amendment and Rezone Change Requests - August 1, 2016*

8

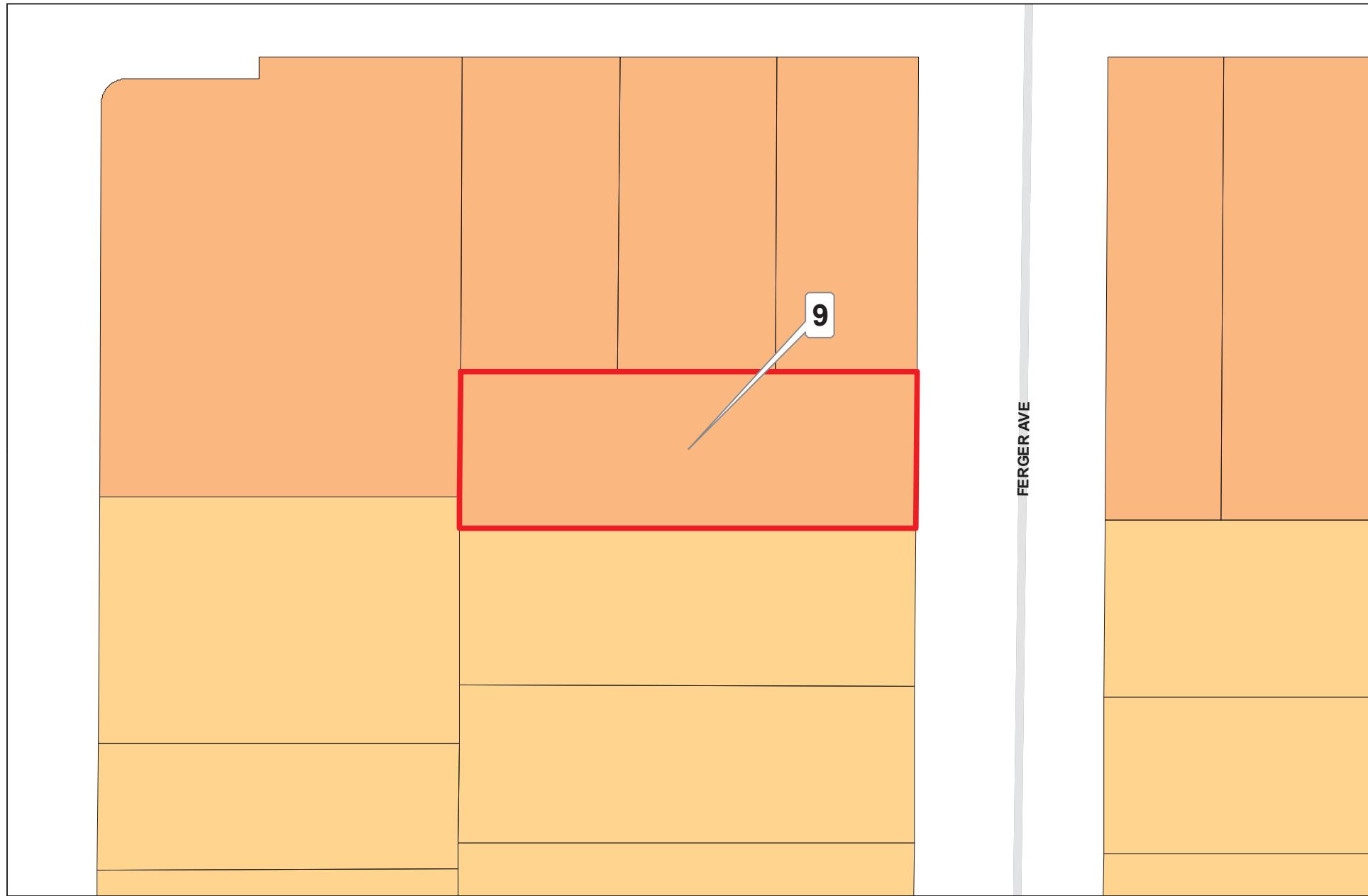


1 inch = 279 feet



*City of Fresno Proposed General Plan Amendment  
and Rezone Change Requests - August 1, 2016*

9

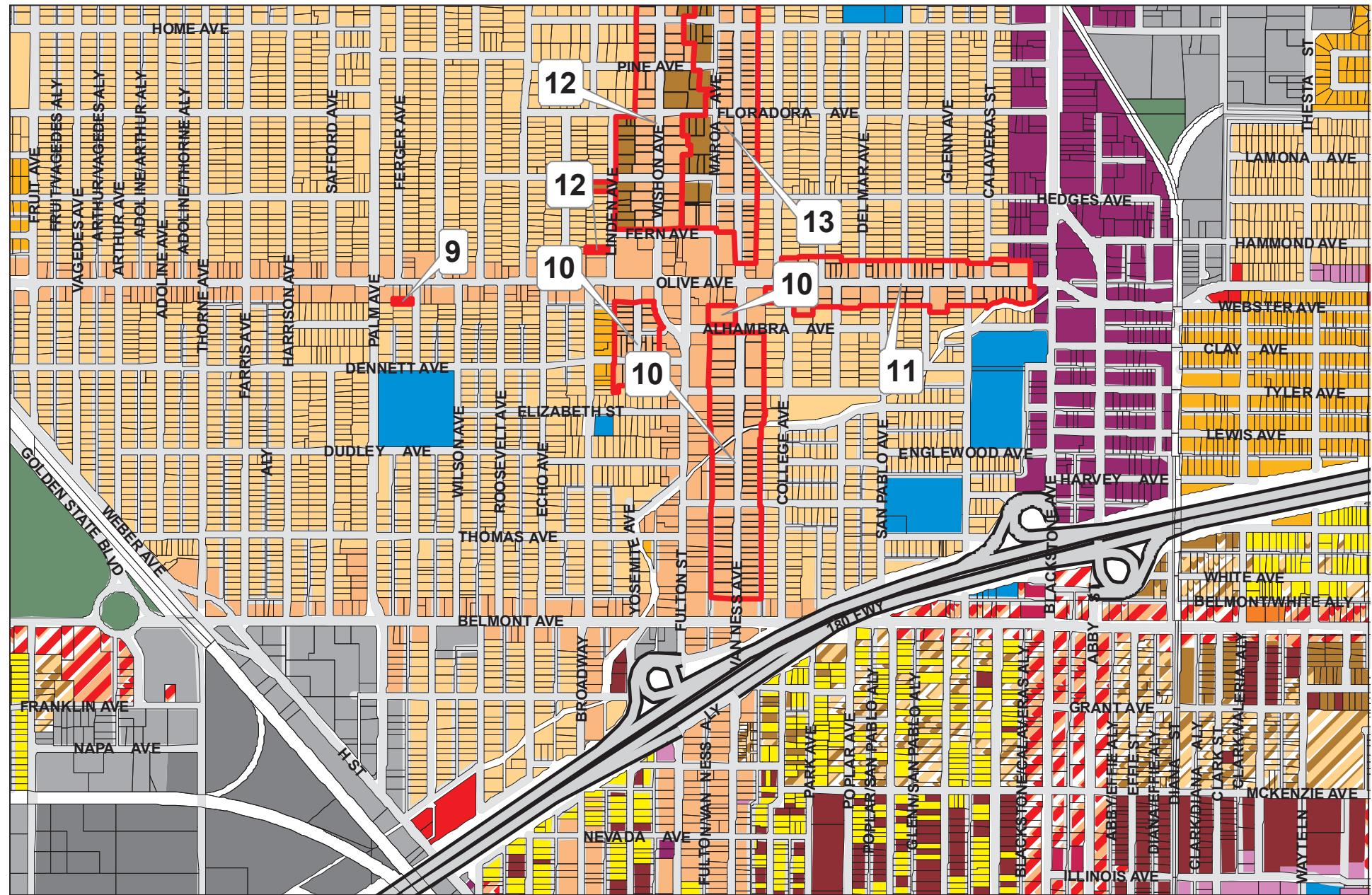


1 inch = 43 feet



# *City of Fresno Proposed General Plan Amendment and Rezone Change Requests - August 1, 2016*

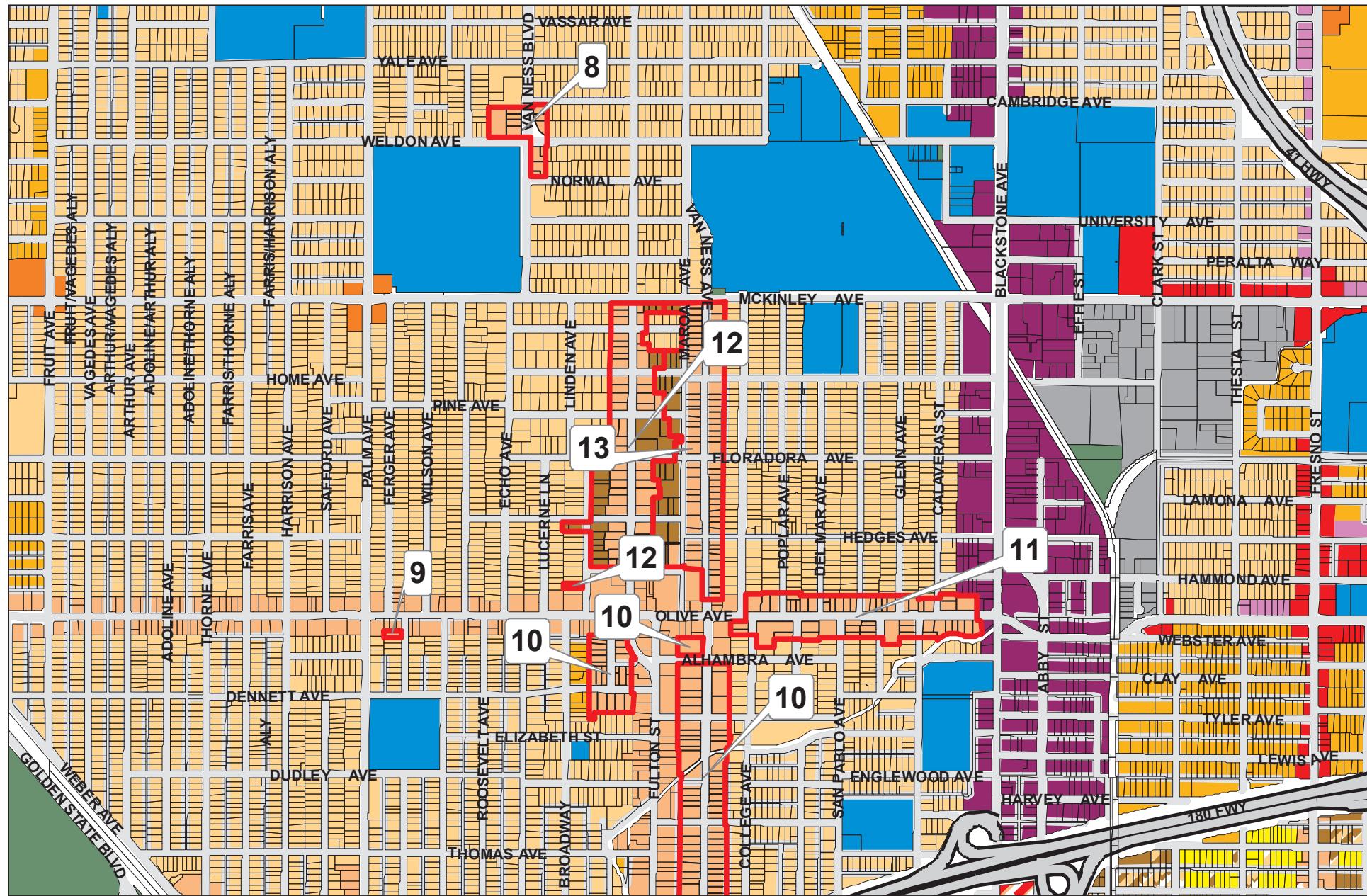
10 and 11



1 inch = 1,058 feet

# *City of Fresno Proposed General Plan Amendment and Rezone Change Requests - August 1, 2016*

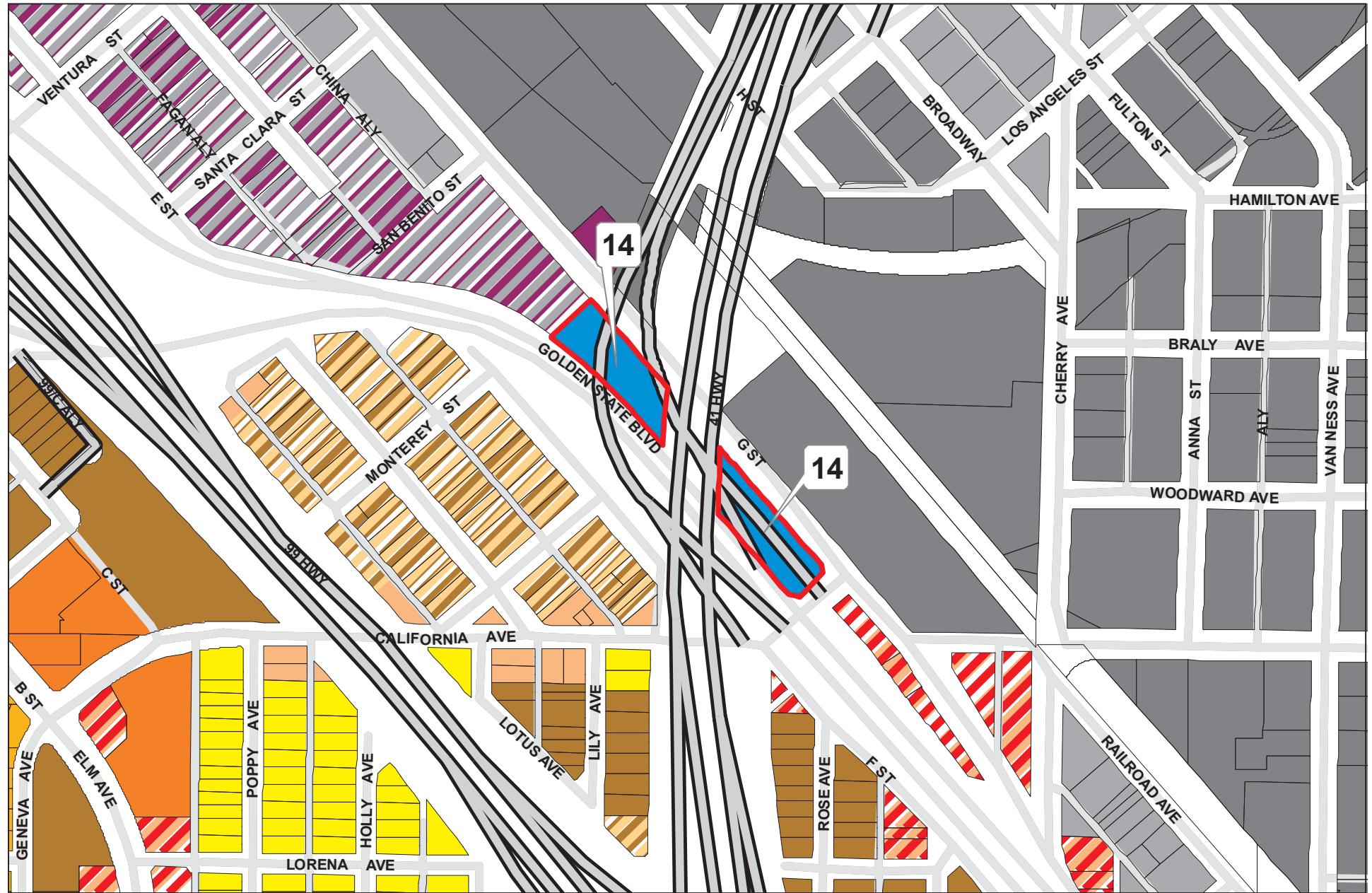
12 and 13



1 inch = 1,137 feet

# *City of Fresno Proposed General Plan Amendment and Rezone Change Requests - August 1, 2016*

14



1 inch = 393 feet



*City of Fresno Proposed General Plan Amendment  
and Rezone Change Requests - August 1, 2016*

