

BILL NO. _____

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF FRESNO, CALIFORNIA, AMENDING CHAPTER 15 TABLE 15-107-A, SECTION 15-107-C, SECTION 15-310-A, SECTION 15-313, SECTION 15-404-E, SECTION 15-405-E, TABLE 15-802, ARTICLE 9, SECTION 15-901, SECTION 15-902, SECTION 15-903, SECTION 15-904-C, SECTION 15-906-D, ARTICLE 10, SECTION 15-1001, SECTION 15-1002, SECTION 15-1003, SECTION 15-1004-A, SECTION 15-1101, TABLE 15-1102, SECTION 15-1104-B, SECTION 15-1201, TABLE 15-1202, SECTION 15-1204-A, TABLE 15-1302, SECTION 15-1304-A, TABLE 15-1402, TABLE 15-1502, SECTION 15-1606-B, SECTION 15-1609-C, SECTION 15-2004, SECTION 15-2006-C, SECTION 15-2006-D, SECTION 15-2006-M, SECTION 15-2008-B, TABLE 15-2012, SECTION 15-2015-B, SECTION 15-2016-B, SECTION 15-2303-B, SECTION 15-2304-B, SECTION 15-2305-B, TABLE 15-2305-C-1, SECTION 15-2308, SECTION 15-2311-A, SECTION 15-2405, TABLE 15-2409, SECTION 15-2414-B, SECTION 15-2416-D, SECTION 15-2421-C, SECTION 15-2429-A, TABLE 15-2429-D, SECTION 15-2609-H, SECTION 15-2612-A, SECTION 15-2713, SECTION 15-2716-D, SECTION 15-2720-A, TABLE 15-2720-C, SECTION 15-2722-E, SECTION 15-2723, SECTION 15-2725, SECTION 15-2734, SECTION 15-2735-E, SECTION 15-2738-C, SECTION 15-2746-B, SECTION 15-2747, SECTION 15-2753, SECTION 15-2754, SECTION 15-2763, SECTION 15-3701-J, SECTION 15-3804-U, SECTION 15-3906-D, SECTION 15-4103, SECTION 15-4105-H, SECTION 15-4108-F, SECTION 15-4906-D, SECTION 15-4906-H, TABLE 15-4907, SECTION 15-5102-B, SECTION 15-6102, SECTION 15-6702, AND SECTION 15-6707 OF THE FRESNO MUNICIPAL CODE.

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

SECTION 1. Table 15-107 subsection A of the Fresno Municipal Code is amended to read:

Table 15-107-A: Base Districts	
Short Name/Map Symbol	Full Name
Buffer (B) District	
B	Buffer

Residential Single-Family[Unit] (RS) Districts	
RE	Residential Estate
RS-1	Residential Single-Family[Unit], Extremely Low Density
RS-2	Residential Single-Family[Unit], Very Low Density
RS-3	Residential Single-Family[Unit], Low Density
RS-4	Residential Single-Family[Unit], Medium Low Density
RS-5	Residential Single-Family[Unit], Medium Density
Residential Multi-Family[Unit] (RM) Districts	
RM-1	Residential Multi-Family[Unit], Medium High Density
RM-2	Residential Multi-Family[Unit], Urban Neighborhood
RM-3	Residential Multi-Family[Unit], High Density
RM-MH	Mobile Home Park
Mixed-Use (MX) Districts	
NMX	Neighborhood Mixed-Use
CMX	Corridor/Center Mixed-Use
RMX	Regional Mixed-Use
Commercial (C) Districts	
CMS	Commercial - Main Street
CC	Commercial - Community
CR	Commercial - Regional
CG	Commercial - General
CH	Commercial - Highway and Auto
CRC	Commercial - Recreation
Employment (E) Districts	
O	Office
BP	Business Park
RBP	Regional Business Park
IL	Industrial - Light
IH	Industrial - Heavy
Public and Semi-Public (PSP) Districts	
OS	Open Space
PR	Parks and Recreation
PI	Public and Institutional
Downtown (DT) Districts	
DTN	Downtown - Neighborhood
DTG	Downtown - General

DTC	Downtown - Core
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SECTION 2. Section 15-107 subsection C of the Fresno Municipal Code is amended to read:

C. References to Classes of Base Districts. Throughout this Code, the following references apply:

1. "B District" or "Buffer District" means the following district: B.
2. "R District" or "Residential District" means one or more of the following districts: RE, RS-1, RS-2, RS-3, RS-4, RS-5, RM-1, RM-2, RM-3, RM-MH.
3. "RE District" or "Residential Estate District" means the following district: RE.
4. "RS District" or "Residential Single-Family[Unit] District" means one or more of the following districts: RE, RS-1, RS-2, RS-3, RS-4, RS-5.
5. "RM District" or "Residential Multi-Family[Unit] District" means one or more of the following districts: RM-1, RM-2, RM-3.
6. "RM-MH District" or "Residential-Multi-Family[Unit] District-Mobile Home Park" means the following district: RM-MH.
7. "Non-Residential District" means any base zoning district except the RE, RS, RM, and RM-MH districts.
8. "MX District" or "Mixed-Use District" means one or more of the following districts: NMX, CMX, or RMX.
9. "C District" or "Commercial District" means one or more of the following districts: CMS, CC, CR, CG, CH, CRC.
10. "E District" or "Employment District" means one or more of the following: O, BP, RBP, IL, IH.
11. "Industrial District" means one or more of the following districts: IL, IH.
12. "PSP District" or "Public and Semi-Public District" means one or more of the following districts: OS, PR, PI.
13. "Downtown District" or "DT District" means one or more of the following districts: DTN, DTG, DTC.

SECTION 3. Section 15-310 subsection A of the Fresno Municipal Code is amended to read:

A. **Residential Single-Family[Unit] Districts.** In Residential Single-Family[Unit] districts, residential density shall be measured as follows:

1. **Large Sites.** For sites with a pre-subdivided area greater than the Maximum Lot Size for the applicable District, residential density shall be measured in dwelling units per net acre of the subdivision. For example, if a project

proposes 150 homes on a site with 30 net acres, it has a residential density of five dwelling units per acre (or five du/ac). The net acreage shall be calculated as the land area of a site remaining after dedication of all areas for major streets, schools, regional trails, certified wetlands or floodplains, and land underneath electric transmission lines. ~~Second Dwelling Units, Backyard Cottages, and Accessory Living Quarters~~ [\[Second/Accessory Dwelling Units \(ADUs\)\]](#) shall be excluded from this calculation.

2. **Small Sites.** For sites with a pre-subdivided area equal to or less than the Maximum Lot Size for the applicable District, residential density shall be measured in dwelling units per subdivided residential lot. ~~Second Dwelling Units, Backyard Cottages, and Accessory Living Quarters~~ [\[Second/Accessory Dwelling Units \(ADUs\)\]](#) shall be excluded from this calculation.

SECTION 4. Section 15-313 of the Fresno Municipal Code is amended to read:

SEC. 15-313. DETERMINING SETBACKS AND YARDS.

A setback line defining a required yard is parallel to and at the specified distance from the corresponding front, side, or rear property line. For regulations pertaining to projections or encroachments into required yards, refer to Section 15-2014.

- A. **Front Setbacks.** Front setbacks shall be measured from the back of the sidewalk (including instances where the back of the sidewalk lies within the project parcel) to the portion of the structure that is closest to the front of the lot. In the absence of a sidewalk, the minimum front setback shall be measured from the back of the curb. In the absence of a sidewalk and curb, minimum front setbacks shall be measured from the front property line.
- B. **Garage Setbacks.** In Residential Single-Family [\[Unit\]](#) Districts setbacks for garages shall be regulated and calculated separately from habitable space. However, the measurement to determine the garage setback shall be made in the same manner as Subsection A above.
- C. **Side Setbacks.** Side setbacks on interior lot lines shall be measured from the property line. When the side of the lot abuts a street, the measurement to determine the setback shall be made in the same manner as Subsection A above.
- D. **Yards on Alleys.** The following special regulations for determining setbacks apply when a lot abuts an alley.
 1. If a side lot line abuts an alley, the yard shall be considered an interior side yard rather than a corner side yard.
 2. In computing the minimum yard for any lot where such yard abuts an alley, no part of the width of the alley may be considered as part of the required yard.
- E. **Yards Abutting Official Plan Lines.** If a property abuts an Official Plan Line, the required setback shall be established from the Official Plan Line or the property line, whichever results in a greater setback.

- F. Regardless of the stated setback for a property, in no instance shall a building be allowed to encroach within an easement unless an easement encroachment has been authorized and a covenant recorded for that purpose.

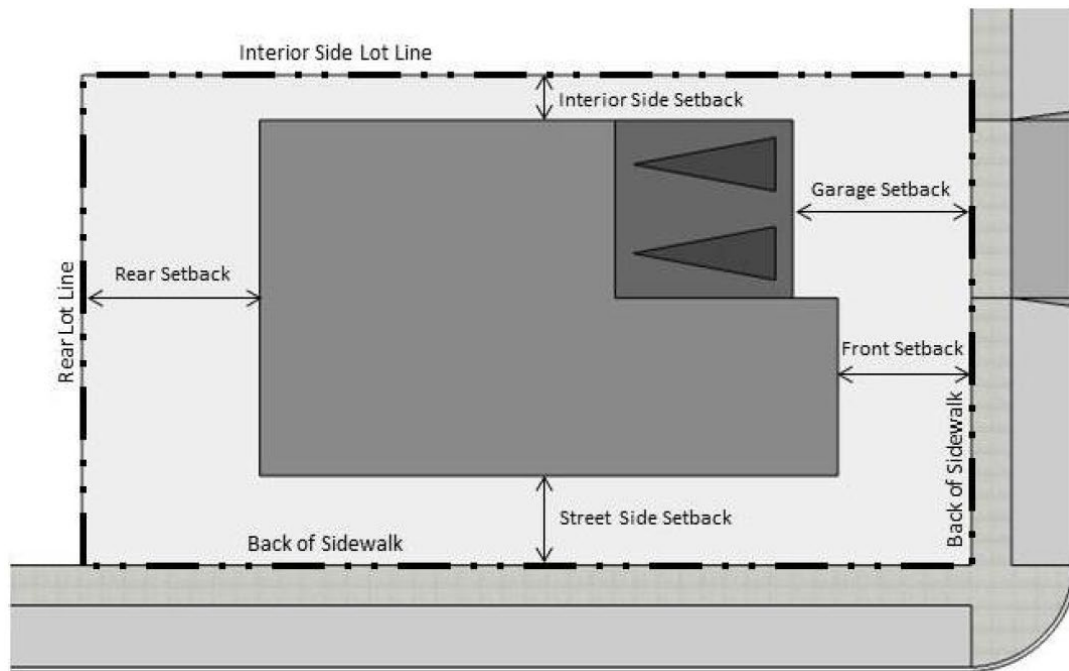


FIGURE 15-313: DETERMINING SETBACKS (YARDS)

SECTION 5. Section 15-404 subsection E of the Fresno Municipal Code is amended to read:

- E. **Change to a Conforming Use.** When a Legal Non-Conforming use has been changed to a conforming use, the non-conforming use shall not be re-established thereafter, with the following exception: Within Residential Multi-Family[Unit], Mixed-Use, or Commercial districts, structures which are determined by the Director to have been lawfully constructed as single-family[unit] dwellings may be returned to single-family[unit] use at any time. The Director shall base such a determination on evidence including building permits, County Assessor's data, building design and appearance, or other records which document that the building was originally constructed as a single-family[unit] home.

SECTION 6. Section 15-405 subsection E of the Fresno Municipal Code is amended to read:

- E. **Enlargement of Non-Conforming Structures.**
1. **Enlargement of Single-Family[Unit] Residential Structures.** A legal non-conforming single-family[unit] 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[[unit](#)] use to multi-family[[unit](#)] 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 7. Table 15-802 of the Fresno Municipal Code is amended to read:

TABLE 15-802: USE REGULATIONS—BUFFER DISTRICT		
Use Classification[s]	B	Additional Regulations
Residential Use Classifications		
Residential Housing Types		
Single-Unit Dwelling, Detached	P	§ 15-2738, Manufactured Homes[; § 15-2754, Second/Accessory Dwelling Units (ADUs)]
—Second Dwelling Unit	P	§ 15-2754, Second Dwelling Units, Backyard Cottages, and Accessory Living Quarters
Adult Family Day Care		
Small (6 clients or less)	P	
Family Day Care		
Small (8 children or less)	P	§ 15-2725, Day Care Centers and Family Child Care Homes
Group Residential		
Small (6 persons or less)	P	
Residential Care Facilities		
Residential Care, Limited	P	
Public and Semi-Public Use Classifications		
Community Garden	P	§ 15-2720, Community Gardens/Urban Farms
Park and Recreation Facilities, Public	P	

Public Safety Facilities	C	
Commercial Use Classifications		
Animal Care, Sales and Services		
Kennels	C	
Veterinary Services	C	
Lodging		
Bed and Breakfast	P	§ 15-2713, Bed and Breakfast Lodging
Transportation, Communication, and Utilities Use Classifications		
Communication Facilities		
Antenna and Transmission Towers		See § 15-2759, Telecommunications and Wireless Facilities
Utilities, Major	C	
Utilities, Minor	P	
Agricultural and Extractive Use Classifications		
Agricultural Labor Housing	P	
Agricultural Processing	C(1)	
Agricultural Support Services	P	
Animal Raising	C	
Crop Cultivation	P	§ 15-2716, Crop Cultivation
Dairy	P(1)	
Mining and Quarrying	C	
Produce Stand	P	§ 15-2752, Roadside Fruit Stands/Grower Stands
Sales Lot, Feed Lot, Stockyard	C	
Tasting Room	C	
Urban Farm	P	§ 15-2720, Community Gardens/Urban Farms
Other Applicable Types		
Accessory Uses and Structures		§ 15-2703, Accessory Uses
Accessory Living Quarters		§ 15-2754, Second Dwelling Units, Backyard Cottages, and Accessory Living Quarters
Home Gardens		§ 15-2734, Home Gardens and Edible Landscaping
Home Occupations		§ 15-2735, Home Occupations
Animal Keeping		§ 15-2707, Animal Keeping
Non-Conforming Use		Article 4, Non-Conforming Uses, Structures, Site Features, and Lots
Temporary Use		§ 15-2760, Temporary Uses
Transitional and Supportive Housing		§ 15-2762, Transitional and Supportive Housing
Specific Limitations:		
1. Only on lots 40 acres or more in size.		

SECTION 8. Article 9 of the Fresno Municipal Code is amended to read:

ARTICLE 9 - RESIDENTIAL SINGLE-FAMILY[UNIT] DISTRICTS (RS)

SECTION 9. Section 15-901 of the Fresno Municipal Code is amended to read:

SEC. 15-901. PURPOSE.

The purposes of the Residential Single-Family[Unit] (RS) Districts are to:

- A. Provide for a variety of single-family[unit] residences built to urban or suburban standards to suit a spectrum of individual lifestyles and needs, and to ensure availability throughout the city of the range of housing types necessary for all segments of the community, consistent with the General Plan.
- B. Enhance the character of the city's residential neighborhoods, while providing new opportunities for the development of a range of housing types throughout the city.
- C. Ensure that the scale and design of new development and alterations and additions to existing residences are compatible with the scale, mass, and character of their neighborhoods.
- D. Provide for appropriate densities within the ranges established in the General Plan.
- E. Protect the quality of the residential environment and secure the health, safety, and general welfare of the residents.
- F. Provide sites for neighborhood-serving uses such as parks, family day cares, libraries, and community facilities.
- G. Implement and provide appropriate regulations for General Plan classifications of "Low Density Residential," "Medium Low Density Residential," and "Medium Density Residential."

SECTION 10. Section 15-902 of the Fresno Municipal Code is amended to read:

SEC. 15-902. USE REGULATIONS.

- A. Table 15-902 prescribes the proposed land use regulations for Residential Single-Family[Unit] Districts. The regulations for the districts are established by letter designations listed below. These designations apply strictly to the permissibility of land uses; applications for buildings or structures may require discretionary review.

"P" designates permitted uses.

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

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

"-" designates uses that are not permitted.

- B. Land uses are defined in Article 67, Use Classifications.

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

TABLE 15-902: USE REGULATIONS—RESIDENTIAL SINGLE-FAMILY[UNIT] DISTRICTS							
District[Use Classifications]	RE	RS- 1	RS- 2	RS- 3	RS- 4	RS- 5	Additional Regulations
Residential Use Classifications							
Residential Housing Type							
Single-Unit Dwelling, Detached	P	P	P	P	P	P	§ 15-2738, Manufactured Homes[; § 15-2754, Second/Accessory Dwelling Units (ADUs)]
Single-Unit Dwelling, Attached	-	-	-	-	C	P	[§ 15-2754, Second/Accessory Dwelling Units (ADUs)]
Second Dwelling Unit	P	P	P	P	P	P	§ 15-2754, Second Dwelling Units, Backyard Cottages, and Accessory Living Quarters
Cottage Housing Development	-	-	-	-	-	P	§ 15-2723, Cottage Housing Developments (Pocket Neighborhoods)
Duplex	-	-	-	-	-	C	§ 15-906, Duplex and Multi-Unit Residential Standards[; § 15-2754, Second/Accessory Dwelling Units (ADUs)]
Multi-Unit Residential	-	-	-	-	-	C	§ 15-906, Duplex and Multi-Unit Residential Standards[; § 15-2754, Second/Accessory Dwelling Units (ADUs)]
Adult Family Day Care							

Small (6 clients or less)	P	P	P	P	P	P	
Large (7 to 12 clients)	-	C	C	C	C	C	
Domestic Violence Shelter							
Small (6 persons or less)	P	P	P	P	P	P	
Family Day Care							
Small (8 children or less)	P	P	P	P	P	P	§ 15-2725, Day Care Centers and Family Child Care Homes
Large (9 to 14 children)	-	C	C	C	C	C	
Group Residential							
Small (6 persons or less)	P	P	P	P	P	P	
Residential Care Facilities							
Residential Care, General	-	C	C	C	C	C	
Residential Care, Limited	P	P	P	P	P	P	
Public and Semi-Public Use Classifications							
Community and Religious Assembly (less than 2,000 square feet)	-	-	P	P	P	P	§ 15-2719, Community and Religious Assembly Facilities
Community and Religious Assembly (2,000 square feet or more)	-	-	C	C	C	C	
Community Garden	P	P	P	P	P	P	§ 15-2720, Community Gardens/Urban Farms
Cultural Institutions	-	-	-	C	C	C	
Day Care Centers	-	-	-	-	-	C	§ 15-2725, Day Care Centers and Family Child Care Homes
Park and Recreation Facilities, Public	P	P	P	P	P	P	
Public Safety Facilities	C	C	C	C	C	C	
Schools, Public or Private	-	P	P	P	P	P	
Commercial Use Classifications							

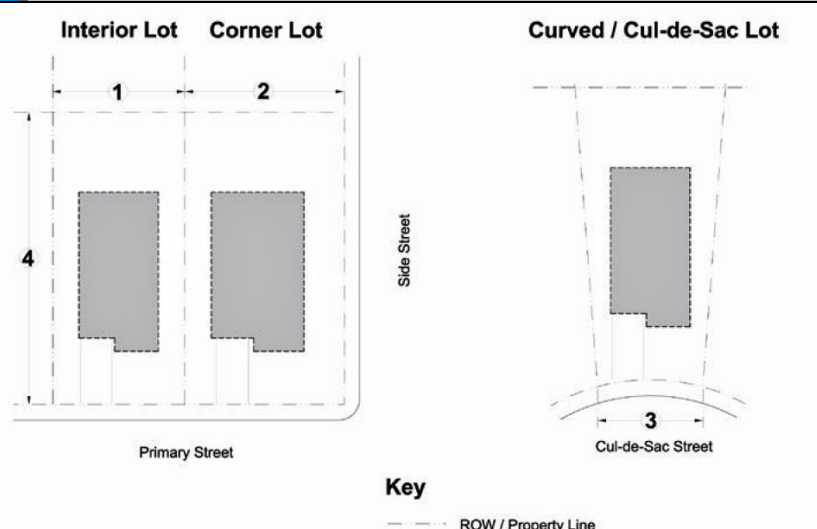
Corner Commercial	-	-	-	-	P	P	§ 15-2722, Corner Commercial
Food and Beverage Sales							
Farmer's Markets	-	-	-	-	P(2)	P(2)	§ 15-2730, Farmer's Markets
Lodging							
Bed and Breakfast	P	P	P	P	P	P	§ 15-2713, Bed and Breakfast Lodging
Industrial Use Classifications							
Warehousing, Storage, and Distribution							
Personal Storage	-	-	-	C	C	C	§ 15-2747, Personal (Mini) Storage
Transportation, Communication, and Utilities Use Classifications							
Communication Facilities							
Antenna and Transmission Towers	See § 15-2759, Telecommunications and Wireless Facilities						
Utilities, Minor	P	P	P	P	P	P	
Agricultural and Extractive Use Classifications							
[Agricultural Labor Housing]	[P]	[P]	[P]	[P]	[P]	[P]	
Crop Cultivation	P	P	P	P	P	P	§ 15-2716, Crop Cultivation
Produce Stand	P	P	P	P	P	P	§ 15-2752, Roadside Fruit Stands / Grower Stands
Urban Farm	P	P	P	P	P	P	§ 15-2720, Community Gardens/Urban Farms
Other Applicable Types							
Accessory Uses and Structures	§ 15-2703, Accessory Uses						
Accessory Living Quarters	P	P	P	P	P	P	§ 15-2754, Second Dwelling Units, Backyard Cottages, and Accessory Living Quarters
Home Gardens	§ 15-2734, Home Gardens and Edible Landscaping						
Home Occupations	§ 15-2735, Home Occupations						
Animal Keeping	§ 15-2708, Animal Keeping						
Non-Conforming Use	Article 4, Non-Conforming Uses, Structures, Site Features, and Lots						
Temporary Use	§ 15-2760, Temporary Uses						

Transitional and Supportive Housing	§ 15-2762, Transitional and Supportive Housing
Specific Limitations: <ol style="list-style-type: none"> 1. Reserved. 2. Off-street Farmer's Markets are permitted only on non-residential sites, such as schools and religious institutions. 	

SECTION 11. Section 15-903 of the Fresno Municipal Code is amended to read:

SEC. 15-903. DENSITY AND MASSING DEVELOPMENT STANDARDS.

Tables 15-903-1 through 15-903-2 prescribe the development standards for the Residential Single-Family[Unit] Districts. Additional regulations are denoted in a right hand column. Section numbers in this column refer to other sections of the Code, while individual letters refer to subsections that directly follow the table. The numbers in each illustration below correspond to the "#" column in the associated table. Drawings are for illustrative purposes and are not drawn to scale.

TABLE 15-903-1: LOT AND DENSITY STANDARDS—RESIDENTIAL SINGLE-FAMILY[UNIT] DISTRICTS								
								
District	RE	RS-1	RS-2	RS-3	RS-4	RS-5	Additional Regulations	#
Minimum Lot Size (sq. ft.)	5 acres	36,000	20,000	9,000	5,000	4,000		
Minimum Lot Size, with Enhanced Streetscape (sq. ft.)	-	-	-	-	-	2,500 ¹	§ 15-904-B, Enhanced Streetscape	
Maximum Lot Size ²	-	-	-	32,000	9,000	6,500		

Residential Density, Large Sites (dwelling units per net acre)	0.15	1	2.5	3.5	6	12	§ 15-310, Determining Residential Density	
Residential Density, Small Sites (dwelling units per lot)	1	1	1	1	1	1	§ 15-310, Determining Residential Density	
Minimum Lot Width (ft.)								
General Standard	110	110	110	70	50	35		①
Corner	110	110	110	80	55	40		②
Reversed Corner	110	110	110	90	60	50		
Where Side Property Line Abuts a Major Street, Freeway or Railroad	160	160	130	90	70	60		
Curved/Cul-de-Sac	80	80	80	60	40	30		③
Minimum Lot Depth (ft.)								
General Standard	130	130	130	100	85	70		④
Where Front or Rear Property Line Abuts a Major Street	200	200	130	110	100	90		④
Where a Front or Rear Property Line Abuts a Freeway or Railroad	200	200	150	150	120	120		④
1. Provided that the overall density of the development does not exceed the approved General Plan densities.								

2. Maximum lot sizes may be exceeded in developments whose overall density does not fall below the approved General Plan density.

TABLE 15-903-2: BUILDING FORM AND LOCATION STANDARDS—RESIDENTIAL SINGLE-FAMILY[UNIT] DISTRICTS

<div style="display: flex; justify-content: space-around; align-items: flex-start;"> <div style="text-align: center;"> <p>Standard Lot</p> </div> <div style="text-align: center;"> <p>Alley Lot</p> </div> <div style="text-align: center;"> <p>Key</p> </div> </div> <p>--- ROW / Property Line</p>								
District	RE	RS-1	RS-2	RS-3	RS-4	RS-5	Additional Regulations	#
Maximum Height (ft.)	35	35	35	35	35	35	§ 15-2012, Heights and Height Exceptions	①
Minimum Setbacks (ft.)								
Front	35	35	30	25	13	13	§ 15-313, Determining Setbacks and Yards § 15-904-A, Additional Setback Regulations § 15-904-B, Enhanced Streetscape § 15-2004, Accessory Buildings and Structures § 15-2014, Projections/Encroachments into Yards	②
Front, with Enhanced Streetscape	-	-	-	-	8	5		
Interior Side	10	10	10	5	10 total, min. 4/side	8 total, min. 3/side		③
Street Side	35	25	25	20	10	10		④
Rear	20	20	20	20	10	10		⑤
Alley	20	20	20	5	5	-		⑥
Freeway/Railroad	50	50	50	50	50	50		
Garage, from back of sidewalk or curb	-	-	35	30	18	18		⑧
Garage, from primary façade	-	-	4	4	4	4		⑦
Maximum Lot Coverage (% of Lot)	30	30	30	35	50	60	§ 15-311, Determining Lot Coverage	

SECTION 12. Section 15-904-C of the Fresno Municipal Code is amended to read:

- C. **Pedestrian Access.** Where 50 percent or more of the single-family[unit] homes on the same blockface have a direct path from the main pedestrian entrance to the public sidewalk, new homes shall also provide such a path. In such circumstances the driveway shall not satisfy this requirement.

