

Exhibit M  
Ordinance Bill Approving Text Amendment Application  
No. TA-16-002

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

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

AN ORDINANCE OF THE CITY OF FRESNO, CALIFORNIA, AMENDING CHAPTER 15, SECTION 15-317; CHAPTER 15, ARTICLE 15; CHAPTER 15, SECTION 15-1609; CHAPTER 15, SECTION 15-2006-E; CHAPTER 15, SECTION 15-2006-M; CHAPTER 15, SECTION 15-2407; CHAPTER 15, SECTION 15-2608; CHAPTER 15, SECTION 15-2610-A; CHAPTER 15, SECTION 15-2610-C; CHAPTER 15, SECTION 15-2610-E; CHAPTER 15, TABLE 15-4907; CHAPTER 15, ARTICLE 51; CHAPTER 15, SECTION 15-5501; CHAPTER 15, SECTION 15-5502 OF THE FRESNO MUNICIPAL CODE AND ADDING CHAPTER 15, SECTION 15-1610; AND CHAPTER 15, SECTION 15-1611 OF THE FRESNO MUNICIPAL CODE, ALL RELATING TO THE DOWNTOWN DEVELOPMENT CODE.

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

SECTION 1. Article 3, Section 15-317 of the Fresno Municipal Code is amended to read as follows:

SECTION 15-317. DETERMINING FRONTAGE COVERAGE

Frontage coverage is the portion of the primary enclosed ground floor linear building façade that is located within the area between the minimum and maximum front setback.

The following exceptions shall apply:

- A. Sites with frontage on multiple streets may not be required to meet the frontage coverage requirement along the streets with the lowest functional classification or the least visual prominence, at the discretion of the Review Authority, except in districts in which a minimum frontage coverage for the side street is specified.
- B. Required side and rear setbacks and residential transition setbacks shall be excluded from this calculation.

Date Adopted:

Date Approved

Effective Date:

City Attorney Approval: 

Ordinance No.

[C. Public plazas, parks, pedestrian passages, alleys, and cross streets (public or private) shall be excluded from this calculation.]

SECTION 2. Chapter 15, Article 15 of the Fresno Municipal Code is amended to read as follows:

Article 15. DOWNTOWN DISTRICTS

(Reserved)

[15-1501 Purpose

A. The purposes of the Downtown (DT) Districts are to:

1. Ensure that buildings, renovations, and additions are consistent with the goals of the Downtown Neighborhoods Community Plan (DCNP) and the Fulton Corridor Specific Plan (FCSP) for pedestrian-oriented streetscapes, building form, physical character, and quality.
2. Promote pedestrian-oriented infill development, intensification, and reuse of land consistent with the General Plan.
3. Develop a mixed-use Downtown with a vibrant concentration of goods and services, housing, community gathering spaces, and regionally-serving employment, cultural, and entertainment offerings.
4. Transform Downtown's streets into vibrant, diverse, and attractive places that support a mix of pedestrian-oriented retail, office, and residential uses in order to achieve an active social environment within a revitalized streetscape.

5. Provide options which reduce the need for private automobile use to access shopping, services, and employment and minimize air pollution from vehicle miles traveled.
6. Offer additional housing opportunities for residents seeking to live in an urban environment.
7. Create a vibrant, unique Downtown that offers different kinds of experiences – business, dining, culture, and entertainment – for workers, residents, and visitors alike.
8. Establish Downtown development and design standards that will create a unified, yet distinctive, and attractive urban character that respects Fresno’s past and serves the city for the long term.
9. Facilitate compact mixed-use development in key locations such as along Bus Rapid Transit (BRT) corridors and near Fresno’s train stations.

**B. Additional purposes of each Downtown District are as follows:**

1. DTN Downtown Neighborhood. The DTN District will create lively, walkable, mixed-use urban neighborhoods surrounding the Downtown Core.
2. DTG Downtown General. The DTG District will support a high concentration of regional activity generators such as governmental buildings and convention centers within a pedestrian-oriented, mixed-use urban setting.



Activity Class A streets feature ground floor retail, restaurant, and entertainment uses.



Activity Class B and C streets may feature ground floor residential units with stoops and porches, or storefront offices. On B streets ground floor retail is also allowed.

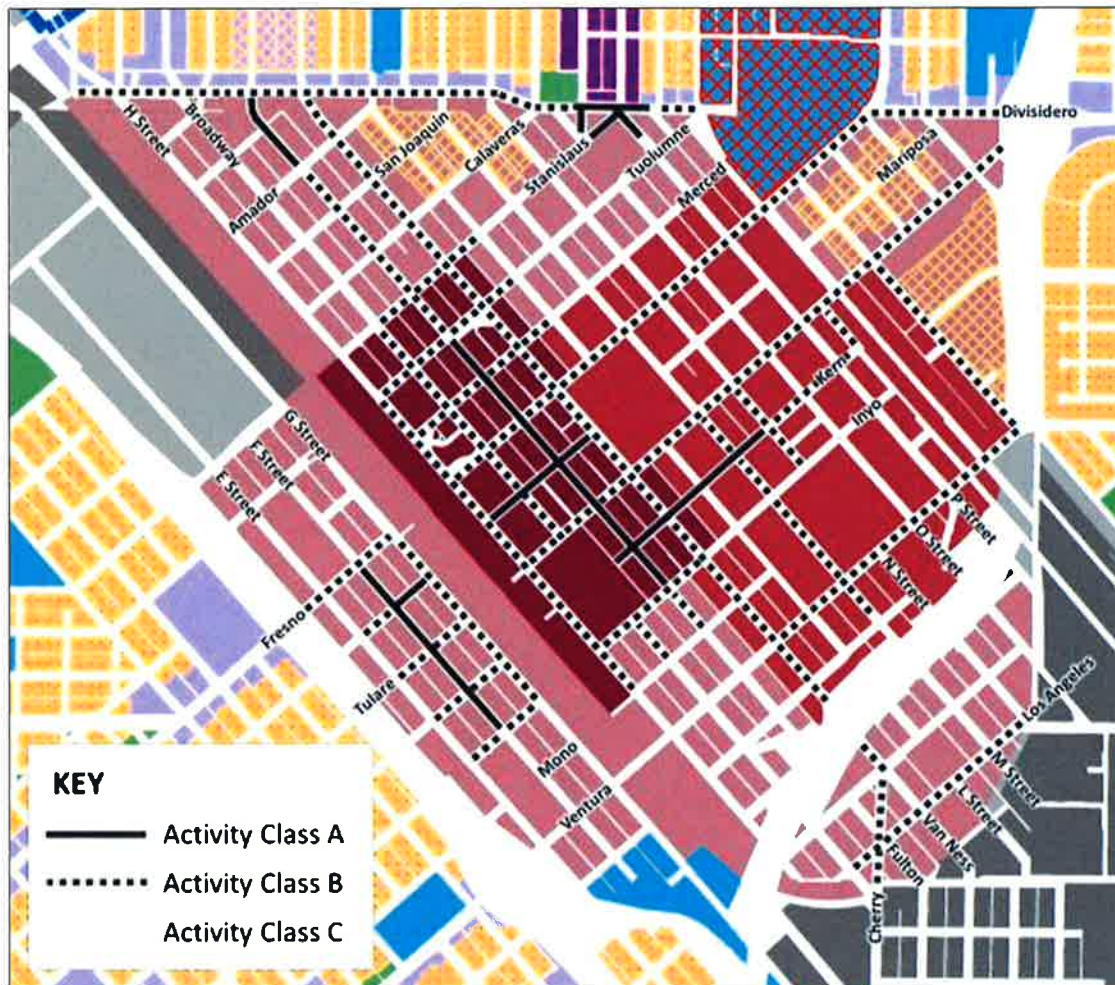
3. DTC Downtown Core. The

DTC District will foster the enhancement of Fresno's business, shopping, and cultural heart by guiding the development of the densest, most active, and most interesting mixed-use urban center in the region.

C. Activity Classifications. Some standards, as specified in this article, shall apply based on the Activity Classification of the adjacent street, as shown in Figure 15-1501. The purposes of the Activity Classifications are as follows:

1. Activity Class A. Streets in Activity Class A have the greatest pedestrian activity or the greatest potential for pedestrian activity. Ground floor retail, restaurant, and entertainment uses are required as put forth in Table 15-1502.
2. Activity Class B. Streets in Activity Class B are walkable urban corridors with moderate pedestrian activity. As put forth in Table 15-1502, retail, restaurant, and entertainment uses are appropriate in these areas, but ground floor residential or office uses are also appropriate.

3. Activity Class C. Streets in Activity Class C are walkable and comfortable for pedestrians, but are not the most active streets within Downtown. Ground floor residential or office uses are appropriate, but retail uses should be small and restricted to corners as put forth in Table 15-1502.
4. Corners. When a project is located at the intersection of two streets with different Activity Classifications, the requirements of the higher activity class shall wrap the corner and prevail over the lower order classification for a distance determined by the Review Authority.



**FIGURE 15-1501 ACTIVITY CLASSIFICATIONS**

15-1502 Use Regulations

A. Table 15-1502 prescribes the proposed land use regulations for Downtown Districts. The regulations for the districts are established by letter designations listed below. These designations apply strictly to the permissibility of land uses; applications for buildings or structures may require discretionary review.

“P” designates permitted uses.

“C” designates uses that are permitted after review and approval of a Conditional Use Permit.

“(#)” numbers in parentheses refer to specific limitations listed at the end of the table.

“–” designates uses that are not permitted.

- B. Land uses are defined in Article 67, Use Classifications.
- C. In cases where a specific land use or activity is not defined, the Director shall assign the land use or activity to a classification that is substantially similar in character per Section 15-5020, Director’s Classification.
- D. All permitted uses are allowed either alone or in combination with other permitted uses unless otherwise stated in this Code.
- E. Use classifications and subclassifications not listed in the table or not found to be substantially similar to the uses below are not permitted.
- F. The table also notes additional regulations that apply to various uses. Section numbers in the right hand column refer to other sections of this Code.



**TABLE 15-1502: USE REGULATIONS—DOWNTOWN DISTRICTS**

<i>Activity Class</i>	<i>DTN</i>			<i>DTG</i>			<i>DTC</i>			<i>Additional Regulations</i>
	<i>A</i>	<i>B</i>	<i>C</i>	<i>A</i>	<i>B</i>	<i>C</i>	<i>A</i>	<i>B</i>	<i>C</i>	<i>See Figure 15-1501 for Activity Classifications Map</i>
<b>Residential Use Classifications</b>										
<b>Residential Housing Types</b>										
<i>Single-Unit Dwelling, Attached</i>	=	P	P	=	P	P	=	=	=	
<i>Second Dwelling Unit</i>	=	P	P	=	P	P	=	=	=	<b>§15-2754. Second Dwelling Units, Backyard Cottages, and Accessory Living Quarters</b>
<i>Duplex</i>	=	P	P	=	P	P	=	P	P	
<i>Multi-Unit Residential</i>	P(1)	P	P	P(1)	P	P	P(1)	P	P	
<b>Adult Family Day Care</b>										
<i>Small (6 clients or less)</i>	P(1)	P	P	P(1)	P	P	P(1)	P	P	
<i>Large (7 to 12 clients)</i>	P(1)	P	P	P(1)	P	P	P(1)	P	P	
<i>Caretaker Residence</i>	P(1)	P	P	P(1)	P	P	P(1)	P	P	
<i>Domestic Violence Residence</i>	P(1)	P	P	P(1)	P	P	P(1)	P	P	
<i>Elderly and Long-Term Care</i>	P(1)	P	P	P(1)	P	P	P(1)	P	P	
<b>Family Day Care</b>										
<i>Small (8 children or less)</i>	P(1)	P	P	P(1)	P	P	P(1)	P	P	<b>§15-2725. Day Care Centers and Family Child Care Homes</b>
<i>Large (9 to 14 children)</i>	P(1)	P	P	P(1)	P	P	P(1)	P	P	
<b>Group Residential</b>										
<i>Small (6 persons or less)</i>	P(1)	P	P	P(1)	P	P	P(1)	P	P	
<i>Large (7 persons or more)</i>	P(1)	P	P	P(1)	P	P	P(1)	P	P	
<i>Re-Entry Facility</i>	P(1)	P	P	P(1)	P	P	P(1)	P	P	
<b>Residential Care Facilities</b>										
<i>Residential Care, General</i>	P(1)	P	P	P(1)	P	P	P(1)	P	P	
<i>Residential Care, Limited</i>	P(1)	P	P	P(1)	P	P	P(1)	P	P	
<i>Residential Care, Senior</i>	P(1)	P	P	P(1)	P	P	P(1)	P	P	
<i>Single Room Occupancy</i>	P(1)	P	P	P(1)	P	P	P(1)	P	P	<b>§15-2756. Single Room Occupancy Hotels and Boarding Homes</b>
<b>Public and Semi-Public Use Classifications</b>										
<i>Colleges and Trade Schools, Public or Private</i>	P(1)	P	P	P(1)	P	P	P(1)	P	P	
<i>Community and Religious Assembly (less than 2,000 square feet)</i>	P(1)	P	P	P(1)	P	P	P(1)	P	P	<b>§15-2719. Community and Religious Assembly Facilities</b>
<i>Community and Religious Assembly (2,000 square feet or more)</i>	P(1)	P	P	P(1)	P	P	P(1)	P	P	
<i>Community Garden</i>	P(1)	P	P	P(1)	P	P	P(1)	P	P	<b>§15-2720. Community Gardens / Urban</b>

<b>TABLE 15-1502: USE REGULATIONS—DOWNTOWN DISTRICTS</b>										
<i>Activity Class</i> <i>Use Classification</i>	<i>DTN</i>			<i>DTG</i>			<i>DTC</i>			<i>Additional Regulations</i>
	<i>A</i>	<i>B</i>	<i>C</i>	<i>A</i>	<i>B</i>	<i>C</i>	<i>A</i>	<i>B</i>	<i>C</i>	
										<i>See Figure 15-1501 for Activity Classifications Map</i>
<u>Conference/Convention Facility</u>	P(1)	P	P	P(1)	P	P	P(1)	P	P	
<u>Cultural Institutions</u>	P(1)	P	P	P(1)	P	P	P(1)	P	P	
<u>Day Care Centers</u>	P(1)	P	P	P(1)	P	P	P(1)	P	P	<u>§15-2725, Day Care Centers and Family Child Care Homes</u>
<u>Emergency Shelter</u>	P(1)	P	P	P(1)	P	P	P(1)	P	P	<u>§15-2729, Emergency Shelters</u>
<u>Government Offices</u>	P(1)	P	P	P(1)	P	P	P(1)	P	P	
<u>Hospitals and Clinics</u>										
<u>Hospital</u>	=	C	C	=	C	C	=	C	C	
<u>Clinic</u>	P(1)	P	P	P(1)	P	P	P(1)	P	P	
<u>Instructional Services</u>	P(1)	P	P	P(1)	P	P	P(1)	P	P	
<u>Park and Recreation Facilities, Public</u>	P	P	P	P	P	P	P	P	P	
<u>Parking, Public or Private</u>	P	P	P	P	P	P	P	P	P	<u>§15-1504-G, Parking Buffering; §15-1504-H, Parking Access and Entrance Design</u>
<u>Public Safety Facilities</u>	=	P	P	=	P	P	=	P	P	
<u>Schools, Public or Private</u>	P(1)	P	P	P(1)	P	P	P(1)	P	P	
<u>Social Service Facilities</u>	=	P	P	=	P	P	=	P	P	
<b>Commercial Use Classifications</b>										
<u>Adult-Oriented Business</u>	=	C	C	=	C	C	=	C	C	<u>§15-2705, Adult-Oriented Businesses; §9-2001, Picture and Live Arcades</u>
<u>Animal Care, Sales and Services</u>										
<u>Grooming and Pet Stores</u>	P(2)	P(2)	P(4)	P(2)	P(2)	P(4)	P(2)	P(2)	P(4)	
<u>Veterinary Services</u>	P(1)	P	P	P(1)	P	P	P(1)	P	P	
<u>Artist's Studio</u>	P(1)	P	P	P(1)	P	P	P(1)	P	P	
<u>Automobile/Vehicle Sales and Services</u>										
<u>Automobile Rentals</u>	=	P(5)	P(5)	=	P(5)	P(5)	=	=	=	<u>§15-2709, Automobile and Motorcycle Sales and Leasing</u>
<u>Automobile/Vehicle Sales and Leasing</u>	=	P(5)	P(5)	=	P(5)	P(5)	=	=	=	
<u>Automobile/Vehicle Service and Repair, Minor</u>	=	P(5)	P(5)	=	P(5)	P(5)	=	=	=	<u>§15-2710, Automobile/Vehicle Service and Repair, Major and Minor</u>
<u>Service Station</u>	=	C(5)	C(5)	=	C(5)	C(5)	=	=	=	<u>§15-2755, Service Stations</u>
<u>Banks and Financial</u>										

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	<i>A</i>	<i>B</i>	<i>C</i>	<i>A</i>	<i>B</i>	<i>C</i>	<i>A</i>	<i>B</i>	<i>C</i>	<i>See Figure 15-1501 for Activity Classifications Map</i>
<b><i>Use Classification</i></b>										
<b><i>Institutions</i></b>										
<i>Banks and Credit Unions</i>	P(1)	P	P	P(1)	P	P	P(1)	P	P	
<i>Business Services</i>	P(1)	P	P	P(1)	P	P	P(1)	P	P	
<i>Banquet Hall</i>	P	P	P	P	P	P	P	P	P	§15-2712, Banquet Hall
<b><i>Eating and Drinking Establishments</i></b>										
<i>Bars/Nightclubs/Lounges</i>	P(3)	P(3)	P(4)	P(3)	P(3)	P(4)	P(3)	P(3)	P(4)	§15-2751, Restaurants with Alcohol Sales; Bars, Nightclubs, and Lounges; §15-2744, Outdoor Dining and Patio Areas
<i>Restaurant, with Alcohol Sales</i>	P(3)	P(3)	P(4)	P(3)	P(3)	P(4)	P(3)	P(3)	P(4)	
<i>Restaurant, without Alcohol Sales</i>	P(3)	P(3)	P(4)	P(3)	P(3)	P(4)	P(3)	P(3)	P(4)	
<b><i>Entertainment and Recreation</i></b>										
<i>Cinema/Theaters</i>	P	=	=	P	=	=	P	P	P	
<i>Cyber/Internet Café</i>	P(2)	P(2)	P(4)	P(2)	P(2)	P(4)	P(2)	P(2)	P(4)	§15-2724, Cyber/Internet Cafés
<i>Motorcycle/Riding Club</i>	P(5)	P(5)	P(5)	P(5)	P(5)	P(5)	=	=	=	§15-2742, Motorcycle/Riding Clubs
<i>Large-Scale</i>	=	C	C	=	C	C	=	C	C	§15-2708, Arcades, Video Games, and Family Entertainment Centers
<i>Small-Scale</i>	P	P	P(4)	P	P	P(4)	P	P	P(4)	§15-2708, Arcades, Video Games, and Family Entertainment Centers; § 9-1801, Billiard Rooms
<b><i>Food and Beverage Sales</i></b>										
<i>Farmer's Markets</i>	P	P	P	P	P	P	P	P	P	§15-2730, Farmer's Markets
<i>General Market</i>	P	P	P	P	P	P	P	P	P	§15-2744, Outdoor Dining and Patio Areas; §15-2745, Outdoor Retail Sales
<i>Healthy Food Grocer</i>	P	P	P	P	P	P	P	P	P	
<i>Liquor Stores</i>	=	C(3)	C(3)	=	C(3)	C(3)	=	C(3)	C(3)	§15-2706, Alcohol Sales; §15-2745, Outdoor Retail Sales
<i>Food Preparation</i>	=	P(1)	P(1)	=	P(1)	P(1)	=	=	=	
<i>Funeral Parlors and Internment Services</i>	=	P	P	=	P	P	=	=	=	§15-2714, Body Preparation and Funeral Services
<i>Live/Work</i>	P	P	P	P	P	P	P(1)	P	P	
<b><i>Lodging</i></b>										
<i>Bed and Breakfast</i>	P(1)	P	P	P(1)	P	P	P(1)	P	P	§15-2714, Bed and Breakfast Lodging