15

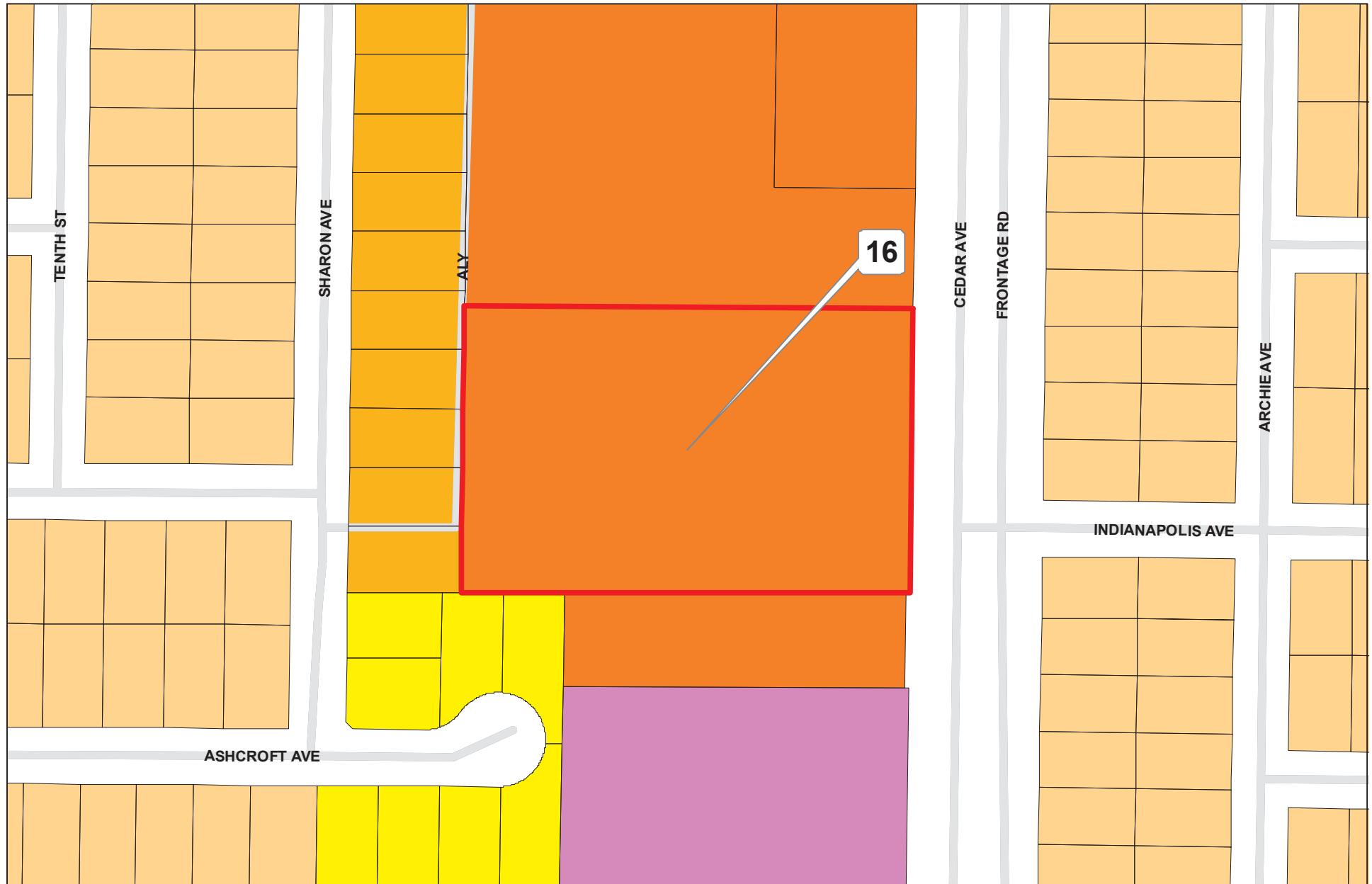


1 inch = 52 feet



# *City of Fresno Proposed General Plan Amendment and Rezone Change Requests - August 1, 2016*

16

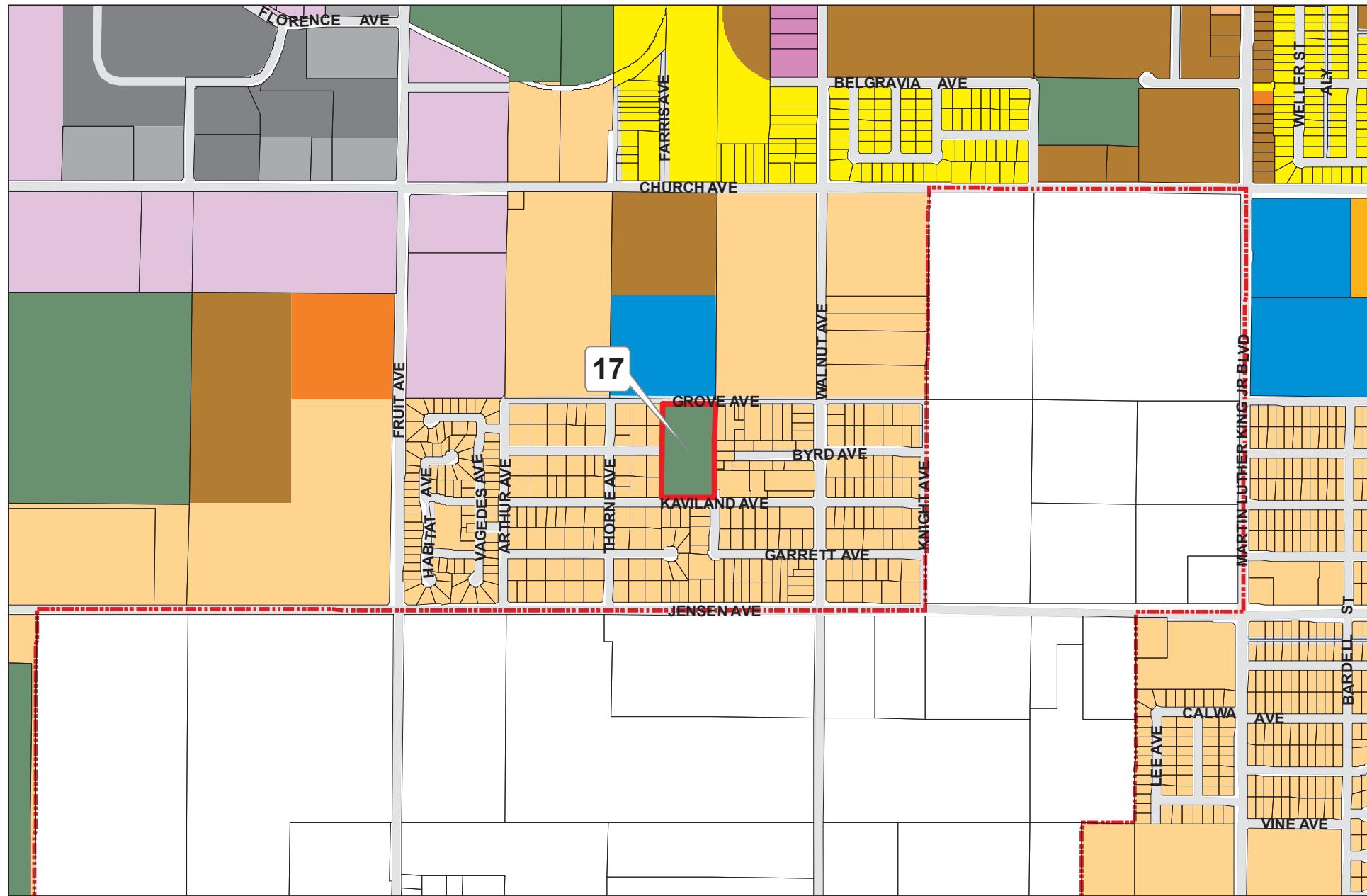


1 inch = 144 feet



# *City of Fresno Proposed General Plan Amendment and Rezone Change Requests - August 1, 2016*

17

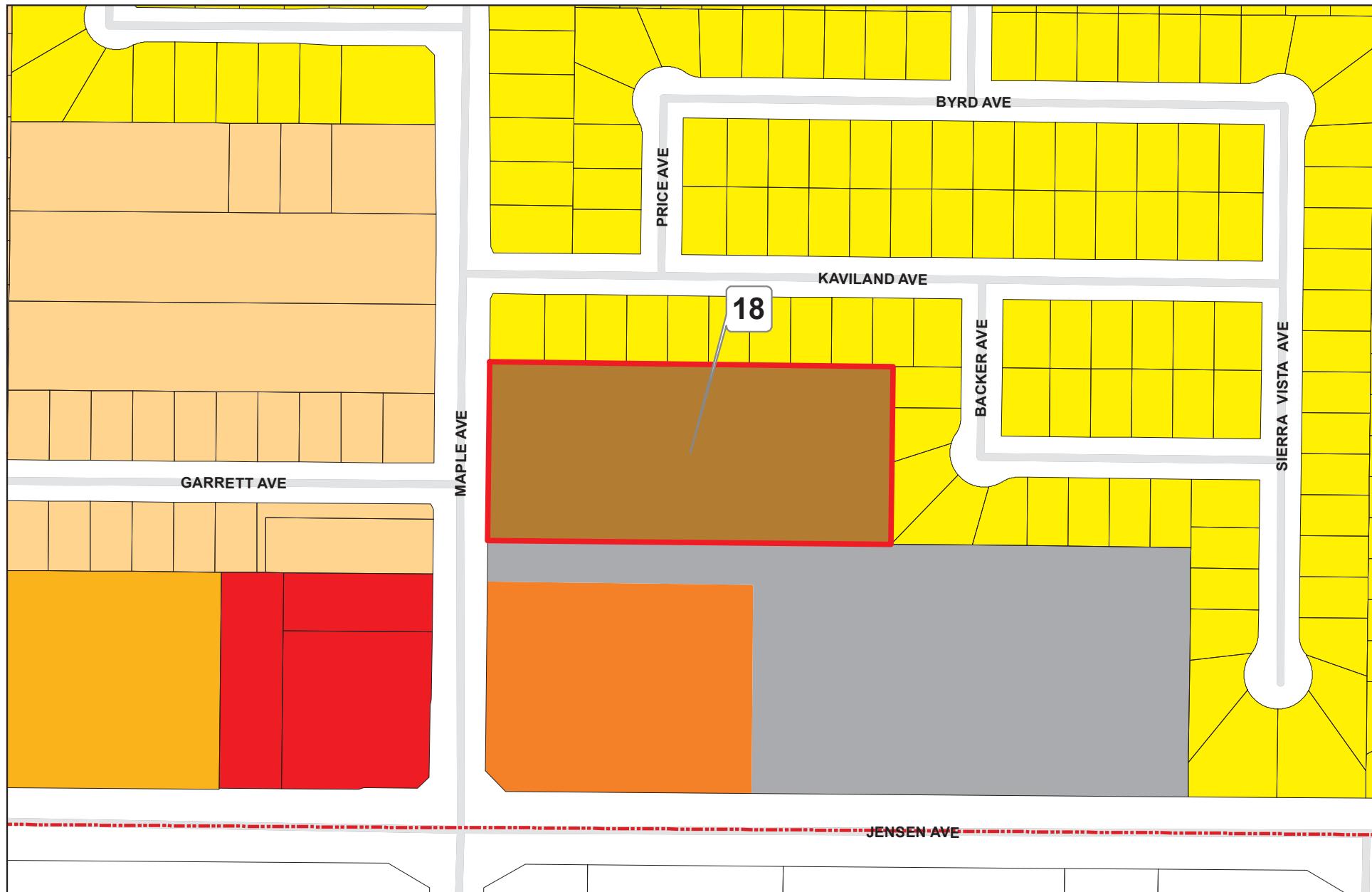


1 inch = 853 feet



# *City of Fresno Proposed General Plan Amendment and Rezone Change Requests - August 1, 2016*

18

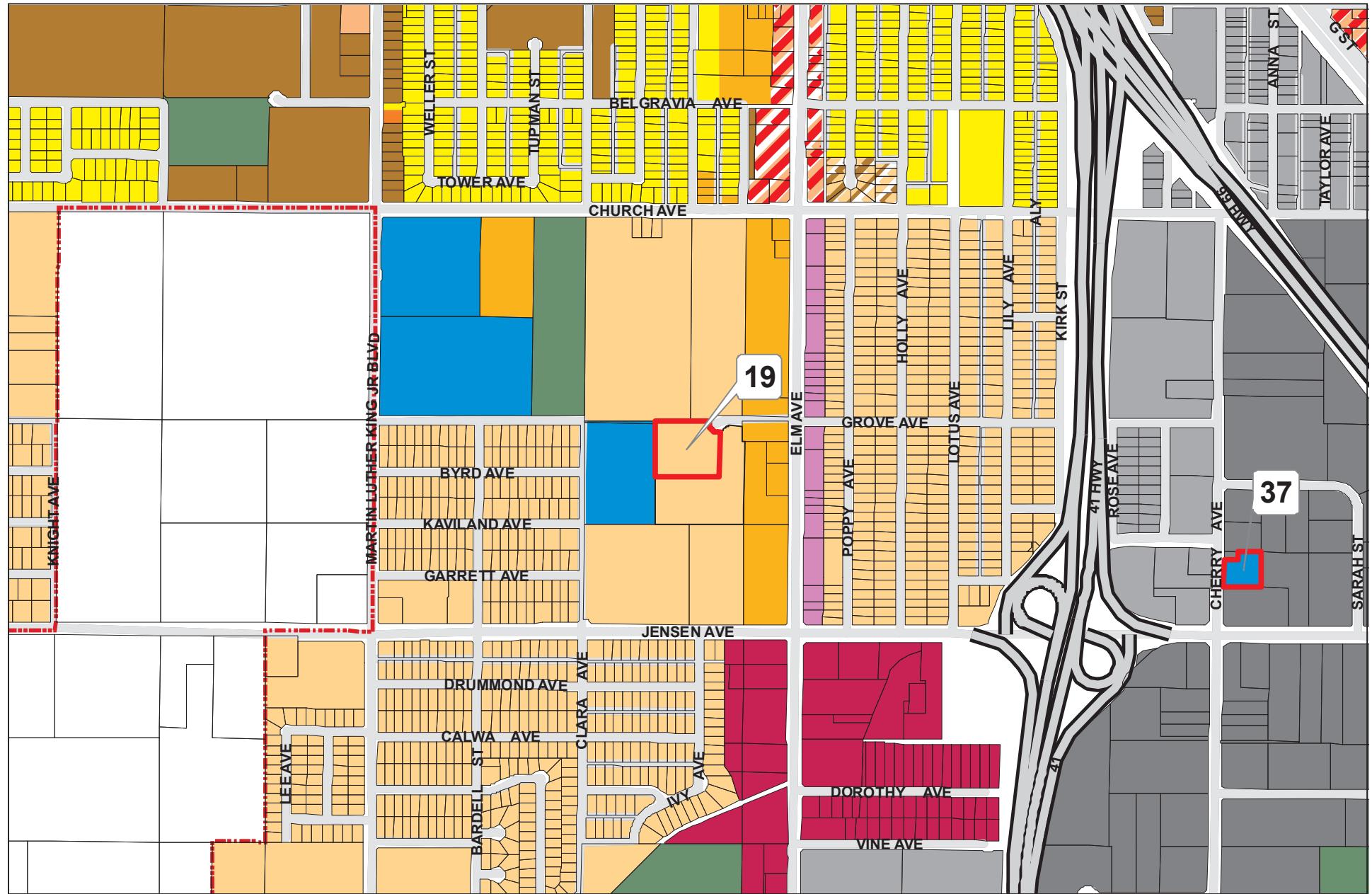


1 inch = 200 feet



# *City of Fresno Proposed General Plan Amendment and Rezone Change Requests - August 1, 2016*

19

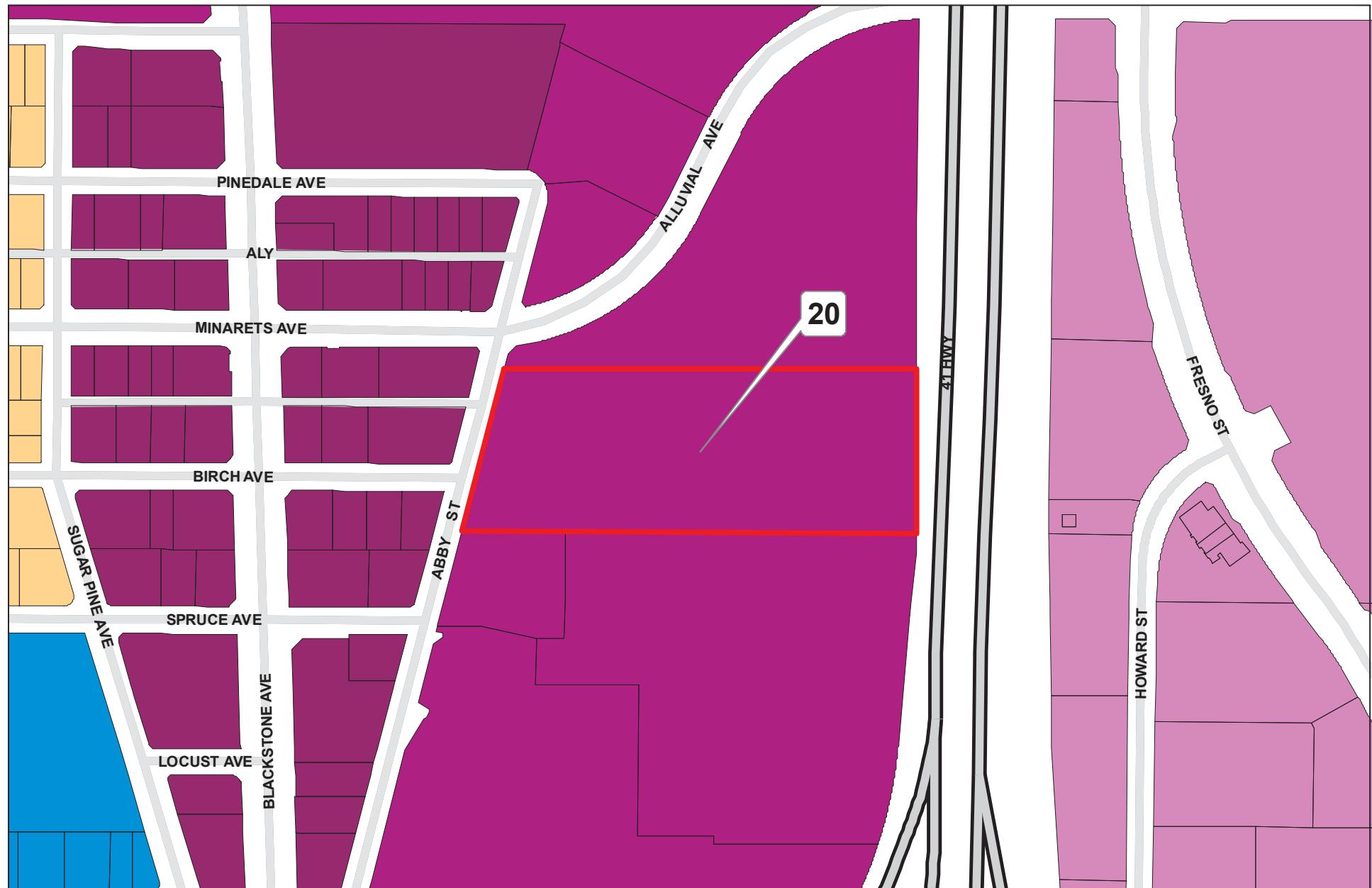


1 inch = 853 feet



# *City of Fresno Proposed General Plan Amendment and Rezone Change Requests - August 1, 2016*

20



1 inch = 298 feet



# *City of Fresno Proposed General Plan Amendment and Rezone Change Requests - August 1, 2016*

21

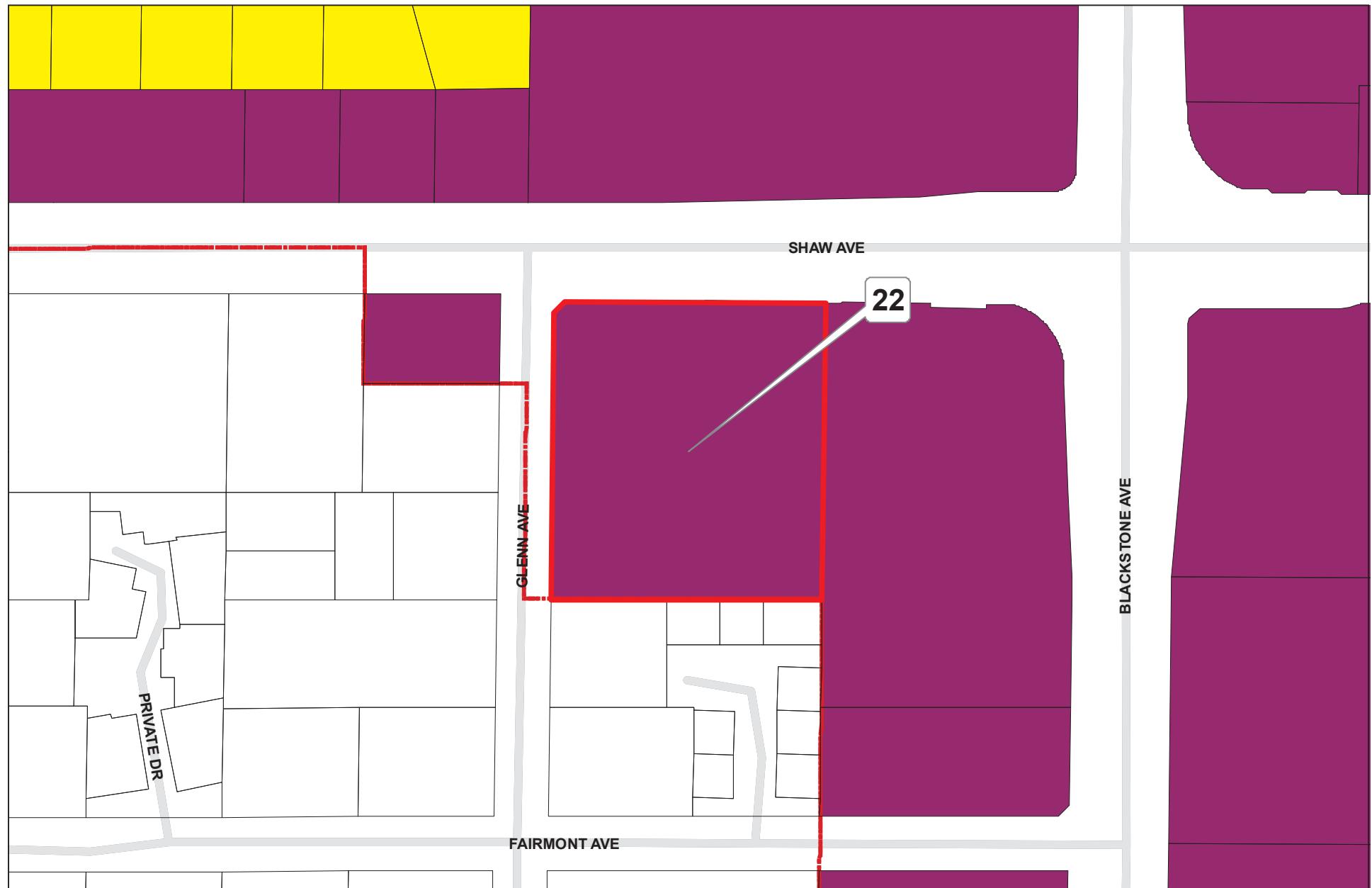


1 inch = 69 feet



# *City of Fresno Proposed General Plan Amendment and Rezone Change Requests - August 1, 2016*

22



1 inch = 150 feet 

# *City of Fresno Proposed General Plan Amendment and Rezone Change Requests - August 1, 2016*

23



1 inch = 73 feet



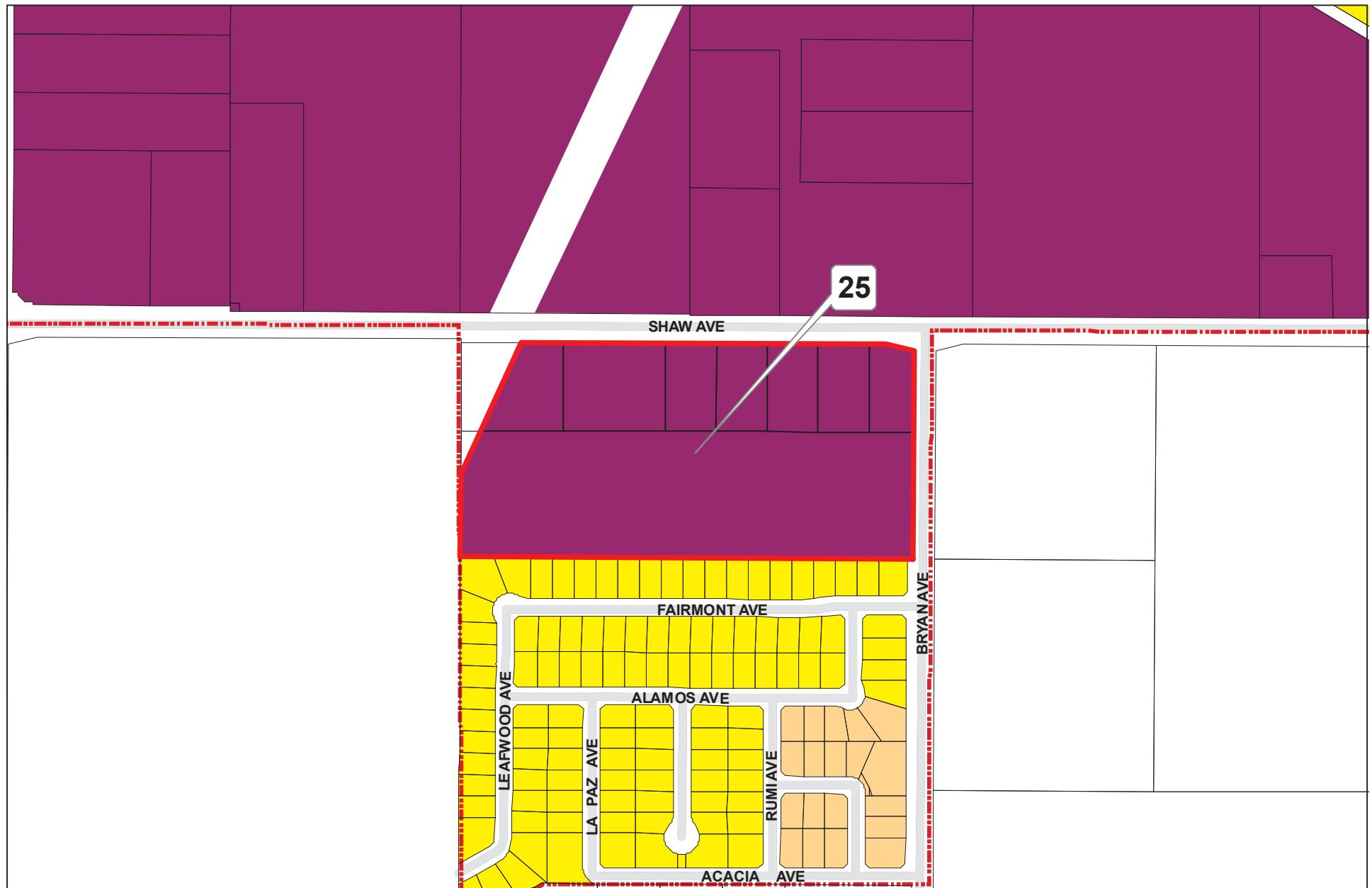
# *City of Fresno Proposed General Plan Amendment and Rezone Change Requests - August 1, 2016*

24



# *City of Fresno Proposed General Plan Amendment and Rezone Change Requests - August 1, 2016*

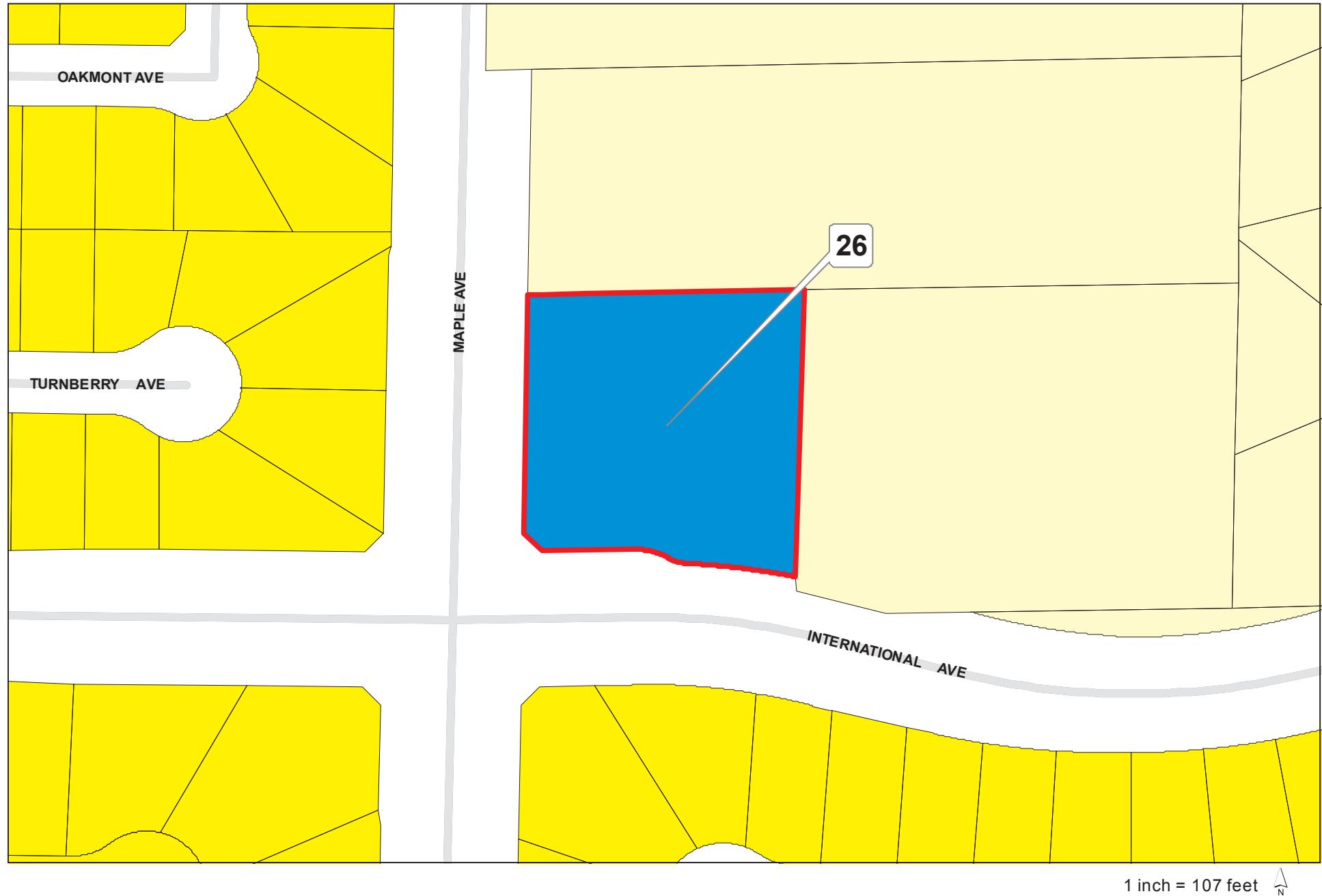
25



1 inch = 388 feet

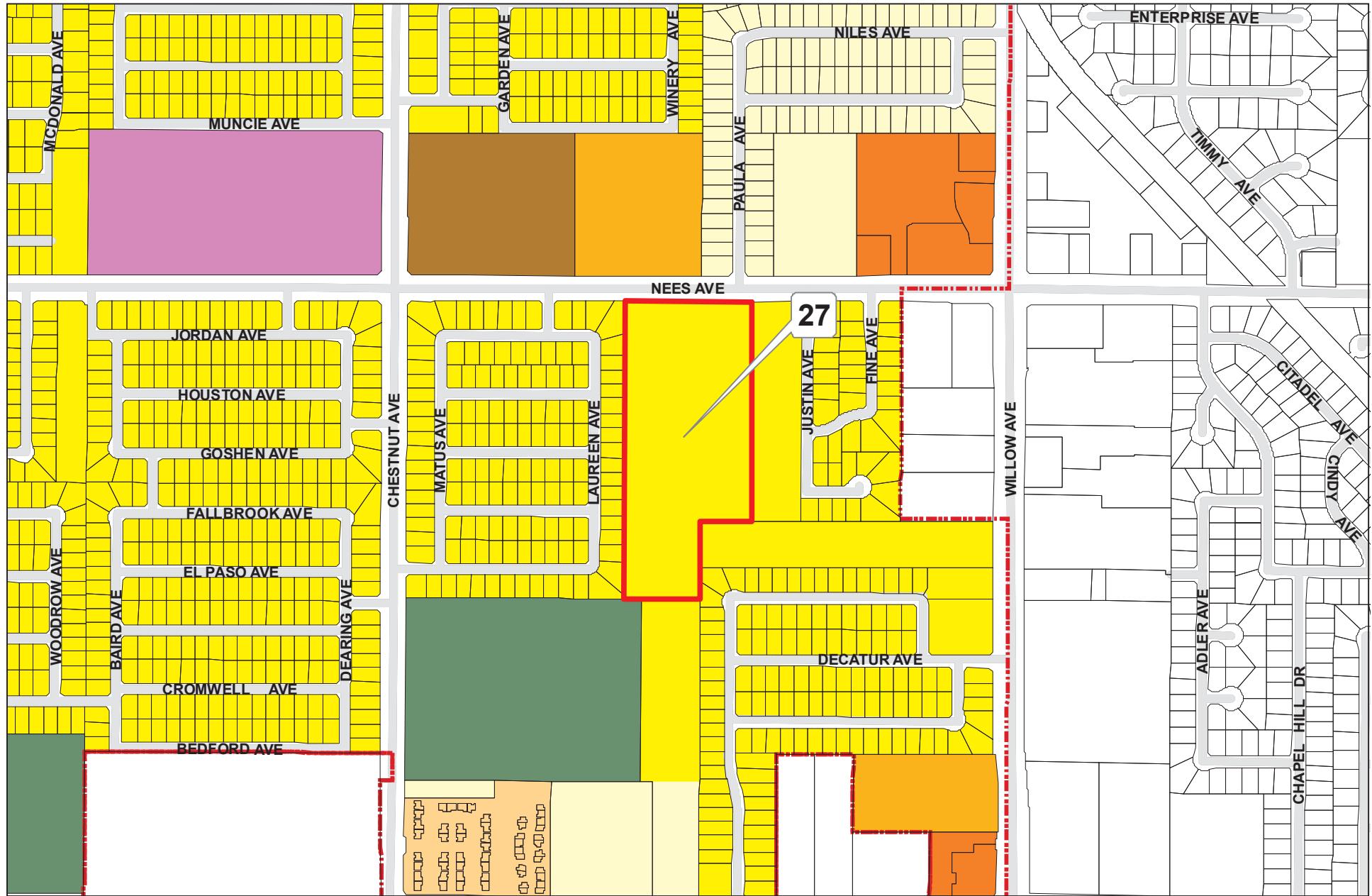
# *City of Fresno Proposed General Plan Amendment and Rezone Change Requests - August 1, 2016*

26



# *City of Fresno Proposed General Plan Amendment and Rezone Change Requests - August 1, 2016*

27

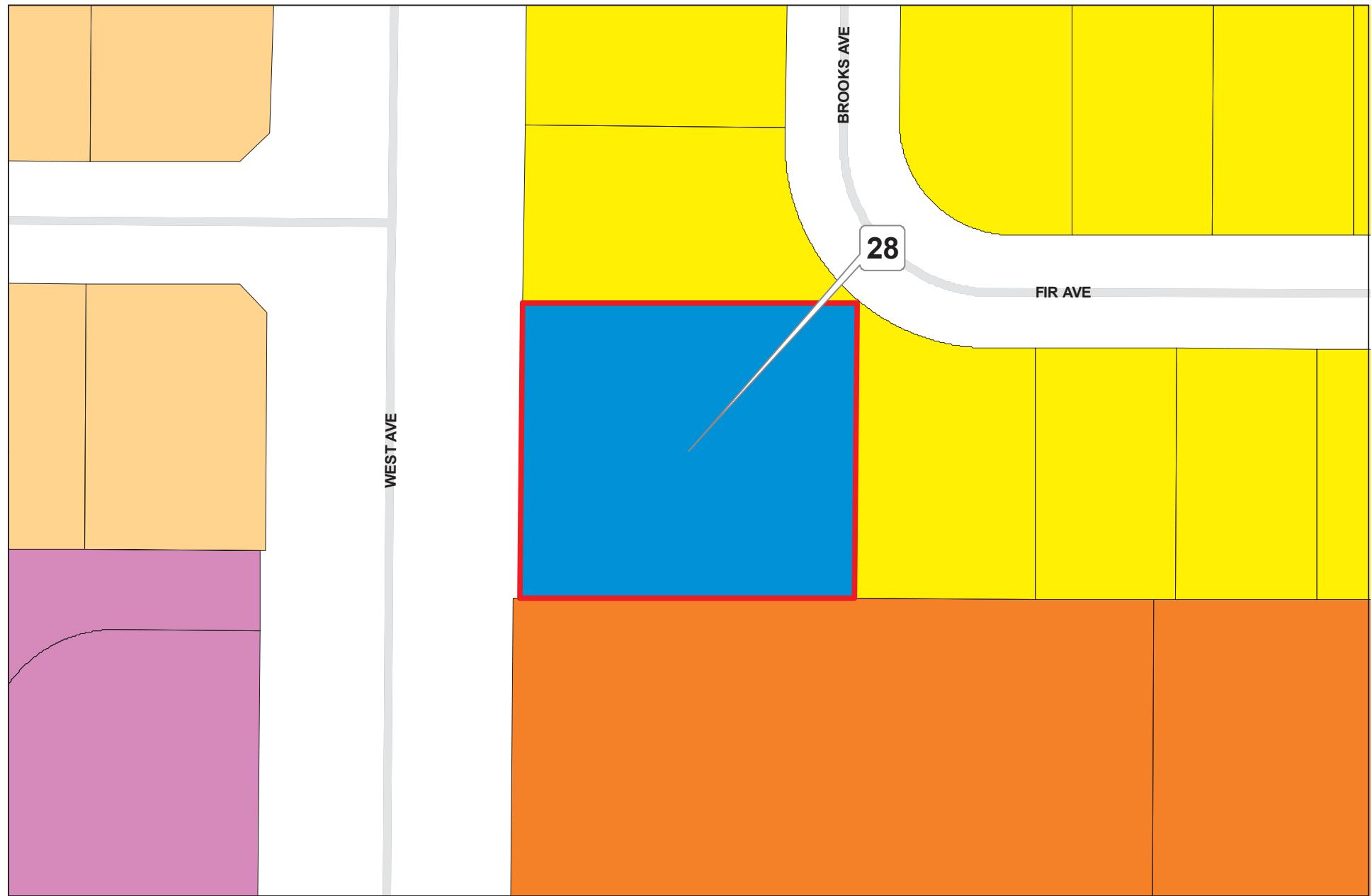


1 inch = 584 feet



*City of Fresno Proposed General Plan Amendment  
and Rezone Change Requests - August 1, 2016*

