# PREVIOUS VERSIONS OF PROPOSED LANGUAGE

7/15/2022 PGS 1 – 17

6/27/2022 PGS 18 – 28

6/15/2022 PGS 29 – 32

10/26/2021 PGS 33 – 36 (ORIGINAL APPLICATION)

# Rev3 (7-15-22)

BILL NO	
ORDINANCE NO	

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

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

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

SEC. 15-2010. ELECTRI[FIED]C-FENCES.

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

#### A. Permitted Locations.

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

#### B. Compliance with State and Federal Regulations.

- 1. Electri[fied]e fencing shall comply with the California Civil Code Section 835 and the California Building Code, as amended from time to time.
- 2. Only allowed to be installed with a permit issued under the requirements of applicable building and electrical codes, and only allowed to be activated after an approved final inspection of the installation.
- 3. Fire access, warning signs, electrical connections, etc., shall comply with the Building Code and Fire regulations.

#### C. Electricity.

- 1. Shall conform to the California Civil Code Section 835 and shall only be powered by a commercial storage battery not to exceed 12 volts of direct arrest (DC) or another approved 12 volt DC or lower voltage-power source.
- 2. The electric charge produced by the fence upon contact shall not exceed energizer characteristics set forth in paragraph 22.108 and fer cted in Figure 102 of International Electrotechnical Commission (IEC) Standard No. 6 335-2-76.
- 3. Non-low voltage electrical components (e.g. systems, transformers) of the electric fencing system shall be approved an Histed by an Occupational Safety and Health Act (OSHA) Nationally Recognized Testing Lagoratory (NRTL).
- D. Perimeter Fence or Wall. No electric fence shall be installed or used unless it is completely surrounded by a no electrical fence or wall that is a minimum six [five] feet in height. Should a non-electrical fence not exist, one shall be installed prior to the electric fence being operational. [When abutting an existing residential use, the protective barrier shall consist of a solid material (i.e. wooden fence, block wall, an approved mesh material, or equivalent material)].
- E. Setbacks non-electrical fencing behind which electric fencing is installed shall comply with setbacks of the underlying zone district unless the non-electrical fence is legally non-comprise.
- F. Shall have a maximum height of ten feet regardless of location on the property.
- G. **Tarning Signs.** Shall be clearly identified with warning signs that read: "Warning-Electric Fence" at intervals of not less than 30 feet.
- H. **Permit.** Property owner(s) shall apply for a permit with the City prior to installation.
- I. **City Indemnification.** Prior to the installation of electric fencing, the fence owner shall obtain a permit and execute an agreement to defend, hold harmless, and indemnify the City against all claims related to the fencing.

#### J. Emergency Access.

- An electrical disconnect device secured with a Police/Fire X-1 keyway or other approved means for emergency access by Police and Fire Departments shall be provided at a location approved by the Fire Department.
- 2. The disconnect device shall include an LED pilot light to indicate the status of power to the electric fence.
- 3. The emergency access disconnect device shall be located outside the primary drive gate entrance of the property and shall not be obscured in any manner from the street/private driveway access. The details and location of the disconnect device shall be shown on the site plan.
- 4. Approved signs stating the identification of such switch sconting in addition to informational instructions as to how to disable the electrical steen shall be installed to the satisfaction of the Fire Marshal.
- 5. In the event that access by the City of Fres io File Department and/or Police Department is required due to an emergen var urgent circumstances and the emergency access disconnect device is absent to pen-functional and no authorized property personnel is present to disable the electric fence. City of Fresno Fire or Police personnel shall be authorized to disable the electric fence in order to gain access to the property. All applicants issued building permits to install or use an electric fence as provided in this charger agree to waive any and all claims for damages to the electric fence against the City of Fresno and/or its personnel under such circumstances.

### [K. Additional Requirements Pertaining to Certain Property

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

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

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

Residential Housing Types				
Single-Unit Dwelling, Attached	P(1)	P(1)	P(1)	§ 15-2754, Second Dwelling Units,
Olligio-Offic Dwolling, Accorded	(1)	' (')		Backyard Cottages, and Accessory Living Quarters
Multi-Unit Residential	P(1)	P(1)	P(1)	
Adult Family Day Care	. (.)	1 . ( . /	1 . ( . /	I
Small (6 clients or less)	P(1)	P(1)	-	
Large (7 to 12 clients)	P(1)	- (1)	_	
Caretaker Residence	P(1)	P(1)	P(1)	
Domestic Violence Shelter	1 (1)	1 ' ( ' )	1 ' ( ' )	
Small (6 persons or less)	P(1)	P(1)	P(1)	
Large (7 persons or more)	P(1)	P(1)	P(1)	
Elderly and Long-Term Care	P(1)	P(1)	P(1)	
Family Day Care	1 (1)	1 ' ( ' )	1 ' ( ' /	
Small (8 or fewer children)	P(1)	P(1)	P(1)	§ 15-2725; Qa) Care Centers and
Small (6 of fewer children)	[ [ [ ] ]	[ [ [ ]	F(1)	Family Child Sare Lames
Large (9 to 14 children)	P(1)	P(1)	P(1)	
Group Residential				
Small (6 persons or less)	P(1)	P(1)	P(1)	
Large (7 persons or more)	P(1)	P(1)	P(1)	
Lodging-to-Dwelling Conversion	С	С	C	15-2737.5 Lodging-to-Dwelling
Residential Care Facilities		1		Coversion Requirements
	D(1)	P(1)	D(d)	/
Residential Care, Limited	P(1)		P(1)	
Residential Care, Senior	P(1)	P	(1)	
Single Room Occupancy Public and Semi-Public Use Classific		С		
			0 (2)	
Colleges and Trade Schools, Public or Private	C		C (3)	
Community and Religious Assembly	Р		Р	§ 15-2719, Community and
(less than 2,000 square feet)				Religious Assembly Facilities
Community and Religious Assembly	P	Р	Р	
(2,000 square feet or more)				
Community Garden	7	Р	Р	§ 15-2720, Community Gardens/Urban Farms
Conference/Convention Facility	С	С	С	
Cultural Institutions	Р	P	Р	
Day Care Centers	Р	Р	P	§ 15-2725, Day Care Centers and
- Francisco Ol			_	Family Child Care Homes
Emergency Shell	-	-	P	§ 15-2729, Emergency Shelters
Government offices	P(1)	P(1)	P(1)	
Hospital, at a Gilles		10(44)	0(44)	T
os, ital	-	C(11)	C(11)	
Cliniz	P	P (1.1)	P	
Sostance Abuse Treatment Clinic	C(14)	C(14)	C(14)	
Instructional Services	Р	Р	Р	
Park and Recreation Facilities, Public	Р	Р	Р	
Parking, Public or Private	-	C(6)	C(6)	
		[(20)]	[(20)]	
Public Safety Facilities	C[(20)]	C[(20)]	C[(20)]	
Schools, Public or Private	Р	Р	Р	
Social Service Facilities	P(1)	P(1)	P(1)	