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	<i>A</i>	<i>B</i>	<i>C</i>	<i>A</i>	<i>B</i>	<i>C</i>	<i>A</i>	<i>B</i>	<i>C</i>	<i>See Figure 15-1501 for Activity Classifications Map</i>
<i>Hotels and Motels</i>	P(1)	P	P	P(1)	P	P	P(1)	P	P	
<i>Maintenance and Repair Services</i>	P(1)	P	P	P(1)	P	P	P(1)	P	P	
<b>Offices</b>										
<i>Business and Professional</i>	P(1)	P	P	P(1)	P	P	P(1)	P	P	
<i>Medical and Dental</i>	P(1)	P	P	P(1)	P	P	P(1)	P	P	
<i>Walk-In Clientele</i>	P(1)	P	P	P(1)	P	P	P(1)	P	P	
<b>Personal Services</b>										
<i>General Personal Services</i>	P	P	P	P	P	P	P	P	P	
<i>Fortune Telling Service</i>	P	P	P	P	P	P	P	P	P	
<i>Massage Establishments</i>	P	P	P	P	P	P	P	P	P	
<i>Tattoo or Body Modification Parlor</i>	P	P	P	P	P	P	P	P	P	§15-2758, Tattoo or Body Modification Parlors
<b>Retail Sales</b>										
<i>Building Materials and Services</i>	=	P(5)	P(5)	=	P(5)	P(5)	=	=	=	§15-2745, Outdoor Retail Sales
<i>Convenience Retail</i>	P(2)	P(2)	P(4)	P(2)	P(2)	P(4)	P(2)	P(2)	P(4)	§15-2745, Outdoor Retail Sales; 15-2761 Tobacco and Vapor Sales
<i>General Retail</i>	P(2)	P(2)	P(4)	P(2)	P(2)	P(4)	P(2)	P(2)	P(4)	§15-2733, Hobby Stores; §15-2745, Outdoor Retail Sales
<i>Large-Format Retail</i>	=	=	=	=	=	=	P	P	P	§15-2737, Large-Format Retail; §15-2745, Outdoor Retail Sales
<i>Nurseries and Garden Centers</i>	P(7)	P(7)	P(7)	P(7)	P(7)	P(7)	P(7)	P(7)	P(7)	§15-2745, Outdoor Retail Sales
<i>Pawn Shops</i>	=	P	=	=	P	=	=	P	P	
<i>Second Hand / Thrift Stores</i>	P(2)	P(2)	P(4)	P(2)	P(2)	P(4)	P(2)	P(2)	P(4)	
<i>Swap Meet / Flea Market</i>	=	P	=	=	P	=	=	P	P	§15-2730, Flea Markets
<b>Industrial Use Classifications</b>										
<i>Custom Manufacturing</i>	P(1)	P	P	P(1)	P	P	P(1)	P	P	
<i>Limited Industrial</i>	=	P(1) (5)	P(5)	=	P(1) (5)	P(5)	=	=	=	
<b>Recycling Facility</b>										
<i>Reverse Vending Machine</i>	=	P	P	=	P	P	=	P	P	§15-2750, Recycling Facilities
<i>Research and Development</i>	=	P(5)	P(5)	=	P(5)	P(5)	=	=	=	

<b>TABLE 15-1502: USE REGULATIONS—DOWNTOWN DISTRICTS</b>										
<i>Activity Class</i> <i>Use Classification</i>	<i>DTN</i>			<i>DTG</i>			<i>DTC</i>			<i>Additional Regulations</i>
	<i>A</i>	<i>B</i>	<i>C</i>	<i>A</i>	<i>B</i>	<i>C</i>	<i>A</i>	<i>B</i>	<i>C</i>	<i>See Figure 15-1501 for Activity Classifications Map</i>
<b>Warehousing, Storage, and Distribution</b>										
<i>Personal Storage</i>	=	C(5)	C(5)	=	C(5)	C(5)	=	=	=	§2747, Personal (Mini) Storage
<b>Transportation, Communication, and Utilities Use Classifications</b>										
<b>Communication Facilities</b>										
<i>Antenna and Transmission Towers</i>	§15-2759, Telecommunications and Wireless Facilities									
<i>Facilities within Buildings</i>	=	C	C	=	C	C	=	C	C	
<i>Light Fleet-Based Services</i>	=	P(5)	P(5)	=	P(5)	P(5)	=	=	=	
<i>Transportation Passenger Terminals</i>	P	P	P	P	P	P	P	P	P	
<i>Utilities, Major</i>	=	C	C	=	C	C	=	C	C	
<i>Utilities, Minor</i>	=	C	C	=	C	C	=	C	C	
<b>Agricultural and Extractive Use Classifications</b>										
<i>Produce Stand</i>	P	P	P	P	P	P	P	P	P	§15-2752, Roadside Fruit Stands / Grower Stands
<i>Tasting Room</i>	P	P	P	P	P	P	P	P	P	
<i>Urban Farm</i>	=	P	P	=	P	P	=	P	P	§15-2720, Community Gardens / Urban Farms
<b>Other Applicable Types</b>										
<i>Accessory Uses and Structures</i>	§15-2703, Accessory Uses									
<i>Animal Keeping</i>	§15-2707, Animal Keeping									
<i>Drive-In and Drive-Through Facilities</i>	=	C(6)	C(6)	=	C(6)	C(6)	=	C(6)	C(6)	§15-2728, Drive-In and Drive-Through Facilities
<i>Home Gardens</i>	§15-2734, Home Gardens and Edible Landscaping									
<i>Home Occupations</i>	§15-2735, Home Occupations									
<i>Nonconforming Use</i>	Article 4, Nonconforming Uses, Structures, Site Features, and Lots									
<i>Temporary Use</i>	§15-2760, Temporary Uses									
<i>Transitional and Supportive Housing</i>	§15-2762, Transitional and Supportive Housing									
<i>Walk-Up Facilities</i>	§15-2766, Walk-Up Facilities									
<b>Specific Limitations:</b>										
<ol style="list-style-type: none"> <li>1. Permitted only on upper floors and rear portions of the ground floor, no closer than 30 feet from a public street, public plaza, or park. Exception: Lobbies may occupy ground floor space adjacent to a public street, public plaza, or park. Lobbies may not occupy more than 25 feet of frontage.</li> <li>2. Permitted only on ground floor. Prohibited on upper floors.</li> <li>3. Permitted only on ground floor. Prohibited on upper floors. Exception: Also permitted on uppermost floors of buildings over 4 stories in height.</li> <li>4. Permitted only on ground floor at intersection of two public streets. May not exceed 2,500 square feet in floor area.</li> <li>5. Permitted south of Inyo Street only.</li> </ol>										

<b>TABLE 15-1502: USE REGULATIONS—DOWNTOWN DISTRICTS</b>										
	<i>DTN</i>			<i>DTG</i>			<i>DTC</i>			<i>Additional Regulations</i>
<i>Activity Class</i>	<i>A</i>	<i>B</i>	<i>C</i>	<i>A</i>	<i>B</i>	<i>C</i>	<i>A</i>	<i>B</i>	<i>C</i>	<i>See Figure 15-1501 for Activity Classifications Map</i>
<i>Use Classification</i>										
6.	Not allowed between a building and a sidewalk.									
7.	Permitted if located entirely within a building. When located outdoors, permitted south of Inyo Street only.									

15-1503 Density, Intensity, and Massing Development Standards

Table 15-1503 prescribes the density, intensity, and massing development standards for the Downtown Districts. Additional regulations are denoted in a right hand column. Section numbers in this column refer to other sections of the Code, while individual letters refer to subsections that directly follow the table. The numbers in each illustration below correspond to the “#” column in the associated table. Drawings are for illustrative purposes and are not drawn to scale.

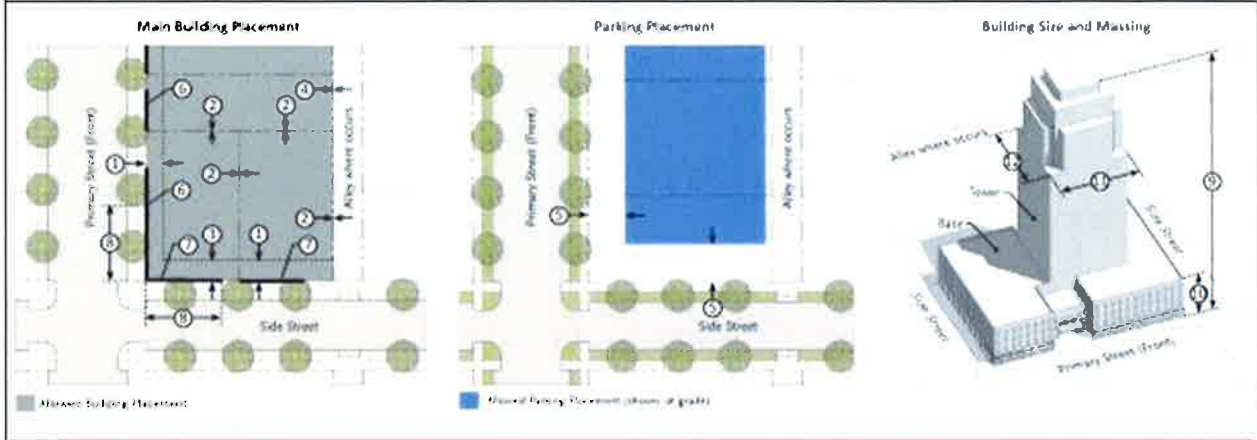


The Downtown Districts promote an urban massing of buildings that is similar to the area’s early development.



Storefront glazing and sidewalk-oriented entrances promote pedestrian comfort, convenience, and safety.

**TABLE 15-1503: BUILDING AND PARKING PLACEMENT AND BUILDING MASSING STANDARDS—DOWNTOWN DISTRICTS**



<i>District</i>	<i>DTN</i>	<i>DTG</i>	<i>DTC</i>	<i>Additional Regulations</i>	<i>#</i>
<u>Floor Area Ratio (min./max.)</u>	<u>No Limit</u>	<u>No Limit</u>	<u>No Limit</u>		
<u>Residential Density, du/ac (min./max.)</u>	<u>No Limit</u>	<u>No Limit</u>	<u>No Limit</u>		
<u>Setbacks (ft.)</u>					
<u>Front, Activity Class A (min./max.)</u>	<u>0/2</u>	<u>0/2</u>	<u>0/2</u>	<u>Figure 1504-A: Activity Classifications</u>	<u>①</u>
<u>Front, Activity Class B and C (min./max.)</u>	<u>0/10</u>	<u>0/10 (1)</u>	<u>0/10</u>		
<u>Interior Side (min.)</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>§15-313, Determining Setbacks and Yards, §15-1504-E, RS Transition Standards, and §15-1504-G, Parking Buffering</u>	<u>②</u>
<u>Street Side (min./max.)</u>	<u>0/10</u>	<u>0/10 (2)</u>	<u>0/10</u>		<u>③</u>
<u>Rear (min.)</u>	<u>0</u>	<u>0</u>	<u>0</u>		<u>④</u>
<u>Alley (min.)</u>	<u>0</u>	<u>0</u>	<u>0</u>		<u>⑤</u>
<u>Parking Buffering, from back of sidewalk or curb (min.)</u>	<u>30</u>	<u>30</u>	<u>30</u>		<u>⑤</u>
<u>Front Street Minimum Frontage Coverage (%)</u>	<u>60</u>	<u>75</u>	<u>90</u>	<u>§15-317, Determining Frontage Coverage</u>	<u>⑥</u>
<u>Side Street Minimum Frontage Coverage (%)</u>	<u>50</u>	<u>50</u>	<u>50</u>	<u>§15-317, Determining Frontage Coverage</u>	<u>⑦</u>
<u>Corner Frontage (ft., measured from property corner)</u>	<u>30</u>	<u>50</u>	<u>75</u>	<u>§15-1504-F, Corner Frontage</u>	<u>⑧</u>
<u>Building Size and Massing</u>					
<u>Maximum Height (floors/ft.)</u>	<u>6/90</u>	<u>10/140</u>	<u>15/190</u>	<u>§15-1504-E, RS Transition Standards and §15-2012, Heights and Height Exceptions</u>	<u>⑨</u>
<u>Max. Tower Height (floors/ft.)</u>	<u>n/a</u>	<u>10/140</u>	<u>15/190</u>		
<u>Max. Base Height (floors/ft.)</u>	<u>6/90</u>	<u>6/90</u>	<u>6/90</u>		<u>⑩</u>
<u>Tower Length (ft.)</u>	<u>n/a</u>	<u>200</u>	<u>200</u>		<u>⑪</u>
<u>District</u>	<u>DTN</u>	<u>DTG</u>	<u>DTC</u>	<u>Additional Regulations</u>	<u>#</u>
<u>Tower Width (ft.)</u>	<u>n/a</u>	<u>120</u>	<u>120</u>		<u>⑫</u>



**TABLE 15-1503: BUILDING AND PARKING PLACEMENT AND BUILDING MASSING STANDARDS—  
DOWNTOWN DISTRICTS**

Minimum On-Site Open Space (% of Lot Area)	10	8	5	§15-1504-I, On-Site Open Space	
<b>Specific Limitations:</b>					
1. Front setback along Mariposa Street between M Street and P Street (min./max.): 10/18 ft.					
2. Street Side setback along Mariposa Street between M Street and P Street (min./max.): 10/15 ft.					

15-1504 Site Design Development Standards

A. Active Uses Adjacent to Sidewalks. In order to promote activity on all sidewalks, and to focus the highest activity levels in the most beneficial areas, the following standards shall apply to all ground-floor building space located within 30 feet of a public street:

1. Activity Classifications. Uses shall be Permitted, Conditionally Permitted, or Prohibited based on the adjacent street's activity classification as identified in Figure 1501 and Table 15-1502.
2. Active to Inactive Space Ratio.
  - a. Activity Class A. No less than 90 percent of the length of building frontage along public streets shall be designed to be occupied by active spaces, such as lobbies, dining areas, living areas, and sales floors. The remaining 10 percent may consist of inactive spaces, such as kitchens, hallways, utility rooms, storage, emergency exits, display cases, etc.
  - b. Activity Class B and C. No less than 60 percent of the length building frontage along public streets shall be designed to be occupied by active spaces, such as lobbies, dining areas, living

areas, and sales floors. The remaining 40 percent may consist of inactive spaces, such as kitchens, hallways, utility rooms, storage, emergency exits, display cases, etc.

c. Sites with Multiple Frontages. The street of highest pedestrian importance, as determined by the Review Authority, shall comply with subparagraphs a and b above. Other street frontages may provide reduced active spaces as determined by the Review Authority.

B. Mixed-Use Configurations. Buildings shall be designed to minimize the potential conflicts between residential and non-residential uses adjacent to one another or within the same building to the satisfaction of the Review Authority. Potential techniques include:

1. Sound attenuation/transmission requirements of the California Building Code;
2. Distinct entries for non-residential and residential suites/units;
3. Ventilation of ground floor uses so as not to disrupt upper floor tenants.

C. Required Minimum Height.

1. Required minimum heights are applicable only in the DTC District as put forth by the following diagram.



**FIGURE 1504-C: REQUIRED MINIMUM HEIGHTS**

2. New structures shall meet both the minimum number of floors and the minimum height in feet. No more than the front 30 feet of lot depth, measured from all streets on which the project has frontage, shall be subject to Required Minimum Height regulations.

3. Existing structures which are remodeled or otherwise modified shall not be required to comply with Required Minimum Height regulations unless the gross floor area is increased by more than 100 percent.
4. Additions to designated historic resources shall not be required to comply with Required Minimum Height regulations.
5. Portions of the building that are not part of the primary building mass, such as entrance porticos, bays and stoops, are not required to meet minimum height requirements. Parking podiums, garages, and accessory buildings are not required to meet minimum height requirements.

D. Special Noise Standards. Within the portion of the DTN District that is south of Inyo Street, the following special noise standards apply.

1. Stationary Noise Standards. This area is exempted from Subsection 15-2605-D. The following maximum noise levels in Table 15-1504-D apply.

<b>TABLE 15-1504-D: MAXIMUM NOISE EXPOSURE LEVELS FOR SOUTH OF INYO STREET</b>		
	<i>Daytime 7am - 10pm</i>	<i>Nighttime 10pm - 7am</i>
Maximum Sound Level (Lmax), dBA	70	60

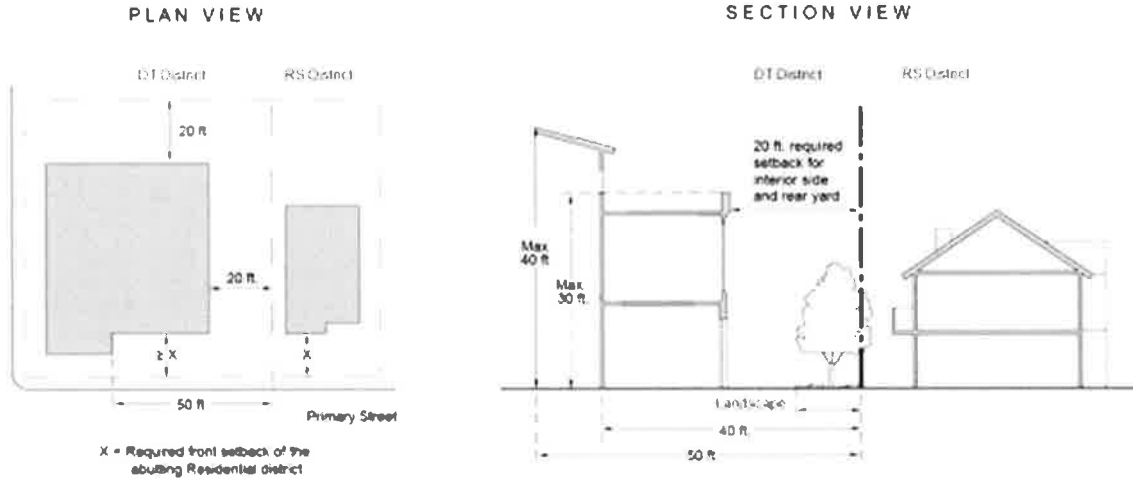
2. Residential Uses. New residential development shall anticipate maximum allowable noise levels and provide noise protection to maintain an interior noise level at 45 Leq, dB or lower.

E. RS Transition Standards. Where a DT district abuts an RS District, the following standards apply:

1. Height. The maximum height within 40 feet of an RS District is limited to 30 feet. The maximum height within 100 feet of an RS District is 40 feet.

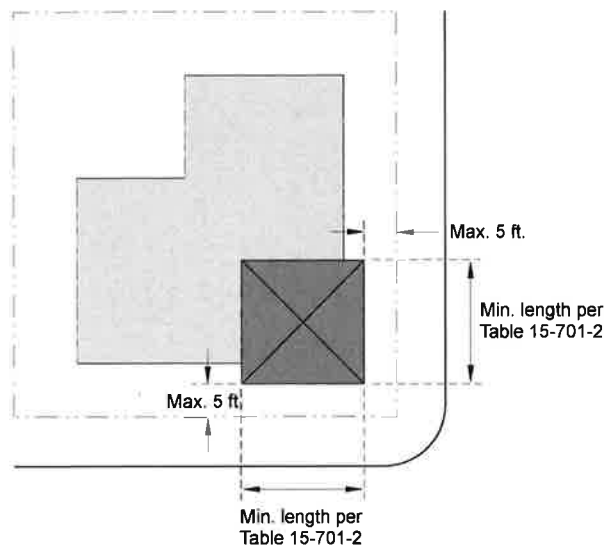
2. Setbacks. The following additional setback requirements shall be applied to all structures, including accessory structures, on parcels which are adjacent to an RS District:

  - a. Front and Street Side Yard. The front setback shall not be less than the required front yard on the abutting RS District lot within 50 feet of the RS District.
  - b. Interior Side and Rear. The interior side and rear setback abutting an RS District boundary shall be 20 feet.
3. Landscape. See Section 15-2305, Areas to be Landscaped.



**FIGURE 15-1504-E: RS TRANSITION STANDARDS—DT DISTRICTS**

F. Corner Frontage. Buildings on corner lots must be located within a minimum of five feet of the back of the sidewalk for the minimum length specified in Table 15-1503. As determined by the Review Authority, plazas maybe located at the street corner provided the plaza meets the requirements of Section 15-1504-1.1.c and buildings are built to the edge of the plaza.



**FIGURE 15-1504-F: CORNER FRONTAGE STANDARDS**

G. Parking Buffering. All parking facilities, whether public or private, shall be buffered as shown on Table 15-1503 based on the adjacent street activity classification as shown in Figure 15-1501 and the physical form of the parking as provided below:

1. Activity Class A.

- a. Surface Parking and Tuck-Under Parking. Surface and tuck-under (one row of surface parking with building area over it) parking must be located entirely behind a building space which is occupied by a permitted use or uses, which conforms to all applicable development standards, and which is no less than 30 feet deep. Accessory structures, sheds, parking attendant booths, and other such buildings shall not satisfy this requirement.
- b. Above Grade Structured Parking. All above grade levels of the parking structure must be located behind active, occupied building space for a depth of no less than 30 feet.
- c. Partially Submerged Podium Parking. Parking that is partially below the street grade must be located behind active, occupied space for a depth of no less than 30 feet.
- d. Underground Parking. Parking that is fully underground and below the street grade may extend from lot line to lot line

2. Activity Class B.

- a. Surface Parking and Tuck-Under Parking. Surface and tuck-under parking (one row of surface parking with building area over it) must be located entirely behind a building space which is occupied by a permitted use or uses, which conforms to all applicable development standards, and which is no less than 30 feet deep. Accessory structures, sheds, parking attendant booths, and other such buildings shall not satisfy this requirement.
- b. Above Grade Structured Parking. The ground floor of the parking structure must be located behind active, occupied building space for a depth of no less than 30 feet. Upper floors of the parking structure are not required to be located behind non-parking uses or to be set back more than is required by the building setbacks.
- c. Partially Submerged Podium Parking. Parking that is partially below the street grade shall be buffered in the same manner as above grade structured parking, however it will not be subject to a buffering requirement if the following conditions are met:





Buffering all levels of structured parking on Activity Class A and B streets balances parking and placemaking goals.



On Activity Class A and B streets, surface parking must be set back from the street and located behind a building.

i. No more than four feet of the partially submerged parking podium may extend above the street grade.

ii. The partially submerged parking podium shall be screened along street facing elevations by foundation plant materials.