SECTION 13. Section 15-906-D of the Fresno Municipal Code is amended to read:

- D. **Property Development Standards.** The standards of the RM-1 District shall apply, except as follows:
1. **Density.** Residential density shall be measured as put forth in Section 15-310-B.
 - a. *Minimum.* Five units per acre.
 - b. *Maximum.* Twelve units per acre.
 2. **Front Setback.** Where adjacent sites have been improved with buildings, the front setback for new structures shall match the front setbacks of those buildings as determined by the Review Authority.
 3. **Façade Compatibility.**
 - a. *Building Materials and Finishes.* Cladding and trim materials and finishes shall be similar to adjacent single-family[unit] homes.
 - b. *Windows.* The size, location, and proportions of windows shall be similar to adjacent single-family[unit] homes.
 4. **Other Standards.** When the Review Authority determines that a development standard of the RS-5 District would provide for better compatibility with adjacent single-family[unit] homes than the corresponding RM-1 standard, the RS-5 standard shall apply.

SECTION 14. Article 10 of the Fresno Municipal Code is amended to read:

ARTICLE 10 - RESIDENTIAL MULTI-FAMILY[UNIT] DISTRICTS (RM)

SECTION 15. Section 15-1001 of the Fresno Municipal Code is amended to read:

SEC. 15-1001. PURPOSE.

The purposes of the Residential Multi-Family[Unit] (RM) Districts are to:

- A. Provide for a variety of multi-family[unit] housing types for individual lifestyles and space needs, and to ensure continued availability of a full range of affordable housing opportunities necessary to sustain a diverse labor force, consistent with the City's economic development and housing objectives of the General Plan.
- B. Provide opportunities for the development of higher-density and affordable housing in neighborhoods throughout the city.

- C. Preserve, protect, and enhance the character of the city's medium and high-density neighborhoods.
- D. Promote development of walkable, transit-supported neighborhoods.
- E. Ensure that the scale and design of new development and alterations to existing structures are compatible with the scale, mass, and character of their neighborhoods.
- F. Ensure adequate light, air, privacy, and outdoor living area for each dwelling.
- G. Ensure the provision of services and facilities needed to accommodate planned population densities and to achieve complete neighborhoods in the city's existing and future residential areas in accordance with the General Plan.
- H. Provide for appropriate densities within the ranges established in the General Plan.
- I. Protect the quality of the residential environment and secure the health, safety, and general welfare of the residents.
- J. Implement and provide appropriate regulations for General Plan classifications of "Medium High Density Residential," "Urban Neighborhood Density Residential," and "High Density Residential."

SECTION 16. Section 15-1002 of the Fresno Municipal Code is amended to read:

SEC. 15-1002. USE REGULATIONS.

- A. Table 15-1002 prescribes the proposed land use regulations for Residential Multi-Family[Unit] Districts. The regulations for the districts are established by letter designations listed below. These designations apply strictly to the permissibility of land uses; applications for buildings or structures may require discretionary review.

"P" designates permitted uses.

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

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

"-" designates uses that are not permitted.

- B. Land uses are defined in Article 67, Use Classifications.
- C. In cases where a specific land use or activity is not defined, the Director shall assign the land use or activity to a classification that is substantially similar in character per Section 15-5020, Director's Determination.
- D. All permitted uses are allowed either alone or in combination with other permitted uses unless otherwise stated in this Code.
- E. Use classifications and subclassifications not listed in the table or not found to be substantially similar to the uses below are not permitted.

- F. The table also notes additional regulations that apply to various uses. Section numbers in the right hand column refer to other sections of this Code.

TABLE 15-1002: USE REGULATIONS—RESIDENTIAL MULTI-FAMILY[UNIT] DISTRICTS					
District[Use Classifications]	RM-1	RM-2	RM-3	RM-MH	Additional Regulations
Residential Use Classifications					
Residential Housing Types					
Single-Unit Dwelling, Detached	P(2)	-	-	-	§ 15-2738, Manufactured Homes[; § 15-2754, Second/Accessory Dwelling Units (ADUs)]
Single-Unit Dwelling, Attached	P	P	-	-	[§ 15-2754, Second/Accessory Dwelling Units (ADUs)]
Second Dwelling Unit	P	P	-	-	§ 15-2754, Second Dwelling Units, Backyard Cottages, and Accessory Living Quarters
Duplex	P	P	P	-	[§ 15-2754, Second/Accessory Dwelling Units (ADUs)]
Multi-Unit Residential	P	P	P	-	[§ 15-2754, Second/Accessory Dwelling Units (ADUs)]
Cottage Housing Development	P	-	-	-	§ 15-2723, Cottage Housing Developments (Pocket Neighborhoods)
Adult Family Day Care					
Small (6 clients or less)	P	P	P	P	
Large (7 to 12 clients)	C	C	C	-	
Caretaker Residence	-	-	-	P	
Domestic Violence Shelter					
Small (6 persons or less)	P	P	P	-	
Large (7 persons or more)	P	P	P	-	
Elderly and Long-Term Care	C	C	C	-	

Family Day Care					
Small (8 children or less)	P	P	P	P	§ 15-2725, Day Care Centers and Family Child Care Homes
Large (9 to 14 children)	C	C	C	C	
Group Residential					
Small (6 persons or less)	P	P	P	-	
Large (7 persons or more)	C	C	C	-	
Mobile Home Parks	-	-	-	P	§ 15-2738, Manufactured Homes
Re-Entry Facility	C	C	C	-	
Residential Care Facilities					
Residential Care, General	C	P	P	-	
Residential Care, Limited	P	P	P	-	
Residential Care, Senior	C	P	P	-	
Single Room Occupancy	-	C	C	-	§ 15-2757, Single Room Occupancy Hotels and Boarding Homes
Public and Semi-Public Use Classifications					
Colleges and Trade Schools, Public or Private	C(1)	C(1)	C(1)	-	
Community and Religious Assembly (less than 2,000 square feet)	P	P	P	P	§ 15-2719, Community and Religious Assembly Facilities
Community and Religious Assembly (2,000 square feet or more)	C(1)	C(1)	C(1)	-	
Community Garden	P	P	P	P	§ 15-2720, Community Gardens/Urban Farms
Cultural Institutions	C	P	P	-	
Day Care Centers	C	P	P	-	§ 15-2725, Day Care Centers and Family Child Care Homes

Park and Recreation Facilities, Public	P	P	P	P	
Public Safety Facilities	C	C	C	C	
Schools, Public or Private	P	P	P	P	
Social Service Facilities	C	C	C	-	
Commercial Use Classifications					
Corner Commercial	P	P	P	P	§ 15-2722, Corner Commercial
Food and Beverage Sales					
Farmer's Markets	P	P	P	P	§ 15-2730, Farmer's Markets
General Market	-	-	-	P(3)	§ 15-2744, Outdoor Dining and Patio Areas; § 15-2745, Outdoor Retail Sales
Healthy Food Grocer	-	-	-	P(3)	
Lodging					
Bed and Breakfast	P	P	P	P	§ 15-2713, Bed and Breakfast Lodging
Industrial Use Classifications					
Warehousing, Storage, and Distribution					
Personal Storage	C	C	C	C	§ 15-2747, Personal (Mini) Storage
Transportation, Communication, and Utilities Use Classifications					
Communication Facilities					
Antenna and Transmission Towers	See § 15-2759, Telecommunications and Wireless Facilities				
Utilities, Minor	P	P	P	P	
Agricultural and Extractive Use Classifications					
[Agricultural Labor Housing]	[P]	[P]	[P]	[P]	
Crop Cultivation	P	P	P	P	§ 15-2716, Crop Cultivation
Produce Stand	P	P	P	P	§ 15-2752, Roadside Fruit Stands/Grower Stands
Urban Farm	P	P	P	P	§ 15-2720, Community Gardens/Urban Farms
Other Applicable Types					
Accessory Uses and Structures	§ 15-2703, Accessory Uses				

Accessory Living Quarters	P	P	P	P	§ 15-2754, Second Dwelling Units, Backyard Cottages, and Accessory Living Quarters
Home Gardens	§ 15-2734, Home Gardens and Edible Landscaping				
Home Occupations	§ 15-2735, Home Occupations				
Animal Keeping	§ 15-2707, Animal Keeping				
Non-Conforming Use	Article 4, Non-Conforming Uses, Structures, Site Features, and Lots				
Temporary Use	§ 15-2760, Temporary Uses				
Transitional and Supportive Housing	§ 15-2762, Transitional and Supportive Housing				
Specific Limitations: 1. Only on parcels with direct access from a major street. 2. Development Standards for the RS-5 District shall apply. 3. Limited to sites that are a minimum of five acres and 1,500 square feet of sales area.					

SECTION 17. Section 15-1003 of the Fresno Municipal Code is amended to read:

SEC. 15-1003. DENSITY AND MASSING DEVELOPMENT STANDARDS.

Table 15-1003 prescribes the density and massing development standards for the Residential Multi-Family[Unit] Districts. Additional regulations are denoted in a right hand column. Section numbers in this column refer to other sections of this Code, while individual letters refer to subsections that directly follow the table. The numbers in each illustration below correspond to the "#" column in the associated table. Drawings are for illustrative purposes and are not drawn to scale.

TABLE 15-1003: DENSITY AND MASSING STANDARDS—RESIDENTIAL MULTI-FAMILY[UNIT] DISTRICTS		
<p>Standard Lot</p>	<p>Alley Lot</p>	<p>Key --- ROW / Property Line</p>

District	RM-1	RM-2	RM-3	RM-MH	Additional Regulations	#
Maximum Density (du/ac) (min./max.)	12/16	16/30	30/45	42[8]/16	§ 15-310, Determining Residential Density	
Maximum Height (ft.)	40	50	60	35	§ 15-2012, Heights and Height Exceptions, 15-1003-A, RS Transition Standards	①
Setbacks (ft.)						
Front (min./max.)	10/20(1)	10/20(1)	10/20(1)	10/20(1)	§ 15-313, Determining Setbacks and Yards	②
➤ Interior Side (min.)	10 total, min. 4/side	5	5	5	§ 15-1004-A, RS Transition Standards	③
➤ Street Side (min.) (Parcel <125 ft. in depth)	10	10	10	10	§ 15-1004-B, Side Setbacks for Attached Dwellings	④
➤ Street Side (min.) (Parcel >125 ft. in depth)	15	15	15	15	§ 15-1004-C, Parking Setback	④
➤ Rear (min.)	20	15	15	10	§ 15-2014, Projections/Encroachments into Yards	⑤
➤ Alley (min.)	3	3	3	3	§ 15-2305, Areas to be Landscaped	⑥
➤ Parking, from back of sidewalk or curb (min.)	30	30	30	30		⑦
Minimum Frontage Coverage (%)	50(1)	50(1)	50(1)	-	§ 15-317, Determining Frontage Coverage	
Maximum Lot Coverage (% of lot)	50	50	60	50	§ 15-311, Determining Lot Coverage	
Minimum On-Site Open Space (% of Lot Area)	20	15	10	-		

Specific Limitations:

1. Not applicable outside of the Priority Areas (see Figure IM-1: Priority Areas for Development Incentives in the Fresno General Plan, adopted in 2014).

SECTION 18. Section 15-1004 subsection A of the Fresno Municipal Code is amended to read:

A. **RS Transition Standards.** Where an RM district abuts an RS District, the following standards apply:

1. **Height.** The maximum height within 40 feet of an RS District is limited to 30 feet. The maximum height within 50 feet of an RS District is 40 feet.
2. **Setbacks.** The following additional setback requirements shall be applied to all structures, including accessory structures, on parcels which are adjacent to an RS District:
 - a. *Front.* The minimum front setback requirement of the adjacent RS district shall be applied to all structures within 50 feet of the RS District.
 - b. *Interior Side.* The interior side setback shall be 10 feet.
 - c. *Rear.* The rear setback shall be 20 feet.
3. **Landscape.** See Table 15-2305-C.1, Required Landscape Buffers.
4. **Screening.** When a multi-story building is proposed and the second story or above is located within 50 feet of the side or rear yard of a single-family~~unit~~ lot, screening measures shall be applied to provide a reasonable degree of privacy.
 - a. *Screening measures.* Screening measures include, but are not limited to, landscaping, alternate window and balcony placements, placing windows at least six feet from the floor of the interior of the unit, incorporating wing walls or louvers, using glass block or other translucent material, and other such methods.
 - b. *Sufficiency of Screening.* The Review Authority shall determine the sufficiency of the proposed screening measures and may require additional measures.

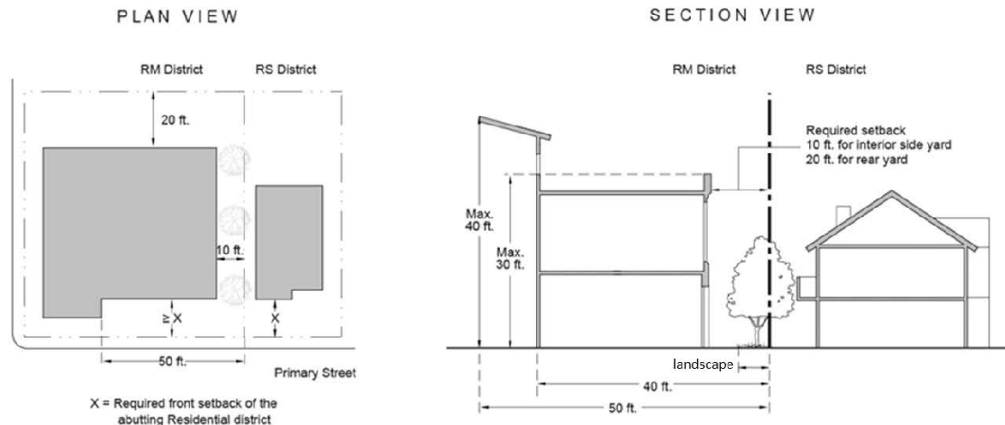


FIGURE 15-1004-A: RS TRANSITION STANDARDS—RM DISTRICTS

SECTION 19. Section 15-1101 of the Fresno Municipal Code is amended to read:

SEC. 15-1101. PURPOSE.

The purposes of the Mixed-Use (MX) Districts are to:

- A. Promote pedestrian-oriented infill development, intensification, and reuse of land consistent with the General Plan.
- B. Allow and encourage the development of mixed-use centers and corridors with a vibrant concentration of goods and services, multi-family~~unit~~ housing, and community gathering and public spaces at strategic locations.
- C. Transform certain auto-oriented boulevards and corridors into vibrant, diverse, and attractive corridors that support a mix of pedestrian-oriented retail, office, and residential uses in order to achieve an active social environment within a revitalized streetscape.
- D. Provide options which reduce the need for private automobile use to access shopping, services, and employment and minimize air pollution from vehicle miles traveled.
- E. Offer additional housing opportunities for residents seeking to live in an urban environment.
- F. Improve access to a greater range of facilities and services for surrounding residential neighborhoods.
- G. Establish development and design standards for these centers and corridors that will create a unified, distinctive, and attractive urban character, with appropriate transitions to adjacent residential neighborhoods.
- H. Facilitate mixed-use residential development at increased densities and intensities in key locations such as along Bus Rapid Transit (BRT) corridors. Implement and provide appropriate regulations for General Plan classifications of "Neighborhood Mixed-Use," "Corridor/Center Mixed-Use," and "Regional Mixed-Use."

Additional purposes of each Mixed-Use District are as follows:

NMX Neighborhood Mixed-Use. The NMX district is intended to provide for mixed-use residential districts that include local-serving, pedestrian-oriented commercial development, such as smaller independent retail shops and professional offices in two-to three-story buildings. Development is expected to include ground-floor neighborhood retail uses and upper-level housing or offices, with a mix of small lot single-family~~[unit]~~ houses, townhomes, and multi-family~~[unit]~~ dwelling units on side streets, in a horizontal or vertical mixed-use orientation. The NMX district provides for a scale and character of development that is pedestrian-orientated, designed to attract and promote a walk-in clientele, with small lots and frequent pedestrian connections permitting convenient access from residences to commercial space.

CMX Corridor/Center Mixed-Use. The CMX district is intended to allow for either horizontal or vertical mixed-use development along key circulation corridors in the city where height and density can be easily accommodated. Ground-floor retail and upper-floor residential or offices are the primary uses, with residential uses, personal and business services, and public and institutional space as supportive uses. Development will facilitate the transformation of existing transportation corridors into vibrant, highly walkable areas with broad, pedestrian-friendly sidewalks, trees, landscaping, and local-serving uses with new buildings that step down in relationship to the scale and character of adjacent neighborhoods.

RMX Regional Mixed-Use. The RMX district is intended to support regional retail and mixed-use development in large-scale activity centers outside of Downtown, as identified by the General Plan. It accommodates urban-scale mixed-use development that serve residents and businesses of the region at large. Medium-scale retail, housing, office, civic and entertainment uses, and shopping malls with large-format or "big-box" retail are allowed, as are supporting uses such as gas stations, hotels, and residential in mixed-use or single-use buildings. Development and design standards will create a pedestrian orientation within centers and along major corridors, with parking located on the side or rear of, or within, major structures.

SECTION 20. 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, Backyard Cottages, and Accessory Living Quarters [§ 15-2754, Second/Accessory Dwelling Units (ADUs)]
Multi-Unit Residential	P(1)	P(1)	P(1)	[§ 15-2754, Second/Accessory Dwelling Units (ADUs)]
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				
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				
Small (8 or fewer children)	P(1)	P(1)	P(1)	§ 15-2725, Day Care Centers and Family Child Care Homes
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	C	C	C	§ 15-2737.5 Lodging-to-Dwelling Conversion Requirements
Residential Care Facilities				
Residential Care, Limited	P(1)	P(1)	P(1)	
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	C	C-(3)	
Community and Religious Assembly (less than 2,000 square feet)	P	P	P	§ 15-2719, Community and Religious Assembly Facilities
Community and Religious Assembly (2,000 square feet or more)	P	P	P	
Community Garden	P	P	P	§ 15-2720, Community Gardens/Urban Farms
Conference/Convention Facility	C	C	C	
Cultural Institutions	P	P	P	
Day Care Centers	P	P	P	§ 15-2725, Day Care Centers and Family Child Care Homes
Emergency Shelter	-	-	P	§ 15-2729, Emergency Shelters

Government Offices	P(1)	P(1)	P(1)	
Hospitals and Clinics				
Hospital	-	C(11)	C(11)	
Clinic	P	P	P	
Substance Abuse Treatment Clinic	C(14)	C(14)	C(14)	
Instructional Services	P	P	P	
Park and Recreation Facilities, Public	P	P	P	
Parking, Public or Private	-	C(6)	C(6)	
Public Safety Facilities	C	C	C	
Schools, Public or Private	P	P	P	
Social Service Facilities	P(1)	P(1)	P(1)	
Commercial Use Classifications				
Animal Care, Sales and Services				
Grooming and Pet Stores	P	P	P	
Veterinary Services	-	C(7)	C(7)	
Artist's Studio	P	P	P	
Automobile/Vehicle Sales and Services				
Automobile/Vehicle Sales and Leasing	C(18)	C(13)	C(13)	§ 15-2709, Automobile and Motorcycle Retail Sales and Leasing
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)	
Service Station	C	C	C	§ 15-2755, Service Stations
Banks and Financial Institutions				
Banks and Credit Unions	P	P	P	
Check Cashing Businesses and Payday Lenders	-	-	-	§ 15-2715, Check Cashing Businesses, Payday Lenders, and Similar Financial Services
Banquet Hall	C	C	C	§ 15-2712, Banquet Hall
Business Services	P	P	P	

Eating and Drinking Establishments				
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 Lounges
Restaurant with Alcohol Sales	C	C	C	
Restaurant without Alcohol Sales	P	P	P	
Entertainment and Recreation				
Cinema/Theaters	P	P	P	
Cyber/Internet Cafe	C	C	C	§ 15-2724, Cyber/Internet Cafes
Small-Scale	P	P	P	§ 15-2708, Arcades, Video Games, and Family Entertainment Centers, § 9-1801, Billiard Rooms
Food and Beverage Sales				
Farmer's Markets	P	P	P	§ 15-2730, Farmer's Markets
General Market	P	P	P	§ 15-2744, Outdoor Dining and Patio Areas; § 15-2745, Outdoor Retail Sales
Healthy Food Grocer	P	P	P	
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	P	P	P	
Lodging				
Bed and Breakfast	P	P	P	
Hotels and Motels	P(8)	P(8)	P	
Maintenance and Repair Services	P	P	P	
Offices				
Business and Professional	P	P	P	
Medical and Dental	P	P	P	

Walk-in Clientele	P	P	P	
Personal Services				
General Personal Services	P(5)	P	P	
Tattoo or Body Modification Parlor	P(5)(1 2)	P(12)	P(12)	§ 15-2758, Tattoo or Body Modification Parlor
Retail Sales				
Building Materials and Services	-	-	C	§ 15-2745, Outdoor Retail Sales
Convenience Retail	P	P	P	§ 15-2745, Outdoor Retail Sales; 15-2761 Tobacco and Vapor Shops
General Retail	P	P	P	§ 15-2733, Hobby Stores; § 15-2745, Outdoor Retail Sales
Large-Format Retail	P	P	P	§ 15-2737, Large-Format Retail; § 15-2745, Outdoor Retail Sales
Nurseries and Garden Centers	P	P	P	§ 15-2745, Outdoor Retail Sales
Second Hand/Thrift Stores	P	P	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)	
Recycling Facility				
Reverse Vending Machine	P	P	P	§ 15-2750, Recycling Facilities
Warehousing, Storage, and Distribution				
Personal Storage	C	C	C	§ 15-2747, Personal (Mini) Storage
Transportation, Communication, and Utilities Use Classifications				
Airports and Heliports	-	-	C(10)	
Communication Facilities				
Antenna and Transmission Towers	See Section 15-2759, Telecommunications and Wireless Facilities			
Transportation Passenger Terminals	-	-	C	
Utilities, Minor	P	P	P	
Agricultural and Extractive Use Classifications				

Produce Stand	P	P	P	§ 15-2752, Roadside Fruit Stands/Grower Stands
Tasting Room	C	C	C	
Urban Farm	P	-	-	§ 15-2719, Community Gardens/Urban Farms
Other Applicable Types				
Accessory Uses and Structures	§ 15-2703, Accessory Uses			
Home Gardens	§ 15-2734, Home Gardens and Edible Landscaping			
Home Occupations	§ 15-2735, Home Occupations			
Animal Keeping	§ 15-2707, Animal Keeping			
Drive-In and Drive-Through Facilities	C(15)	C(15)	C(15)	§ 15-2728, Drive-In and Drive-Through Facilities
Walk-Up Facilities	§ 15-2766, Walk-Up Facilities			
Non-Conforming Use	Article 4, Non-Conforming Uses, Structures, Site Features, and Lots			
Temporary Use	§ 15-2760, Temporary Uses			
Transitional and Supportive Housing	§ 15-2762, Transitional and Supportive Housing			
Specific Limitations:				
1. Not allowed on the ground floor within 200 feet of an intersection (measured from the lot line) of two or more major streets with the exception of main building entrances and active community spaces. Other high-activity uses may be approved at the discretion of the Review Authority. 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 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 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.				

- a. Screening measures include, but are not limited to, landscaping, alternate window and balcony placements, placing windows at least six feet from the floor of the interior of the unit, incorporating wing walls or louvers, using glass block or other translucent material, and other such methods.
- b. Sufficiency of Screening. The Review Authority shall determine the sufficiency of the proposed screening measures and may require additional measures.

SECTION 22. Section 15-1201 of the Fresno Municipal Code is amended to read:

SEC. 15-1201. PURPOSE.

The specific purposes of the Commercial Districts are to:

- A. Provide for a full range of commercial uses to serve Fresno and the greater region.
- B. Ensure the provision of shops, services, and facilities needed to accommodate future population and employment.
- C. Establish development and design standards that create a unified, distinctive, and attractive character along commercial streets.
- D. Provide appropriate buffers between commercial and adjacent residential uses to preserve both commercial feasibility and residential environments.
- E. Ensure that new development is designed to minimize traffic and parking impacts on surrounding residential neighborhoods and is appropriate to the physical characteristics of the area.
- F. Implement and provide appropriate regulations for General Plan classifications of "Main Street Commercial," "Community Commercial," "Regional Commercial," "General Commercial," "Highway and Auto Commercial," and "Commercial Recreation."

Additional purposes of each Commercial District are as follows:

CMS Commercial - Main Street. The CMS district is intended to preserve or promote small-scale, fine-grain commercial development in neighborhoods where single-family[[unit](#)] residential and townhomes are predominant. A traditional "Main Street" character is achieved with active storefronts, outdoor seating and pedestrian-oriented design.

CC Commercial - Community. The CC district is intended for commercial development that primarily serves local needs such as convenience shopping and offices. Specific uses allowed include medium-scale retail, office, civic and entertainment uses, supermarkets, drug stores, and supporting uses.

CR Commercial - Regional. The CR district is intended to meet local and regional retail demand, such as large-scale retail, office, civic and entertainment uses, shopping malls with large-format or "big-box" retail, and supporting uses such as gas stations and hotels. Buildings are typically larger-footprint and urban-scaled. Development and design standards will create a pedestrian-orientation within centers and along major

corridors, with parking generally on the side or rear of major buildings, but automobile-oriented uses also will be accommodated on identified streets and frontages.

CG Commercial - General. The CG district is intended to accommodate a range of retail and service uses that are not appropriate in other areas because of higher volumes of vehicle traffic and potential impacts on other uses. Examples of allowable uses include: building materials, storage facilities with active storefronts, equipment rental, wholesale businesses, and specialized retail not normally found in shopping centers. The focus of district development standards is to ensure structures fit into the surrounding development pattern and architectural or traffic conflicts are minimized.