Commercial Use Classifications				
Animal Care, Sales and Services	Т			
Grooming and Pet Stores	P	Р	Р	
Veterinary Services	<u> </u>	C(7)		
•	р - Р	P	C(7)	
Artist's Studio Automobile/Vehicle Sales and	<del>  P</del>	<u> </u>		
Services				
Automobile/Vehicle Sales and	C(18)	C(13)	C(13)	§ 15-2709, Automobile and
Leasing	[(20)]	[(20)]	[(20)]	Motorcycle Retail Sales and
Leading	[(20)]	[(20)]	[(20)]	Leasing
Automobile Rentals	C(12)(19)	C(12)	C(12)	Leading
/ tatemesiie / tentale	[(20)]	[(20)]	[(20)]	
Automobile/Vehicle Repair, Major	C(12)(19)	C(12)	C(12)	
	[(20)]	[(20)]	[(20)]	
Automobile/Vehicle Service and	C(12)(19)	C(12)	C(12)	
Repair, Minor	[(20)]	[(20)]	[(20)j	
Automobile Washing	C(12)(19)	C(12)	C(12)	
Service Station	C	C`	C	§ 15 75 , S rvice Stations
Banks and Financial Institutions				
Banks and Credit Unions	Р	Р	Р	
Check Cashing Businesses and	-	-	-	2 15-27 15, Check Cashing
Payday Lenders				Bisinesses, Payday Lenders, and
				Similar Financial Services
Banquet Hall	С	С	C	§ 15-2712, Banquet Hall
Business Services	Р	P	P	
Eating and Drinking Establishments			7	
Bars/Nightclubs/Lounges	C	C	C	§ 15-2743, Outdoor Cooking for
				Commercial Purposes; § 15-2744,
				Outdoor Dining and Patio Areas; §
				15-2751, Restaurants with Alcohol
				Sales, Bars, Nightclubs, and
Destaurant with Alaskal Calar				Lounges
Restaurant with Alcohol Sales	<del>\</del>	С	С	4
Restaurant without Alcohol Sales	<del>  ]                                   </del>	Р	Р	
Entertainment and Recreation				
O'm and a /The and and		_	Lo	ı
Cinema/Theaters	P	Р	Р	S.45.0704.0.1/l.4
Cyber/Internet Cafe	С	С	С	§ 15-2724, Cyber/Internet Cafes
				§ 15-2708, Arcades, Video Games,
Cyber/Internet Cafe	С	С	С	§ 15-2708, Arcades, Video Games, and Family Entertainment Centers,
Cyber/Internet Cafe Small-Scale	С	С	С	§ 15-2708, Arcades, Video Games,
Cyber/Internet Cafe Small-Scale Food and Several & Sules	C P	C P	C P	§ 15-2708, Arcades, Video Games, and Family Entertainment Centers, § 9-1801, Billiard Rooms
Cyber/Internet Cafe Small-Scale  Food and Secency Scales Farmer's Markets	C P	C P	C P	§ 15-2708, Arcades, Video Games, and Family Entertainment Centers, § 9-1801, Billiard Rooms
Cyber/Internet Cafe Small-Scale Food and Several & Sules	C P	C P	C P	§ 15-2708, Arcades, Video Games, and Family Entertainment Centers, § 9-1801, Billiard Rooms  § 15-2730, Farmer's Markets § 15-2744, Outdoor Dining and
Cyber/Internet Cafe Small-Scale  Food and Secency Scales Farmer's Markets	C P	C P	C P	§ 15-2708, Arcades, Video Games, and Family Entertainment Centers, § 9-1801, Billiard Rooms  § 15-2730, Farmer's Markets § 15-2744, Outdoor Dining and Patio Areas;
Cyber/Internet Cafe Small-Scale  Food and be gray Skies Farm ri's Markets General Vlarket	C P	P P	P P	§ 15-2708, Arcades, Video Games, and Family Entertainment Centers, § 9-1801, Billiard Rooms  § 15-2730, Farmer's Markets § 15-2744, Outdoor Dining and
Cyber/Internet Cafe Small-Scale  Food and Severage Scales Farmer's Merkets General vlarket  Highlithy Food Grocer	P P P	C P P	P P	§ 15-2708, Arcades, Video Games, and Family Entertainment Centers, § 9-1801, Billiard Rooms  § 15-2730, Farmer's Markets § 15-2744, Outdoor Dining and Patio Areas; § 15-2745, Outdoor Retail Sales
Cyber/Internet Cafe Small-Scale  Food and be gray Skies Farm ri's Markets General Vlarket	C P	P P	P P	§ 15-2708, Arcades, Video Games, and Family Entertainment Centers, § 9-1801, Billiard Rooms  § 15-2730, Farmer's Markets § 15-2744, Outdoor Dining and Patio Areas; § 15-2745, Outdoor Retail Sales  § 15-2707, Alcohol Sales; § 15-
Cyber/Internet Cafe Small-Scale  Food and Severage Sides Farmer's Markets General Warket  Highlithy Food Grocer Liquor Stores	P P P C(12)	P P C(12)	P P C(12)	§ 15-2708, Arcades, Video Games, and Family Entertainment Centers, § 9-1801, Billiard Rooms  § 15-2730, Farmer's Markets § 15-2744, Outdoor Dining and Patio Areas; § 15-2745, Outdoor Retail Sales
Cyber/Internet Cafe Small-Scale  Food and be gray Siles Farmer's Markets General Market  His althy Food Grocer Liquor Stores  Food Preparation	P P C(12)	P P C(12)	P P C(12)	§ 15-2708, Arcades, Video Games, and Family Entertainment Centers, § 9-1801, Billiard Rooms  § 15-2730, Farmer's Markets § 15-2744, Outdoor Dining and Patio Areas; § 15-2745, Outdoor Retail Sales  § 15-2707, Alcohol Sales; § 15-2745, Outdoor Retail Sales
Cyber/Internet Cafe Small-Scale  Food and be grage Scres Farmer's Markets General Vlarket  Healthy Food Grocer Liquor Stores  Food Preparation Funeral Parlors and Internment	P P P C(12)	P P C(12)	P P C(12)	§ 15-2708, Arcades, Video Games, and Family Entertainment Centers, § 9-1801, Billiard Rooms  § 15-2730, Farmer's Markets § 15-2744, Outdoor Dining and Patio Areas; § 15-2745, Outdoor Retail Sales  § 15-2707, Alcohol Sales; § 15-2745, Outdoor Retail Sales
Cyber/Internet Cafe Small-Scale  Food and be grass Scres Farner's Markets General Varkets  Healthy Food Grocer Liquor Stores  Food Preparation Funeral Parlors and Internment Services	P P C(12)	P P C(12) P(1) P(1)	P P C(12)	§ 15-2708, Arcades, Video Games, and Family Entertainment Centers, § 9-1801, Billiard Rooms  § 15-2730, Farmer's Markets § 15-2744, Outdoor Dining and Patio Areas; § 15-2745, Outdoor Retail Sales  § 15-2707, Alcohol Sales; § 15-2745, Outdoor Retail Sales
Cyber/Internet Cafe Small-Scale  Food and Several & Scies Farnt d's Markets  General Market  Highly Food Grocer Liquor Stores  Food Preparation Funeral Parlors and Internment Services Live/Work	P P P C(12) P(1) P(1)	P P C(12)	P P C(12) P(1) P(1)	§ 15-2708, Arcades, Video Games, and Family Entertainment Centers, § 9-1801, Billiard Rooms  § 15-2730, Farmer's Markets § 15-2744, Outdoor Dining and Patio Areas; § 15-2745, Outdoor Retail Sales  § 15-2707, Alcohol Sales; § 15-2745, Outdoor Retail Sales
Cyber/Internet Cafe Small-Scale  Food and Seceracy Scales Farner's Markets General Market  Healthy Food Grocer Liquor Stores  Food Preparation Funeral Parlors and Internment Services	P P P C(12) P(1) P(1)	P P C(12) P(1) P(1)	P P C(12) P(1) P(1)	§ 15-2708, Arcades, Video Games, and Family Entertainment Centers, § 9-1801, Billiard Rooms  § 15-2730, Farmer's Markets § 15-2744, Outdoor Dining and Patio Areas; § 15-2745, Outdoor Retail Sales  § 15-2707, Alcohol Sales; § 15-2745, Outdoor Retail Sales

Maintenance and Repair Services	Р	Р	Р	
Offices				
Business and Professional	Р	Р	Р	
Medical and Dental	Р	Р	Р	
Walk-in Clientele	Р	Р	Р	
Personal Services				
General Personal Services	P(5)	Р	Р	
Tattoo or Body Modification Parlor	P(5)(12)	P(12)	P(12)	§ 15-2758, Tattoo or Body Modification Parlor
Retail Sales				
Building Materials and Services	-	-	C[(20)]	§ 15-2745, Outdoor Retail Sales
Convenience Retail	Р	Р	Р	§ 15-2745, Outdoor Refail Sales, 15-2761 Tobacco and Va. or Shops
General Retail	Р	Р	Р	§ 15-2733, Ho by Stor s; § 15- 2745, Outdoor Retail S les
Large-Format Retail	Р	Р	Р	§ 15-2737, Large-Lornat Retail; § 15-2745, Outdoor Retail Sales
Nurseries and Garden Centers	Р	Р	Р	§ 15-97 5, O tdoor Retail Sales
Second Hand/Thrift Stores	P	Р	P	
Swap Meet/Flea Market	C	С	C	§ 1 - 2730, Flea Markets
Industrial Use Classifications				G, F. I.C. Market
Custom Manufacturing	P(12)(19)	P(12)	<b>Г</b> 12) ▲	
Custom Manufacturing	[(20)]	[(20)]	T(201	<b>~</b>
Limited Industrial	C(13)(18) (19) [(20)]	C(13)	C(1. (20)]	
Recycling Facility		<u> </u>		
Reverse Vending Machine	Р		Р	§ 15-2750, Recycling Facilities
Warehousing, Storage, and	1			<b>y</b> 5
Distribution				
Personal Storage	C[(20)]	C[(20)]	C[(20)]	§ 15-2747, Personal (Mini) Storage
Transportation, Communication, and	Utilities Use	Classifica	ations	· · · · · · · · · · · · · · · · · · ·
Airports and Heliports		-	C(10) [(20)]	
Communication Facilities				
Antenna and Transmiss on Towers	See Section [(20)]	n 15-275	9, Teleco	mmunications and Wireless Facilities
Transportation P ssenge.	-	-	С	
Transportation i _oschigor	ī			
Terminals				
	P[(20)]	P[(20)]	P[(20)]	
Terminals Utilities, Minor		P[(20)]	P[(20)]	
Terminals		P[(20)]	P[(20)]	§ 15-2752, Roadside Fruit Stands/Grower Stands
Terminals Utilities, Minor Agricultural and Extractive Use Class Produce State	ifications	Р		
Terminals Utilities, Minor Agricultural and Extractive Use Class	ifications P		Р	Stands/Grower Stands  § 15-2719, Community
Terminals Utilities, Minor Agricultural and Extractive Use Class Produce Stand  Zesting Room United Farm	P C	Р	Р	Stands/Grower Stands
Terminals Utilities, Minor Agricultural and Extractive Use Class Product Static  Zesting Room Uhren Farm  Other Applicable Types	P C P	P C -	P C -	Stands/Grower Stands  § 15-2719, Community
Terminals  Utilities, Minor  Agricultural and Extractive Use Class  Product Static  Testing Room  Uhard Farm  Other Applicable Types  Accessory Uses and Structures	P C P S 15-2703,	P C -	P C -	§ 15-2719, Community Gardens/Urban Farms
Terminals Utilities, Minor Agricultural and Extractive Use Class Product Stand  Zesting Room Uhard Farm  Other Applicable Types Accessory Uses and Structures Home Gardens	P	P C - Accessor	P C - ry Uses ardens ar	§ 15-2719, Community Gardens/Urban Farms  and Edible Landscaping
Terminals Utilities, Minor Agricultural and Extractive Use Class Product Stand  Zasting Room United Farm  Other Applicable Types Accessory Uses and Structures Home Gardens Home Occupations	§ 15-2734, § 15-2735,	P C - Accesso Home G Home O	P C - ry Uses ardens ar ccupation	§ 15-2719, Community Gardens/Urban Farms  and Edible Landscaping
Terminals Utilities, Minor Agricultural and Extractive Use Class Product Station  Zasting Room Uhier Farm  Other Applicable Types Accessory Uses and Structures Home Gardens Home Occupations Animal Keeping Drive-In and Drive-Through	P	P C - Accesso Home G Home O	P C - ry Uses ardens ar ccupation	§ 15-2719, Community Gardens/Urban Farms  Ind Edible Landscaping S  § 15-2728, Drive-In and Drive-
Terminals Utilities, Minor Agricultural and Extractive Use Class Product Stand  Zesting Room United Farm  Other Applicable Types Accessory Uses and Structures Home Gardens Home Occupations Animal Keeping	§ 15-2703, § 15-2734, § 15-2735, § 15-2707,	P C - Accesso Home G Home O Animal H	P C - ry Uses ardens ar ccupation (eeping C(15)	§ 15-2719, Community Gardens/Urban Farms  ad Edible Landscaping s  § 15-2728, Drive-In and Drive- Through Facilities