Gates need not be screened.

d. Underground Parking. Parking that is fully underground and below the street grade may extend from lot line to lot line

### 3. Activity Class C.

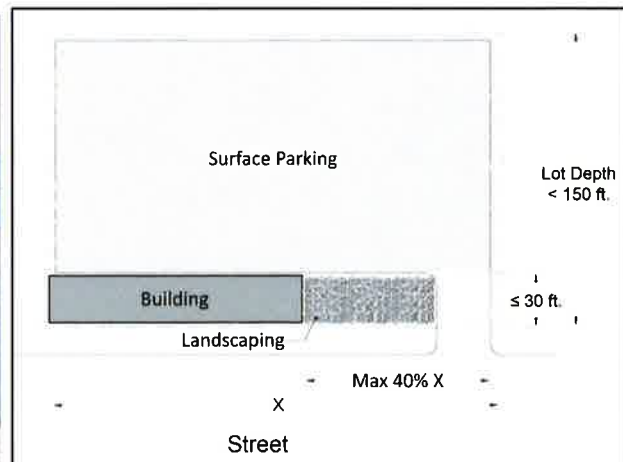
a. Surface Parking and Tuck-Under Parking. Surface and tuck-under parking (one row of surface parking with building area over it) shall be set back no less than 30 feet. For no less than 60 percent of the length the lot frontage along public streets, surface parking must be located behind a building space which is occupied by a permitted

use or uses and which conforms to all applicable development standards and which is no less than 30 feet deep. Accessory structures, sheds, parking attendant booths, and other such buildings shall not satisfy this requirement. For the remainder of the lot frontage, the setback may be landscaped, a public plaza, an outdoor dining area, or similar treatment as determined by the Review Authority.

- b. Above Grade Structured Parking. The ground floor of the parking structure must be located behind active, occupied building space for a depth of no less than 30 feet. Upper floors of the parking structure are not required to be located behind non-parking uses or to be set back more than is required by the building setbacks.
- c. Partially Submerged Podium Parking. Parking that is partially below



On Activity Class C streets, only the ground floor or above grade structured parking must be buffered with active uses.



On Activity Class C streets, most surface parking must be behind a building, but some may be behind landscaping.

the street grade shall be buffered in the same manner as above grade structured parking, however it will not be subject to a buffering requirement if the following conditions are met:

- i. No more than four feet of the partially submerged parking podium may extend above the street grade.
- ii. The partially submerged parking podium shall be screened along street facing elevations by foundation plant materials. Gates need not be screened.

d. Underground Parking. Parking that is fully underground and below the street grade may extend from lot line to lot line

4. Sites with Multiple Frontages. Building frontage along the street(s) of highest pedestrian importance, as determined by the Review Authority, shall comply with applicable subsections 1, 2, and/or 3 above. Along the street of lowest pedestrian importance, frontages may provide reduced buffering if a satisfactory pedestrian environment is maintained, as determined by the Review Authority.

H. Parking Access and Entrance Design. The following standards shall apply to vehicular access to off-street parking areas:

1. Access.

a. Lots with Alley Access. Service areas shall be accessed through the alley, and access from a street shall not be permitted. For the redevelopment of sites with existing curb cut access from a street,

the access shall be taken from the alley and the curb cut on the street shall be removed.

b. Corner Lots without Alley Access. Service areas shall be accessed from the street with the lowest Activity Classification per Figure 15-1501. If all adjacent streets have the same Activity Classification, the parking and service areas shall be accessed from the street with the least potential for pedestrian activity as determined by the Review Authority.

c. Interior Lots without Alley Access. Service areas may be accessed from the street.

2. Entrance Design. Private parking garage entrance openings shall be composed as an integral part of the building facade and shall be designed as doorways secured by gates or doors and scaled in proportion to the overall form of the building.

I. On-Site Open Space.

1. Minimum Open Space Required. On-site open space shall be required for projects with more than four dwelling units. The minimum amount of on-site open space required shall be based on the size of the lot, as shown in Table 15-1503. This requirement may be met through a combination of private open space, common open space, or public plazas as follows:

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 five feet.

ii. The minimum area of any private open space shall be 50 square feet.

iii. When located within 30 feet of a public street and located on the ground floor, private open spaces shall follow the requirements for Porches as put forth in Table 15-1505-E-2.

iv. When located within 30 feet of a public street and located above the ground floor, private open spaces shall follow the requirements for Balconies as put forth in Table 15-1505-F.

b. Common Open Space Requirements. Common open spaces are those which are available for active or passive use by all tenants, but use by the general public may be restricted. To the extent that common open space is provided, the following standards shall apply:

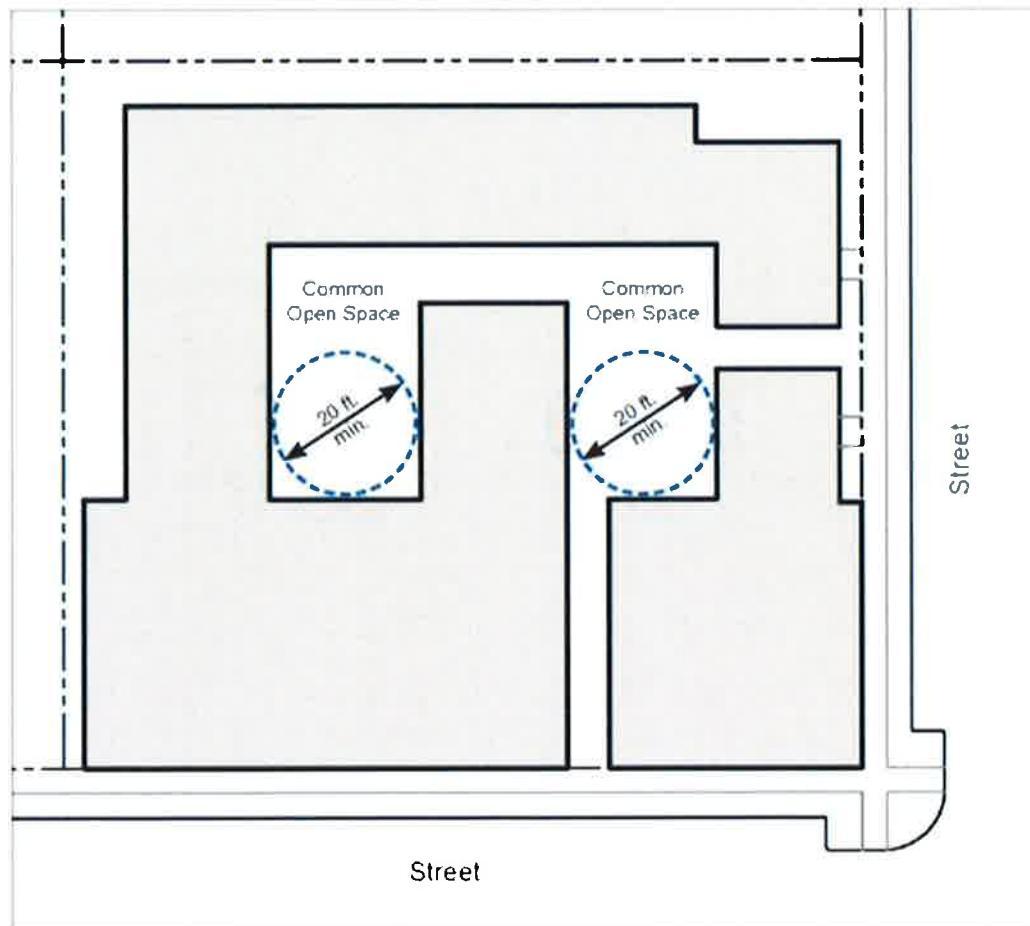
i. The minimum dimension of any common open space shall be 20 feet.

ii. The minimum area of any common open space shall be 1,000 square feet. The calculation of the common open space area shall exclude structures which are unusable as open space, but shall include structures that enhance its usability, such as swimming pools, changing facilities, fountains, planters, benches, and landscaping.

iii. For sites greater than one acre in size, a minimum of 40 percent of the required common open space shall be developed with gardens, play fields, hard-surfaced game courts, recreation rooms, swimming pools, or other features

designed for the active recreational use of residents of the development.

- iv. Common open space may be located at grade, on rooftops, on top of parking podiums, or any other such location that is accessible to tenants. Common open space may not be located within required setbacks or parking areas.



**FIGURE 15-1504-I.1.B: MINIMUM REQUIRED COMMON OPEN SPACE DIMENSION**

c. Public Plaza Requirements. Public plazas are those which are available for use by the general public, as well as tenants of the project. To the extent that public plazas are provided, the following standards shall apply:

- i. The minimum dimension of any public plaza shall be 20 feet.
- ii. The minimum area of any public plaza shall be 500 square feet. The calculation of the public plaza area shall exclude structures which are unusable as open space, but shall include structures that enhance its usability, such as fountains, planters, benches, and landscaping.
- iii. Public plazas shall include benches or other seating, and paving shall be of high-quality materials. Amenities provided shall enhance the comfort, aesthetics, or usability of the space and include, but not be limited to, trees and other landscaping, shade structures, drinking fountains, water features, public art, or performance areas. Landscaping or other aspects of the design shall not discourage the use of the space by the general public, except in conjunction with an outdoor dining area for an adjacent restaurant or other Eating and Drinking Establishment.
- iv. Public plazas shall be fully accessible from the public right-of-way, shall be located in front of project buildings and shall

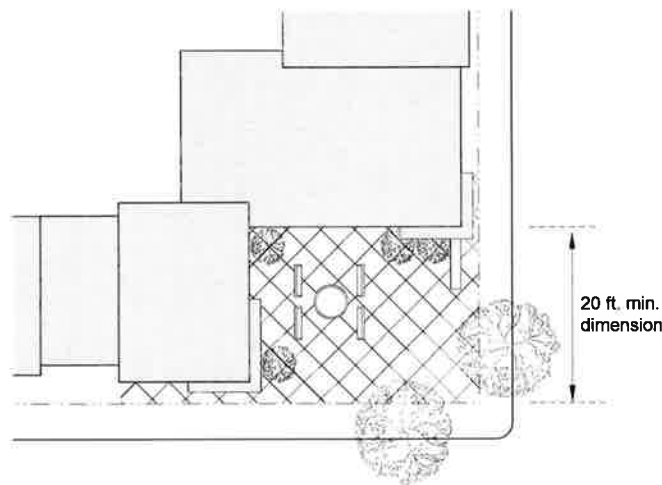


not be located where public views into the space are obstructed by buildings or other structures.

v. Public plazas may be located within required front setbacks.

vi. A public access easement shall be provided for the space.

vii. Building walls and façades which face a Public Plaza shall be regulated in the same manner as a street-facing façade. Permitted uses along the Public Plaza frontage shall be based on the Activity Classification of the nearest street.



**FIGURE 15-1504-I.1.C: MINIMUM REQUIRED PUBLIC PLAZA DIMENSION**

2. Minimum Open Space Reduction. The minimum amount of open space required shall be reduced by 25 percent in the following circumstances:

a. Any portion of the lot is located within 400 feet of a transit stop with regular, scheduled service during the weekday hours of 7:00 a.m. to 9:00 a.m. and 5:00 p.m. to 7:00 p.m.

- b. There is a public park within 400 feet of the site, and

  - i. Said park is located on the same side of the street and provides an improved pedestrian path to and from the site;

or
  - ii. The public park is across a local street and the site provides an improved pedestrian path to and from the site.
- c. The parcel is 15,000 square feet or less in area.

J. Pedestrian Access. On-site pedestrian circulation and access must be provided according to the California Building Code and the following standards. Along all public streets, public plazas, and parks, pedestrian entrances from the public sidewalk into structures and/or the site shall be provided as follows:

1. Residential Unit Sidewalk Connections. Direct entrances from the sidewalk into individual ground-floor dwelling units which are adjacent to streets shall be provided at a rate of no less than one per 50 feet of linear street frontage. Such entrances shall be accessed through a permitted frontage per Table 15-1505-E-2.
2. Commercial Sidewalk Connections. Direct entrances from the sidewalk into ground-floor commercial establishments which are adjacent to streets shall be provided at a rate of no less than one per 50 feet of linear street frontage. When establishments with a greater length occupy a site, they shall be set back and wrapped with smaller spaces that will satisfy this requirement. See Figure 15-1504-J.1.c.
3. Common Area Sidewalk Connections. Residential and commercial areas which aren't directly accessed from the sidewalk as put forth in items 1 and 2 above shall be accessed by a common entrance from the sidewalk into lobbies or internal pedestrian paths.
4. Emergency exits, entrances into utility rooms, and other such features shall not count toward to the satisfaction of this requirement.
5. Pedestrian Access Design.

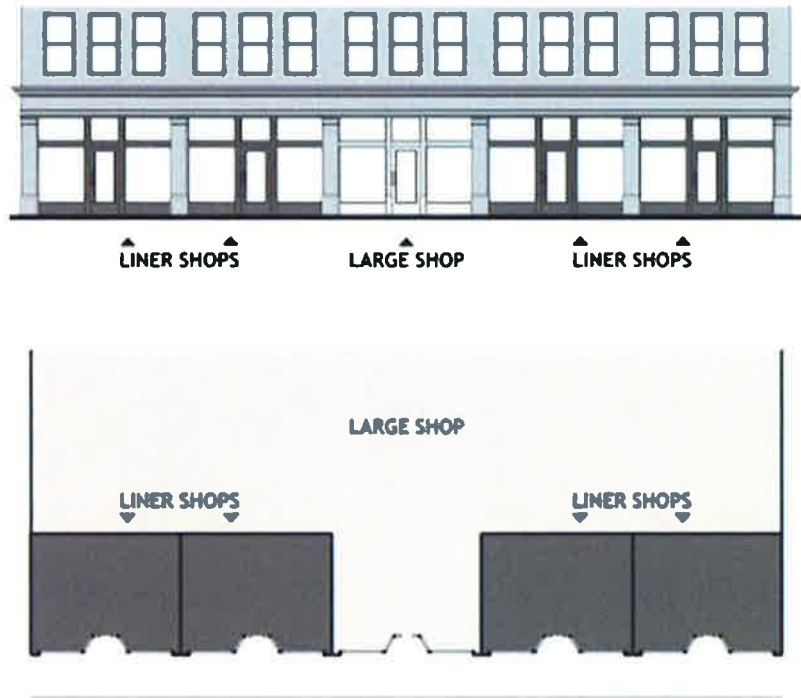
- a. If there is a yard between the sidewalk and the building, a paved path six feet in width shall be provided from the public sidewalk to the entrance.
- b. Entry doors shall not swing out to the sidewalk unless the door when fully open does not encroach into the sidewalk.
- c. Handrails or other such improvements shall not block visibility of the building entry or direct access from the sidewalk.



Orienting pedestrian entrances to the sidewalk is an essential ingredient of Downtown revitalization.



Direct entrances into individual ground-floor residential units ensure pedestrian comfort on less active streets.



**FIGURE 1504-J.1.C: WRAPPING OF LARGE USES**



Retail uses along the ground floor of the Warner's Theater conceal the large, windowless auditorium.



Large department stores can be wrapped with smaller shops, as with the Macy's at River Park.

K. Sidewalk and Public Frontage Standards.

1. Applicability.

- a. Notwithstanding Chapter 13, Section 208 of the Municipal Code, all projects shall be required to bring adjacent sidewalk conditions into conformance with the standards of this section, subject to the following exceptions:
  - i. Applications for signs only.
  - ii. Additions, remodels, or tenant improvements of less than 50 percent of the current value of the property.
  - iii. Accessory structures less than 1,000 square feet in size.
- b. New development that is below the thresholds noted in item 'a', above, shall replace and maintain missing and/or dead street trees and any other missing or dead landscaping in the public frontage (public right-of-way).
- c. In no case shall an existing sidewalk, or portion thereof, be vacated, even if the minimum width required in the applicable Public Frontage Type is less than the existing sidewalk.
- d. When a public frontage of the subject property is improved to meet the applicable requirements of this section and the adjacent property does not physically align with the new improvement, the improvement shall be designed to the satisfaction of the Review

Authority to result in a safe and smooth transition between properties.

2. Public Frontage Types. Required sidewalks shall be provided and designed as follows:



Public frontage is an indispensable component of comfortable, safe, and convenient pedestrian experience.



Appealing public frontage enhances commercial viability, sociability, and civic pride.

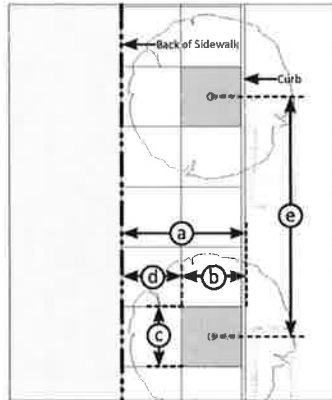
**TABLE 15-1504-K-2: PUBLIC FRONTAGE TYPES—DOWNTOWN DISTRICTS**

**A. Sidewalk with Tree Wells**

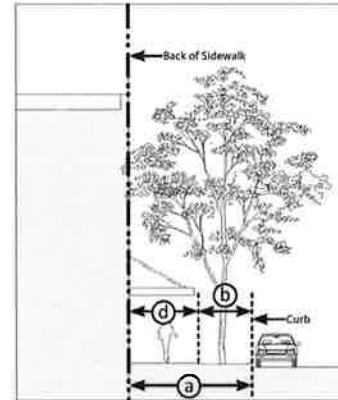
1. **Applicable Locations:** Adjacent to mixed-use or non-residential projects.

2. **Basic Standards**

- (a) Total Sidewalk Width: 12 ft. min.
- (b) Well Width: 5 ft. min.
- (c) Well Depth: 5 ft. min.
- (d) Clear Walkway Width: 7 ft. min.
- (e) Tree Spacing: 20 ft. min, 40 ft. max.



Plan



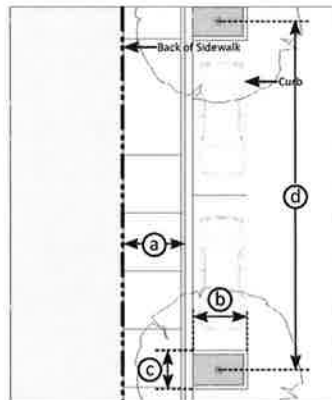
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**B. In-Street Tree Planter**

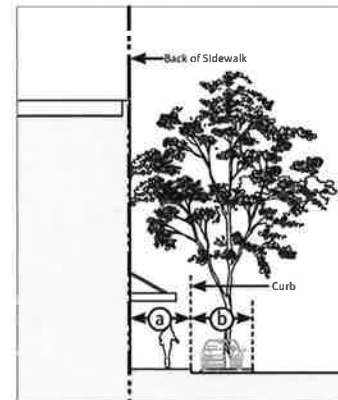
1. **Applicable Locations:** Areas with narrow sidewalk conditions.

2. **Basic Standards**

- (a) Total Sidewalk Width: Less than 12 ft.
- (b) Well Width: 6 ft. min.
- (c) Well Depth: 4 ft. min.
- (d) Tree Spacing: between every two parallel parking spaces or between every five angled or perpendicular spaces (approximately 40 to 50 feet apart)



Plan



Section

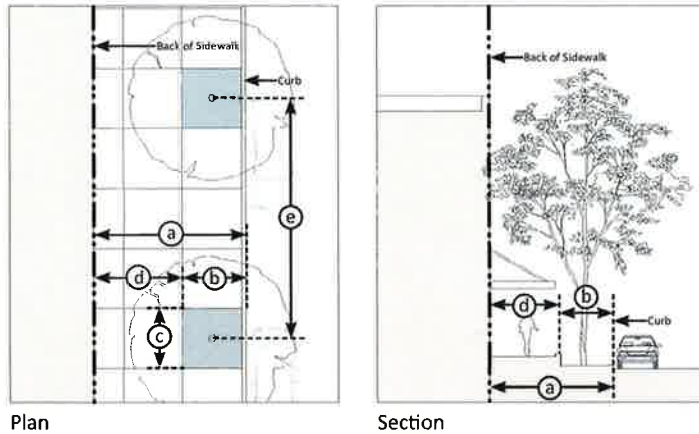
3. **Other Standards**

- a. Where the existing sidewalk is located immediately adjacent to the curb and where the distance between the curb and the R.O.W. line is too narrow to accommodate both a sidewalk and a parkway strip or tree well, tree planters may be introduced in the parking lane to maximize pedestrian space while providing shade and greenery as determined by the Review Authority.
- b. Planters should be placed outside of the gutter to avoid interference with drainage. Planter dimensions shall be least 6 feet by 4 feet with curbs provided on all four sides of the planter, although the side facing the sidewalk may be curbless to permit stormwater to drain into the planter.
- c. Planters must contain street trees and may be landscaped or covered with metal tree grates.



### C. Raised Sidewalk

1. **Applicable Locations:** Projects with ground floor commercial uses on sites which must be raised due to potential flooding issues.
2. **Basic Standards**
  - a) Total Sidewalk Width: 12 ft. min.
  - b) Lower Walkway/Well Width: 5 ft. min.
  - c) Well Depth: 5 ft. min.
  - d) Raised Walkway Width: 7 ft. min.
  - e) Tree Spacing: 20 ft. min, 40 ft. max.



3. **Other Standards**
  - a. The walkway nearest to the building shall be raised to match the level of the finished floor of the first story so that it is flush with entrances into commercial spaces.
  - b. The upper walkway shall be buffered from the lower walkway with a curb, hedge, raised planter, or other method as determined by the Review Authority.
  - c. Steps from the lower walkway to the upper walkway shall be provided every 100 feet or less as determined by the Review Authority.
  - d. At block corners the raised walkway shall, via a straight ramp, drop to meet the level of the lower walkway.
  - e. This sidewalk design shall only be used if the Fresno Metropolitan Flood Control District or other public agency mandates that the lot be raised above the existing sidewalk level due to potential flooding issues and when authorized by the Review Authority.



