

# Exhibit D - Environmental Assessment

<p align="center"><b>CITY OF FRESNO</b>  <b>ADDENDUM TO MASTER ENVIRONMENTAL IMPACT REPORT NO. SCH 2012111015</b>  <b>AND</b>  <b>PROGRAM ENVIRONMENTAL IMPACT REPORT NO. SCH 2012041009</b>  <b>PREPARED FOR</b>  <b>PLAN AMENDMENT APPLICATION NO. A-18-003,</b>  <b>REZONE APPLICATION NO. R-18-004 and</b>  <b>TEXT AMENDMENT APPLICATION NO. TA-18-002</b>  <i>Prepared in accordance with Section 15164 of the California Environmental Quality Act (CEQA) Guidelines</i></p>		<p>This addendum was not circulated for public review pursuant to Section 15164(c) of the CEQA Guidelines</p>
<p>The full Environmental Impact Report is on file in the Development and Resource Management Department,  Fresno City Hall, 3rd Floor  2600 Fresno Street  Fresno, California 93721  (559) 621-8277</p>	<p><b>ENVIRONMENTAL ASSESSMENT NUMBER:</b>   A-18-003/R-18-004/TA-18-002: Plan Amendment, Rezone and Development Code Text Amendment</p>	
<p><b>APPLICANT:</b>   City of Fresno  2600 Fresno Street  Fresno, CA 93721</p>	<p><b>PROJECT LOCATION:</b>   The proposed Plan Amendment, Rezone and Development Code Text Amendment would apply to all property within the Fresno City limits and as defined in attached maps and table in Exhibit A.</p>	
<p><b>PROJECT DESCRIPTION:</b>   Plan Amendment Application No. A-18-003, Rezone Application No. R-18-004 and Text Amendment Application No. TA-18-002 have been filed by the City of Fresno Development and Resource Management Director and pertain to 419.18 acres.</p> <p><b>Plan Amendment Application No. A-18-003</b> proposes to amend the Fresno General Plan, the Bullard, Fresno High, McLane, Roosevelt, Hoover and Downtown Neighborhoods Community Plans, the Tower District Specific Plans, the Fresno Chandler Executive Airport Land Use Compatibility Plan, the Fresno-Chandler Downtown Airport Master and Environs Specific Plan and the Fresno Yosemite Airport Land Use Compatibility Plan; and the Farmland Preservation Program Policy RC-9-c. The purpose of the land use amendments is to implement City Council direction from February 2016 allowing property owners to request a reversion to a zone district and planned land use equivalent to that existing under the prior General Plan when the change is consistent with General Plan policy and would not cause significant environmental impacts. The purpose of the amendment to the Farmland Preservation Program Policy RC-9-c is to provide more options for farmland preservation. See Exhibit A for map of Proposed General Plan Amendments and Rezonings. See Exhibit B for proposed amendment to Farmland Preservation Program Policy RC-9-c.</p> <p><b>Rezone Application No. R-18-004</b> proposes to implement City Council direction from February 2016 allowing property owners to request a reversion to a zone district and planned land use equivalent to that existing under the prior General Plan when the change is consistent with General Plan policy and would not cause significant environmental impacts.</p> <p><b>Text Amendment Application No. TA-18-002</b> proposes minor changes to the Development Code in order to improve functionality, clarity, internal consistency, and consistency with State law. Proposed amendments affect the following standards and/or procedures; legal non-conforming; legal non-</p>		

conforming site features; parks; driveway paving; mixed use permitted uses; massage establishments; downtown ground floor retail; bluff setback; live/work; setbacks from landscape easements; signs; corner commercial; drive throughs; tiny homes; Council District Project Review Committees; Airport Land Use Commission review of text amendments; development agreements; accessory living quarters; substance abuse treatment clinic, among others. The affected sections are Table 15-107-B, Section 15-311-A, 15-404-F-2, 15-405-E-1, 15-405-E-2, Table 15-902, Section 15-904-A-8, Table 15-1002, 15-1102, 15-1202, Section 15-1304-B, 15-1404-A, Figure 15-1501-C, Table 15-1502, Section 15-1603-A, 15-1603-D-1, 15-1603-E, 15-1609-B-1-b, 15-2002-B, 15-2020-F, 15-2412-E, 15-2413-D, 15-2610-D, 15-2610-E-7, 15-2610-G-6, 15-2612-A, 15-2722-F-1, 15-2728-B-1, 15-2754-E-2-c, 15-4906-D-1, 15-4906-J, 15-5207, 15-5808, 15-6003, 15-6005, 15-6702, 15-6703, and 15-6704. See Exhibit C for proposed text amendment.

The adoption of the Fresno General Plan and Citywide Development Code were previously analyzed in Master Environmental Impact Report ("MEIR") SCH No. 2012111015, certified by the Fresno City Council on December 18, 2014. The Introduction to the MEIR specifically stated that "[t]he City of Fresno proposes to update its General Plan and Development Code and this Master Environmental Impact Report (MEIR) has been prepared to assess the impacts of those actions on the environment." The adoption of the Downtown Neighborhoods Community Plan and the Fulton Corridor Specific Plan were previously analyzed in Program Environmental Impact Report SCH No. 2012041009 ("PEIR"), certified on October 20, 2016. The sites affected by the proposed plan amendments and rezones were previously analyzed in the MEIR (Request #s 1-10, 15, 16, 18-24, and 26) and more recently in the PEIR (Request #s 11-14, 17, 25, 27 and 28) as shown in Exhibit A. Plan Amendment Application No. A-18-003 and Rezone Application No. R-18-004 propose 28 clean up amendments to the General Plan Land Use and Circulation Map and the Zoning Map for one of the following reasons: 1) to implement City Council direction provided in February 2016 allowing property owners to request a reversion to previously existing zoning on their property; or 2) to make technical corrections. These land use changes were analyzed and would not result in additional impacts beyond those analyzed in the MEIR or the PEIR. The proposed applications do not include any actual projects. Projects proposed on the subject sites would require separate environmental review.

The Plan Amendment also includes a proposed text change to the Farmland Preservation Program Policy RC-9-c. The proposed policy change calls for the mitigation of the loss of farmland pursuant to CEQA and includes several more options than were included in the original policy. Loss of farmland was a significant and unavoidable impact identified in the MEIR, however consistent with CEQA requirements, Policy RC-9-c was included in the Fresno General Plan and cross-referenced in the MEIR in order to mitigate the loss of farmland to the extent possible. This amendment to the policy provides additional flexibility in creating a farmland mitigation program.

The Development Code Text Amendment Application No. TA-18-002 makes minor changes to various standards in order to improve functionality, clarity, and internal consistency, consistent with the General Plan. No changes are proposed that would fundamentally change the intent of a zone district or increase or decrease density ranges or floor area ratios.