Non-Conforming Use	Article 4, Non-Conforming Uses, Structures, Site Features, and
	Lots
Temporary Use	§ 15-2760, Temporary Uses
Transitional and Supportive	§ 15-2762, Transitional and Supportive Housing
Housing	

#### Specific Limitations:

- 1. Not allowed on the ground floor of portions of the site which abut a major street, but allowed in the interior of all sites. Projects with frontage on more than one major street may be excepted from this restriction on one of the major streets at the discretion of the Review Authority.
- 2. Reserved.
- 3. Not to include industrial training such as welding or automotive repair involving the use of tool and materials appropriate to an industrial use area.
- 4. Must be located along a major street.
- 5. Limited to establishments with a gross floor area of 5,000 square feet or less.
- 6. Shall be below grade or in structures faced with active uses along the street.
- 7. Provided that such use shall be completely enclosed in a building of soundproof construction.
- 8. Limited to upper stories unless at least 50 percent of ground floor street frontage is occupied by food service use.
- 9. Reserved.
- 10. Limited to heliports used as accessory to a hospital.
- 11. Building heights for hospitals shall not exceed 150 ft. There is a maximum Floor Area Ratio for hospitals.
- 12. Not allowed within 500 feet of an existing or planned Bus kapid Transit stop.
- 13. Must take place entirely within a building.
- 14. Must include an indoor waiting area.
- 15. Not allowed within 100 feet of a planned or existing Bus Rapid Transit station and not allowed between a building and a sidewalk.
- 16. Reserved.
- 17. Reserved.
- 18. Permitted only after review and approval from litional Use permit, and only in the following areas:
- a) NMX-zoned parcels which are located south of State Route 180 and east of State Route 41 and which are not within 500 feet of a Bus Rapid Transit oute, or b) NMX-zoned parcels which are located north of State Route 180 and west of the Union Racific Railroad.
- 19. Prohibited in the following areas. Pale which are located south of State Route 180 and west of the Union Pacific Railroad.
- [20. Electrified fences are permitted pursuant to FMC Section 15-2010. When the subject property has a Mixed-Use zoning designation and about vacant or existing residential uses within a Residential, Mixed-Use, or Downtown District additional requirements are applicable as outlined in Section K of FMC Section 15-2010.]

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

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

Conference/Convention Facility	I -	l _	Р	
Cultural Institutions	<del> </del>	P	P	
Day Care Centers	-	-	Р	§ 15-2725, Day Care Centers and Family Child Care Homes
Emergency Shelter	_	_	Р	§ 15-2729, Emergency Shelters
Government Offices	<u> </u>	_	P	3 10 2720; Emergency Grieners
Hospitals and Clinics			<u> </u>	
Hospital Hospital	_	Ī	P(5)	
Clinic	-	-	P	
Substance Abuse Treatment Clinic	+-	-	C(6)	
Instructional Services	<del>-</del>	_	P	
			_	
Park and Recreation Facilities, Public	P[(9)]	P[(9)]	P[(9)] C[(9)]	
Parking, Public or Private	C[(9)]	C[(9)]		
Public Safety Facilities	C[(9)]	C[(9)]	P[(9)]	
Schools, Public or Private	-	-	P	
Social Service Facilities	-	-	ĮΡ	
Commercial Use Classifications	T			
Animal Care, Sales and Services		Ī	L a (a)	
Kennels	-	-	C(2)	
Eating and Drinking Establishments				
Restaurant with Alcohol Sales	-	-	C(3)	§ 1, 2751, Restaurants with Alcohol Sales, Bars, Nightclubs, and Lounges; § 1, 2744, Outdoor Dining and Patio Areas
Restaurant without Alcohol Sales		D/	D.V	reas
	-	P(5)	P(V)	
Entertainment and Recreation		7/7\	_	Т
Large-Scale	-	<b>P</b> (7)	-	
Food and Beverage Sales				To 45 0700 5
Farmer's Markets		[C	Р	§ 15-2730, Farmer's Markets
Retail Sales			L D (0)	I 0 45 0745 0 44
General Retail	<u> </u>	<u> </u>	P(3)	§ 15-2745, Outdoor Retail Sales
Industrial Use Classifications	N			
Recycling Facility		Ī	1	La 45 25 2 11 5 1111
Reverse Vending Machina	-	-	-	§ 15-2750, Recycling Facilities
Recycling Processing Racin	<u> </u> -	-	C[(9)]	
Transportation, Communication, and	Utilities	Use Cla		ions
Airports and Heliports	-	-	C(4) [(9)]	
Communication Familities				
Antenna Antenn	§ 15-2	759, Tele		nications and Wireless Facilities [(9)]
Facili es winin Buildings	-	-	Р	
Transportation Passenger Terminals	-	-	Р	
Unities Ma, r	C[(9)]	-	P[(9)]	
Dilitics, Minor	P[(9)]	P[(9)]	P[(9)]	
Was a Transfer Facility	-	-	C[(9)]	
Agricultural and Extractive Use Class	sification	ıs	-, /-	
Crop Cultivation	Р	-	-	§ 15-2716, Crop Cultivation
Produce Stand	Р	-	-	§ 15-2752, Roadside Fruit Stands/Grower Stands
Urban Farm	Р	-	-	§ 15-2720, Community Gardens/Urban Farms
Other Applicable Types	·		1	i dinio
Accessory Uses and Structures	8 15 2	703, Acc	ASSORY I	leee
Home Gardens				ens and Edible Landscaping
Home Gardens	18 15-2	<i>i</i> 34, ⊓0ľ	ne Garde	ens and Edible Landscaping

Animal Keeping	§ 15-2707, Animal Keeping							
Drive-In and Drive-Through Facilities	-	§ 15-2728, Drive-In and Drive-Through Facilities						
Walk-Up Facilities	§ 15-2766, Walk-Up Facilities							
Non-Conforming Use	Article Lots	4, Non-C	Conformi	ng Uses, Structures, Site Features, and				
Temporary Use	§ 15-2760, Temporary Uses							

#### **Specific Limitations:**

- 1. Limited to facilities associated with park and recreation facilities.
- 2. Limited to government or non-profit animal shelters located a minimum of 100 feet from a residential use or district.
- 3. Limited to gift shops, cafes, and restaurants that are an accessory to cultural institutions, so and religious assembly, and conference/convention centers.
- 4. Heliports used as accessory to a hospital are permitted by right and shall not require a Conditional Use Permit.
- 5. Building heights for hospitals shall not exceed 150 ft. There is no maximum Floor Alea Batio for hospitals.
- 6. Must include an indoor waiting area.
- 7. Limited to golf courses.
- 8. Limited to on-campus housing operated by an accredited school.
- [9. Electrified fences are permitted pursuant to FMC Section 15-26 to.]

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

TAI												
Use Classification	Activity	Additional										
	DTN			DTG			DTC			Regulations		
	A	В	С	A	В	С	A	В	С	See Figure 15- 1501 for Activity Classifications Map		
Residential Use Classifications												
Residential Housing Types			1									
Single-Unit Dwelling, Attached			P		Р	Р						
Second Dwelling Unit			P	_	Р	Р			_	§ 15-2754, Second Dwelling Units, Backyard Cottages, and Accessory Living Quarters		
Dryne	_	Р	Р	_	Р	Р		Р	Р			
Nulti-Unit Res. Unital	P(1)	Р	Р	P(1)	Р	Р	P(1 )	Р	Р			
Adult R mily Day Care												
Small (6 clients or less)	P(1)	Р	Р	P(1)	Р	Р	P(1 )	Р	Р			
Large (7 to 12 clients)	P(1)	Р	Р	P(1)	Р	Р	P(1 )	Р	Р			
Caretaker Residence	P(1)	Р	Р	P(1)	Р	Р	P(1 )	Р	Р			

	1 =	1 _	т			т_				1
Domestic Violence	P(1)	Р	Р	P(1)	Р	Р	P(1	Р	Р	
Residence							)			
Elderly and Long-	P(1)	Р	Р	P(1)	Р	Р	P(1	Р	Р	
Term Care							)			
Family Day Care										
Small (8 children	P(1)	Р	Р	P(1)	Р	Р	P(1	Р	Р	§ 15-2725, Day
or less)	, ,			` ′			) `			Care Centers
										and Family
										Child Care
										Homes
Large (9 to 14	P(1)	Р	Р	P(1)	Р	Р	P(1	Р	Р	
children)							)			
Group Residential										
Small (6 persons	P(1)	Р	Р	P(1)	Р	Р	P(1	Р	Р	
or less)	, ,			` ′			) `			
Large (7 persons	P(1)	Р	Р	P(1)	Р	Р	P(1	Р	2	
or more)	, ,			` ′			)			
Lodging-to-Dwelling	С	С	С	С	С	С	С	C		§ 15-2737.5
Conversion										Lodging-to-
										Dwelling
						<b>│</b>				Conversion
							X			Requirements
Re-Entry Facility	P(1)	Р	Р	P(1)	Р		P(	Р	Р	
	, ,			` ′						
Residential Care					,	I V				
Facilities						<u> </u>				
Residential Care,	P(1)	Р	Р	P(1)	Р	<b>9</b>	P(1	Р	Р	
General							)			
Residential Care,	P(1)	Р	Р	P(1)		Р	P(1	Р	Р	
Limited							)			
Residential Care,	P(1)	Р	P	P(1)	Р	Р	P(1	Р	Р	
Senior							)			
Single Room	P(1)	P		<b>(</b> 1)	Р	Р	P(1	Р	Р	§ 15-2756,
Occupancy							)			Single Room
			J							Occupancy
										Hotels and
										Boarding
•										Homes
Public and Semi- ub	_				-					T
Colleges and Tayde	P(1)	Р	Р	P(1)	Р	Р	P(1	Р	Р	
Schools, Public of							)			
Private	D(4)	_	_	F(0)	<u> </u>	<u> </u>	<b>5</b> //	_	_	0.45.6540
Community are	P(1)	Р	Р	P(1)	Р	Р	P(1	Р	Р	§ 15-2719,
Religious A sembly							)			Community and
(le s that 2,000										Religious
squarraeet)										Assembly
0	D(4)	<u> </u>	_	D(4)	_	<del> </del>	D/4		<del>  -</del>	Facilities
Community and	P(1)	Р	Р	P(1)	Р	Р	P(1	Р	Р	
Religious Assembly							)			
(2,000 square feet or										
more)	D(4)	<u> </u>	_	D(1)	_	<del>  -</del>	D/4	<u> </u>	<del>  -</del>	0.45.0700
Community Garden	P(1)	Р	Р	P(1)	Р	Р	P(1	Р	Р	§ 15-2720,
							)			Community
										Gardens/Urban
	<u> </u>	<u> </u>	]	<u> </u>	<u> </u>	<u> </u>	<u> </u>		<u> </u>	Farms