A raised sidewalk can allow for proper urban retail frontage, while still mitigating flood risk.



In-street tree planters can provide shade and beauty while maximizing the pedestrian walkway in areas with space constraints.

3. Sidewalk Width. Sidewalks shall be no less than 12 feet in width. If the current distance between the right-of-way boundary and the face of the adjacent curb is less than 12 feet, the method by which this requirement shall be satisfied shall be determined by the Review Authority. The available methods shall be as follows:

a. Set Back. The building may be set back from the right-of-way boundary the distance that is necessary to achieve the required sidewalk width. The portion of the sidewalk which lies within the private parcel shall be guaranteed for public access by the enactment of a pedestrian easement.

b. Reconstruction. The applicant may demolish and reconstruct the sidewalk for the entirety of the block frontage(s) which the project occupies to the extent necessary to satisfy the requirements of this section.

c. Parklet. The sidewalk may be expanded into the roadway by a metal or wood deck which does not interfere with the drainage of the street. In such instances the applicant shall enter into an encroachment agreement with the City in which the applicant accepts full responsibility for the maintenance and repair of the parklet, as well as providing the indemnification and insurance as required by the City's Risk Manager. The design of the parklet shall

be attractive and compatible with its surroundings, as determined by the Director.

- d. Width Exemption. For unusually challenging site conditions, or in instances in which the existing building and sidewalk pattern warrants it, the Director may exempt the applicant providing the full sidewalk width required above. Examples include instances in which setting the building back would cause a break in a uniform row of aligned facades, and moving the curb or adding a parklet would interfere with important roadway improvements such as a bike lane. In such instances all other sidewalk requirements, such as for trees and lighting, shall be met. When a narrow sidewalk is exempted from the width requirement, the standards of the In-Street Tree Planter Public Frontage Type shall be followed if the design of the adjacent roadway permits, at the discretion of the Director.

L. Block, Street, and Alley Standards.

1. Maximum Block Length. No block shall exceed 400 feet in length. For the purposes of this section, block length shall be measured along a street frontage from an intersecting street to the next intersecting street. Such measurements shall not begin nor end at an alley.
2. Design of New and Modified Streets. New streets and modifications to existing streets shall be designed in conformance with the Fulton Corridor

Specific Plan (FCSP). Designs may deviate from the FCSP if necessitated by site constraints, at the discretion of the Director.

3. Vacation of Existing Streets and Alleys. Existing streets and alleys shall not be removed or vacated, except for street or alley fragments that no longer connect to adjacent streets or provide access to adjacent properties. Such fragments may be vacated with Director approval, provided that such vacation will not result in a block which exceeds 400 feet in length.

15-1505 Façade Design Development Standards

A. Building Articulation and Massing.

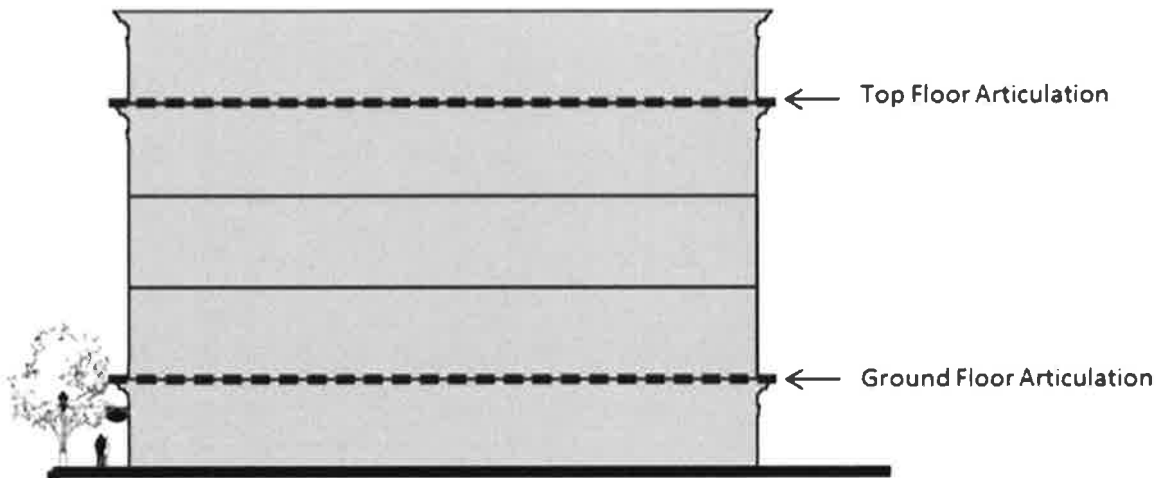
1. Building Length Articulation. All building facades over 50 feet in length which face a street, public plaza, or park shall be designed with a minimum of two of the following façade articulation strategies:
  - a. Material Articulation. Utilize different materials to divide building façades into vertical and/or horizontal increments.
  - b. Structural Expression. Express building bays, structural elements such as columns and/or beams, or underlying structural elements with pilasters and lintels that project several inches from the façade and/or are clad in a different material from the façade.
  - c. Horizontal Articulation. Setback a portion of the street-facing façade a minimum of two feet for a minimum distance of 25 feet.

- d. Architectural Projections. Append or project façade elements such as balconies, bay windows, cantilevered rooms, and/or awnings.
  - e. Architectural Recessions. Recess architectural elements or spaces – such as recessed porches, covered passages, recessed balconies, and windows – into the plane of the façade.
2. Building Height Articulation. In order to maintain a human scale for multi-story buildings, the height of façades which face a street, public plaza, or park shall be broken into smaller increments as follows:
- a. Ground Floors. A substantial horizontal articulation of the façade shall be applied at the top of the first story. On buildings of five stories or taller, this articulation may be applied at the top of the second story. This element shall be no less than 18 inches tall, and shall project no less than four inches from the adjacent wall plane. It shall be designed as a cornice, belt course, or other such architectural element which is appropriate to the style of the building.
  - b. Top Floor. Buildings or portions of buildings which are four stories in height or taller shall also provide articulation for the top story of the building. This can be accomplished by a color change, material change, a cornice/belt course at the bottom of the uppermost story, or by stepping the uppermost story back at least five feet. On

buildings of 8 stories or taller, this articulation may be applied to the top two stories.

c. Ground Floor/Upper Floor Differentiation. Ground floor facades shall be distinct from upper floors through the use or finish of materials, colors, window sizes, or architectural details.

d. Exception. Civic and Cultural buildings located in the Downtown General (DTG) District may be excepted as determined by the Review Authority.



**FIGURE 15-1505-A.2: BUILDING HEIGHT ARTICULATION**

**B. Building Materials and Finishes.**

**1. General Standards.**

a. Each side of a building that is visible from a street, public plaza, park, or passenger railway shall be designed with a complementary level of detailing and quality of materials.

- b. Each side of a parking structure that is visible from a street, public plaza, park, or passenger railway shall be designed to be compatible with the architectural character, materials, and colors of the overall development.
- c. Durability of Materials. Exterior materials shall be durable and promote permanence and longevity. Applicants must demonstrate that materials will not unintentionally discolor due to weathering or corrosion. Materials that discolor naturally, such as copper, are encouraged.
- d. Design Consistency.
  - i. Finishes, fixtures, and other architectural details shall be designed to be consistent throughout the building.
  - ii. Attached architectural elements and details such as lighting fixtures, attic vents, custom signage, awnings, hand rails, balconies, and trellises shall be designed to be consistent



Many of Fresno's cherished historic buildings have articulated upper and lower floors.



Contemporary buildings can also exhibit building height articulation.

with other elements throughout the building. Such elements shall relate to the elements or intended general character of surrounding significant resources, potentially significant resources, and other historic-era buildings.

e. Multiple Materials.

- i. Two or more wall materials may be combined on one façade.
- ii. A minimum of two exterior wall finish materials shall be used for all mixed-use buildings with a commercial ground floor.
- iii. If located one above the other, lighter appearing materials shall be placed above more substantial materials (e.g. wood above stucco or masonry, or stucco and glass above masonry).
- iv. In general, vertical joints between different materials shall occur only at inside corners.

2. Stucco.

- a. Finishes should be smooth and troweled.
- b. The pattern of joints should be architecturally coordinated with the overall façade composition, and sealant colors should be coordinated with surface and other building colors.

3. Exposed Wood.



- a. Exterior walls that are or were originally clad in exposed wood shall not be covered with a non-wood material. Wood-like materials, such as cementitious siding, may be used.
  - b. Exposed wood (or wood-like materials) shall be finished in a manner that minimizes maintenance and promotes the material's longevity.
- 4. Reflective Materials. Reflective materials, such as polished metal cladding or chrome, are allowed only if:
  - a. The material is applied to small areas such as to highlight signage.
  - b. It can be demonstrated that the material will not result in an incompatible adjacency or cause a nuisance to pedestrians, vehicles, and neighboring buildings.

5. Masonry and Stone.

- a. Masonry veneer walls shall be detailed with structural integrity, appearing thicker and heavier, especially at corners and window and door openings.
- b. Brick and cut stone shall be laid in true bonding patterns. Mortar joints shall be struck.
- c. River and rubble stone shall be laid from large closest to the ground to small farthest from the ground, with smooth or beaded mortar joints.
- d. Masonry detailing shall transition from stone to other materials through moldings, caps, and other trim elements.

6. Veneers. Veneers should turn corners, avoiding exposed edges and continue down the side of a building to a logical break, such as a change in wall plane. Corner pieces should be mitered to hide the joint.

7. Trim. Trim materials and finishes shall be differentiated from adjacent wall cladding materials and finishes. Acceptable trim materials shall be wood, precast concrete, stone, tile, or similar materials. Stucco trim shall be permitted at the determination of the Review Authority, and in such instances it shall feature a smooth finish that contrasts significantly from adjacent stucco wall cladding.

8. Synthetic Materials. The use of synthetic materials is allowed when the Review Authority determines that the material:

- a. Adequately simulates the appearance of the natural material it imitates.
- b. Demonstrates an ability to age similar to or better than the natural material it imitates.
- c. Has a permanent texture, color, and character that is acceptable for the proposed application.
- d. Can be pressure washed and, in general, withstand anti-graffiti measures.

9. Prohibited Materials. Prohibited exterior materials include the following:

- a. T1-11.
- b. Rough-sawn wood.
- c. Vertical siding.
- d. Board and batten.
- e. Metal siding, except in the DTN zone.
- f. Concrete block as an exterior finish material, except in the DTN zone.
- g. Plywood, particle board, press board, and similar materials.

10. Signage Design. Building signage shall be designed to complement the building while providing adequate visibility from and maintaining compatibility with adjacent suites/units on upper floors near the signage.

11. Renovations and Alterations.

- a. Modifications to existing buildings shall be architecturally compatible with the existing building as determined by the Review Authority.
- b. Exterior walls that are or were originally clad in wood, masonry, or stone shall not be covered with a different material such as stucco.
- c. Renovations or alterations to “modernized” pre-World War II buildings shall restore the original façade materials, textures, fenestration, and ornamentation to the extent possible as determined by the Review Authority.

12. Exception. Civic and Cultural buildings located in the Downtown General (DTG) District may be excepted from the standards of this subsection as determined by the Review Authority.

C. Window and Door Opening Design.

- 1. Consistency with Architectural Style. The orientation and proportion of openings shall be consistent with the architectural style of the building and shall relate to one another proportionally and according to a rational system of design. For example, buildings designed according to traditional architectural styles typically have window openings and panes that are vertically oriented or square or composed of groupings of vertically oriented windows. Mixed-use buildings can have second floor

windows that are grouped and centered above the ground floor storefront doors and windows.

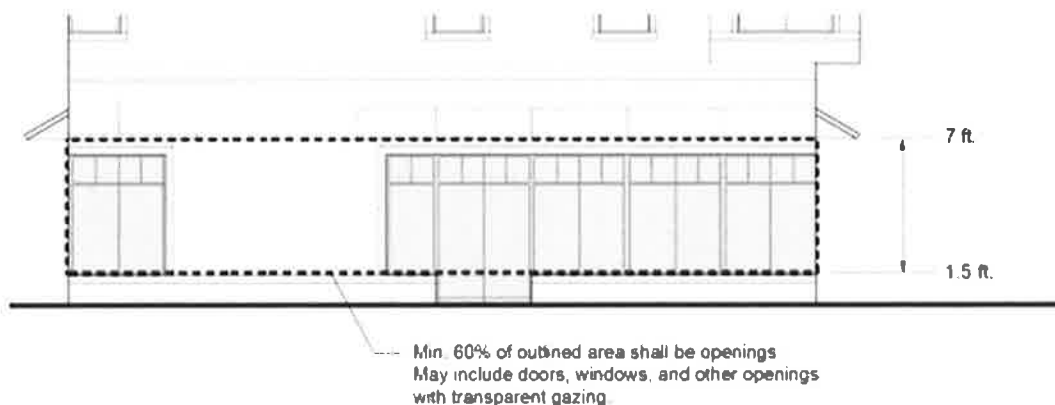
2. Glazing Ratio.

a. Upper floor façades, and non-commercial portions of ground floor street-facing façades, which face a street, public plaza, or park shall comply with the following requirements for openings:

<b>TABLE 15-1505-C-2-A: GLAZING STANDARDS</b>			
<b>Standard</b>	<b>DTN</b>	<b>DTG</b>	<b>DTC</b>
<u>Min. percentage of upper floor façades that shall consist of openings such as windows and doors to balconies or roofdecks.</u>	<u>25</u>	<u>25</u>	<u>25</u>
<u>Max. percentage of upper floor façades that shall consist of openings such as windows and doors to balconies or roofdecks.</u> <u>Curtain wall systems are allowed as a primary cladding system in the DTG district, and as an accent in the DTN and DTC districts.</u>	<u>70</u>	<u>100</u>	<u>70</u>

**b. Ground Floor Commercial Transparency.**

- i. For ground floor façades which face a street, public plaza, or park on portions of a structure occupied by commercial uses, exterior walls facing a front or street side lot line shall include windows, doors, or other openings with transparent glazing for at least 60 percent of the building wall area located between 1.5 and seven feet above the level of the sidewalk.**
- ii. Openings fulfilling this requirement shall have transparent glazing without reflective glass frosting or dark tinting (to the maximum extent permitted by Title 24 and other energy efficiency regulations) and provide views into work areas, display areas, sales areas, lobbies, or similar active spaces, or into window displays that are at least two feet deep.**



**FIGURE 15-1505-C-2-B: GROUND FLOOR COMMERCIAL TRANSPARENCY**

- 3. Vertical Proportion. On upper stories, window openings shall have a vertical proportion, in which their height exceeds their width by 25 percent**

or more. Openings divided by muntins of four inches or more in width shall constitute separate openings.

4. Window Depth. Trim at least one inch in depth must be provided around all upper story windows, or windows must be recessed at least two inches from the plane of the surrounding exterior wall. For double-hung and horizontal sliding windows, at least one sash shall achieve the two-inch recess.

5. Bay Windows. Bay windows, if provided, shall be habitable spaces.

6. Window and Door Materials and Detailing.

a. Allowed window and door materials include wood, fiberglass, steel, or aluminum.

b. Muntins, if used, shall be true and divide one pane from the adjoining pane, be of substantial dimension, and not be flat.

c. Flush "nail-on" aluminum windows, and horizontal aluminum sliding windows are prohibited.

d. Vinyl and vinyl clad windows shall be consistent with the architectural style of the building. For example, windows of Craftsman style buildings should be brown or hunter's green, not white.

e. Glazing shall be clear glass (to the maximum extent permitted by Title 24 and other energy efficiency regulations), particularly in storefront and primary window applications. Transom, clerestory,

and other specialty windows are not required to be clear and may be decorative.

- f. Window sills shall be detailed to properly shed water.
- g. Head casing shall be equal in width to or wider than jamb casing.
- h. Accessories may include operable shutters sized to match their openings, opaque canvas awnings and other shading devices, and planter boxes supported by visible brackets appropriate to each design.
- i. Security bars and roll down security doors are prohibited on the outside of windows and doors which face a street, public plaza, or park. Retractable interior security bars or gates may be used.

7. Exception. With the exception of Section 1505-C.2.b, Civic and Cultural buildings located in the Downtown General (DTG) District may be excepted from the standards of this subsection as determined by the Review Authority.

D. Façade Alignment.

- 1. Vertical Alignment. With the exception of mansard roofs, cornices, and other such features, façades shall be oriented vertically and shall have no slope.
- 2. Horizontal Alignment. With the exception of bay windows and similar features, façades that are located within 30 feet of a public street or public plaza shall run parallel or perpendicular to said street or plaza.



3. Exception. Civic and Cultural buildings located in the Downtown General (DTG) District may be excepted from the standards of this subsection as determined by the Review Authority.

E. External Stairs and Corridors.

1. External Stairways. With the exception of stoops and similar steps intended for access for ground-floor spaces, external stairways shall not be located between the primary façade of the building and a public street. Within 30 feet of a public street, stairs shall be architecturally integrated into the building and shall not have open risers.
2. External Corridors. External upper-floor corridors located within 30 feet of a public street shall be architecturally integrated into the building.

F. Private Frontage. Uses shall be accessed through frontage types as follows. "P" means the frontage type is permitted. "-" means the frontage type is not permitted.

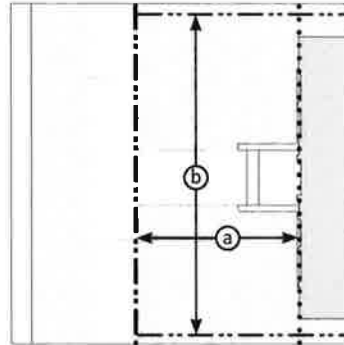
<b>TABLE 15-1505-E-1: PERMITTED PRIVATE FRONTAGE TYPES</b>								
<i>Use Classification</i>	<i>Front Yard</i>	<i>Porch</i>	<i>Stoop</i>	<i>Loading Dock/Terrace</i>	<i>Shop-front</i>	<i>Fore-court</i>	<i>Grand Entry</i>	<i>None</i>
<u>Residential, Individual Entry</u>	P	P	P	=	=	=	=	=
<u>Residential, Common Entry</u>	P	=	=	=	=	P	P	=
<u>Public and Semi-Public</u>	P	=	=	=	P	P	P	=
<u>Commercial, Individual Entry</u>	=	=	=	P	P	=	=	=
<u>Commercial, Common Entry</u>	=	=	=	=	P	P	P	=
<u>Industrial</u>	=	=	=	P	P	P	P	P
<u>Transportation, Communication, and Utilities</u>	=	=	=	=	=	P	P	P
<u>Service Areas</u>	=	=	=	=	=	=	=	P

**TABLE 15-1505-E-2: PRIVATE FRONTAGE STANDARDS**

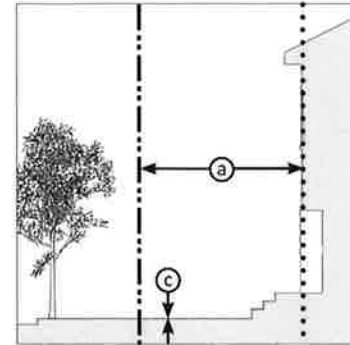
**A. Front Yard**

**1. Basic Standards**

- (a) Clear Depth: 5 ft. min.
- (b) Length: 15 ft. min.
- (c) Height above Sidewalk: 3 ft. max.



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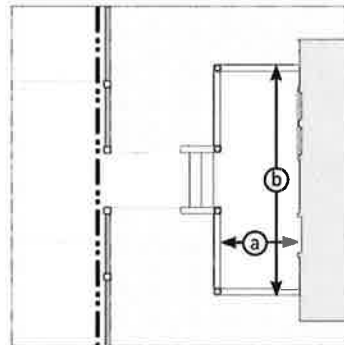
**2. Supplemental Standards**

- a. Planters, garden walls, fences and hedges are permitted at the sidewalk to a maximum height of 3 ft.. Materials and design shall be compatible with the architectural style of the building.
- b. Water features, shade structures, seating, and gardens are encouraged in this area.
- c. Vehicular parking, trash collection and storage are not permitted in this area.
- d. When Front Yards are raised from the level of the sidewalk, the resulting retaining wall shall be decorative and clad in brick or stone.

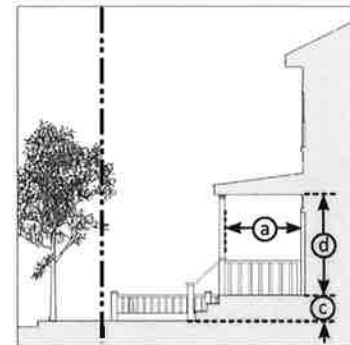
**B. Porch**

**1. Basic Standards**

- (a) Clear Depth: 5 ft. min., 15 ft. max.
- (b) Length: 8 ft. min.
- (c) Height above adjacent grade: 18 in. min., 4 ft. max.
- (d) Height: 8 ft. min. clear from the finish floor



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**2. Supplemental Standards**

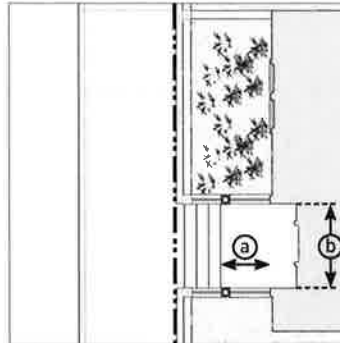
- a. Provide landscaping in front of and around porch.
- b. Railings should be no higher than required by the building code.
- c. The porch may extend around to encroach into the street sideyard up to 1/2 of the required setback. If insufficient distance exists, the minimum porch depth shall be achieved by moving back the façade the necessary distance.
- d. Awnings may be attached to the face of the porch if the awning is adequately supported and if the awning is compatible with the architectural style of the porch and building.
- e. Porches shall not be enclosed except for insect screens between the structural members of the porch if:
  - i. Visibility is not reduced between the adjacent sidewalk and the porch.
  - ii. The insect screen is recessed from the front face of the columns on the porch.