The potential environmental impacts identified in the MEIR for the Fresno General Plan and the Citywide Development Code and in the PEIR for the Downtown Neighborhoods Community Plan, the Fulton Corridor Specific Plan and the Downtown Development Code are classified in three categories. These

categories include (1) issues found to be significant and unavoidable, (2) issues found to be less than significant with mitigation measures, and (3) issues found to have no impact or less than significant without mitigation measures.

With the incorporation of Plan Amendment Application No. A-18-003, Rezone Application No. R-18-004, and Text Amendment Application No. TA-18-002, as identified in Exhibit A, the issues that were identified as significant and unavoidable in the Master EIR (MEIR) and Program EIR (PEIR) will continue to cause significant and unavoidable impacts. These issues include aesthetics (visual character and illumination of the dark sky), agricultural resources (loss of farmland and removal of Williamson Act contract land), air quality (criteria air pollutants and toxic air contaminant pollutant concentrations), cultural resources (removal of historic resources), greenhouse gas emissions (increase in emissions beyond the Year 2020), noise (exceed noise standards and substantial permanent increase in noise standards), transportation and traffic (exceed levels of service thresholds for facilities under County of Fresno, City of Clovis, and Caltrans jurisdictions), and utility and service systems (construction impacts related to agriculture and air quality) in the MEIR and air quality, greenhouse gasses, noise, and transportation and traffic in the PEIR. The proposed changes identified in Exhibit A will still contribute to potential significant and unavoidable impacts related to aesthetics, agricultural resources, cultural resources, noise, and utility/service systems. However, the proposed Plan Amendment, Rezone and Text Amendment will not substantially increase the severity of the impacts that were addressed in the Master EIR and PEIR.

The issues found to be less than significant with mitigation measures in the MEIR and PEIR will continue to be less than significant with mitigation measures with the incorporation of Plan Amendment Application No. A-18-003, Rezone Application No. R-18-004, and Text Amendment Application No. TA-18-002, as identified in Exhibit A. These issues include biological resources (habitat, plant and wildlife species, and wetlands), cultural resources (archaeology, paleontology, and human remains), hazards (airport and emergency response plan), hydrology (groundwater supplies and polluted runoff), public services (construction of facilities), and utilities/service systems (capacities for water, sewer, drainage, and landfill facilities) in the MEIR and aesthetics (glare), air quality (odors), biological resources, cultural resources, hazards and hazardous materials, and hydrology and water quality in the PEIR. The mitigation measures that were identified for each of these environmental issues will be required with the approval of land use entitlements, when applicable. The implementation of these measures is anticipated to reduce potential significant impacts to less than significant impacts for each of these issues.

The issues found to have no impact or less than significant impacts without mitigation measures will continue to have no impact or less than significant impacts without the need for any mitigation measures with the incorporation of Plan Amendment Application No. A-18-003, Rezone Application No. R-18-004, and Text Amendment Application No. TA-18-002, as identified in Exhibit A. These issues include geology and soils, hazardous materials, land use and planning, noise (groundborne vibration, construction noise, and aircraft noise), population and housing, transportation and traffic (roadways within the City's jurisdiction and emergency access), and mineral resources in the MEIR and aesthetics, agricultural resources, geology and soils, land use and planning, mineral resources, population and

housing, public services, and utilities and service systems in the PEIR. Plan Amendment Application No. A-18-003, Rezone Application No. R-18-004, and Text Amendment Application No. TA-18-002, as identified in Exhibit A may result in an increase of these environmental impacts for certain projects or in certain locations; however, the level of impact will continue to be less than significant and no mitigation measures will be required.

CEQA guidelines state that Master Environmental Impact Reports are appropriate for analyzing the impacts of large and/or multi-phased projects such as general plans or for rules or regulations that will be implemented by later projects, such as zoning ordinances (Section 15175(b)(4)). Furthermore, the guidelines state that Program Environmental Impact Reports are appropriate for analyzing a series of actions that can be characterized as one large project and are related geographically (Section 15168). However, individual projects constructed pursuant to the Fresno General Plan, the Citywide Development Code, the Downtown Neighborhoods Community Plan, or the Fulton Corridor Specific Plan may require additional environmental review if they would cause an impact that was not previously identified in the MEIR or PEIR.

Based on the environmental review contained in the MEIR and PEIR, Plan Amendment Application No. A-18-003, Rezone Application No. R-18-004, and Text Amendment Application No. TA-18-002, as described in Exhibit A would not result in any new significant or substantial changes to the evaluation of the environmental resources within and outside of the Planning Area beyond those that were addressed in the MEIR and PEIR.

Since the proposed project will not result in additional impacts, it may be determined that: (1) The project falls within the scope of MEIR No. SCH 2012111015 prepared for the Fresno General Plan and Citywide Development Code and/or the PEIR No. SCH 2012041009; (2) No substantial changes are proposed in the project which require major revisions to the previous environmental finding due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; (3) No substantial changes will occur with respect to the circumstances under which the project is undertaken; and, (4) No new information, which was not known and could not have been known, at the time the environmental finding for MEIR No. SCH 2012111015 or PEIR No. SCH 2012041009 was adopted, has become available.

Therefore, the City of Fresno has determined that an addendum to MEIR No. SCH 2012111015 and PEIR No. SCH 2012041009 is appropriate given that none of the conditions described in Section 15162 of the CEQA Guidelines calling for preparation of a subsequent EIR have occurred; and new information added is only for the purposes of providing minor changes or additions, in accordance with Section 15164 of the CEQA Guidelines.

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

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

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

**Finding  
(1):**

Plan Amendment Application No. A-18-003, Rezone Application No. R-18-004, and Text Amendment Application No. TA-18-002, as identified in Exhibit A are still within the scope of the MEIR and PEIR. No geographical boundaries or densities or intensities were altered outside of the ranges designated in the Fresno General Plan, the Downtown Neighborhoods Community Plan, or the Fulton Corridor Specific Plan and analyzed in the MEIR or PEIR. Vehicle trip generation for all of the proposed changes results in traffic levels that remain within the level of service standards defined in the General Plan, the Downtown Neighborhoods Community Plan, and the Fulton Corridor Specific Plan. In addition, dwelling unit capacity as required by the Housing Element is maintained. All housing categories defined in the Housing Element's Regional Housing Needs Allocation (RHNA) maintain a surplus. Finally, the proposed changes to the Farmland Preservation Program Policy RC-9-c provide for more flexibility in mitigating loss of farmland, but still call for mitigation pursuant to the requirements of CEQA. Therefore no new impacts would result.

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

**Finding  
(2):**

Plan Amendment Application No. A-18-003 and Rezone Application No. R-18-004 proposes minor changes to the land use and zoning maps to either 1) implement City Council direction provided in February 2016 allowing property owners to request a reversion to previously existing zoning on their property or 2) to make technical corrections. Development Code Text Amendment No. TA-18-002 makes minor changes to various standards in order to improve functionality, clarity, and internal consistency to better implement the General Plan, Downtown Neighborhoods Community Plan, and Fulton Corridor Specific Plan. No substantial changes have occurred with respect to the circumstances under which the proposed applications would be adopted that would require revisions to the previous MEIR or PEIR as no new impacts have been generated. It remains consistent with the General Plan, the Downtown Neighborhoods Community Plan, the Fulton Corridor Specific Plan and fully within the scope of the MEIR and PEIR.