Conference/Conventi	D(1)	Р	Р	D(1)	Р	Р	D/4	Р	Р	
on Facility	P(1)			P(1)			P(1	-	-	
Cultural Institutions	P(1)	Р	Р	P(1)	Р	Р	P(1 )	Р	Р	
Day Care Centers	P(1)	Р	Р	P(1)	Р	Р	P(1 )	Р	Р	§ 15-2725, Day Care Centers and Family Child Care Homes
Emergency Shelter	P(1)	Р	Р	P(1)	Р	Р	P(1 )	Р	Р	§ 15-2729, Emergel v SK
Government Offices	P(1)	Р	Р	P(1)	Р	Р	P(1	Р	P	
Hospitals and Clinics										
Hospital	_	С	С	_	С	С	_	C \		
Clinic	P(1)	Р	Р	P(1)	Р	Р	P(1 )		P	
Instructional Services	P(1)	Р	Р	P(1)	Р	Р		•		
Park and Recreation Facilities, Public	Р	Р	Р	Р	Р	P	P	ļ	Р	
Parking, Public or Private	P[(9)]	P[(9 )]	P[(9)]	P[(9 )]	P[(9)]	PI(9)	P	P	P	§ 15-1504-G, Parking Buffering; § 15- 1504-H, Parking Access and Entrance Design
Public Safety Facilities	_	P[(1 0)]	P[(10		[(10 )]	P[(10 )]	_	Р	Р	
Schools, Public or Private	P(1)	Р		1(1)	Р	Р	P(1 )	Р	Р	
Social Service Facilities	_		F	_	Р	Р	_	Р	Р	
Commercial Use Class	ssificat.	ทร			•					
Adult-Oriented Business			С		С	С	_	С	С	§ 15-2705, Adult-Oriented Businesses; § 9-2001, Picture and Live Arcades
Animal Care, Cales and Savice										
Sto as	P(2)	P(2)	P(4)	P(2)	P(2)	P(4)	P(2 )	P(2 )	P(4 )	
Veterinary Services	P(1)	Р	Р	P(1)	Р	Р	P(1 )	Р	Р	
Artist's Studio	P(1)	Р	Р	P(1)	Р	Р	P(1 )	Р	Р	
Automobile/Vehicle Sales and Services		-		-		-	•	-	-	
Automobile Rentals	P(8) [(10)]	P(5) [(10 )]	P(5) [(10)]		P(5) [(10)]	P(5) [(10)]	_	_	_	§ 15-2709, Automobile and Motorcycle

										Sales and
										Leasing
Automobile/Vehicle Sales and Leasing	P(8) [(10)]	P(5) [(10 )]	P(5) [(10)]	_	P(5) [(10)]	P(5) [(10)]			_	
Automobile/Vehicle Service and Repair, Minor	P(8) [(10)]	P(5) [(10 )]	P(5) [(10)]	_	P(5) [(10)]	P(5) [(10)]	_	_		§ 15-2710, Automobile/Vehi cle Service and Repair, Major and Misor
Large Vehicle and Equipment Sales, Service and Rental	P(8) [(10)]	P(8) [(10 )]	P(8) [(10)]	_	_	_	_	_		§ 15-271 Act bile (ehi cle S rvice and Repair, Jajor and linor
Service Station	_	C(5 )	C(5)	_	C(5)	C(5)	_		1	§ 15-2755, Service Stations
Banks and Financial Institutions									7	
Banks and Credit Unions	P(1)	Р	Р	P(1)	Р	Р	P(1)	P	-	
Business Services	P(1)	Р	Р	P(1)	Р	P	) (1	P	Р	
Banquet Hall	Р	Р	Р	Р	Р	X		Р	Р	§ 15-2712, Banquet Hall
Eating and Drinking Establishments						7				
Bars/Nightclubs/Lou nges	P(3)	P(3)	P(4)	<b>S</b>	P(3)	P(4)	P(3 )	P(3 )	P(4 )	§ 15-2751, Restaurants with Alcohol Sales; Bars, Nightclubs, and Lounges; § 15- 2744, Outdoor Dining and Patio Areas
Restaurant, with Alcohol Sales	P(3	?(3)	P(4)	P(3)	P(3)	P(4)	P(3 )	P(3 )	P(4 )	
Restaurant, without Alcohol Sales	72	P(3)	P(4)	P(3)	P(3)	P(4)	P(3 )	P(3 )	P(4 )	
Entertainm in and Recreation										
Cinema, Leaters	Р			Р		_	Р	Р	Р	
Caré Caré	P(2)	P(2)	P(4)	P(2)	P(2)	P(4)	P(2 )	P(2 )	P(4 )	§ 15-2724, Cyber/Internet Cafés
Motoleycle/Riding Club	P(5)	P(5)	P(5)	P(5)	P(5)	P(5)				§ 15-2742, Motorcycle/ Riding Clubs
Large-Scale	_	С	С	_	С	С	_	С	С	§ 15-2708, Arcades, Video Games, and Family Entertainment Centers

Small-Scale	Р	Р	P(4)	P	Р	P(4)	Р	Р	P(4 )	§ 15-2708, Arcades, Video Games, and Family Entertainment Centers; § 9- 1801, Billiard Rooms
Food and Beverage Sales										•
Farmer's Markets	Р	Р	Р	Р	Р	Р	Р	Р	Р	§ 15-273 Facts Markets
General Market	Р	Р	Р	Р	Р	Р	Р	Р	Р	§ 1-2/4,
Healthy Food Grocer	P	Р	P	P	P	P	Р	P C	P	Outo or Dining and Patio Areas; § 15- 2745, Outdoor Retail Sales
Liquor Stores	_	C(3 )	C(3)	_	C(3)	C(3)	S	C(8	)	§ 15-2706, Alcohol Sales ; § 15-2745, Outdoor Retail Sales
Food Preparation	_	P(1)	P(1)	_	P(1)	P	_	_	_	
Funeral Parlors and Internment Services	_	Р	P	C		<b>S</b>	_	_	_	§ 15-2714, Body Preparation and Funeral Services
Live/Work	Р	Р	Р	P	ß	Р	P(1 )	Р	Р	
Lodging				7	•	•				•
Bed and Breakfast	P(1)			P(1)	Р	Р	P(1 )	Р	Р	§ 15-2714, Bed and Breakfast Lodging
Hotels and Motels	P(1		P	P(1)	Р	Р	P(1 )	Р	Р	
Maintenance and Repair Services	[(10)]	P[(1 0)]	P[(10 )]	P(1) [(10) ]	P[(10 )]	P[(10 )]	P(1 )	Р	Р	
Offices	D(1)	Р	Р	D(1)	Гъ	Р	D/4	Р	Р	Г
Busing s and Profession	P(1)			P(1)	Р		P(1 )			
De tal	P(1)	Р	Р	P(1)	Р	Р	P(1 )	Р	Р	
Wax -In Clientele	P(1)	Р	Р	P(1)	Р	Р	P(1 )	Р	Р	
Personal Services										
General Personal Services	Р	Р	Р	Р	Р	Р	Р	Р	Р	
Fortune Telling Service	Р	Р	Р	Р	Р	Р	Р	Р	Р	
Massage Establishments	С	С	С	С	С	С	С	С	С	

Tattoo or Body	Р	Р	Р	Р	Р	Р	Р	Р	Р	§ 15-2758,
Modification Parlor										Tattoo or Body Modification Parlors
Retail Sales			<u> </u>		<u> </u>	<u> </u>			<u> </u>	1 diloio
Building Materials and Services	_	P(5) [(10	P(5) [(10)]	_	P(5) [(10)]	P(5) [(10)]	_	_	_	§ 15-2745, Outdoor Retail Sales
Convenience Retail	P(2)	P(2)	P(4)	P(2)	P(2)	P(4)	P(2 )	P(2 )	P(4 )	§ 15-2745, Outdoor Retail Sales; 15-2761 Total Sales
General Retail	P(2)	P(2)	P(4)	P(2)	P(2)	P(4)	P(2 )	P(2 )	P( )	§ 1, 27, 3, Hobly Stores; § 15-2745, Outdoor Retail Sales
Large-Format Retail	_	_	_	_	_	_	P	)	•	§ 15-2737, Large-Format Retail; § 15- 2745, Outdoor Retail Sales
Nurseries and Garden Centers	P(7)	P(7)	P(7)	P(7)	P(7)		) (7	P(7 )	P(7 )	§ 15-2745, Outdoor Retail Sales
Pawn Shops	_	Р	_	_	Р	<b>1</b> -	_	Р	Р	
Second Hand/Thrift Stores	P(2)	P(2)	P(4)		P(2)	P(4)	P(2 )	P(2 )	P(4 )	
Swap Meet/Flea Market	_	Р	-			_	_	P	P	§ 15-2730, Flea Markets
Industrial Use Classi	fications	5		1	•					
Custom Manufacturing	P(1) [(10)]	P[(1	PI(10	(1) [(10) ]	P[(10 )]	P[(10 )]	P(1 )	Р	Р	
Limited Industrial	C(8) [(10)]	F(1) (5) [(10)	(5) [(10)]	_	P(1) (5) [(10)]	P(5) [(10)]	_	_	_	
General Industrial	C(8) [(10)]	C(8 ) [(10 )]	C(8) [(10)]	_	_	_	_	_	_	
Recycling Cility					-		Г			
Level e Vending Machine		Р	Р	_	Р	Р		Р	Р	§ 15-2750, Recycling Facilities
Research and Development	C(8) [(10)]	P(5) [(10 )]	P(5) [(10)]	_	P(5) [(10)]	P(5) [(10)]	_	_	_	
Warehousing, Storage, and Distribution										
Indoor Warehousing and Storage	C(8) [(10)]	C(8 )	C(8) [(10)]			_	_	_	_	

