

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.

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.

Date Adopted:

Date Approved

Effective Date:

City Attorney Approval:



Ordinance No.

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 |
| Public and Semi-Public Use Classifications | | | | | | | |
| Park and Recreation Facilities, Public | G [P] | G [P] | G [P] | G(1) [P] | G(1) [P] | G(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:

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

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

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

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

| Use Classifications | NMX | CMX | RMX | Additional Regulations |
|--|--------------|----------|--------------|--|
| Residential Use Classifications | | | | |
| 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)] | |
| Residential Care Facilities | | | | |
| [Residential Care, Senior] | [P(1)] | [P(1)] | [P(1)] | |
| [Single Room Occupancy] | [C] | [C] | [C] | |
| Public and Semi-Public Use Classifications | | | | |
| Colleges and Trade Schools, Public or Private | C(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 | G[P] | C[P] | C[P] | |
| Social Service Facilities | G[P(1)] | P(1) | – [P(1)] | |
| Commercial Use Classifications | | | | |
| 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)] | |
| [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)] | G[P(1)] 1 | §15-2714, Body Preparation and Funeral Services |
| Live/Work | P(1) | P(1) | P(1) | |

| TABLE 15-1102: USE REGULATIONS—MIXED-USE DISTRICTS | | | | |
|---|-----------------|---------|---------|---|
| Use Classifications | NMX | CMX | RMX | Additional Regulations |
| 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)] | [C(13)] | |
| Agricultural and Extractive Use Classifications | | | | |
| Produce Stand | P | - [P] | - [P] | §15-2752, Roadside Fruit Stands / Grower Stands |
| Specific Limitations: 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 |
| Commercial Use Classifications | | | | | | | |
| 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(43[12]) | C | P | P | - | - | §15-2745, Outdoor Retail Sales |

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

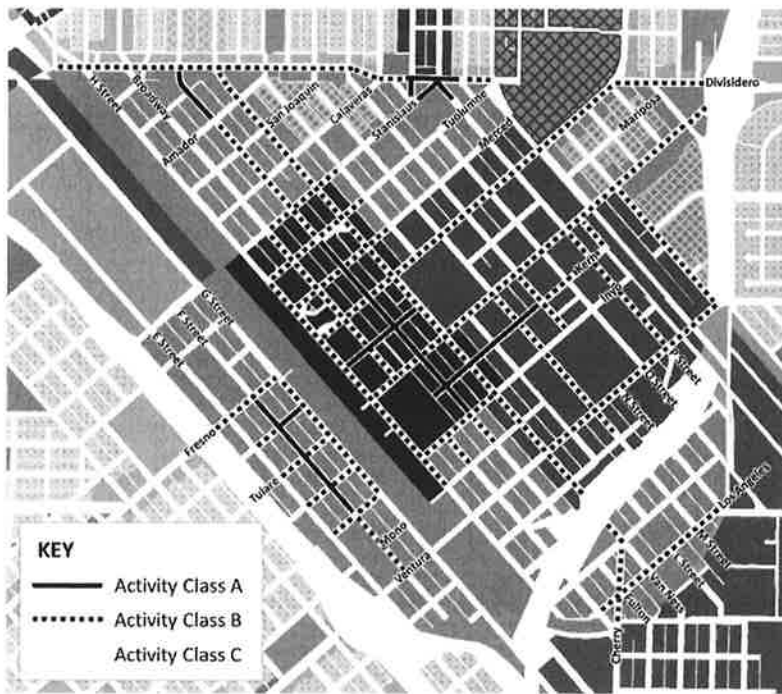
- B. Exceptions to Maximum Height in Woodward Park Area. Within the geographic area that is hatched in Figure 15-1304-B, the maximum permitted building height may be increased to 120 feet. Such projects shall conform to the residential

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 amended as follows:

[illegible]

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 House, the owner of the Tiny House 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 House.]

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.
- G[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 [affecting 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, safety, noise, or related aspects of properties within the ALUC's purview, as determined by the Director and/or ALUC staff.] The ALUC shall also review all Rezones and Plan Amendments that are within their [the ALUC's] purview. [ALUC review shall be completed prior to consideration of the matter by the City Council. Nothing in this Section alters the City's authority or obligations under the laws of the State of California, including but not limited to Article 3.5 of Chapter 4 of the State Aeronautics Act (California Public Utilities Code sections 21670 et seq.).]

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 of the Fresno Municipal Code relating to Hospitals and Clinics 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 of the Fresno Municipal Code relating to Automobile/Vehicle Sales and Services 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.

SECTION 38. 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 of Fresno, certify that the foregoing Ordinance was adopted by the Council of the City of Fresno, California, at a regular meeting held on the 19th day of April, 2018, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Mayor Approval: _____, 2018
Mayor Approval/No Return: _____, 2018
Mayor Veto: _____, 2018
Council Override Vote: _____, 2018

YVONNE SPENCE, MMC
City Clerk

BY: _____
Deputy

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

BY: _____
TALIA KOLLURI-BARBICK
Supervising Deputy City Attorney