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

**Finding  
(3):**

No new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous environmental determination was adopted, has become available.

No mitigation measures or alternatives previously found not to be feasible are now determined to be feasible and no mitigation measures or alternatives which are considerably different from those analyzed in the previous MEIR or PEIR would substantially reduce one of more significant effects on the environment. The mitigation measures identified in the Mitigation and Monitoring Reporting Program of the MEIR and PEIR are still appropriate and feasible and no additional mitigation measures are necessary, since no additional impacts have been identified.

ADDENDUM PREPARED BY:  
 Sophia Pagoulatos, Planning Manager

SUBMITTED BY:

  
 Sophia Pagoulatos, Planning Manager  
 CITY OF FRESNO DEVELOPMENT AND  
 RESOURCE MANAGEMENT DEPARTMENT

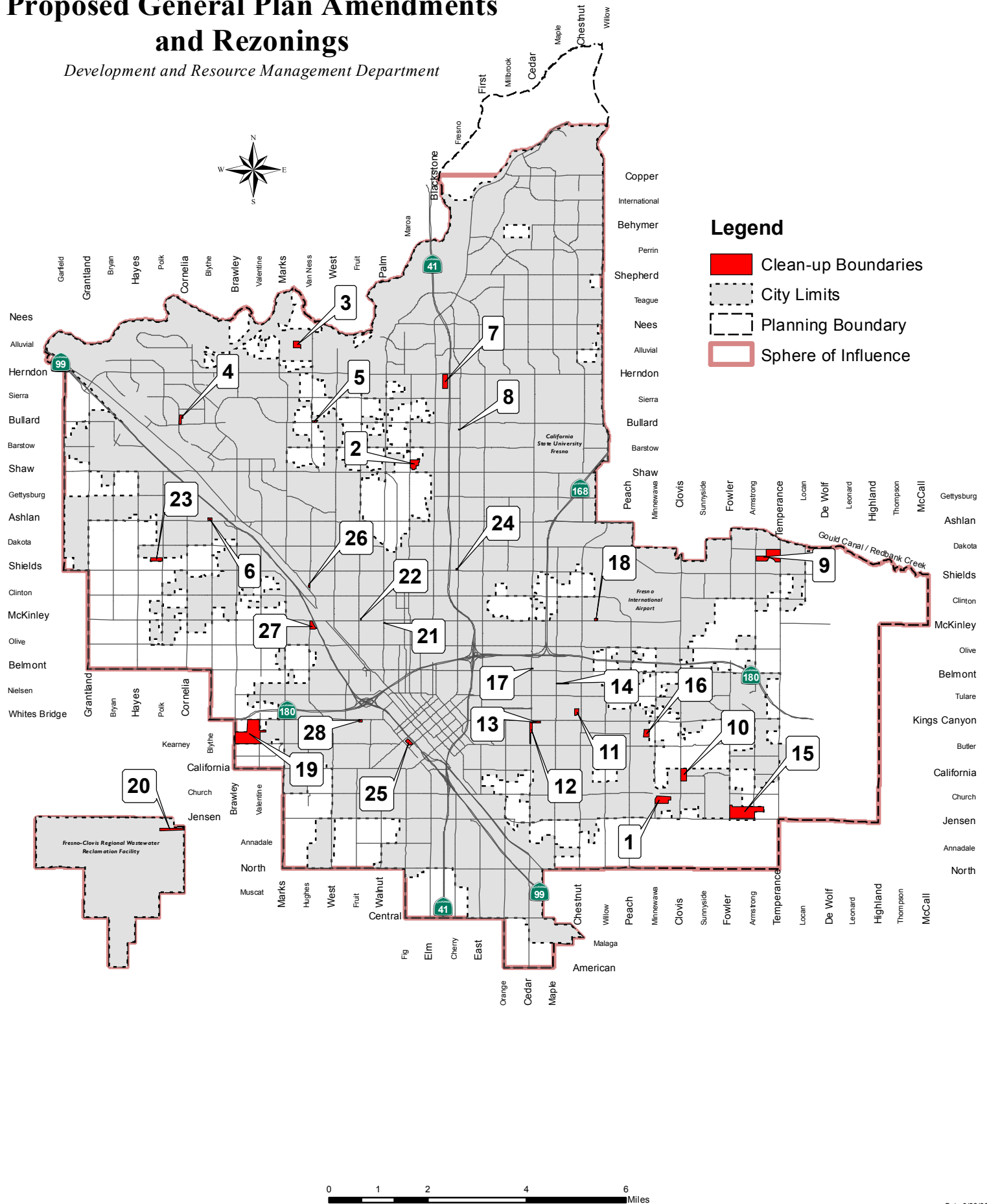
DATE: March 23, 2018

Exhibit A: Map and Table for Plan Amendment and Rezone  
 Exhibit B: General Plan Text Amendment to Policy RC-9-c  
 Exhibit C: Text Amendment