28

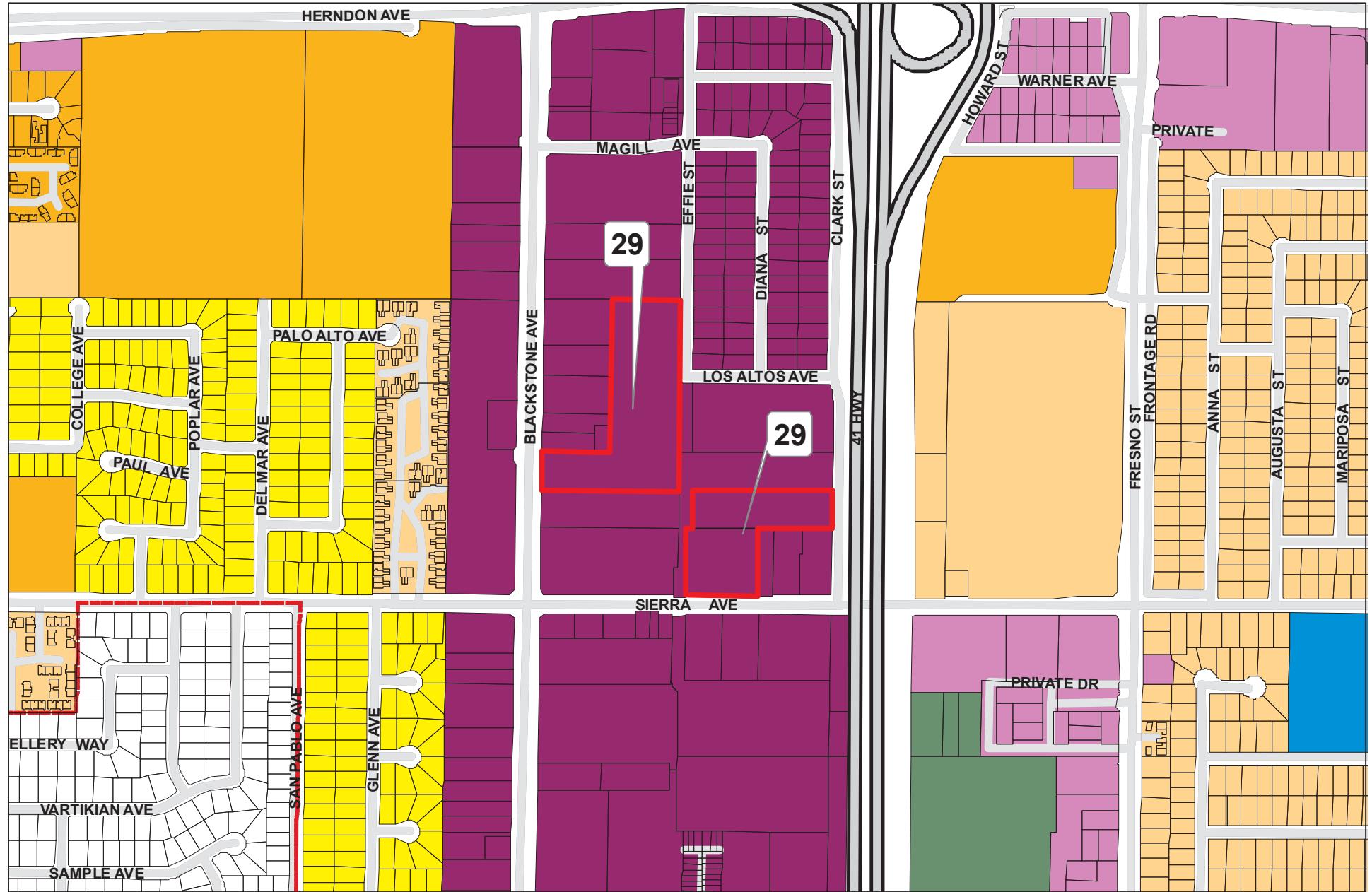


1 inch = 60 feet



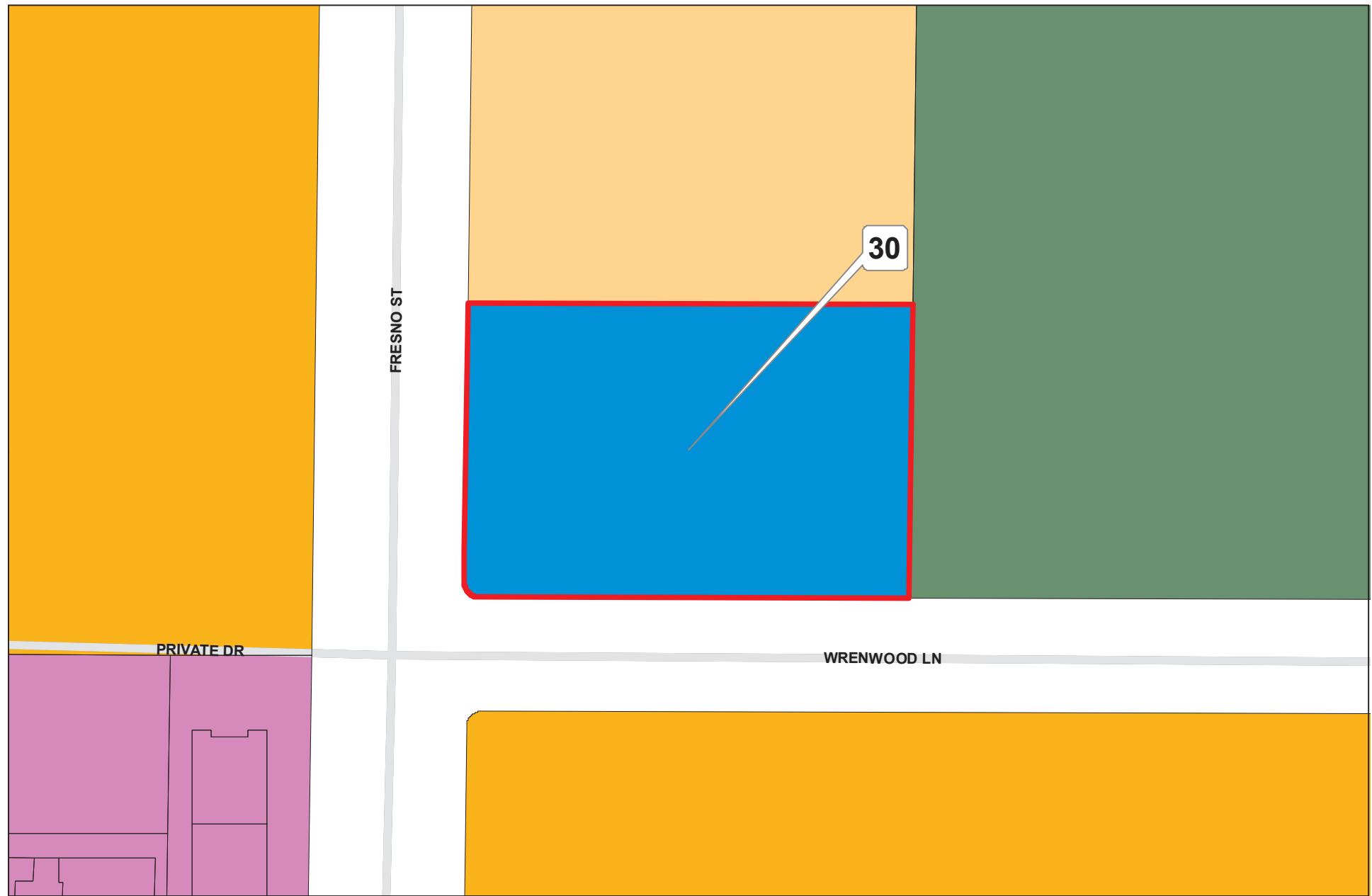
# *City of Fresno Proposed General Plan Amendment and Rezone Change Requests - August 1, 2016*

29



# *City of Fresno Proposed General Plan Amendment and Rezone Change Requests - August 1, 2016*

30

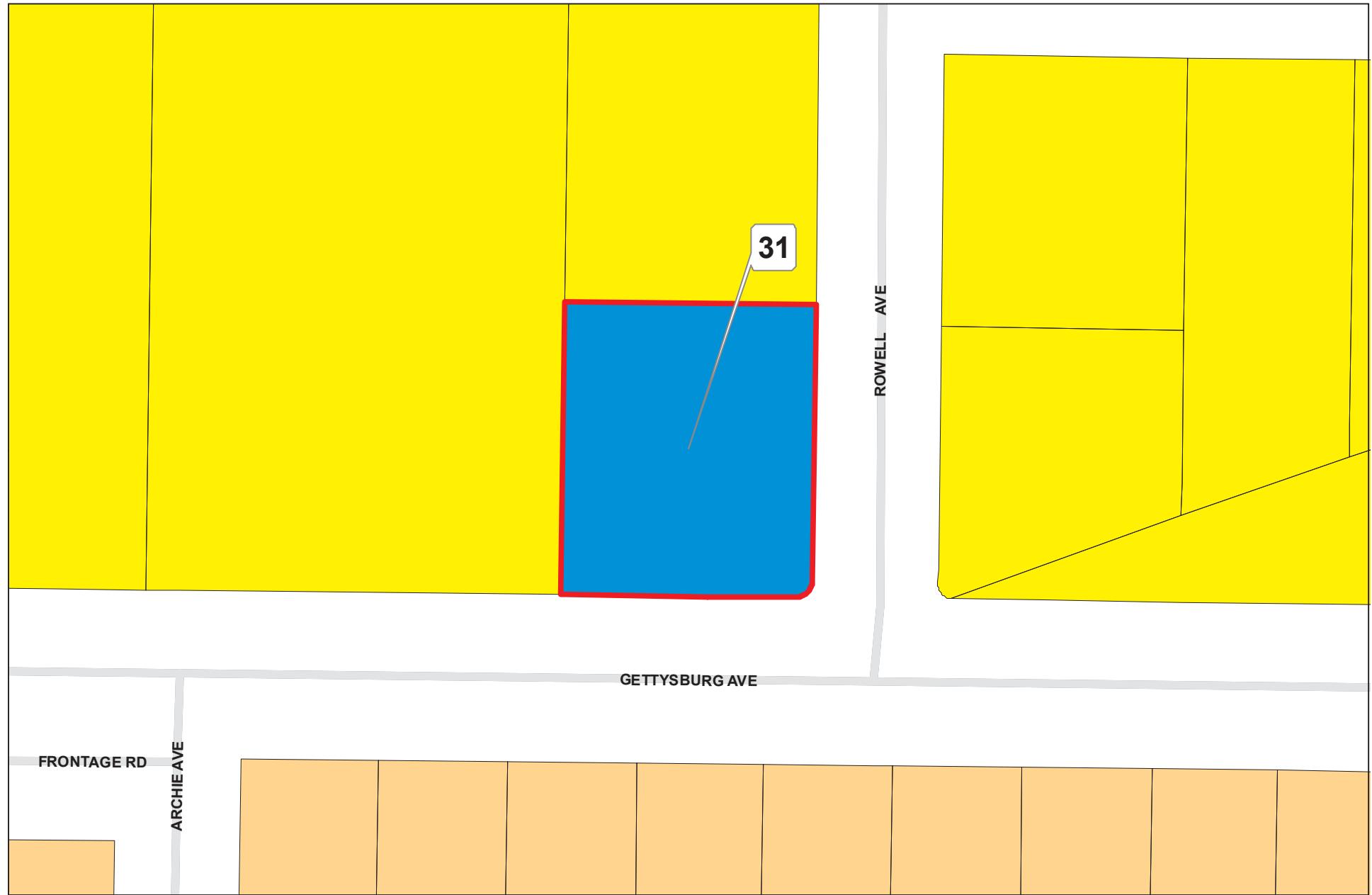


1 inch = 72 feet



# *City of Fresno Proposed General Plan Amendment and Rezone Change Requests - August 1, 2016*

31

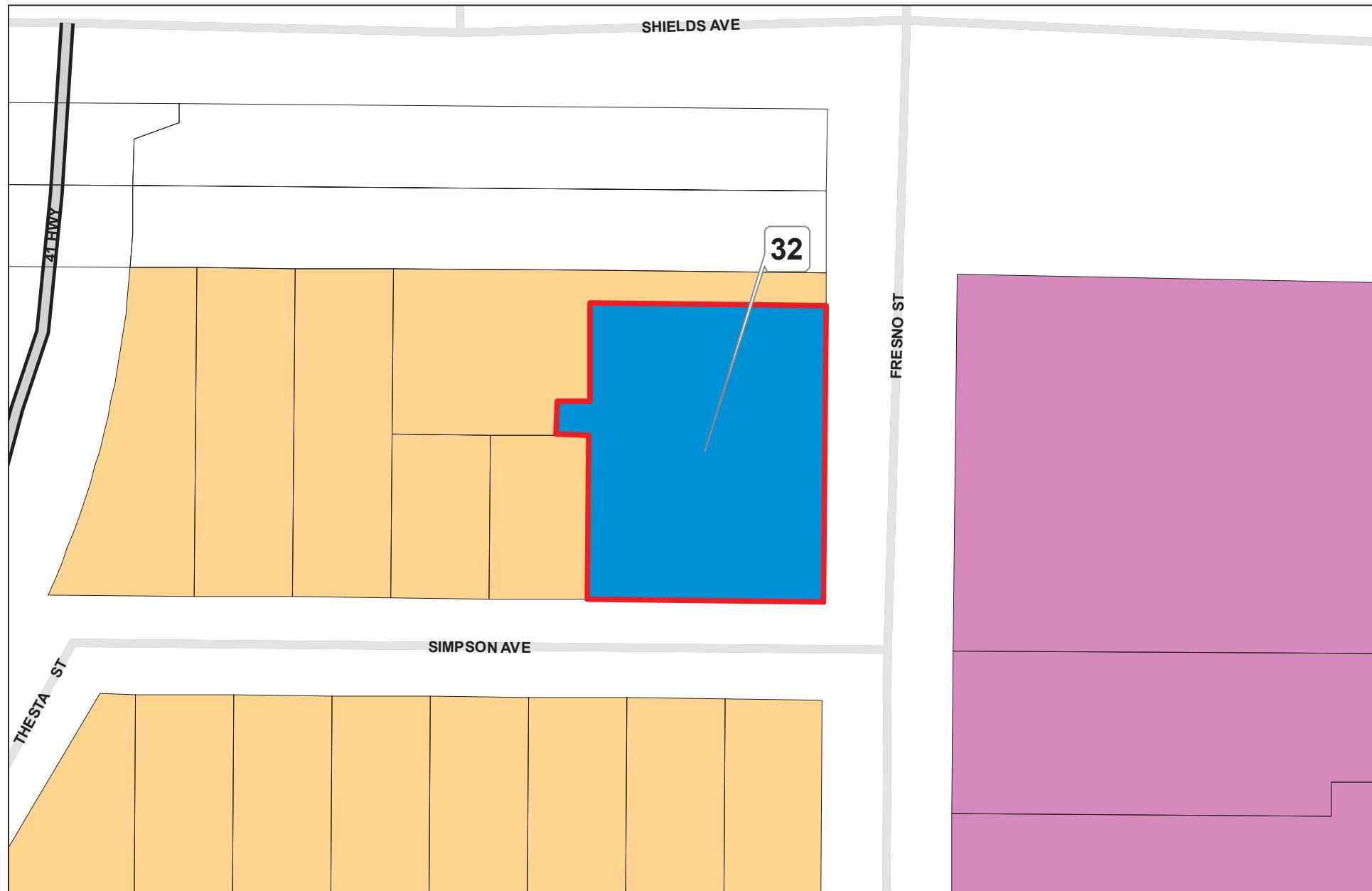


1 inch = 65 feet



# *City of Fresno Proposed General Plan Amendment and Rezone Change Requests - August 1, 2016*

32



1 inch = 83 feet



*City of Fresno Proposed General Plan Amendment  
and Rezone Change Requests - August 1, 2016*

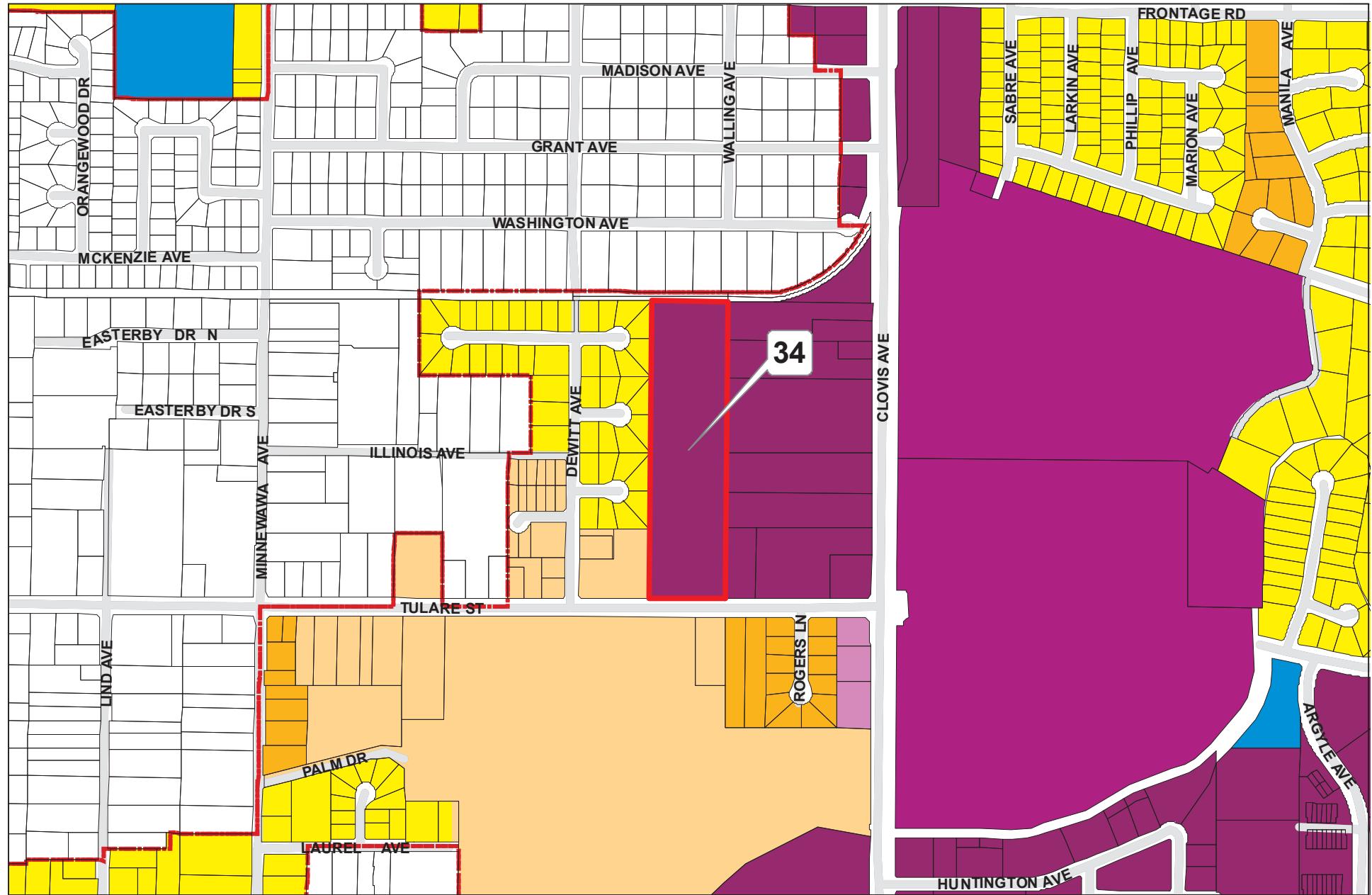
33



1 inch = 127 feet 

# *City of Fresno Proposed General Plan Amendment and Rezone Change Requests - August 1, 2016*

34

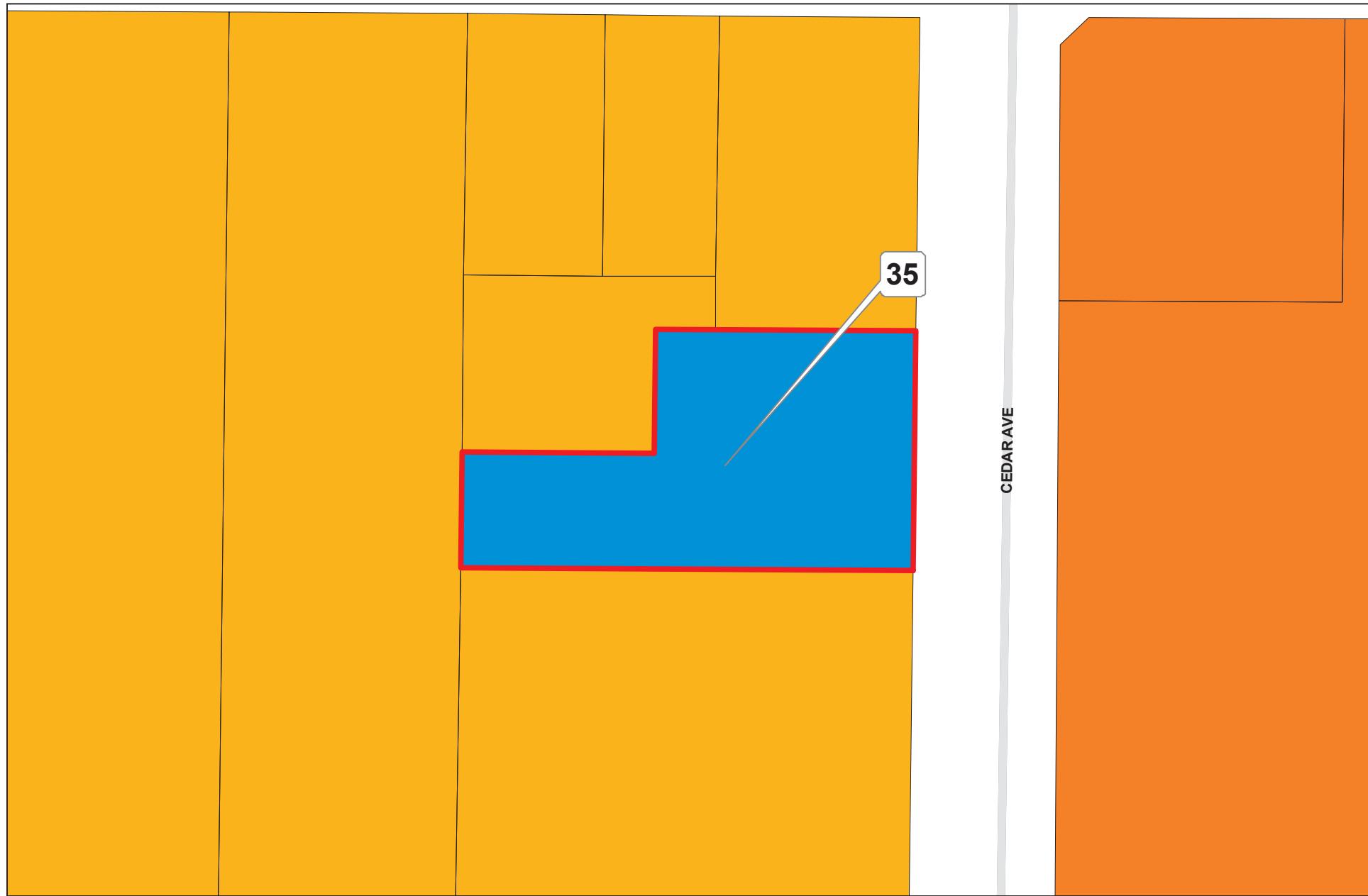


1 inch = 586 feet



*City of Fresno Proposed General Plan Amendment  
and Rezone Change Requests - August 1, 2016*