CH Commercial - Highway and Auto. The CH district is intended for limited areas near the freeway to accommodate uses that depend on or are supported by freeway access, but do not generate a large volume of traffic. Hotels, restaurants, and auto malls are typical land uses.

CRC Commercial - Recreation. The CRC district is intended to provide areas for private commercial recreation uses where patrons usually pay to participate and to group commercial-recreation uses into a planned, integrated center, including related service and commercial uses. Typical uses include bowling alleys, family entertainment centers, driving ranges, miniature golf courses, skating rinks, tennis courts, swimming pools, sports stadiums, arenas, and the County fairgrounds.

SECTION 23. Table 15-1202 of the Fresno Municipal Code is amended to read:

TABLE 15-1202: LAND USE REGULATIONS—COMMERCIAL DISTRICTS							
Use Classifications	CMS	CC	CR	CG	CH	CRC	Additional Regulations
Residential Use Classifications							
Residential Housing Types							
Single-Unit Dwelling, Attached	P(2) (16)	-	P(2) (16)	-	-	-	§ 15-2754, Second Dwelling Units, Backyard Cottages, and Accessory Living Quarters [Second/Accessory Dwelling Units (ADUs)]
Multi-Unit Residential	P(2) (16)	-	P(2) (16)	-	-	-	[§ 15-2754, Second/Accessory Dwelling Units (ADUs)]
Adult Family Day Care							
Small (6 clients or less)	P(1)	-	P(2)	-	-	-	

Caretaker Residence	P(2)	P(2)	P(2)	P(2)	P(2)	P(2)	
Elderly and Long-Term Care	-	-	P(2)	-	-	-	
Family Day Care							
Small (8 children or less)	P(2)	P(2)	P(2)	P(2)	-	-	§ 15-2725, Day Care Centers and Family Child Care Homes
Large (9 to 14 children)	P(2)	P(2)	P(2)	P(2)			
Group Residential							
Small (6 persons or less)	P(1)	-	P(2)	-	-	-	
Large (7 persons or more)	P(1)	-	P(2)	-	-	-	
Lodging-to-Dwelling Conversion	C	C	C	C	C	C	§ 15-2737.5 Lodging-to-Dwelling Conversion Requirements
Re-Entry Facility	-	-	-	P	-	-	
Residential Care Facilities							
Residential Care, General	C(1)	-	-	-	-	-	
Residential Care, Limited	P(1)	-	P(2)	-	-	-	
Residential Care, Senior	C(1)	-	-	-	-	-	
Single Room Occupancy	-	-	-	P	-	-	§ 15-2757, Single Room Occupancy Hotels and Boarding Homes
Public and Semi-Public Use Classifications							
Colleges and Trade Schools, Public or Private	-	C(3)	P	P	-	-	
Community and Religious Assembly (less than 2,000 square feet)	P	P	P	P	-	-	§ 15-2719, Community and Religious Assembly Facilities

Community and Religious Assembly (2,000 square feet or more)	-	C(4)	P	C	-	C	
Community Garden	P	P	P	P	P	P	§ 15-2720, Community Gardens/Urban Farms
Conference/Convention Facility	-	C(4)	P	-	-	C	
Cultural Institutions	P(5)	C	C	-	-	C	
Day Care Centers	P	P	P	P	-	-	§ 15-2725, Day Care Centers and Family Child Care Homes
Emergency Shelter	-	-	-	P	-	-	§ 15-2729, Emergency Shelters
Government Offices	P	P	P	-	-	-	
Hospitals and Clinics							
Hospital	-	C(13)	C(13)	C(13)	-	-	
Clinic	C(5)	P	P	P	-	-	
Substance Abuse Treatment Clinic	C(15)	C(15)	C(15)	C(15)	-	-	
Instructional Services	P	P	P	C	-	-	
Park and Recreation Facilities, Public	P	P	P	P	P	P	
Parking, Public or Private	-	C(6)	C(6)	-	-	-	
Public Safety Facilities	C	C	C	C	C	C	
Schools, Public or Private	C	C	C	C	-	-	
Social Service Facilities	C(1)	C	-	-	-	-	
Commercial Use Classifications							
Animal Care, Sales and Services							
Grooming and Pet Stores	P	P	P	P	-	-	
Veterinary Services	-	P	P	-	-	-	
Artist's Studio	P	P	P	-	-	-	
Automobile/Vehicle Sales and Services							
Automobile Rentals	-	-	C	C	P	-	§ 15-2709, Automobile and

							Motorcycle Retail Sales and Leasing
Automobile/Vehicle Sales and Leasing	-	-	C	C	P	-	§ 15-2709, Automobile and Motorcycle Retail Sales and Leasing
Automobile/Vehicle Service and Repair, Minor	-	-	C	C	P	-	§ 15-2710, Automobile/Vehicle Service and Repair, Major and Minor
Large Vehicle and Equipment Sales, Service and Rental	-	-	-	C	P	-	§ 15-2710, Automobile and Motorcycle Retail Sales and Leasing
Service Station	-	C	P	C	P	-	§ 15-2755, Service Stations
Washing	-	-	C	C	P	-	§ 15-2711, Automobile/Vehicle Washing
Banks and Financial Institutions							
Banks and Credit Unions	P(5)	P	P	P	-	-	
Check Cashing Businesses and Payday Lenders	-	-	C(7)	C(7)	-	-	§ 15-2715, Check Cashing Businesses, Payday Lenders, and Similar Financial Services
Banquet Hall	C	C	C	-	C	-	§ 15-2712, Banquet Hall
Business Services	P(5)	P	P	P	-	-	
Eating and Drinking Establishments							
Bars/Nightclubs/Lounges	C	C	C	C	C	C(8)	§ 15-2751, Restaurants with Alcohol Sales, Bars, Nightclubs, and Lounges; § 15-2744,

							Outdoor Dining and Patio Areas
Restaurant with Alcohol Sales	C	C	C	C	C	C	
Restaurant without Alcohol Sales	P	P	P	P	P	P	
Entertainment and Recreation							
Cinema/Theaters	C	C	P	P	-	P	
Cyber/Internet Café	C	C	C	C	-	-	§ 15-2724, Cyber/Internet Café
Motorcycle/Riding Club	-	-	-	-	P	-	§ 15-2742, Motorcycle/Riding Clubs
Shooting/Archery Range	-	-	-	-	-	P	§ 15-2756, Shooting Ranges/Archery Ranges
Large-Scale	-	C	C	C	C	C	
Small-Scale	P	P	P	P	P	P	§ 15-2708, Arcades, Video Games, and Family Entertainment Centers, § 9-1801, Billiard Rooms
Food and Beverage Sales							
Farmer's Markets	P	P	P	P	P	P	§ 15-2730, Farmer's Markets
General Market	P	P	P	P	P	-	§ 15-2744, Outdoor Dining and Patio Areas; § 15-2745, Outdoor Retail Sales
Healthy Food Grocer	P	P	P	P	P	-	
Liquor Stores	C	C	C	C	C	-	§ 15-2706, Alcohol Sales; § 15-2745, Outdoor Retail Sales

Food Preparation	-	P	P	P	-	-	
Funeral Parlors and Internment Services	-	C	P	P	-	-	§ 15-2714, Body Preparation and Funeral Services
Live/Work	P(1)	-	-	-	-	-	
Lodging							
Hotels and Motels	P(14)	P	P	-	P	-	
RV Park	-	-	-	-	-	-	
Maintenance and Repair Services	C(5)	P(9)	C	P	-	-	
Offices							
Business and Professional	P(9) (17)	P	P	P	-	-	
Medical and Dental	P(17)	P	P	P	-	-	
Walk-In Clientele	P(17)	P	P	P	-	-	
Personal Services							
General Personal Services	P	P	P	P	-	-	
Fortune Telling Service	-	-	-	P	-	-	
Massage Establishments	C	C	C	C	-	C	
Tattoo or Body Modification Parlor	P(9)	P(9)	P	P	-	-	§ 15-2758, Tattoo or Body Modification Parlor
Retail Sales							
Building Materials and Services	C(12)	C	P	P	-	-	§ 15-2745, Outdoor Retail Sales
Convenience Retail	P	P	P	P	P	C(10)	§ 15-2745, Outdoor Retail Sales; 15-2761 Tobacco and Vapor Shops
General Retail	P	P	P	P	-	C(10)	§ 15-2733, Hobby Stores; § 15-2745, Outdoor Retail Sales

Gun Shop	C	P	P	P	-	P	§ 15-2745, Outdoor Retail Sales
Large-Format Retail	-	C	P	P	-	-	§ 15-2737, Large-Format Retail; § 15-2745, Outdoor Retail Sales
Nurseries and Garden Centers	P(5)	P	P	P	-	-	§ 15-2745, Outdoor Retail Sales
Pawn Shops	-	-	-	P	-	-	
Second Hand/Thrift Stores	P(5)	P	P	P	-	-	
Swap Meet/Flea Market	-	-	-	C	-	C	§ 15-2730, Flea Markets
Industrial Use Classifications							
Construction and Material Yards	-	-	-	C	C	-	§ 15-2721, Concrete Batch Plants, Storage Yards, and Similar Uses
Custom Manufacturing	-	-	-	P(11)	-	-	
Recycling Facility							
Reverse Vending Machine	-	C	P	P	-	-	§ 15-2750, Recycling Facilities
CRV Recycling Center	§ 15-2750, Recycling Facilities						
Warehousing, Storage, and Distribution							
Personal Storage	C	C	C	C	C	C	§ 15-2747, Personal (Mini) Storage
Transportation, Communication, and Utilities Use Classifications							
Communication Facilities							
Antenna and Transmission Towers	§ 15-2759, Telecommunications and Wireless Facilities						
Facilities within Buildings	-	-	-	P	-	-	
Utilities, Minor	P	P	P	P	-	P	
Agricultural and Extractive Use Classifications							

Agricultural Support Services	-	-	-	P	-	-	
Produce Stand	-	-	-	P	-	-	§ 15-2752, Roadside Fruit Stands/Grow Stands
Tasting Room	C	C	C	C	-	C	
Urban Farm	-	-	-	P	-	-	§ 15-2720, Community Gardens/Urban Farms
Other Applicable Types							
Accessory Uses and Structures	§ 15-2703, Accessory Uses						
Home Gardens	§ 15-2734, Home Gardens and Edible Landscaping						
Home Occupations	§ 15-2735, Home Occupations						
Animal Keeping	§ 15-2707, Animal Keeping						
Drive-in and Drive-Through Facilities	-	C	C	C	C	C	§ 15-2728, Drive In and Drive Through Facilities
Walk-Up Facilities	§ 15-2766, Walk-Up Facilities						
Non-Conforming Use	Article 4, Non-Conforming Uses, Structures, Site Features, and Lots						
Temporary Use	§ 15-2760, Temporary Uses						
Transitional and Supportive Housing	§ 15-2762, Transitional and Supportive Housing						
Specific Limitations:							
1. Not allowed on the ground floor.							
2. Not allowed on the ground floor along arterials or collectors.							
3. Not to include industrial training such as welding or automotive repair involving the use of tools and materials appropriate to an industrial use area.							
4. Must be located along an arterial or collector.							
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. Limited to 2,500 square feet in size, located on a collector or higher classification street.							
8. Permitted only as an accessory use that supports commercial recreation.							
9. Limited to 1,500 square feet in size if on the ground floor.							
10. Limited to facilities associated with park and recreation facilities.							
11. Provided that such use shall be completely enclosed in a building of soundproof construction.							
12. Limited to establishments with a gross floor area of 10,000 square feet or less.							
13. Building heights for hospitals shall not exceed 150 ft. There is no maximum Floor Area Ratio for hospitals.							

14. Limited to upper stories unless at least 50 percent of ground floor street frontage is occupied by food service use.
15. Must include an indoor waiting area.
16. Residential Uses shall not exceed 16 du/ac.
17. Not permitted along ground floor on Olive Avenue between Van Ness Avenue and Echo Avenue.

SECTION 24. Section 15-1204 subsection A of the Fresno Municipal Code is amended to read:

- A. **Residential Transition Standards.** Where a C District is adjacent to a Residential District, the following standards apply:
1. **Height.** The maximum height within 40 feet of an R District is limited to 30 feet. The maximum height within 50 feet of an R District is 40 feet.
 2. **Setbacks.**
 - a. *Front.* The front setback shall not be less than the required front yard on the abutting R District lot within 50 feet of the R District.
 - b. *Interior Side and Rear.* The interior side and rear setback abutting an R District boundary shall be 20 feet. In the CMS District, the interior side yard may be reduced to 10 feet with Director approval.
 3. **Landscape.** See Table 15-2305-C.1, Required Landscape Buffers.
 4. **Screening.** When a multi-story building is proposed and the second story or above is located within 50 feet of the side or rear yard of a single-family~~unit~~ lot, screening measures shall be applied to provide a reasonable degree of privacy.
 - a. Screening measures include, but are not limited to, landscaping, alternate window and balcony placements, placing windows at least six feet from the floor of the interior of the unit, incorporating wing walls or louvers, using glass block or other translucent material, and other such methods.
 - b. Sufficiency of Screening. The Review Authority shall determine the sufficiency of the proposed screening measures and may require additional measures.

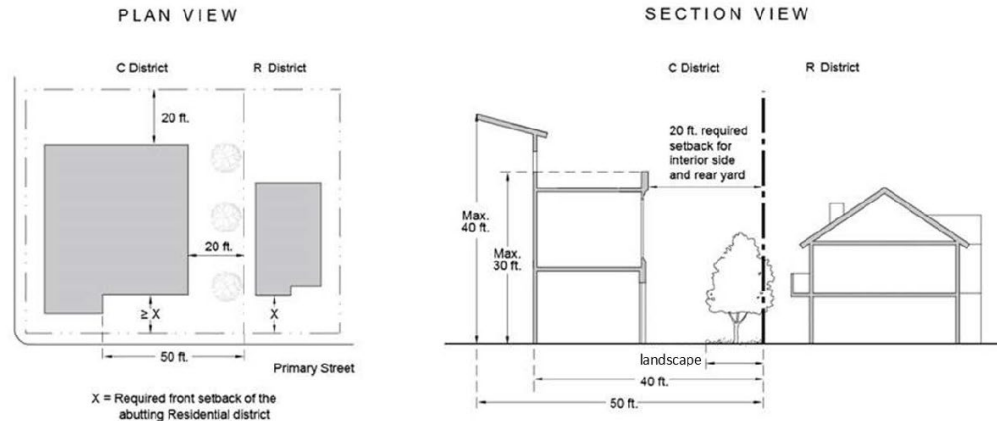


FIGURE 15-1204-A: RESIDENTIAL TRANSITION STANDARDS—C DISTRICTS

SECTION 25. Table 15-1302 of the Fresno Municipal Code is amended to read:

TABLE 15-1302: LAND USE REGULATIONS—EMPLOYMENT DISTRICTS						
Use Classifications	O	BP	RBP	IL	IH	Additional Regulations
Residential Use Classifications						
Caretaker Residence	-	-	-	P(2)	P(2)	
Lodging-to-Dwelling Conversion	C	C	C	C	C	§ 15-2737.5 Lodging-to-Dwelling Conversion Requirements
Public and Semi-Public Use Classifications						
Colleges and Trade Schools, Public or Private	P(3)	P(3)	P(3)	P	P	
Community and Religious Assembly (less than 2,000 square feet)	P	P	P	P	-	§ 15-2719, Community and Religious Assembly Facilities
Community and Religious Assembly (2,000 square feet or more)	P	P (14)	P (14)	P (14)	-	
Community Garden	P	P	P	P	P	§ 15-2720, Community Gardens/Urban Farms
Conference/Convention Facility	C	C	C	-	-	
Cultural Institutions	P	P	P	-	-	

Day Care Centers	P	P	P	P (15)		§ 15-2725, Day Care Centers and Family Child Care Homes
Emergency Shelter	-	-	P	P	-	§ 15-2729, Emergency Shelters
Government Offices	P	P	P	P	P	
Hospitals and Clinics						
Hospital	C(11)	C(11)	C(11)	C(11)	C(11)	
Clinic	P	P	P	C	-	
Substance Abuse Treatment Clinic	C(13)	C(13)	C(13)	C(13)	-	
Instructional Services	P	P	P	P	P	
Park and Recreation Facilities, Public	P	P	P	P	P	
Parking, Public or Private	P	P	P	P	P	
Public Safety Facilities	P	P	P	P	P	
Schools, Public or Private	P	P	P	P	-	
Social Service Facilities	C	C	C	C	-	
Commercial Use Classifications						
Adult-Oriented Business	-	-	-	C	C	§ 15-2705, Adult-Oriented Businesses; § 9-2001, Picture and Live Arcades
Aircraft Sales, Services, and Storage	-	P	P	P	P	
Animal Care, Sales and Services						
Kennels	-	P	P	P	P	
Veterinary Services	C	P	P	P	P	
Artist's Studio	P	P	-	P	-	
Automobile/Vehicle Sales and Services						
Automobile Rentals	P	P	P	P	P	§ 15-2709, Automobile and Motorcycle Retail Sales and Leasing
Automobile/Vehicle Sales and Leasing	-	P	P	P	-	§ 15-2709, Automobile and Motorcycle Retail Sales and Leasing
Automobile/Vehicle Repair, Major	P	P	P	P	P	§ 15-2710, Automobile/Vehicle

						Service and Repair, Major and Minor
Automobile/Vehicle Service and Repair, Minor	P	P	P	P	P	
Large Vehicle and Equipment Sales, Service and Rental	P	P	P	P	P	
Service Station	P	P	P	P	P	§ 15-2755, Service Stations
Towing and Impound	-	-	-	C	C	§ 15-2765, Vehicle Impound Yard (Tow Yard) and Transit Storage
Washing	P	P	P	P	P	§ 15-2711, Automobile/Vehicle Washing
Banks and Financial Institutions						
Banks and Credit Unions	P	P	P	P	-	
Check Cashing Businesses and Payday Lenders	-	-	-	-	-	§ 15-2715, Check Cashing Businesses, Payday Lenders, and Similar Financial Services
Business Services	P	P	P(6)	P	P	
Banquet Hall	C	C	C	C	-	§ 15-2712, Banquet Hall
Eating and Drinking Establishments						
Restaurant with Alcohol Sales	C	C	C	C	C	§ 15-2751, Restaurants with Alcohol Sales, Bars, Nightclubs, and Lounges; § 15-2744, Outdoor Dining and Patio Areas
Restaurant without Alcohol Sales	P	P	P	P	P	
Entertainment and Recreation						
Motorcycle/Riding Club	-	-	-	P	P	§ 15-2742, Motorcycle/Riding Clubs

Shooting/Archery Range	-	-	-	P	P	§ 15-2756, Shooting Ranges/Archery Ranges
Small-Scale	-	C	C	C	-	§ 15-2708, Arcades, Video Games, and Family Entertainment Centers, § 9-1801, Billiard Rooms
Food and Beverage Sales						
Farmer's Market	P	P	P	P	-	
General Market	P	P	P	P	-	§ 15-2744, Outdoor Dining and Patio Areas; § 15-2745, Outdoor Retail Sales
Healthy Food Grocer	-	P	P	P	-	
Food Preparation	-	P	P	P	P	
Funeral Parlors and Internment Services	-	P	P	P	-	§ 15-2714, Body Preparation and Funeral Services
Live/Work	-	-	-	P	-	
Lodging						
Hotels and Motels	P	P	P	P	-	
Maintenance and Repair Services	-	P	P	P	P	
Offices						
Business and Professional	P	P	P	P	P	
Medical and Dental	P	P	P	P	-	
Walk-In Clientele	P	P	P	P	-	
Personal Services						
General Personal Services	P	P	P	P	-	
Tattoo or Body Modification Parlor	-	-	-	P	-	§ 15-2758, Tattoo or Body Modification Parlor
Retail Sales						
Building Materials and Services	-	-	-	P	P	§ 15-2745, Outdoor Retail Sales
Convenience Retail	P(4)	P(4)	P(4)	P(4)	P(4)	§ 15-2745, Outdoor Retail Sales; 15-2761 Tobacco and Vapor Shops

General Retail	P(4)	P(4)	P(4)	P(4)	P(4)	§ 15-2733, Hobby Stores; § 15-2745, Outdoor Retail Sales
Large-Format Retail	-	P(8)	P(8)	P(8)	P(8)	§ 15-2737, Large-Format Retail; § 15-2745, Outdoor Retail Sales
Nurseries and Garden Centers	-	-	-	C	-	§ 15-2745, Outdoor Retail Sales
Swap Meet/Flea Market	-	-	-	C	-	§ 15-2731, Flea Markets
Industrial Use Classifications						
Construction and Material Yards	-	P(16)	P(16)	P(16)	P(16)	§ 15-2721, Concrete Batch Plants, Storage Yards, and Similar Uses
Custom Manufacturing	-	P(8)	P(8)	P	P	
Limited Industrial	-	P(8)	P(8)	P	P	
General Industrial	-	C	C	P	P	
Intensive Industrial	-	-	-	-	C	§ 15-2732, Hazardous Waste Management Facilities
Recycling Facility						
Reverse Vending Machine	P	P	P	P	P	§ 15-2750, Recycling Facilities
CRV Recycling Center	-	-	-	C	C	
Recycling Processing Facility	-	-	-	C	C	
Research and Development	P	P	P	P	P	
Salvage and Wrecking	-	-	-	-	C	§ 15-2768, Wrecking Yards and Auto Dismantling
Warehousing, Storage, and Distribution						
Chemical and Mineral Storage	-	-	-	C	C	§ 15-2732, Hazardous Waste Management Facilities
Indoor Warehousing and Storage	-	P	P	P	P	
Outdoor Storage	-	P(8) (16)	P(8) (16)	P(16)	P(16)	§ 15-2721, Concrete Batch Plants,

						Storage Yards, and Similar Uses
Personal Storage	C	P	P	P	P	§ 15-2747, Personal (Mini) Storage
Wholesaling and Distribution	-	P	P	P	P	
Transportation, Communication, and Utilities Use Classifications						
Airports and Heliports	-	C(9)	C(9)	C	C	
Communication Facilities						
Antenna and Transmission Towers	§ 15-2759, Telecommunications and Wireless Facilities					
Facilities within Buildings	P	P	P	P	P	
Freight/Truck Terminals and Warehouses	-	P	P	P	P	
Light Fleet-Based Services	C	P	P	P	P	
Utilities, Major	-	-	C	P	P	
Utilities, Minor	P	P	P	P	P	
Waste Transfer Facility	-	-	-	C	C	§ 15-2732, Hazardous Waste Management Facilities
Agricultural and Extractive Use Classifications						
[Agricultural Labor Housing]	[-]	[-]	[-]	[P]	[P]	
Agricultural Processing	-	C	C	P	P	§ 15-2732, Hazardous Waste Management Facilities
Agricultural Support Services	-	C	P	P	P	
Animal Raising	-	-	-	-	-	
Crop Cultivation	-	-	-	P	P	§ 15-2716, Crop Cultivation
Dairy	-	-	-	-	-	
Mining and Quarrying	-	-	-	-	C	
Produce Stand	-	-	-	P	P	§ 15-2752, Roadside Fruit Stands/Grower Stands
Rendering	-	-	-	-	C	
Sales Lot, Feed Lot, Stockyard	-	-	-	C	P	

Slaughterhouse	-	-	-	-	C	
Tasting Room	-	C	C	C	C	
Urban Farm	-	-	-	P	P	§ 15-2720, Community Gardens/Urban Farms
Other Applicable Types						
Accessory Uses and Structures	§ 15-2703, Accessory Uses					
Home Gardens	§ 15-2734, Home Gardens and Edible Landscaping					
Animal Keeping	§ 15-2707, Animal Keeping					
Drive-In and Drive-Through Facilities	C	C	C	C	C	§ 15-2728, Drive-In and Drive-Through Facilities
Walk-Up Facilities	§ 15-2766, Walk-Up Facilities					
Non-Conforming Use	Article 4, Non-Conforming Uses, Structures, Site Features, and Lots					
Temporary Use	§ 15-2760, Temporary Uses					
Specific Limitations:						
1. Permitted if existing, no new units are allowed.						
2. One caretaker dwelling is allowed where having a caretaker living on the site is necessary for the conduct of the on-site business.						
3. Not to include industrial training such as welding or automotive repair involving the use of tools and materials appropriate to an industrial use area.						
4. Limited to establishments with a gross floor area of 6,000 square feet or less.						
5. Not allowed on the ground floor.						
6. Permitted only as an accessory use that supports business and office parks, corporate offices, and industrial uses.						
7. Limited to membership club retailers and located on an arterial or higher classifications street.						
8. Outdoor storage shall be incidental to a primary use and screened from public view.						
9. Limited to heliports used as accessory to a hospital.						
10. Limited to upper stories unless at least 50 percent of ground floor street frontage is occupied by food service use.						
11. Building heights for hospitals shall not exceed 150 ft. There is no maximum Floor Area Ratio for hospitals.						
12. Must be closed between the hours of 10 p.m. and 6 a.m.						
13. Must include an indoor waiting area.						
14. When located within 300 of an Intensive Industrial use a Conditional Use Permit shall be required.						
15. Shall be required to comply with Master Environmental Impact Report mitigation measures MM AIR-2, MM AIR-3, and MM AIR-4 if applicable.						
16. A courtesy notice will be provided to all properties within 1,000 feet of these uses when approved.						