# City of Fresno

## Proposed General Plan Amendments and Rezonings

Development and Resource Management Department



**Exhibit A -2**

#	Description	APN	City Council District	Zoning			General Plan Land Use			Acres	Staff Recommendation
				Past	Now	Request	Past	Now	Request		
1	Minnewawa Ave./ Church Ave.	Tract Map 5513: 48143105-07, 48143225-31, 48153101-18, 48153201-03, 48153301-33, 48153401-28, 48153501-22, and 48153601T	5	NA, New Annex-ation	NA, New Annex-ation	RS-4	NA, New Annex-ation	Medium High Density Residential	Medium Low Density Residential	18.92	Approve
2	Maroa Ave./ Shaw Ave.	41725104, 20-30, 34-58, 41725301-08, 41733102-05, 12, AND 15 - 17, 41733201-03,10-13, 15, 16T and 17, 41753001-08, 417250X1, and 417530XA	2	Some properties are R-1-C and R-2-A and some are NA, New Annex-ation	Some properties are CMX and some are NA, New Annex-ation	RS-5	Medium Density Residential	Corridor/ Center Mixed Use	Medium Density Residential	16.29	Approve
3	2626 W. Alluvial Ave.	50043021 and 24T	2	R-1-B R-A	PR CRC	RS-4	Open Space/ Commercial Recreation	Open Space/ Commercial Recreation	Medium Low Density Residential	11.84	Approve
4	Dante Ave./ Bullard Ave.	50613008S and 09S	2	R-3	RM-1	RM-2	Medium High Density Residential	Medium High Density Residential	Urban Neighborhood Residential	6.70	Approve
5	Van Ness Blvd./ Bullard Ave.	40609114, 31, and 32	2	NA, New Annex-ation	NA, New Annex-ation	RS-1	Low Density Residential	Low Density Residential	Low Density Residential	1.50	Approve
6	Ashlan Ave./ Blythe Ave.	51009036	1	C-6	RM-1	CG	Commercial General-Heavy	Medium High Density Residential	General Commercial	2.85	Approve
7	Herndon Ave./ State Route 41	40802201-20, 40802301-16, 40803201-18, 40803301-18, 40804301-10, 40804401-10 and 40806119T	6	R-A	CMX	RS-5	Medium Density Residential	Corridor/ Center Mixed Use	Medium Density Residential	17.94	Approve
8	5677 N. Fresno St.	418520X1, 38, and 39	4	R-P	RM-1	O	Medium High Density Residential	Medium High Density Residential	Office Employment	0.49	Approve
9	Dakota Ave./ Armstrong Ave.	31002089S, 31073102S, 31091101S-32S, 31091201S and 2S, 31091301S-23S, 31091401S-10S, 31091501S-10S, 31091601S-10S, and 31091701S-10S	4	R-A	RM-2	RS-4	Medium Density Residential	Urban Neighborhood Residential	Medium Low Density Residential	21.02	Approve
		31002085S and 88S	4	R-A	RS-5	RS-4	Medium Density Residential	Medium Density Residential	Medium Low Density Residential	28.11	
10	Clovis Ave./ California Ave.	31602201 and 31628036T	5	AE-20	CMX	RS-4	Medium Low Density Residential	Corridor/ Center Mixed Use	Medium Low Density Residential	17.23	Approve
11	Huntington Blvd./ Chestnut Ave.	46123302 - 07, 46123401, 02, 12 - 17, and 46130301	5	R-3 R-2 (1 lot) R-1 (1 lot)	RS-5	RM-2	Medium High Density Residential	Medium Density Residential	Urban Neighborhood Residential	5.76	Approve
12	Cedar Ave./ Kings Canyon Rd.	47006104, 47006215 and 16, 47006315, 47007129 - 41, 47014115, 47014215 and 16, 47014315 and 16, 47015127 - 34, 36, and 38 - 41, 47021308 and 13, 47021605 and 08, 47028304 and 07, and 47028604 and 13	5	R-1 R-2 (1 lot)	NMX	RS-5	Medium Density Residential	Neighborhood Mixed Use	Medium Density Residential	6.27	Approve
13	Kings Canyon Rd./ Chance Ave.	47007105, 06, and 29, 47007201, 24, 27, and 29, 47007301 and 19	5	C-6	RS-5	NMX	Commercial General-Heavy	Medium Density Residential	Neighborhood Mixed Use	2.77	Approve
14	McKenzie Ave. median islands between Maple Ave. and Sierra Vista Ave.	46016501T	7	R-1 C-5 (small corner at Maple)	RS-5	PR	None	Medium Density Residential	Open Space	1.63	Approve



				Zoning			General Plan Land Use				
#	Description	APN	City Council District	Past	Now	Request	Past	Now	Request	Acres	Staff Recommendation
15	NE Corner of Jensen Ave. and Fowler Ave. – Sanger Unified School District property	31602232	5	NA, New Annex-ation	NA, New Annex-ation	PI	High Density Residential	Public Facility Middle and High School	Public Facility Middle and High School	19.00	Approve
		31602233									
		31602229ST		NA, New Annex-ation	NA, New Annex-ation	PI	Medium Density Residential	Public Facility Middle and High School	Public Facility Middle and High School	59.71	
		31602231T 31602235T 31602259T		NA, New Annex-ation	NA, New Annex-ation	PI	Medium Density Residential	Public Facility Elementary School	Public Facility Elementary School	13.35	
16	Minnewawa Ave./ Butler Ave.	47209042 - 59, 47249101 - 17, and 47249201 - 08	5	R-1	PR	RS-4	Open Space	Open Space (Medium Low Density Residential Dual Designation Land Use)	Medium Low Density Residential and remove dual designation land use of Medium Low Density Residential	7.89	Approve
17	4206 E. White Ave.	45430321	7	C-1	NMX	CC	Commercial General-Heavy	Medium Density Residential	Neighborhood Mixed Use	0.24	Approve
18	4909 E. McKinley Ave.	49429109T	4	M-1-P	PI	CC	Public Facilities	Public Facilities	Community Commercial	1.49	Approve
19	339 N. Brawley Ave. APNS are incorrect Annexation #1350 RO-06-20	32610076	3	NA, New Annex-ation	NA, New Annex-ation	RM-2	Urban Neighborhood Residential	Urban Neighborhood Residential	Urban Neighborhood Residential	18.38	Approve
		32610039, 77 and 78		NA, New Annex-ation	NA, New Annex-ation	RS-5	Medium Density Residential	Medium Density Residential	Medium Density Residential	58.86	
		32610036		NA, New Annex-ation	NA, New Annex-ation	RS-4	Medium High Residential	Medium High Residential	Medium Low Residential	18.14	
		32610021		NA, New Annex-ation	NA, New Annex-ation	RS-4	Medium Low Residential	Medium Low Residential	Medium Low Residential	1.45	
		32610046		NA, New Annex-ation	NA, New Annex-ation	OS	Open Space - Neighborhood Park	Open Space - Neighborhood Park	Open Space - Neighborhood Park	0.73	
		32610038T		NA, New Annex-ation	NA, New Annex-ation	PI	Public Facilities - Elementary School	Public Facilities - Elementary School	Public Facilities - Elementary School	18.13	
20	Jenson Ave./ Cornelia Ave.	32703041T (southern portion) 32703038T (southern portion)	3	AE-20	PI	IH	Public Facilities - Waste Water Treatment Facility	Public Facilities - Waste Water Treatment Facility	Heavy Industrial Employment	13.65	Approve
21	Palm Ave./ McKinley Ave.	45103104 - 06	1	C-5 (along Palm)	RS-5	CMS (along Palm)	Medium Density Residential	Medium Density Residential	Main Street Commercial (along Palm)	0.23	Approve
				R-2 (along Ferger)	RS-5	RS-5 (along Ferger)	Medium Density Residential	Residential	Medium Density Residential (along Ferger)	0.23	
22	404 W. McKinley Ave.	44426119	1	C-P	RS-5	O	Medium Density Residential	Medium Density Residential	Office Employment	0.53	Approve
23	Shields Ave./ Polk Ave. annexation	51102117 and 18	1	NA, Unincorp.	RS-4	RS-4	Medium Low Residential	Urban Neighborhood Residential	Medium Low Residential	9.84	Approve
24	Shields Ave./ Fresno St.	43726416	7	CP	RS-5	O	Medium Density Residential	Medium Density Residential	Office Employment	0.65	Approve
25	C St./ Tulare Ave.	46710502, 46710601 - 06, 46715207 and 08, 46715217, and 46715301 - 04	3	C-6	RS-5	NMX	Medium High Density Residential	Medium Density Residential	Neighborhood Mixed Use	4.40	Approve
26	Hughes Ave./ Weber Ave.	44208217	1	R-P	RM-1	CC	Medium High Density Residential	Medium High Density Residential	Community Commercial	0.43	Deny
		44208229		C-5	RM-1	CC	Medium High Density Residential	Medium High Density Residential	Community Commercial	0.78	
27	2041 W. McKinley Ave. and 1464 N. Hughes Ave.	44902015	3	M-1	RS-5	BP	Light Industrial	Medium Density Residential	Business Park Employment	5.42	Deny
		44917001	3	C-M	RS-5	BP	General-Heavy Commercial	Medium Density Residential	Business Park Employment	4.16	
28	419 W. Whitesbridge Ave.	46411103, 04, and 11 - 14	3	C-6	RS-5	CG	Light Industrial	Medium Density Residential	General Commercial	2.18	Deny

**Exhibit B**  
**Proposed General Plan Text Amendment**  
**Resource Conservation Element**

Farmland Preservation Program Policy RC-9-c.