**TABLE 15-1505-E-2: PRIVATE FRONTAGE STANDARDS**

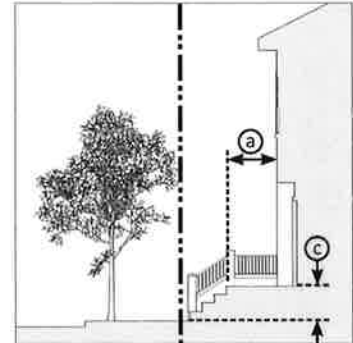
**C. Stoop**

**1. Basic Standards**

- (a) Clear Depth: 6 ft. min., 15 ft. max.
- (b) Length: 4 ft. min., 10 ft. max.
- (c) Height: Max. 4 ft. elevation above finish sidewalk grade



Plan



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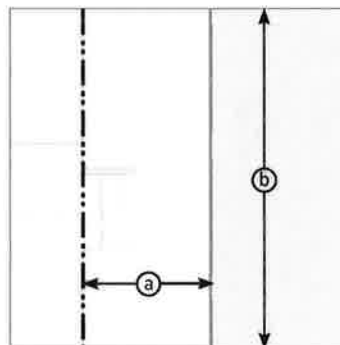
**2. Supplemental Standards**

- a. Landscaping encouraged in front, around and/or within walls of stoop.
- b. Minimum 3 ft. to maximum 4 ft. high garden wall and gate may be provided at entry to stoop.
- c. Entry gates to swing in a direction away from sidewalk.
- d. Use of other frontage types at entry stoop (e.g., awning, bay window, arcade) allowed.
- e. Exterior stairs may be located perpendicular or parallel to the adjacent sidewalk.
- f. The landing may be covered or uncovered, but shall not be enclosed beyond the building façade (e.g., stoop landings may be recessed into the building façade and be enclosed by the walls of the recess).

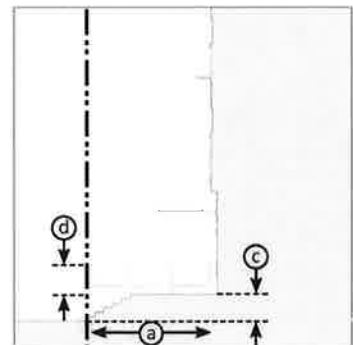
**D. Loading Dock/Terrace**

**1. Basic Standards**

- (a) Clear Depth: 7 ft. min.
- (b) Length: no min./no max.
- (c) Height: Max. 4 ft. elevation above finish sidewalk grade
- (d) Railing Height: no higher than required by the Building Code



Plan



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**2. Supplemental Standards**

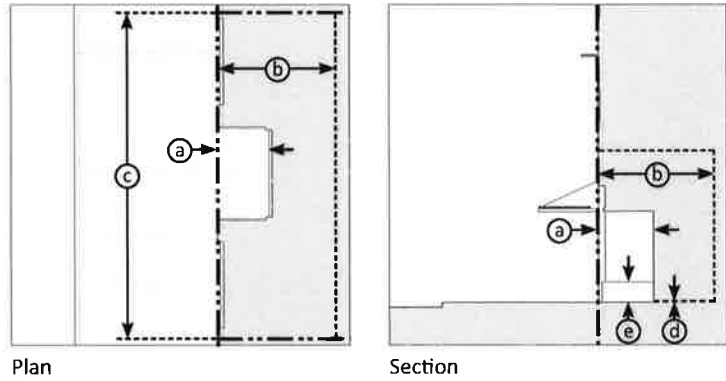
- a. Exterior stairs may be perpendicular or parallel to the adjacent sidewalk but shall not encroach into the right-of-way. The landing may be covered or uncovered.

**TABLE 15-1505-E-2: PRIVATE FRONTAGE STANDARDS**

**E. Storefront**

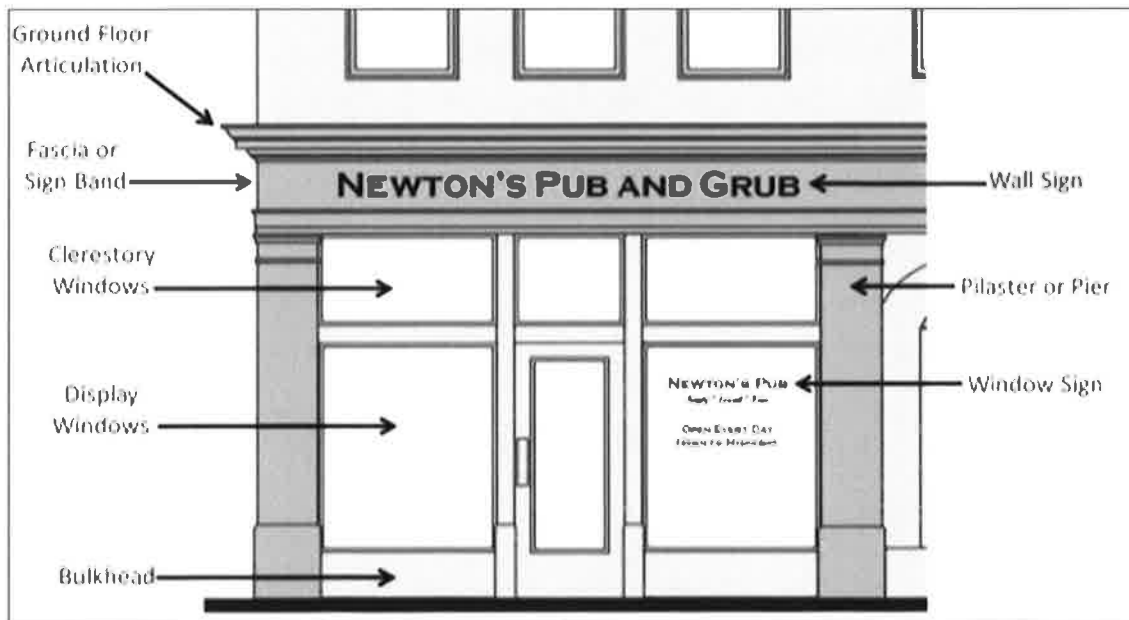
**1. Basic Standards**

- (a) Depth of Recessed Storefront  
Dining Area: 12 ft. max.
- (b) Depth of Shop: 30 ft. min.
- (c) Length: min. 75% of required façade length
- (d) Height above sidewalk: must be at sidewalk grade
- (e) Bulkhead Height: 18 in. min., 3 ft. max.



**2. Supplemental Standards**

- a. A physical transition or 'bulkhead' shall be provided between the glazing of any storefront and the adjacent sidewalk. The bulkhead shall not consist of aluminum storefront or spandrel panel.
- b. Storefront windows may have clerestory windows between the storefront and second floor/top of single-story parapet. Glass in clerestory windows may be of a character to allow light, while moderating it such as stained glass, glass block, painted glass, or frosted glass.
- c. Storefronts shall provide clear views of merchandise displays within the shop space and/or maintained and lighted merchandise display(s) within a display zone of at least two feet in depth from the glass.
- d. The storefront may be directly illuminated from the sidewalk side of the glass by externally mounted lights.
- e. Planter boxes, containers or vine pockets may be located adjacent to storefronts. Such landscape areas shall not be located within required ADA access ways along any public sidewalk.

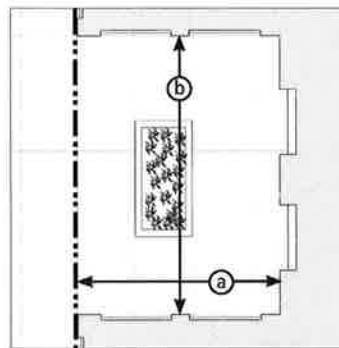


This diagram shows how the various components of a storefront can be arranged.

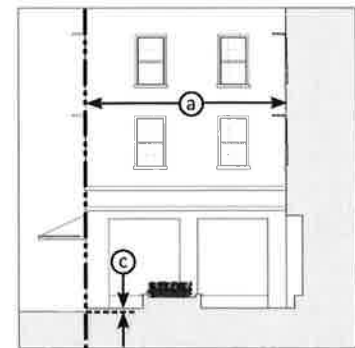
## H. Forecourt

### 1. Basic Standards

- (a) Clear Depth: 15 ft. min.; 50% of lot depth max.
- (b) Length: 12 ft. min.; 50% of lot depth max.
- (c) Height: 4 ft. max. above adjacent sidewalk



Plan



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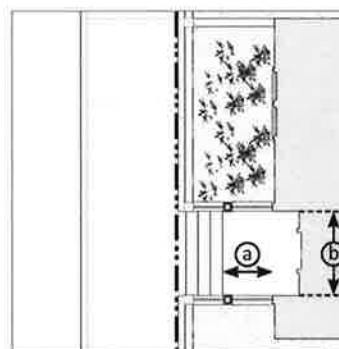
### 2. Supplemental Standards

- a. Elevated forecourts shall meet the accessibility code for access to the building and the sidewalk. Railings shall not visually obstruct views to or from the street and shall be designed to match the architectural style of the main building.
- b. Arcades, galleries, awnings, or canopies may encroach into the forecourt for a distance of 1/4 of the forecourt width or depth with a cumulative encroachment not to exceed a combined distance of 1/2 of the forecourt width and depth, respectively.
- c. Planters, garden walls, fences and hedges are permitted at the entrance to the forecourt to a maximum height of 3 ft. per Section 15-2006, Fences, Walls, and Hedges.
- d. Water features, shade structures, seating, and gardens are encouraged in this area.
- e. Vehicular parking, trash collection and storage are not permitted in this area.

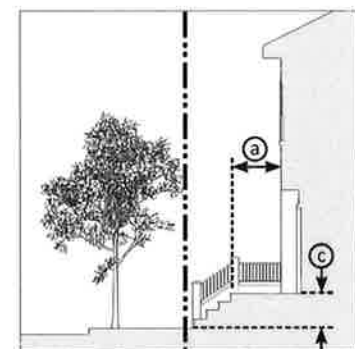
## I. Grand Entry

### 1. Basic Standards

- (a) Clear Depth: 6 ft. min., 15 ft. max.
- (b) Length: 10 ft. min., 25 ft. max.
- (c) Height: May be at sidewalk grade, or max. 4 ft. elevation above finish sidewalk grade



Plan



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### 2. Supplemental Standards

- a. The entrance shall be clearly differentiated from entrances into individual commercial or residential spaces through the use of decorative columns or similar ornamentation flanking the entrance, by aligning the entrance with prominent architectural features on upper floors, or through color and material changes.
- b. The entrance shall be covered by an awning or canopy or shall be recessed into the building.

G. Façade Elements. The following development types shall incorporate a minimum of two of the Façade Elements shown in Table 15-1505-F into front and street-side building façades.

1. New buildings.

2. Building additions (façade elements are not required on the existing part of the structure if it is not being altered).

3. Façade remodels.

4. Exceptions:

a. Projects or parts of projects involving designated historic resources, or the restoration of historic façades, shall not be required to incorporate Façade Elements if such elements were not part of the historic façade.

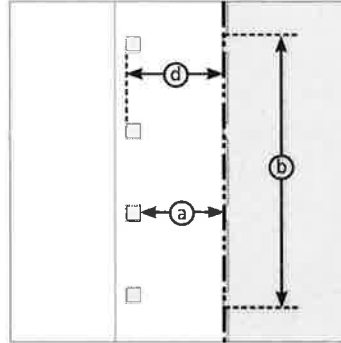
b. Civic and Cultural buildings located in the Downtown General (DTG) District may be excepted from the standards of this subsection as determined by the Review Authority.

**TABLE 15-1505-F: FAÇADE ELEMENTS—DOWNTOWN DISTRICTS**

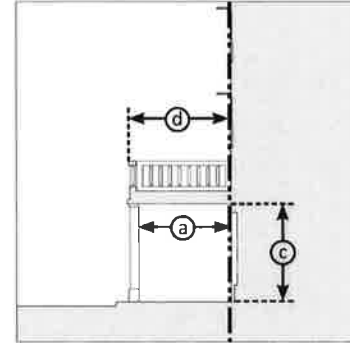
**A. Gallery**

**1. Basic Standards**

- (a) Clear Depth: 10 ft. min., 15 ft. max.
- (b) Length: 50% to 100% of building length
- (c) Height: 8 ft. min. clear from the finish floor
- (d) Encroachment into R.O.W.: Galleries may encroach over the sidewalk in the public right-of-way, subject to an encroachment permit prior to issuance of a building permit as follows:
  - 10-12 ft. wide sidewalk: 6 ft. max.
  - 12-14 ft. wide sidewalk: 8 ft. max.
  - 14+ ft. wide sidewalk: 2/3 width of sidewalk max.



Plan



Section

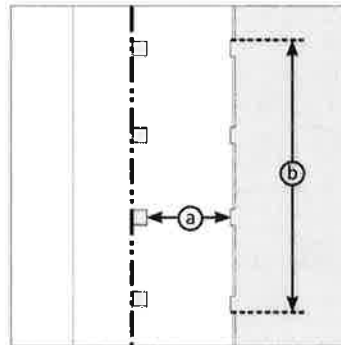
**2. Supplemental Standards**

- a. Planter boxes or pots may be placed in between the columns to provide enclosure for uses such as café seating. A Gallery must be a minimum 50% open on two sides.
- b. Balconies, awnings, bay windows, verandas, or other structures are allowed above the gallery.
- c. Except on residential and civic buildings, Galleries shall be combined with the Storefront frontage type.
- d. Column spacing and colonnade detailing, including lighting, shall be consistent with the style of the building to which it is attached.
- e. Columns shall be placed in relation to curbs so as to allow passage around and to allow for passengers of cars to exit the vehicle.

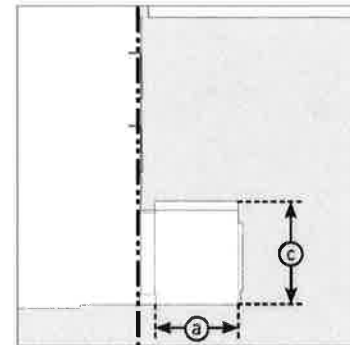
**B. Arcade**

**1. Basic Standards**

- (a) Clear Depth: 10 ft. min., 15 ft. max.
- (b) Length: 50% to 100% of building length
- (c) Height: 8 ft. min. clear from the finish floor



Plan



Section

**2. Supplemental Standards**

- a. Planter boxes or pots may be placed in between the columns to provide enclosure for uses such as café seating.
- b. Arcade to be a minimum 50% open on two sides.
- c. Balconies, awnings, bay windows, verandas, or other structures are allowed above the arcade.
- d. Column spacing and colonnade detailing, including lighting, shall be consistent with the style of the building to which it is attached.

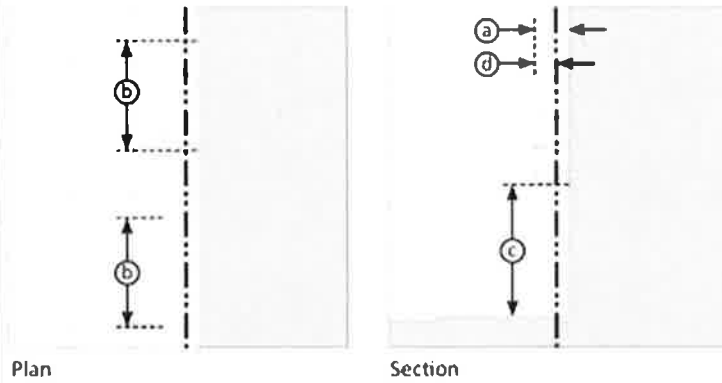


**TABLE 15-1505-F: FAÇADE ELEMENTS—DOWNTOWN DISTRICTS**

**C. Bay Window**

**1. Basic Standards**

- (a) Depth: 2 ft. min., 4 ft. max.
- (b) Length: 15 ft. max.
- (c) Height: 2nd fl.: 10 ft. min. clear from the ground
- (d) Encroachment into R.O.W.: 3 ft. max.



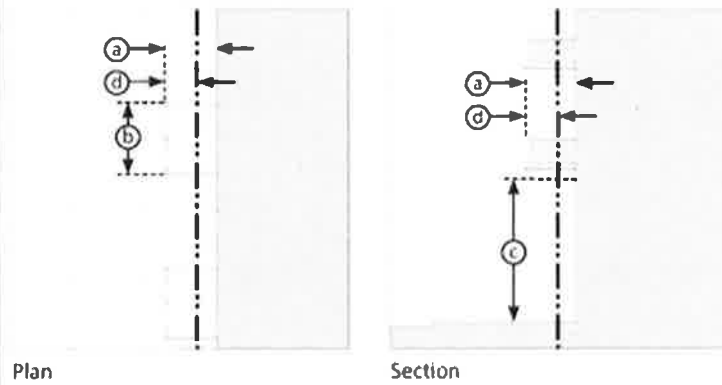
**2. Supplemental Standards**

- a. Bay windows are permitted on the ground floor of buildings with residential ground floors.
- b. Provide landscape in front and around bay windows on the ground floor.
- c. Bay windows to have a minimum 25% glazing.

**D. Balcony**

**1. Basic Standards**

- (a) Depth: 5 ft. min., 10 ft. max.
- (b) Length: 8 ft. min.
- (c) Height: 8 ft. min. clear, 12 ft. max. clear from the finish floor
- (d) Encroachment into Setback or R.O.W.: 4 ft. max.



**2. Supplemental Standards**

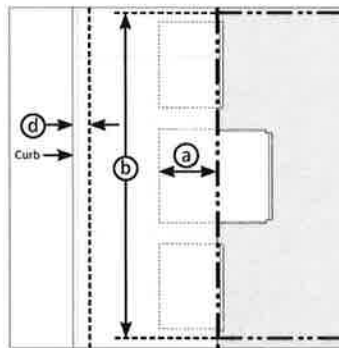
- a. Balcony may be covered but should be a minimum 50% open on three sides.

**TABLE 15-1505-F: FAÇADE ELEMENTS—DOWNTOWN DISTRICTS**

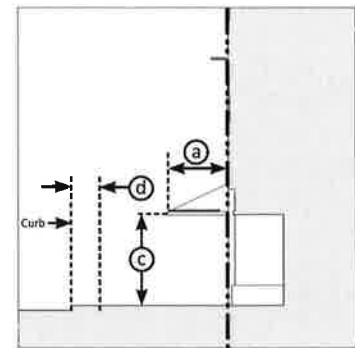
**E. Awning, Canopy, Marquee, Sun Shade, Trellis**

**1. Basic Standards**

- (a) Depth: 2 ft. min., 10 ft. max.
- (b) Length: 25% to 75% of building frontage
- (c) Height: 8 ft. min. clear from the ground
- (d) Encroachment into Setback or R.O.W.: within 2 ft. clear of curb



Plan



Section

**2. Supplemental Standards**

- a. Awnings, Canopies, Sun Shades, and Trellises shall not cover the entire length of the facade. They may cover individual storefronts and openings or multiple openings as follows:
  - Storefront(s) within 5 feet of another storefront.
  - Up to 2 doors or windows not associated with a storefront if the distance between them does not exceed 3 feet.
- b. Awnings, Canopies, Sun Shades, and Trellises shall not obscure architectural features such as moldings above the storefront.
- c. Awnings shall match the shape of the opening they are shading (simple shed shaped awnings for rectangular openings) except for odd shaped awnings. Odd shaped and bubble awnings are prohibited except where a photograph shows they have been previously allowed on the building and were not in conflict with an applicable requirement.
- d. Awnings, Canopies, Sun Shades, and Trellises may be constructed of metal, wood or fabric. Highly reflective materials should be avoided.
- e. Lights that illuminate the pedestrian way or sidewalk dining beneath the awning are only allowed upon review and determination by the Director that the proposed lighting is appropriate for the context and consistent with the intended physical character of the zoning district.
- f. Internally illuminated awnings that glow are prohibited.

15-1506 Right to Downtown Operations

As Downtown Fresno continues its evolution into a compact, mixed-use center, it is essential that new property owners and tenants understand the present and future nature of the area so that they may function together as harmoniously as possible. Toward that end, this section will ensure that property owners, tenants, and users of property within the Downtown Districts are notified of the vibrant, active Downtown environment, the revitalization efforts and public improvements occurring Downtown, the special events and community and business activities that are part of the vitality of

the Downtown, and the expectations and responsibilities associated with owning, purchasing, renting or making other use of property within Downtown.