A. **Residential Transition Standards.** Where an E District abuts a Residential District, the following standards apply:

SECTION 27. 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				
Multi-Unit Residential	-	-	P(8)	
Public and Semi-Public Use Classifications				
Cemetery	P	-	P	
Colleges and Trade Schools, Public or Private	-	-	P	
Community and Religious Assembly (less than 2,000 square feet)	C(1)	P(1)	P	§ 15-2719, Community and Religious Assembly Facilities
Community and Religious Assembly (2,000 square feet or more)	-	P(1)	P	
Community Garden	P	P	P	§ 15-2720, Community Gardens/Urban Farms
Conference/Convention Facility	-	-	P	
Cultural Institutions	-	P	P	
Day Care Centers	-	-	P	§ 15-2725, Day Care Centers and Family Child Care Homes
Emergency Shelter	-	-	P	§ 15-2729, Emergency Shelters
Government Offices	-	-	P	
Hospitals and Clinics				
Hospital	-	-	P(5)	
Clinic	-	-	P	
Substance Abuse Treatment Clinic	-	-	C(6)	
Instructional Services	-	-	P	
Park and Recreation Facilities, Public	P	P	P	
Parking, Public or Private	C	C	C	
Public Safety Facilities	C	C	P	
Schools, Public or Private	-	-	P	
Social Service Facilities	-	-	P	
Commercial Use Classifications				
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 Sales	-	P(3)	P(3)	
Entertainment and Recreation				
Large-Scale	-	P(7)	-	
Food and Beverage Sales				
Farmer's Markets	-	C	P	§ 15-2730, Farmer's Markets
Retail Sales				
General Retail	-	-	P(3)	§ 15-2745, Outdoor Retail Sales
Industrial Use Classifications				
Recycling Facility				
Reverse Vending Machine	-	-	-	§ 15-2750, Recycling Facilities
Recycling Processing Facility	-	-	C	
Transportation, Communication, and Utilities Use Classifications				
Airports and Heliports	-	-	C(4)	
Communication Facilities				
Antenna and Transmission Towers				§ 15-2759, Telecommunications and Wireless Facilities
Facilities within Buildings	-	-	P	
Transportation Passenger Terminals	-	-	P	
Utilities, Major	C	-	P	
Utilities, Minor	P	P	P	
Waste Transfer Facility	-	-	C	
Agricultural and Extractive Use Classifications				
[Agricultural Labor Housing]	[P]	[-]	[-]	
Crop Cultivation	P	-	-	§ 15-2716, Crop Cultivation
Produce Stand	P	-	-	§ 15-2752, Roadside Fruit Stands/Grower Stands
Urban Farm	P	-	-	§ 15-2720, Community Gardens/Urban Farms
Other Applicable Types				
Accessory Uses and Structures				§ 15-2703, Accessory Uses
Home Gardens				§ 15-2734, Home Gardens 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 4, Non-Conforming Uses, Structures, Site Features, and Lots
Temporary Use	§ 15-2760, Temporary Uses
Specific Limitations: <ol style="list-style-type: none"> 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. 	

SECTION 28. Table 15-1502 of the Fresno Municipal Code is amended to read:

TABLE 15-1502: USE REGULATIONS—DOWNTOWN DISTRICTS										
Use Classification[s]	Activity Class [See Figure 15-1501 for Activity Classifications Map]									Additional Regulations See Figure 15-1501 for Activity Classifications Map
	DTN			DTG			DTC			
	A	B	C	A	B	C	A	B	C	
Residential Use Classifications										
Residential Housing Types										
Single-Unit Dwelling, Attached	—	P	P	—	P	P	—	—	—	[§ 15-2754, Second/Accessory Dwelling Units (ADUs)]
Second Dwelling Unit	—	P	P	—	P	P	—	—	—	§ 15-2754, Second Dwelling Units, Backyard Cottages, and Accessory Living Quarters
Duplex	—	P	P	—	P	P	—	P	P	[§ 15-2754, Second/Accessory Dwelling Units (ADUs)]

Multi-Unit Residential	P(1))	P	P	P(1))	P	P	P(1))	P	P	[§ 15-2754, Second/Accessory Dwelling Units (ADUs)]
Adult Family Day Care										
Small (6 clients or less)	P(1))	P	P	P(1))	P	P	P(1))	P	P	
Large (7 to 12 clients)	P(1))	P	P	P(1))	P	P	P(1))	P	P	
Caretaker Residence	P(1))	P	P	P(1))	P	P	P(1))	P	P	
Domestic Violence Residence	P(1))	P	P	P(1))	P	P	P(1))	P	P	
Elderly and Long-Term Care	P(1))	P	P	P(1))	P	P	P(1))	P	P	
Family Day Care										
Small (8 children or less)	P(1))	P	P	P(1))	P	P	P(1))	P	P	§ 15-2725, Day Care Centers and Family Child Care Homes
Large (9 to 14 children)	P(1))	P	P	P(1))	P	P	P(1))	P	P	
Group Residential										
Small (6 persons or less)	P(1))	P	P	P(1))	P	P	P(1))	P	P	
Large (7 persons or more)	P(1))	P	P	P(1))	P	P	P(1))	P	P	
Lodging-to-Dwelling Conversion	C	C	C	C	C	C	C	C	C	§ 15-2737.5 Lodging-to-Dwelling Conversion Requirements
Re-Entry Facility	P(1))	P	P	P(1))	P	P	P(1))	P	P	
Residential Care Facilities										
Residential Care, General	P(1))	P	P	P(1))	P	P	P(1))	P	P	

Residential Care, Limited	P(1))	P	P	P(1))	P	P	P(1))	P	P	
Residential Care, Senior	P(1))	P	P	P(1))	P	P	P(1))	P	P	
Single Room Occupancy	P(1))	P	P	P(1))	P	P	P(1))	P	P	§ 15-2756, Single Room Occupancy Hotels and Boarding Homes
Public and Semi-Public Use Classifications										
Colleges and Trade Schools, Public or Private	P(1))	P	P	P(1))	P	P	P(1))	P	P	
Community and Religious Assembly (less than 2,000 square feet)	P(1))	P	P	P(1))	P	P	P(1))	P	P	§ 15-2719, Community and Religious Assembly Facilities
Community and Religious Assembly (2,000 square feet or more)	P(1))	P	P	P(1))	P	P	P(1))	P	P	
Community Garden	P(1))	P	P	P(1))	P	P	P(1))	P	P	§ 15-2720, Community Gardens/Urban Farms
Conference/Convention Facility	P(1))	P	P	P(1))	P	P	P(1))	P	P	
Cultural Institutions	P(1))	P	P	P(1))	P	P	P(1))	P	P	
Day Care Centers	P(1))	P	P	P(1))	P	P	P(1))	P	P	§ 15-2725, Day Care Centers and Family Child Care Homes
Emergency Shelter	P(1))	P	P	P(1))	P	P	P(1))	P	P	§ 15-2729, Emergency Shelters
Government Offices	P(1))	P	P	P(1))	P	P	P(1))	P	P	
Hospitals and Clinics										
Hospital	—	C	C	—	C	C	—	C	C	

Clinic	P(1))	P	P	P(1))	P	P	P(1))	P	P	
Instructional Services	P(1))	P	P	P(1))	P	P	P(1))	P	P	
Park and Recreation Facilities, Public	P	P	P	P	P	P	P	P	P	
Parking, Public or Private	P	P	P	P	P	P	P	P	P	§ 15-1504-G, Parking Buffering; § 15-1504-H, Parking Access and Entrance Design
Public Safety Facilities	—	P	P	—	P	P	—	P	P	
Schools, Public or Private	P(1))	P	P	P(1))	P	P	P(1))	P	P	
Social Service Facilities	—	P	P	—	P	P	—	P	P	
Commercial Use Classifications										
Adult-Oriented Business	—	C	C	—	C	C	—	C	C	§ 15-2705, Adult-Oriented Businesses; § 9-2001, Picture and Live Arcades
Animal Care, Sales and Services										
Grooming and Pet Stores	P(2))	P(2))	P(4))	P(2))	P(2))	P(4))	P(2))	P(2))	P(4))	
Veterinary Services	P(1))	P	P	P(1))	P	P	P(1))	P	P	
Artist's Studio	P(1))	P	P	P(1))	P	P	P(1))	P	P	
Automobile/Vehicle Sales and Services										
Automobile Rentals	P(8))	P(5))	P(5))	—	P(5))	P(5))	—	—	—	§ 15-2709, Automobile and Motorcycle Sales and Leasing

Automobile/Vehicle Sales and Leasing	P(8))	P(5))	P(5))	—	P(5))	P(5))	—	—	—	
Automobile/Vehicle Service and Repair, Minor	P(8))	P(5))	P(5))	—	P(5))	P(5))	—	—	—	§ 15-2710, Automobile/Vehicle Service and Repair, Major and Minor
Large Vehicle and Equipment Sales, Service and Rental	P(8))	P(8))	P(8))	—	—	—	—	—	—	§ 15-2710, Automobile/Vehicle Service and Repair, Major and Minor
Service Station	—	C(5))	C(5))	—	C(5))	C(5))	—	—	—	§ 15-2755, Service Stations
Banks and Financial Institutions										
Banks and Credit Unions	P(1))	P	P	P(1))	P	P	P(1))	P	P	
Business Services	P(1))	P	P	P(1))	P	P	P(1))	P	P	
Banquet Hall	P	P	P	P	P	P	P	P	P	§ 15-2712, Banquet Hall
Eating and Drinking Establishments										
Bars/Nightclubs/Lounges	P(3))	P(3))	P(4))	P(3))	P(3))	P(4))	P(3))	P(3))	P(4))	§ 15-2751, Restaurants with Alcohol Sales; Bars, Nightclubs, and Lounges; § 15-2744, Outdoor Dining and Patio Areas
Restaurant, with Alcohol Sales	P(3))	P(3))	P(4))	P(3))	P(3))	P(4))	P(3))	P(3))	P(4))	
Restaurant, without Alcohol Sales	P(3))	P(3))	P(4))	P(3))	P(3))	P(4))	P(3))	P(3))	P(4))	

Entertainment and Recreation										
Cinema/Theaters	P		—	—	P	—	—	P	P	P
Cyber/Internet Café	P(2))	P(2))	P(4))	P(2))	P(2))	P(4))	P(2))	P(2))	P(4))	§ 15-2724, Cyber/Internet Cafés
Motorcycle/Riding Club	P(5))	P(5))	P(5))	P(5))	P(5))	P(5))	—	—	—	§ 15-2742, Motorcycle/Riding Clubs
Large-Scale	—	C	C	—	C	C	—	C	C	§ 15-2708, Arcades, Video Games, and Family Entertainment Centers
Small-Scale	P	P	P(4))	P	P	P(4))	P	P	P(4))	§ 15-2708, Arcades, Video Games, and Family Entertainment Centers; § 9-1801, Billiard Rooms
Food and Beverage Sales										
Farmer's Markets	P	P	P	P	P	P	P	P	P	§ 15-2730, Farmer's Markets
General Market	P	P	P	P	P	P	P	P	P	§ 15-2744, Outdoor Dining and Patio Areas; § 15-2745, Outdoor Retail Sales
Healthy Food Grocer	P	P	P	P	P	P	P	P	P	
Liquor Stores	—	C(3))	C(3))	—	C(3))	C(3))	—	C(3))	C(3))	§ 15-2706, Alcohol Sales ; § 15-2745, Outdoor Retail Sales
Food Preparation	—	P(1))	P(1))	—	P(1))	P(1))	—	—	—	
Funeral Parlors and Internment Services	—	P	P	—	P	P	—	—	—	§ 15-2714, Body Preparation

										and Funeral Services
Live/Work	P	P	P	P	P	P	P(1)	P	P	
Lodging										
Bed and Breakfast	P(1)	P	P	P(1)	P	P	P(1)	P	P	§ 15-2714, Bed and Breakfast Lodging
Hotels and Motels	P(1)	P	P	P(1)	P	P	P(1)	P	P	
Maintenance and Repair Services	P(1)	P	P	P(1)	P	P	P(1)	P	P	
Offices										
Business and Professional	P(1)	P	P	P(1)	P	P	P(1)	P	P	
Medical and Dental	P(1)	P	P	P(1)	P	P	P(1)	P	P	
Walk-In Clientele	P(1)	P	P	P(1)	P	P	P(1)	P	P	
Personal Services										
General Personal Services	P	P	P	P	P	P	P	P	P	
Fortune Telling Service	P	P	P	P	P	P	P	P	P	
Massage Establishments	C	C	C	C	C	C	C	C	C	
Tattoo or Body Modification Parlor	P	P	P	P	P	P	P	P	P	§ 15-2758, Tattoo or Body Modification Parlors
Retail Sales										
Building Materials and Services	—	P(5)	P(5)	—	P(5)	P(5)	—	—	—	§ 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 Tobacco and Vapor Sales
General Retail	P(2)	P(2)	P(4)	P(2)	P(2)	P(4)	P(2)	P(2)	P(4)	§ 15-2733, Hobby Stores;

										§ 15-2745, Outdoor Retail Sales
Large-Format Retail	—	—	—	—	—	—	P	P	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)	P(7)	P(7)	P(7)	P(7)	§ 15-2745, Outdoor Retail Sales
Pawn Shops	—	P	—	—	P	—	—	P	P	
Second Hand/Thrift Stores	P(2)	P(2)	P(4)	P(2)	P(2)	P(4)	P(2)	P(2)	P(4)	
Swap Meet/Flea Market	—	P	—	—	P	—	—	P	P	§ 15-2730, Flea Markets
Industrial Use Classifications										
Custom Manufacturing	P(1)	P	P	P(1)	P	P	P(1)	P	P	
Limited Industrial	C(8)	P(1) (5)	P(5)	—	P(1) (5)	P(5)	—	—	—	
General Industrial	C(8)	C(8)	C(8)	—	—	—	—	—	—	
Recycling Facility										
Reverse Vending Machine	—	P	P	—	P	P	—	P	P	§ 15-2750, Recycling Facilities
Research and Development	C(8)	P(5)	P(5)	—	P(5)	P(5)	—	—	—	
Warehousing, Storage, and Distribution										
Indoor Warehousing and Storage	C(8)	C(8)	C(8)	—	—	—	—	—	—	
Outdoor storage	C(8)	C(8)	C(8)	—	—	—	—	—	—	
Personal Storage	—	C(5)	C(5)	—	C(5)	C(5)	—	—	—	§ 2747, Personal (Mini) Storage

Wholesaling and Distribution	C(8)	C(8)	C(8)	—	—	—	—	—	—	
Transportation, Communication, and Utilities Use Classifications										
Communication Facilities										
Antenna and Transmission Towers	§ 15-2759, Telecommunications and Wireless Facilities									
Facilities within Buildings	—	C	C	—	C	C	—	C	C	
Freight/Truck Terminals and Warehouses	C(8)	C(8)	C(8)	—	—	—	—	—	—	
Light Fleet-Based Services	C(8)	P(5)	P(5)	—	P(5)	P(5)	—	—	—	
Transportation Passenger Terminals	P	P	P	P	P	P	P	P	P	
Utilities, Major	—	C	C	—	C	C	—	C	C	
Utilities, Minor	—	C	C	—	C	C	—	C	C	
Agricultural and Extractive Use Classifications										
Produce Stand	P	P	P	P	P	P	P	P	P	§ 15-2752, Roadside Fruit Stands/Grower Stands
Tasting Room	P	P	P	P	P	P	P	P	P	
Urban Farm	—	P	P	—	P	P	—	P	P	§ 15-2720, Community Gardens/Urban Farms
Other Applicable Types										
Accessory Uses and Structures	§ 15-2703, Accessory Uses									
Animal Keeping	§ 15-2707, Animal Keeping									
Drive-In and Drive-Through Facilities	—	C(6)	C(6)	—	C(6)	C(6)	—	C(6)	C(6)	§ 15-2728, Drive-In and Drive-Through Facilities
Home Gardens	§ 15-2734, Home Gardens and Edible Landscaping									
Home Occupations	§ 15-2735, Home Occupations									

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 uppermost 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 square feet in 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 south of Inyo Street only.
8. East of State Route 41 only.

SECTION 29. Section 15-1606 subsection B of the Fresno Municipal Code is amended to read:

B. Use Regulations.

1. **Permitted Uses.** Any permitted Special Use shall [\[be\]](#) subject to the provisions in Article 27.
 - a. The uses permitted by the provisions of the Base District.
 - b. Existing Uses. Any use existing at the time the property was annexed to the city so long as the use had been lawfully allowed by the County at the time immediately preceding the annexation, subject to provisions of Article 4, Non-Conforming Uses, Structures, Site Features, and Lots.
 - c. One single-~~family~~[\[unit\]](#) dwelling ~~unit~~ per lot, and ~~a Second Dwelling Unit~~ [\[Second/Accessory Dwelling Units per Section 15-2754\]](#).
 - d. Accessory Buildings.
 - e. Garages.
 - f. Servants' quarters on parcels of land having a minimum lot area of 36,000 square feet or more.
 - g. Barns, stables, corrals, coops and/or animal or fowl pen.

- h. Adult Day Care Facilities for a maximum of six adults when located in a single-~~family~~[unit] dwelling.
- i. Crop Cultivation and Community Gardens.
- j. Animal Keeping.
 - i. Household Pets.
 - ii. Where the lot area is at least one acre in size, a property owner may have adult bovine (cows) or equine (horses) animals, in any combination thereof, and their immature offspring, per acre. In no event shall any property regardless of size have more than 10 adult bovine or equine, or combination thereof. For every adult bovine or equine allowed on a property, a property owner may substitute two adult ovine (sheep) or adult caprine (goats), including any immature offspring. Other similar animal types may be allowed upon a determination by the Director that they will not detrimentally affect the public health, safety, and/or welfare.
 - iii. Poultry (limited to hens only), rabbits, or similar small feather-bearing or fur-bearing animals, not to exceed twenty-four of any kind or combination thereof, for domestic purposes only.
 - iv. Where any of the foregoing animals noted in this section are permitted on site, a stormwater runoff permit may be required in accordance with the requirements of the Regional Water Quality Control Board.
- k. Family Day Care Homes, small.
- l. Greenhouses, horticultural collections and flower and vegetable gardens, private.
- m. Group housing facility for a maximum of six persons when located in a single-~~family~~[unit] dwelling.
- n. Home Occupations.
- o. Petroleum products storage, for use by the occupants of the premises, but not for resale or distribution.
- p. Roadside Stands, temporary, for the sale of agricultural products produced upon the premises.
- q. Signs, subject to provisions of Article 26.

SECTION 30. Section 15-1609 subsection C of the Fresno Municipal Code is amended to read:

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

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

2. **Setbacks.**

- a. *Front Setback.* The front setback for new structures shall not be greater than 110 percent nor less than 90 percent of the average of the actual front setbacks of all residential structures on the blockface which were constructed prior to 1945. The following exceptions shall apply:
 - i. In no instance shall the front setback be less than 10 feet.
 - ii. In no instance shall the setback for a new structure be less than the setback of an adjacent structure which is a designated historic resource.
- b. *Side Setback.* Four feet.

3. **Parking.**

- a. *Garage Encroachment into Rear and Side Setbacks.* Where 50 percent or more of the residential properties on a block have detached garages which encroach into the minimum side and/or rear setbacks, new detached garages shall be permitted to encroach into the minimum side and/or rear setback in a similar manner. In such instances the minimum side and rear setback for a detached garage shall each be equal to the average of the equivalent setbacks of the detached garages on the block, unless the average is less than two feet in which case the setback shall be zero feet. This provision shall also apply to properties which abut an RS District.
- b. In no instance shall parking be located in front of the primary building, between the primary building and the street, or within the required front setback. Surface parking may not be covered with a carport within 50 feet of a public street unless it is designed as a porte cochere that is attached to architecturally integrated with the structure.

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

- a. *Building Materials and Finishes.* Cladding and trim materials and finishes shall be similar to adjacent apartment houses and single-family[[unit](#)] homes.
- b. *Windows.* The size, location, and proportions of windows shall be similar to adjacent apartment houses and single-family[[unit](#)] homes.
- c. *Balconies and Porches.* For new residential structures, the size, location, and proportions of balconies and porches shall be similar to adjacent apartment houses and single-family[[unit](#)] homes.
- d. *Massing.* New structures shall have roof forms and massing articulation which is residential in character and is similar to residential structures on the same blockface which were constructed prior to 1945.

5. **Pedestrian Access.** Direct entrances shall be provided into all individual ground-floor dwelling units or commercial spaces which are adjacent to a

public street. If the building is set back from the sidewalk, a paved path no less than five feet in width shall be provided from the sidewalk to each entrance.

6. **Height.** Structures shall not exceed 35 feet in height.
7. **Landscaping.** The design of front yard landscaping shall be residential in character and shall be similar to adjacent apartment houses and single-family[[unit](#)] homes.
8. **Signs.** Signs shall not be permitted in the AH Overlay District, except as follows:
 - a. *Maximum Number and Location.*
 - i. Monument Sign. One monument sign per building shall be permitted in the front yard setback, if applicable. Such signs shall be set back from the back of the sidewalk by no less than two feet.
 - ii. Porch Sign. One sign per building shall be permitted to be suspended under the roof of a porch.
 - iii. Wall Sign. One sign per building may be mounted on the façade near the primary pedestrian entrance.
 - iv. Other Signs. Not permitted.
 - b. *Maximum Size.*
 - i. Monument Sign. Monument Signs shall not exceed six square feet in area and shall not exceed five feet in height.
 - ii. Porch Sign. Porch Signs shall not exceed eight square feet in area.
 - iii. Wall Sign. Wall Signs shall not exceed 10 square feet in area.
 - c. *Illumination.* If illuminated, external illumination is required and shall be mounted in a manner that does direct glare toward adjacent uses.



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

9. ***Renovations and Alterations.***

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

SECTION 31. Section 15-2004 of the Fresno Municipal Code is amended to read:

SEC. 15-2004. ACCESSORY BUILDINGS AND STRUCTURES.

A. **Applicability.** These provisions apply to:

1. All new structures over seven feet in height, including, but not limited to, garages, carports, porte-cocheres, sheds, workshops, gazebos, greenhouses, cabanas, trellises, play structures, aviaries, covered patios, etc. which collectively shall be referred to as Accessory Structures, that are attached or detached from and accessory to the main building on the site.
2. Decks and patios that are 30 inches above the ground elevation, excluding above-ground pools.

B. **Relation to Other Structures.**

1. A detached accessory building may be constructed on a lot on which there is a permitted main building to which the accessory building is related.
2. Should the ownership of two contiguous and immediately adjoining residential lots be the same and one lot contains a single-family[[unit](#)] home, an accessory building (with the exception of required parking) and/or pool, may be permitted on the adjoining vacant lot subject to compliance with all property development standards. The owner shall sign a covenant, which will at a minimum require that any improvements, such as pools, storage sheds, etc., be removed should either parcel be sold separately.
3. An accessory building may be constructed prior to a permitted main building and used for not more than one year in connection with the construction of the main building. The owner shall sign a covenant, which will at a minimum, require that the accessory structure be removed should the main building not be constructed.

C. **Residential Districts.**

1. For habitable accessory structures, including ~~Second Dwelling Units, Backyard Cottages, and Accessory Living Quarters~~[\[Second/Accessory Dwelling Units \(ADUs\)\]](#), refer to Section 15-2754. For outdoor kitchens see 15-2753, Second and Outdoor Kitchens.

2. An Accessory Structure may have plumbing for a washer, dryer, and/or utility sink.
3. An Accessory Structure may contain a toilet, shower, and sink. Bathtubs and stoves are not permitted. ~~The applicant shall sign a covenant that would prohibit the structure from being used as habitable space.~~
4. Existing accessory structures that do not comply with the strict application of the required setbacks of the underlying zone district, may install a toilet, shower, sink, and plumbing for a washer, dryer, or utility sink, subject to compliance with the adopted Building Code. This exception does not allow for a reduction in required parking spaces, parking space dimensions, building regulations, or any other adopted standards.

D. **Setbacks.** Accessory Structures shall comply with the standards below.

1. **All Districts.**

- a. *Front and Street-Side Yards.* Accessory Structures may not be located within required front yard or street-side setback areas.
- b. *Alleys.* Accessory Structures shall be set back a minimum of five feet from an alley if the Accessory Structure utilizes the alley for vehicle access.

2. **Single-Family[Unit] Districts.**

- a. *Front Yards.* Not permitted, unless on a Double Frontage Lot (e.g. Through Lot). In the case of the latter, both street frontages shall be treated as Front Yards.
- b. *Interior-Side and Rear Yards.* Accessory Structures shall be set back from interior side and rear property lines as follows:
 - i. If the Accessory Structure is located closer than six feet from the main building, the Accessory Structure shall comply with the setbacks of the applicable Base and Overlay District.
 - ii. If the Accessory Structure is located six feet away or farther from the main building, it may be located on the interior or rear property line. Said structure shall comply with the Building Code.

3. **Multi-Family[Unit] Districts.**

- a. *Front Yards.*
 - i. Accessory Structures shall be located to the rear of main buildings.
 - ii. Detached garages and/or carports shall be located away from adjacent public roadways, to the rear, or shall be perpendicular to adjacent roadways to the greatest extent feasible.
- b. *Interior-Side and Rear Yards.* Accessory Structures shall be set back from interior side and rear property lines as follows:

- i. If Adjacent to Single-Family[Unit] Districts. Accessory Structures, including garages and covered parking spaces, shall be set back per the underlying district or operative plan, whichever is greater.
 - ii. All Other Districts. Five feet.
 4. **Non-Residential Districts.** Accessory Structures shall comply with the setbacks per the underlying district or operative plan, whichever is greater.
- E. **Height.** Accessory Structures are subject to the height limitations specific to the zoning district in which they are located except as provided below in Residential Districts.
 1. **Residential Districts.**
 - a. *Parcels 10,000 Square Feet and Less.* Accessory Structures shall be no greater than 12 feet high measured from the ground level to the finished height of the structure.
 - b. *Parcels Greater than 10,000 Square Feet.* Accessory Structures located a minimum of 10 feet from all property lines may be up to 16 feet high.
 2. **Additional Height.** The Director may allow additional height not to exceed the height of the main building provided the Accessory Structure is designed, in terms of materials and architectural styles, to match the main building. The setbacks described above shall still be applicable.
- F. **Tree Houses and Play Structures.**
 1. When exceeding twelve feet in height, as measured from the ground level to the top of the structure, the structure must be set back to a distance equal or greater than its height.
 2. When exceeding 120 square feet, a building permit is required.
 3. If the structure overlooks a neighboring residential rear yard, landscaped screening shall be provided. This requirement may be waived with the written agreement of the affected neighbor(s) at the time the structure is constructed.