In coordination with regional partners or independently, establish a Farmland Preservation Program. When Prime Farmland, Unique Farmland, or Farmland of Statewide Importance is converted to urban uses outside City limits, this program would require that the developer of such a project ~~permanently protect an equal amount of similar farmland elsewhere through easement.~~ [mitigate the loss of such farmland consistent with the requirements of CEQA. The Farmland Preservation Program shall provide several mitigation options that may include, but are not limited to the following: Restrictive Covenants or Deeds, In Lieu Fees, Mitigation Banks, Fee Title Acquisition, Conservation Easements, Land Use Regulation, or any other mitigation method that is in compliance with the requirements of CEQA. The Farmland Preservation Program may be modeled after some or all of the programs described by the California Council of Land Trusts.]

## Exhibit C

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

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

AN ORDINANCE OF THE CITY OF FRESNO, CALIFORNIA, AMENDING SECTIONS 15-107-B, 15-311-A, 15-404-F, 15-405-E, 15-902, 15-904-A, 15-1002, 15-1102, 15-1202, 15-1304-B, 15-1404-A, 15-1501-C, 15-1502, 15-1603-A, 15-1603-D-1, 15-1603-E, 15-1609-B-1-b, 15-2002-B, 15-2020-F, 15-2412, 15-2413-D, 15-2610-D, 15-2610-E-7, 15-2610-G-6, 15-2612-A, 15-2722-F-1, 15-2728-B-1, 15-2754-E-2-c, 15-4906-D-1, 15-4906-J, 15-5207, 15-5808, 15-6003, 15-6005, 15-6702, 15-6703, AND 15-6704, OF THE FRESNO MUNICIPAL CODE, AND POLICY RC-9-C OF THE FRESNO GENERAL PLAN.

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

SECTION 1. Table 15-107-B of the Fresno Municipal Code is amended as follows:

TABLE 15-107-B: OVERLAY DISTRICTS	
Short Name/Map Symbol	Full Name
BP [BL]	Bluff Protection

SECTION 2. Section 15-311-A of the Fresno Municipal Code is amended as follows:

- A. [Uncovered] ~~D[d]~~ecks, patios, porches, landings, balconies, and unenclosed stairways;

SECTION 3. Section 15-404-F of the Fresno Municipal Code is amended as follows:

F. Abandonment of Legal Non-Conforming Uses.

1. Residential Districts. A Legal Non-Conforming use shall not be re-established in any structure in a Residential District if such Legal Non-Conforming use has ceased for a consecutive six-month period.
2. [Mixed Use Districts. A Legal Non-Conforming use shall not be re-established in any structure if such Legal Non-Conforming use has ceased for a consecutive five-year period.]

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

SECTION 4. Section 15-405-E of the Fresno Municipal Code is amended as follows:

E. Enlargement of Non-Conforming Structures

1. Enlargement of Single-Family Residential Structures. A legal non-conforming single-family use or structure in a Non-Residential District may be enlarged, provided the addition does not reduce the number of parking spaces, alter the size of parking spaces, or the location and size of driveways; and the addition does not change the structure from single-family use to multi-family use. [Such an expansion shall conform to the property development standards of either the Base District (and Overlay Districts, if applicable) for the site, or a Residential District which is appropriate to the size and configuration of the site at the discretion of the Review Authority.]
2. Enlargement of Other Legal Non-Conforming Structures [and Site Features]. A legal non-conforming structure [or site feature] being used for a conforming use may be enlarged or structurally altered if the new portion of the structure [or site feature] conforms to the regulations of the district in which it is located. If strict conformance with current setback requirements would cause unsightly or impractical site layouts, and a deviation from such requirements shall not cause impacts on neighboring uses, the Review Authority may exempt the enlargement of a legal non-conforming structure [or site feature] from setback requirements at their discretion. Unaltered portions of such structures [or site features] will be allowed to remain non-conforming. A Legal Non-Conforming structure [or site feature] housing [or associated with] a non-conforming use shall not be enlarged or altered except as put forth in Section 15-404-B.

SECTION 5. Table 15-902 of the Fresno Municipal Code is amended as follows:

TABLE 15-902: USE REGULATIONS—RESIDENTIAL SINGLE-FAMILY DISTRICTS							
District	RE	RS-1	RS-2	RS-3	RS-4	RS-5	Additional Regulations
<b>Public and Semi-Public Use Classifications</b>							
Park and Recreation Facilities, Public	C [P]	C [P]	C [P]	C(1) [P]	C(1) [P]	C(1) [P]	

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

[8. Driveway Paving. All driveways shall be paved per Public Works standards.]

SECTION 7. Table 15-1002 of the Fresno Municipal Code is amended as follows:

<b>TABLE 15-1002: USE REGULATIONS—RESIDENTIAL MULTI-FAMILY DISTRICTS</b>					
District	RM-1	RM-2	RM-3	RM-MH	Additional Regulations
<b>Public and Semi-Public Use Classifications</b>					
Park and Recreation Facilities, Public	C(2) [P]	C(2) [P]	C(2) [P]	C[P]	
<b>Commercial Use Classifications</b>					
[Corner Commercial]	[P]	[P]	[P]	[P]	[§ 15-2722, Corner Commercial]

SECTION 8. Table 15-1102 of the Fresno Municipal Code is amended as follows:

<b>TABLE 15-1102: USE REGULATIONS—MIXED-USE DISTRICTS</b>				
Use Classifications	NMX	CMX	RMX	Additional Regulations
<b>Residential Use Classifications</b>				
Elderly and Long-Term Care	P(1)	–[P(1)]	–[P(1)]	
[Domestic Violence Shelter]				
[Small (6 persons or less)]	[P(1)]	[P(1)]	[P(1)]	
[Large (7 persons or more)]	[P(1)]	[P(1)]	[P(1)]	
[Caretaker Residence]	[P(1)]	[P(1)]	[P(1)]	
Large (7 persons or more)	P(1)	P(1)	P(1)	
[Residential Care Facilities]				
[Residential Care, Senior]	[P(1)]	[P(1)]	[P(1)]	
[Single Room Occupancy]	[C]	[C]	[C]	
<b>Public and Semi-Public Use Classifications</b>				
Colleges and Trade Schools, Public or Private	C(3)	C(3)	C(3)	
Community and Religious Assembly (2,000 square feet or more)	C(4) [P]	C(4) [P]	P	§15-2719, Community and Religious Assembly Facilities
Conference/Convention Facility	C(4)	C(4)	C	
Cultural Institutions	P(5)	C [P]	C [P]	
Government Offices	P(2)[1]	P(1)	P(1)	
Hospitals and Clinics				
Clinic	C(5) [P]	P(5)	P	
Schools, Public or Private	C[P]	C[P]	C[P]	
Social Service Facilities	C[P(1)]	P(1)	–[P(1)]	
<b>Commercial Use Classifications</b>				
[Automobile/Vehicle Sales and Services]				
[Automobile Rentals]	[C(12)(19)]	[C(12)]	[C(12)]	
[Automobile/Vehicle Repair, Major]	[C(12)(19)]	[C(12)]	[C(12)]	
[Automobile/Vehicle Service and Repair, Minor]	[C(12)(19)]	[C(12)]	[C(12)]	

TABLE 15-1102: USE REGULATIONS—MIXED-USE DISTRICTS				
Use Classifications	NMX	CMX	RMX	Additional Regulations
[Automobile Washing]	[C(12)(19)]	[C(12)]	[C(12)]	
Banks and Financial Institutions				
Banks and Credit Unions	P(5)	P	P	
Eating and Drinking Establishments				
Bars/Nightclubs/Lounges	C(16)	C(16)	C(16)	§15-2743, Outdoor Cooking for Commercial Purposes; §15-2744, Outdoor Dining and Patio Areas; §15-2751, Restaurants with Alcohol Sales, Bars, Nightclubs, and Lounges
Restaurant with Alcohol Sales	C(16)	C(16)	C(16)	
Entertainment and Recreation				
Cinema/Theaters	C-[P]	C-[P]	P	
Small-Scale	C(17)[P]	P	P	§15-2708, Arcades, Video Games, and Family Entertainment Centers, §9-1801, Billiard Rooms
[Food Preparation]	[P(1)]	[P(1)]	[P(1)]	
Funeral Parlors and Internment Services	-[P(1)]	-[P(1)]	C[P(1)]	§15-2714, Body Preparation and Funeral Services
Live/Work	P(1)	P(1)	P(1)	
Lodging				
[Bed and Breakfast]	[P]	[P]	[P]	
Maintenance and Repair Services	P(9)	P(9)	P(5)	
Offices				
Business and Professional	P(9)	P	P	
Medical and Dental	P(4)	P	P	
Walk-In Clientele	P(9)	P	P	
Retail Sales				
Large-Format Retail	- [P]	- [P]	P	§15-2737, Large-Format Retail; §15-2745, Outdoor Retail Sales
Nurseries and Garden Centers	P	P(5)	P	
[Swap Meet / Flea Market]	[C]	[C]	[C]	[§ 15-2730, Flea Markets]
Industrial Use Classifications				
[Custom Manufacturing]	[P(12)(19)]	[P(12)]	[P(12)]	
[Limited Industrial]	[C(13)(18)(19)]	[C(13)(18)]	[C(13)(18)]	
Agricultural and Extractive Use Classifications				
Produce Stand	P	- [P]	- [P]	§15-2752, Roadside Fruit Stands / Grower Stands
<b>Specific Limitations:</b> 16. [(Reserved)] If an MX District is applied to the area bounded by Divisadero Avenue, Highway 41, and Highway 99, a Conditional Use Permit shall not be required for Bars/Nightclubs/Lounges within that area. 19. Prohibited in the following areas: Parcels which are located south of State Route 180 and west of the Union Pacific Railroad.]				

SECTION 9. Table 15-1202 of the Fresno Municipal Code is amended as follows:



**TABLE 15-1202: LAND USE REGULATIONS—COMMERCIAL DISTRICTS**

Use Classifications	CMS	CC	CR	CG	CH	CRC	Additional Regulations
<b>Commercial Use Classifications</b>							
Food and Beverage Sales							
Liquor Stores	C	C	C	C	C	–	§15-2307[2706], Alcohol Sales; §15-2745, Outdoor Retail Sales
Personal Services							
Massage Establishments	P[C]	P[C]	P[C]	P[C]	–	P[C]	
Retail Sales							
Building Materials and Services	C(13[12])	C	P	P	–	–	§15-2745, Outdoor Retail Sales

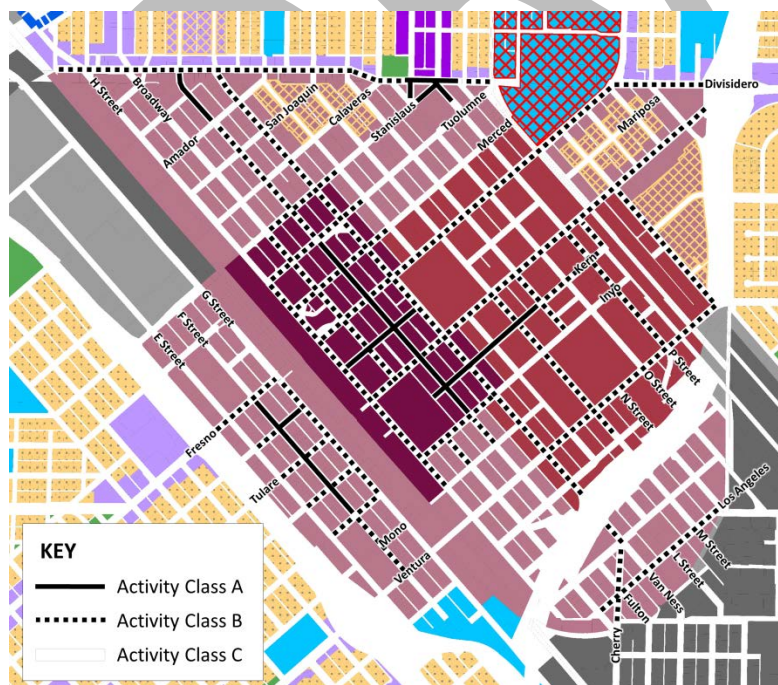
SECTION 10. Section 15-1304-B of the Fresno Municipal Code is amended as follows:

B. Exceptions to Maximum Height in Woodward Park Area. Within the geographic area that is hatched in Figure 15-1304-B, the maximum permitted building height may be increased to 120 feet. Such projects shall conform to the residential transition standards in Section 1304-A and shall be subject to a Conditional Use [Planned Development] Permit.