35

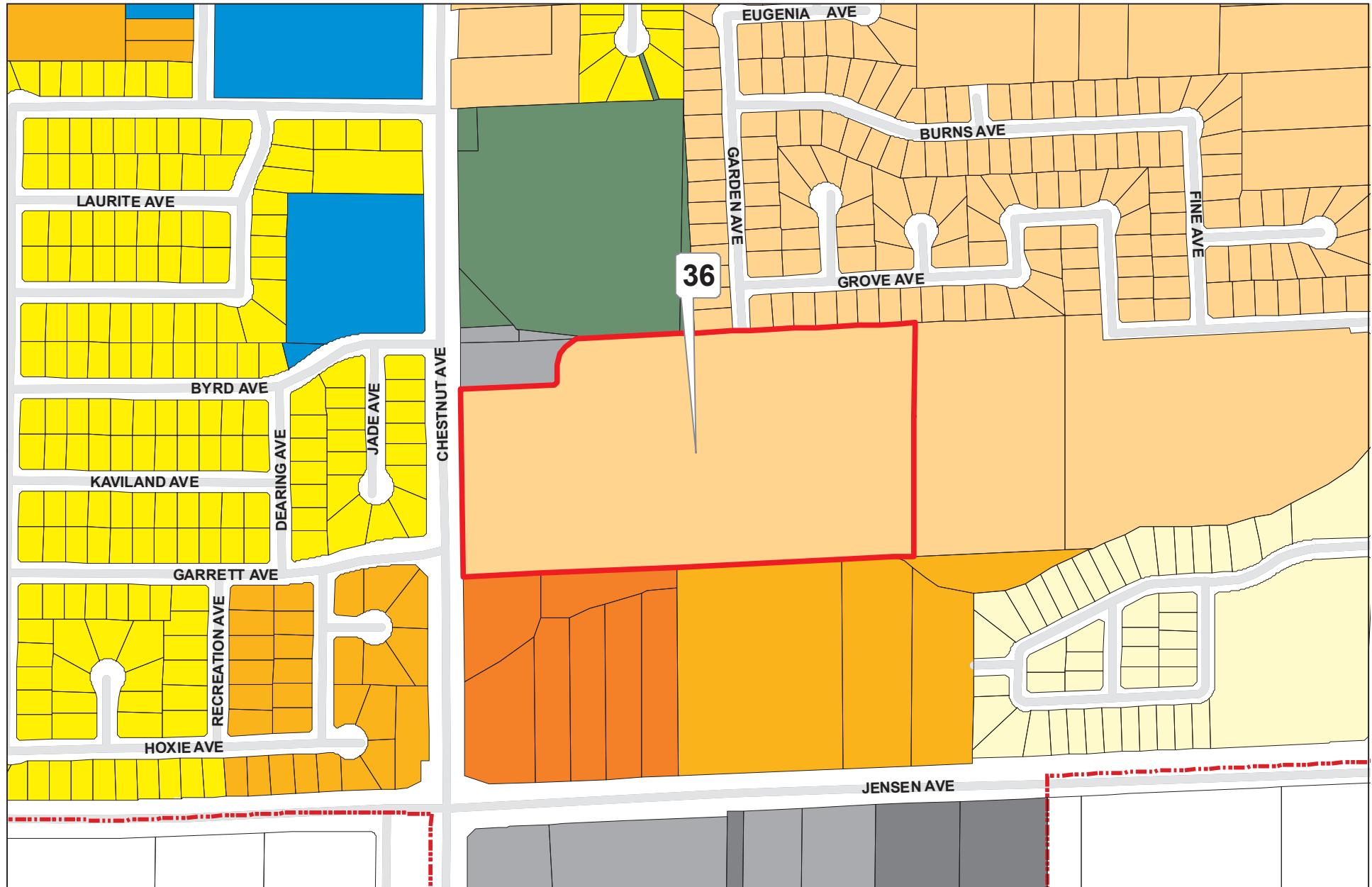


1 inch = 60 feet



# *City of Fresno Proposed General Plan Amendment and Rezone Change Requests - August 1, 2016*

36



1 inch = 383 feet 

# *City of Fresno Proposed General Plan Amendment and Rezone Change Requests - August 1, 2016*

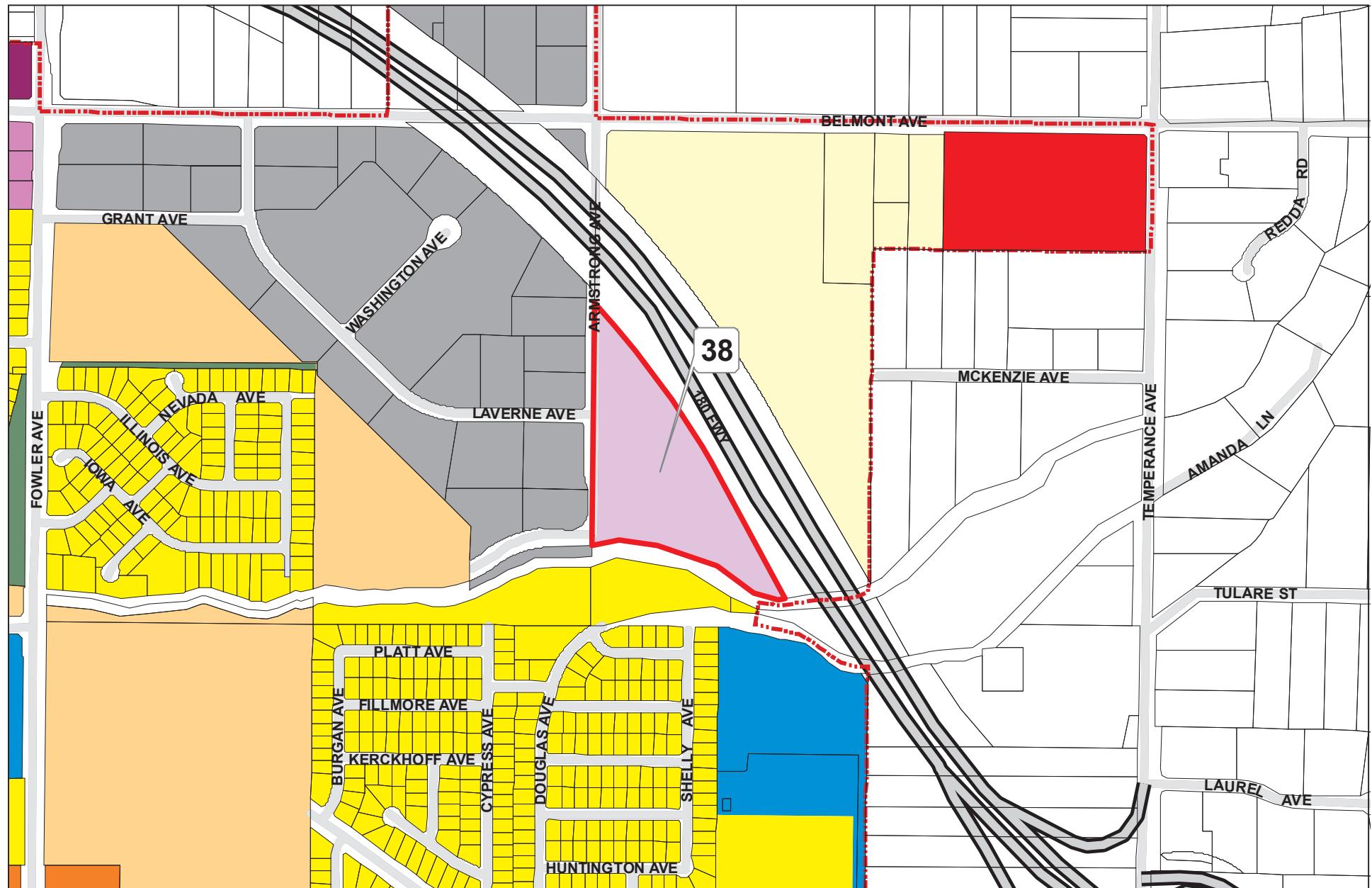
37



1 inch = 103 feet 

# *City of Fresno Proposed General Plan Amendment and Rezone Change Requests - August 1, 2016*

38



1 inch = 648 feet



*City of Fresno Proposed General Plan Amendment  
and Rezone Change Requests - August 1, 2016*

39



1 inch = 56 feet



# *City of Fresno Proposed General Plan Amendment and Rezone Change Requests - August 1, 2016*

40



1 inch = 37 feet



# *City of Fresno Proposed General Plan Amendment and Rezone Change Requests - August 1, 2016*

41



1 inch = 128 feet 

*City of Fresno Proposed General Plan Amendment  
and Rezone Change Requests - August 1, 2016*

42

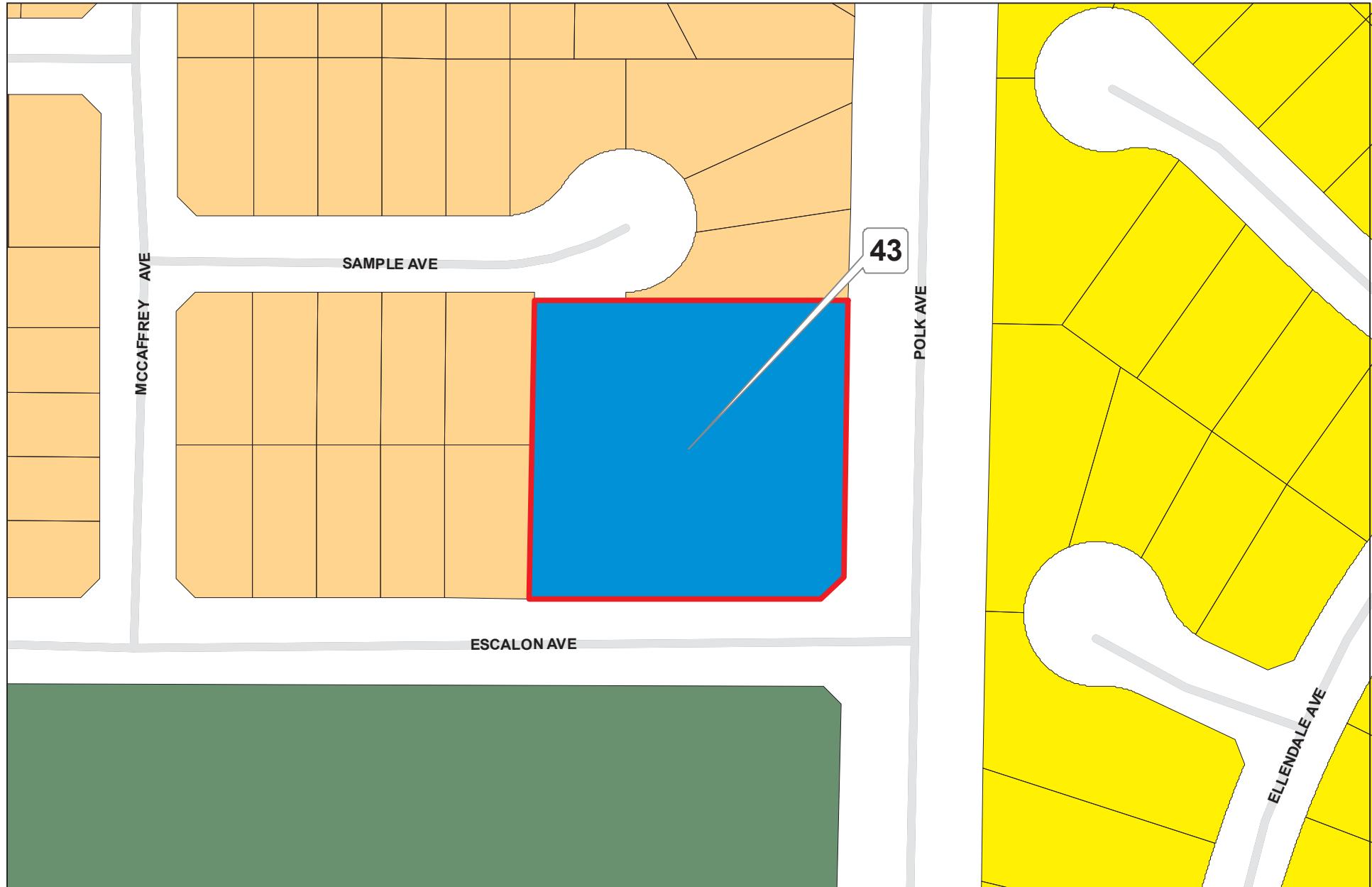


1 inch = 47 feet



# *City of Fresno Proposed General Plan Amendment and Rezone Change Requests - August 1, 2016*

43



1 inch = 89 feet



**Exhibit B**  
**Text Amendment No. TA-16-001**  
**Redline Guide and**  
**Ordinance Bill**

# City of Fresno, Citywide Development Code Redline Guide

## “Clean Up” Text Amendment, August, 2016

The following text is proposed to be added to Article 1, Section 15-104-A in order to resolve issues which may arise when a project is subject to conflicting standards:

3. ***Conflict of Standards.*** If there are found to be internal conflicts within this Code, the applicable standard shall be determined by the Review Authority.

Article 1, Table 15-107-B is proposed to be amended as follows in order to delete the AE and PD overlays, which are unnecessary due to other standards in the Code:

TABLE 15-107-B: OVERLAY DISTRICTS	
Short Name/Map Symbol	Full Name
PD	Planned Development
AE	Airport Environs
BP	Bluff Protection
EA	Expressway Area
RM	Residential Modifying
ANX	Annexed Rural Residential Transitional Overlay
EQ	Equine
M	Mining
AH	Apartment House

The following text is proposed to be added to Article 3, Section 15-313 to clarify encroachments into easements:

- F. Regardless of the stated setback for a property, in no instance shall a building be allowed to encroach within an easement unless an easement encroachment has been authorized and a covenant recorded for that purpose.

Article 4, Section 15-404-F-2 is proposed to be amended as follows to avoid future confusion about the exact effective date the of Development Code:

2. ***Non-Residential Districts.*** A Legal Non-Conforming use shall not be re-established in any structure in a Non-Residential District if such Legal Non-Conforming use has ceased for a consecutive 12-month period within five years of ~~the effective date of this Code January 3, 2016~~. Once the five year period from the effective date of this Code has passed, a Legal Non-Conforming Use shall not be re-established in any structure in a Non-Residential District if such Legal Non-Conforming Use has ceased for a consecutive period of 90 days or more.

**Article 9, Table 15-902 is proposed to be amended as follows to be consistent with changes that were previously made to crop cultivation as a permitted use:**

<b>TABLE 15-902: LAND USE REGULATIONS— RESIDENTIAL SINGLE-FAMILY DISTRICTS</b>							
<i>Use Classifications</i>	<i>RE</i>	<i>RS-1</i>	<i>RS-2</i>	<i>RS-3</i>	<i>RS-4</i>	<i>RS-5</i>	<i>Additional Regulations</i>
<b>Agricultural and Extractive Use Classifications</b>							
Produce Stand	P	P	P	P	P	P	§15-2752, Roadside Fruit Stands / Grower Stands
Urban Farm	P	P	P	P	P	P	§15-2720, Community Gardens / Urban Farms

**The following text is proposed to be added to Article 9, Section 15-904-A to reinstate a previous tool that offered flexibility in residential areas:**

7. ***Rear Setback Reduction.*** Rear setbacks may be reduced if all of the following conditions are met:
  - a. A site plan shall be submitted in accordance with the provisions of Article 52 Development Permit;
  - b. The rear setback shall be greater than or equal to the required interior side setback for the Base District;
  - c. Space equal to the reduction shall be provided elsewhere on the lot, exclusive of any required yard area. Said replacement space shall have minimum dimensions of five feet by eight feet, and shall be so located that it is suitable for general use by the occupant of the premises; and
  - d. The Review Authority shall find that the granting of the reduction will not be materially detrimental to the public welfare or injurious to property and improvements in the area in which the property is located and will not be contrary to the objectives of this Code.

**Article 10, Table 15-1002 is proposed to be amended as follows to be consistent with changes that were previously made to crop cultivation as a permitted use:**

<b>TABLE 15-1002: LAND USE REGULATIONS— RESIDENTIAL MULTI-FAMILY DISTRICTS</b>					
<i>Use Classifications</i>	<i>RM-1</i>	<i>RM-2</i>	<i>RM-3</i>	<i>RM-MH</i>	<i>Additional Regulations</i>
<b>Agricultural and Extractive Use Classifications</b>					
Produce Stand	P	P	P	P	§15-2752, Roadside Fruit Stands / Grower Stands
Urban Farm	P	P	P	P	§15-2720, Community Gardens / Urban Farms

**The following text is proposed to be added to Article 10, Section 15-1004-C-1 to be consistent with changes made to RM standards:**

c. If a sound wall is required along a certain frontage, or if other circumstances exist that render the Parking Setback impractical or unnecessary, the Review Authority may waive the Parking Setback requirement.

**Article 10, Section 15-1004-D-1-a is proposed to be amended as follows to remove a reference to a section which was deleted:**

a. *Private Open Space Requirements.* Private open spaces are those which are attached to a dwelling unit and are available only for the private use of the residents of the dwelling unit, such as balconies, porches, and patios. No fewer than 50 percent of the dwelling units on a site shall have a private open space. The following standards shall apply to private open space:

- i. The minimum dimension of any private open space shall be four feet.
- ii. The minimum area of any private open space shall be 32 square feet.
- iii. When located within 30 feet of a public street and located on the ground floor, private open spaces shall be designed as a porch. ~~follow the requirements for Porches as put forth in Table 15-1005-F.~~
- iv. When located within 30 feet of a public street and located above the ground floor, private open spaces shall be designed as a balcony. ~~follow the requirements for Balconies as put forth in Table 15-1005-F.~~

**Article 11, Table 15-1102 is proposed to be amended as follows to add flexibility for large day care and personal storage, and to be consistent with changes that were previously made to crop cultivation as a permitted use:**

**TABLE 15-1102: USE REGULATIONS—MIXED-USE DISTRICTS**

<i>Use Classifications</i>	<i>NMX</i>	<i>CMX</i>	<i>RMX</i>	<i>Additional Regulations</i>
<b>Residential Use Classifications</b>				
Family Day Care				
<i>Small (8 or fewer children)</i>	P(1)	P(1)	P(1)	§15-2725, Day Care Centers and Family Child Care Homes
<i>Large (9 to 14 children)</i>	P(1)	P(1)	P(1)	
<b>Commercial Use Classifications</b>				
Retail Sales				
<i>Convenience Retail</i>	P(5)	P	P	§15-2745, Outdoor Retail Sales; 15-2761 Tobacco and Vapor Shops
<i>General Retail</i>	P(5)	P	P	§15-2733, Hobby Stores; §15-2745, Outdoor Retail Sales
<i>Nurseries and Garden Centers</i>	P	P(5)	P	
<i>Second Hand / Thrift Stores</i>	P(5)	P	P	§15-2745, Outdoor Retail Sales
<b>Public and Semi-Public Use Classifications</b>				
Schools, Public or Private	-C	-C	C	
<b>Agricultural and Extractive Use Classifications</b>				

<b>TABLE 15-1102: USE REGULATIONS—MIXED-USE DISTRICTS</b>				
<i>Use Classifications</i>	<i>NMX</i>	<i>CMX</i>	<i>RMX</i>	<i>Additional Regulations</i>
Produce Stand	P	-	-	§15-2752, Roadside Fruit Stands / Grower Stands
<b>Industrial Use Classifications</b>				
Warehousing, Storage, and Distribution				
Personal Storage	C	C	C	§15-2747, Personal (Mini) Storage

**The following text is proposed to be added to Article 11, Section 15-1104-D-1 to be consistent with changes made to MX standards:**

c. If a sound wall is required along a certain frontage, or if other circumstances exist that render the parking setback impractical or unnecessary, the Review Authority may waive the parking setback requirement.

**Article 11, Section 15-1104-G.1 is proposed to be amended as follows to make the applicability of sidewalk standards consistent with Public Works practices:**

G. **Sidewalk Standards.** Notwithstanding Chapter 13, Section 208 of the Municipal Code, the following shall apply:

1. **Applicability.** All projects shall be required to bring adjacent sidewalk conditions into conformance with the standards of this section, subject to the following exceptions:
  - a. Applications for signs only.
  - b. Additions, remodels, or tenant improvements of less than 50 percent of the current value of the property.
  - b. Tenant improvements for new establishments occupying 20,000 square feet of gross floor area or less.
  - c. Building expansions of 2,000 square feet of net new floor area or less.

**Article 12, Table 15-1202 is proposed to be amended as follows to preserve retail uses in the Tower District commercial area and to be consistent with changes that were previously made to crop cultivation as a permitted use:**

<b>TABLE 15-1202: LAND USE REGULATIONS—COMMERCIAL DISTRICTS</b>							
<i>Use Classifications</i>	<i>CMS</i>	<i>CC</i>	<i>CR</i>	<i>CG</i>	<i>CH</i>	<i>CRC</i>	<i>Additional Regulations</i>
<b>Commercial Use Classifications</b>							
Offices							
Business and Professional	P(9) (17)	P	P	P	-	-	
Medical and Dental	P(17)	P	P	P	-	-	
Walk-In Clientele	P(17)	P	P	P	-	-	

<b>TABLE 15-1202: LAND USE REGULATIONS—COMMERCIAL DISTRICTS</b>							
<i>Use Classifications</i>	<i>CMS</i>	<i>CC</i>	<i>CR</i>	<i>CG</i>	<i>CH</i>	<i>CRC</i>	<i>Additional Regulations</i>
<b>Agricultural and Extractive Use Classifications</b>							
Produce Stand	-	-	-	P	-	-	§15-2752, Roadside Fruit Stands / Grower Stands
Urban Farm	-	-	-	P	-	-	§15-2720, Community Gardens / Urban Farms
<b>Specific Limitations:</b>							
17. Not permitted along ground floor on Olive Avenue between Van Ness Avenue and Echo Avenue.							

**Article 13, Table 15-1302 is proposed to be amended as follows to be consistent with changes that were previously made to crop cultivation as a permitted use:**

<b>TABLE 15-1302: LAND USE REGULATIONS— EMPLOYMENT DISTRICTS</b>						
<i>Use Classifications</i>	<i>O</i>	<i>BP</i>	<i>RBP</i>	<i>IL</i>	<i>IH</i>	<i>Additional Regulations</i>
<b>Agricultural and Extractive Use Classifications</b>						
Produce Stand	-	-	-	P	P	§15-2752, Roadside Fruit Stands / Grower Stands
Urban Farm	-	-	-	P	P	§15-2720, Community Gardens / Urban Farms

**Article 14, Table 15-1402 is proposed to be amended as follows to be consistent with changes that were previously made to crop cultivation as a permitted use:**

<b>TABLE 15-1402: LAND USE REGULATIONS— MIXED-USE DISTRICTS</b>				
<i>Use Classifications</i>	<i>OS</i>	<i>PR</i>	<i>PI</i>	<i>Additional Regulations</i>
<b>Agricultural and Extractive Use Classifications</b>				
Produce Stand	P	-	-	§15-2752, Roadside Fruit Stands / Grower Stands
Urban Farm	P	-	-	§15-2720, Community Gardens / Urban Farms

**Article 16, Section 1601 and 1602 are proposed to be removed as follows remove the PD and AE overlay districts, which are unnecessary due to regulations elsewhere in the Code:**

#### Sections:

- 15-1601 ~~Planned Development (PD) Overlay District (Reserved)~~
- 15-1602 ~~Airport Environs (AE) Overlay District (Reserved)~~
- 15-1603 Bluff Protection (BP) Overlay District
- 15-1604 Expressway Area (EA) Overlay District
- 15-1605 Residential Modifying (RM) Overlay District
- 15-1606 Annexed Rural Residential Transitional (ANX) Overlay District
- 15-1607 Equine (EQ) Overlay District
- 15-1608 Mining (M) Overlay District
- 15-1609 Apartment House (AH) Overlay District

## 15-1601 Planned Development (PD) Overlay District (Reserved)

A. **Purpose.** The Planned Development (PD) Overlay District allows for an alternate process to accommodate major and unique developments for residential, commercial, professional, or other similar activities, including combinations of uses and modified development standards, which would create a desirable, functional, and community-oriented environment under controlled conditions of a development plan. The PD district is intended to provide assurances to a land developer which will reduce the economic risks of a project while providing the City with a flexible means of promoting comprehensive planning and orderly development.

B. **Use Regulations.** No use other than an existing use is permitted in a PD District except in accordance with a valid PD Plan or adopted Specific Plan. Any permitted or conditional use authorized by this Code may be included in an approved PD Plan or an adopted Specific Plan consistent with the General Plan land use designation(s) for the property.

C. **Development Standards.**

1. **Minimum Area.** The minimum area of a PD District shall be as follows; however, the City Council may approve a District smaller than the minimum area if it finds that rezoning to PD would further achieve the goals of the General Plan and provide greater benefits to the general welfare of Fresno's residents and property owners than development under conventional zoning because of unique characteristics of the site or the proposed use or mix of uses.
  - a. **Commercial and Mixed-Use Districts.** One-half contiguous acres.
  - b. **Other Districts.** Two contiguous acres.
2. **Open Space.** Open space shall be shown on the PD Plan, and the total open area in a PD Plan shall be substantially the same, or greater as the open area required by the Base District for the total area of the planned development.
3. **Residential Unit Density.** Except where a density bonus is granted in compliance with the City's density bonus regulations for affordable housing in Article 22, Affordable Housing Density Bonus, the total number of dwelling units in a PD Plan shall not exceed the maximum number permitted by the General Plan density for the total area of the planned development designated for residential use.
4. **PD Plan Regulations.** Minimum lot area, yard requirements, building heights, and other physical development standards shall be as prescribed by the PD Plan. Each PD Plan shall establish development standards that, at a minimum, address the following:
  - a. Land use;
  - b. Circulation of traffic, bicycles, and pedestrians;
  - c. Landscaping and planting areas;
  - d. Residential density; non-residential floor area;
  - e. Minimum building site;
  - f. Minimum lot dimensions;
  - g. Maximum lot coverage by buildings and structures;

- h. Minimum yards;
- i. Maximum building or structure heights; transitional standards to adjacent residential neighborhoods;
- j. Maximum height of fences and walls;
- k. Signs;
- l. Off-street parking and loading; and,
- m. Other items as deemed appropriate by the Director, Planning Commission, and City Council.

D. **PD Plan Project Description.** Each PD Plan shall clearly outline how it accomplishes the following:

- 1. Addresses a unique situation.
- 2. Confers a substantial benefit to the city.
- 3. Incorporates creative site design to achieve the purposes of this Code and General Plan, and represents an improvement in quality over what is possible through the strict application of the otherwise applicable district or development standards. These improvements may include:
  - a. A greater amount of open space and access;
  - b. Environmental protection;
  - c. Tree and/or vegetation preservation;
  - d. Creation of multiple use projects including residential, commercial, or recreational facilities;
  - e. Increased choice of housing options.
- 4. The project would be impractical to achieve within one of the City's Base Districts.

## **15-1602 Airport Environs (AE) Overlay District (Reserved)**

A. **Purpose.** As used herein, "Airport" means Fresno Yosemite International Airport, Fresno-Chandler Executive Airport, and/or Sierra Sky Park. The Airport Environs (AE) Overlay District is established to:

- 1. Protect life and property on the ground and in the air around the airport from potential hazards to ensure the safe navigation of aircraft.
- 2. Identify a range of uses compatible with airport accident hazard and airport noise exposure.
- 3. Prohibit the development of incompatible uses that are detrimental to the general health, safety, and welfare and to existing and future airport operations.
- 4. Require noise attenuated construction within the airport environs.
- 5. Comply with Federal Aviation Administration (FAA) regulations.
- 6. Comply with the California State Aeronautics Act.

B. **Use Regulations.** Those uses permitted in the Base District, subject to the limitations and conditions set forth therein and consistent with applicable Airport Land Use Plans.

C. **Development Standards.**

1. In addition to the development standards of the underlying district, development in the AE Overlay District is subject to the requirements, limitations, and conditions set forth therein and consistent with applicable Airport Land Use Compatibility Plans and applicable provisions of Federal Aviation Administration (FAA) regulations. The three airport plans within the city are Sierra Sky Park, Fresno Chandler Executive, and Fresno Yosemite International.
2. **Airport Land Use Commission (ALUC) Review.** The ALUC shall review any projects within its purview pursuant to applicable plans, and shall review any text amendments to this Code.

**Article 16, Section 15-1609-B is proposed to be amended as follows in order to clarify that ground floor residential uses are allowed in the AH overlay district:**

B. **Use Regulations.** Those uses permitted in the Base District, subject to the limitations and conditions set forth therein, **except as follows:**

1. **Permitted Uses.**
  - a. The uses permitted by the provisions of the Base District.
  - b. Single Unit Dwelling, Attached and Multi-Unit Residential shall be permitted in all locations, including the ground floor along major streets.
  - c. Office uses, including Business and Professional, Medical and Dental, and Walk-In Clientele, shall be permitted in all locations, including the ground floor along major streets. Base District restrictions on the size of such establishments shall not apply.
2. **Uses Subject to a Conditional Use Permit.** Those uses permitted in the Base District, subject to the limitations and conditions set forth therein.
3. **Uses Not Permitted.** Those uses not permitted in the Base District or listed above, subject to the limitations and conditions set forth therein.