	1		ı			1	ı		T	T
		[(10 )]								
Outdoor storage	C(8)	C(8	C(8)		_	_		_		
January out ago	[(10)]	)	[(10)]							
		[(10								
Davis and Characte		)]	C(F)		C(F)	C(E)				S 0747
Personal Storage	_	C(5	C(5) [(10)]	-	C(5) [(10)]	C(5) [(10)]	_	_	_	§ 2747, Personal (Mini)
		[(10	[(10)]		[(10)]	[(10)]				Storage
		)]								
Wholesaling and	C(8)	C(8	C(8)	_	<u> </u>	<u> </u>	_	<u> </u>	<u> </u>	
Distribution	[(10)]	(10 <u>(10</u>	[(10)]							
		][(10								
Transportation, Com	Transportation, Communication, and Utilities Use Classifications									
Communication										
Facilities	0.45.05	750 T			.,	A.C. 1			_	
Antenna and Transmission	8 15-21	າວ <del>ິ</del> ອ, 1e	iecomm	unicatio	ons and	vvireiess	racili	es	<b>つ</b> `	
Towers						_		•		
Facilities within	_	С	С	_	С	C		Ŷ	С	
Buildings	0 (0)	0.40	0 (0)				X			
Freight/Truck Terminals and	C(8)	C(8	C(8) [(10)]	_	-			_	_	
Warehouses	[(10)]	) [(10	[(10)]		1					
Wareneasse		)]			<b>\</b>	/ ~				
Light Fleet-Based	C(8)	P(5)	P(5)	_	P(5)	(5)	_	_	-	
Services	[(10)]	[(10	[(10)]		[(10)]	[(10)]				
Transportation	Р	<u>)]</u> P	P 🛦		<del>}</del>	Р	Р	P	Р	
Passenger Terminals	'		'	<b>L</b> ' ~		'		'		
Utilities, Major	_	C[(1	<b>\[(10</b>	1	C[(10	C[(10	_	С	С	
-		0)]	)]		)]	)]				
Utilities, Minor	_	<i>[</i> [(1	C (10		C[(10	C[(10	_	С	С	
Agricultural and Extr	active	se Va	onicati	ione	] )]	]]				
Produce Stand	P		P	P	Р	Р	Р	Р	Р	§ 15-2752,
				-			•	-	-	Roadside Fruit
	7									Stands/Grower
Testing Deam	DA	n	<u> </u>	D	Б		Р	Ь	Ь	Stands
Tasting Room Urban Far		P P	P P	Р	P P	P P	Р	P P	P P	§ 15-2720,
Olbali Falci		-			-	-		-		Community
										Gardens/Urban
										Farms
Other Applicable Typ										
Acces ory Uses and Structures	§ 15-2	/03, Ac	cessory	Uses						
Animal Keeping	8 15-27	707 An	imal Ke	enina						
Drive-In and Drive-		C(6	C(6)		C(6)	C(6)	_	C(6	C(6	§ 15-2728,
Through Facilities		)						)	)	Drive-In and
										Drive-Through
Homo Cardona	\$ 15.0	 724 ⊔-	mo Cor	dona c	 	Londo	l nonina		<u> </u>	Facilities
Home Gardens Home Occupations			me Gar me Occ		nd Edible	Lanust	apıng			
Nonconforming Use						ures. Si	te Fea	tures	and Lo	ots
Nonconforming Use Article 4, Nonconforming Uses, Structures, Site Features, and Lots										

Temporary Use	§ 15-2760, Temporary Uses
Transitional and Supportive Housing	§ 15-2762, Transitional and Supportive Housing
Walk-Up Facilities	§ 15-2766, Walk-Up Facilities

#### Specific Limitations:

- 1. Permitted only on upper floors and rear portions of the ground floor, no closer than 30 feet from a public street, public plaza, or park. Exception: Lobbies may occupy ground floor space adjacent to a public street, public plaza, or park. Lobbies may not occupy more than 25 feet of frontage.
- 2. Permitted only on ground floor. Prohibited on upper floors.
- 3. Permitted only on ground floor. Prohibited on upper floors. Exception: Also permitted on upper post floors of buildings over 4 stories in height.
- 4. Permitted only on ground floor at intersection of two public streets. May not exceed 2,500 the floor area.
- 5. Permitted south of Inyo Street only.
- 6. Not allowed between a building and a sidewalk.
- 7. Permitted if located entirely within a building. When located outdoors, permitted out of Invo Street only.
- 8. East of State Route 41 only.
- [9. Electrified fences are permitted for private parking only pursuant to FMC section 15-2010.]
- [10. Electrified fences are permitted pursuant to FMC Section 15-2010

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

STATE OF CALIFORNIA ) COUNTY OF FRESNO ) ss. CITY OF FRESNO )
I, TODD STERMER, City Clerk of the City of Fresno, certify that the foregoing ordinance was adopted by the Council of the City of Fresno, at a regular meeting held on theday of2022.
AYES NOES ABSENT ABSTAIN:  Mayor Approval:
APPROVED AS TO FORM: RINA GONZALES, City Attorney
BY: Name Date Title

BILL NO.	
ORDINANCE NO.	

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

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

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

#### SEC. 15-2010. ELECTRI[FIED]C-FENCES.

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

#### A. Permitted Locations.

- 1. In non-residential zones, in which Security Fencing is permitted. [including all Commercial Districts, all Employment Districts, all Downtown Districts with the exception of the Downtown Cor (2010), and specified Use Classifications under Mixed-Use Districts and Public and Security Fencing is permitted. [including all Commercial Districts with the exception of the Downtown Cor (2010), and specified Use Classifications under Mixed-Use Districts and Public and Security Fencing is permitted.
- 2. Electri[fied] fences shall not excretch into the public right-of-way.
- 3. [When the subject preserty has a Mixed-Use or Downtown zoning designation and abuts vacant of existing residential uses within a Residential, Mixed-Use, or Downtown district such properties are subject to additional requirements as outlined in Section 15-2310 K below.]
- 4. [When the subject property has a Mixed-Use or Public and Semi-Public zoning designation, only certain uses shall be permitted to have electrified fences as identified in Table 15-1102 (Mixed-Use) and 15-1402 (Public and Semi-Public)].
- Mhen the subject property has a Mixed-Use zoning designation and contains legal non-conforming uses pursuant to Section 15-404, such uses shall be permitted to have electrified fences if such use is permitted in an Employment District.]

#### B. Compliance with State and Federal Regulations.

1. Electri[fied]e fencing shall comply with the California Civil Code Section 835 and the California Building Code, as amended from time to time.

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

#### C. Electricity.

- 1. Shall conform to the California Civil Code Section 835 and shall only be powere by a commercial storage battery not to exceed 12 volts of direct current (DC) or another approved 12 volt DC or lower voltage-power source.
- 2. The electric charge produced by the fence upon contact shall not exceed energizer characteristics set forth in paragraph 22.108 and depicted in Figure 1.2 of International Electrotechnical Commission (IEC) Standard No. 60335-2-7
- 3. Non-low voltage electrical components (e.g. controllers, densformers) of the electric fencing system shall be approved and listed by an Occupational Safety and Health Act (OSHA) Nationally Recognized Testing laborators (NATL).
- D. Perimeter Fence or Wall. No electric fence shall be installed or used unless it is completely surrounded by a nonelectrical fence of wall that is a minimum six [five] feet in height. Should a non-electrical fence not exist, one shall be installed prior to the electric fence being operational. When abutting an existing residential use, the protective barrier shall consist of a solid naterial (i.e. wooden fence, block wall, an approved mesh material, or equivalent material)].
- E. **Setbacks.** Non-electrica fencing behind which electric fencing is installed shall comply with setbacks of the underlying zone district unless the non-electrical fence is legally non-conforming.
- F. Height. Shall have a maximum height of ten feet regardless of location on the property.
- G. Warning Signs. Shall be clearly identified with warning signs that read: "Warning-Electric Fence" a intervals of not less than 30 feet.
- H. Property owner(s) shall apply for a permit with the City prior to installation.
- I. **ty Indemnification.** Prior to the installation of electric fencing, the fence owner shall obtain a permit and execute an agreement to defend, hold harmless, and indemnify the City against all claims related to the fencing.

#### J. Emergency Access.

 An electrical disconnect device secured with a Police/Fire X-1 keyway or other approved means for emergency access by Police and Fire Departments shall be provided at a location approved by the Fire Department.

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

#### [K. Additional Requirements Pertaining to Certain Property

- 1. When the subject property as a flixed-Use or Downtown zoning designation and abuts vacant or existing residential uses within a Residential, Mixed-Use or Downtown district, the following special permit provisions apply.
  - a. Requests in Electrified Fences shall be processed as a Development Permit in accordance with Chapter 15, Article 52 of the Fresno Municipal Code.
  - b. Vithin 3 days of the Director's decision, a notice shall be sent from the Director or estance via e-mail to the Councilmember whose district the approved electrified fence is located.]