SECTION 11. Section 15-1404-A of the Fresno Municipal Code is repealed:

A. Additional Height for Recreational Facilities. Additional height for structures related to recreational facilities such as light standards, nets, and fences, may be approved with a Conditional Use [Planned Development] Permit.

SECTION 12. Figure 15-1501-C of the Fresno Municipal Code is amended as follows:



SECTION 13. Table 15-1502 is replaced as follows:

TABLE 15-1502: USE REGULATIONS—DOWNTOWN DISTRICTS										
	DTN			DTG			DTC			Additional Regulations
Activity Class Use Classification	A	B	C	A	B	C	A	B	C	See Figure 15-1501 for Activity Classifications Map
<b>Commercial Use Classifications</b>										
Personal Services										
Massage Establishments	P[C]	P[C]	P[C]	P[C]	P[C]	P[C]	P[C]	P[C]	P[C]	

SECTION 14. Section 15-1603-A of the Fresno Municipal Code is amended as follows:

- A. Purpose. The Bluff Protection (~~BP~~[BL]) Overlay District is intended to provide special land development standards that will preserve the integrity of the natural landscape of the southerly San Joaquin River Bluffs, adjacent properties, and adjacent open spaces as areas of special quality by reason of the topography, geologic substratum, and environment of the area. Regulations for the ~~BP~~[BL] Overlay District are deemed necessary for the preservation of the special qualities of the southerly San Joaquin River Bluffs, and for the protection of the health, safety, and general welfare of owners and users of property within the River Bluff Influence Area.

SECTION 15. Section 15-1603-D-1 of the Fresno Municipal Code is amended as follows:

1. Bluff Setback. Development, including buildings, structures, decks, pools, spas, and steps, shall be setback a minimum of ~~30~~ [20] feet from the bluff edge or as identified as necessary for the preservation of the existing state of the bluffs in the soils report prepared pursuant to Section 15-1603-F, Soils Report, whichever is greater. Buildings, structures, decks, pools, spas, and steps include all objects that may be below grade, at grade, or above grade.

SECTION 16. Section 15-1603-E of the Fresno Municipal Code is amended as follows:

- E. Development Permit. A Development Permit is required for all grading and development, including buildings, structures, decks, pools, spas, and steps, within or abutting the southerly boundary of the ~~BP~~[BL] Overlay District. This section applies to above or below grade objects.

SECTION 17. Section 15-1609-B-1-b of the Fresno Municipal Code is amended as follows:

- b. Single Unit Dwelling, Attached~~;~~ Live/Work; and Multi-Unit Residential shall be permitted in all locations, including the ground floor along major streets.

SECTION 18. Section 15-2002-B of the Fresno Municipal Code is amended as follows:

- B. Setback Requirements. For purposes of setbacks, the distance for all structures, pools, fences, etc. shall be measured ~~from the rear of the required landscape setback/easement~~ as follows:

- 1. RS Districts: The setback shall be measured from the rear of the required landscape setback/easement.

- 2. All Other Districts.

- a. Landscape Easements With a Trail. The setback shall be measured from the back of the walkway or sidewalk, but in no instance shall any structure, pool, fence, etc. be constructed within the easement.

- b. Landscape Easements Without a Trail. The setback shall be measured from the rear of the required landscape setback/easement.

SECTION 19. Section 15-2020-F of the Fresno Municipal Code is amended as follows:

- F. Exceptions. If more than 75 percent of a lot is located in one zoning district, modifications to the provisions of this section may be granted through ~~Planning Commission~~ [Review Authority] approval of a ~~Conditional Use~~ [Planned Development Permit].

SECTION 20. Section 15-2412 of the Fresno Municipal Code is amended as follows:

- [E. Streamlined Development as defined in Section 65913.4 of the California Government Code shall not be required to provide on-site parking.]

SECTION 21. Section 15-2413-D of the Fresno Municipal Code is amended as follows:

- D. Other Parking Reductions. Required parking for any use may be reduced up to 20 percent through ~~Planning Commission~~ [Review Authority] approval of a ~~Conditional Use~~ [Planned Development] Permit, however the 20 percent reduction may not be made in addition to any reductions for A) Shared Parking, or B) Transit Accessibility.

- 1. Criteria for Approval. The ~~Planning Commission~~ [Review Authority] may only approve a ~~Conditional Use~~ [Planned Development] Permit for reduced parking if it finds that:

SECTION 22. Section 15-2610-D of the Fresno Municipal Code is amended as follows:

- D. Projecting Signs. Signs under canopies or covers in conjunction with pedestrian walkways, or signs projecting from buildings are allowed, subject to the following additional standards:
1. Maximum Number. One per building or tenant space [per frontage].
  2. Maximum Sign Area Per Sign.
    - a. Projecting Signs.
      - i. DT Districts: 150 square feet.
      - ii. MX and CMS Districts: 50 square feet.
      - iii. All Other Districts:] 12 square feet.
    - b. Under Canopy or Awning Signs. Eight square feet.
  3. Height Limit.
    - a. [DT, MX, and CMS Districts: 10 feet above roof.]
    - b. All Other Districts: ]12 feet above finished grade.
  4. Minimum Sign Clearance. Eight feet.
  5. Projection Allowed. A projecting sign cannot extend more than four feet from the building to which it is attached and shall be designed and located so as to cause no harm to street trees.
  6. Illumination. ~~No internal illumination is permitted.~~ [Within DT, MX, and CMS Districts. If illuminated, Projecting 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.]

SECTION 23. Section 15-2610-E-7 of the Fresno Municipal Code is amended as follows:

7. Illumination within ~~Downtown~~ [DT and CMS] 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.

SECTION 24. Section 15-2610-G-6 of the Fresno Municipal Code is amended as follows:

[6. Illumination. If illuminated, Roof Signs may be only illuminated by one of the following methods:

a. External Illumination. Externally illuminated with concealed flood lighting.

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.]

SECTION 25. Section 15-2612-A of the Fresno Municipal Code is amended as follows:

A. Projects Requiring a Master Sign Program. A Master Sign Program is required for the following types of projects:

1. Multi-Family Residential. Developments of 50 or more units.

2. Non-Residential or Mixed-Use Projects. All new non-residential or mixed-use projects of ~~two~~ [five] or more separate non-residential tenants.

3. Multiple Signs. Proposals for ~~five~~ [10] or more signs on the same building or site with two or more separate tenants.

4. Planned Development District. Any project in a PD District or using the Planned Development provisions of this Code.

5. Pole Signs. Proposals to erect a pole sign.

6. Electronic Signs. Signs with electronic copy.

7. Roof Signs. Proposals to erect a roof sign.

8. Alternative Designs. Projects which seek flexibility for sign designs which are of a high quality and which contribute to the attractiveness and economic viability of their surroundings, but which do not meet the standards for their location.

9. Exceptions. Projects within Downtown Districts [for sign types described in items 1, 2, 3, 6, and 7 above] shall not require a Master Sign Program.