**Article 20, Section 15-2006-C through F are proposed to be amended as follows to clarify fencing regulations and make them consistent with the way setbacks are measured in the new Code:**

C. **Fence Height and Locations for Single-Family Homes.**

1. **Front Yards.**

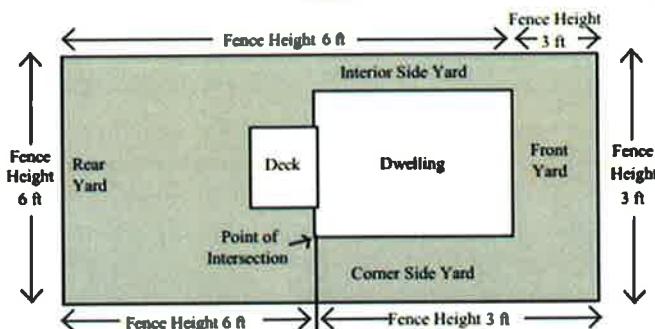
- a. **Wrought Iron or Tubular Steel.** A fence up to four feet in height may be installed **on the front property line** within any required front yard setback. Fences must be

open a minimum of 80 percent (e.g., no more than 20 percent opaque) to allow for the passage of light and air.

- b. *All Other Materials.* A fence up to three feet in height may be placed ~~on the front property line within any required front yard setback.~~

  - i. Exception. Front yard fences on parcels within the Pinedale Neighborhood Plan area may be up to four feet in height in the front yard, regardless of material, however fences shall comply with Section 15-2018, Intersection Visibility.

  2. *Side-Street Yards.* Fences up to six feet in height may be installed ~~on the street-side property line within any required street-side yard setback.~~
  3. *Other Yards.* Fences up to six feet in height may be installed ~~on property lines~~. Fences, regardless of location on the site, shall not exceed six feet in height.
  4. *Through Lots.* Both street frontages shall be considered Front Yards.



**FIGURE 15-2006-C: MAXIMUM FENCE HEIGHT**

5. *Setbacks.* Unless a greater setback is required in another section of this Code, fences shall be set back 12 inches from the back of adjacent sidewalks, or from the curb or shoulder if there is no sidewalk. Fences may be placed on interior side and rear property lines.
6. *Right-of-Way.* In no circumstance may any fence be placed in the public right-of-way unless specified elsewhere in this Code.

**D. Fence Height and Locations for Multi-Family Districts.**

1. *Front Yards.*
  - a. Where a lot is on the same block frontage with parcels that are zoned for Single-Family uses, fencing shall comply with fencing standards of the Single-Family District in Subsection 15-2006-C.
  - b. If the block does not contain Single-Family zoned lots:
    - i. Wrought Iron or Tubular Steel: A fence up to four feet in height may be installed ~~on the front property line within any required front yard setback.~~ Fences must be open a minimum of 80 percent (e.g., no more than 20 percent opaque) to allow for the passage of light and air.

- ii. All Other Materials. The fence may be placed ~~on the property line within any required front yard setback~~ if the fence does not exceed three feet in height.
  - (1) Exception. Fences on parcels within the Pinedale Neighborhood Plan may be up to four feet in height, regardless of material, however fences shall comply with Section 15-2018, Intersection Visibility.

- 2. **Street-Side Yards.**
  - a. *Lots with a Street-Side Yard of 125 Feet or Less in Length.* Fencing up to six feet in height may be placed ~~on the property line within any street-side yard~~.
  - b. *Lots with Street-Side Yards Greater than 125 Feet in Length.* Fencing up to six feet in height may be placed per the main building setback of the underlying district minus five feet.
- 3. ~~**Interior and Rear Yards.** Fences may be placed on property lines.~~
- 4. **Through Lots.** All street frontages shall be considered Front Yards.
- 5. **Private Patios, Yards, Etc.** Fencing for private patios, yards, etc. in multi-family developments shall comply with the fencing requirements of this section.
- 6. ~~**Other Yards.** Fences up to six feet in height may be installed on property lines.~~ Fences, regardless of location on the site, shall not exceed six feet in height.
- 7. **Setbacks.** Unless a greater setback is required in another section of this Code, fences shall be set back 12 inches from the back of adjacent sidewalks, or from the curb or shoulder if there is no sidewalk. Fences may be placed on interior side and rear property lines.
- 8. **Right-of-Way.** In no circumstance may any fence be placed in the public right-of-way unless specified elsewhere in this Code.

## **E. Fence Height and Locations for Downtown Districts.**

(Reserved)

## **F. Fence Height and Locations for All Other Uses and Districts.**

- 1. **Front Yard.**
  - a. *Wrought Iron or Tubular Steel.* A fence up to four feet in height may be installed ~~on the front property line within any required front yard setback~~. Fences must be open a minimum of 80 percent (e.g., no more than 20 percent opaque) to allow for the passage of light and air.
  - b. *All Other Materials.* All other fences ~~within any required front yard setback~~ are permitted up to three feet in height and shall comply with the main building setback, minus five feet.
- 2. **Street-Side Yard.**
  - a. *Wrought Iron or Tubular Steel.* A fence up to four feet in height may be installed ~~within any required front yard setback on the front property line~~. Fences must be open a minimum of 80 percent (e.g., no more than 20 percent opaque) to allow for the passage of light and air.

b. *All Other Materials.* All other fences within any required street side yard setback are permitted up to three feet in height and shall comply with the main building setback, minus five feet.

3. *Interior and Rear Yards.* Fences may be placed on property lines.

4. *Through Lots.* Both street frontages shall be considered Front Yards.

5. *Other Yards.* Outside of the required front yard and street-side yards, the maximum height for fences is seven feet (regardless of location on the site) unless the fence is part of Outdoor Storage per Section 15-2013, Outdoor Service Yards and Storage.

6. *Bollards.* Bollards, up to three feet in height may be placed at the rear of required landscape areas.

7. *Setbacks.* Unless a greater setback is required in another section of this Code, fences shall be set back 12 inches from the back of adjacent sidewalks, or from the curb or shoulder if there is no sidewalk. Fences may be placed on interior side and rear property lines.

8. *Right-of-Way.* In no circumstance may any fence be placed in the public right-of-way unless specified elsewhere in this Code.

**Article 20, Table 15-2015-B.4 is proposed to be amended as follows to reflect the removal of the AE overlay district:**

<b>TABLE 15-2015-B.3: MAXIMUM HEIGHT OF LIGHTING FIXTURES</b>	
<i>District</i>	<i>Maximum Height (ft)</i>
Residential Single-Family Districts	Shall not exceed the fascia of the home
Residential Multi-Family Districts	Shall not exceed the fascia of the unit or 16 feet, whichever is greater
Commercial and Mixed-Use Districts	20 within 100 of any street frontage or Residential District; 25 in any other location
Employment Districts	25 within 100 of any street frontage; 30 in any other location
Public and Semi-Public <del>and Airport Overlay</del> Districts	25, or as necessary for safety and security

**Article 20, Section 15-2018 is proposed to be amended as follows in order to make intersection visibility standards more consistent with Public Works practices:**

## 15-2018 Intersection Visibility

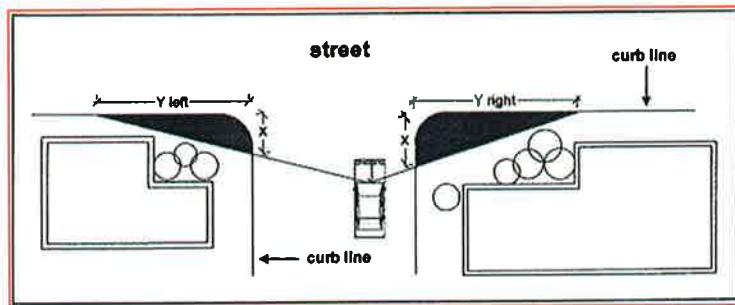


FIGURE 15-2018: INTERSECTION VISIBILITY

### A. Street Intersections.

1. Vegetation and structures may not exceed a height of three feet within the triangular sight-distance area formed by the intersecting curb lines (or edge of pavement when no curbs exist) and a line joining points on these curb lines at the locations and a distances identified in Figure 15-2018 and Table 15-2018-A. ~~of 30 feet along both lines from their intersection.~~
2. Trees and signs that are located within this sight distance triangle shall have a clearance of eight feet high minimum between the lowest portion of the canopy and the sidewalk and street.

Applies to all structures, including flag poles and signs.

TABLE 15-2018-A: REQUIRED TRIANGULAR SIGHT-DISTANCE AREA

Circumstance	X Distance (ft.)	Y Distance (ft.)
Local Street to Local Street	11	100
Local Street to Collector Street	25	25
Local Street to Arterial	20	100
Local Street to Super Arterial	20	100
Major Street to Major Street	Not Required	Not Required
<b>Other Requirements:</b>		
1. Scaled site plan depicting property lines and dimensioned sidewalk pattern.		

Article 21, Section 15-2102-A is proposed to be amended as follows in order to apply the TOD Height and Density Bonus to the CMS—Commercial Main Street District:

## 15-2102 Applicability

At its discretion, the Review Authority, when granting a Development Permit, may allow a project to exceed the maximum height and/or the maximum residential density of the Base District if all three of the following criteria are met:

- A. The project site is located entirely within an MX District **or a CMS District**.

### **Article 23, Section 15-2305-C-2 is proposed to be amended as follows to provide clarity and consistency:**

2. **Buffer Yard Types.** Table 15-2305-C-2, Buffer Yard Requirements, describes the minimum width, **and** plant materials, **and** wall requirements for each type of buffer yard. The listed number of trees and shrubs are required for each 100 linear feet of buffer yard. Natural areas with native vegetation or alternative planting materials which achieve equivalent buffering effects may be approved by the Director Review Authority. For wall requirements, refer to Section 15-2008, Screening Between Differing Land Uses.

### **Article 26, Section 15-2609-B is proposed to be amended as follows to allow larger wall signs consistent with past practice:**

- C. **Public and Semi-Public Uses.** Signs for Public and Semi-Public Uses located in Residential Districts may be erected subject to the following standards:
  1. **Maximum Number of Signs.** One freestanding sign per street frontage plus one wall sign **per building**.
  2. **Maximum Sign Area per Signs.** Freestanding signs shall not be more than 32 square feet in area. Wall signs shall not **be more than 10 square feet in area exceed 10 percent of the wall area**.
  3. **Height Limit, Freestanding Signs.** Five feet when located within a required front or street-side setback, eight feet otherwise.
  4. **Illumination.** Signs may be internally illuminated.

### **Article 26, Section 15-2610-E-2 is proposed to be amended as follows to allow larger wall signs consistent with past practice:**

2. **Maximum Sign Area Per Sign.** **Five** **Ten** percent of the wall area, **or 100 square feet, whichever is less**.

### **Article 26, Section 15-2611-G is proposed to be amended as follows to allow yard signs regulations consistent with acceptable practices:**

G. **Yard Signs.** Yard signs, which are typified by an impermanent nature; are usually constructed from lightweight materials (ex.: corrugated plastic); are typically located in a street-facing setback and supported by poles, stakes, or wire frames; are permitted subject to the following standards. A permit is not required.

1. **In Residential Districts.**

- a. Maximum Size. Signs shall not exceed six square feet in area.
- b. Maximum Height/Width. Signs (including support structure) shall not exceed three feet in height or width.

2. **All Other Districts.**

- a. Maximum Size. Signs shall not exceed 32 square feet in area.
- b. Maximum Height/Width. Signs (including support structure) shall not exceed ~~ten~~ eight feet in height ~~or width~~.

3. **Timing.** Yard Signs relating to an event are permitted within 90 days before the event and up to 10 days after the event.

3.4. **Location.** Signs shall not be attached to any utility pole and such sign, or portion thereof, is not placed in any public right-of-way or on any property owned by the City. Such signs may be placed on private property with the permission of the property owner or may be attached to an existing sign on private property with the permission of the sign owner or lessee.

4.5. **Shall Not Obstruct.** Such signs shall not be erected in such a manner that they will, or reasonably may be expected to, interfere with, obstruct, confuse, or mislead traffic.

5.6. **Maintenance.** Signs not erected or maintained in accordance with the provisions of this subsection shall be the responsibility of the owner of the property upon which the sign is located, shall be deemed a public nuisance, and may be abated by such property owner, the candidate or person advocating the vote described on the sign (if applicable), or the Director. The cost of removal incurred by the Director shall be assessed against the property owner and/or, if applicable, the candidate and/or the person advocating the vote described on the sign.

**Article 27, Section 15-2707 is proposed to be amended as follows to clarify enforcement responsibilities:**

**15-2707 Animal Keeping**

Animal keeping is allowed as an accessory use to a primary residential use. Animals may be kept in compliance with the following standards. Enforcement of this section is the duty of the Poundmaster (FMC 10-302). Other regulations related to animals are located under FMC 10-200 et seq. and FMC-300 et seq.

**Article 27, Section 15-2735-G is proposed to be amended as follows to allow for small home occupation signs:**

**G. Signage.** Refer to Article 26, Signs. Signs for Home Occupation uses may be erected subject to the following standards:

- 6.7. **Quantity.** A maximum of one sign is permitted.
- 7.8. **Type.** A wall or window sign is permitted. Freestanding signs of any type shall not be permitted.
- 8.9. **Size.** Shall not exceed 2 square feet in area.
- 9.10. **Design.** Signs shall be visually compatible with the building and surrounding neighborhood.
- 10.11. **Illumination.** Illuminated signage is not permitted.

**Article 27, Section 15-2741-A-7-a is proposed to be amended as follows to allow mobile vendors within 300 feet of restaurants in Downtown with City Manager approval:**

- a. Vendors shall not operate within 300 feet of an existing restaurant, during the restaurant's normal business hours, with the following exceptions:
  - i. Vendors operating as part of a Farmer's Market per Section 15-2730 or a Special Event per Section 15-2760-B.
  - ii. The restaurant and the Vendor are operated by the same entity.
  - iii. The Vendor has prior written permission of a business owner to operate on the property of that existing business.
  - iii-iv. Within the area bounded by Divisadero Street, Highway 41, and Highway 99, non-motorized Vendors may operate within 300 feet of an existing restaurant with prior written permission of the City Manager.

**Article 27, Table 15-2744-A is proposed to be amended as follows to clarify allowed hours of operation for establishments serving alcohol:**

**TABLE 15-2744-A ALLOWED HOURS OF OPERATION**

<i>Hours of Operation</i>	<i>Outdoor Area Hours of Operation</i>
<i>Establishments not serving alcohol</i>	
<i>Establishments closer than 100 feet from Residential Districts<sup>1</sup></i>	Not earlier than 7 a.m. or later than 10 p.m.
<i>Establishments further than 100 feet from Residential Districts<sup>1</sup></i>	Not earlier than 7 a.m. or later than 12 a.m.
<i>Establishments further than 250 feet from Residential Districts<sup>1</sup></i>	No limitations

**TABLE 15-2744-A ALLOWED HOURS OF OPERATION**

<i>Hours of Operation</i>	<i>Outdoor Area Hours of Operation</i>
Establishments serving alcohol	
<i>Refer to Section 15-2751, Restaurants with Alcohol Sales, Bars, Nightclubs, and Lounges.</i>	
<i>Establishments closer than 250 feet from Residential Districts<sup>1</sup></i>	<i>Not earlier than 7 a.m. or later than 10 p.m.</i>
<i>Establishments further than 250 feet from Residential Districts<sup>1</sup></i>	<i>No limitations</i>
Smoke/Hookah/Cigar Lounges	
<i>Establishments 250 feet or closer from Residential Districts</i>	Not earlier than 7 a.m. or later than 12 a.m.
<i>Establishments further than 250 feet from Residential Districts<sup>1</sup></i>	No limitations

<sup>1</sup> Distance measured from the establishment to the nearest residential property line. Excludes residential use in the same development.

**Article 27, Section 15-2744-C-1 is proposed to be amended as follows to simplify the permitting process for sidewalk cafes:**

1. *Encroachment Permit Required.* ~~An encroachment permit approved by the City Engineer Zone Clearance is required for any outdoor dining/seating located in the public right-of-way. An encroachment permit approved by the City Engineer is required for any furniture or structures which are permanently attached to the public right-of-way.~~

**The following text is proposed to be added to Article 27, Section 15-2747 to allow some personal storage uses within mixed use areas with appropriate design:**

**J. Design Standards within Mixed Use Districts.**

1. *Location.* Storage uses shall not be located within 300 feet of an existing or planned Bus Rapid Transit station.
2. *Site Size.* Shall not exceed two acres.
3. *Setback from Major Streets.* The storage use shall be set back no less than 50 feet from all Major Streets. No less than 60 percent of the building frontage along Major Streets shall be occupied by food and beverage sales, entertainment and recreation, general personal services, artist's studios, eating and drinking establishments, personal services, general retail, or convenience retail uses. Other high-activity uses may be approved at the discretion of the Review Authority.
4. *Façade Design.* The facades of the storage structures shall appear to be buildings used for non-storage purposes, such as office or multifamily, and shall not have an industrial appearance.
5. *MX Development Standards.* Unless otherwise stated, all MX development standards shall apply.

**The following text is proposed to be added to Article 27, Table 15-2751-G to modify alcohol sales times for restaurants:**

<b>TABLE 15-2751-G: SPECIAL STANDARDS</b>			
<i>Use</i>	<i>Time to Stop Sales, Service, &amp; Consumption of Alcohol</i>	<i>Separation from Residential<sup>1</sup></i>	<i>Neighborhood Meeting</i>
Restaurants (Should an establishment seek to stay open after <b>11 p.m. 12 a.m.</b> , it shall be considered a Bar or Nightclub for permit purposes)	<b>11 p.m. 12 a.m.</b>	NA	No
Tasting Room (Should an establishment seek to stay open after 11 p.m. or serve alcoholic beverages other than beer or wine, it shall be considered a Bar or Nightclub for permit purposes)	11 p.m.	NA	No
Bar	2 a.m.	Less than 300 ft.	Yes
		300 ft. or greater	No
Nightclub (whether or not they sell alcoholic beverages; for under aged persons, refer to Table 15-2751-H)	2 a.m.	Less than 400 ft.	Yes
		400 ft. or greater	No

1. Minimum horizontal distance, measured in feet, between the building, or portion of a building, occupied by the use, and the closest property line of property planned or zoned for residential uses, not including residential part of the project or part of a vertical mixed-use development. The separation criteria is not subject to modification by a permit.

**Article 27, Section 15-2754 is proposed to be amended as follows to clarify setback standards for second dwellings:**

**I. Setbacks. Per the underlying zone district.**

1. **Front Yards.** Per the underlying zone district.
2. **Side Yards/Street Side Yards.** Per the underlying district.
3. **Rear Yards.** Shall be separated from the main home by a minimum of six feet.
  - a. **Second Dwelling Unit.** Per the underlying zone district.
  - b. **Backyard Cottage and Accessory Living Quarters.**
    - i. **Alley Present.** Three feet.
    - ii. **No Alley Present.**
      - (1) **Abutting an RS.** Ten feet.

**The following text is proposed to be added to Article 49, Section 15-4906-D-1 to complete the changes related to the Certainty Option as requested by Council:**

- a. Development Permit applications submitted in multi-family and mixed-use districts consistent with the Certainty Option set forth in sections 15-1004, 15-1005, 15-1104, and 15-1105 of this Code shall not be subject to review and recommendation by Council District Project Review Committees.

**The following text is proposed to be added to Article 49, Section 15-4906-H to complete the changes related to the Certainty Option as requested by Council:**

1. **Specific Plan Design Review Committees.** Development Permit applications submitted in multi-family and mixed-use districts consistent with the Certainty Option set forth in sections 15-1004, 15-1005, 15-1104, and 15-1105 of this Code shall be subject to review by applicable Specific Plan Design Review Committees as follows:
  - a. Upon completion of an application following internal departmental review, DARM Department staff shall provide the completed application to members of any applicable Specific Plan Design Review Committee.
  - b. If a Committee member chooses to request a meeting to discuss the application, they must submit the request to DARM Department staff within 72 hours of their receipt of the application.
  - c. A meeting of the applicable Specific Plan Design Review Committee must be set within 5 business days of the first request for a meeting.
  - d. If no members of a Committee request a meeting to discuss the application within the allotted time, it shall move forward without review by the Committee.
  - e. The Committee's review is limited to verification of the project's compliance with the requirements of the Certainty Options set forth in sections 15-1004, 15-1005, 15-1104, and 15-1105 of this Code, and the requirements of any applicable Specific Plan.

**Article 50, Section 15-5003-A is proposed to be amended as follows to simplify the review process for small projects:**

- A. **Applicability.** Pre-application review is required for any project that requires a discretionary approval, including, but not limited to, Zone Clearances, Development Permits, Conditional Use Permits, Variances, Planned Developments, Rezones, General Plan Amendments, subdivisions, and Annexations.

**Article 50, Section 15-5007-C is proposed to be amended as follows to clarify site posting procedures for specific plans and other large plans:**

C. **Posting of the Site.** For ~~Plan Amendments and other~~ instances where the posting of a site may be required by this Code, the applicant shall post a public notice on the subject property per the following: The public notice shall be posted at least 10 days prior to the public hearing or action;

1. At least one notice per street frontage shall be posted;
2. There shall be at least one notice per 500 feet of street frontage;
3. The City shall prepare the notice;
4. ~~The applicant shall submit a signed letter stating that they posted or caused the posting of the notice;~~
- 4.5. The notice shall contain the information per Subsection E below;
- 5.6. The notice shall be a minimum of 11x17 inches; ~~and~~
7. ~~The applicant shall, at a minimum, laminate the public notice to offer some protection from inclement weather; and~~
- 6.8. Should the site be developed, a notice shall be posted in a conspicuous location proximate to the entrance(s) of the subject property. This notice shall be in addition to the notices that are required to be posted along the street frontage(s).

E. **Contents of Notice.** The notice shall include the following information:

10. For Council hearings, the Commission's recommendation, ~~if available at the time of the notice.~~

**Article 53, Section 15-5302-D is proposed to be amended as follows to clarify whether a CUP or Development Permit is required for certain projects:**

D. ~~In conjunction with a Development Permit, When a Conditional Use Permit is required for exceptions to certain development standards that are specifically identified in Part II, Base and Overlay Districts ~~as requiring a Conditional Use Permit.~~~~

**Article 56, Section 15-5602-A is proposed to be amended as follows for clarification:**

## **15-5602      Applicability**

A. **Façade Design Development Standards.** In conjunction with a Development Permit, the Review Authority may grant deviations from applicable Façade Design Development Standards in RS and E districts if the proposed design accomplishes the same goals pertaining to visual interest, pedestrian orientation, connectivity, durability, and longevity ~~as the standards which are deviated from.~~

**Article 58, Section 15-5810-A is proposed to be amended as follows for clarification:**

## 15-5810 City Council Hearing and Action

A. After receiving the report from the Planning Commission, the City Council shall hold a duly-noticed public hearing. The notice shall include a summary of the Planning Commission recommendation, **if available at the time of the notice.**

**Article 67, Section 15-6703 is proposed to be amended as follows for clarification:**

**Parking, Public or Private.** Surface lots and structures ~~for use of occupants, employees, or patrons on the subject site, or offering which offer~~ parking to the public for a fee, when such use parking is not incidental to associated with another on-site activity.

BILL NO. \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF FRESNO,  
CALIFORNIA, AMENDING SECTIONS 15-104-A, 15-107-B,  
15-313, 15-404-F-2, 15-902, 15-904-A, 15-1002, 15-1004-C-  
1, 15-1004-D-1-a, 15-1102, 15-1104-D-1, 15-1104-G-1, 15-  
1202, 15-1302, 15-1402, 15-1609-B, 15-2006, 15-2015-B-4,  
15-2018, 15-2102-A, 15-2305-C-2, 15-2609-B, 15-2610-E-2,  
15-2611-G, 15-2707, 15-2735-G, 15-2741-A-7-a, 15-2744-A,  
15-2744-C-1, 15-2747, 15-2751-G, 15-2754, 15-4906-D-1,  
15-4906-H, 15-5003-A, 15-5007-C, 15-5302-D, 15-5602-A,  
15-5810-A, AND 15-6703 AND REPEALING SECTIONS 15-  
1601 AND 15-1602 OF THE FRESNO MUNICIPAL CODE.

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

SECTION 1. Section 15-104-A of the Fresno Municipal Code is amended to read:

[3. Conflict of Standards. If there are found to be internal conflicts within this  
Code, the applicable standard shall be determined by the Review Authority.]

SECTION 2. Section 15-107-B of the Fresno Municipal Code is amended to read:

<b>TABLE 15-107-B: OVERLAY DISTRICTS</b>	
<i>Short Name/Map Symbol</i>	<i>Full Name</i>
PD	Planned Development
AB	Airport Environs
BP	Bluff Protection
EA	Expressway Area
RM	Residential Modifying
ANX	Annexed Rural Residential Transitional Overlay
EQ	Equine
M	Mining
AH	Apartment House

SECTION 3. Section 15-313 of the Fresno Municipal Code is amended to read:

[F. Regardless of the stated setback for a property, in no instance shall a building be allowed to encroach within an easement unless an easement encroachment has been authorized and a covenant recorded for that purpose.]

SECTION 4. Section 15-404-F-2 of the Fresno Municipal Code is amended to read:

2. Non-Residential Districts. A Legal Non-Conforming use shall not be re-established in any structure in a Non-Residential District if such Legal Non-Conforming use has ceased for a consecutive 12-month period within five years of the effective date of this Code [January 3, 2016]. Once the five year period from the effective date of this Code has passed, a Legal Non-Conforming Use shall not be re-established in any structure in a Non-Residential District if such Legal Non-Conforming Use has ceased for a consecutive period of 90 days or more.

SECTION 5. Section 15-902 of the Fresno Municipal Code is amended to read:

<b>TABLE 15-902: LAND USE REGULATIONS— RESIDENTIAL SINGLE-FAMILY DISTRICTS</b>							
<i>Use Classifications</i>	<i>RE</i>	<i>RS-1</i>	<i>RS-2</i>	<i>RS-3</i>	<i>RS-4</i>	<i>RS-5</i>	<i>Additional Regulations</i>
<b>Agricultural and Extractive Use Classifications</b>							
[Produce Stand]	[P]	[P]	[P]	[P]	[P]	[P]	[§15-2752, Roadside Fruit Stands / Grower Stands]
Urban Farm	[P]	P	P	P	[P]	[P]	§15-2720, Community Gardens / Urban Farms

SECTION 6. Section 15-904-A of the Fresno Municipal Code is amended to read:

[7. Rear Setback Reduction. Rear setbacks may be reduced if all of the following conditions are met:

a. A site plan shall be submitted in accordance with the provisions of Article 52 Development Permit;

- b. The rear setback shall be greater than or equal to the required interior side setback for the Base District;
- c. Space equal to the reduction shall be provided elsewhere on the lot, exclusive of any required yard area. Said replacement space shall have minimum dimensions of five feet by eight feet, and shall be so located that it is suitable for general use by the occupant of the premises; and
- d. The Review Authority shall find that the granting of the reduction will not be materially detrimental to the public welfare or injurious to property and improvements in the area in which the property is located and will not be contrary to the objectives of this Code.]

SECTION 7. Section 15-1002 of the Fresno Municipal Code is amended to read:

<b>TABLE 15-1002: LAND USE REGULATIONS— RESIDENTIAL MULTI-FAMILY DISTRICTS</b>					
<i>Use Classifications</i>	<i>RM-1</i>	<i>RM-2</i>	<i>RM-3</i>	<i>RM-MH</i>	<i>Additional Regulations</i>
<b>Agricultural and Extractive Use Classifications</b>					
[Produce Stand]	[P]	[P]	[P]	[P]	[\$15-2752, Roadside Fruit Stands / Grower Stands]
[Urban Farm]	[P]	[P]	[P]	[P]	[\$15-2720, Community Gardens / Urban Farms]

SECTION 8. Section 15-1004-C-1 of the Fresno Municipal Code is amended to read:

- [c. If a sound wall is required along a certain frontage, or if other circumstances exist that render the Parking Setback impractical or unnecessary, the Review Authority may waive the Parking Setback requirement.]