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

TABLE 15-1102: USE REGULATIONS—MIXED-USE DISTRICTS										
Use Classifications	NMX	CMX	RMX	Additional Regulations						
Residential Use Classifications										
Residential Housing Types										
Single-Unit Dwelling,	P(1)	P(1)	P(1)	§ 15-2754, Second Dwelling						
Attached				Units, Backyard Cottages, and						
				Accessory Living Quarters						
Multi-Unit Residential	P(1)	P(1)	P(1)							

Adult Family Day Care				
Small (6 clients or less)	P(1)	P(1)	_	
Large (7 to 12 clients)	P(1)	' ( ' /	_	
Caretaker Residence	P(1)	P(1)	P(1)	
Domestic Violence Shelter	1 . ( . )	1 ' ( ' /	1 ' ( ' )	
Small (6 persons or less)	P(1)	P(1)	P(1)	
Large (7 persons or more)	P(1)	P(1)	P(1)	
Elderly and Long-Term Care	P(1)	P(1)	P(1)	
Family Day Care	1 (1)	1 ' ( ' /	1 ' ( ' /	<u> </u>
Small (8 or fewer children)	P(1)	P(1)	P(1)	§ 15-2725, Day Care Cel ters
ornali (o or lower erillareri)	' ( ' )	' ( ' /	' (')	and Family Child Care nones
Large (9 to 14 children)	P(1)	P(1)	P(1)	
Group Residential	1 ( )	1 ' ( ' /	. ( . )	
Small (6 persons or less)	P(1)	P(1)	P(1)	
Large (7 persons or more)	P(1)	P(1)	P(1)	
Lodging-to-Dwelling	C	C	C	§ 1 -2707 Lodging-to-
Conversion				velling Conversion
				R guirements
Residential Care Facilities		ı		
Residential Care, Limited	P(1)	P(1)	<b>F</b> (1) <b>A</b>	
Residential Care, Senior	P(1)	P(1)		
Single Room Occupancy	C	C	$\overline{c}$	
Public and Semi-Public Use Clas	ssifications	-		
Colleges and Trade Schools,	С	С	(3)	
Public or Private			- (-)	
Community and Religious	P	P	Р	§ 15-2719, Community and
Assembly (less than 2,000				Religious Assembly Facilities
square feet)				·
Community and Religious	P	Р	Р	
Assembly (2,000 square feet or				
more)				
Community Garden		Р	Р	§ 15-2720, Community
				Gardens/Urban Farms
Conference/Convertion Lacility	С	С	С	
Cultural Institutes as				
Cultural Institutions	Р	Р	Р	
Day Care Ce ter	P P	P P		§ 15-2725, Day Care Centers
Day Care Ce ter		Р	P P	and Family Child Care Homes
Day Care Center  Emergancy shelter	P -	P -	P P	
Emergency shelter Government Offices		Р	P P	and Family Child Care Homes
Emergrancy shelter Government Offices Pospit Ils and Clinics	P -	P - P(1)	P P P P(1)	and Family Child Care Homes
Emergency shelter Government Offices Hospitals and Clinics Lepital	P - P(1)	P - P(1)	P P P P(1)	and Family Child Care Homes
Day Care Centers  Emergancy shelter Government Offices Hospitals and Clinics Lespital Chaic	P - P(1) - P	P - P(1) C(11) P	P P P(1)	and Family Child Care Homes
Emergrancy shelter Government Offices Pospitals and Clinics Vaspital Clinic Substance Abuse Treatment	P - P(1)	P - P(1)	P P P P(1)	and Family Child Care Homes
Emergrancy shelter Government Offices Fespitals and Clinics Vespital Clinic Substance Abuse Treatment Clinic	P - P(1) - P C(14)	P - P(1) C(11) P C(14)	P P P(1) C(11) P C(14)	and Family Child Care Homes
Emergancy shelter Government Offices Hospitals and Clinics Lespital Clinic Substance Abuse Treatment Clinic Instructional Services	P - P(1) - P C(14)	P - P(1) - C(11) P C(14) P	P P P(1) C(11) P C(14)	and Family Child Care Homes
Emergancy shelter Government Offices Fuspit Is and Clinics Vispital Clinic Substance Abuse Treatment Clinic Instructional Services Park and Recreation Facilities,	P - P(1) - P C(14)	P - P(1) C(11) P C(14)	P P P(1) C(11) P C(14)	and Family Child Care Homes
Emergency shelter Government Offices Fospitals and Clinics A spital Clinic Substance Abuse Treatment Clinic Instructional Services Park and Recreation Facilities, Public	P - P(1) - P C(14) P P	P - P(1)  C(11) P C(14) P	P P P(1) C(11) P C(14) P	and Family Child Care Homes
Emergancy shelter Government Offices Fuspit Is and Clinics Vispital Clinic Substance Abuse Treatment Clinic Instructional Services Park and Recreation Facilities,	P - P(1) - P C(14)	P - P(1) P(1) P C(14) P C(6)	P P P(1) C(11) P C(14) P P	and Family Child Care Homes
Emergency shelter Government Offices Hospitals and Clinics Lispital Clinic Substance Abuse Treatment Clinic Instructional Services Park and Recreation Facilities, Public	P - P(1) - P C(14) P P	P - P(1)  C(11) P C(14) P	P P P(1) C(11) P C(14) P	and Family Child Care Homes

Schools, Public or Private	Р	Р	Р	
Social Service Facilities	P(1)	P(1)	P(1)	
Commercial Use Classifications	1 ' ( ' )	1 (1)	' ( ' )	
Animal Care, Sales and				
Services				
Grooming and Pet Stores	Р	Р	Р	
Veterinary Services	-	C(7)	C(7)	
Artist's Studio	Р	P	P	
Automobile/Vehicle Sales and				•
Services				
Automobile/Vehicle Sales	C(18)	C(13)	C(13)	§ 15-2709, Automo Ve and
and Leasing	[(20)]	[(20)]	[(20)]	Motorcycle R tan Salt's and
				Leasing
Automobile Rentals	C(12)(19)	C(12)	C(12)	
	[(20)]	[(20)]	[(20)]	
Automobile/Vehicle Repair,	C(12)(19)	C(12)	C(12)	
Major	[(20)]	[(20)]	[(20)]	
Automobile/Vehicle Service	C(12)(19)	C(12)	C(12)	
and Repair, Minor	[(20)]	[(20)]	[(20)]	
Automobile Washing	C(12)(19)	C(12)	(12)	SVE 0755 Comice Chatians
Service Station	C	C		§ 15-2755, Service Stations
Banks and Financial Institutions	D	DA		<u></u>
Banks and Credit Unions	Р	P	<b>Y</b> ,	S 45 0745 Obselv Cooking
Check Cashing Businesses	-	-	~	§ 15-2715, Check Cashing
and Payday Lenders				Businesses, Payday Lenders, and Similar Financial Services
Banquet Hall	C	C	С	§ 15-2712, Banquet Hall
Business Services	P	7	P	g 10 27 12, Banquet Haii
Eating and Drinking			'	<u> </u>
Establishments				
Bars/Nightclubs/Lounges	С	С	С	§ 15-2743, Outdoor Cooking for
				Commercial Purposes; § 15-
				2744, Outdoor Dining and Patio
				Areas; § 15-2751, Restaurants
				with Alcohol Sales, Bars,
				Nightclubs, and Lounges
Restaurant Win Alcohol	С	С	С	
Sales				
Rest. yr air Whout Alcohol	Р	Р	Р	
Sales				
Intertainment and Recreation		_	I 5	
Quema/Theaters	P	Р	Р	S 45 0704 Oct "
Cyber/Internet Cafe	С	С	С	§ 15-2724, Cyber/Internet Cafes
Small-Scale	Р	Р	Р	§ 15-2708, Arcades, Video
				Games, and Family
				Entertainment Centers, § 9-
Food and Davers as Calas				1801, Billiard Rooms
Food and Beverage Sales	D	D	Ъ	S 15 2720 Formania Manicata
Farmer's Markets	Р	Р	Р	§ 15-2730, Farmer's Markets

General Market	P	Р	Р	§ 15-2744, Outdoor Dining and Patio Areas; § 15-2745, Outdoor Retail Sales
Healthy Food Grocer	Р	Р	Р	
Liquor Stores	C(12)	C(12)	C(12)	§ 15-2707, Alcohol Sales; § 15- 2745, Outdoor Retail Sales
Food Preparation	P(1)	P(1)	P(1)	
Funeral Parlors and Internment Services	P(1)	P(1)	P(1)	§ 15-2714, Body Preparation and Funeral Services
Live/Work	Р	Р	Р	
Lodging				
Bed and Breakfast	Р	Р	Р	
Hotels and Motels	P(8)	P(8)	Р	
Maintenance and Repair	Р	Р	Р	
Services				
Offices		•		
Business and Professional	Р	Р	Р	
Medical and Dental	P	P	P	
Walk-in Clientele	P	P	P	
Personal Services				
General Personal Services	P(5)	Р	P	
Tattoo or Body Modification	P(5)(12)	P(12)	P(12)	§ 15-2758, Tattoo or Body
Parlor	. (0)(.2)	. (	7()	Modification Parlor
Retail Sales				
Building Materials and	-		C[(20)]	§ 15-2745, Outdoor Retail
Services			-[()]	Sales
Convenience Retail	V	Р	Р	§ 15-2745, Outdoor Retail Sales; 15-2761 Tobacco and Vapor Shops
General Retail	Р	Р	Р	§ 15-2733, Hobby Stores; § 15- 2745, Outdoor Retail Sales
Large-Format Retail	P	Р	Р	§ 15-2737, Large-Format Retail; § 15-2745, Outdoor Retail Sales
Nurseries and Carden Centers	Р	Р	Р	§ 15-2745, Outdoor Retail Sales
Second H Ind/ North Stores	Р	Р	Р	
Swap Weern ea Market	С	С	С	§ 15-2730, Flea Markets
Industrial Use Classifications				
O st in Manufacturing	P(12)(19)	P(12)	P(12)	
, T	[(20)]	[(20)]	[(20)]	
Limited Industrial	C(13)(18) (19)		C(13) [(20)]	
	[(20)]	[(-0)]	[(-0)]	
Recycling Facility			•	
Reverse Vending Machine	Р	Р	Р	§ 15-2750, Recycling Facilities
Warehousing, Storage, and Distribution				, <u>,</u> , <u>,</u>