SECTION 32. Section 15-2006 subsection C of the Fresno Municipal Code is amended to read:

C. **Fence Height and Locations for Single-Family[Unit] Homes.**

1. **Front Yards.**
 - a. *Wrought Iron or Tubular Steel.* A fence up to four feet in height may be installed within any required front yard setback. Fences must be open a minimum of 80 percent (e.g., no more than 20 percent opaque) to allow for the passage of light and air.
 - b. *All Other Materials.* A fence up to three feet in height may be placed within any required front yard setback.

- i. Exception. Front yard fences on parcels within the Pinedale Neighborhood Plan area may be up to four feet in height in the front yard, regardless of material, however fences shall comply with Section 15-2018, Intersection Visibility.
- 2. **Side-Street Yards.** Fences up to six feet in height may be installed within any required street-side yard setback.
- 3. **Other Yards.** Fences up to six feet in height may be installed. Fences, regardless of location on the site, shall not exceed six feet in height.
- 4. **Through Lots.** Both street frontages shall be considered Front Yards.
- 5. **Setbacks.** Unless a greater setback is required in another section of this Code, fences shall be set back 12 inches from the back of adjacent sidewalks, or from the curb or shoulder if there is no sidewalk. Fences may be placed on interior side and rear property lines.
- 6. **Right-of-Way.** In no circumstance may any fence be placed in the public right-of-way unless specified elsewhere in this Code.

SECTION 33. Section 15-2006 subsection D of the Fresno Municipal Code is amended to read:

D. Fence Height and Locations for Multi-Family[Unit] Districts.

1. Front Yards.

- a. Where a lot is on the same block frontage with parcels that are zoned for Single-Family[Unit] uses, fencing shall comply with fencing standards of the Single-Family[Unit] District in Subsection 15-2006-C.
- b. If the block does not contain Single-Family[Unit] zoned lots:
 - i. Wrought Iron or Tubular Steel: A fence up to four feet in height may be installed within any required front yard setback. Fences must be open a minimum of 80 percent (e.g., no more than 20 percent opaque) to allow for the passage of light and air.
 - ii. All Other Materials. The fence may be placed within any required front yard setback if the fence does not exceed three feet in height.
 - (1) Exception. Fences on parcels within the Pinedale Neighborhood Plan may be up to four feet in height, regardless of material, however fences shall comply with Section 15-2018, Intersection Visibility.

2. Street-Side Yards.

- a. Lots with a Street-Side Yard of 125 Feet or Less in Length. Fencing up to six feet in height may be placed within any street-side yard.

- b. Lots with Street-Side Yards Greater than 125 Feet in Length. Fencing up to six feet in height may be placed per the main building setback of the underlying district minus five feet.
- 3. **Reserved.**
- 4. **Through Lots.** All street frontages shall be considered Front Yards.
- 5. **Private Patios, Yards, Etc.** Fencing for private patios, yards, etc. in multi-family[[unit](#)] developments shall comply with the fencing requirements of this section.
- 6. **Other Yards.** Fences up to six feet in height may be installed on property lines. Fences, regardless of location on the site, shall not exceed six feet in height.
- 7. **Setbacks.** Unless a greater setback is required in another section of this Code, fences shall be set back 12 inches from the back of adjacent sidewalks, or from the curb or shoulder if there is no sidewalk. Fences may be placed on interior side and rear property lines.
- 8. **Right-of-Way.** In no circumstance may any fence be placed in the public right-of-way unless specified elsewhere in this Code.

SECTION 34. Section 15-2006 subsection M of the Fresno Municipal Code is amended to read:

M. Additional Materials Standards.

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

by the Director should the design provide for an enhanced appearance. For continuity, walls should incorporate similar styles, colors, etc., when located on the same side of the street.

3. ***Limitation on Wire Mesh Fencing.*** Wire mesh fencing shall be permitted in the following circumstances:
 - a. Commercial Districts, O Districts, BP Districts, and RBP districts when not visible from a public street.
 - b. Industrial Districts.
4. ***Permitted Materials.*** The following materials shall be permitted in all districts, except when a district has a more restrictive list of permitted materials:
 - a. Materials specifically permitted elsewhere in this Section;
 - b. Wood pickets;
 - c. Split rail wood;
 - d. Wrought iron and tubular steel;
 - e. Brick and stone;
 - f. Stucco;
 - g. Shade cloth when used in combination with permitted fencing such as chain link, wrought iron, or tubular steel, provided it consists of materials specifically manufactured for such a purpose; and
 - h. Privacy slats when in combination with chain link fencing (when chain link is allowed) provided it consists of materials specifically manufactured for such a purpose.
5. ***Prohibited Materials.*** The following materials shall not be permitted to be used as a fence material in any district:
 - a. Plywood, oriented strand board, pressboard, and similar wood products;
 - b. Chicken wire or similar wire products;
 - c. Corrugated metal or corrugated plastic;
 - d. Piping (including metal, PVC, and other materials);
 - e. Hazardous fencing shall only be allowed as put forth in Section 15-2009, and when allowed shall not consist of improved materials, such as broken glass or nails.
 - f. Improvised materials, including but not limited to wood scraps, doors, garage doors, refrigerator doors, and mattresses;
 - g. Improvised screening materials, including but not limited to blankets and tarps; and
 - h. Any material not listed unless approved by the specifically Review Authority.

6. **Fence Construction.**

- a. All fences must be built with a professional and durable appearance and must be maintained in good condition.
- b. Permitted materials may be combined (for example, brick columns combined with wrought iron panels), but combinations shall not be haphazard or random in appearance.

SECTION 35. Section 15-2008 subsection B of the Fresno Municipal Code is amended to read:

- B. **Common Property Lines.** A six-foot-high screen wall shall be provided on the interior lot lines where any non-residential use abuts a residential district and where multi-family[[unit](#)] development of four or more units abuts a single-family[[unit](#)] residential district. Walls shall step down to three feet in height along interior property lines within front yards.

SECTION 36. Table 15-2012 of the Fresno Municipal Code is amended to read:

TABLE 15-2012-B: ALLOWED PROJECTIONS ABOVE HEIGHT LIMITS		
Structures Allowed Above the Height Limit	Maximum Coverage, Locational Restrictions	Maximum Vertical Projection Above the Height Limit (ft)
Skylights	No limitation	1
Solar panels, and other energy production facilities located on a rooftop	No limitation	10
Parapets	No limitation	4
Chimneys Elevator and stair towers Rooftop open space features such as sunshade and windscreen devices, open trellises, and landscaping (for multi-family[unit] and non-residential buildings only) Flagpoles	10% of roof area	16 (if no height limit in the underlying district, 35)
Decorative features such as spires, bell towers, domes, cupolas, obelisks, clock towers, and monuments (attached or detached)	10% of roof area	Residential: 6 Non-Residential: 20
Fire escapes, catwalks, and open railings required by law	Per Building Code	Per Building Code
Radio towers	Refer to Section 15-2759, Telecommunications and Wireless Facilities	

Water tanks Windmills Industrial structures where the manufacturing process requires a greater height	25% of the area of the lot, or 10% of the roof area of all on-site structures, whichever is less. Must be located at least 25 ft. from any lot line.	100. May exceed 100 with the approval of a Conditional Use Permit. Public noticing shall be eight times the height of the structure measured in ft.
Building-mounted telecommunications facilities, antennas, and microwave equipment	Subject to the provisions of Section 15-2759, Telecommunications and Wireless Facilities	

SECTION 37. Section 15-2015 subsection B of the Fresno Municipal Code is amended to read:

B. Control and Illumination of Outdoor Artificial Light.

1. **Purpose.** This subsection is intended to minimize outdoor artificial light that may have a detrimental effect on the environment, astronomical research, amateur astronomy, and enjoyment of the night sky. These provisions are also intended to reduce the unnecessary illumination of adjacent properties and the use of energy.
2. **General Standards.**
 - a. *Single-Family[Unit] Districts.* Each new home shall provide at a minimum, lighting proximate to the main entrance, the garage/carport, and alley, if present.
 - b. *Multiple-Unit Residential Buildings.* Aisles, passageways, recesses, etc., related to and within the building complex shall be illuminated with an intensity of at least 0.25 foot-candles at the ground level during the hours of darkness. Lighting devices shall be protected by weather and vandal-resistant covers.
 - c. *Pedestrian-Oriented Lighting.* In Multi-Family[Unit], Mixed-Use, and Commercial Districts, exterior lighting with an intensity of at least 0.25 foot-candles at the ground level shall be provided for a secure nighttime pedestrian environment by reinforcing entrances, public sidewalks and open areas with a safe level of illumination.
 - d. *Non-Residential Buildings.* All exterior doors, during the hours of darkness, shall be illuminated with a minimum of 0.5 foot-candle of light.
 - e. *Trails/Paseos.* As determined by the Public Works Director.
 - f. *Parking Lots and Garages.* All parking lots and garages shall be illuminated with a minimum of 0.5 foot-candle of light.

3. **Maximum Height.** Lighting fixtures shall not exceed the maximum heights specified in the following table.

TABLE 15-2015-B.3: MAXIMUM HEIGHT OF LIGHTING FIXTURES	
District	Maximum Height (ft)
Residential Single-Family[Unit] Districts	Shall not exceed the fascia of the home
Residential Multi-Family[Unit] Districts	Shall not exceed the fascia of the unit or 16 feet, whichever is greater
Commercial and Mixed-Use Districts	20 within 100 of any street frontage or Residential District; 25 in any other location
Employment Districts	25 within 100 of any street frontage; 30 in any other location
Public and Semi-Public Districts	25, or as necessary for safety and security

4. **Exemptions.** The following types of lighting fixtures are exempt from the requirements of this section:
- Public and Private Street Lighting.
 - Parks/Athletic Field Lights. Athletic field lights used within a school campus or public or private park.
 - Public Safety and Security Lighting. Safety and security lighting as required by State and federal regulations, including, but not limited to, airports, radio towers, antennas, etc.
 - Construction and Emergency Lighting. All construction or emergency lighting fixtures provided they are temporary and are discontinued immediately upon completion of the construction work or abatement of the emergency.
5. **Prohibited Lighting.** The following types of exterior lighting are prohibited:
- Drop-down lenses;
 - Mercury vapor lights; and,
 - Searchlights, laser lights, or any other lighting that flashes, blinks, alternates, or moves.
6. **Fixture Types.** All lighting fixtures shall be shielded so as not to produce obtrusive glare onto the public right-of-way or adjoining properties. All luminaries shall meet the most recently adopted criteria of the Illuminating Engineering Society of North America (IESNA) for "Cut Off" or "Full Cut Off" luminaries.
7. **Glare.** No use shall be operated such that significant, direct glare, incidental to the operation of the use is visible beyond the boundaries of the property where the use is located.

8. **Light Trespass.** Lights shall be placed to deflect light away from adjacent properties and public streets, and to prevent adverse interference with the normal operation or enjoyment of surrounding properties.
 - a. Direct or sky-reflected glare from floodlights shall not be directed into any other property or street.
 - b. No light or combination of lights, or activity shall cast light exceeding one foot candle onto a public street, with the illumination level measured at the centerline of the street.
 - c. No light, combination of lights, or activity shall cast light exceeding 0.5 foot candle onto a residentially zoned property, or any property containing residential uses.
9. **Alternate Materials and Methods of Installation.** Designs, materials, or methods of installation not specifically prescribed by this section may be approved by the Director, provided that the proposed design, material, or method provides approximate equivalence to the specific requirements of this section or is otherwise satisfactory and complies with the intent of these provisions.

SECTION 38. Section 15-2016 subsection B of the Fresno Municipal Code is amended to read:

B. Requirements.

1. **Single-Family[Unit] Residential.** As required per Chapter 6, Municipal Services and Utilities, of the Fresno Municipal Code.
2. **Multi-Family[Unit] Residential.** Enclosures for solid waste and recycling containers are required when:
 - a. Five or more dwelling units are proposed; and,
 - b. There should be a minimum of one solid waste and recycling enclosure per 30 units.
3. **Non-Residential Districts.** As required per Chapter 6, Municipal Services and Utilities, of the Fresno Municipal Code.
4. **Uses That Produce Grease.** Uses, such as restaurants, that produce grease shall provide a "grease barrel" enclosure or alternative as approved by the Public Utilities Director.

SECTION 39. Section 15-2303 subsection B of the Fresno Municipal Code is amended to read:

- B. Additions (other than to Single-Family[Unit] Dwellings or Duplexes) to an existing building that expands the existing floor area by either 20 percent or more or 2,500 square feet or more, whichever is less. The floor area increases to the existing building shall be cumulative from the date of adoption of this Code;

SECTION 40. Section 15-2304 subsection B of the Fresno Municipal Code is amended to read:

- B. **Authorized to Design a Landscape.** Landscaping for commercial projects and institutional projects equal to or greater than one acre in size, industrial projects equal to or greater than 2.5 acres in size, and residential projects consisting of more than five units shall be prepared by a California registered landscape architect. For all other projects the various professionals, practitioners, and unlicensed persons may offer landscape design services within the scope and limitations that pertain to each as follows:
1. **Landscape Architect.** Must hold a professional license to practice landscape architecture. May perform professional services for the purpose of landscape preservation, development and enhancement, such as consultation, investigation, reconnaissance, research, planning, design, preparation of drawings, construction documents and specifications, and responsible construction observation (Business and Professions Code, Section 5615).
 2. **Architect.** Must hold a professional license to practice architecture. May offer, perform, or be in responsible control of professional services which require the skills of an architect in the planning of sites (Business and Professions Code, Sections 5500.1 and 5641.3).
 3. **Professional Engineers.** Must hold professional registration to practice engineering. May perform professional services as defined under Business and Professions Code, Section 5615, as long as the work is incidental to an engineering project (Business and Professions Code, Sections 5615, 5641.3 and 6701 et seq.).
 4. **Landscape Contractors.** Must hold a C-27 landscaping contractor's license. May design systems and facilities for work to be performed and supervised by that contractor (Business and Professions Code, Sections 5641.4 and 7027.5 and California Code of Regulations, Title 16, Division 8, Section 832.27).
 5. **Nurserypersons.** Must hold a license to sell nursery stock. May prepare planting plans or drawings as an adjunct to merchandizing nursery stock and related products (Business and Professions Code, Section 5641.2 and Food and Agricultural Code, Section 6721 et seq.).
 6. **Landscape/Garden Designers including Master Gardeners, etc.** May prepare plans, drawings, and specifications for the selection, placement, or use of plants for single-family~~unit~~ dwellings; may prepare drawings for the conceptual design and placement of tangible objects and landscape features; may not prepare construction documents, details, or specifications for tangible landscape objects or landscape features; and may not prepare grading and drainage plans for the alteration of sites.
 7. **Personal Property Owners (Homeowner).** May prepare plans, drawings or specifications for any one- or two-family~~unit~~ dwelling property owned by that person.

8. **Golf Course Architect.** May engage in the practice of, or offer to practice as, a golf course architect. May perform professional services such as consultation, investigation, reconnaissance, research, design, preparation of drawings and specifications, and responsible supervision, where the dominant purpose of such service is the design of a golf course, in accordance with accepted professional standards of public health and safety.
9. **Irrigation Consultants.** May engage in the practice of, or offer to practice as, an irrigation consultant. May perform consultation, investigation, reconnaissance, research, design, preparation of drawings and specifications, and responsible supervision, where the dominant purpose of such service is the design of landscape irrigation, in accordance with accepted professional standards of public health and safety.

SECTION 41. Section 15-2305 subsection B of the Fresno Municipal Code is amended to read:

B. Required Setbacks.

1. **All Districts.** For permitted paved areas, refer to the underlying Base District.
2. **Residential Uses that are Single-Family[Unit] Dwellings, Duplexes, and Triplexes.** All required front and street-facing side yards, except for areas used for exit and entry shall be landscaped. If a solid fence is provided on a street side yard property line, the street side yard is not required to be landscaped.
3. **Residential Uses with Four or More Dwelling Units and Mixed-Use.** All required setbacks, except for areas used for exit and entry, shall be landscaped.
4. **Non-Residential Uses.** All required setbacks, except for areas used for exit and entry, shall be landscaped. If an Industrial District abuts another Industrial District, side and rear yards are not required to be landscaped. However should an Industrial District abut any other district or a street, it shall be landscaped. Where adjacent to residential, non-residential uses may require a larger setback under Residential Transition Standards and landscaping shall be provided as prescribed in Table 15-2305-C.1.

SECTION 42. Table 15-2305-C-1 of the Fresno Municipal Code is amended to read:

TABLE 15-2305-C-1: REQUIRED LANDSCAPE BUFFERS							
Proposed Use	Adjoining District						
	Park or Open Space	Single-Family[Unit] Residential	Multi-Family[Unit] Residential	Mixed-Use	Commercial, Office, and Business Park	Industrial	Public Facility
Park or Open Space	-	Type 1	Type 1	Type 1	-	-	-

Multi-Family[Unit] Residential	Type 1	Type 1	-	-	-	-	-
Mixed-Use	Type 2	Type 2	Type 2	-	-	-	-
Commercial, Office and Business Park	Type 2	Type 2	Type 2	-	-	Type 1	Type 1
Industrial	Type 2	Type 2	Type 2	Type 2	Type 2	-	Type 2
Public Facility	Type 2	Type 2	Type 2	Type 2	Type 2	Type 1	-
Other Non- Residential Uses	Type 1	Type 1	Type 1	-	-	-	Type 1

SECTION 43. Section 15-2308 of the Fresno Municipal Code is amended to read:

SEC. 15-2308. TREES.

A. **Trees.** Trees shall be provided as follows:

1. **Residential Single-Family[Unit] Districts.** A minimum of two trees per lot and if part of a Planned Development then trees may be provided in common areas in addition to the two provided on each residential lot.
 - a. One of the required trees must be oriented to the street.
 - b. One of the required trees must be a passive solar-oriented tree (Deciduous) or a wind buffer-oriented tree (Evergreen).
2. **Multi-Family[Unit] Residential and Mixed-Use Districts.** A minimum of one tree per unit.
3. **Commercial, Office, Business Park, and Regional Business Park Districts.** A minimum of one tree for every 2,000 square feet of lot coverage.
4. **Industrial Districts.** A minimum of one tree for every 10,000 square feet of lot coverage (Trees required in other sections of this code, such as parking lot trees or street trees, shall count toward the satisfaction of this requirement).
5. **Planned Development Districts.** For requirements in single-family[unit] residential development see Residential Single-Family[Unit] Districts, for multi-family[unit] and mixed-use development see Residential Multi-Family[Unit] and Mixed-Use Districts, and for commercial and employment development see Commercial and Employment Districts above.
6. Trees planted near public curbs or sidewalks shall be installed in a manner that minimizes physical damage to the curbs, gutters, sidewalks, and other public improvements.

B. Heritage Tree Designations.

1. **Applications.** Applications for designation of a heritage tree on private or public property may be initiated by any person subject to the property owners' written consent. The applicant requesting heritage tree designation shall submit an application in compliance with instructions provided by the Director and shall include the following:
 - a. Assessor's parcel number of the site;
 - b. Description detailing the proposed heritage tree's special aesthetic, cultural, or historic value of community interest; and
 - c. Photographs of the tree(s).
2. **Review.** The Director shall conduct a review of the proposed heritage tree, based upon information or documentation they may require from the applicant, staff, or other available sources. A tree may be designated as a heritage tree upon a finding that it is unique and important to the community due to any of the following factors:
 - a. It is an outstanding specimen of a desirable species;
 - b. It is one of significant age and/or girth in the city; or
 - c. It has agricultural, cultural, economic, educational, historical, indigenous, or social heritage significance in the city.
3. **Hearing.** The Planning Commission shall hold a public hearing on any proposed designation within 30 days after the application is deemed complete and shall render a decision to approve, deny, or continue the hearing for more information.
4. **Posting and Notice.** Hearings for heritage tree designation shall be subject to public hearing notice procedures specified in Section 15-5007, Public Notice. In addition, the Department shall post to the site or tree under consideration at least ten calendar days before the hearing date with a sign identifying the nature of the application and the date, time, and place of the hearing.
5. **Recordation of Heritage Tree Designation.** If the heritage tree designation is approved, the City shall record the designation with the County Recorder's Office and a copy shall be provided to the property owner and the DARM Department. A listing of designated heritage trees and their locations shall be listed on the historic resources inventory and maintained by the Department.

C. Protected Trees. The following apply to Protected Trees:

1. No Protected Tree shall be removed, pruned, or otherwise materially altered without a Tree Removal Permit except as provided in this section. Trimming of a Protected Tree is allowed without such a permit.
2. Protected Trees are as follows:
 - a. Heritage Trees.

- b. **Multi-Trunk Trees.** Any multi-trunk tree which has at least one trunk 12 inches or greater in diameter or 38 inches or greater in circumference, measured four feet above the adjacent grade, except for developed single-family[unit] residential properties.
 - c. **Any Tree 12 Inches or Greater in Diameter.** Any tree which measures 12 inches or greater in diameter or 38 inches or greater in circumference, measured four feet above the adjacent grade, except for developed single-family[unit] residential properties.
 - d. **Parkway Trees and Any Trees Located on Public Property.**
 - e. **Condition of Approval.** Any tree required to be planted or retained as a condition of approval of a development application or a Building Permit.
 - f. **Trees Required by a Development Permit.** Trees required or memorialized under a Development Permit.
3. The following trees may be removed without approval of a Tree Removal Permit:
- a. *Emergencies.* Trees may pose an immediate threat to persons or property during an emergency or are determined to constitute an emergency upon order of the Director, the Public Utilities Director, the Public Works Director, or any member of the Police or Fire Departments.
 - b. *Public Nuisance.* Any tree in a condition to constitute a public nuisance as determined the Building Official, the Director, the Fire Chief, the Public Utilities Director, or the Public Works Director.
 - c. *Public Utilities.* Trees that undermine or impact the safe operation of public utilities.
 - d. *Fruit Trees.* Any fruit tree.
 - e. *Eucalyptus Trees.* All trees of the genus Myrtaceae.
 - f. *Developed Single-Family[Unit] Residential.* Any tree located on developed single-family[unit] residential property, except as specified in Subsection 15-2308-C.2.
4. Chemicals or other construction materials shall not be stored within the drip line of Protected Trees.
5. Signs, wires, or similar devices shall not be attached to Protected Trees.
6. If the proposed development, including any site work for the development, will encroach upon the drip line of a Protected Tree, then the following apply:
- a. Special measures shall be utilized as approved by the review authority, to allow the roots to obtain oxygen, water, and nutrients as needed.
 - b. Any excavation cutting, filling, or compaction of the existing ground surface within the protected perimeter, if authorized at all by the review authority, shall be minimized and subject to such conditions as may be imposed by the review authority.

- c. No significant change in existing ground level shall be made within the drip line of a Protected Tree.
 - d. No burning or use of equipment with an open flame shall occur near or within the protected perimeter.
7. Underground trenching for utilities shall avoid major support and absorbing tree roots of Protected Trees. If avoidance is impractical, tunnels shall be made below the roots. Trenches shall be consolidated to service as many utilities as possible. Trenching within the drip line of Protected Trees shall be avoided to the greatest extent possible and shall only be done under the at-site directions of a certified arborist.
 8. No concrete or asphalt paving shall be placed over the root zones of oaks.
 9. No compaction of the soil within the root zone of Protected Trees shall occur.
 10. All trees, protected or otherwise, to be removed shall include the removal of the stump or be cut to at least six inches below the ground, and soil shall be replaced and the area leveled. If the area where the tree is removed is to be paved, the tree shall be cut or stump removed to at least eight inches below the ground.

D. Tree Removal Permit/Application Requirements.

1. *Application Information.*

- a. Applications for a tree removal permit shall be available from and filed with the DARM Department and shall contain the following:
 - i. A written explanation of why the tree(s) should be removed;
 - ii. A tree survey plan indicating the number, location(s), variety or species, and size(s) (measured four feet above grade) of the tree(s) to be removed is required for all properties except developed single-family[[unit](#)] residential;
 - iii. Photograph(s) of the tree(s);
 - iv. Arborist report;
 - v. Signature of the property owner and homeowners association (when applicable) and proof of a vote of the homeowners association;
 - vi. Replanting plan (see Table 15-2308-E-4, Replacement Trees);
 - vii. Other information deemed necessary by the Director to evaluate the tree removal request; and
 - viii. Permit fee, if applicable.
- b. The Director may modify or waive the requirements of this section if deemed appropriate (e.g., arborist reports for properties in RS Districts).

E. Determination on Permit Application.

1. **General Criteria.** The review authority shall issue a Tree Removal Permit if any of the following general criteria is met:
 - a. *Diseased or Danger of Falling.* The tree(s) is irreparably diseased or presents a danger of falling that cannot be controlled or remedied through reasonable preservation and/or preventative procedures and practices so that the public health or safety requires its removal.
 - b. *Potential Damage.* The tree(s) can potentially cause substantial damage to existing or proposed main structure(s) (e.g., dwellings, other main structures, or public infrastructure) or interfere with utility services and cannot be controlled or remedied through reasonable relocation or modification of the structure or utility services.
 - c. *Economic Enjoyment and Hardship.* The retention of the tree(s) restricts the economic enjoyment of the property or creates an unusual hardship for the property owner by severely limiting the use of the property in a manner not typically experienced by owners of similarly zoned and situated properties, and the applicant has demonstrated to the satisfaction of the Review Authority that there are no reasonable alternatives to preserve the tree(s). A minor reduction of the potential number of residential units or structural size due to tree location does not represent a severe limit of the economic enjoyment of the property.
2. **Additional Recommendations.** The applicable review authority may refer the application to another department or the Planning Commission for a report and recommendation.
3. **Inspections and Permit Availability.** City staff shall have the authority to conduct on-site inspections of all trees proposed for removal. If a tree removal permit is approved, the permit shall be on site at all times before and during the removal of a tree and/or shall be made available to any City official at the site, upon request.
4. **Action.** Based on the criteria identified in this section, the Review Authority shall approve, conditionally approve, or deny the application. Conditions of approval may include any of the following:
 - a. Revisions to development plans to accommodate existing trees;
 - b. Payment of an in-lieu fee.
 - i. Payment of a fee shall be based on the fair market value of the number of trees required by Table 15-2308-E-4 for the same or equivalent species, delivered and installed, as determined by the Director.
 - ii. The fees will be used to purchase trees that will be planted within the public right-of-way or on other public property as directed by the Public Works Department. Where feasible, trees will be planted in the vicinity in which the tree(s) was removed.