A. Definitions.

1. The following definitions shall apply to the Right to Downtown Operations section:

- Downtown Operations: Any activity, use, facility or operation associated with a permitted temporary or permanent use occurring within the boundaries of the Downtown Districts, as well as any lawful public uses. Downtown operations and their associated impacts include, but are not limited to, the following: music, dancing, singing, and voices associated with permitted uses and Downtown activities; odors associated with operation of restaurants, breweries, coffee roasters, urban wineries, and other businesses; high levels of traffic and traffic congestion; increased vehicular traffic from special events and other activities; street construction, closures and traffic re-routing, including exclusion of vehicle access during certain times due to festivals, parades or other special events; railroad operations, including increased rail activity associated with passenger rail operations; outdoor sales of merchandise and outdoor restaurant seating; festivals, parades and/or cultural events which may result in gatherings of large groups of people, street closures, parking impacts, noise, odors and other impacts; increased levels of pedestrian activity; operation of

delivery trucks and vans, trash and recycling collection trucks, and other such vehicles; impacts associated with artists' studios and spaces, including noise, odors, and vibration; general increases in activity levels occurring on a 24-hour basis, including increases in noise and other impacts during late night and early morning hours; high levels of nighttime lighting and illumination; and trash collection, including trash collection before 6:00 a.m.

- Property: Any real property located within the Downtown Districts, including property intended for residential, commercial, business, public purposes, and other uses.
- Tenant: Any renter or lessee of property.
- Transfer: The sale, lease, trade, exchange, rental, or gift of property.
- Transferee: Any person or entity acquiring an interest in real property in the Downtown Districts from another person or entity, including, but not limited to, a purchaser of property or a person taking possession of property pursuant to a lease or rental agreement.
- Transferor: Any person transferring an interest in real property in the Downtown Districts to another person, including the seller of property or a landlord granting possession of property pursuant to a lease or rental agreement.

B. Downtown Operations Notification Requirements.

1. As a condition of approval of any Development Permit, Tentative Subdivision Map, Conditional Use Permit, or similar entitlement relating to property located within the For all housing that is entitled under the Downtown Districts, every property owner shall record the deed notification provided in Section 15-1506-B.3 of this Code on the property for which the Zone Clearance, Development Permit, Tentative Subdivision Map, Conditional Use Permit, or similar entitlement is issued. The Notice of Right to Downtown Operations shall be included in all subsequent deeds and leases for this property until such time as the property is no longer located within the Downtown Districts.
2. Every transferor of property, as transferor is defined herein, subject to the requirements of 15-1506-B.1 shall, upon transfer, also provide to any transferee the Notice of Right to Downtown Operations recited in 15-1506-B.3. The Notice of Right to Downtown Operations may be contained in any form of agreement or contract; however, the notice need be given only once in any transaction. The transferor and transferee shall provide each other with written acknowledgement of delivery and receipt of the notice.
3. The notice provided in this section is intended to advise property owners, tenants and users of property within the Downtown Districts of the inherent impacts and inconveniences associated with purchase, tenancy or use of

property in the Downtown Districts. This notice shall be provided as required by 15-1506-B.1 and 15-1506-B.2.

### **NOTICE OF RIGHT TO DOWNTOWN OPERATIONS**

**The City of Fresno permits the operation of a variety of residential, commercial, civic, and cultural activities within the Downtown zoning districts.**

**You are hereby notified that the property you own, or are renting, leasing, using, occupying, or acquiring an interest in is located within the Downtown zoning districts. You may be subject to impacts, including inconvenience and discomfort, from lawful activities occurring within the Downtown zoning districts. Impacts may include, but are not limited to, noise, odor, glare, and transportation congestion resulting from permitted uses such as, but not limited to, civic, commercial, cultural, public and institutional, recreational, and transportation-related activities. Specific impact-causing sources might include, but are not limited to, music, dancing, talking, singing, laughter, restaurants and bars, outdoor dining/seating, outdoor sales, festivals, parades, special events, street closures, high volumes of traffic, high volumes of pedestrian activity, emergency services, waste collection, commercial and business operations, railroad operations and rail activity, and other permitted Downtown activities. These impacts might occur late at night, early in the morning, or on a 24-hour basis.**

**One or more of the inconveniences described above might occur as a result of Downtown operations and activities which are in compliance with existing laws and regulations and accepted customs and standards. If you own, lease, rent, or otherwise utilize property within the Downtown zoning districts, you are expected to be prepared to accept such inconveniences or discomfort as a normal and necessary aspect of owning, living in, operating a business in, or otherwise utilizing an area with an active Downtown character.**

**The City of Fresno's Development Code does not exempt Downtown businesses or other participants in Downtown activities from compliance with the law. Should any business or person not comply with appropriate state, federal, or local laws, legal recourse may be possible by, among other ways, contacting the appropriate agency.**

**This notification is given in compliance with the Fresno Municipal Code §15-1506.**

4. The failure to give the notice required by this section shall not invalidate any transfer.

**C. Nuisances, Resolution of Disputes, and Contact Persons.**

1. Normal Downtown operations are presumed to not constitute a nuisance, unless such operations are deemed to be a nuisance under California Civil Code Section 3479 or the Fresno Municipal Code. Downtown operations shall comply with all state, federal, and local laws and regulations applicable to the operations, including applicable noise and other operational standards contained in the Fresno General Plan and/or Fresno Municipal Code.
2. Every developer or owner of commercial, residential, or other property within the Downtown Districts, consisting of two or more residences, businesses or tenant spaces, shall, as a condition of approval of any Development Permit, Tentative Subdivision Map, Conditional Use Permit, or similar entitlement relating to property located within the Downtown Districts, designate an information contact person. The information contact person shall be available to disperse information distributed by the City, PBID, non-profit organizations, or other public or quasi-public organizations, to tenants and property owners within the development. The information contact person role may be undertaken by the property

owner, a homeowner's association, a property management company or other similar organization.

15-1507 Additional Standards

A. Projects shall incorporate all relevant mitigation measures required pursuant to applicable environmental assessments prepared pursuant to CEQA that encompass the project area. "Applicable Environmental Assessments" shall include, but may not be limited to the following:

1. A MEIR prepared for the General Plan in effect at the time of project approval;
2. A Program or Project EIR prepared for either a Community Plan or Specific Plan that includes the project area, in effect at the time of project approval.

B. The proposed design shall not lead to an overburdening of existing or planned infrastructure capacities, including, but not limited to, capacities for water, runoff, storm water, wastewater, and solid waste systems. The determination of whether or not the proposed design can be accommodated within existing infrastructure shall be made by the Review Authority in consultation with the Directors of Public Works and Public Utilities.

C. The project shall comply with all applicable Public Works standards.]

SECTION 3. Section 15-1609 of the Fresno Municipal Code is amended to read as follows:

SECTION 15-1609. APARTMENT HOUSE (AH) OVERLAY DISTRICT

A. Purpose. The Apartment House (AH) Overlay District is intended to preserve and enhance the pattern of pedestrian-oriented small-footprint apartment



houses, grand homes, and small commercial buildings that exist in some pre-World War II neighborhoods.

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.

C. Development Standards. Development Standards shall be as required by the Base District, except as follows:

1. Maximum Lot Size. 15,000 square feet.

2. [Setbacks.]

a. Front Setback. The front setback for new structures shall not be greater than 110 percent [nor less than 90 percent] of the average of the actual front setbacks of all [residential structures ]on the blockface which were[ constructed prior to 1945],~~nor shall it be less than 90 percent of the average of the actual front setbacks of all improved lots on the blockface.~~ [The following exceptions shall apply:

- i. In no instance shall the front setback be less than 10 feet.
- ii. In no instance shall the setback for a new structure be less than the setback of an adjacent structure which is a designated historic resource.]

b. [Side Setback. Four feet.]

3. Parking.

a. [Garage Encroachment into Rear and Side Setbacks.] Where 50 percent or more of the residential properties on a block have detached garages which encroach into the minimum side and/or rear setbacks, new detached garages shall be permitted to encroach into the minimum side and/or rear setback in a similar manner. In such instances the minimum side and rear setback for a detached garage shall each be equal to the average of the equivalent setbacks of the detached garages on the block, unless the average is less than two feet in which case the setback shall be

zero feet. This provision shall also apply to properties which abut an RS District.

b. [In no instance shall parking be located in front of the primary building, between the primary building and the street, or within the required front setback. Surface parking may not be covered with a carport within 50 feet of a public street unless it is designed as a porte cochere that is attached to architecturally integrated with the structure.]

4. ~~Façade~~ [Design ]Compatibility. [The following standards shall apply to all structures, with the exception of Public and Semi-Public uses.]

a. Building Materials and Finishes. Cladding and trim materials and finishes shall be similar to adjacent apartment houses and single-family homes.

b. Windows. The size, location, and proportions of windows shall be similar to adjacent apartment houses and single-family homes.

c. Balconies and Porches. For new residential structures, the size, location, and proportions of balconies and porches shall be similar to adjacent apartment houses and single-family homes.

d. [Massing. New structures shall have roof forms and massing articulation which is residential in character and is similar to residential structures on the same blockface which were constructed prior to 1945.]

5. Pedestrian Access. Direct entrances shall be provided into all individual ground-floor dwelling units or commercial spaces which are adjacent to a public street. If the building is set back from the sidewalk, a paved path no less than five feet in width shall be provided from the sidewalk to each entrance.
6. [Height. Structures shall not exceed 35 feet in height.]
7. Landscaping. The design of front yard landscaping shall be residential in character and shall be similar to adjacent apartment houses and single-family homes.
8. Signs. Signs shall not be permitted in the AH Overlay District, except as follows:
  - a. Maximum Number and Location.
    - i. Monument Sign. One monument sign per building shall be permitted in the front yard setback, if applicable. Such signs shall be set back from the back of the sidewalk by no less than two feet.
    - ii. Porch Sign. One sign per building shall be permitted to be suspended under the roof of a porch.
    - iii. Wall Sign. One sign per building may be mounted on the façade near the primary pedestrian entrance.
    - iv. Other Signs. Not permitted.

**b. Maximum Size.**

**i. Monument Sign. Monument Signs shall not exceed six square feet in area and shall not exceed five feet in height.**

**ii. Porch Sign. Porch Signs shall not exceed eight square feet in area.**

**iii. Wall Sign. Wall Signs shall not exceed 10 square feet in area.**

**c. Illumination. If illuminated, external illumination is required and shall be mounted in a manner that does direct glare toward adjacent uses.**



**FIGURE 15-1609-C-8: AH OVERLAY MONUMENT AND PORCH SIGNS**

**9. Renovations and Alterations.**

- a. Modifications to existing buildings shall be architecturally compatible with the existing building as determined by the Review Authority.
- b. Exterior walls that are or were originally clad in wood, masonry, or stone shall not be covered with a different material such as stucco.
- c. Renovations or alterations to “modernized” pre-World War II buildings shall restore the original façade materials, textures, fenestration, and ornamentation to the extent possible as determined by the Review Authority.]

SECTION 4. Section 15-1610 of the Fresno Municipal Code is added as follows:

[SECTION 15-1610. URBAN CAMPUS (UC) OVERLAY DISTRICT

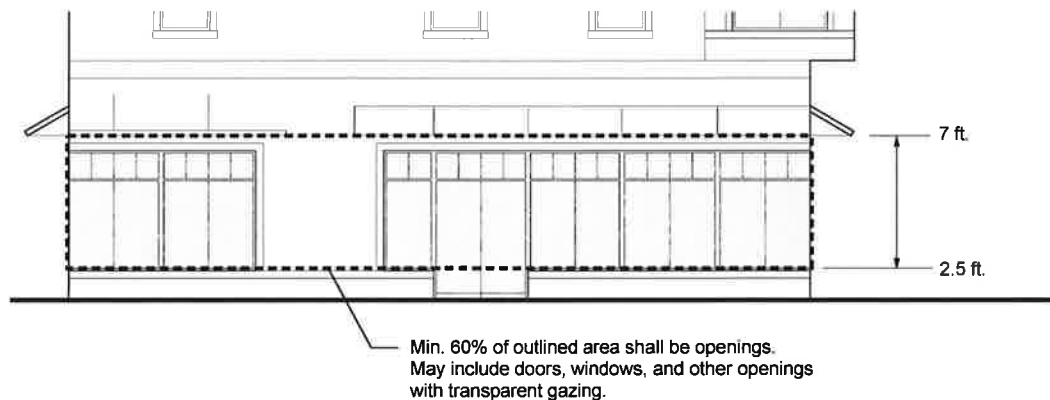
- A. Purpose. The Urban Campus (UC) Overlay District is intended to provide for large, centrally planned and operated campuses which integrate well into a dense, mixed-use, walkable urban environment.
- B. Use Regulations. Those uses permitted in the Base District, subject to the limitations and conditions set forth therein.
- C. Development Standards. Development Standards shall be as required by the Base District, except as follows:
  - 1. Setbacks.
    - a. Front.
      - i. Minimum. Zero feet.

- ii. Maximum. 20 feet.
      - b. Side. No requirement, unless the site abuts an R District, in which case the side setback shall be no less than 20 feet.
      - c. Rear. No requirement, unless the site abuts an R District, in which case the rear setback shall be no less than 20 feet.
      - d. Parking: 30 feet from perimeter streets. The following types of parking shall be exempted from this requirement:
        - i. Surface parking which is located behind a building.
        - ii. Structured parking above the first floor, provided that the façade is treated with similar materials and ornamentation as non-parking structures on the campus.
        - iii. Underground parking.
- 2. Frontage Coverage. 75 percent along public streets at the perimeter of the campus. This requirement shall not apply to streets which run through the campus.
- 3. Pedestrian Access. Each building located within 50 feet of a public street at the perimeter of the campus shall provide pedestrian entrances from the public street into the building at a rate of no less than one per 400 feet of linear street frontage, however in no instance shall there be fewer than one. Such entrances shall be protected by a portico, canopy, or alcove of no less than four feet in depth. If there is a yard between the sidewalk and

the building, a paved path six feet in width shall be provided from the public sidewalk to the entrance.

4. Façade Design. Street facing facades of buildings located within 50 feet of a public street at the perimeter of the campus shall comply with the following standards:

a. Exterior walls facing a front or street side lot line shall include windows, doors, or other openings with transparent glazing for at least 25 percent of the building wall area located between 2.5 and seven feet above the level of the sidewalk. Openings fulfilling this requirement shall have transparent glazing and provide views into work areas, lobbies, or similar active spaces.



**FIGURE 15-1610-C.4.A: BUILDING TRANSPARENCY**

b. Where buildings are located within two feet of a public sidewalk at the perimeter of the campus, the sidewalk shall be shaded by awnings or canopies as follows:





Thesta Street, and Divisidero Street, as well as all of the area south of Divisidero.

7. Lot Coverage. No requirement.
8. Sidewalks. New buildings or additions of 50 percent or more in floor area shall improve adjacent sidewalks. Sidewalks shall be provided per Public Works standards except that sidewalks on Fresno Street shall be provided as follows:
  - a. Sidewalks shall be no less than 12 feet in width. If the current distance between the right-of-way boundary and the face of the adjacent curb is less than 12 feet, the building shall be set back from the right-of-way boundary the distance that is necessary to achieve the required sidewalk width. The portion of the sidewalk which lies within the private parcel shall be guaranteed for public access by the enactment of a public access easement.
  - b. Street trees shall be provided as follows:
    - i. Street trees should be located no more than three feet from the back of curb, and whenever possible should be aligned with other trees on the block.
    - ii. Street trees should generally be evenly spaced, no less than 20 feet apart, and not more than 40 feet apart.
    - iii. Whenever possible, trees should not be located directly in front of building entrances.

- iv. Trees should be placed in tree wells measuring five feet by five feet. To maximize usable sidewalk area, tree wells shall be covered by grates of a design which is approved by the Review Authority. Larger tree wells may be required by the Public Works Director for species requiring more space. The property owner shall assume maintenance responsibilities for the tree grates.
- v. Street trees should be deciduous, fast growing, drought tolerant, and should eventually form a tall canopy. Not more than one species should be planted per block. Whenever nearby pre-existing trees are in good condition and meet the intent of this section, new trees should be of the same species.
- c. Pedestrian-scaled street lights shall be provided as follows:
  - i. Street lights should be located no more than three feet from the curb, and whenever possible should be aligned with street trees and other lights on the block.
  - ii. Street lights should be generally evenly spaced, no less than 30 feet apart, and not more than 80 feet apart. Whenever possible, street lights should be no less than 15 feet from nearby street trees.

iii. Street lights should not be of the type commonly known as Cobra Heads or other types which are intended primarily for the illumination of the vehicular roadway. Lights should be ornamental and designed primarily for the illumination of the sidewalk. Whenever nearby pre-existing lights are in good condition and meet the intent of this section, new lights should be of the same type. Intersection safety lights shall be typical cobra-head design, while mid-block lighting should be ornamental and scaled for the pedestrian environment. Lighting shall meet Public Works standards.

d. If a Community Facilities District is not established to maintain sidewalks, street trees, and lighting, the applicant shall enter into a maintenance agreement to ensure the maintenance of said facilities.]

SECTION 5. Section 15-1611 is added as follows:

[SECTION 15-1611. NEIGHBORHOOD REVITALIZATION (NR) OVERLAY DISTRICT.

A. Purpose. The Neighborhood Revitalization (NR) Overlay District is intended to preserve the unique character of neighborhoods near Downtown, enhance their walkability, and promote a diverse population.

B. Use Regulations. Those uses permitted and conditionally permitted in the Base District, subject to the limitations and conditions set forth therein, with the following exceptions.

1. Duplex - a neighborhood meeting shall not be required.
2. Multi-Unit Residential at a density of 16 dwelling units per acre or less. A neighborhood meeting shall not be required.
3. Instructional Services which are 3,000 square feet or less and which occupy 30 percent of the building or less.
4. Parks and Recreation Facilities shall not be subject to any size restriction of the Base District.
5. Medical and Dental Offices, which are 3,000 square feet or less and which occupy 30 percent of the building or less shall be permitted.
6. General Retail, which is located within 100 feet of a corner and which is 3,000 square feet in area or less shall be permitted.

C. Development Standards. Development Standards shall be as required by the Base District, except as follows:

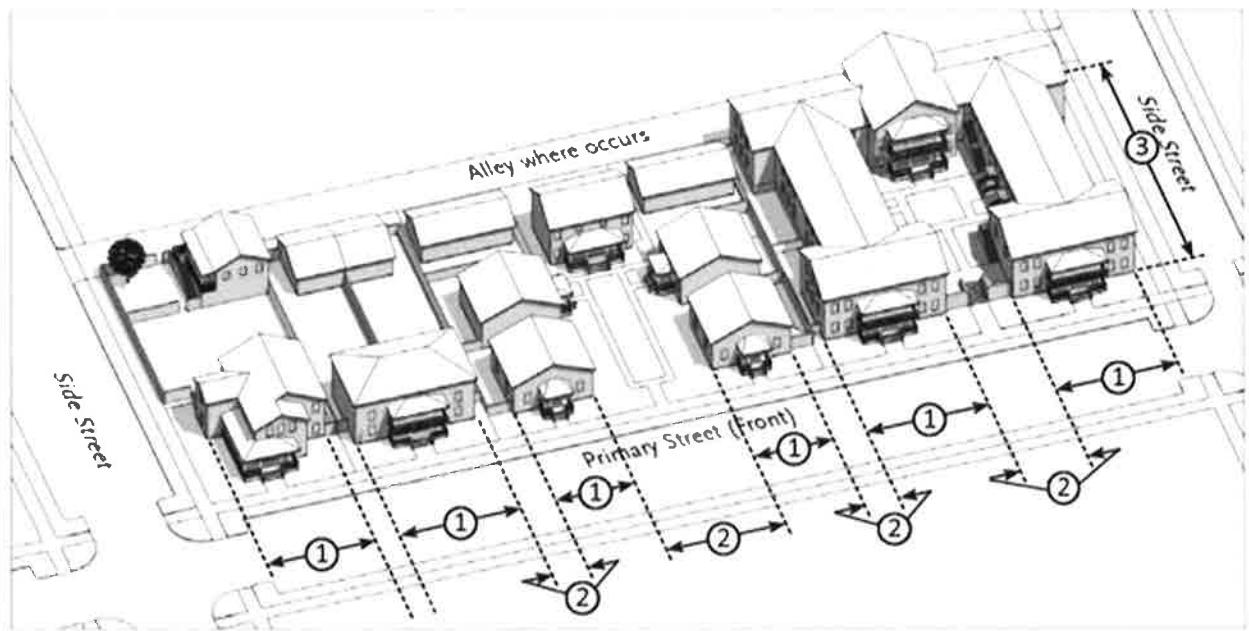
1. Sidewalks.
  - a. Sidewalks shall be provided on both sides of the street. Notwithstanding Chapter 13, Section 208 of the Municipal Code, all projects shall be required to bring adjacent sidewalk conditions into conformance with Public Works standards, subject to the following exceptions:

- i. Applications for signs only.
    - ii. Additions, remodels, or tenant improvements of less than 50 percent of the current value of the property.
    - iii. Accessory structures less than 1,000 square feet in size.
  - b. New development that is below the thresholds noted in item 'a', above, shall replace and maintain missing and/or dead street trees and any other missing or dead landscaping in the public frontage (public right-of-way).
  - c. In no case shall an existing sidewalk, or portion thereof, be vacated, even if the minimum width required is less than the existing sidewalk.
  - d. When a sidewalk of the subject property is improved to meet the applicable requirements of this section and the adjacent property does not physically align with the new improvement, the improvement shall be designed to the satisfaction of the Review Authority to result in a safe and smooth transition between properties.
2. Pedestrian Access. Direct entrances shall be provided into all individual ground-floor dwelling units or commercial spaces which are adjacent to a public street. If the building is set back from the sidewalk, a paved path no less than five feet in width shall be provided from the sidewalk to each entrance.