SECTION 9. Section 15-1004-D-1 of the Fresno Municipal Code is amended to read:

- a. Private Open Space Requirements. Private open spaces are those which are attached to a dwelling unit and are available only for the private use of the

residents of the dwelling unit, such as balconies, porches, and patios. No fewer than 50 percent of the dwelling units on a site shall have a private open space.

The following standards shall apply to private open space:

- i. The minimum dimension of any private open space shall be four feet.
- ii. The minimum area of any private open space shall be 32 square feet.
- iii. When located within 30 feet of a public street and located on the ground floor, private open spaces shall be designed as a porch. follow the requirements for ~~Perches as put forth in Table 15-1005-F.~~
- iv. When located within 30 feet of a public street and located above the ground floor, private open spaces shall be designed as a balcony. follow the requirements for ~~Balconies as put forth in Table 15-1005-F.~~

SECTION 10. Section 15-1102 of the Fresno Municipal Code is amended to read:

<b>TABLE 15-1102: USE REGULATIONS—MIXED-USE DISTRICTS</b>				
<i>Use Classifications</i>	<i>NMX</i>	<i>CMX</i>	<i>RMX</i>	<i>Additional Regulations</i>
<b>Residential Use Classifications</b>				
Family Day Care				
Small (8 or fewer children)	P(1)	P(1)	P(1)	§15-2725, Day Care Centers and Family Child Care Homes
<del>[Large (9 to 14 children)]</del>	<del>[P(1)]</del>	<del>[P(1)]</del>	<del>[P(1)]</del>	
<b>Commercial Use Classifications</b>				
Retail Sales				
Convenience Retail	P(5)	P	P	§15-2745, Outdoor Retail Sales; 15-2761 Tobacco and Vapor Shops
General Retail	P(5)	P	P	§15-2733, Hobby Stores; §15-2745, Outdoor Retail Sales
Nurseries and Garden Centers	P	P(5)	P	§15-2745, Outdoor Retail Sales
Second Hand / Thrift Stores	P(5)	P	P	
<b>Public and Semi-Public Use Classifications</b>				
Schools, Public or Private	-[C]	-[C]	C	
<b>Agricultural and Extractive Use Classifications</b>				
[Produce Stand]	[P]	[L]	[L]	[§15-2752, Roadside Fruit Stands / Grower Stands]
<b>Industrial Use Classifications</b>				

**TABLE 15-1102: USE REGULATIONS—MIXED-USE DISTRICTS**

<i>Use Classifications</i>	<i>NMX</i>	<i>CMX</i>	<i>RMX</i>	<i>Additional Regulations</i>
<u>[Warehousing, Storage, and Distribution]</u>				
<u>[Personal Storage]</u>	<u>[C]</u>	<u>[C]</u>	<u>[C]</u>	<u>[§15-2747, Personal (Mini) Storage]</u>

SECTION 11. Section 15-1104-D-1 of the Fresno Municipal Code is amended to read:

[c. If a sound wall is required along a certain frontage, or if other circumstances exist that render the Parking Setback impractical or unnecessary, the Review Authority may waive the Parking Setback requirement.]

SECTION 12. Section 15-1104-G-1 of the Fresno Municipal Code is amended to read:

G. Sidewalk Standards. [Notwithstanding Chapter 13, Section 208 of the Municipal Code, the following shall apply:]

1. Applicability. All projects shall be required to bring adjacent sidewalk conditions into conformance with the standards of this section, subject to the following exceptions:

a. Applications for signs only.

[b. Additions, remodels, or tenant improvements of less than 50 percent of the current value of the property.]

b. Tenant improvements for new establishments occupying 20,000 square feet of gross floor area or less.

c. Building expansions of 2,000 square feet of net new floor area or less.

SECTION 13. Section 15-1202 of the Fresno Municipal Code is amended to read:

<b>TABLE 15-1202: LAND USE REGULATIONS—COMMERCIAL DISTRICTS</b>							
<i>Use Classifications</i>	<i>CMS</i>	<i>CC</i>	<i>CR</i>	<i>CG</i>	<i>CH</i>	<i>CRC</i>	<i>Additional Regulations</i>
<b>Commercial Use Classifications</b>							
Offices							
<i>Business and Professional</i>	P(9) [(17)]	P	P	P	-	-	
<i>Medical and Dental</i>	P[(17)]	P	P	P	-	-	
<i>Walk-In Clientele</i>	P[(17)]	P	P	P	-	-	
<b>Agricultural and Extractive Use Classifications</b>							
Produce Stand	-	-	-	P	-	-	§15-2752, Roadside Fruit Stands / Grower Stands
<i>[Urban Farm]</i>	-	-	-	[P]	-	-	<i>[§15-2720, Community Gardens / Urban Farms]</i>
<b>Specific Limitations:</b>							
<i>[17. Not permitted along ground floor on Olive Avenue between Van Ness Avenue and Echo Avenue.]</i>							

SECTION 14. Section 15-1302 of the Fresno Municipal Code is amended to read:

<b>TABLE 15-1302: LAND USE REGULATIONS— EMPLOYMENT DISTRICTS</b>						
<i>Use Classifications</i>	<i>O</i>	<i>BP</i>	<i>RBP</i>	<i>IL</i>	<i>IH</i>	<i>Additional Regulations</i>
<b>Agricultural and Extractive Use Classifications</b>						
<i>[Produce Stand]</i>	-	-	-	[P]	[P]	<i>[§15-2752, Roadside Fruit Stands / Grower Stands]</i>
<i>[Urban Farm]</i>	-	-	-	[P]	[P]	<i>[§15-2720, Community Gardens / Urban Farms]</i>

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

<b>TABLE 15-1402: LAND USE REGULATIONS— MIXED-USE DISTRICTS</b>				
<i>Use Classifications</i>	<i>OS</i>	<i>PR</i>	<i>PI</i>	<i>Additional Regulations</i>
<b>Agricultural and Extractive Use Classifications</b>				
<i>[Produce Stand]</i>	[P]	-	-	<i>[§15-2752, Roadside Fruit Stands / Grower Stands]</i>
<i>[Urban Farm]</i>	[P]	-	-	<i>[§15-2720, Community Gardens / Urban Farms]</i>

SECTION 16. Section 15-1609-B of the Fresno Municipal Code is amended to read:

B. Use Regulations. Those uses permitted in the Base District, subject to the limitations and conditions set forth therein, except as follows:

1. Permitted Uses.

a. The uses permitted by the provisions of the Base District.

- b. Single Unit Dwelling, Attached and Multi-Unit Residential shall be permitted in all locations, including the ground floor along major streets.
  - c. Office uses, including Business and Professional, Medical and Dental, and Walk-In Clientele, shall be permitted in all locations, including the ground floor along major streets. Base District restrictions on the size of such establishments shall not apply.
- 2. Uses Subject to a Conditional Use Permit. Those uses permitted in the Base District, subject to the limitations and conditions set forth therein.
- 3. Uses Not Permitted. Those uses not permitted in the Base District or listed above, subject to the limitations and conditions set forth therein.]

SECTION 17. Section 15-2006 of the Fresno Municipal Code is amended to read:

C. Fence Height and Locations for Single-Family Homes.

- 1. Front Yards.
  - a. Wrought Iron or Tubular Steel. A fence up to four feet in height may be installed on the front property line [within any required front yard setback]. Fences must be open a minimum of 80 percent (e.g., no more than 20 percent opaque) to allow for the passage of light and air.
  - b. All Other Materials. A fence up to three feet in height may be placed on the front property line [within any required front yard setback].

- i. Exception. Front yard fences on parcels within the Pinedale Neighborhood Plan area may be up to four feet in height in the front yard, regardless of material, however fences shall comply with Section 15-2018, Intersection Visibility.
- 2. Side-Street Yards. Fences up to six feet in height may be installed ~~on the street-side property line~~ [within any required street-side yard setback].
- 3. Other Yards. Fences up to six feet in height may be installed ~~on property lines~~. Fences, regardless of location on the site, shall not exceed six feet in height.
- 4. Through Lots. Both street frontages shall be considered Front Yards.

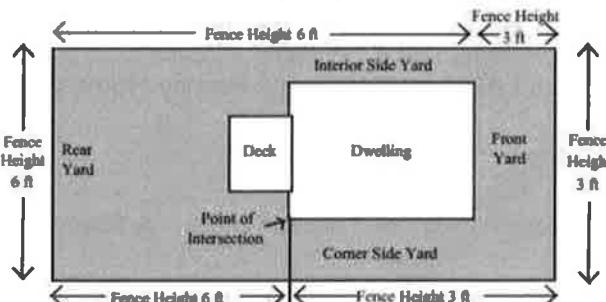


FIGURE 15-2006-C: MAXIMUM FENCE HEIGHT

- 15. Setbacks. Unless a greater setback is required in another section of this Code, fences shall be set back 12 inches from the back of adjacent sidewalks, or from the curb or shoulder if there is no sidewalk. Fences may be placed on interior side and rear property lines.

6. Right-of-Way. In no circumstance may any fence be placed in the public right-of-way unless specified elsewhere in this Code.]

D. Fence Height and Locations for Multi-Family Districts.

1. Front Yards.

a. Where a lot is on the same block frontage with parcels that are zoned for Single-Family uses, fencing shall comply with fencing standards of the Single-Family District in Subsection 15-2006-C.

b. If the block does not contain Single-Family zoned lots:

i. Wrought Iron or Tubular Steel: A fence up to four feet in height may be installed ~~on the front property line [within any required front yard setback]~~. Fences must be open a minimum of 80 percent (e.g., no more than 20 percent opaque) to allow for the passage of light and air.

ii. All Other Materials. The fence may be placed ~~on the property line [within any required front yard setback]~~ if the fence does not exceed three feet in height.

(1) Exception. Fences on parcels within the Pinedale Neighborhood Plan may be up to four feet in height, regardless of material, however fences shall comply with Section 15-2018, Intersection Visibility.

2. Street-Side Yards.

a. Lots with a Street-Side Yard of 125 Feet or Less in Length.

Fencing up to six feet in height may be placed ~~on the property line~~  
[within any street-side yard].

b. Lots with Street-Side Yards Greater than 125 Feet in Length.

Fencing up to six feet in height may be placed per the main building setback of the underlying district minus five feet.

3. Interior and Rear Yards. Fences may be placed on property lines.

4. Through Lots. All street frontages shall be considered Front Yards.

5. Private Patios, Yards, Etc. Fencing for private patios, yards, etc. in multi-family developments shall comply with the fencing requirements of this section.

6. Other Yards. ~~Fences up to six feet in height may be installed on property lines.~~ Fences, regardless of location on the site, shall not exceed six feet in height.

[7. Setbacks. Unless a greater setback is required in another section of this Code, fences shall be set back 12 inches from the back of adjacent sidewalks, or from the curb or shoulder if there is no sidewalk. Fences may be placed on interior side and rear property lines.]

8. Right-of-Way. In no circumstance may any fence be placed in the public right-of-way unless specified elsewhere in this Code.]

E. Fence Height and Locations for Downtown Districts.

(Reserved)

F. Fence Height and Locations for All Other [Uses and] Districts.

1. Front Yard.

- a. Wrought Iron or Tubular Steel. A fence up to four feet in height may be installed ~~on the front property line~~ [within any required front yard setback]. Fences must be open a minimum of 80 percent (e.g., no more than 20 percent opaque) to allow for the passage of light and air.
- b. [All Other Materials.] All other fences [within any required front yard setback] are permitted up to three feet in height and shall comply with the main building setback, minus five feet.

2. Street-Side Yard.

- a. Wrought Iron or Tubular Steel. A fence up to four feet in height may be installed [within any required front yard setback] ~~on the front property line~~. Fences must be open a minimum of 80 percent (e.g., no more than 20 percent opaque) to allow for the passage of light and air.
- b. [All Other Materials.] All other fences [within any required street side yard setback] are permitted up to three feet in height and shall comply with the main building setback, minus five feet.

3. Interior and Rear Yards. Fences may be placed ~~on~~ property lines.

4. Through Lots. Both street frontages shall be considered Front Yards.
5. Other Yards. Outside of the required front yard and street-side yards, the maximum height for fences is seven feet (regardless of location on the site) unless the fence is part of Outdoor Storage per Section 15-2013,

Outdoor Service Yards and Storage.

6. Bollards. Bollards, up to three feet in height may be placed at the rear of required landscape areas.

7. Setbacks. Unless a greater setback is required in another section of this Code, fences shall be set back 12 inches from the back of adjacent sidewalks, or from the curb or shoulder if there is no sidewalk. Fences may be placed on interior side and rear property lines.

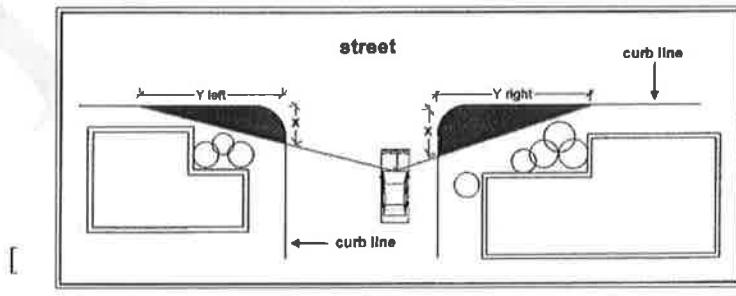
8. Right-of-Way. In no circumstance may any fence be placed in the public right-of-way unless specified elsewhere in this Code.]

SECTION 18. Section 15-2015-B-4 of the Fresno Municipal Code is amended to read:

**TABLE 15-2015-B.3: MAXIMUM HEIGHT OF LIGHTING FIXTURES**

<i>District</i>	<i>Maximum Height (ft)</i>
Residential Single-Family Districts	Shall not exceed the fascia of the home
Residential Multi-Family Districts	Shall not exceed the fascia of the unit or 16 feet, whichever is greater
Commercial and Mixed-Use Districts	20 within 100 of any street frontage or Residential District; 25 in any other location
Employment Districts	25 within 100 of any street frontage; 30 in any other location
Public and Semi-Public and Airport Overlay District[s]	25, or as necessary for safety and security

SECTION 19. Section 15-2018 of the Fresno Municipal Code is amended to read:



## FIGURE 15-2018: INTERSECTION VISIBILITY

### A. Street Intersections.

1. Vegetation and structures may not exceed a height of three feet within the triangular sight-distance area formed by the intersecting curb lines (or edge of pavement when no curbs exist) and a line joining points on these curb lines at [the locations and] a distance[s] [identified in Figure 15-2018 and Table 15-2018-A.] of 30 feet along both lines from their intersection.
2. Trees and signs that are located within this sight distance triangle shall have a clearance of eight feet high minimum between the lowest portion of the canopy and the sidewalk and street.
3. Applies to all structures, including flag poles and signs.

<b>[TABLE 15-2018-A: REQUIRED TRIANGULAR SIGHT-DISTANCE AREA]</b>		
<b>Circumstance</b>	<b>X Distance (ft.)</b>	<b>Y Distance (ft.)</b>
Local Street to Local Street	11	100
Local Street to Collector Street	25	25
Local Street to Arterial	20	100
Local Street to Super Arterial	20	100
Major Street to Major Street	Not Required	Not Required
<b>Other Requirements:</b>		
1. Scaled site plan depicting property lines and dimensioned sidewalk pattern.]		

SECTION 20. Section 15-2102-A of the Fresno Municipal Code is amended to read:

- A. The project site is located entirely within an MX District [or a CMS District].

SECTION 21. Section 15-2305-C-2 of the Fresno Municipal Code is amended to read:

2. Buffer Yard Types. Table 15-2305-C-2, Buffer Yard Requirements, describes the minimum width, and plant materials, and wall requirements for each type of buffer yard. The listed number of trees and shrubs are required for each 100 linear feet of buffer yard. Natural areas with native vegetation or alternative planting materials which achieve equivalent buffering effects may be approved by the Director Review Authority. For wall requirements, refer to Section 15-2008, Screening Between Differing Land Uses.]

SECTION 22. Section 15-2609-B of the Fresno Municipal Code is amended to read:

C. Public and Semi-Public Uses. Signs for Public and Semi-Public Uses located in Residential Districts may be erected subject to the following standards:

1. Maximum Number of Signs. One freestanding sign per street frontage plus one wall sign [per building].
2. Maximum Sign Area per Signs. Freestanding signs shall not be more than 32 square feet in area. Wall signs shall not ~~be more than 10 square feet in area~~ exceed 10 percent of the wall area.
3. Height Limit, Freestanding Signs. Five feet when located within a required front or street-side setback, eight feet otherwise.
4. Illumination. Signs may be internally illuminated.

SECTION 23. Section 15-2610-E-2 of the Fresno Municipal Code is amended to read:

2. Maximum Sign Area Per Sign. ~~Five [Ten] percent of the wall area or 100 square feet, whichever is less.~~

SECTION 24. Section 15-2611-G of the Fresno Municipal Code is amended to read:

G. Yard Signs. [Yard signs, which are typified by an impermanent nature; are usually constructed from lightweight materials (ex.: corrugated plastic); are typically located in a street-facing setback and supported by poles, stakes, or wire frames; are permitted subject to the following standards. A permit is not required.]

1. In Residential Districts.

- a. Maximum Size. Signs shall not exceed six square feet in area.
- b. Maximum Height/Width. Signs (including support structure) shall not exceed three feet in height or width.

2. All Other Districts.]

- a. Maximum Size. Signs shall not exceed 32 square feet in area.
- b. Maximum Height[Width]. Signs [(including support structure)] shall not exceed ~~ten~~ [eight] feet in height [or width.]

[3. Timing. Yard Signs relating to an event are permitted within 90 days before the event and up to 10 days after the event.]

3[4]. Location. Signs shall not be attached to any utility pole and such sign, or portion thereof, is not placed in any public right-of-way or on any property owned by the City. Such signs may be placed on private property with the permission of the property owner or may be attached to an existing sign on private property with the permission of the sign owner or lessee.

4[5]. Shall Not Obstruct. Such signs shall not be erected in such a manner that they will, or reasonably may be expected to, interfere with, obstruct, confuse, or mislead traffic.

5[6]. Maintenance. Signs not erected or maintained in accordance with the provisions of this subsection shall be the responsibility of the owner of the property upon which the sign is located, shall be deemed a public nuisance, and may be abated by such property owner, the candidate or person advocating the vote described on the sign (if applicable), or the Director. The cost of removal incurred by the Director shall be assessed against the property owner and/or, if applicable, the candidate and/or the person advocating the vote described on the sign.

SECTION 25. Section 15-2707 of the Fresno Municipal Code is amended to read:

15-2707      Animal Keeping

Animal keeping is allowed as an accessory use to a primary residential use. Animals may be kept in compliance with the following standards. [Enforcement of this section is the duty of the Poundmaster (FMC 10-302). Other regulations related to animals are located under FMC 10-200 et seq. and FMC-300 et seq.]

SECTION 26. Section 15-2735-G of the Fresno Municipal Code is amended to read:

D. Signage. ~~Refer to Article 26, Signs.~~ [Signs for Home Occupation uses may be erected subject to the following standards:

1. Quantity. A maximum of one sign is permitted.

2. Type. A wall or window sign is permitted. Freestanding signs of any type shall not be permitted.
3. Size. Shall not exceed two square feet in area.
4. Design. Signs shall be visually compatible with the building and surrounding neighborhood.
5. Illumination. Illuminated signage is not permitted.]

SECTION 27. Section 15-2741-A-7 of the Fresno Municipal Code is amended to read:

- a. Vendors shall not operate within 300 feet of an existing restaurant, during the restaurant's normal business hours, with the following exceptions:
  - i. Vendors operating as part of a Farmer's Market per Section 15-2730 or a Special Event per Section 15-2760-B.
  - ii. The restaurant and the Vendor are operated by the same entity.
  - iii. The Vendor has prior written permission of a business owner to operate on the property of that existing business.
  - iv. Within the area bounded by Divisidero Street, Highway 41, and Highway 99, non-motorized Vendors may operate within 300 feet of an existing restaurant with prior written permission of the City Manager.]

SECTION 28. Section 15-2744-A of the Fresno Municipal Code is amended to read:

<b>TABLE 15-2744-A ALLOWED HOURS OF OPERATION</b>	
<i>Hours of Operation</i>	<i>Outdoor Area Hours of Operation</i>
Establishments not serving alcohol	
<i>Establishments closer than 100 feet from Residential Districts<sup>1</sup></i>	Not earlier than 7 a.m. or later than 10 p.m.
<i>Establishments further than 100 feet from Residential Districts<sup>1</sup></i>	Not earlier than 7 a.m. or later than 12 a.m.

**TABLE 15-2744-A ALLOWED HOURS OF OPERATION**

<i>Hours of Operation</i>	<i>Outdoor Area Hours of Operation</i>
<i>Establishments further than 250 feet from Residential Districts<sup>1</sup></i>	No limitations
Establishments serving alcohol	
	<i>Refer to Section 15-2751, Restaurants with Alcohol Sales, Bars, Nightclubs, and Lounges.</i>
<i>[Establishments closer than 250 feet from Residential Districts<sup>1</sup>]</i>	<i>[Not earlier than 7 a.m. or later than 10 p.m.]</i>
<i>[Establishments further than 250 feet from Residential Districts<sup>1</sup>]</i>	<i>[No limitations]</i>
Smoke/Hookah/Cigar Lounges	
<i>Establishments 250 feet or closer from Residential Districts</i>	Not earlier than 7 a.m. or later than 12 a.m.
<i>Establishments further than 250 feet from Residential Districts<sup>1</sup></i>	No limitations

<sup>1</sup> Distance measured from the establishment to the nearest residential property line. Excludes residential use in the same development.

SECTION 29. Section 15-2744-C-1 of the Fresno Municipal Code is amended to read:

1. Encroachment Permit Required. An encroachment permit [Zone Clearance] approved by the City Engineer is required for any outdoor dining/seating located in the public right-of-way. [An encroachment permit approved by the City Engineer is required for any furniture or structures which are permanently attached to the public right-of-way.]

SECTION 30. Section 15-2747 of the Fresno Municipal Code is amended to read:

J. Design Standards within Mixed Use Districts.

1. Location. Storage uses shall not be located within 300 feet of an existing or planned Bus Rapid Transit station.
2. Site Size. Shall not exceed two acres.
3. Setback from Major Streets. The storage use shall be set back no less than 50 feet from all Major Streets. No less than 60 percent of the building frontage along Major Streets shall be occupied by food and beverage

sales, entertainment and recreation, general personal services, artist's studios, eating and drinking establishments, personal services, general retail, or convenience retail uses. Other high-activity uses may be approved at the discretion of the Review Authority.

4. Façade Design. The facades of the storage structures shall appear to be buildings used for non-storage purposes, such as office or multifamily, and shall not have an industrial appearance.

5. MX Development Standards. Unless otherwise stated, all MX development standards shall apply.]

SECTION 31. Section 15-2751-G of the Fresno Municipal Code is amended to read:

<b>TABLE 15-2751-G: SPECIAL STANDARDS</b>			
<i>Use</i>	<i>Time to Stop Sales, Service, &amp; Consumption of Alcohol</i>	<i>Separation from Residential<sup>1</sup></i>	<i>Neighborhood Meeting</i>
Restaurants (Should an establishment seek to stay open after 11 p.m. [12 a.m.], it shall be considered a Bar or Nightclub for permit purposes)	11 p.m. [12 a.m.]	NA	No
Tasting Room (Should an establishment seek to stay open after 11 p.m. or serve alcoholic beverages other than beer or wine, it shall be considered a Bar or Nightclub for permit purposes)	11 p.m.	NA	No
Bar	2 a.m.	Less than 300 ft.	Yes
		300 ft. or greater	No
Nightclub (whether or not they sell alcoholic beverages; for under aged persons, refer to Table 15-2751-H)	2 a.m.	Less than 400 ft.	Yes
		400 ft. or greater	No

1. Minimum horizontal distance, measured in feet, between the building, or portion of a building, occupied by the use, and the closest property line of property planned or zoned for residential uses, not including residential part of the project or part of a vertical mixed-use development. The separation criteria is not subject to modification by a permit.

SECTION 32. Section 15-2754 of the Fresno Municipal Code is amended to read:

- I. Setbacks. [Per the underlying zone district.]
  1. ~~Front Yards. Per the underlying zone district.~~
  2. ~~Side Yards/Street Side Yards. Per the underlying district.~~
  3. ~~Rear Yards. Shall be separated from the main home by a minimum of six feet.~~
    - a. ~~Second Dwelling Unit. Per the underlying zone district.~~
    - b. ~~Backyard Cottage and Accessory Living Quarters.~~
      - i. ~~Alley Present. Three feet.~~
      - ii. ~~No Alley Present.~~

(1) ~~Abutting an RS. Ten feet.~~

SECTION 33. Section 15-4906-D-1 of the Fresno Municipal Code is amended to read:

[a. Development Permit applications submitted in multi-family and mixed-use districts consistent with the Certainty Option set forth in sections 15-1004, 15-1005, 15-1104, and 15-1105 of this Code shall not be subject to review and recommendation by Council District Project Review Committees.]

SECTION 34. Section 15-4906-H of the Fresno Municipal Code is amended to read:

[1. Specific Plan Design Review Committees. Development Permit applications submitted in multi-family and mixed-use districts consistent with the Certainty Option set forth in sections 15-1004, 15-1005, 15-1104, and 15-1105 of this Code shall be subject to review by applicable Specific Plan Design Review Committees as follows:

- a. Upon completion of an application following internal departmental review, DARM Department staff shall provide the completed application to members of any applicable Specific Plan Design Review Committee.
- b. If a Committee member chooses to request a meeting to discuss the application, they must submit the request to DARM Department staff within 72 hours of their receipt of the application.
- c. A meeting of the applicable Specific Plan Design Review Committee must be set within 5 business days of the first request for a meeting.
- d. If no members of a Committee request a meeting to discuss the application within the allotted time, it shall move forward without review by the Committee.
- e. The Committee's review is limited to verification of the project's compliance with the requirements of the Certainty Options set forth in sections 15-1004, 15-1005, 15-1104, and 15-1105 of this Code, and the requirements of any applicable Specific Plan.]

SECTION 35. Section 15-5003-A of the Fresno Municipal Code is amended to read:

A. Applicability. Pre-application review is required for any project that requires a discretionary approval, including, but not limited to, ~~Zone Clearances~~, Development Permits, Conditional Use Permits, Variances, Planned Developments, Rezones, General Plan Amendments, subdivisions, and Annexations.