Personal Storage	C[(20)]	C[(20)]	C[(20)]	§ 15-2747, Personal (Mini) Storage			
Transportation, Communication,	and Utilities	Use Clas	sification	S			
Airports and Heliports	-	-	C(10)				
			[(20)]				
Communication Facilities							
Antenna and Transmission	See Section 15-2759, Telecommunications and Wireless						
Towers	Facilities [(	20)]					
Transportation Passenger	-	-	С				
Terminals							
Utilities, Minor	P[(20)]	P[(20)]	P[(20)]				
Agricultural and Extractive Use C	lassification	S					
Produce Stand	Р	Р	Р	§ 15-2752, Foadsid Fruit			
				Stands/Grower Stands			
Tasting Room	С	С	С				
Urban Farm	Р	-	-	§ 1 -2712 Community			
				Garcens/U pan Farms			
Other Applicable Types							
Accessory Uses and Structures	§ 15-2703,						
Home Gardens	§ 15-2734,	Home G	ar ens a	t Edible Landscaping			
Home Occupations	§ 15-2735,	Home Q	c up dior	19			
Animal Keeping	§ 15-2707,	Animal	ee na				
Drive-In and Drive-Through	C(15)	C(15)	C(15)	§ 15-2728, Drive-In and Drive-			
Facilities	, ,			Through Facilities			
Walk-Up Facilities	§ 15-27% 5,	Walk-Up	Facilities	3			
Non-Conforming Use				ses, Structures, Site Features,			
	and lots						
Temporary Use	& 15-2X0, Temporary Uses						
Transitional and Supportive	§ 15-27/2, Transitional and Supportive Housing						
Housing				-			

#### Specific Limitations:

- 1. Not allowed on the ground floor of portions of the site which abut a major street, but allowed in the interior of all sites. Projects with frontage on more than one major street may be excepted from this restriction on one of the major streets at the discretion of the Review Authority.
- 2. Reserved
- 3. Not to include industrial training such as welding or automotive repair involving the use of tools apartmental appropriate to an industrial use area.
- 4. Mus belowed along a major street.
- 5. \_\_\_\_ite to establishments with a gross floor area of 5,000 square feet or less.
- Shall be below grade or in structures faced with active uses along the street.
- 7. Yovided that such use shall be completely enclosed in a building of soundproof construction.
- 8. Linited to upper stories unless at least 50 percent of ground floor street frontage is occupied by food service use.
- 9. Reserved.
- 10. Limited to heliports used as accessory to a hospital.
- 11. Building heights for hospitals shall not exceed 150 ft. There is no maximum Floor Area Ratio for hospitals.
- 12. Not allowed within 500 feet of an existing or planned Bus Rapid Transit stop.
- 13. Must take place entirely within a building.
- 14. Must include an indoor waiting area.

- 15. Not allowed within 100 feet of a planned or existing Bus Rapid Transit station and not allowed between a building and a sidewalk.
- 16. Reserved.
- 17. Reserved.
- 18. Permitted only after review and approval of a Conditional Use permit, and only in the following areas: a) NMX-zoned parcels which are located south of State Route 180 and east of State Route 41 and which are not within 500 feet of a Bus Rapid Transit route; or b) NMX-zoned parcels which are located north of State Route 180 and west of the Union Pacific Railroad.
- 19. Prohibited in the following areas: Parcels which are located south of State Route 180 and west of the Union Pacific Railroad.
- [20. Electrified fences are permitted pursuant to FMC Section 15-2010. When the subject property has a Mixed-Use zoning designation and abuts vacant or existing residential uses within a Residential, Mixed-Use, or Downtown District, additional requirements are applicable as outlined in Section K of FMC Section 15-2010.]

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

TABLE 15-1402: LAND USE RE	GULAT	IONS—	PUBLIC	AND SEMI-PUBLIC DISTRICTS
Use Classifications	OS	PR	PI	Additional Regulations
Residential Use Classifications				
Multi-Unit Residential	-	-	F(3)	
Public and Semi-Public Use Class	sificatio	ns		
Cemetery	P[(9)]	-	F (9)]	
Colleges and Trade Schools, Public or Private	-	,  -	7	
Community and Religious Assembly (less than 2,000 square feet)	C(1	Ö	Р	§ 15-2719, Community and Religious Assembly Facilities
Community and Religious Assembly (2,000 square feet more)	V	P(1)	Р	
Community Garden	Р	Р	Р	§ 15-2720, Community Gardens/Urban Farms
Conference/Convention Facility	-	-	Р	
Cultural Institutions	-	Р	Р	
Day Care Certers	-	-	Р	§ 15-2725, Day Care Centers and Family Child Care Homes
Emerge icy their	-	-	Р	§ 15-2729, Emergency Shelters
Government Citizes	-	-	Р	
He spirals and Clinics				
Hospital	-	-	P(5)	
O nic	-	-	Р	
Substance Abuse Treatment Clinic	-	-	C(6)	
Instructional Services	-	-	Р	
Park and Recreation Facilities, Public	P[(9)]	P[(9)]	P[(9)]	
Parking, Public or Private	C[(9)]	C[(9)]	C[(9)]	
Public Safety Facilities	C[(9)]	C[(9)]	P[(9)]	
Schools, Public or Private	-	-	Р	

Social Service Facilities	-	-	Р	
<b>Commercial Use Classifications</b>				
Animal Care, Sales and Services				
Kennels	-	-	C(2)	
Eating and Drinking			•	
Establishments				
Restaurant with Alcohol Sales	-	-	C(3)	§ 15-2751, Restaurants with Alcohol Sales, Bars, Nightclubs, and Lounges; § 15-2744, Outdoor Dining and Patio Areas
Restaurant without Alcohol	-	P(3)	P(3)	
Sales				
Entertainment and Recreation				
Large-Scale	-	P(7)	-	
Food and Beverage Sales				
Farmer's Markets	-	С	Р	§ 15-2 30. Farmer's Markets
Retail Sales				
General Retail	-	-	P(3)	8 15- 745, Jutdoor Retail Sales
Industrial Use Classifications				
Recycling Facility				
Reverse Vending Machine	-	-		§ 15-2750, Recycling Facilities
Recycling Processing Facility	-	-	[(9)]	
Transportation, Communication,	and Util	ities Us	e Class	ifications
Airports and Heliports	-	-	[(9)]	
Communication Facilities			- 7-	
Antenna and Transmission	§ 15-2	759 Te	lecomm	unications and Wireless Facilities
Towers	[(9)]			
Facilities within Buildings		-	Р	
Transportation Passenger Terminals		-	Р	
Utilities, Major	C[(9)]	-	P[(9)]	
Utilities, Minor	P[(9)]	P[(9)]	P[(9)]	
Waste Transfer Facility	-	-	C[(9)]	
Agricultural and Extractive Use	Classific	ations		
Crop Cultivation	Р	-	-	§ 15-2716, Crop Cultivation
Produce of and	Р	-	-	§ 15-2752, Roadside Fruit
				Stands/Grower Stands
Urban Falin	Р	-	-	§ 15-2720, Community Gardens/Urban Farms
Other Applicable Types				
Acce sory Uses and Structures	§ 15-2	703. Ac	cessorv	Uses
Home Gardens		§ 15-2703, Accessory Uses § 15-2734, Home Gardens and Edible Landscaping		
Animal Keeping		§ 15-2707, Animal Keeping		
Drive-In and Drive-Through	- 3 10 2	-	-	§ 15-2728, Drive-In and Drive-
Facilities				Through Facilities
Walk-Up Facilities	§ 15-2	766. W	alk-Up F	
Non-Conforming Use		4, Non-		ning Uses, Structures, Site Features,
	I allu Lu	Jio		

Temporary Use

§ 15-2760, Temporary Uses

#### **Specific Limitations:**

- 1. Limited to facilities associated with park and recreation facilities.
- 2. Limited to government or non-profit animal shelters located a minimum of 100 feet from a residential use or district.
- 3. Limited to gift shops, cafes, and restaurants that are an accessory to cultural institutions, community and religious assembly, and conference/convention centers.
- 4. Heliports used as accessory to a hospital are permitted by right and shall not require a Conditional Use Permit.
- 5. Building heights for hospitals shall not exceed 150 ft. There is no maximum Floor Area Ratio for hospitals.
- 6. Must include an indoor waiting area.
- 7. Limited to golf courses.
- 8. Limited to on-campus housing operated by an accredited school.
- [9. Electrified fences are permitted pursuant to FMC Section 15-2010.]

SECTION 4: This ordinance shall become effective and in fulforce and effect at 12:01 a.m. on the thirty-first day after its passage.



STATE OF CALIFORNIA ) COUNTY OF FRESNO ) ss. CITY OF FRESNO )		
I, TODD STERMER, City Clerk of the ordinance was adopted by the Council of the C theday of202	ity of Fresno, at a regi	
AYES NOES ABSENT ABSTAIN:		0
Mayor Approval:		,2022
Mayor Approval/No Return: Mayor Veto:		2022
Council Override Vote:		2022
	City Clear	
	BY: Deputy	Date
APPROVED AS TO FORM: RINA GONZALES, City Attorney		
BY: Name Date Title		

#### **Exhibit G: Applicant Proposed Revision**

BILL NO	
ORDINANCE NO	

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

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

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

#### SEC. 15-2010. ELECTRI[FIED]C-FENCES.

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

#### A. Permitted Locations.

- 1. In all non-residential zones in which Security Fencing is permitted. [including all Mixed-Use Districts, all Commercial Districts, all Employment Districts, the Public and Institutional (PI) District (except for school sites), and all Downtown Districts with the exception of the Downtown Core [DTC].]
- 2. Electric fences shall not encroach into the public right-of-way.
- 3. [When the subject property has a Mixed-Use or Downtown zoning designation and abuts vacant or existing residential uses within a Residential, Mixed-Use or Downtown district, additional requirements are outlined in Section K below.]

## B. Compliance with State and Federal Regulations.

- 1. Exctrate the fencing shall comply with the California Civil Code Section 835 and the California Building Code, as amended from time to time.
- 2. Only allowed to be installed with a permit issued under the requirements of applicable building and electrical codes, and only allowed to be activated after an approved final inspection of the installation.
- 3. Fire access, warning signs, electrical connections, etc., shall comply with the Building Code and Fire regulations.