3. Front Setback. The front setback for new structures shall not be greater than 110 percent nor less than 90 percent of the average of the actual front setbacks of all residential structures on the blockface which were constructed prior to 1945. The following exceptions shall apply:

  - a. In no instance shall the front setback be less than 10 feet.
  - b. In no instance shall the setback for a new structure be less than the setback of an adjacent structure which is a designated historic resource.
4. Parking. In no instance shall parking be located in front of the primary building, between the primary building and the street, or within the required front setback. Surface parking may not be covered with a carport within 50 feet of a public street unless it is designed as a porte cochere that is attached to architecturally integrated with the residential structure.
5. Building Size and Massing. Table 15-1611-C.1 prescribes additional development standards for areas governed by the NR Overlay District. Additional regulations are denoted in the right hand column. Section numbers in this column refer to other sections of the Code, while individual letters refer to subsections that directly follow the table. The numbers in each illustration below correspond to the “#” column in the associated table. Drawings are for illustrative purposes and are not drawn to scale.

**TABLE 15-1611-C.1: BUILDING SIZE AND MASSING STANDARDS**



<i>District</i>	<i>RS-3</i>	<i>RS-5</i>	<i>#</i>
<u>Maximum Building Length along Primary Street (ft.)</u>	60	60	①
<u>Maximum Space between buildings along Primary Street (ft.)</u>	15	10	②
<u>Maximum Building Depth along Street Side (ft.)</u>	60	120	③

**6. Building Articulation.**

**a. Street-Facing Façade Articulation.** All street-facing building façades over 35 feet in length shall be designed with a minimum of one of the following façade articulation strategies:

**i. Horizontal Articulation.** Setback a portion of the street-facing facade a minimum of two feet for a minimum distance of 25 feet.



- ii. Vertical Articulation. Step a portion of the façade upward or downward a minimum two feet higher or lower than adjacent portions of the façade for a minimum distance of 25 feet.
  - iii. Architectural Projections. Append or project facade elements such as porches, balconies, bay windows, cantilevered rooms, and/or awnings.
  - iv. Architectural Recessions. Recess architectural elements or spaces – such as recessed porches, covered passages, recessed balconies, and windows – into the plane of the façade.
- b. Roof Forms. New structures shall have roof forms which are residential in character, such as gabled, hipped, mansard, gambrel, and pyramidal roofs.

7. Building Materials and Finishes.

a. General Standards.

- i. Each side of a building that is visible from a street, park, or passenger railway shall be designed with a complementary level of detailing and quality of materials.
- ii. Building Entrances and Common Areas. Building entrances and common areas shall include finishes and materials that are durable and high quality and distinguish these spaces from other elements of the building.

iii. Parking. Parking structures shall be designed to be compatible with the architectural character, materials, and colors of the overall development.

iv. Durability of Materials. Exterior materials shall be durable and promote permanence and longevity. They shall not unintentionally discolor due to weathering or corrosion. Materials that discolor naturally, such as copper, are encouraged.

v. Design Consistency.

(1) Architectural materials and constructional assemblies shall be designed to be consistent with the building's architectural style in terms of structural expression, scale, and proportion.

(2) Finishes, fixtures, and other architectural details shall be designed to be consistent throughout the building's exterior.

(3) Attached architectural elements and details such as lighting fixtures, attic vents, custom signage, awnings, hand rails, balconies, and trellises shall be designed to be consistent with other elements throughout the building's exterior.

b. Multiple Materials.

- i. Two or more wall materials may be combined on one façade.
  - ii. If located one above the other, lighter appearing materials shall be placed above more substantial materials (e.g. wood above stucco or masonry, or stucco and glass above masonry).
  - iii. In general, vertical joints between different materials shall occur only at inside corners.
- c. Exposed Wood.
- i. Exterior walls that are or were originally clad in exposed wood shall not be covered with a non-wood material. Wood-like materials, such as cementitious siding, may be used.
  - ii. Exposed wood (or wood-like materials) shall be finished in a manner that minimizes maintenance and promotes the material's longevity.
- d. Reflective Materials. Reflective materials are prohibited.
- e. Masonry and Stone.
- i. Brick and cut stone shall be laid in true bonding patterns. Mortar joints shall be struck.
  - ii. River and rubble stone shall be laid from large stones closest to the ground to small stones farthest from the ground, with smooth or beaded mortar joints.

- iii. Masonry detailing shall transition from stone to other materials through moldings, caps, and other trim elements.
- f. Veneers. Veneers should turn corners, avoiding exposed edges and continue down the side of a building to a logical break, such as a change in wall plane.
- g. Trim. Trim materials and finishes shall be differentiated from adjacent wall cladding materials and finishes. Acceptable trim materials shall be wood, precast concrete, stone, tile, or similar materials. Stucco trim shall be permitted at the discretion of the Review Authority, and in such instances it shall feature a smooth finish that contrasts significantly from adjacent stucco wall cladding.
- h. Synthetic Materials. The use of synthetic materials is allowed when the Review Authority determines that the material:
  - i. Adequately simulates the appearance of the natural material it imitates.
  - ii. Demonstrates an ability to age similar to or better than the natural material it imitates.
  - iii. Has a permanent texture, color, and character that is acceptable for the proposed application.
  - iv. Can be pressure washed and, in general, withstand anti-graffiti measures.

i. Prohibited Materials. Prohibited exterior materials include the following:

- i. T1-11.
- ii. Rough-sawn wood.
- iii. Vertical siding, except board and batten.
- iv. Metal siding.
- v. Concrete block as an exterior finish material.

j. Renovations and Alterations.

- i. Modifications to existing buildings shall be architecturally compatible with the existing building as determined by the Review Authority.
- ii. Exterior walls that are or were originally clad in wood, masonry, or stone shall not be covered with a different material such as stucco.
- iii. Renovations or alterations to “modernized” pre-World War II buildings shall restore the original façade materials, textures, fenestration, and ornamentation to the extent possible as determined by the Review Authority.

8. Window and Door Opening Design.

- a. Window Hierarchy. Building elevations shall exhibit a hierarchy between window sizes to differentiate between public rooms (larger windows) and private rooms (smaller windows).

- b. Glazing Ratio. Street-facing facades, shall have an overall wall composition of at least 20 percent glazing, but not more than 60 percent glazing.
- c. Vertical Proportion. 75 percent or more of window openings shall have a vertical proportion, in which their height exceeds their width by 25 percent or more. Openings divided by muntins of four inches or more in width shall constitute separate openings.
- d. Window Depth. Trim at least three-quarters inch in depth must be provided around all windows, or windows must be recessed at least two inches from the plane of the surrounding exterior wall. For double-hung and horizontal sliding windows, at least one sash shall achieve the two-inch recess. The recess depth shall be specific to the architectural style being utilized.
- e. Relationship to Surrounding Buildings. Windows shall be placed on a wall in a manner that maintains existing privacy with neighbors.
- f. Window and Door Materials and Detailing.
  - i. Allowed window and door materials include wood, fiberglass, steel, or aluminum.
  - ii. Muntins, if used, shall be true and divide one pane from the adjoining pane, be of substantial dimension, and not be flat.
  - iii. Flush "nail-on" aluminum windows, and horizontal aluminum sliding windows are prohibited.

- iv. The color of vinyl and vinyl clad windows shall be consistent with the overall color scheme of the building. For example, white windows should be used with window trim that is painted a deep color.
- v. Glazing shall be clear glass, particularly in storefront and primary window applications. Transom and other specialty windows are not required to be clear and may be decorative.
- vi. Window sills shall be detailed to properly shed water.
- vii. Head casing shall be equal in width to or wider than jamb casing.
- viii. Accessories may include operable shutters sized to match their openings, opaque canvas awnings and other shading devices, and planter boxes supported by visible brackets appropriate to each design. Security bars are prohibited on façade windows.

9. Façade Alignment

- a. Vertical Alignment. With the exception of roofs, cornices, and other such features, façades shall be oriented vertically and shall have no slope.
- b. Horizontal Alignment. With the exception of bay windows and similar features, facades that are located within 30 feet of a public

street shall run parallel or perpendicular to said street. Civic buildings are exempt from this requirement.

10. Façade Elements.

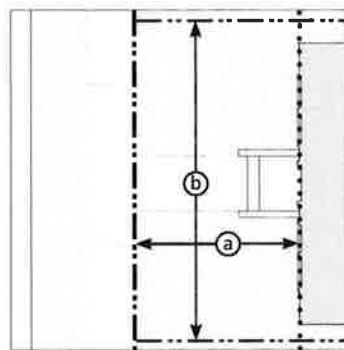
a. Applicability. Street-facing façades shall incorporate a minimum of two of the Façade Elements shown in Table 15-1611-C.6.

**TABLE 15-1611-C.6: FAÇADE ELEMENTS—NR OVERLAY DISTRICT**

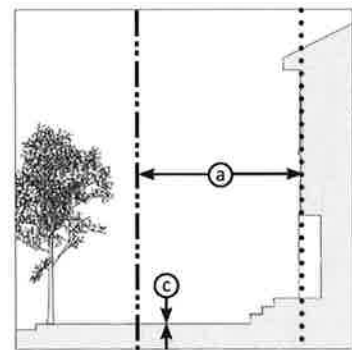
**A. Front Yard**

**1. Basic Standards**

- (a) Clear Depth: 5 ft. min.
- (b) Length: 15 ft. min.
- (c) Height above Sidewalk: 3 ft. max.



Plan



Section

**2. Supplemental Standards**

a. Planters, garden walls, fences and hedges are permitted at the sidewalk to a maximum height of 3 ft. per Section 15-2006.

**Materials**

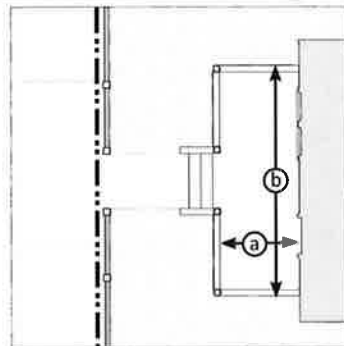
- and design shall be compatible with the architectural style of the building.
- b. Water features, shade structures, seating, and gardens are encouraged in this area.
- c. Vehicular parking, trash collection, and storage are not permitted in this area.
- d. When Front Yards are raised from the level of the sidewalk, the resulting retaining wall shall be decorative and clad in brick or stone.



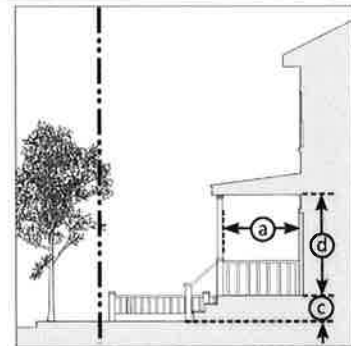
## B. Porch

### 1. Basic Standards

- (a) Clear Depth: 5 ft. min., 15 ft. max.
- (b) Length: 8 ft. min.
- (c) Height above adjacent grade: 18 in. min., 4 ft. max.
- (d) Height: 8 ft. min. clear from the finish floor



Plan



Section

### 2. Supplemental Standards

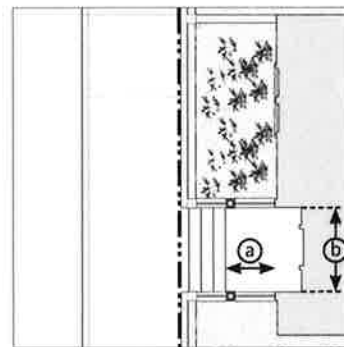
- a. Provide landscaping in front of and around porch.
- b. Railings should be no higher than required by the building code.
- c. The porch may extend around to encroach into the street sideyard up to 1/2 of the required setback. If insufficient distance exists, the minimum porch depth shall be achieved by moving back the façade the necessary distance.
- d. Awnings may be attached to the face of the porch if the awning is adequately supported and if the awning is compatible with the architectural style of the porch and building.
- e. Porches shall not be enclosed, including by insect screens.

## TABLE 15-1611-C-6: FAÇADE ELEMENTS—NR OVERLAY DISTRICT

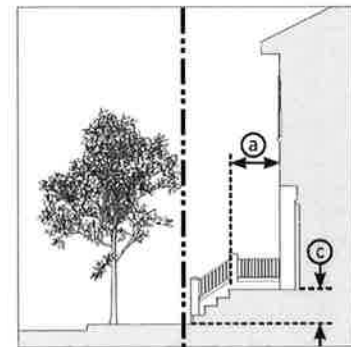
## C. Stoop

### 1. Basic Standards

- (a) Clear Depth: 6 ft. min., 15 ft. max.
- (b) Length: 4 ft. min., 10 ft. max.
- (c) Height: Max. 4 ft. elevation above finish sidewalk grade



Plan



Section

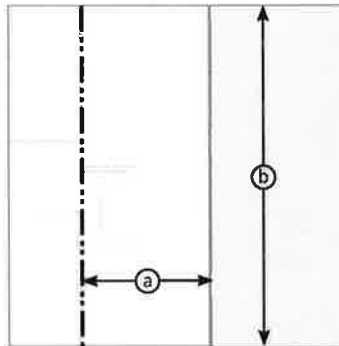
### 2. Supplemental Standards

- a. Landscaping encouraged in front, around and/or within walls of stoop.
- b. Minimum 3 ft. to maximum 4 ft. high garden wall and gate may be provided at entry to stoop.
- c. Entry gates to swing in a direction away from sidewalk.
- d. Use of other frontage types at entry stoop (e.g., awning, bay window, arcade) allowed.
- e. Exterior stairs may be located perpendicular or parallel to the adjacent sidewalk.
- f. The landing may be covered or uncovered, but shall not be enclosed beyond the building façade (e.g., stoop landings may be recessed into the building façade and be enclosed by the walls of the recess.

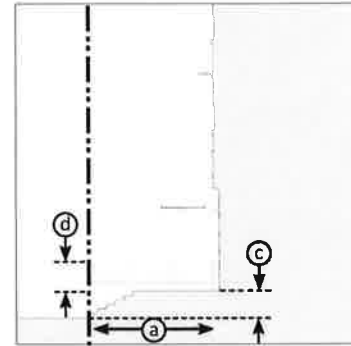
## D. Terrace

### 1. Basic Standards

- (a) Clear Depth: 7 ft. min.
- (b) Length: no min./no max.
- (c) Height: Max. 4 ft. elevation above finish sidewalk grade
- (d) Railing Height: no higher than required by the building code



Plan



Section

### 2. Supplemental Standards

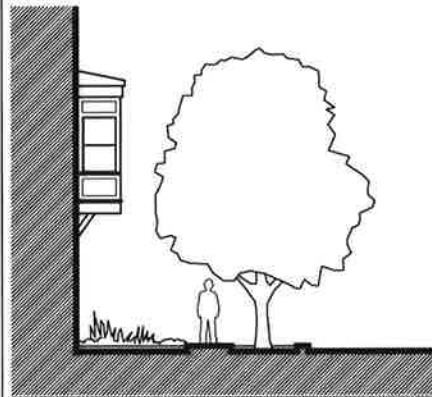
- a. Use of other frontage types (e.g., awning, bay window) allowed.
- b. Exterior stairs may be perpendicular or parallel to the adjacent sidewalk but shall not encroach into the right-of-way. The landing may be covered or uncovered.

## TABLE 15-1611-C-6: FAÇADE ELEMENTS—NR OVERLAY DISTRICT

### E. Bay Window

#### 1. Basic Standards

- (a) Depth: 2 ft. min., 4 ft. max.
- (b) Length: 15 ft. max.
- (c) Height for 2nd fl.: 10 ft. min. clear from the ground
- (d) Encroachment into Setback.: 3 ft. max.



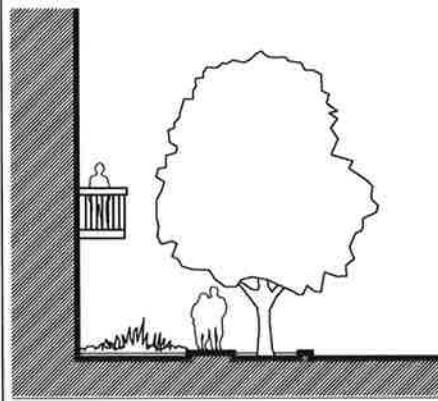
#### 2. Supplemental Standards

- a. Bay windows are permitted on the ground floor of buildings with residential ground floors.
- b. Provide landscape in front and around bay windows on the ground floor.
- c. Bay windows to have a minimum 25% glazing.

## F. Balcony

### 1. Basic Standards

- (a) Depth: 5 ft. min., 10 ft. max.
- (b) Length: 8 ft. min.
- (c) Height: 8 ft. min. clear, 12 ft. max. clear from the finish floor
- (d) Encroachment into Setback: 4 ft. max.



### 2. Supplemental Standards

- a. Balcony may be covered but should be a minimum 50% open on three sides.

]

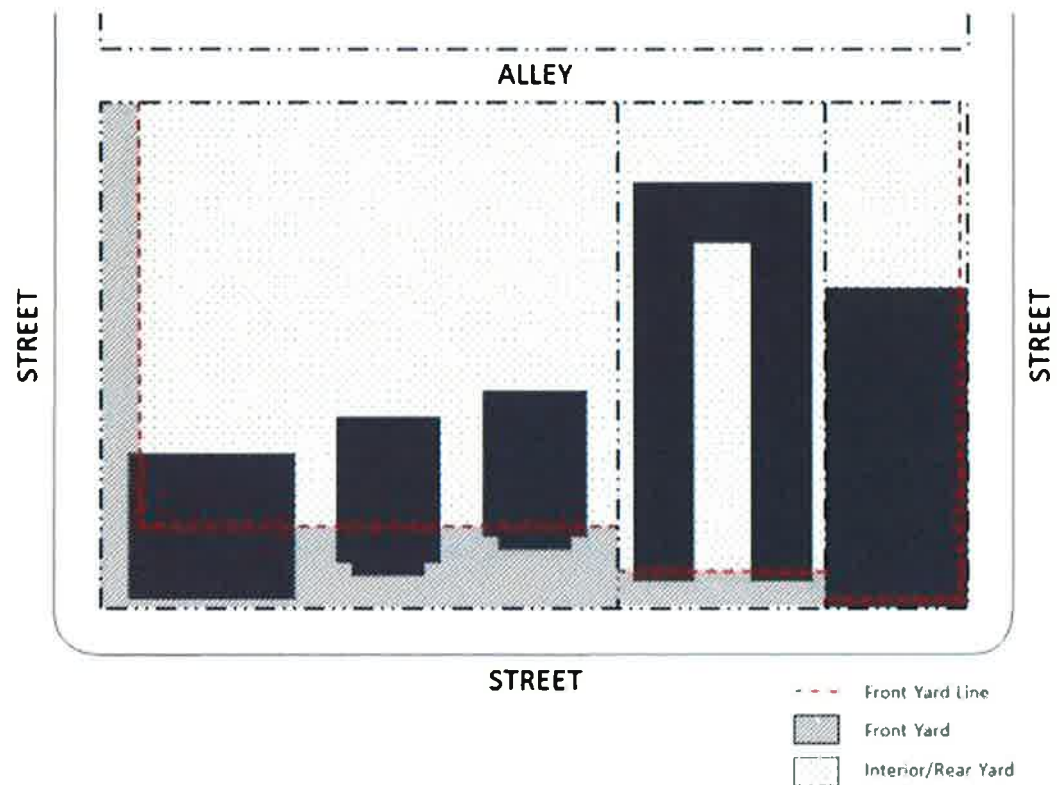
SECTION 6. Section 15-2006-E of the Fresno Municipal Code are amended to read as follows:

### SECTION 15-2006-E

- E. Fence Height and Locations for Downtown Districts ~~[Fence Requirements for DT, MX, and CMS Districts. ]~~~~(Reserved)~~ [In Downtown and other pedestrian-oriented areas it is of critical importance to create an attractive, active, and comfortable pedestrian environment. It is equally important to secure property and to keep unauthorized people out of private areas. This subsection has been structured to balance these two needs by allowing the entire perimeter of a block or property to be secured by a combination of buildings and fences, while not allowing for suburban-style fenced complexes. Buildings should visually dominate private frontage, with taller fencing filling in the gaps along the street and securing sides and rears of properties as put forth below.]

1. Identifying the Front Yard Line. For the purposes of this subsection only, the Front Yard will be considered to be the area between the Front Yard Line and the back of the sidewalk. The Front Yard Line shall be identified as follows:
  - a. For sites which abut two or more streets, the Front Yard Line for each street frontage shall be measured individually.
  - b. The Front Yard shall be the entire area between the back of the sidewalk and a straight parallel line which is located 12 inches behind the façade of the primary building and which extends along the entire frontage (the “front yard line”).
  - c. For complex or highly articulated buildings the front yard line shall be measured from the furthest point back on the street-facing façade of the building, at the discretion of the Review Authority.
  - d. When there is more than one building along a lot’s frontage (as determined by the Review Authority), the front yard line shall be measured from the façade of the building (excluding accessory buildings) along the frontage which is set back the greatest distance.
  - e. Front yard fence standards shall apply to all fences within the Front Yard, including those which are parallel or perpendicular to the street and including those which enclose porches, patios, and other such spaces.

- f. A frontage shall not have a Front Yard Line, and all fences on that frontage shall be considered Interior/Rear Yard Fences, if the following circumstances apply:
- i. The building sits directly at the back of the sidewalk, and no other building exists on that frontage of the lot.
  - ii. The site is occupied by a legal non-conforming parking lot without a building on site.
  - iii. The site is occupied by legal non-conforming buildings which



**FIGURE 15-2006-E.1: IDENTIFYING THE FRONT YARD LINE**

are set back more than 50 feet.