- iii. Payment of the in-lieu fee shall be made before the issuance of the Tree Removal Permit.
- c. Replacement trees of a species and size planted at locations designated by the Review Authority in compliance with Table 15-2308-E-4; or
- d. A combination of replacement trees and in-lieu fees that in total provide for the number of replacement trees required by this article.

TABLE 15-2308-E-4: REPLACEMENT TREE REQUIREMENTS			
Trunk Size of Removed Tree (measured at 4 feet above grade)		Replacement Ratio Required (per tree removed)	
Diameter (in inches)	Circumference (in inches)	Number of replacement trees required	Minimum size of replacement trees
12 to 24	30 to 75	2	24 inch box
Greater than 24	Greater than 75	3	36 inch box
Heritage Trees		4	48 inch box

- 5. **Expiration.** If no action on an approved tree removal permit is taken within a period of one year from the date of approval, the permit shall be considered void.

F. Review Authority and Permit Process.

1. Tree Removal Requests Filed Independent of Development Applications.

- a. *Director's Review.* The Director shall be the Review Authority for tree removal requests, except for heritage trees, filed independent of a development application. The Director shall render a decision within ten business days from the date a tree removal application is filed and deemed complete. The Director may refer any application to another department, committee, board, or commission of the City for a report and recommendation, and may require the applicant to provide an arborist's report.
- b. *Posting and Notice.* The decision of the Director shall be mailed to the applicant and to all owners of record located within a three-hundred-foot radius of the subject property on the same day the decision is made. In addition, the site or tree shall be posted with a sign by the Department for at least ten calendar days indicating the decision of the Director, and specifying the appeal period and the method of appeal.

2. Tree Removal Requests Filed with a Development Application.

- a. *Review Authority.* The Review Authority for tree removal requests filed in conjunction with a development application shall be the same review authority as established for the accompanying development application.

- b. *Public Hearing.* If a public hearing is normally required by this Development Code, the tree removal request shall be considered concurrently, in compliance with Section 15-5007, Public Notice.
 - c. *Posting.* The DARM Department shall also post to the site or tree under consideration a sign indicating the proposed removal and the date, time, and place of the hearing at least ten calendar days before the hearing date.
- 3. ***Heritage Tree Removal Requests.*** Notwithstanding any other provision of this section, the following provisions shall apply to requests for the removal of heritage trees.
 - a. *Requests Filed Independent of Development Applications.* The Planning Commission shall be the Review Authority for all tree removal requests for heritage trees filed independent of a development application.
 - b. *Requests Filed in Conjunction with a Development Application.* The Review Authority for heritage tree removal requests filed in conjunction with a development application shall be the same review authority as established for the accompanying development application. Before the hearing by the Review Authority, requests to remove heritage trees filed in conjunction with a development application shall be referred to the Protected Tree Advisory Committee who shall make a recommendation to the review authority.
 - c. *Public Hearing.* A public hearing by the review authority shall be required for all heritage tree removal requests in compliance with Section 15-5007, Public Notice.
 - d. *Posting.* The Department shall post to the site or tree under consideration a sign indicating the proposed removal and the date, time, and place of the hearing at least ten calendar days before the hearing date.
- 4. ***Final Decision/Timing of Tree Removal.*** No tree for which a Tree Removal Permit is required shall be removed until all conditions of the permit have been satisfied and the decision has become final. In addition, tree(s) approved for removal in conjunction with a development application shall not be removed before the issuance of a Building Permit or unless all of the conditions of approval of the development application are satisfied.
- 5. ***Concurrent Filing.*** All tree removal requests associated with a development application shall be filed concurrently.

G. Appeals.

- 1. ***Appeals.*** Any person aggrieved by a decision of the Review Authority as specified in Section 15-2308-B through F may appeal the decision in compliance with Section 15-5017, Appeals.
- 2. ***Decisions on Appeals.*** No decision made in compliance with Section 15-2308-B through F shall be final until all appeal rights have expired. All appeal hearings shall be public hearings subject to Section 15-5017, Appeals.

3. **Posting and Notice.** In addition to the public hearing procedures specified in Section 15-5007, Public Notice, the site or tree under consideration shall also be posted with a sign at least ten calendar days before the hearing date of the appeal. The sign shall state the nature of the appeal under consideration by the appeal body, and the date, time, and place of the hearing.

TABLE 15-2308-G: TREE TYPE AND PERMIT PROCESS SUMMARY				
Type of Tree Removal Request	Protected Tree Types	Size Tree Protected ¹	Review Authority for Removal Permit	Appeal Process ²
Tree removal requests on all properties (except RS Districts ³) not in conjunction with a development application	Any tree except fruit trees ⁴ and trees of the genus Myrtaceae ⁵	None Specified	Director	Planning Commission and then Council
Tree removal requests in RS Districts not in conjunction with a development application	Trees of the species: Quercus (oaks) Cedrus (cedars) Fraxinus (ash) Sequoia (redwoods)	12 inch diameter or 38 inch circumference	Director	Planning Commission and then Council
Tree removal requests on all properties in conjunction with a development application	Any tree except fruit trees and trees of the genus Myrtaceae ⁵	12 inch diameter or 38 inch circumference	Director	Planning Commission and then Council
Heritage Tree removal requests in all zoning districts (not in conjunction with a development application) ⁶	Any Heritage Tree	None Specified	Planning Commission	Council
Heritage Tree removal	Any Heritage Tree	None Specified	Planning Commission or	Council

requests in all zoning districts (in conjunction with a development application) ⁶			Council, as applicable to the permit application	
Trees required as a condition of a development approval	Any tree required to be retained or planted	None Required	Director	Planning Commission and then Council
Trees within the City public right-of-way and parkway strip	Any tree required to be retained or planted	None Required	Director	Planning Commission and then Council

Notes:

1. Minimum size and greater - measured four feet above grade adjacent to trunk.
 2. Appeals shall be filed in writing with the City Clerk within 10 days from the decision of the permit.
 3. Developed single-family~~unit~~ residential property in RS Districts or Planned Development.
 4. Fruit trees, defined as any tree that has the characteristics of being edible fruit, common to commercial production varieties including stone fruits (e.g., prunes, peaches etc.), citrus (e.g., lemons, oranges), nut varieties (e.g., almonds), English walnut (except for California Black Walnut), Peppers (Schinus), and Olives (Oleaceae), etc. A "fruit tree" shall mean any tree that bears a fruit or nut not produced primarily as seed (e.g., oaks, pines, etc.).
 5. Any variety of eucalyptus tree.
 6. Includes any development application that requires Planning Commission or Council Approval, except development applications not involving addition of new single-family~~unit~~ units~~dwelling~~ in RS Districts or Planned Development Single-Family~~Unit~~ developments (e.g. fence exception or Conditional Use Permit).
- H. **Delegation of Functions.** The Director may delegate any or all of the administrative duties authorized by this section to one or more Department or City staff members.
- I. **Violation.** In addition to the provisions of Article 63, Enforcement, any person who removes or causes to be removed any Protected Tree in violation of this article shall be required to:
1. Apply for and obtain a Tree Removal Permit and pay a double application fee.
 2. Be responsible for property restoration which shall include:

- a. Replacing the tree(s) removed with tree(s) of reasonably equivalent value and largest size feasible to the tree(s) removed per Table 15-2308-E-4;
 - b. The number, size, and location of replacement trees shall be determined by the Director after receipt of a report and recommendation by a licensed arborist;
 - c. Paying the fees of the licensed arborist, including any fees for the valuation under Subsection 15-2308-E.4.
3. Pay a civil penalty to the City, with the funds placed in the City's tree planting fund, in the amount of \$2,500 or the actual monetary value of the tree(s), as determined by a licensed arborist, whichever is less. The arborist shall use the then-current issue of the "Guide for Plant Appraisal" published by the International Society of Arboriculture. Said funds from the tree planting fund shall be allocated for the planting of new trees or shall be directed to a non-profit organization that specializes in the preservation and/or planting of trees in the city.

SECTION 44. Section 15-2311 subsection A of the Fresno Municipal Code is amended to read:

- A. **General.** All planting and other landscape elements required by this article shall be permanently maintained in good growing condition. Such maintenance shall include, where appropriate, pruning, mowing, weeding, cleaning, fertilizing, and regular watering. Once planted, healthy, thriving trees and shrubs may not be removed without replacement by similar or better plantings providing a similar impact or function on the site. Plantings which show signs of damage or injury shall be replaced with other plant materials to insure continued compliance with applicable landscaping requirements.
 1. ***Non-Single-Family[Unit] Districts.*** Trees may not be trimmed or pruned to reduce the natural height and crown.

SECTION 45. Section 15-2405 of the Fresno Municipal Code is amended to read:

SEC. 15-2405. RECREATIONAL VEHICLES, BOATS, TRAILERS, AND PORTABLE STORAGE.

Recreational vehicles, fifth wheel trailers, boats, trailers, etc., collectively referred to as Recreation Vehicles in this section, may be permitted per the provisions below.

- A. **Habitation.** Recreational Vehicles may not be used for sleeping or habitation, unless permitted per Subsections E, F, and G below.
- B. **Single-Family[Unit] Districts.**
 1. ***Parking and Screening.*** Recreational Vehicles shall be parked on a non-permeable surface in a fenced area, or in the rear yard or side yard, screened by a wall or solid fence not less than five feet in height.

2. **Location.** Recreational Vehicles shall not project beyond the front limits of the home.
3. **Exceptions.** A Recreational Vehicle may be parked in the driveway for purposes of loading and unloading for up to 72 hours in any month and shall not encroach into the public right-of-way. For purposes of this article, parking for up to 72 hours includes being parked in the front yard, the driveway, and/or the street.
4. Commercial rated vehicles not commonly found in residential areas are prohibited.

C. Multi-Family[Unit] Residential Districts.

1. Recreational vehicles may not be parked and/or stored in multi-family[unit] districts, unless stored in a fully enclosed garage with a non-permeable surface.
2. Trailers used for loading and unloading, may be parked temporarily and strictly for moving purposes and shall not encroach into the public right-of-way or landscape area.
3. Construction-related trailers shall be removed upon completion of the construction or repairs.

D. Moving Trailers/Portable Storage/ISO Containers in Residential and Mixed-Use Districts.

1. Portable storage units may be parked on a driveway in single-family[unit] districts, or a parking space in multi-family[unit] and mixed-use districts for the purposes of loading and unloading.
2. Units may not be on a site for more than 96 hours in any month.
3. Units shall not encroach into the public right-of-way (i.e., sidewalk), nor be placed on the street or front lawn, unless the lot does not have a driveway, then it may be placed in the front yard.

E. Recreational Vehicles at Fraternal and/or Service Organizations. Overnight parking may be permitted at Fraternal or Service Organizations for their members. Areas used for this purpose shall be screened from the public right-of-way with a six-foot block wall, hedge, or building. Areas used for this purpose shall be located outside of required yard, and/or landscape areas. No individual Recreational Vehicle may park for more than 48 hours in any month on a site and shall not encroach into the public right-of-way. Outdoor camping is not permitted. Areas used for this purpose are not required to be paved.

F. Recreational Vehicles in Commercial Districts. Overnight parking may be permitted in Commercial Districts. No individual Recreational Vehicle may park for more than 12 hours in any month on a site and shall not encroach into the public right-of-way. Areas used for this purpose shall be located outside of required yard, and/or landscape areas. Outdoor camping is not permitted. Areas shall be paved.

- G. **Recreational Vehicles at Hospitals.** Hospitals may provide Recreational Vehicle parking areas for visitors, provided that the hospital provides utility connection areas. A Recreational Vehicle may park so long as an acquaintance is under medical care of the hospital. Areas shall be paved.

SECTION 46. Table 15-2409 of the Fresno Municipal Code is amended to read:

TABLE 15-2409: REQUIRED ON-SITE PARKING SPACES, OTHER DISTRICTS		
Use Classification	Required Parking Spaces	
Residential Use Classifications		
Single-Unit Residential constructed prior to the adoption date of this Code	1 space per dwelling unit	Must be covered.
Single-Unit Residential, up to two bedrooms	1 space per dwelling unit	Must be within a garage.
Single-Unit Residential, three or more bedrooms	1 space per dwelling unit	Must be within a garage.
Duplex	1 space per dwelling unit	Must be within a garage.
Backyard Cottages, Second Dwelling Units, or Accessory Living Quarters [Second/Accessory Dwelling Units (ADUs)]	Refer to Section 15-2754, Second Dwelling Units, Backyard Cottages, and Accessory Living Quarters [Second/Accessory Dwelling Units (ADUs)] .	
Affordable Housing Developments (Moderate Income and Below, Single [-] [Family[Unit]] or Multi [-] [Family[Unit]])		
Studio, one- or two-bedroom	.75 space per unit	
Three or more bedrooms	1.5 spaces per unit	
Multi-Unit Residential (2 or more units)		
Studio	1 space per unit	One covered space shall be designated for each unit. One additional uncovered guest parking space must be provided for every 4 units.
One- or two-bedroom	1 space per unit	One covered space shall be designated for each unit. One additional uncovered guest parking space must be provided for every 2 units.

Three or more bedrooms	1.5 spaces per unit	
Small Family Day Care	None in addition to what is required for the residential use.	
Large Family Day Care	1 per employee plus an area for loading and unloading children, on or off-site. Required spaces and the residential driveway for the primary residential use may be counted toward meeting these requirements.	
Elderly and Long-Term Care	1 for every 7 residents plus 1 for each live-in caregiver. Facilities serving more than 15 residents shall also provide 1 space for each caregiver, employee, and doctor on-site at any one time.	
Group Residential	1 spaces for the owner-manager plus 1 for every 5 beds and 1 for each non-resident employee.	
Residential Care, Limited	None in addition to what is required for the residential use.	
Residential Care, General	1 space per employee and 1 space for every 7 residents. Parking stalls withing residential garages shall count towards required parking spaces. 1 space for every 7 residents plus 1 for each employee.	
Residential Care, Senior	1 for every 7 residents plus 1 for each live-in caregiver. Facilities serving more than 15 residents shall also provide 1 space for each caregiver, employee, and doctor on-site at any one time.	
Single Room Occupancy	0.5 space per unit.	
Public and Semi-Public Use Classifications		
Colleges and Trade Schools, Public or Private	1 per 5 members of the school population (including students, faculty, and staff) based on maximum enrollment.	
Community and Religious Assembly	1 for each 5 permanent seats in main assembly area, or 1 for every 50 sq. ft. of assembly area for group activities or where temporary or moveable seats are provided, whichever is greater. For auxiliary classrooms, there shall be 1 parking space per classroom.	
Cultural Institutions	Stage theaters and auditoriums: 1 for each 6 permanent seats in main assembly area, or 1 for every 60 sq. ft. of assembly area where temporary or moveable seats are provided, whichever is greater. Galleries, Libraries, and Museums: 1 for every 1,000 sq. ft. of floor area. Other establishments: determined by the Director.	
Day Care Center	1 per employee plus 2 loading spaces.	
Emergency Shelter	1 per 500 sq. ft. of floor area.	
Government Offices	1 per 500 sq. ft. of floor area.	

Hospitals, Rehabilitation Centers	1 per 1.5 beds; plus 1 per 300 sq. ft. of area used for office, clinics, testing, research, administration, and similar activities associated with the principal use.
Clinics or Urgent Care	1 per exam room; plus 1 per 300 sq. ft. of area used for office, clinics, testing, research, administration, and similar activities associated with the principal use.
Instructional Services	1 per 200 sq. ft. of public or instruction area.
Schools, Public or Private	Elementary and Middle Schools: 1 per classroom, plus 1 per 300 sq. ft. of office area. High Schools: 5 per classroom.
Social Service Facilities	1 per 350 sq. ft. of floor area.
Commercial Use Classifications	
Large Commercial Shopping Center (greater than 300,000 square feet of floor area).	1 per 350 sq. ft. or the total required for each individual use, whichever is less.
Adult-Oriented Business	1 per 300 sq. ft. of floor area.
Animal Care, Sales and Services	
Grooming and Pet Stores	1 per 500 sq. ft. of floor area.
Kennels	1 per employee plus three spaces for loading and unloading animals on-site.
Veterinary Services	1 per 350 sq. ft. of floor area.
Artist's Studio	1 per 1,000 sq. ft. of floor area.
Automobile/Vehicle Sales and Services	
Automobile/Vehicle Rentals	1 per 250 sq. ft. of office area in addition to spaces for all vehicles for rent.
Automobile/Vehicle, and Motorcycle Sales and Leasing	1 per 2,500 sq. ft. of lot area. Any accessory auto repair: 2 per service bay.
Automobile/Vehicle Repair, Major or Minor	1 space plus 1.5 per service bay. 1 per 250 sq. ft. of any retail or office on site.
Automobile/Vehicle Washing, Automated	1 per 250 sq. ft. of any indoor sales, office, or lounge areas.
Automobile/Vehicle Washing, Detail	.50 per service bay plus 1 per 250 sq. ft. of any indoor sales, office, or lounge areas.
Service Station	1.5 per service bay, if service bays are included on site. 1 per 250 sq. ft. of any retail or office on site.
Boat/Recreational Vehicle Sales and Leasing	1 per 6,000 sq. ft. of lot area. Any accessory auto repair: 1.5 per service bay.
Towing and Impound	1 per 500 sq. ft. of building area plus 1 per 0.5 acre of gross outdoor use area.
Banks and Financial Institutions	1 per 400 sq. ft. of floor area.

Banquet Hall	1 for each 5 permanent seats in main assembly area, or 1 for every 50 sq. ft. of assembly area for group activities or where temporary or moveable seats are provided, whichever is greater.
Business Services	1 per 400 sq. ft. of floor area.
Entertainment and Recreation	Establishments with seating: 1 for each 4 fixed seats, or 1 for every 50 sq. ft. of seating area where temporary or moveable seats are provided, whichever is greater. Athletic Clubs/Fitness Centers: 1 per 200 sq. ft. of main floor area. Bowling Alleys: 1.5 per lane. Cinema/Theaters: 1 for each 6 permanent seats in main assembly area, or 1 for every 60 sq. ft. of assembly area where temporary or moveable seats are provided, whichever is greater. Game Courts (e.g. tennis): 1.5 per court. Golf Courses: 3 per hole (Additional parking may be required for ancillary uses such as Banquet Rooms) Golf Driving Range/Putting Greens: .75 per station/hole. Parks: 1 per 7,500 sq. ft. of active recreational area (pocket parks are exempt from providing parking). Skating Rinks: 1 per 150 sq. ft. of gross floor area. Swimming Pools: 1 per 200 square feet of pool area plus 1 per 500 feet of area related to the pool. Other Entertainment and Recreation uses: 1 per every 3 persons permitted to occupy the floor space of the facility.
Eating and Drinking Establishments	
Convenience	1 per 125 sq. ft. of floor area.
Coffee Shops/Cafes	1 per 150 sq. ft. of floor area; For Outdoor Dining, refer to Section 15-2744, Outdoor Dining and Patio Areas.
Restaurants Take-Out Only	1 per 250 sq. ft. of floor area.
Restaurants, Full Service	1 per 150 sq. ft. of floor area; For Outdoor Dining, refer to Section 15-2744, Outdoor Dining and Patio Areas.
Bars/Nightclubs/Lounges	1 per 100 sq. ft. of floor area.
Food and Beverage Sales	
Farmer's Markets	Refer to Section 15-2730, Farmer's Markets.
General Market	1 per 450 sq. ft. of floor area.
Healthy Food Grocer	1 per 1,000 sq. ft. of floor area.
Liquor Store	1 per 450 sq. ft. of floor area.
Food Preparation	1 per 1,500 sq. ft. of use area plus 1 per 300 sq. ft. of office area.

Funeral Parlors and Internment Services	1 for each 6 permanent seats in assembly areas or 1 for every 60 sq. ft. of assembly area where temporary or moveable seats are provided, whichever is greater, plus 1 per 250 sq. ft. of office area.
Lodging	
Bed and Breakfast	1 per room for rent plus 1 space adjacent to registration office.
Hotels and Motels	1 per each sleeping unit, plus 2 spaces adjacent to registration office. Meeting/banquet rooms or restaurants under 1,500 sq. ft. are not required to provide additional parking when located within a hotel. Additional parking shall be required for ancillary uses, such as Meeting Rooms, Banquet Centers, etc. that exceed 1,500 sq. ft.
Live-Work	1 per unit or 1 for every 1,000 sq. ft. of floor area, whichever is greater.
Maintenance and Repair Services Offices	1 per 600 sq. ft. of floor area, plus one space for each fleet vehicle.
Business and Professional	1 per 400 sq. ft. of floor area up to 100,000 sq. ft. 1 per 350 sq. ft. over 100,000 sq. ft.
Medical and Dental	1 per 275 sq. ft. of floor area.
Walk-In Clientele	1 per 300 sq. ft. of floor area.
Personal Services	1 per 400 sq. ft. of floor area.
Retail Sales	
Building Materials and Services	1 per 650 sq. ft. of floor area; plus 1 per 2,000 sq. ft. of outdoor display area.
Nurseries and Garden Centers	1 per 500 sq. ft. of floor area; plus 1 per 2,000 sq. ft. of outdoor display area.
All Other Retail Sales Subclassifications	1 per 450 sq. ft. of floor area. 1 per 750 sq. ft. of floor area for appliance and furniture stores.
Swap Meet/Flea Market	1 per vendor, plus 5 per every 0.5 acre of gross outdoor use area.
Employment Use Classifications	
Construction and Material Yards	1 per 2,500 sq. ft. up to 10,000 sq. ft. plus 1 per 5,000 sq. ft. over 10,000 sq. ft.
Custom Manufacturing	1 per 1,500 sq. ft. plus 1 per 300 sq. ft. of office.
Limited Industrial	1 per 1,500 sq. ft. plus 1 per 300 sq. ft. of office.
General Industrial	1 per 1,500 sq. ft. plus 1 per 300 sq. ft. of office.
Intensive Industrial	1 per 1,500 sq. ft. plus 1 per 300 sq. ft. of office.
Recycling Facility	
CRV Recycling Centers	See Section 15-2750, Recycling Facilities.
Recycling Processing Facility	1 for each 2 employees on the maximum work shift, or 1 per 1,000 sq. ft. of floor area, whichever is greater.

Research and Development	1 per 600 sq. ft. of manufacturing and assembly; 1 per 300 sq. ft. of office; 1 per 1,500 sq. ft. of warehousing; and 1 per 800 sq. ft. of laboratory.
Salvage and Wrecking	1 per 500 sq. ft. of building area plus 1 per 0.5 acre of gross outdoor use area.
Warehousing, Storage, and Distribution	
Chemical and Mineral Storage	1 per 300 sq. ft. of office area.
Warehousing	1 per 2,000 sq. ft. of area up to 10,000 sq. ft.; 1 per 5,000 sq. ft. over 10,000 sq. ft., plus 1 per 300 sq. ft. of office.
Personal Storage	1 space per 100 storage units, plus 1 space per 300 sq. ft. of office area. A minimum of 3 spaces shall be provided, plus one enclosed space per caretaker's residence should one be proposed.
Wholesaling and Distribution	1 per 1,500 sq. ft. of use area up to 10,000 sq. ft., 1 per 5,000 sq. ft. over 10,000 sq. ft., plus 1 per 300 sq. ft. of office.
Transportation, Communication, and Utilities Use Classifications	
Light Fleet-Based Services	1 per 300 sq. ft. of office floor area, plus one space for each fleet vehicle.
Utilities, Major	1 for each employee on the largest shift plus 1 for each vehicle used in connection with the use. Minimum of 2.
Utilities, Minor	None.
Transportation Facilities/Bus Depots/Bus Terminal	1 per bus bay, plus 1 per 250 sq. ft. of building/waiting area.

SECTION 47. Section 15-2414 subsection B of the Fresno Municipal Code is amended to read:

- B. **Front and Street-Side Setbacks.** No parking spaces shall be located within the front and street side setback areas. In single-family~~unit~~ districts it is appropriate to park vehicles on driveways, however this parking shall not count towards meeting the required parking.

SECTION 48. Section 15-2416 subsection D of the Fresno Municipal Code is amended to read:

- D. **Tandem Parking.** Tandem parking may be permitted to satisfy the off-street parking requirement in accordance with the following:
1. No more than two vehicles shall be placed one behind the other;
 2. Both spaces shall be assigned to a single dwelling unit;

3. Both spaces shall be assigned as employee only parking for a non-residential establishment. Tandem parking under this scenario shall be for the same establishment;
4. Tandem parking to meet required parking for a multi-family[unit] development shall be located within an enclosed structure or a parking structure and the number of tandem parking spaces shall not exceed 50 percent of the total number of spaces;
5. Tandem parking shall not be used to satisfy the parking requirement for guest parking; and,
6. Tandem parking to meet required parking for non-residential uses may be used for employee parking and the number of tandem parking spaces shall not exceed 25 percent of the total number of spaces.