SECTION 36. Section 15-5007-C of the Fresno Municipal Code is amended to read:

C. Posting of the Site. For ~~Plan Amendments and other~~ instances where the posting of a site may be required by this Code, the applicant shall post a public notice on the subject property per the following: The public notice shall be posted at least 10 days prior to the public hearing or action;

1. At least one notice per street frontage shall be posted;
2. There shall be at least one notice per 500 feet of street frontage;
3. The City shall prepare the notice;
4. ~~The applicant shall submit a signed letter stating that they posted or caused the posting of the notice;~~
- [4.]5. The notice shall contain the information per Subsection E below;
- [5.]6. The notice shall be a minimum of 11x17 inches; ~~[and]~~
- ~~7. The applicant shall, at a minimum, laminate the public notice to offer some protection from inclement weather; and~~
- ~~[6.]8. Should the site be developed, a notice shall be posted in a conspicuous location proximate to the entrance(s) of the subject property. This notice shall be in addition to the notices that are required to be posted along the street frontage(s).~~

SECTION 37. Section 15-5007-E-10 of the Fresno Municipal Code is amended to read:

10. For Council hearings, the Commission's recommendation~~[, if available at the time of the notice]~~.

SECTION 38. Section 15-5302-D of the Fresno Municipal Code is amended to read:

D. ~~In conjunction with a Development Permit, [When a Conditional Use Permit is required for]~~ exceptions to certain development standards ~~[that are]~~ specifically identified in Part II, Base and Overlay Districts ~~as requiring a Conditional Use Permit.~~

SECTION 39. Section 15-5602-A of the Fresno Municipal Code is amended to read:

A. Façade Design Development Standards. In conjunction with a Development Permit, the Review Authority may grant deviations from applicable Façade Design Development Standards in RS and E districts if the proposed design accomplishes the same goals pertaining to visual interest, pedestrian orientation, connectivity, durability, and longevity as the standards which are deviated from.

SECTION 40. Section 15-5810-A of the Fresno Municipal Code is amended to read:

A. After receiving the report from the Planning Commission, the City Council shall hold a duly-noticed public hearing. The notice shall include a summary of the Planning Commission recommendation~~[, if available at the time of the notice]~~.

SECTION 41. Section 15-6703 of the Fresno Municipal Code is amended to read:

Parking, Public or Private. Surface lots and structures ~~for use of occupants, employees, or patrons on the subject site, or offering~~ [which offer] parking to the public for a fee, when such use ~~[parking]~~ is not incidental to ~~[associated with]~~ another on-site activity.

SECTION 42. Section 15-1601 of Chapter 15 of the Fresno Municipal Code is repealed in its entirety.

SECTION 43. Section 15-1602 of Chapter 15 of the Fresno Municipal Code is repealed in its entirety.

SECTION 45. This ordinance shall become effective and in full force and effect at 12:01 a.m. on the thirty-first day after its final passage.

\* \* \* \* \*

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

I, YVONNE SPENCE, 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 \_\_\_\_\_, 2015.

AYES :  
NOES :  
ABSENT :  
ABSTAIN :

Mayor Approval: \_\_\_\_\_, 2015  
Mayor Approval/No Return: \_\_\_\_\_, 2015  
Mayor Veto: \_\_\_\_\_, 2015  
Council Override Vote: \_\_\_\_\_, 2015

YVONNE SPENCE, CMC  
City Clerk

BY: \_\_\_\_\_  
Deputy

APPROVED AS TO FORM:  
DOUGLAS T. SLOAN,  
City Attorney

BY: \_\_\_\_\_  
[Name] [Date]  
Assistant / Deputy

atty:secty [doc name/disk] 01-07-15

**Exhibit C  
Public Notice**

**CITY OF FRESNO**  
**NOTICE OF PUBLIC HEARINGS**

Dear Property Owner:

We are providing this notice to inform you that the Fresno City Planning Commission and the Fresno City Council will consider a change of General Plan land use designation and/or zoning for your property. This is considered a "clean up" item related to the recent citywide update of the General Plan, Development Code, and Zoning Map. These changes will more closely match the designation that was in place on the site prior to the citywide update. In some cases you may have requested this change, or a neighboring property owner may have suggested a change for a larger area that included your property. In other instances, only the zoning is being changed in order to remove inconsistencies with the General Plan land use designation.

A map which shows the general location of the proposed changes, and a table which identifies the affected parcel numbers, is enclosed. For more detailed maps and other information related to this potential action, you may visit [www.fresno.gov/gpcleanup](http://www.fresno.gov/gpcleanup). If you wish to provide written support or opposition of this action, or if you wish to appear in person to express your support or opposition, please see the reverse side of this notice for instructions.

Sincerely,

*The Development and Resource Management Department*

NOTICE IS HEREBY GIVEN THAT the Fresno City Planning Commission and the Fresno City Council, in accordance with Sections 65090 and 65091 (Planning and Zoning Law) of the Government Code and in accordance with the procedures of Chapter 15, Sections 5007 and 5801-5812 of the Fresno Municipal Code, will conduct public hearings to consider Plan Amendment Application No. A-16-006, Rezone Application No. R-16-007, Text Amendment Application No. TA-16-001 and the related environmental finding. These applications have been filed by the City of Fresno Development and Resource Management Director and pertain to 338.6 acres of property (see Map). At these hearings, the following will be considered:

**Environmental Assessment No. A-16-006, R-16-007, TA-16-001** recommends approval of an Addendum to Final Master Environmental Impact Report SCH No. 2012111015 (MEIR) certified by the Fresno City Council on December 18, 2014 for the Fresno General Plan and Development Code, pursuant to California Environmental Quality Act Guidelines Sections 15162 and 15164.

**Plan Amendment Application No. A-16-006** pertains to 271.63 acres of property and proposes to amend the Fresno General Plan, the Bullard, Fresno High, McLane, Roosevelt, West Area, and Woodward Park Community Plans, the Tower District Specific Plan, the Fresno Yosemite Airport Land Use Compatibility Plan and the Sierra Sky Park Land Use Policy Plan. The purpose of the amendments is to improve consistency with specific plans and to implement City Council direction from February 2016 allowing property owners to request a reversion to a zone district and planned land use equivalent to that existing under the prior general plan when the change is consistent with general plan policy and would not cause significant environmental impacts.

**Rezone Application No. R-16-007** pertains to approximately 67.03 acres of property and includes technical changes to zoning on properties that were inadvertently omitted from the zoning map update. The rezones are requested to attain consistency with the approved general plan land use designation.

**Text Amendment Application No. TA-16-001** makes minor changes to the Development Code in order to improve functionality, clarity, and internal consistency. Proposed amendments affect the following standards and/or procedures: rear setbacks, private open space, fencing, signage, hours of operation for establishments serving alcohol, design standards within mixed use districts, the apartment house overlay, intersection visibility; the addition of produce stands, urban farms and large family day care to certain zone districts; the deletion of the airport environs and planned development overlay districts (due to redundancy); and posting requirements, among others. The affected sections are 15-404-F, 15-904-A, 15-1004-C-1, 15-1004-D-1-a, 15-1104-D-1, 15-2006-F, 15-2305-C-2, 15-2609-B, 15-2610-E-2, 15-2611-G, 15-2735-G, 15-2741-A-7-a, Table 15-2744-A, 15-2744-C-1, 15-2747, Table 15-751-G, 15-4906-D-1, 15-4906-H, 15-5003-A, 15-5302-D, 15-5602-A, 15-6703, 15-104-A, Table 15-107-B, 15-313, Table 15-902, Table 15-1002, Table 15-1102, 15-1104-G.1, Table 15-1202, Table 15-1302, Table 15-1402, 15-1601, 15-1602, 15-1609-B, 15-2006-F, Table 15-2015-B.4, 15-2018, 15-2102-A, 15-2707, 15-2754, 15-5007-C, 15-5810-A.

More information about the plan amendments, rezones, and text amendment is available at [www.fresno.gov/gpcleanup](http://www.fresno.gov/gpcleanup).

#### **FRESNO CITY PLANNING COMMISSION**

Date: Wednesday, August 17, 2016  
Time: 6:00 p.m., or thereafter  
Place: City Hall Council Chamber,  
Second Floor, 2600 Fresno Street,  
Fresno, CA 93721

#### **FRESNO CITY COUNCIL**

Date: Thursday, August 25, 2016  
Time: 5:00 p.m., or thereafter  
Place: City Hall Council Chamber,  
Second Floor, 2600 Fresno  
Street, Fresno, CA 93721

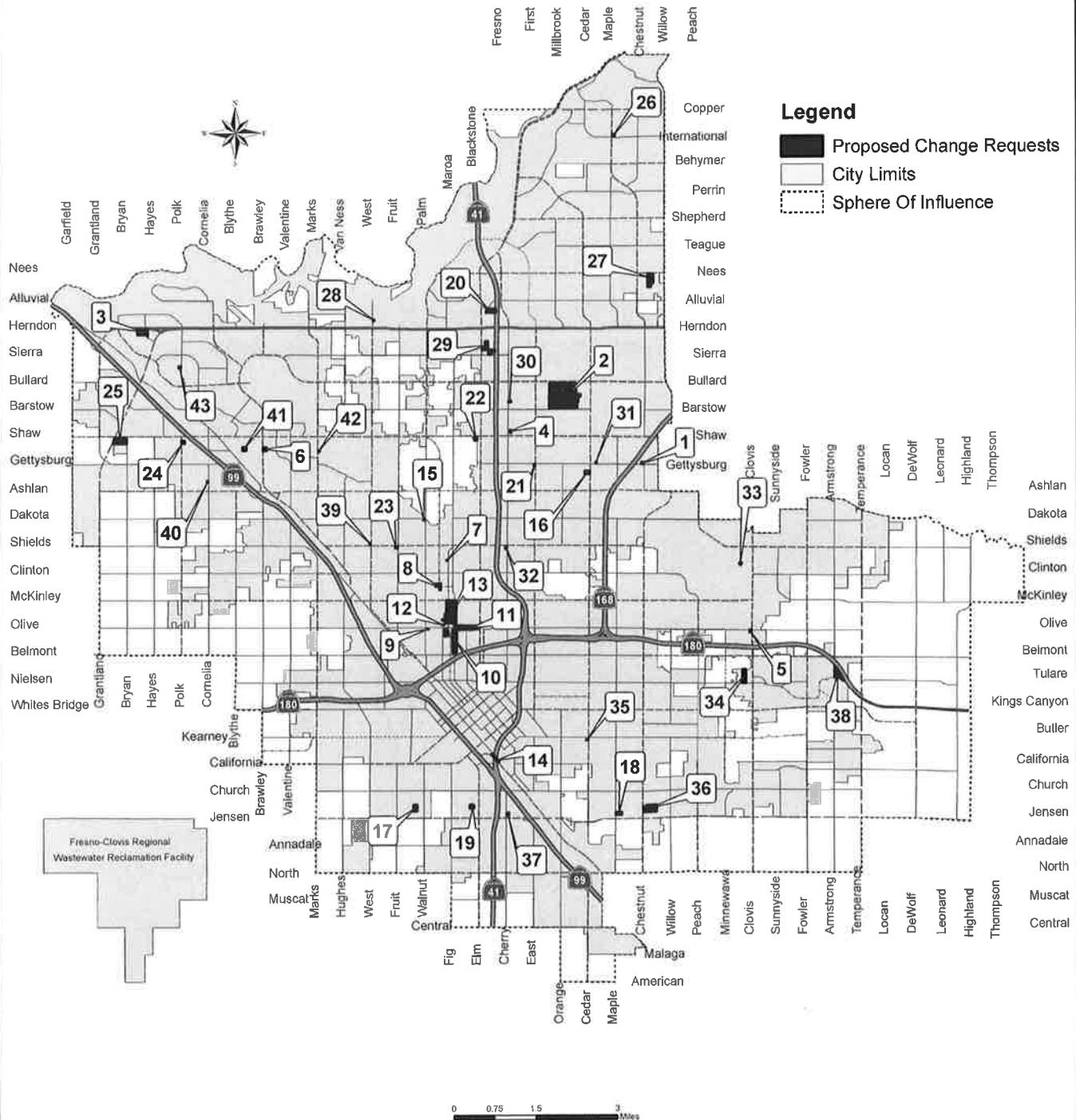
Any interested person may appear at either or both of the public hearings and present written testimony, or speak in favor or against the project proposal. However, all documents submitted to the City Council for its consideration shall be submitted to the City Clerk at least **24 hours prior** to the Council Agenda item being heard, pursuant to the City Council's meeting rules and procedures, or they may be excluded from the administrative record of proceedings. If an individual challenges the above applications in court, they may be limited to raising only those issues that were raised at the public hearings described in this notice, or in written correspondence delivered to the Planning Commission or City Council consistent with their respective rules of procedure. The Planning Commission's recommendations pertaining to the Environmental Assessment, Plan Amendment, Rezone, and Text Amendment applications will be considered by the City Council.

Note: This public hearing notice is being posted pursuant to the requirements of the Fresno Municipal Code Section 15-5007-D.

For additional information on the proposed project, including copies of the proposed environmental finding, contact the City of Fresno Development and Resource Management Department, City Hall, 2600 Fresno Street, Room 3076, Fresno, California, 93721, or contact Sophia Pagoulatos at [sophia.pagoulatos@fresno.gov](mailto:sophia.pagoulatos@fresno.gov). **Para información en español, comuníquense con Sophia Pagoulatos (al correo electrónico [Sophia.pagoulatos@fresno.gov](mailto:sophia.pagoulatos@fresno.gov)).**

# City of Fresno Proposed General Plan Amendment and Rezone Change Requests

Date: 8/2/2016



City of Fresno Proposed General Plan Amendment and Rezones - August 2, 2016

Number	Area	APN	Current			Proposed			Acres
			Planned Land Use Prefix	Description	Prefix	Description	Planned Land Use Prefix	Description	
1	Chinatown and Gettysburg	43025313 and 14	RMH	Residential Medium Density	RM-1	Residential Multi-Family, Medium High Density	CC	Commercial - Community	0.86
		41810301-16, 41810401-16, 41810501-08, 41811001-08, 41811201-15, 19-23, 26 and 27, 41811301-12, 41811401-13, 41811501-08, 4181201-15, 41812201-11, 41812301-22, 41813101-20, 21-17, 22-39, 41813201-16 and 19, 418141-08, 41814201-04-08, 41814301-04, 41814401-05, 41814501-16, 41814601-15, 4182101-03, 05-10, 41822722-16, 418227301 and 02, 418227401-07, 41823101-11, 41823201-01-10, 13, 16-29, 31, 32, and 34, 41823301-04, 41832101, 04, 07, 09-11, and 13, 418332201-14, RM/L	Residential Medium Low Density	RS-4	Residential Single Family, Medium Low Density	RL	Residential Low Density	RS-3	
2	Bullard and Cedar		RM/L	Residential Urban Neighborhood	RM-2	Residential Multi-Family, Urban Neighborhood	CO	Employment - Office	0
3	Henderson and Hayes	50409130-34	RUN	Residential Medium Low Density	RS-4	Residential Single Family, Medium Low Density	CO	Employment - Office	0
4	Keats and Fresno	41820102 and 30	RML	Corridor/Center Mixed-Use	CMX	Corridor/Center Mixed Use	CGH	Commercial - General	20.23
5	Clive and Clovis	45603015	RMX	Regional Mixed-Use	RMX	Regional Mixed-Use	IL	Industrial Light	2.01
6	Shaw and Brawley	42402118	RMX	Residential Medium Density	RS-5	Residential Single-Family, Medium Density	NMX	Neighborhood Mixed-Use	0.26
7	Tower District (Princeton and Wishon)	44324112	RM	Commercial - Community	CC	Commercial - Community	EMS	Commercial - Main Street	2.90
8	Tower District (Echo and Waldon)	44411305-09, 44415301, 02 and 285, 44422101, 02, 28, and 29	RH	Residential High Density	RM-3	Residential Multi-Family, High Density	CMS	Commercial - Main Street	0.17
9	Tower District (Palm and Olive)	45202106	RH	Residential High Density	RM-3	Residential Multi-Family, High Density	CMS	Commercial - Main Street	0.74
10	Tower District (Van Ness and Belmont)	45204105, 452228101, 02, 05, 06, 10, 13, 15 and 20,	RH	Residential High Density	RM-3	Residential Single-Family, Medium Density	CMS	Commercial - Main Street	14.66
		45204601 and 07, 45212101-03, 45212501-06, 45212601, 05, 07, and 08, 45220103-08, 45220312, 13, 15-19, 24 and 28, 45220601-03, 452228101, 02, 05, 06, 10, 13, 15 and 20,	Residential Medium High Density	RM-1	Residential Multi-Family, Medium High Density	CMS	Commercial - Main Street	1.62	
		4520530-07, 08-10	PF	Public Facility	RS-5	Residential Single-Family, Medium Density	CMS	Commercial - Main Street	9.67
11	Tower District (Olive and Blackstone)	45127511-14, 45128110 and 14, 45128212-17, and 31, 45128312-15, 45128511-13, 45204202 and 03, 45204303, 45204308, 09, 11, 12, 13, 45205103, 03, 04, 25-27, 45205202, 03, and 17	RM	Residential Medium Density	RS-5	Residential Single-Family, Medium Density	CMS	Commercial - Main Street	2.68
		45126102, 05-07, 18, 19, 45126401, 11, 13, and 15	CGH	Commercial - General	CG	Commercial - General	CMS	Commercial - Main Street	6.25
		45111602, 08, and 14, 45115301-03, 10, 15-18, 45126204 and 30, 45126301-08, 09, 12, 15, and 16	RM	Residential Medium Density	RS-5	Residential Single-Family, Medium Density	RUN	Residential Urban Neighborhood	10.67
12	Tower District (Wishon and McKinley)	45104006-10, 45104002-10, 16 and 17, 45111505-09, 45111501-07, 10, 16 and 17, 45118304-07, 09, and 17, 45118401, 10, 12, 13, and 16, 45126313 and 14	RM	Residential Medium Density	RS-5	Residential Single-Family, Medium Density	CMS	Commercial - Main Street	10.67

City of Fresno Proposed General Plan Amendment and Rezones - August 2, 2016

Tower District (Van Ness and McKinley)	45105110, 16 and 17, 45105215, 16 and 25, 45112214-22, and 24, 45112301-30	CC	Commercial - Community	CC	Commercial - Community	CMS	Commercial - Main Street	CMS	Commercial - Main Street	4.54	
Tower District (Van Ness and McKinley)	45126404-07	CGH	Commercial - General	CG	Commercial - General	CMS	Commercial - Main Street	CMS	Commercial - Main Street	1.07	
Tower District (Van Ness and McKinley)	45105101-08, 45105201, 17-19, 21 and 26	CO	Employment - Office	O	Office	CMS	Commercial - Main Street	CMS	Commercial - Main Street	2.31	
Tower District (Van Ness and McKinley)	05, 4511302-04, 06, 11 and 12, 45104608-10, 05, 45104315 and 21	RM	Residential Medium Density	RS-5	Residential Single-Family, Medium Density	RUN	Residential Urban Neighborhood	RM-2	Residential Multi-Family, Urban Neighborhood	5.72	
Tower District (Van Ness and McKinley)	26, 45105102, 05, 06, 10, 12, 16-18, 45127201, 13, 14, and 17-22	RMH	Residential Medium High Density	RM-1	Residential Multi-Family, Medium High Density	CMS	Commercial - Main Street	CMS	Commercial - Main Street	5.62	
<b>13</b>									Public/Quasi Public Facility		
<b>14</b>	G and SR 41	Not assigned yet	None	None	None	PF		PF	Public and Institutional	2.37	
<b>15</b>	Palm and Dakota	43506219	RMH	Residential Medium High Density	RM-1	Residential Multi-Family, Medium High Density	CC	Commercial - Community	CC	Commercial - Community	0.15
<b>16</b>	Gettysburg and Cedar	42807223	RM	Residential Medium Density	RS-5	Residential Single-Family, Family, Medium Density	CC	Commercial - Community	CC	Commercial - Community	3.33
<b>17</b>	Jensen and Walnut	47720048T	CO	Employment - Office	O	Office	PB/P	Open Space - Ponding Basin (Park Use)	DS	Open Space	4.47
<b>18</b>	Jensen and Maple	48003060	RMH	Residential Medium High Density	RM-1	Residential Multi-Family, Medium High Density	RUN	Residential Urban Neighborhood	RM-2	Residential Multi-Family, Urban Neighborhood	3.53
<b>19</b>	Elm and Jensen	47902052	NP	Open Space - Neighborhood Park	PR	Parks and Recreation	NP with RM Dual Designation	Open Space - Neighborhood Park with Residential Medium Density Dual Designation	RS-5	Residential Single-Family, Medium Density	3.16
<b>20</b>	Alluvial and Abby	30320127	NP	Open Space - Neighborhood Park	PR	Parks and Recreation	CR	Commercial - Regional	CR	Commercial - Regional	7.75
<b>21</b>	Gettysburg and First	42804145	RM	Residential Medium Density	RS-5	Residential Single-Family, Medium Density	CC	Commercial - Community	CC	Commercial - Community	0.48
<b>22</b>	Blackstone and Shaw	42509213	NP	Open Space - Neighborhood Park	RS-4	Residential Single-Family, Medium Low Density	NP with CMX Dual Designation	Open Space - Neighborhood Park with Corridor/Center Mixed-Use Designation	CMX	Corridor/Center Mixed-Use	2.25
<b>23</b>	Shields and Fruit	44303209 and 44303249	RMH	Residential Medium High Density	RM-1	Residential Multi-Family, Medium High Density	CC	Commercial - Community	CC	Commercial - Community	0.84
<b>24</b>	Shaw and Polk	5102019, 5102020, 5102038, 5102039, 51203052, and 51203037, 51203038, 51203052, and 51203082	CG	Commercial - General	O	Commercial - General	RUN	Residential Urban Neighborhood	RM-2	Residential Multi-Family, Urban Neighborhood	1.52
<b>25</b>	Shaw and Bryan	51203082	RMH	Residential High Density	RM-3	Residential Multi-Family, High Density	RMX	Regional Mixed-Use	RMX	Regional Mixed-Use	17.32
										Total:	271.63



**THIS IS A LEGAL NOTICE**

**City of Fresno Proposed General Plan Amendment and Rezones - August 2, 2016**

Rezone Change Requests Only - Numbers 26 through 43

Number	Area	APN	Current Zoning		Proposed Zoning		Acres
			Prefix	Description	Prefix	Description	
26	International and Maple	57801001T	PR	Parks and Recreation	PI	Public and Institutional	1.11
27	Nees and Willow	40407240S	PI	Public and Institutional	RS-4	Residential Single-Family, Medium Low Density	4.70
28	Herndon and West	40548344ST	PR	Parks and Recreation	PI	Public and Institutional	0.44
29	Sierra and Blackstone	40805009, 40805037, and 40805004	RM-MH	Mobile Home Park	CMX	Corridor/Center Mixed-Use	11.23
30	Barstow and Fresno	41802110T	PR	Parks and Recreation	PI	Public and Institutional	0.84
31	Gettysburg and Cedar	43014021T	PR	Parks and Recreation	PI	Public and Institutional	0.39
32	Shields and Fresno	44504143T	PR	Parks and Recreation	PI	Public and Institutional	0.61
33	Shields and Clovis	49406051T	PR	Parks and Recreation	PI	Public and Institutional	0.87
34	Tulare and Clovis	46202024	RM-MH	Mobile Home Park	CMX	Corridor/Center Mixed-Use	9.65
35	Butler and Cedar	47106228T	PR	Parks and Recreation	PI	Public and Institutional	0.38
36	Jensen and Chestnut	48111037T	RM-MH	Mobile Home Park	RS-5	Residential Single Family, Medium Low Density	18.29
37	Jensen and Cherry	47932002T	PR	Parks and Recreation	PI	Public and Institutional	1.10
38	Tulare and Armstrong	31327044T	PR	Parks and Recreation	BP	Business Park	12.79
39	Shields and West	43335408	PR	Parks and Recreation	PI	Public and Institutional	0.81
40	Gettysburg and Cornelia	51032632T and 51032633T	PR	Parks and Recreation	PI	Public and Institutional	0.19
41	Shaw and Brawley	51043301T	IL	Industrial Light	PR	Parks and Recreation	2.37
42	Shaw and Marks	42432126T	PR	Parks and Recreation	PI	Public and Institutional	0.34
43	Bullard and Polk	50618249ST	PR	Parks and Recreation	PI	Public and Institutional	0.92

Total: 67.03

**Exhibit D  
Public Comments**

**City of Fresno  
Council District  
and  
Design Review Committee Recommendations  
A-16-006, R-16-007, TA-16-001**

<b>Committee</b>	<b>Meeting Date</b>	<b>Recommendation</b>
District 1	August 16, 2016	
District 2	August 8, 2016	Approval
District 3	August 15, 2016	
District 4	August 8, 2016	Continued to August 22, 2016
District 5	August 8, 2016	Approval
District 6	August 15, 2016	
District 7	N/A	N/A
Tower DRC	August 5, 2016	Approval
Fulton/Lowell DRC	August 8, 2016	No action on plan amendment and rezones, since none are location in the FL specific plan area. Consideration of TA-16-001 was continued to allow more time for review. Individual members will email any comments to staff.

Plan Amendment Application No. A-16-006,  
 Rezone Application No. R-16-007  
**Public Comment Summary**

Date	Name	Property	Council District	Plan Amendment Number	Comment	Response
8/8/2016	Jerry M. Irons	Northeast corner of Church and Maple / 480-201-17 & 20	5	N/A	Prefers that corner lots be planned for Commercial General; requests extension of grace period.	Subject property is not included in this clean up but could be potentially eligible
8/11/2016	Jeff Rowell	1460-1470 N. Wishon	1	12	General Question	General explanation of applications provided
8/11/2016	Ronald Bell	1376-1382 N. Wishon / 45118413	1	13	General Questions on what change means and potential effects on future property repairs and upgrades	General explanation of applications provided
8/11/2016	Tom Gibbs	1376 N. Van Ness / 451-192-23	1	13	General Question	General explanation of applications provided

**Exhibit E**  
**Environmental Assessment**

CITY OF FRESNO

ADDENDUM TO MASTER ENVIRONMENTAL IMPACT REPORT NO. SCH

2012111015 PREPARED FOR

PLAN AMENDMENT APPLICATION NO. A-16-006, REZONE APPLICATION

NO. R-16-007 and TEXT AMENDMENT APPLICATION NO. TA-16-001

*Prepared in accordance with Section 15164 of the California Environmental Quality Act (CEQA) Guidelines*

The full Environmental Impact Report is on file in the Development and Resource Management Department, Fresno City Hall, 3rd Floor 2600 Fresno Street Fresno, California 93721 (559) 621-8277

ENVIRONMENTAL ASSESSMENT NUMBER:

A-16-006/R-16-007/TA-16-001:  
Plan Amendment, Rezone and Development Code Text Amendment

This addendum was not circulated for public review pursuant to Section 15164(c) of the CEQA Guidelines

APPLICANT:

City of Fresno  
2600 Fresno Street  
Fresno, CA 93721

PROJECT LOCATION:

The proposed Plan Amendment, Rezone and Development Code Text Amendment would apply to all property within the Fresno City limits and as defined in attached maps and table in Exhibit A.