2. Front Yard.

- a. Minimum Setback. All fences shall be set back no less than 12 inches from the back of the sidewalk and may not be located in the public right-of-way. No setback is required from side and rear property lines.
- b. Maximum Height. Three feet.
- c. Transparency. 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.
- d. Materials.
  - i. Front yard fence materials shall consist only of wood, tubular steel, wrought iron, or other decorative metal. Brick, stone, or stucco piers may be used in combination with these materials. New chain link front yard fences are prohibited.
  - ii. Retaining walls shall be designed consistent with the architectural style of the main building. Retaining walls shall consist only of decorative concrete, masonry, stone, or brick. Timber may be permitted unless it is in conflict with the Building Code or applicable Public Works standards.
  - iii. Veneer or synthetic materials simulating the actual, natural material (e.g., brick or stone veneer in place of actual brick

or stone) shall only be allowed upon demonstrating to the Review Authority that the substitute material:

- (1) Adequately simulates the natural material; and
- (2) Is organized visually to simulate actual construction using the natural material (e.g., organization of brick rows, larger stones at the bottom and smaller stones toward the top).

3. Interior and Rear Yards.

- a. Minimum Setback. All fences shall be set back no less than 12 inches from the back of the sidewalk and may not be located in the public right-of-way. No setback is required from side and rear property lines.
- b. Maximum Height. Six feet.
- c. Transparency. No requirement. Fences and walls may be up to 100 percent opaque.
- d. Materials.
  - i. Interior and side yard fence and wall materials shall consist only of wood, tubular steel, wrought iron, other decorative metal, brick, stone, stucco, concrete block. Chain link may be used when it is not visible from a public street as determined by the Review Authority.

ii. Interior and side yard fences and walls shall be designed to be consistent with the architectural style of the main building when they are visible from a public street as determined by the Review Authority.

iii. When visible from a public street, veneer or synthetic materials simulating the actual, natural material (e.g., brick or stone veneer in place of actual brick or stone) shall only be allowed upon demonstrating to the Review Authority that the substitute material:

(1) Adequately simulates the natural material; and

(2) Is organized visually to simulate actual construction using the natural material (e.g., organization of brick rows, larger stones at the bottom and smaller stones toward the top).

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

5. Private Patios, Yards, Etc.

a. Facing Front Yard or Common Open Space. Fences, walls, or hedges enclosing private patios, yards, or porches that face the Front Yard or the Common Open Space are subject to the requirements of section 15-2006.E.2 above.

b. Interior Yard and Rear Yards. Fences and walls up to six feet in height may enclose private patios or yards. ]



SECTION 7. Section 15-2006-M of the Fresno Municipal Code is amended to read as follows:

SECTION 15-2006-M

M. [Additional ]Materials[ Standards.]

1. Limitation on Chain-Link Fencing. Chain-link fencing is not permitted in:
  - a. Single-Family Districts. Along a Major Street, unless it is three feet or less in height.
  - b. Multi-Family Districts and Mixed-Use Districts.
    - i. Along a Major Street.
    - ii. Local Streets. Along street-facing yards in developments that contain six or more units.
      - (1) Exception. A fence that is three feet or less in height and located *within the Pinedale Neighborhood Plan.*
  - c. Office and Commercial Districts. Along Major Street-facing yards, or when the parcel shares a street that also serves a Residential District.
  - d. Industrial Districts. When abutting a residential use or when located across a Local Street from a residential use.
2. Limitation on Concrete/Masonry Block. Plain concrete block shall not be the primary material along Major Streets or other situations when block walls are required as part of project approval, such as at the rear of landscape easements. Concrete block or precast concrete walls shall be split face or finished with stucco, and capped with a decorative cap, or

other decorative material as may be approved by the Director. Other materials may be approved by the Director should the design provide for an enhanced appearance. For continuity, walls should incorporate similar styles, colors, etc., when located on the same side of the street.

3. [Limitation on Wire Mesh Fencing. Wire mesh fencing shall be permitted in the following circumstances:

- a. Commercial Districts, O Districts, BP Districts, and RBP districts when not visible from a public street.
- b. Industrial Districts.

4. Permitted Materials. The following materials shall be permitted in all districts, except when a district has a more restrictive list of permitted materials:

- a. Materials specifically permitted elsewhere in this Section;
- b. Wood pickets;
- c. Split rail wood;
- d. Wrought iron and tubular steel;
- e. Brick and stone;
- f. Stucco;
- g. Shade cloth when used in combination with permitted fencing such as chain link, wrought iron, or tubular steel, provided it consists of materials specifically manufactured for such a purpose; and

h. Privacy slats when in combination with chain link fencing (when chain link is allowed) provided it consists of materials specifically manufactured for such a purpose.

5. Prohibited Materials. The following materials shall not be permitted to be used as a fence material in any district:

a. Plywood, oriented strand board, pressboard, and similar wood products;

b. Chicken wire or similar wire products;

c. Corrugated metal or corrugated plastic;

d. Piping (including metal, PVC, and other materials);

e. Hazardous fencing shall only be allowed as put forth in Section 15-2009, and when allowed shall not consist of improved materials, such as broken glass or nails.

f. Improvised materials, including but not limited to wood scraps, doors, garage doors, refrigerator doors, and mattresses;

g. Improvised screening materials, including but not limited to blankets and tarps; and

h. Any material not listed unless approved by the specifically Review Authority.

6. Fence Construction.

a. All fences must be built with a professional and durable appearance and must be maintained in good condition.

- b. Permitted materials may be combined (for example, brick columns combined with wrought iron panels), but combinations shall not be haphazard or random in appearance. ]

SECTION 8. Section 15-2407 of the Fresno Municipal Code is amended to read as follows:

[SECTION 15-2407. REQUIRED PARKING FOR DOWNTOWN DISTRICTS

{Reserved}

- A. The required number of on-site parking spaces are stated in Table 15-2407, Required Parking for Downtown Districts. The parking requirement for any use not listed in Table 15-2407 shall be the same as required for the land use in other districts as stated in Table 15-2409, Required Parking, Other Districts.

<b>TABLE 15-2407: REQUIRED ON-SITE PARKING SPACES. DOWNTOWN DISTRICTS</b>	
<i>Use</i>	<i>Required Parking Spaces</i>
<b>Residential</b>	
Studio, and one-bedroom units	0.5 space per unit
Two bedrooms	0.5 space per unit
Three or more bedrooms	0.5 space per unit
<b>Non-Residential</b>	
Office	None Required
Retail	None Required
Restaurant	None Required
All other Non-Residential uses	None Required

]

SECTION 9. Section 15-2608 of the Fresno Municipal Code is amended to read as follows:

SECTION 15-2608. PERMITTED SIGN TYPES BY DISTRICT

The following table establishes the types of signs allowed by district.

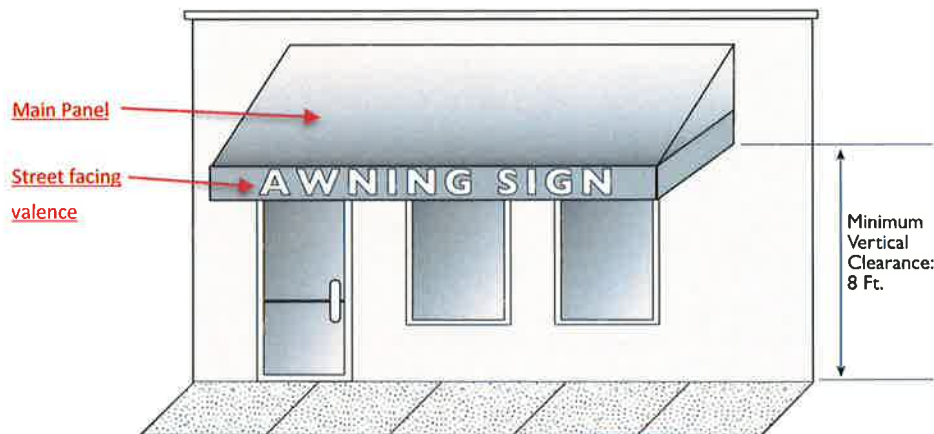
<b>TABLE 15-2608: PERMITTED SIGN TYPES BY ZONING DISTRICT</b>							
<i>Zoning District (Frontage)</i>	<i>Permitted Sign Types</i>						
	<i>Awning</i>	<i>Monument</i>	<i>Pole</i>	<i>Projecting</i>	<i>[Roof]</i>	<i>Wall</i>	<i>Window</i>
<b>Buffer, Residential, and Public and Semi-Public Districts</b>							
All Districts	See Section 15-2609, Signage Allowances for Specific Uses						
<b>[Downtown Districts</b>							
<u>DTC</u>	<u>Permitted</u>	-	-	<u>Permitted</u>	<u>Permitted</u>	<u>Permitted</u>	<u>Permitted</u>
<u>DTG</u>	<u>Permitted</u>	<u>Permitted</u> (1)	-	<u>Permitted</u>	<u>Permitted</u>	<u>Permitted</u>	<u>Permitted</u>
<u>DTN</u>	<u>Permitted</u>	-	-	<u>Permitted</u>	<u>Permitted</u>	<u>Permitted</u>	<u>Permitted</u>
<b>Mixed-Use Districts</b>							
NMX	Permitted	-	-	Permitted	-	Permitted	Permitted
CMX	Permitted	Permitted	-	Permitted	-	Permitted	Permitted
RMX	Permitted	Permitted	Permitted	Permitted	-	Permitted	Permitted
<b>Commercial Districts</b>							
CMS	Permitted	-	-	Permitted	-	Permitted	Permitted
CC	Permitted	Permitted	-	Permitted	-	Permitted	Permitted
CR	Permitted	Permitted	Permitted	Permitted	-	Permitted	Permitted
CG	Permitted	Permitted	Permitted	Permitted	-	Permitted	Permitted
CH	Permitted	Permitted	Permitted	Permitted	-	Permitted	Permitted
CRC	Permitted	Permitted	Permitted	Permitted	-	Permitted	Permitted
<b>Employment Districts</b>							
O	Permitted	Permitted	-	Permitted	-	Permitted	Permitted
BP	Permitted	Permitted	-	Permitted	-	Permitted	Permitted
RBP	Permitted	Permitted	Permitted	Permitted	-	Permitted	Permitted
IL	Permitted	Permitted	-	Permitted	-	Permitted	Permitted
IH	Permitted	Permitted	-	Permitted	-	Permitted	Permitted
<b>[Notes:</b>							
1. Only permitted within the Downtown General (DTG) District along Mariposa Street between M Street and P Street or in conjunction with a legal non-conforming building that is set back from the sidewalk 30 feet or more.]							

SECTION 10. Section 15-2610-A of the Fresno Municipal Code is amended to read as follows:

SECTION 15-2610-A

A. Awning [and Canopy] Signs. Signs painted [or printed] on awnings, [mounted to] canopies, arcades, or similar features or structures are subject to the following standards:

1. Location. Awnings[canopies that display signage] shall be located on the ground floor of buildings.
2. Maximum Sign Area Per Sign. 10 square feet or 25 percent of the surface area of the awning, whichever is less. [Signs mounted to canopies shall be no taller than 24 inches.]
3. Minimum Sign Clearance. Eight feet.
4. [Illumination. Internal illumination of awnings is prohibited.]



**FIGURE 15-2610-A: AWNING SIGN**



**FIGURE 15-2610-B: CANOPY SIGN]**

SECTION 11. Section 15-2610-C of the Fresno Municipal Code is amended to read as follows:

SECTION 15-2610-C

C. Monument Signs. Monument signs are subject to the following standards:

1. Maximum Number. One per 600 feet of street frontage.
2. Maximum Sign Area per Sign.
  - a. RMX, CR, CG, CH, and RBP districts: 60 square feet.
  - b. Other permitted districts: 32 square feet.
3. Minimum Separation. Monument signs shall have a minimum separation of 50 feet from any other monument sign.
4. Required Setback.
  - a. Five feet from the property line.

- b. No monument sign is permitted within 660 feet of the nearest edge of any travel lane of Freeway 41 or any future freeway which may be opened to public travel, if any said sign is visible from any part of such travel lane.
- 5. Height Limit. Eight feet.
  - a. [Exception. When permitted within a Downtown (DT) District: five feet.]
- 6. Lighting. Lighting systems shall not exceed 100 foot Lamberts (FT-L) when adjacent to streets which have an average light intensity of less than 2.0 horizontal foot candles. When adjacent to streets with a greater average light intensity, systems shall not exceed 500 FT-L.

SECTION 12. Section 15-2610-E of the Fresno Municipal Code is amended to read as follows:

SECTION 15-2610-E

E. Wall Signs. Wall signs are subject to the following standards:

- 1. Maximum Number. One per building frontage or tenant space plus one building identification sign per building frontage located on the uppermost story of a building with four or more stories.
- 2. Maximum Sign Area Per Sign. Five percent of the wall area or 100 square feet, whichever is less.
- 3. Height Limit. [The top of Wall Signs shall be no higher than the following:



- a. Downtown Districts. Wall Signs shall not be located closer than 12 inches to the eve or parapet.
  - b. Other Districts. ]Buildings Which Include Residential Uses. 20 feet or the height of the wall of the building to which the sign is attached, whichever is lower. Building identification signs located on the uppermost story of a building shall be no higher than the wall of the building to which the sign is attached.
  - c. [Other Districts,] Buildings Which Do Not Include Residential Uses. The height of the wall of the building to which the sign is attached.
4. Projection Allowed. Wall signs shall not extend more than 12 inches beyond the face of the wall to which they are attached.
5. Placement.
  - a. No wall sign may cover, wholly or partially, any wall opening.
  - b. Wall signs shall not occupy more than 80% [percent] of any architectural element that they occupy (frieze, pilaster, etc.).
  - [c. Buildings within Downtown Districts. Wall Signs shall not be located closer than 24 inches from openings or the edge of the building façade.]
6. Orientation. Unless a different orientation is specifically authorized, each wall-mounted sign shall be placed flat against the wall of the building.
7. [Illumination within Downtown Districts. If illuminated, Wall Signs may be only illuminated by one of the following methods:

- a. External Illumination. Externally illuminated with decorative lamps mounted in a manner that does not block the view of the sign from the street or sidewalk.
- b. Exposed Neon. Individual letters may be internally illuminated with exposed neon tubes or a similar light source, but shall not have a translucent panel, lens, or face.
- c. Halo. The illumination of a sign by projecting light behind an opaque letter or emblem which results in the appearance of ring of light around the unilluminated letter or emblem.]



**FIGURE 15-2610-E: WALL SIGN**

SECTION 13. Table 15-4907 of the Fresno Municipal Code is amended to read as follows:

<b>TABLE 15-4907: PLANNING PERMITS AND ACTIONS</b>		
<i>Proposed Activity</i>	<i>Permit or Action Required</i>	<i>Type of Decision</i>
<b>Use-Only Proposals</b>		
Establishment of a (P) Permitted use, not associated with development of property	Zone Clearance	Ministerial
Establishment of a (C) Conditional use	Conditional Use Permit	Discretionary Quasi-Judicial
Establishment of a Temporary use	Temporary Use Permit	Discretionary Quasi-Judicial
Establishment of use which is not listed in this Code	Director's Determination	Ministerial
<b>Development Proposals</b>		
Development of one single-family home, <del>or duplex</del> , <u>or qualifying Downtown housing</u> which complies with all provisions of this Code	Zone Clearance	Ministerial
Development of property to a greater extent than is covered by a Zone Clearance	Development Permit <i>(Formerly Site Plan Review)</i>	Discretionary Quasi-Judicial
Request for relief from property development standards due to unique conditions in conjunction w/a Development Permit	Variance	Discretionary Quasi-Judicial
Request for relief from property development standards of 10% or less in conjunction with a Development Permit	Minor Deviation	Discretionary Quasi-Judicial
Innovative development proposal which does not comply with the provisions of any zone district within this Code	Planned Development Permit	Discretionary Quasi-Judicial

SECTION 14. Chapter 15, Article 51, of the Fresno Municipal Code is amended to read as follows:

**SECTION 15-5101. PURPOSE**

This article establishes procedures for conducting a Zone Clearance to verify that each new or expanded use or structure complies with all of the applicable requirements of this Code and with any applicable policies or standards of the General Plan and any operative plans.

SECTION 15-5102. APPLICABILITY

A. Establishment of a Permitted Use. A Zone Clearance is required to confirm that the establishment of a new use is permitted as a matter of right and that no Conditional Use Permit or other entitlements are required prior to securing a tax certificate and commencing operations.

B. Development of One Single-Family Home or One Duplex. A Zone Clearance is required to confirm that the construction of one single-family house or one duplex is permitted as a matter of right and that such a project is being proposed in a manner which is compliant with, and without any deviations from, all applicable development standards prior to securing a building permit. If a proposed development project does not meet the threshold for a Zone Clearance it shall be required to secure a Development Permit.

C. Signs. Unless a Master Sign Program is required per Section 15-2612, a Zone Clearance is required to confirm that proposals for new signage are consistent with all applicable regulations of this Code.

D. Downtown Housing.

1. Downtown projects which meet all of the following criteria shall require a Zone Clearance to confirm that their construction is permitted as a matter of right and that such a project is being proposed in a manner which is compliant with, and without any deviations from, all applicable development standards prior to securing a Building Permit:

a. Located within a DT District;

- b. A minimum of 16 total dwelling units in the project;
- c. A residential density of no less than 20 du/ac;
- d. Residential uses must occupy 50% or more of the total floor area;  
and
- e. No historic resources or potential historic resources are located on  
the site.

2. Downtown projects which do not meet the threshold for a Zone Clearance shall be required to secure a Development Permit.]

~~D~~E. Other Activities. A Zone Clearance shall be required for any other activity for which a Zone Clearance is specifically required elsewhere in this Code.

~~E~~F. Exceptions.

- 1. No Zone Clearance shall be required for the continuation of previously approved or permitted uses and structures, or uses and structures that are not subject to any Building Code or Development Code regulations.
- 2. A change in building use that complies with this Code shall require a Building Permit if the use is in a different Building Code occupancy group class, such as conversion of a retail building to public assembly or residential use.

#### SECTION 15-5103. REVIEW AUTHORITY

If the Director determines that the proposed use or building is allowed as a matter of right by this Code, and conforms to all the applicable development and use standards, the Director shall issue a Zone Clearance.

## SECTION 15-5104 APPLICATION REQUIREMENTS

- A. Applications for a Zone Clearance shall be submitted in accordance with the provisions set forth in Section 15-5002, Application and Fees.
- B. The Director may request that the Zone Clearance application be accompanied by a written narrative, operational statement, plans, and other related materials necessary to show that the proposed development, alteration, or use of the site complies with all applicable provisions of this Code. The Director may require attachments of other written or graphic information, including, but not limited to, statements, numeric data, site plans, floor plans, and building elevations and sections, as a record of the proposal's conformity with the applicable regulations of this Code.

### 15-5105 Public Notice

Public notice shall not be required.

SECTION 15. Section 15-5501 of the Fresno Municipal Code is amended to read as follows:

### SECTION 15-5501. LIST OF TERMS

City Council

[Clear]

Conditionally Permitted

Mixed-Use Development

[Muntin]

Noise-Related Definitions

Security Grate or Grilles

[Service Areas]

Setback

SECTION 16. Section 15-5502 of the Fresno Municipal Code is amended to read as follows:

SECTION 15-5502. DEFINITIONS

City Council. The City Council of the City of Fresno.

[Clear. Measured depth of frontage elements such as porches, arcades, galleries are free of encroachments other than allowed signs, light fixtures, sidewalk dining and allowed furnishings, and outdoor display of merchandise.]

Conditionally Permitted. Permitted subject to approval of a Conditional Use Permit.

Mezzanine. An intermediate floor within a building interior without walls, partitions, closets, screens, or other complete enclosing interior walls or partitions that is open to the floor below and has a floor area that is no greater than one-third of the total floor area of the floor below. When the total floor area of a mezzanine exceeds one-third of

the total floor area of the floor below it constitutes an additional story. In some instances, mezzanine may be defined differently by the Building Code.

[Muntin. A bar or rigid supporting strip between adjacent panes of glass.]

Mixed-Use Development. The development of a parcel or building with two or more different land uses such as, but not limited to, a combination of residential, office, manufacturing, retail, public, or entertainment in a single or physically integrated group of structures.

Security Gate or Grilles. A metal grate that rolls up over, or slides across, a window or door to provide protection against unwanted entry. It also can be a fixed metal fixture over window openings.

[Service Areas. Portions of a building which are utilitarian in nature and are not typically frequented by the general public or occupants of the building, such as utility equipment rooms, freight loading areas, trash/recycling rooms, and emergency exit stairways/hallways.]

Setback. The distance between the parcel line and a building, not including permitted projections, that must be kept clear or open. See also Section 15-304, Measuring Distances, and Section 15-313, Determining Setbacks (Yards).

SECTION 17. 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, California, at a regular meeting held on the \_\_\_\_ day of \_\_\_\_\_, 2016, by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

Mayor Approval: \_\_\_\_\_, 2016  
Mayor Approval/No Return: \_\_\_\_\_, 2016  
Mayor Veto: \_\_\_\_\_, 2016  
Council Override Vote: \_\_\_\_\_, 2016

YVONNE SPENCE, CMC  
City Clerk

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

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

BY: \_\_\_\_\_  
TALIA KOLLURI-BARBICK  
Supervising Deputy City Attorney

TKB/dy [72714dy/tkb] 10/14/16