SECTION 49. Section 15-2421 subsection C of the Fresno Municipal Code is amended to read:

- C. **Perimeter Parking Lot Landscaping.** The following shall apply to Multi-Family[Unit], Mixed-Use, Office, Business Park, Regional Business Park, and Commercial developments.
1. **Layout.** Landscaped areas shall be well-distributed throughout the parking lot area. A minimum of 10 percent of any parking lot area shall be landscaped. For the purpose of calculating required parking lot landscaping, parking lot areas are deemed to include parking and loading spaces as well as aisles, vehicle entry and exit areas, and any adjacent paved areas. Parking lot area does not include enclosed vehicle storage areas. Parking lot landscaping may be provided in any combination of:
 - a. Landscaped planting strips between parking areas and adjacent buildings or internal pedestrian walkways;
 - b. On-site landscaping at the parking lot perimeter.
 2. **Adjacent to Streets.** Parking areas adjoining a public street shall be designed to provide a landscaped planting strip equivalent to the required setback for the subject zoning district.
 - a. Landscaping shall be designed and maintained to screen cars from view from the street to a height of between 24 and 36 inches.
 - b. Screening materials may include a combination of plant materials, earth berms, solid masonry walls, raised planters, or other screening devices that meet the intent of this requirement.
 - c. Trees shall be provided at a rate of at least one for every 20 lineal feet of landscaped area. A lower ratio of tree planting may be approved by the Director when larger species of trees are used.
 - d. Plant materials, signs, or structures within a traffic safety sight area of a driveway shall not exceed 36 inches in height.

3. **Adjacent to Other Uses.** Refer to the underlying Zone District and Section 15-2305-C, Lot Perimeters, landscape buffer requirements.
4. **End of Row Islands.** A landscaped island at least six feet in all interior dimensions and containing at least one 15-gallon-size tree shall be provided at each end of each interior row of parking stalls and dispersed throughout the parking lot.
5. **Planters Required.** Trees shall be in planters located throughout the parking area. Planters shall have a minimum interior dimension of five feet and be of sufficient size to accommodate tree growth.
6. **Landscaped Buffer.** When four or more parking spaces are provided, a landscaped area at least five feet wide shall be provided between any surface parking area and any property line for the length of the parking area, unless a different dimension is specified in the base district standards applicable to a site or in Section 15-2305-C, Lot Perimeters, landscape buffer requirements.
7. **Large Projects (100 Stalls or More).** Large projects shall provide a concentration of landscape elements at main entrances, including specimen trees (e.g., 24 inch, 36 inch and 48 inch box), flowering plants, enhanced paving, and project identification.

SECTION 50. Section 15-2429 subsection A of the Fresno Municipal Code is amended to read:

- A. **Short-Term Bicycle Parking.** Short-term bicycle parking shall be provided in order to serve shoppers, customers, messengers, guests, and other visitors to a site who generally stay for two hours or less.
 1. **Requirement Thresholds.** Short-term parking shall be provided when any of the following occur:
 - a. New development;
 - b. The demolition and reconstruction of a site;
 - c. A new building on a developed site when the new building is more than 300 square feet. The 300 square feet shall be cumulative from the date of adoption of this Code;
 - d. Building additions to existing buildings that expand the existing habitable floor area by at least 20 percent, or 2,500 square feet, whichever is less, not including Single-Family[Unit] Dwellings or Duplexes. The addition and/or expansion shall be cumulative from the date of adoption of this Code;
 - e. There is an addition of 10 vehicle parking stalls or more;
 - f. A Discretionary Permit is required;
 - g. There is a change from one category of use classification to another (i.e. changing from a Commercial Use Classification to a Residential Use

Classification as identified in the Use Regulation table of the Base District); or,

- h. If required per California Green Building Standards Code, as may be amended.

SECTION 51. Table 15-2429-D of the Fresno Municipal Code is amended to read:

TABLE 15-2429-D: REQUIRED ON-SITE BICYCLE PARKING SPACES		
Land Use Classification	Short-Term Spaces	Long-Term Spaces
Residential Use Classifications		
Multi-Family[Unit] (more than 15 units)	None	1 per 15 units. Not required if units provide individual garages
Dormitory/student housing	None	1 per 4 residents. Not required if units provide individual garages
Public and Semi-Public Use Classifications		
Schools (e.g., public, private, charter)	Per the California Green Building Standards	Per the California Green Building Standards Code
Colleges and Trade Schools, Public or Private (excluding dormitories, see above)	1 per 10,000 sq. ft. of building area	1 per 20,000 square feet of building area
Community and Religious Assembly & Cultural Institutions	2 per 3,000 sq. ft. of assembly area Or Per the California Green Building Standards Code, whichever is greater	Per the California Green Building Standards Code
Stadiums	Per the California Green Building Standards Code	Per the California Green Building Standards
Parks and Open Space (excluding pocket parks)	Per project review	None
Commercial Use Classifications		
Retail Sales and Service	2, or 1 per 10,000 sq. ft. of net building area whichever is greater Or Per the California Green Building Standards, whichever is greater	Per the California Green Building Standards Code
Office	2, or 1 per 25,000 sq. ft. of net building area whichever is greater Or	Per the California Green Building Standards

	Per the California Green Building Standards Code, whichever is greater	
Hotels/Motels	Per the California Green Building Standards Code	Per the California Green Building Standards Code
Parking Structures	None	1 space per 75 vehicle spaces
Employment Use Classifications		
Manufacturing and Production	Per the California Green Building Standards Code	Per the California Green Building Standards Code
Warehousing and Storage	Per the California Green Building Standards Code	Per the California Green Building Standards Code
Personal Storage	None	None

SECTION 52. Section 15-2609 subsection H of the Fresno Municipal Code is amended to read:

H. **Multi-Family[Unit] Residential, excluding MX, CMS, and DT Districts.**

Permanent entrance signs for multi-family[unit] residential complexes areas of 1 acre or more in size shall be permitted for the purpose of identifying a development subject to the following standards:

1. **Maximum Number of Signs.** Two signs per entrance from a public street plus one sign per street frontage with no entrance from a public street.
2. **Maximum Sign Area per Sign.** 32 square feet. In the case of a CUP, this area can be increased at the discretion of the Review Authority.
3. **Height Limit.** Eight feet when located within a required front or street side setback, 10 feet otherwise.
4. **Illumination.** Signs shall not be internally illuminated.

SECTION 53. Section 15-2612 subsection A of the Fresno Municipal Code is amended to read:

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

1. **Multi-Family[Unit] Residential.** Developments of 50 or more units.
2. **Non-Residential or Mixed-Use Projects.** All new non-residential or mixed-use projects of five or more separate non-residential tenants.
3. **Multiple Signs.** Proposals for 10 or more signs on the same building or site with two or more separate tenants.
4. **Planned Development Permit.** Any project 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 54. Section 15-2713 of the Fresno Municipal Code is amended to read:

SEC. 15-2713. BED AND BREAKFAST LODGING.

Bed and breakfast establishments shall be located, developed, and operated in compliance with the following standards:

- A. **Type of Residence.** Bed and breakfast establishments must be located, developed, and operated within a single-family~~family~~[unit] dwelling.
- B. **Number of Rooms.** No more than two rooms may be rented. Additional rooms may be rented only with approval of a Discretionary Permit.
- C. **Appearance.** In all Residential Districts, the exterior appearance of a structure housing a bed and breakfast establishment shall not be altered from its single-family~~family~~[unit] character.
- D. **Limitation on Services Provided.** Provisions for meals and rental of bedrooms shall be limited to registered guests. Separate or additional kitchens for guests are prohibited.
- E. **Parking.** Refer to Article 24, Parking and Loading.

SECTION 55. Section 15-2716 subsection D of the Fresno Municipal Code is amended to read:

- D. **Ag Conservation.** Any Agricultural Land Conservation ("Williamson Act") Contract that was in force prior to (re)establishment of agricultural uses on land designated for single-family~~family~~[unit] residential uses shall be permitted to continue in effect under the terms of Resolution No. 2006-130 and any successor Resolution or Ordinance enacted by the City.
 1. No new application for an Agricultural Land Conservation Contract shall be approved for land designated for urban uses, as the agricultural use will forthwith be considered as incidental or transitional to the planned urban use.

SECTION 56. Section 15-2720 subsection A of the Fresno Municipal Code is amended to read:

- A. **Management.**

1. **Community Gardens.**

- a. Shall be organized by community groups, nonprofit organizations, the City, or land owners. A manager shall be designated for each Community Garden who shall serve as liaison between gardeners, property owner(s), and the City.
- b. If located within a Planned Development or Multi-Family[Unit] Residential Complex, the Homeowner's Association and/or property management company shall be responsible for the site and shall designate a liaison between the property owner(s) and the City.

SECTION 57. Table 15-2720-C of the Fresno Municipal Code is amended to read:

TABLE 15-2720-C PERMITTED DISTRICTS AND AREA LIMITATIONS		
District/Site Location	Minimum Lot Size	Maximum Lot Size
Residential District with access to a local street	3,000 sq. ft.	21,780 sq. ft.
Residential District with direct access to a major street	No minimum	2 acres
Residential Districts if part of a Planned Development, Multi-Family[Unit] Complex (must be for the sole use of residents), or Religious Assembly Facility	No minimum	No maximum
Non-Residential Districts	No minimum	3 acres
Publicly-Owned Site (e.g., Gov't Agency)	No minimum	No maximum

SECTION 58. Section 15-2722 subsection E of the Fresno Municipal Code is amended to read:

E. **Design Standards.** Per the underlying district and the following:

1. The building must maintain the appearance of a single-family[unit] home and fit architecturally with the neighborhood.
2. The commercial use must be easily recognizable from the front façade through the use of large windows or an active outdoor use such as produce stands or café seating.
3. Outdoor seating for cafes, etc. is allowed in the front and rear yards, setback at least 10 feet from adjacent residential property lines or fences, whichever is closer to the use, and shall be oriented to minimize impacts on any adjacent residences.
4. The commercial area shall be limited to 1,500 square feet.
5. **Signage.**
 - a. Illuminated signage is not permitted.

- b. Up to two outdoor signs, with a combined total of 24 square feet or less in size, are permitted. Signs must be visually compatible with the building and surrounding neighborhood.
- c. Wall or window-mounted Menu Display Boards (less than two square feet in area) and A-Frame (sandwich) signs that display daily specials, etc. are permitted, but may not be located in the public right-of-way.

SECTION 59. Section 15-2723 of the Fresno Municipal Code is amended to read:

SEC. 15-2723. COTTAGE HOUSING DEVELOPMENTS (POCKET NEIGHBORHOODS)

A. Purpose.

- 1. To provide a diverse range of housing to support a diversity of households.
- 2. To provide infill development opportunities.
- 3. To protect the character of single-family[unit] neighborhoods.
- 4. To promote community interaction and safety through design.

B. Alterations Required by the Fire Department. Any of the provisions found in this section may be altered by request of the Fire Department in order to meet safety standards.

C. Unit Types and Sizes. One-unit and two-unit cottages are permitted.

D. Density and Number of Units.

- 1. The allowed number of units is up to 1.33 percent of the number permitted in the underlying district.
- 2. There shall be a minimum of four units and a maximum of twelve units per cluster.
- 3. A two-unit cottage is allowed for the fifth and sixth, and eleventh and twelfth units.

E. Common Open Space.

- 1. Four hundred square feet of common open space shall be provided per unit. If multiple clusters are located within a development, up to 200 square feet per unit may be used for a development-wide or multi-cluster common open space.
- 2. Required setbacks, private open space, utility areas, and areas less than 10 feet in width cannot count toward the common open space requirement.
- 3. Common open space for each cluster shall be in one contiguous, useable piece with a minimum dimension of 15 feet on all sides.
- 4. Common open space and community buildings shall be centrally located and easily accessible to all units.
- 5. Common open space should have a sense of openness and be maintained to provide for passive and/or active recreational activities. Some encouraged

uses are lawns, gardens, patios with tables and chairs, etc. More active uses such as playing courts are also encouraged as long as they do not dominate the common open space.

6. Fences may not be located within required common open space areas.
7. Required trails may count towards the common open space requirement provided each unit has pedestrian access to the trail(s).
8. Any open space that cannot be used for enjoyment of residents may not count towards the required total. These include, but are not limited to, ponding basins, buffers, areas with a steep slope, etc.
9. **Community Building.**
 - a. If a community building is provided, it may count for 200 square feet of required common open space per unit up to 25 percent of the total requirement.
 - b. Community buildings must be limited to one story, be incidental in size and use, and be architecturally consistent with the rest of the development.
 - c. Community buildings must be located on the same site as the cottage housing development and be easily accessible to all units within the development.
 - d. Community buildings must be under common ownership by the residents.

F. **Design Standards of Units.** Dwellings within a cottage housing development should be oriented to promote a sense of community both within the development and with respect to the larger community. They must be architecturally compatible with the surrounding neighborhood and must not be designed to be enclosed or hidden from the surrounding neighborhood.

1. ***Orientation to Public Street.***

- a. For units abutting a public street, no less than 20 percent and no more than 40 percent of street-facing elevations shall consist of windows. Windows shall have a vertical orientation, meaning the height of each window is greater than its width.
- b. Units abutting a public street shall orient their primary entrance to the public street.

2. ***Orientation to Common Open Space.***

- a. With the exception of units abutting a public street, all units must have their primary entryway oriented towards the common open space.
- b. Cottages must surround the common open space on at least two sides.

3. ***Pedestrian Circulation.***

- a. Pedestrian paths shall link all units to common open space within the development, to parking areas, and to sidewalks, especially where there

are transit stops. Paths entering the development from the sidewalk shall be at least five feet wide to promote a sense of openness.

4. ***Private Open Space.***

- a. A minimum of 250 square feet of private open space is required per unit. This is inclusive of required porch and yard space.
- b. Each unit must have a covered porch over the primary entryway with a minimum area of 64 square feet per unit and a minimum of seven feet on all sides. Railings are encouraged.
- c. A yard, with a minimum dimension of 10 feet, is required adjacent to primary entryway porch.
- d. Fences or hedges shall not exceed three feet in height.
- e. Yards and porches should add to the visual variation of each unit.

5. ***Floor Area and Height.***

- a. Unit floor area shall be between 600 and 1,200 square feet.
- b. Cottages shall not have the appearance of "tall, skinny houses."
- c. Cottages shall be no more than two stories. Height must comply with the underlying zone district.

6. ***Variation between Units.***

- a. There shall be variation between units, while maintaining architectural consistency, to prevent repetitive use of building styles within any cluster, development, and adjacent dwellings. Some ways to achieve this variation include varied rooflines, elevations and height, floor area, stories, entryways, yards, etc. Multi-cluster developments may repeat one design per every three clusters, but repeated designs may not be placed in proximity to one another.

7. ***Roof Design.***

- a. Units shall have a minimum 6:12 pitched roof. Roof slopes lower than 6:12 are limited to architectural features such as dormers and porch roofs and may not be less than 4:12.
- b. Alternate roof designs may be approved if it is found that they meet all other compatibility and design requirements prescribed by this section.

8. ***Windows.***

- a. Placement of windows shall avoid creating privacy issues for adjacent units and neighboring properties.
- b. Window trim shall be provided.

9. ***Setbacks.***

- a. All buildings shall be separated by at least eight feet. Minor architectural projections are allowed.

G. **Parking.**

1. ***Required Amount.***

- a. One garage is required per unit for use by residents of that unit.
- b. 0.5 guest spaces are required per unit and may be provided under carports or on surface lots.
- c. Guest parking may be provided off-site if the Director deems there is adequate space.

2. ***Design and Orientation.*** Parking areas shall be separated from the common open space area and, to the extent possible, shall not be visible from the street.

a. ***Attached Garages.***

- i. May be accessed from the side or rear of the unit.
- ii. If oriented towards the street, may not dominate the façade, and must be either flush with or set back from the rear of the building.
- iii. Garage doors shall provide windows, moldings, or other architectural features to help blend with the rest of the home.
- iv. The first 250 square feet shall not be counted towards maximum floor area.

b. ***Detached Garages and Carports.***

- i. Must be architecturally consistent with the development (e.g. similar rooflines).
- ii. May not exceed a total of four spaces per parking structure.
- iii. If located in-between units, may not exceed two spaces and must be setback 10 feet from the primary façade.

c. ***Surface Lots.***

- i. For every six spaces provided there must be a landscaped area of no less than 10 square feet, which may include a pedestrian path.
- ii. If located in-between units, may not exceed two spaces and must be setback 10 feet from the primary façade.

d. ***Private Driveways.***

- i. Must be designed as a woonerf.
- ii. Driveways must be located to the rear of units.

e. ***Preferred Location of Lots and Structures.***

- i. 1. To the rear of the development, accessed via an alley.
2. To the side or rear of the development, accessed by a private driveway.

3. To the side of the development accessed from a non-primary street.

H. **Trash Enclosures.** See Section 15-2016, Trash and Refuse Collection Areas.

I. **Homeowners' Association.** A homeowners' association is required for the maintenance of common areas.

J. **General Provisions.**

1. ~~Accessory Dwelling Units are not permitted.~~ [\[Reserved.\]](#)
2. An existing single-family [\[unit\]](#) home or duplex that does not meet the requirements of this section is permitted to remain on the site, provided that the extent of its nonconformity is not increased.
3. A covenant restricting any increases in unit size after initial construction shall be recorded against the property.

SECTION 60. Section 15-2725 of the Fresno Municipal Code is amended to read:

SEC. 15-2725. CHILD CARE CENTERS AND FAMILY CHILD CARE HOMES.

A. **Types of Day Care Facilities.**

1. **Child Care Facility.** A facility that provides nonmedical care to children under 18 years of age in need of personal services, supervision, or assistance essential for sustaining the activities of daily living or for the protection of the individual on less than a 24-hour basis. Child care facility includes child care centers, employer-sponsored child care centers, and family child care homes. Each of these different types of child care facilities is subject to different regulations and land use requirements.
2. **Child Care Center.** A child care facility that does not include a Family Child Care Home and is usually located in a commercial building that provides non-medical care and supervision to children (infant through school age) in a group setting for periods of less than 24 hours.
3. **Family Child Care Home.** A child care facility that provides supervision to children (infant through school age) in the caregiver's own home for periods of less than 24 hours per day. Per State law, Family Child Care Homes are not limited to detached single-family [\[unit\]](#) homes. The operation of a family child care home constitutes an accessory use of residentially zoned and occupied properties and does not fundamentally alter the nature of the underlying residential use.
 - a. **Large Family Child Care Home.** A home that provides family day care for 7 to 14 children, inclusive, including children under the age of 10 years who reside at the home.
 - b. **Small Family Child Care Home.** A home that provides family day care for eight or fewer children, including children under the age of 10 years who reside at the home. The use of a single-family [\[unit\]](#) residence as a small

family child care home shall be considered a residential use of property for the purposes of all local ordinances, and shall not require an entitlement or business tax certificate.

B. Minimum Standards for Child Care Centers.

1. **License.** The operator shall secure and maintain a child care center license from the State of California Department of Social Services.

C. Standards for Family Child Care Homes.

1. **License.** The operator shall secure and maintain a license from the State of California Department of Social Services.
2. **Large Family Child Care Separation.** A proposed Family Child Care Home shall not be located closer than 300 feet from the nearest lot line of another large family day care home for which a Discretionary Permit has already been issued and is in effect. However, the Director may allow the proposed large family day care home to be located closer than 300 feet if it is determined that such closer location will not have an adverse effect on surrounding properties or on vehicular or pedestrian safety in the area.
3. **Fire Clearance.** A fire safety clearance approved by Fresno Fire Department is required for Large Family Child Care Homes.
4. **Play structures.** Large family child care homes must meet play structure setback and placement requirements in section 15-2004 that apply to all single-family~~family~~[unit](#) dwellings.

D. Additional Standards.

1. All Large Family Child Care providers are required to obtain a Conditional Use Permit, as put forth in Article 53, Conditional Use Permits. Conditions associated with the Conditional Use Permit shall not exceed the standards and conditions outlined in this Section 15-2725.
2. All Child Care Centers and Family Child Care Homes shall provide parking as required in Article 24, Parking and Loading.

SECTION 61. Section 15-2734 of the Fresno Municipal Code is amended to read:

SEC. 15-2734. HOME GARDENS AND EDIBLE LANDSCAPING.

Gardens, as part of existing and new single-family~~family~~[unit](#) homes, may be incorporated into all yards. Raised garden/accessible garden beds are permitted, but not required. Raised garden beds shall comply with site line requirements per this Ordinance. Only household garden tools and equipment, applicators, and products, may be used. This includes, but not limited to, soil preparation, cultivation, planting, application of chemicals, dust control, harvesting, etc.

SECTION 62. Section 15-2735 subsection E of the Fresno Municipal Code is amended to read:

- E. **Residential Appearance.** The residential appearance of the unit within which the home occupation is conducted shall be maintained, and no exterior indication of a home occupation is permitted.
1. **Location.** All home occupation activities shall be conducted entirely within the residential unit, or within a garage that is reserved for the residential unit. When conducted within a garage, the doors thereof shall be closed, and the area occupied shall not preclude the use of required parking spaces.
 2. **Structural Modification Limitation.** No structural alterations shall be made to create features not customary in dwellings.
 3. **Maximum Size.** The space exclusively devoted to the home occupation (including any associated storage) shall not exceed 25 percent of the residential unit floor area.
 4. **Employees.** One employee or independent contractor other than residents of the dwelling may be permitted to work at the location of a home occupation. All work conducted by employees shall be conducted completely within the home or garage.
 5. **On-Site Client Contact.** No customer or client visits are permitted except for personal instruction services (e.g., musical instruction or training, art lessons, academic tutoring). A total of eight clients and/or students per day may be permitted, however there may be no more than three clients/students at any one time. Clients/students hours of arrival and/or departure shall be staggered as to not disrupt the surrounding properties.
 6. **Employee/Client Parking.**
 - a. Customers, clients, and/or employees shall park on-site. If the site cannot accommodate an on-site parking space for the lack of drive approach or parcel width, they may park off-site.
 - b. Parking required for customers/clients/employees may be tandem.
 - c. The home occupation shall not cause resident occupants to park their vehicles in other locations.
 7. **Hours.** Employees, visitors, students, and/or clients are permitted between the hours of 7 a.m. to 7 p.m.
 8. **Direct Sales Prohibition.** Home occupations involving the display or sale of products or merchandise are not permitted from the site except by mail, telephone, Internet, or other mode of electronic communication, unless permitted per Cottage Food Preparation as detailed below.
 9. **Storage.** There shall be no storage of materials, supplies, and/or equipment in an accessory building, or outdoors. Storage may only occur within a garage if it does not occupy or obstruct any required parking space. Contractors whose work is conducted entirely off-site (and who use their home solely for

administrative purposes related to the contracting business) may store construction, electrical, landscaping, plumbing, or similar supplies or materials within a single vehicle of one ton or less.

10. **Traffic and Parking Generation.** Home occupations shall not generate a volume of passenger or commercial traffic that is inconsistent with the normal level of traffic on the street on which the dwelling is located or which creates the need for additional parking spaces, or involve deliveries to or from the premises in excess of that which is customary for a dwelling unit. There shall be no deliveries and/or pick-ups from commercial vehicles, except those used by mail carriers.
11. **Vehicles.** Only one vehicle, owned by the operator of the home occupation, and not to exceed one ton in capacity, may be used by the operator in conjunction with the home occupation.
12. **Commercial Vehicles and Attachments.** Home occupations involving more than one commercial vehicle parked on-site shall not be permitted. No attachments of equipment or machinery used for business purposes shall be permitted either on the vehicle or on the site when the vehicles are not in use and such equipment or machinery is within view from the public right-of-way or neighboring properties. Storage of attachments of equipment and machinery or trailers are not permitted in areas visible from public rights-of-way or neighboring properties, unless part of an active approved construction project on the site.
13. **Equipment.** Home occupations, which involve mechanical or electrical equipment which is not customarily incidental to domestic use shall not be permitted. Facsimile machines, copy machines, computers, and other similar business equipment are permitted. Small power tools and similar equipment/machinery not exceeding two horsepower are also permitted. Commercial kitchens are prohibited.
14. **Cottage Food Preparation.** Cottage Food Preparation is permitted subject to compliance with Government Code 51035 and Health and Safety Code 113758. Food preparation and storage shall be done within the primary residence. There shall be no outdoor storage of material while all activities must occur within the primary residence, not including the garage and/or accessory buildings.
15. **Hazardous Materials.** Activities conducted and equipment or materials used shall not change the fire safety or occupancy classifications of the premises, nor use utilities different from those normally provided for residential use. There shall be no storage or use of toxic or hazardous materials other than the types and quantities customarily found in connection with a dwelling unit.
16. **Nuisances.** A home occupation shall be conducted such that no offensive or objectionable noise, dust, vibration, smell, smoke, heat, humidity, glare, refuse, radiation, electrical disturbance, interference with the transmission of communications, interference with radio or television reception, or other hazard

or nuisance is perceptible at or beyond any lot line of the unit or structure within which the home occupation is conducted, or outside the dwelling unit if conducted in other than a single-family~~unit~~ detached residence.

SECTION 63. Section 15-2738 subsection C of the Fresno Municipal Code is amended to read:

SEC. 15-2738. MANUFACTURED HOMES.

Manufactured homes shall be designed and operated in compliance with the following standards:

- A. **General Requirements.** Manufactured homes may be used for residential purposes subject to the provisions of this section and the Government Code (Section 65852.3).
- B. **Underlying Districts.** The underlying District Standards shall apply to manufactured homes, including, but not limited to, building height, access, setbacks, open space, parking requirements, etc. If the home is located in an Infill Area or a site under the auspices of an operative plan, the home shall comply with the standards per the adopted plan or guidelines.
- C. **Design Criteria.** A manufactured home shall be compatible in design and appearance with residential structures in the vicinity and shall meet the following standards:
 - 1. **Foundation.** A manufactured home shall be built on a permanent foundation system approved by the Building Official.
 - 2. **Date of Construction.** Each manufactured home shall have been manufactured within 10 years of the date of issuance of a permit to install the manufactured home and shall be certified under the National Manufactured Home Construction and Safety Act of 1974.
 - 3. **Roof Overhang.** The roof overhang shall not be less than 12 inches around the entire perimeter of the manufactured home as measured from the vertical side of the home. The overhang requirement may be waived at the point of connection where an accessory structure is attached to the manufactured home.
 - 4. **Roof Material.** Roof material shall consist of material customarily used for conventional single-family~~unit~~ dwellings, such as tile or composition shingles. If shingles are used, the pitch of the roof shall be not less than three inches vertical to 12 inches horizontal.
 - 5. **Siding Material.** Siding material shall consist of exterior material customarily used for conventional single-family~~unit~~ dwellings, such as stucco, wood, brick, stone, or decorative concrete. Metal siding, if utilized, shall be non-reflective and horizontally lapping. Siding material utilized as skirting shall be the same as the material used on the exterior wall surface of the manufactured home.