PROJECT DESCRIPTION:

**The General Plan and Development Code Cleanup.** Plan Amendment Application No. A-16-006, Rezone Application No. R-16-007 and Text Amendment Application No. TA-16-001 have been filed by the City of Fresno Development and Resource Management Director and pertain to 338.6 acres. **Plan Amendment Application No. A-16-006** proposes to amend the Fresno General Plan, the Bullard, Fresno High, McLane, Roosevelt, West Area, and Woodward Park Community Plans, the Tower District Specific Plan, the Fresno Yosemite Airport Land Use Compatibility Plan and the Sierra Sky Park Land Use Policy Plan, as noted in the attached maps and table and pertains to 271.63 acres of property located within the Fresno General Plan Planning Area in order to improve consistency with existing built conditions and pre-existing plans. **Rezone Application No. R-16-007** pertains to approximately 67.03 acres of property and includes technical changes to zoning on properties that were inadvertently omitted from the zoning map update. The rezones are requested to attain consistency with the approved general plan land use designation. **Text Amendment Application No. TA-16-001** makes minor changes to various standards in order to improve functionality, clarity, and internal consistency. Proposed amendments affect the following standards and/or procedures: rear setbacks, private open space, fencing, signage, hours of operation for establishments serving alcohol, design standards within mixed use districts, the apartment house overlay, intersection visibility; the addition of produce stands, urban farms and large family day care to certain zone districts; the deletion of the airport environs and planned development overlay districts (due to redundancy); and posting requirements, among others. The affected sections are 15-404-F, 15-904-A, 15-1004-C-1, 15-1004-D-1-a, 15-1104-D-1, 15-2006-F, 15-2305-C-2, 15-2609-B, 15-2610-E-2, 15-2611-G, 15-2735-G, 15-2741-A-7-a, Table 15-2744-A, 15-2744-C-1, 15-2747, Table 15-751-G, 15-4906-D-1, 15-4906-H, 15-5003-A, 15-5302-D, 15-5602-A, 15-6703, 15-104-A, Table 15-107-B, 15-313, Table 15-902, Table 15-1002, Table 15-1102, 15-1104-G.1, Table 15-1202, Table 15-1302, Table 15-1402, 15-1601, 15-1602, 15-1609-B, 15-2006-F, Table 15-2015-B.4, 15-2018, 15-2102-A, 15-2707, 15-2754, 15-5007-C, 15-5810-A.

The adoption of the Fresno General Plan and Citywide Development Code were previously analyzed in Master Environmental Impact Report (“MEIR”) SCH No. 2012111015, certified by the Fresno City Council on December 18, 2014. The Introduction to the MEIR specifically stated that “[t]he City of Fresno proposes to update their General Plan and Development Code and this Master Environmental Impact Report (MEIR) has been prepared to assess the impacts of those actions on the environment.” The Plan Amendment presented includes minor amendments to the General Plan land use map adopted in December of 2014. Plan Amendment Application No. A-16-006 and Rezone Application No. R-16-007 propose 43 clean up amendments to the General Plan Land Use and Circulation Map and the Zoning Map for one of the following reasons: 1) to implement City Council direction provided in February 2016 allowing property owners to request a reversion to previously existing zoning on their property (Requests 1-7 and 16-25); to bring property into conformance with an existing specific plan (Requests 8-13); or to make technical corrections to zoning for consistency with the land use designation (Requests 26-43). These land use changes were analyzed would not result in additional impacts beyond those analyzed in the MEIR.

The Development Code Text Amendment Application No. TA-16-001 makes minor changes to various standards in order to improve functionality, clarity, and internal consistency, consistent with the General Plan. No changes are proposed that would fundamentally change the intent of a zone district or increase or decrease density ranges or floor area ratios.

The potential environmental impacts identified in the MEIR for the Fresno General Plan and the Citywide Development Code are classified in three categories. These categories include (1) issues found to be significant and unavoidable, (2) issues found to be less than significant with mitigation measures, and (3) issues found to have no impact or less than significant without mitigation measures.

With the incorporation of Plan Amendment Application No. A-16-006, General Plan Clean Up, Rezone Application No. R-16-007, and Text Amendment Application No. TA-16-001, as identified in Exhibit A, the issues that were identified as significant and unavoidable in the Master EIR (MEIR) will continue to cause significant and unavoidable impacts. These issues include aesthetics (visual character and illumination of the dark sky), agricultural resources (loss of farmland and removal of Williamson Act contract land), air quality (criteria air pollutants and toxic air contaminant pollutant concentrations), cultural resources (removal of historic resources), greenhouse gas emissions (increase in emissions beyond the Year 2020), noise (exceed noise standards and substantial permanent increase in noise standards), transportation and traffic (exceed levels of service thresholds for facilities under County of Fresno, City of Clovis, and Caltrans jurisdictions), and utility and service systems (construction impacts related to agriculture and air quality). The proposed changes identified in Exhibit A will still contribute to potential significant and unavoidable impacts related to aesthetics, agricultural resources, cultural resources, noise, and utility/service systems. However, the proposed Plan Amendment, Rezone and Text Amendment will not substantially increase the severity of the impacts that were addressed in the Master EIR.

The issues found to be less than significant with mitigation measures in the MEIR will continue to be less than significant with mitigation measures with the incorporation of Plan Amendment Application No. A-16-006, General Plan Clean Up, Rezone Application No. R-16-007, and Text Amendment Application No. TA-16-001, as identified in Exhibit A. These issues include biological resources (habitat, plan and wildlife species, and wetlands), cultural resources (archaeology, paleontology, and human remains),

hazards (airport and emergency response plan), hydrology (groundwater supplies and polluted runoff), public services (construction of facilities), and utilities/service systems (capacities for water, sewer, drainage, and landfill facilities). The mitigation measures that were identified for each of these environmental issues will be required with the approval of land use entitlements, when applicable. The implementation of these measures is anticipated to reduce potential significant impacts to less than significant impacts for each of these issues.

The issues found to have no impact or less than significant impacts without mitigation measures will continue to have no impact or less than significant impacts without the need for any mitigation measures with the incorporation of Plan Amendment Application No. A-16-006, General Plan Clean Up, Rezone Application No. R-16-007, and Text Amendment Application No. TA-16-001, as identified in Exhibit A. These issues include geology and soils, hazardous materials, land use and planning, noise (groundborne vibration, construction noise, and aircraft noise), population and housing, transportation and traffic (roadways within the City's jurisdiction and emergency access), and mineral resources. Plan Amendment Application No. A-16-006, General Plan Clean Up, Rezone Application No. R-16-007, and Text Amendment Application No. TA-16-001, as identified in Exhibit A may result in an increase of these environmental impacts for certain projects or in certain locations; however, the level of impact will continue to be less than significant and no mitigation measures will be required.

CEQA guidelines state that Master Environmental Impact Reports are appropriate for analyzing the impacts of large and/or multi-phased projects such as general plans or for rules or regulations that will be implemented by later projects, such as zoning ordinances (Section 15175(b)(4)). However, individual projects constructed pursuant to the Fresno General Plan or Citywide Development Code may require additional environmental review if they would cause an impact that was not previously identified in the MEIR.

Based on the environmental review contained in the MEIR, Plan Amendment Application No. A-16-006, Rezone Application No. R-16-007, and Text Amendment Application No. TA-16-001, as described in Exhibit A would not result in any new significant or substantial changes to the evaluation of the environmental resources within and outside of the Planning Area beyond those that were addressed in the MEIR.

Since the proposed project will not result in additional impacts, it may be determined that: (1) The project falls within the scope of MEIR No. SCH 2012111015 prepared for the Fresno General Plan and Citywide Development Code; (2) No substantial changes are proposed in the project which require major revisions to the previous environmental finding due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; (3) No substantial changes will occur with respect to the circumstances under which the project is undertaken; and, (4) No new information, which was not known and could not have been known, at the time the environmental finding for MEIR No. SCH 2012111015 was adopted, has become available.

Therefore, the City of Fresno has determined that an addendum to MEIR No. SCH 2012111015 is appropriate given that none of the conditions described in Section 15162 of the CEQA Guidelines calling for preparation of a subsequent EIR have occurred; and new information added is only for the purposes of providing minor changes or additions, in accordance with Section 15164 of the CEQA Guidelines.

Section 15162 provides that when a EIR has been adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

**FINDINGS PURSUANT TO SECTION 15162 OF THE CEQA GUIDELINES.**

(1) *Substantial changes are proposed in the project which would require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;*

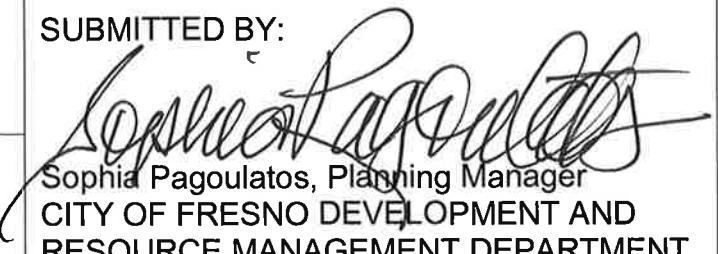
<i>Finding (1):</i>	Plan Amendment Application No. A-16-006, General Plan Clean Up, Rezone Application No. R-16-007, and Text Amendment Application No. TA-16-001, as identified in Exhibit A are still within the scope of the MEIR. No geographical boundaries or densities or intensities were altered outside of the ranges designated in the Fresno General Plan and analyzed in the MEIR. It should also be noted that the Citywide Development Code includes Performance Standards in Article 25 that regulate property maintenance, noise, vibration, lighting and glare, shadow casting, odors, heat, air contaminants, liquid and solid waste, fire and explosive hazards, electromagnetic interference, and radioactivity. These standards provide added protections to ensure environmental impacts are not created beyond those analyzed in the MEIR.
---------------------	--

(2) *Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or,*

<i>Finding (2):</i>	Plan Amendment Application No. A-16-006 and Rezone Application No. R-16-007 proposes minor changes to the land use and zoning maps to either 1) implement City Council direction provided in February 2016 allowing property owners to request a reversion to previously existing zoning on their property (Requests 1-7 and 16-25); 2) bring property into conformance with an existing specific plan (Requests 8-13); or 3) to make technical corrections to zoning for consistency with the land use designation (Requests 26-43). consistent with general plan goals and policies and MEIR mitigation measures.  Development Code Text Amendment No. TA-16-001 makes minor changes to various standards in order to improve functionality, clarity, and internal consistency to better implement the General Plan. No substantial changes have occurred with respect to the circumstances under which Text Amendment No TA-16-001 is being adopted that would require revisions to the previous MEIR as no new impacts have been generated. It remains consistent with the General Plan and fully within the scope of the MEIR.
---------------------	---

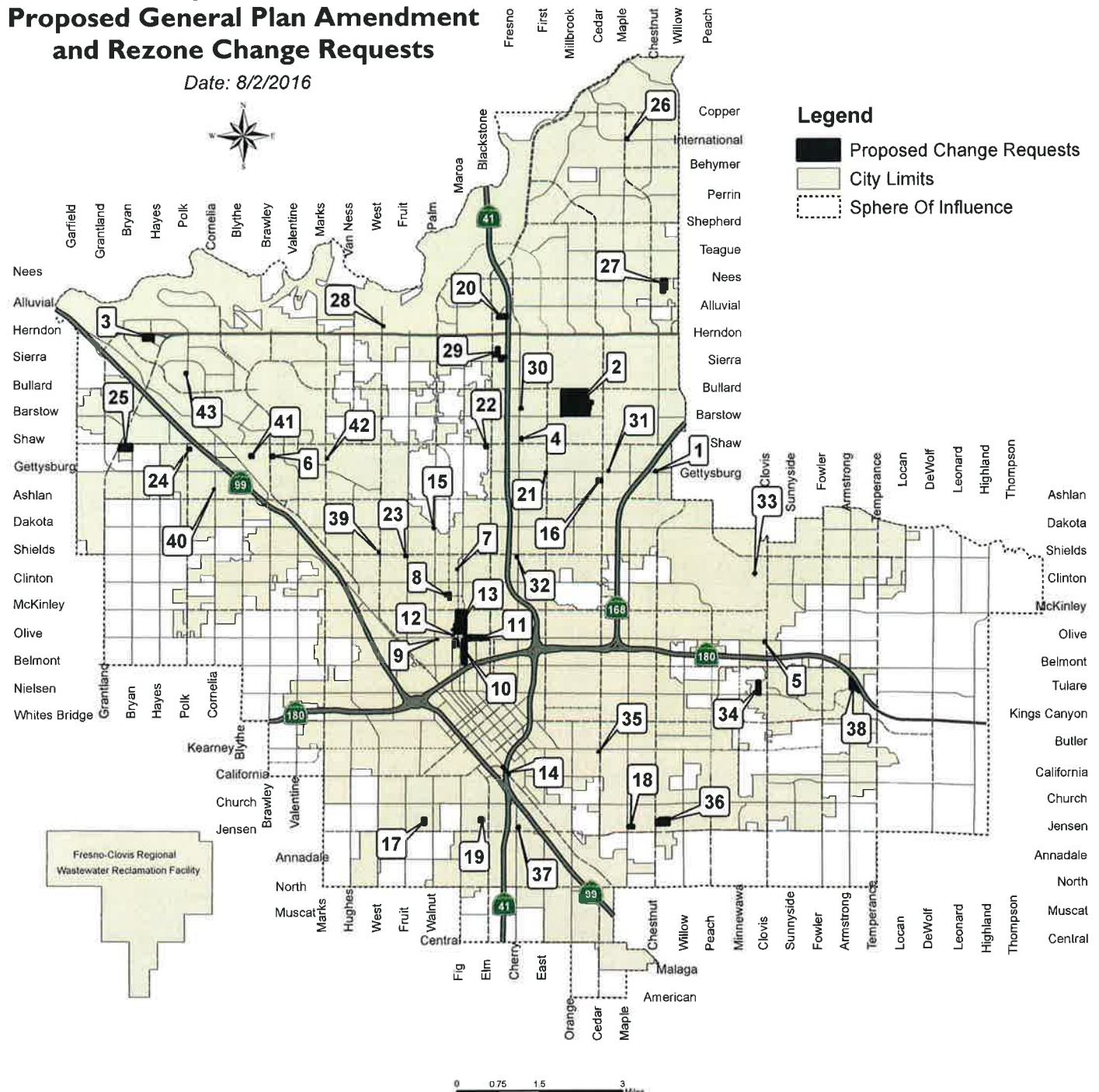
(3) *New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous MEIR was adopted, shows any of the following: (A) The project will have one or more significant effects not discussed in the previous MEIR; (B) Significant effects previously examined will be substantially more severe than shown in the previous MEIR; (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project; and, (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous MEIR, would substantially reduce one or more significant effects on the environment.*

<p><b>Finding (3):</b></p>	<p>No new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous environmental determination was adopted, has become available.</p> <p>No mitigation measures or alternatives previously found not to be feasible are now determined to be feasible and no mitigation measures or alternatives which are considerably different from those analyzed in the previous MEIR would substantially reduce one or more significant effects on the environment. The mitigation measures identified in the Mitigation and Monitoring Reporting Program of the MEIR are still appropriate and feasible and no additional mitigation measures are necessary, since no additional impacts have been identified.</p>
--------------------------------	--

<p><b>ADDENDUM PREPARED BY:</b> Sophia Pagoulatos, Planning Manager</p>	<p><b>SUBMITTED BY:</b></p>
<p>DATE: August 12, 2016</p>	 <p>Sophia Pagoulatos, Planning Manager CITY OF FRESNO DEVELOPMENT AND RESOURCE MANAGEMENT DEPARTMENT</p>

# City of Fresno Proposed General Plan Amendment and Rezone Change Requests

Date: 8/2/2016



City of Fresno Proposed General Plan Amendment and Rezones - August 2, 2016

Number	Area	APN	Current				Proposed				Acres	
			Planned Land Use		Zoning		Planned Land Use		Zoning			
			Prefix	Description	Prefix	Description	Prefix	Description	Prefix	Description		
1	Chestnut and Gettysburg	43025313 and 14	RMH	Residential Medium High Density	RM-1	Residential Multi-Family, Medium High Density	CC	Commercial - Community	CC	Commercial - Community	0.86	
2	Bullard and Cedar	41803027, 41810101-08, 41810201-16, 41810301-16, 41810401-16, 41810501-08, 4181101-08, 41811201-15, 19-23, 26 and 27, 41811301-12, 41811401-13, 41811501-08, 41812101-15, 41812201-11, 41812301-22, 41813101-20, 21T, 22-39, 41813201-16 and 19, 41814101-08, 41814201, 04-08, 41814301-04, 41814401-05, 41814501-16, 41814601-15, 41827101-03, 06-10, 41827202-16, 41827301 and 02, 41827401-07, 41828101-11, 41828201-10, 13, 16-29, 31, 32, and 34, 41828301-04, 41832101, 04, 07, 09-11, and 13, 41832201-14, 41832301-07, 41833101-06, 41833201-09, 15-17, and 19, 41833301-05, 41838101-10, 41838201-08, 11-18, 41839101-17, 23-32, 41839201, 04-12, 41839410, and 41841001-09	RML	Residential Medium Low Density	RS-4	Residential Single Family, Medium Low Density	RL	Residential Low Density	RS-3	Residential Single Family, Low Density	120.35	
3	Herndon and Hayes	50409130-34	RUN	Residential Urban Neighborhood	RM-2	Residential Multi-Family, Urban Neighborhood	CO	Employment - Office	O	Office	11.36	
4	Keats and Fresno	41820102 and 30	RML	Residential Medium Low Density	RS-4	Residential Single Family, Medium Low Density	CO	Employment - Office	O	Office	0.74	
5	Olive and Clovis	45603015	CMX	Corridor/Center Mixed-Use	CMX	Corridor/Center Mixed Use	CGH	Commercial - General	CG	Commercial - General	20.23	
6	Shaw and Brawley	42402118	RMX	Regional Mixed-Use	RMX	Regional Mixed-Use	IL	Employment - Light Industrial	IL	Industrial Light	2.01	
7	Tower District (Princeton and Wishon)	44324112	RM	Residential Medium Density	RS-5	Residential Single-Family, Medium Density	NMX	Neighborhood Mixed-Use	NMX	Neighborhood Mixed-Use	0.26	
8	Tower District (Echo and Weldon)	44414305-09, 44415301, 02 and 28S, 44422101, 02, 28, and 29	CC	Commercial - Community	CC	Commercial - Community	CMS	Commercial - Main Street	CMS	Commercial - Main Street	2.90	
9	Tower District (Palm and Olive)	45202106	RH	Residential High Density	RM-3	Residential Multi-Family, High Density	CMS	Commercial - Main Street	CMS	Commercial - Main Street	0.17	
10	Tower District (Van Ness and Belmont)	45204105	RH	Residential High Density	RM-3	Residential Multi-Family, High Density	CMS	Commercial - Main Street	CMS	Commercial - Main Street	0.74	
	Tower District (Van Ness and Belmont)	45220701, 06-08, 45228216, 45204501-03, 45204601 and 07, 45212101-03, 45212501-06, 45212601, 05, 07, and 10, 45220103-08, 45220212, 13, 15-19, 24 and 28, 45220601-03, 45228101, 02, 05, 06, 10, 13, 19 and 20, 45228217, 19-25 and 28	RMH	Residential Medium High Density	RM-1	Residential Multi-Family, Medium High Density	CMS	Commercial - Main Street	CMS	Commercial - Main Street	14.66	
11	Tower District (Olive and Blackstone)	45205303-07, 08-10	PF	Public Facility	RS-5	Residential Single-Family, Medium Density	CMS	Commercial - Main Street	CMS	Commercial - Main Street	1.67	
	Tower District (Olive and Blackstone)	45127321-23, 45127411-16, 45127412-16, 45127511-14, 45128110 and 14, 45128212-17, and 31, 45128312-15, 45128511-13, 45204202 and 03, 45204303, 45204308, 09, 11, 12, 45205101, 03, 04, 25-27, 45205202, 03, and 17	RM	Residential Medium Density	RS-5	Residential Single-Family, Medium Density	CMS	Commercial - Main Street	CMS	Commercial - Main Street	9.67	
12	Tower District (Wishon and McKinley)	45126302, 05-07, 18, 19, 45126401, 11, 13, and 15	CGH	Commercial - General	CG	Commercial - General	CMS	Commercial - Main Street	CMS	Commercial - Main Street	2.68	
	Tower District (Wishon and McKinley)	45104314, 16 and 18, 45104611 and 12, 45111602, 08, and 14, 45118301-03, 10, 15-18, 45126204 and 30, 45126301, 08, 09, 12, 15, and 16	RM	Residential Medium Density	RS-5	Residential Single-Family, Medium Density	RUN	Residential Urban Neighborhood	RM-2	Residential Multi-Family, Urban Neighborhood	6.25	
	Tower District (Wishon and McKinley)	45104206, 07, and 16, 45104312 and 17, 45104506-10, 45104601, 10, 11, 16 and 17, 45111206-09, 45111301, 07-10, 45111504-07, 45118304-07, 09, and 17, 45118401, 10, 12, 13, and 16, 45126213 and 14T	RM	Residential Medium Density	RS-5	Residential Single-Family, Medium Density	CMS	Commercial - Main Street	CMS	Commercial - Main Street	10.67	
13	Tower District (Van Ness and McKinley)	45105110, 16 and 17, 45105215, 16 and 25, 45112214-22, and 24, 45112101-10	CC	Commercial - Community	CC	Commercial - Community	CMS	Commercial - Main Street	CMS	Commercial - Main Street	4.54	
	Tower District (Van Ness and McKinley)	45126404-07	CGH	Commercial - General	CG	Commercial - General	CMS	Commercial - Main Street	CMS	Commercial - Main Street	1.07	

City of Fresno Proposed General Plan Amendment and Rezones - August 2, 2016

	Tower District (Van Ness and McKinley)	45105101-08, 45105201, 17-19, 21 and 26	CO	Employment - Office	O	Office	CMS	Commercial - Main Street	CMS	Commercial - Main Street	2.31
13 Continue d	Tower District (Van Ness and McKinley)	45126402 and 03, 45118402-09, 45111603 and 05, 45111302-04, 06, 11 and 12, 45104608-10, 45104313 and 21	RM	Residential Medium Density	RS-5	Residential Single-Family, Medium Density	RUN	Residential Urban Neighborhood	RM-2	Residential Multi-Family, Urban Neighborhood	5.72
	Tower District (Van Ness and McKinley)	45127101-04, 45119201, 14, 15, 17, 18-24 and 26, 45119102, 05, 06, 10, 12, 16-18, 45127201, 13, 14, and 17-22	RMH	Residential Medium High Density	RM-1	Residential Multi-Family, Medium High Density	CMS	Commercial - Main Street	CMS	Commercial - Main Street	5.62
14	G and SR 41	Not assigned yet	None	None	None	None	PF	Public/Quasi Public Facility	PI	Public and Institutional	2.37
15	Palm and Dakota	43506219	RMH	Residential Medium High Density	RM-1	Residential Multi-Family, Medium High Density	CC	Commercial - Community	CC	Commercial - Community	0.15
16	Gettysburg and Cedar	42807223	RM	Residential Medium Density	RS-5	Residential Single-Family, Medium Density	CC	Commercial - Community	CC	Commercial - Community	3.33
17	Jensen and Walnut	47720048T	CO	Employment - Office	O	Office	PB/P	Open Space - Ponding Basin (Park Use)	OS	Open Space	4.47
18	Jensen and Maple	48003060	RMH	Residential Medium High Density	RM-1	Residential Multi-Family, Medium High Density	RUN	Residential Urban Neighborhood	RM-2	Residential Multi-Family, Urban Neighborhood	3.53
19	Elm and Jensen	47902052	NP	Open Space - Neighborhood Park	PR	Parks and Recreation	NP with RM Dual Designation Land Use	Open Space - Neighborhood Park with Residential Medium Density Dual Designation Land Use	RS-5	Residential Single-Family, Medium Density	3.16
20	Alluvial and Abby	30320127	NP	Open Space - Neighborhood Park	PR	Parks and Recreation	CR	Commercial - Regional	CR	Commercial - Regional	7.75
21	Gettysburg and First	42804145	RM	Residential Medium Density	RS-5	Residential Single-Family, Medium Density	CC	Commercial - Community	CC	Commercial - Community	0.48
22	Blackstone and Shaw	42509213	NP	Open Space - Neighborhood Park	RS-4	Residential Single-Family, Medium Low Density	NP with CMX Dual Designation Land Use	Open Space - Neighborhood Park with Corridor/Center Mixed-Use Dual Land Use Designation	CMX	Corridor/Center Mixed-Use	2.25
23	Shields and Fruit	44303209 and 44303249	RMH	Residential Medium High Density	RM-1	Residential Multi-Family, Medium High Density	CC	Commercial - Community	CC	Commercial - Community	0.84
24	Shaw and Polk	51022019, 51022020, 51022038, 51022038, 51022040, and 51022041	CG	Commercial - General	CG	Commercial - General	RUN	Residential Urban Neighborhood	RM-2	Residential Multi-Family, Urban Neighborhood	1.52
25	Shaw and Bryan	51203028, 51203031, 51203032, 51203033, 51203037, 51203038, 51203052, and 51203082	RMH	Residential High Density	RM-3	Residential Multi-Family, High Density	RMX	Regional Mixed-Use	RMX	Regional Mixed-Use	17.32

Total: 271.63

Rezone Change Requests Only - Numbers 26 through 43

Number	Area	APN	Current Zoning		Proposed Zoning		Acres
			Prefix	Description	Prefix	Description	
26	International and Maple	57801001T	PR	Parks and Recreation	PI	Public and Institutional	1.11
27	Nees and Willow	40407240S	PI	Public and Institutional	RS-4	Residential Single-Family, Medium Low Density	4.70
28	Herndon and West	40548344ST	PR	Parks and Recreation	PI	Public and Institutional	0.44
29	Sierra and Blackstone	40805009, 40805037, and 40805004	RM-MH	Mobile Home Park	CMX	Corridor/Center Mixed-Use	11.23
30	Barstow and Fresno	41802110T	PR	Parks and Recreation	PI	Public and Institutional	0.84
31	Gettysburg and Cedar	43014021T	PR	Parks and Recreation	PI	Public and Institutional	0.39

City of Fresno Proposed General Plan Amendment and Rezones - August 2, 2016

<b>32</b>	Shields and Fresno	44504143T	PR	Parks and Recreation	PI	Public and Institutional	0.61
<b>33</b>	Shields and Clovis	49406051T	PR	Parks and Recreation	PI	Public and Institutional	0.87
<b>34</b>	Tulare and Clovis	46202024	RM-MH	Mobile Home Park	CMX	Corridor/Center Mixed-Use	9.65
<b>35</b>	Butler and Cedar	47106228T	PR	Parks and Recreation	PI	Public and Institutional	0.38
<b>36</b>	Jensen and Chestnut	48111037T	RM-MH	Mobile Home Park	RS-5	Residential Single Family, Medium Low Density	18.29
<b>37</b>	Jensen and Cherry	47932002T	PR	Parks and Recreation	PI	Public and Institutional	1.10
<b>38</b>	Tulare and Armstrong	31327044T	PR	Parks and Recreation	BP	Business Park	12.79
<b>39</b>	Shields and West	43335408	PR	Parks and Recreation	PI	Public and Institutional	0.81
<b>40</b>	Gettysburg and Cornelia	51032632T and 51032633T	PR	Parks and Recreation	PI	Public and Institutional	0.19
<b>41</b>	Shaw and Brawley	51043301T	IL	Industrial Light	PR	Parks and Recreation	2.37
<b>42</b>	Shaw and Marks	42432126T	PR	Parks and Recreation	PI	Public and Institutional	0.34
<b>43</b>	Bullard and Polk	50618249ST	PR	Parks and Recreation	PI	Public and Institutional	0.92

Total: **67.03**