#### C. Electricity.

- Shall conform to the California Civil Code Section 835 and shall only be powered by a commercial storage battery not to exceed 12 volts of direct current (DC) or another approved 12 volt DC or lower voltage-power source.
- 2. The electric charge produced by the fence upon contact shall not exceed energizer characteristics set forth in paragraph 22.108 and depicted in Figure 102 of International Electrotechnical Commission (IEC) Standard No. 60335-2-76.
- 3. Non-low voltage electrical components (e.g. controllers, transformers) of the electric fencing system shall be approved and listed by an Occupational Safety and Hearth Act (OSHA) Nationally Recognized Testing laboratory (NRTL).
- D. Perimeter Fence or Wall. No electric fence shall be installed or used inless it is completely surrounded by a nonelectrical fence or wall that is a maximum of [five] feet in height. Should a non-electrical fence not exist, one shall be installed prior to the electric fence being operational. [When abutting an existing residential use, the protective barrier shall consist of a solid material (i.e. we oden fince, block wall, an approved mesh material, or equivalent material)].
- E. **Setbacks.** Non-electrical fencing behind which electric fencing is installed shall comply with setbacks of the underlying zone district unless the non-electrical fence is legally non-conforming.
- F. **Height.** Shall have a maximum height ten feet regardless of location on the property.
- G. Warning Signs. Shall be clearly identified with warning signs that read: "Warning-Electric Fence" at intervals of not less than 30 feet.
- H. **Permit.** Property owner 3) shall apply for a permit with the City prior to installation.
- I. City Indemnification. Phase the installation of electric fencing, the fence owner shall obtain a permit and execute an agreement to defend, hold harmless, and indemnify the City against all claims related to the fencing.
- J. Emergenty Access.
  - 1 In Tectrical disconnect device secured with a Police/Fire X-1 keyway or other approved means for emergency access by Police and Fire Departments shall be provided at a location approved by the Fire Department.
  - 2. The disconnect device shall include an LED pilot light to indicate the status of power to the electric fence.
  - 3. The emergency access disconnect device shall be located outside the primary drive gate entrance of the property and shall not be obscured in any manner from the street/private driveway access. The details and location of the disconnect device shall be shown on the site plan.

- 4. Approved signs stating the identification of such switches/controls in addition to informational instructions as to how to disable the electrical system shall be installed to the satisfaction of the Fire Marshal.
- 5. In the event that access by the City of Fresno Fire Department and/or Police Department is required due to an emergency or urgent circumstances and the emergency access disconnect device is absent or non-functional and no authorized property personnel is present to disable the electric fence. City of Fresno Fire or Police personnel shall be authorized to disable the electric fence in Courte pain access to the property. All applicants issued building permits to install or use an electric fence as provided in this chapter agree to waive any and all claims for damages to the electric fence against the City of Fresno and/on its personnel under such circumstances.

#### [K. Additional Requirements Pertaining to Certain Property

- 1. When the subject property has a Mixed-Use of Downtown zoning designation and abuts vacant or existing residential uses within a Residential, Mixed-Use or Downtown district, the following special permit provisions apply.
  - a. Requests for Electrified Ferices shall be processed as a Development Permit in accordance with Chapter 15, A ticle 52 of the Fresno Municipal Code.
  - b. Within 3 days of the Director's decision, a notice shall be sent from the Director or designee via e-mail to the Councilmember whose district the approved electrified tence is located.

SECTION 2: This ordinance shall become effective and in full force and effect at 12:01 a.m. on the thirty first day after its passage.

\*\* \* \* \* \* \* \* \* \* \* \* \*

STATE OF CALIFORNIA ) COUNTY OF FRESNO ) ss. CITY OF FRESNO )		
I, YVONNE SPENCE, City Clerk of the City ordinance was adopted by the Council of the City of theday of2021.	of Fresno, certify Fresno, at a regu	that the foregoing lar meeting held on
AYES NOES ABSENT ABSTAIN:	•	9
Mayor Approval:		2021 2021 2021 2021
City	Cleak	
APPROVED AS TO FORM: DOUGLAS T. SLOAN, City Attorney	Deputy	Date
Talia Kolluri Date Supervising Deputy City Attorney		

# Original Application Draft Text (10-26-21)

Exhibit B - Text Amendment Application No. P21-05809

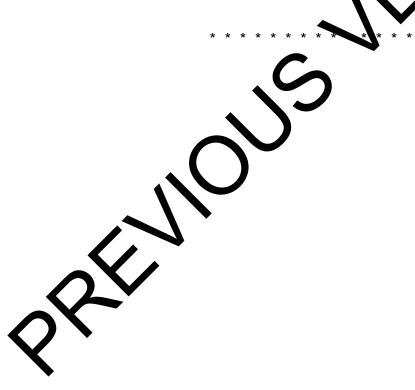
	BILL NO
	ORDINANCE NO
2010	RDINANCE OF THE CITY OF FRESNO, CALIFORNIA, AMENDING SECTION 15- OF CHAPTER 15 OF THE FRESNO MUNICIPAL CODE, AMENDING ILATIONS RELATED TO ELECTRIC FENCES
THE (	COUNCIL OF THE CITY OF FRESNO DOES ORDAIN AS FOLLOWS:
SECT	ION 1. Section 15-2010 of the Fresno Municipal Code is modified as for ws
SEC.	15-2010. ELECTRI[FIED]C FENCES.
Electr conta Section	ified fences shall comply with the following regular ons. The requirements ned in Section 15-2009 do not apply to Electrified Funcing allowed pursuant to this on.]
A.	Permitted Locations.
1.	In all non-residential zones in which Security Fencing is permitted. [including all Mixed-Use Districts, all Commercial Districts, all Employment Districts, the Public and Institutional (PI) District, an all Exwntown Districts with the exception of the Downtown Core (DTC).]
2.	Electric fences shall not encroach into the public right-of-way.
В.	Compliance with State and Federal Regulations.
1.	Electri[fied]c fenting shall comply with the California Civil Code Section 835 and the California Building Code, as amended from time to time.
2.	Only aloyed to be installed with a permit issued under the requirements of applicable building and electrical codes, and only allowed to be activated after an open and final inspection of the installation.
3.	ire access, warning signs, electrical connections, etc., shall comply with the Building Code and Fire regulations.
C.	Electricity.
	1 of 4
Date /	Adopted: Approved ive Date:
City A	ttorney Approval: Ordinance No.

- 1. Shall conform to the California Civil Code Section 835 and shall only be powered by a commercial storage battery not to exceed 12 volts of direct current (DC) or another approved 12 volt DC or lower voltage-power source.
- 2. The electric charge produced by the fence upon contact shall not exceed energizer characteristics set forth in paragraph 22.108 and depicted in Figure 102 of International Electrotechnical Commission (IEC) Standard No. 60335-2-76.
- 3. Non-low voltage electrical components (e.g. controllers, transformers) of the electric fencing system shall be approved and listed by an Occupational St fety and Health Act (OSHA) Nationally Recognized Testing laboratory (NRTL).
- **D.** Perimeter Fence or Wall. No electric fence shall be installed or used anless it is completely surrounded by a nonelectrical fence or wall that is a plinimum six [five] feet in height. Should a non-electrical fence not exist, one shall be installed prior to the electric fence being operational. [When abutting an existing residential uses the protective barrier shall consist of a solid material (i.e. wooden fence, block will, a temporoved mesh material, or equivalent material)]
- E. **Setbacks.** Non-electrical fencing behind which electric fencing is installed shall comply with setbacks of the underlying zone district unless the non-electrical fence is legally non-conforming.
- F. **Height.** Shall have a maximum height of ten feet regardless of location on the property.
- G. **Warning Signs.** Shall be charly identified with warning signs that read: "Warning-Electric Fence" at intervals it not less than 30 feet.
- H. **Permit.** Property Synd (a) shall apply for a permit with the City prior to installation.
- I. **City Indemnification.** Prior to the installation of electric fencing, the fence owner shall obtain a permit and execute an agreement to defend, hold harmless, and indemnify the City against an claims related to the fencing.
- J. mergency Access.
  - 1. In electrical disconnect device secured with a Police/Fire X-1 keyway or other approved means for emergency access by Police and Fire Departments shall be provided at a location approved by the Fire Department.
  - 2. The disconnect device shall include an LED pilot light to indicate the status of power to the electric fence.
  - 3. The emergency access disconnect device shall be located outside the primary drive gate entrance of the property and shall not be obscured in any manner from

the street/private driveway access. The details and location of the disconnect device shall be shown on the site plan.

- 4. Approved signs stating the identification of such switches/controls in addition to informational instructions as to how to disable the electrical system shall be installed to the satisfaction of the Fire Marshal.
- 5. In the event that access by the City of Fresno Fire Department and/of Police Department is required due to an emergency or urgent circumstances and the emergency access disconnect device is absent or non-functional and no authorized property personnel is present to disable the electric fence. City of Fresno Fire or Police personnel shall be authorized to disable the electric fence in order to gain access to the property. All applicants issued building permits to install or use an electric fence as provided in this chapter agree to waive any and all claims for damages to the electric fence against the City of Fresno and/or its personnel under such circumstances.

SECTION 2: This ordinance shall become effective and in all force and effect at 12:01 a.m. on the thirty-first day after its passage



STATE OF CALIFORNIA ) COUNTY OF FRESNO ) ss. CITY OF FRESNO )		
I, BRIANA PARRA, Interforegoing ordinance was adopted meeting held on the	rim City Clerk of the City of Fed by the Council of the City of day of 2021.	
AYES : NOES : ABSENT : ABSTAIN :		
Mayor Approval: Mayor Approval/No Return Mayor Veto: Council Override Vote:	BRAN PARA	
APPROVED AS TO FORM: DOUGLAS T. SLOAN,	BY: Deputy	Date
BY:  Rina Gonzales Senior Deputy City Attorney	Date	