SECTION 26. Section 15-2722-F-1 of the Fresno Municipal Code is amended as follows:

~~1. May not have more than one dwelling unit on site.~~ [Reserved]

SECTION 27. Section 15-2728-B-1 of the Fresno Municipal Code is amended as follows:

1. Drive-throughs [ordering intercoms or other amplified speaker interface] shall not be located within 100 feet of a Residential District.

SECTION 28. Section 15-2754-E-2-c of the Fresno Municipal Code is amended as follows:

[c. City Indemnification. Prior to the installation of a Tiny Home, the owner of the Tiny Home shall obtain a permit and execute an agreement, with any required subordinations prepared by the City, to defend, hold harmless, and indemnify the City against all claims related to the Tiny Home.]

SECTION 29. Section 15-4906-D-1 of the Fresno Municipal Code is amended as follows:

1. Committees shall review and provide recommendations to the Planning Commission and Council on every application for a Plan Amendment, Rezone, Tentative or Parcel Map, Conditional Use Permit, [Planned] Development Permit, or Variance to develop property within the committees' boundaries. Development applications may be reviewed by multiple committees if a development project crosses committee boundaries. In providing its review and recommendations, the committee shall consider every plan to which the development is subject.
  - a. Development Permit applications submitted in multi-family and mixed-use districts consistent with the Certainty Option set forth in sections 15-1004, 15-1005, 15-1104, and 15-1105 of this Code shall not be subject to review and recommendation by Council District Project Review Committees.  
[Development Permit applications submitted in said districts consistent with the Flexibility Option set forth in the aforementioned sections of this Code shall be subject to review and recommendation by Council District Project Review Committees.]

SECTION 30. Section 15-4906-J of the Fresno Municipal Code is amended as follows:

- J. Suspension. Notwithstanding any other provision in this section, Councilmembers, may, at their discretion, suspend meetings of their Council District Project Review Committee. The suspension will be documented by a written notice filed with the City Clerk. At their discretion, Councilmembers may resume their Council District Project Review Committee meetings by written notice filed with the City Clerk. [In the event of such a suspension, projects shall not be subject to the review of the suspended committee.]

SECTION 31. Section 15-5207 of the Fresno Municipal Code is amended as follows:

- ~~A.~~ In granting Development Permit approval, the Review Authority may impose conditions that are reasonably related to the application and deemed necessary to achieve the purposes of this article and ensure compliance with the applicable



criteria and standards established by this Code or mitigation required pursuant to environmental review. [Conditions may be related to the following objectives:]

~~B~~[A]. Ensure long-term maintenance of adequate clean water resources.

~~C~~[B]. The proposed design will 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.

~~D~~[C]. The proposed design incorporates air quality measures or can demonstrate that it will not negatively impact air quality.

SECTION 32. Section 15-5808 of the Fresno Municipal Code is amended as follows:

The Airport Land Use Commission (ALUC) shall review all text amendments [effecting projects or property within an Airport Influence Area for consistency with the adopted Airport Land Use Compatibility Plan which affect the height, density, land use designation, or related aspects of properties within their purview, as determined by the Director and ALUC staff.] The ALUC shall also review all Rezones and Plan Amendments that are within their purview. [ALUC review shall be completed prior to consideration of the matter by the City Council.]

SECTION 33. Section 15-6003 of the Fresno Municipal Code is amended as follows:

- A. The Director shall negotiate the specific components and provisions of the Development Agreement on behalf of the City for recommendation to [the Planning Commission and] the City Council.
- B. The [Planning Commission shall make a recommendation to the City Council and the] City Council shall have the exclusive authority to approve and modify a Development Agreement.

SECTION 34. Section 15-6005 of the Fresno Municipal Code is amended as follows:

- A. Notice of Intent. The Director shall publish a notice of intent to consider adoption of a Development Agreement as provided in the Government Code (Sections 65090 and 65091).
- B. [Planning Commission. The Planning Commission shall hold a duly noticed public hearing prior to adoption of any Development Agreement and shall make a recommendation to the City Council to either approve, approve with modifications, or deny the Development Agreement. Notice of the public hearing shall be given in accordance with the requirements of Section 15-5007, Public Notice.]

[C.] City Council. The City Council shall hold a duly noticed public hearing prior to adoption of any Development Agreement [and shall either approve, approve with modifications, or deny the Development Agreement.] Notice of the public hearing shall be given in accordance with the requirements of Section 15-5007, Public Notice. The City Council public hearing may, but need not, be held concurrently with the public hearing(s) on the project.

SECTION 35. Section 15-6702 of the Fresno Municipal Code is amended as follows:

Accessory Living Quarters. Living quarters of permanent construction without kitchen or cooking facilities, [which may be attached, detached, or located within the living areas of the primary dwelling unit on the lot] ~~used primarily for temporary guests of the occupants of the principal dwelling on the lot, and not rented or otherwise used as a separate dwelling.~~

SECTION 36. Section 15-6703- Hospitals and Clinics of the Fresno Municipal Code is amended as follows:

Clinic. A facility providing medical, psychiatric, or surgical service for sick or injured persons exclusively on an out-patient basis including emergency treatment, diagnostic services, administration, and related services to patients who are not lodged overnight. Services may be available without a prior appointment. This classification includes licensed facilities such as blood banks and plasma centers, and emergency medical services offered exclusively on an out-patient basis. This classification does not include private medical and dental offices that typically require appointments and are usually smaller scale. [This classification includes substance abuse treatment and recovery programs which are not residential in nature and which exclusively administer counseling services.]

Substance Abuse Treatment Clinic. A facility that ~~offers~~ [administers medication, or supervises the self-administration of medication, for] substance abuse treatment ~~and recovery programs.~~

SECTION 37. Section 15-6704- Automobile/Vehicle Sales and Services. of the Fresno Municipal Code is amended as follows:

Automobile/Vehicle Repair, Major. Repair of automobiles, trucks, motorcycles, motor homes, boats, and recreational vehicles, including the incidental sale, installation, and servicing of related equipment and parts, generally on an overnight basis. This classification includes auto repair shops, body and fender shops, transmission shops, wheel and brake shops, auto glass services, [and] vehicle painting, ~~and tire sales and installation,~~ but excludes vehicle dismantling or salvaging and tire retreading or recapping.

Automobile/Vehicle Service and Repair, Minor. The service and repair of automobiles, light-duty trucks, boats, and motorcycles, including the incidental sale, installation, and servicing of related equipment and parts. This classification includes the replacement of small automotive parts and liquids as an accessory use to a gasoline sales station or automotive accessories and supply store, and quick-service oil, tune-up, and brake and muffler shops, where repairs are made or service is provided in enclosed bays and no vehicles are stored overnight[, including tire sales and installation.] This classification excludes disassembly, removal, or replacement of major components such as engines, drive trains, transmissions, or axles; automotive body and fender work; vehicle painting; or other operations that generate excessive noise, objectionable odors, or hazardous materials; and towing services. It also excludes repair of heavy trucks, limousines, or construction vehicles.