



Legislation Details (With Text)

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Title: Consideration of an amendment to sections 9-2102 and 9-2115(c) of the Fresno Municipal Code regarding the permitted location of card rooms.

BILL No. B-59 (Intro. 12/10/2020) (For adoption) - Amending sections 9-2102 and 9-2115(c) of the Fresno Municipal Code pertaining to the permitted location of card rooms.

Sponsors: Planning and Development Department

Indexes:

Code sections:

Attachments: 1. Exhibit A: Amendments to sections 9-2102 and 9-2115(c) of the Fresno Municipal Code

Date	Ver.	Action By	Action	Result
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Report to City Council

January 7, 2021

FROM: DAN ZACK, Assistant Director
Planning and Development Department

SUBJECT

Consideration of an amendment to sections 9-2102 and 9-2115(c) of the Fresno Municipal Code regarding the permitted location of card rooms.

BILL No. B-59 (Intro. 12/10/2020) (For adoption) - Amending sections 9-2102 and 9-2115(c) of the Fresno Municipal Code pertaining to the permitted location of card rooms.

RECOMMENDATION

Staff recommends that the City Council adopt the amendments regarding Article 21 to Chapter 9 of the Fresno Municipal Code, which amends the language pertaining to the permitted location of card rooms.

EXECUTIVE SUMMARY

The purpose of the proposed revision is to amend the language of sections of the Fresno Municipal Code that refer to a zone district that is no longer applicable in the current Citywide Development Code (Chapter

15 of the FMC).

Under the provisions of the proposed amendment, the C-4 (*Central Trading District*) will no longer be a permitted zone district for card room uses and operations, as this zone district is no longer applicable in the current Citywide Development Code. Currently, card rooms fall under the *Small Scale Entertainment and Recreation* and are permitted by right Mixed-Use, Commercial, and Downtown zone districts.

BACKGROUND / ANALYSIS

The purpose of the proposed revision is to amend the language of sections of the Fresno Municipal Code that refer to a zone district that is no longer applicable in the current Citywide Development Code (Chapter 15 of the FMC).

Under the provisions of the proposed amendment, the C-4 (*Central Trading District*) will no longer be a permitted zone district for card room uses and operations, as this zone district is no longer applicable in the current Citywide Development Code.

The purpose of the proposed amendment is to update antiquated language in order to be consistent with the current Citywide Development Code which permits card room uses and operations. The previous C-4 (*Central Trading District*) zone district was a Downtown zone district designation and card rooms were permitted exclusively to this zone district. The C-4 zone district is no longer the designation for Downtown zone districts under the current Citywide Development Code. Currently, card rooms are permitted “by- right” in the Mixed-Use, Commercial, and Downtown zone districts under the “*Entertainment and Recreation - Small Scale*” definition.

While the proposed amendment updates the language to be consistent with the current Citywide Development Code, it does not propose any changes to the process of obtaining a Card Room Permit. The application process will continue to be overseen by the Department of Finance and ultimately issued by the Fresno City Council.

Summary of amendment

The proposed project proposes to amend the Fresno Municipal Code by amending sections 9-2102, and 9-2115(c) (**Exhibit A**) of the FMC. As proposed, the proposed amendment includes:

- 1. Changes to Section 9-2102.** The proposed change to this section would update the reference to the C-4 zone district to reflect “certain zoning districts as identified in Chapter 15, the Citywide Development Code”.
- 2. Changes to Section 9-2115(c).** The proposed change to this section would update the reference to the C-4 zone district to reflect “certain zoning districts as identified in Chapter 15, the Citywide Development Code”.

ENVIRONMENTAL FINDING

Pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15378, a project is defined as the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change to in the environment. Because the proposed changes to Chapter 9 of the Fresno Municipal Code does not propose any physical development, nor does it modify any development standards for future physical

development, it is not a project and thus does not need to comply with the provisions of CEQA.

FISCAL IMPACT

Card Room Permit fees will include the permittee's share of the cost of developing the regulations and environmental review. Affirmative action by the Council will result in timely deliverance of the review and processing of the applications as is reasonably expected by any future applicants. There are no anticipated fiscal impacts of this application because the proposed amendment updates and provides consistency between Article 21, Chapter 9 and the Citywide Development Code (Chapter 15) of the FMC.

Attachment:

Exhibit A: Amendments to sections 9-2102 and 9-2115(c) of the Fresno Municipal Code