6. **Skirting.** The unit's skirting shall extend to the finished grade. Skirting that touches the earth shall be treated.
 7. **Building Orientation.** The home, including the primary entrance, shall face the street[, [if required by the underlying zone district](#)].
- D. **Mobile Home Parks.** Manufactured Homes within a Mobile Home Park must comply with California Health and Safety Code Sections 18200 et seq. and are exempted from the development and design standards given in Subsections B through C, except as the standards may relate to public street frontage (including perimeter walls), signs, access, and vehicle parking.
- [\[E. **Tiny House on Wheels \(THOW\).** A Tiny House on Wheels \(THOW\) may be considered a manufactured home and therefore used as a primary dwelling unit. THOWs shall comply with Subsections A, B, C.6, C.7, and D above. THOWs must additionally be ANSI certified and be placed on an engineered foundation system.\]](#)

SECTION 64. Section 15-2746 subsection B of the Fresno Municipal Code is amended to read:

- B. Pay phones shall comply with the property development standards of the underlying District and in no case shall they be located closer than 20 feet to Single-~~Family~~[\[Unit\]](#) Districts.

SECTION 65. Section 15-2747 of the Fresno Municipal Code is amended to read:

SEC. 15-2747. PERSONAL (MINI) STORAGE.

Personal storage facilities shall be located, developed, and operated in compliance with the following standards. Where the standards of this section appear to conflict with the standards of the base district, the standards of this section shall prevail.

- A. **Business Activity.** All personal storage facilities shall be limited to dead storage only. No retail, repair, or other commercial use (such as storage for commercial gain) shall be conducted out of the individual rental storage units.
- B. **Uses Allowed.** Such use shall consist of the renting and leasing of individual storage space for storing personal property, stock-in-trade materials and equipment, automobiles, and recreational vehicles. The following shall be allowed as accessory uses:
1. A caretaker's residence;
 2. The retail sale of items appurtenant to the on-site rental of storage spaces;
 3. The lien sale of stored goods as authorized by California Business and Professions Code, Chapter 10, Division 8, Section 21700 et. seq.; and,
 4. The rental of trucks, trailers, and dollies.
- C. **Notice to Tenants.** As part of the rental process, the facility manager shall inform all tenants of conditions restricting storage of hazardous materials and limitation on the use of the storage units.

- D. **Open Storage.** Open storage (outside an enclosed building) shall be limited to vehicles, boats, recreational vehicles, and trailers. Outdoor storages areas shall be screened from public view by building façades or solid fences. At the discretion of the Review Authority, the treatment of the ground surface of the open storage area may be gravel or other materials as prescribed by the San Joaquin Valley Air Pollution Control District, the Public Works Department, the Fire Department, and the Fresno Metropolitan Flood Control District.
- E. **Exterior Wall Treatments and Design.** Exterior walls/fences visible from a public street or Residential District shall be constructed of decorative block, concrete panel, stucco, or similar material. These walls shall include architectural relief through articulation, trim, change in color at the base, the use of architectural "caps," attractive posts, or similar measures. Columns visible from public streets shall be spaced a maximum of 25 feet apart. Gate(s) shall be decorative iron or similar material.
- F. **Fencing.**
1. A six-foot-high security fence shall be provided around the perimeter of the development at locations where the solid façades of the storage structures do not provide a perimeter barrier.
 2. A wrought iron fence or gate or an approved equivalent shall be required at the entrance to the facility.
 3. A storage building located on the side or rear property line may be used as a required fence or wall.
- G. **Hours of Operation.** Hours of operation shall be limited to the hours of 7 a.m. to 7 p.m. if the facility abuts Residential Uses or Districts, including residential that may be part of a mixed-use development. If the facility abuts commercial, industrial, or public facilities, it may remain open until 10 p.m.
- H. **Setbacks.**
1. **Front and Street Side.** When the subject site abuts a street, a yard of 10 feet or more (as required elsewhere in this Code) shall be provided, landscaped, and maintained in accordance with the requirements of this Code. Fences/walls shall be located behind this landscaping.
 2. **Interior Side and Rear.** None required if the building height does not exceed 11 feet.
- I. **Other Requirements.**
1. When adjacent to parcels within an RS or RM district, the roof of any building exceeding 11 feet in height shall incorporate colors and angles commensurate with those of the adjacent properties.
 2. Lighting which is provided to illuminate parking or building areas shall be hooded and arranged and controlled to eliminate any nuisance to the surrounding uses. The height of lighting which illuminates outdoor vehicular storage areas shall be approved at the discretion of the Review Authority.

3. The height of any building when located less than 40 feet from any property line that abuts property that is zoned or planned for single-family[[unit](#)] residential uses, shall not exceed 11 feet.
4. A public address system shall not be allowed when the facility is located within 1,000 feet of any property zoned or planned for residential uses. This does not include alarm systems.
5. **Caretaker's Residence.** A Caretaker's Residence shall provide a minimum of one parking space in an enclosed garage and a private yard for use by the residence with a minimum of 100 square feet where at least one dimension is at least eight feet in length.

J. Design Standards within Mixed Use Districts.

1. **Location.** Storage uses shall not be located within 300 feet of an existing or planned Bus Rapid Transit station.
2. **Site Size.** Shall not exceed two acres.
3. **Setback from Major Streets.** The storage use shall be set back no less than 50 feet from all Major Streets. No less than 60 percent of the building frontage along Major Streets shall be occupied by food and beverage sales, entertainment and recreation, general personal services, artist's studios, eating and drinking establishments, personal services, general retail, or convenience retail uses. Other high-activity uses may be approved at the discretion of the Review Authority.
4. **Façade Design.** The facades of the storage structures shall appear to be buildings used for non-storage purposes, such as office or multi-family[[unit](#)], and shall not have an industrial appearance.
5. **MX Development Standards.** Unless otherwise stated, all MX development standards shall apply.

SECTION 66. Section 15-2753 of the Fresno Municipal Code is amended to read:

SEC. 15-2753. SECOND AND OUTDOOR KITCHENS.

An outdoor, enclosed, or second kitchen may be permitted in a Single-Family[[Unit](#)] District subject to the property development standards of the underlying district and the following:

1. The additional kitchen shall be incidental, related, and clearly subordinate to the principle use and shall not alter the principal use.
2. If enclosed, the enclosed kitchen area shall not exceed 110 square feet. If the area exceeds 110 square feet, it shall comply with Section 15-2754, ~~Second Dwelling Units, Backyard Cottages, and Accessory Living Quarters~~[\[Second/Accessory Dwelling Units \(ADUs\)\]](#).
3. The kitchen area shall meet all yard setback requirements.
4. If enclosed, the enclosed area shall not be converted to a separate living unit.

5. If attached to the main building, the second kitchen shall have direct access to the main building.
6. Cooking shall only be for the enjoyment of the residents and/or their guests and shall be limited to non-commercial purposes.
7. Only one electric/gas meter is permitted per single-family[unit] parcel.
8. The kitchen in the main building shall remain in safe working order.

SECTION 67. Section 15-2754 of the Fresno Municipal Code is repealed in its entirety and replaced with the following text to read:

[SEC. 15-2754. SECOND/ACCESSORY DWELLING UNITS (ADUS)]

- A. **Purpose.** The purpose of this section is to allow for the ministerial development of Second Dwelling Units in a manner that is consistent with the requirements identified in Government Code Section 66310 et seq.
- B. **General Requirements.**
1. **Preemption.** Should there be any conflict with the provisions in this section and those within Government Code Section 66310 et seq., as may be amended, the Government Code shall prevail.
 2. **Areas where Second Dwelling Units are allowed.**
 - a. Accessory Dwelling Units may be permitted in any zone district that allows single-unit and multi-unit residential dwellings, mixed-use development, or where a single-unit structure, duplex, or multi-unit structure is either existing or proposed.
 - b. Junior ADUs are limited to single-unit districts or where a single-unit dwelling is existing or proposed.
- C. **Types of Second Dwelling Units.** Second Dwelling Units include Accessory Dwelling Units (ADUs) and Junior Accessory Dwelling Units (JADUs).
1. **Accessory Dwelling Unit (ADU).** An ADU provides separate, independent living quarters for one or more persons. Units may be attached, detached, or located within the structure of a primary dwelling unit. An ADU must have its own entrance and include facilities for daily living including, at minimum, a kitchen, bathroom, and bedroom.
 - a. A Tiny House on Wheels (THOW) may be considered an ADU if it meets all the requirements of this section. In addition, THOWs must be ANSI certified, be placed on an engineered foundation system, and use skirting to enclose the area between the home and the ground.
 2. **Junior Accessory Dwelling Unit (JADU).** A JADU shall not be larger than 500 square feet and must be contained entirely within a single-unit primary residence. Attached garages are considered part of a primary residence. A JADU must have its own entrance and include, at minimum, a kitchen and bedroom.

- a. *Shared Facilities.* A JADU is allowed to share sanitation facilities with the primary residence. When this occurs, the JADU must include an interior entrance to the main living area that is separate from the main entrance to the JADU.
 - b. *Efficiency Kitchen.* A JADU is allowed to have an efficiency kitchen, which includes, at minimum, a cooking facility with appliances and a food preparation counter and storage cabinets that are of reasonable size in relation to the size of the JADU.
3. **Conversions.** An ADU may be created through the conversion of a portion of the primary residence (including an attached garage), a detached garage, or another existing accessory structure. A JADU may be created through the conversion of a portion of the primary residence (including an attached garage).

D. Density and Massing Development Standards.

1. **Lot Coverage.** Second Dwelling Units are not included in calculations for lot coverage requirements.
2. **Density.** Second Dwelling Units are not included in calculations for density requirements.
3. **Number Allowed.**
 - a. *Single-Unit Lots.* Up to two ADUs and one JADUs per lot.
 - b. *Multi-Unit Lots.*
 - i. Detached. Up to eight detached ADUs per lot, not to exceed the number of existing units. The units must be detached from the primary unit(s), but do not need to be detached from each other or other accessory structures on the lot.
 - ii. Conversions. Either up to 25 percent of the number of existing units or one ADU, whichever is greater, may be created through the conversion of existing non-livable space (such as enclosed garages, leasing office, common rooms, etc.).
4. **Maximum Size.**
 - a. *ADUs.* Not to exceed 50 percent of the average floor area of the primary unit(s) or 1,400 square feet, whichever is greater.
 - i. Exceptions for Conversions. An ADU that is created within the proposed space of a single-unit structure, or in the existing space of a single-unit structure or accessory structure may expand up to 150 beyond the same physical dimensions of the existing accessory structure for the purpose of accommodating ingress and egress.
 - b. *JADUs.* Not to exceed 500 square feet.

5. **Maximum Height.** Per the underlying district or 30 feet, whichever is greater. Second Dwelling Units are allowed to be multiple stories or located above the ground floor.
6. **Minimum Setbacks.** In all instances, when a recorded utility easement is present, the setback shall include such easement even if it would result in a setback greater than the required minimum.
 - a. **Rear and Side.** Per the underlying base district or four feet, whichever is less.
 - i. **Properties abutting alleys.** Zero feet. If the ADU has its main entrance on the alley, however, the setback shall be at least two feet.
 - b. **Front.** Per the underlying district, however the applicable setback may not preclude the development of an ADU of at least 800 square feet.
7. **Placement.** Unless it would preclude the development of an ADU of at least 800 square feet, detached ADUs must be located behind the front façade of the primary unit.

E. Parking.

1. **Two bedrooms or fewer.** No parking is required.
2. **Three bedrooms or more.** One parking space per unit is required. Tandem parking and parking in setback areas are allowed to satisfy this requirement. The required parking space may be covered or uncovered.
 - a. **Exceptions.** No parking is required where any of the following circumstances apply.
 - i. **The Second Dwelling Unit is located within one-half mile of public transit.**
 - ii. **The Second Dwelling Unit is located within an architecturally and historically significant district.**
 - iii. **The Second Dwelling Unit is an attached ADU, JADU, or a conversion of an existing accessory structure.**
 - iv. **When on-street parking permits are required, but not offered to the occupant of the Second Dwelling Unit.**
 - v. **When there is a car share vehicle station located within one block of the Second Dwelling Unit.**
 - vi. **When the Second Dwelling Unit is permitted concurrently with the primary unit(s).**
 - b. **Replacement Parking.** Replacement parking is not required when the development of a Second Dwelling Unit removes a covered or uncovered parking space.
 - i. **Garage demolition permit.** A demolition permit for a detached garage that will be replaced with an ADU must be submitted and reviewed

concurrently with the ADU building permit application and issued at the same time. The permit shall not require the posting of a written notice unless the garage is a designated or eligible historic resource, is located on a designated or eligible historic property, or within a designated historic district.

F. Additional Regulations.

1. Owner Occupancy.

- a. ADUs. Owner-occupancy is not required.
- b. JADUs. The owner must reside in either the primary residence or in the JADU.
 - i. Exception. Owner-occupancy is not required when the property owner is a governmental agency, land trust, or housing organization.

2. Conveyance.

- a. ADUs. An ADU may be sold, or title thereto transferred, separate and apart from the rest of the property in compliance with one of the following:
 - i. The creation of a common interest development pursuant to Article 39 – Common Interest Developments (Condominiums and Conversions) and Government Code Section 66342; or
 - ii. The filing of a Parcel Map pursuant to Article 35 – Parcel Maps.
- b. JADUs. JADUs that rely on shared facilities are required to record a deed restriction prohibiting the sale of the JADU separate from the primary residence.

3. Rental Restrictions. Second Dwelling Units that are rented must be for terms of 30 consecutive days or longer.]

SECTION 68. Section 15-2763 of the Fresno Municipal Code is amended to read:

SEC. 15-2763. UTILITY METERS/SECOND METERS.

In Single-Family[~~Unit~~] Residential Districts, one public utility meter per parcel may be permitted, with the exception of an additional meter for a Second Dwelling Unit, or to permit an electric vehicle charging station as may be permitted per the California Public Utilities Commission.

SECTION 69. Section 15-3701 subsection J of the Fresno Municipal Code is amended to read:

J. Dedication of Land or Payment of Fees for Park and Recreation Purposes.

- 1. Authority.** This section is enacted pursuant to authority granted by the Map Act (Section 66477, "Quimby Act").

2. **Identifying Open Space.** At the time of submittal of a Tentative Map, the applicant shall clearly depict the location and the amount of open space being proposed.
3. **Requirement.** Each subdivider of land classified by the City for, or otherwise proposed for, residential use shall, as a condition to filing a final subdivision map, dedicate or reserve lands, pay fees in lieu thereof, or a combination of both, for park or recreational purposes. In accordance with the Map Act (Section 66477(b)), land or fees required under this section shall be conveyed or paid directly to the City.
4. **Accepting Land.** The City shall determine if it will accept the proposed land, in fee, for meeting the provisions of this Code.
5. **Suitability.** Each park site proposed for dedication in compliance with this section shall be physically suited for the intended use and shall meet all criteria established by the City.
6. **Limitations.** For limitations and exclusions from this article, refer to the Map Act (Section 66477).
7. **Amount of Land to Be Dedicated.** The amount of land to be dedicated or fees to be paid in lieu thereof shall bear a reasonable relationship to the use of the park and recreation facilities by the future inhabitants of the subdivision (Map Act Section 66477).
8. **Formula for Calculating Amount of Land.** In accordance with the Map Act (Section 66477(a)(2)), the amount of land to be dedicated shall be calculated according to the following formula:

$$A \times B = \text{Land to be dedicated}$$

- a. "A" means the park and recreation area required per dwelling unit, based on the type of dwelling units of the proposed subdivision and the park area per 1,000 city residents, which is calculated as follows:
 - i. The park area of the city is determined to be three acres per 1,000 people, or .003 acres per person.
 - ii. The park and recreation area required per dwelling unit is established as follows:
 - (1) Single-Family[Unit] Development. For dwelling units to be constructed on property zoned RS each unit is assigned 3.11 people. Therefore, $A = 3.11 \times .003 = 0.00933$ acres per unit.
 - (2) Multi-Family[Unit] Development. For dwelling units to be constructed on property zoned other than RS, each unit is assigned 2.53 people. Therefore, $A = 2.53 \times .003 = 0.00759$ acres per unit.
 - iii. "B" means the number of dwelling units in the proposed subdivision. For the purpose of this section, the number of dwelling units in the proposed subdivision shall be determined as follows:

- (1) Single-Family[Unit] Development. The number of dwelling units shall equal the number of parcels indicated on the Final Map.
 - (2) Multi-Family[Unit] Development. The number of dwelling units shall equal the maximum number of dwelling units allowed under that zone.
 - (3) Condominium Developments. The number of dwelling units shall equal the number of condominium units indicated on the Final Map, or the maximum number of dwelling units allowed under that zone if the Final Map does not indicate the number of units.
9. ***In-Lieu Fees.*** If fees are paid in lieu of land dedication, such fees shall be equal to the then-current Parkland Dedication In-Lieu Fee.
10. ***Credits.***
 - a. Per the Map Act (Section 66477(a)(9)), if a subdivider provides park and recreational improvements, the value of the park and recreational improvements, together with any equipment located thereon, shall be a credit against the payment of fees or dedication of land otherwise required by this section.
 - b. To be authorized and approved by the City, park and recreational improvements and equipment provided by subdividers pursuant to this section shall be generally consistent with applicable principles and standards for local and neighborhood parks contained in the General Plan, as determined by the City.
 - c. ***Condominiums.*** In accordance with the Map Act (Section 66477(e)), common interest developments such as community apartments, condominiums, and stock cooperatives, shall be eligible to receive a credit not to exceed 25 percent, as determined by the City, against the land required to be dedicated, or the amount of the fee imposed pursuant to this section, for the value of private open space within the development which is usable for active recreational uses. For the purposes of this section, private open space usable for active recreational uses means private open space that is:
 - i. At least $\frac{3}{4}$ of an acre in area with the smallest dimension being at least 100 feet clear, excluding front and street side yards normally required by zoning provisions;
 - ii. Owned and maintained by a homeowners' association, available to all residents of the subdivision without restriction, and designated for park and recreational purposes by recorded covenants which run with the land and cannot be defeated or eliminated without consent of the Council;

- iii. Suitable for active park and recreation purposes taking into consideration such factors as shape, topography, access, and improvements proposed; and
- iv. Generally consistent, as determined by the City, with applicable principles and standards for parks contained in the General Plan.

11. Procedures.

- a. Prior to approval of a subdivision, the Review Authority shall consider:
 - i. The amount of land required for open space purposes;
 - ii. That a fee be charged in lieu of land;
 - iii. That a combination of land and fee be required; and
 - iv. The location of the park land and, where appropriate, the siting and conceptual design of the park facilities appurtenant thereto, to be dedicated or used in lieu of fees.
- b. At the time of approval, the Review Authority shall determine whether land, in-lieu fees, or a combination of land and fees shall be dedicated and/or paid by the subdivider.
- c. The Review Authority may approve, modify, or disapprove the recommendations of City staff; provided, however, that any modification of the recommendation not previously considered shall first be referred back to City staff for further report and recommendation.

- 12. Off-Site Dedication.** Dedication of land outside of the subdivision may be authorized by the City, by action on the Tentative Map and be credited toward the developer's park land dedication requirement pursuant to this section.

SECTION 70. Section 15-3804 subsection U of the Fresno Municipal Code is amended to read:

U. Deferral of Sidewalks to Occupancy. At the request of the Subdivider, the Director may determine that it is appropriate to allow the deferral of sidewalk construction, including driveway approaches and street trees, along the frontage of certain single-family[[unit](#)] residential lots until after the acceptance of the subdivision by the City. The Director may only accept the subdivision and defer sidewalk construction, including driveway approaches and street trees, to occupancy of the homes provided that all of the following conditions have been satisfied:

- 1. The construction of the sidewalk along said single-family[[unit](#)] residential lots is made a condition upon the building permit for the particular home, with completion of the sidewalk, including the driveway approach and street trees, required prior to occupancy.
- 2. All other conditions of approval have been satisfied by the subdivider and all other public improvements have been completed.

3. All sidewalks along residential side yards, or any side of the lot that does not have a planned driveway approach, have been constructed.
4. All sidewalks along the perimeter major streets have been constructed.
5. All sidewalks along the entry streets to the subdivision have been constructed, from the major street to the first local residential street intersection within the subdivision.
6. Either (a) All sidewalks have been constructed on the side of the street containing street lighting or underground street light conduit; or (b) all underground street light conduits have been protected by an alternative method to the satisfaction of the Director.
7. All sidewalks have been constructed along the complete frontage of any temporary ponding basins and any outlots being dedicated to the City, including but not limited to park sites and well sites.

SECTION 71. Section 15-3906 subsection D of the Fresno Municipal Code is amended to read:

D. Building Requirements.

1. Access shall be provided for the entire attic area.
2. Draft stops shall be provided in the attic area.
3. All glass doors and panels subject to human impact shall comply with Federal Glazing Standards.
4. All applicable provisions of the Municipal Code relating to stairs, exits, and occupant loads, and to fire extinguishing systems.
5. Smoke/Carbon Monoxide alarms, of a type and in numbers and locations as per the Building Code as approved by the Building Official, shall be installed.
6. Each sleeping area shall be provided with a window of a size and in a location which will allow its use as an emergency exit.
7. Compliance with the applicable provisions of the California Fire Code, as adopted in Chapter 10, Article 5 of the Fresno Municipal Code, shall be required. The installation of fire sprinklers is required in accordance with NFPA 13R for multi-family~~family~~[unit](#) residential buildings. For buildings with existing fire sprinkler systems, all portions of the system shall be inspected, repaired as necessary, and certified as to full compliance with applicable standards by a licensed fire sprinkler contractor.
8. The applicable provisions of relevant State and local codes.

SECTION 72. Section 15-4103 of the Fresno Municipal Code is amended to read:

Sec. 15-4103. INTENSITY AND LOCATION OF USES.

When a variety of housing types and lot sizes are proposed, more intense residential development such as small lot single-family[[unit](#)], townhomes, row-housing, and apartments, should generally be located along Connector streets and Major Streets, while less intense residential land uses, such as larger lot single-family[[unit](#)] homes, should generally be located in the interior of the neighborhood.

SECTION 73. Section 15-4105 subsection H of the Fresno Municipal Code is amended to read:

H. Lot Access.

1. **Street Frontage Required.** Each proposed parcel shall have frontage on a public street. The frontage width shall be at least the minimum parcel width required by the applicable zoning district. The Review Authority may exempt parcels created under a Planned Unit Development or pursuant to Section 15-4105-E from the requirements of this subsection.
2. **Single-Family[[Unit](#)] Homes on Major Streets.** Lots may front a Major Street if a Frontage Road is provided, to protect a natural resource, or:
 - a. The majority of the homes on the block face the Major Street and it is unlikely that the existing homes will be redeveloped with more urban uses;
 - b. The backing of the home could potentially cause visibility issues for neighboring properties which are attempting to access the Major Road;
 - c. The subdivision layout is considered superior in comparison to what could otherwise be developed with homes backing onto the Major Street;
 - d. The site provides a circular driveway or access is provided via an alley or private easement; and
 - e. The Public Works Director approves of the parcel configuration.
3. **Multi-Family[[Unit](#)].**
 - a. **Existing Multi-Family[[Unit](#)] Lots.** May access a Major Street, however lots shall provide an on-site turnaround.
 - b. **New Multi-Family[[Unit](#)] Lots.** Shall only be approved if an on-site turnaround is provided or if served by a public alley.
 - c. **Multi-Family[[Unit](#)] Private Access Easements.**
 - i. Private easements and access drives that only serve multi-family[[unit](#)] lots are prohibited. For such development, access shall be from a dedicated public alley and/or public street.
 - (1) An exception may be made if the number of multi-family[[unit](#)] homes served by the private alley, easement, or street account for less than 20 percent of the total number of units within the subdivision. The maintenance of any private road or easement shall be the responsibility of the Homeowner's Association or shall be incorporated by the City's Community Facility District.

SECTION 74. Section 15-4108 subsection F of the Fresno Municipal Code is amended to read:

- F. **Private Streets.** Private streets are prohibited except where approved as part of a Planned Unit Development or otherwise approved by the City Council. All widths and alignments of private streets shall be as shown on any precise or other plan of streets adopted by the Council and shall conform to the private street details and development criteria of the Standard Drawings and Standard Specifications. Private streets that serve multi-family[unit] units[dwellings] shall comply with Section 15-4105, Lot Access.

SECTION 75. Section 15-4906 subsection D of the Fresno Municipal Code is amended to read:

- D. **Committee Duties.** Committees shall have the following duties.

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[unit] 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.
2. Committees shall act as liaisons between property owners, residents, business people, the community-at-large, the Council, and staff, providing a forum for public participation.
3. Committees may make recommendations to the Planning Commission and Council on any matters related to planning and zoning and the plans in the Councilmember's district, including adoption of guidelines to implement the goals and policies of adopted City plans.
4. Committees shall have any additional duties that the Councilmember provides in the Organizational Form.

SECTION 76. Section 15-4906 subsection H of the Fresno Municipal Code is amended to read:

- H. **Additional Committees.** Nothing in this section is intended to limit the ability of Council or the Mayor after the effective date of this Ordinance from establishing committees in addition to the Council District Project Review Committees to advise on plans or guidelines adopted under the City's plans; including committees created to help draft new plans.
1. Development Permit applications submitted in multi-family~~unit~~ 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 be subject to review by applicable Specific Plan Design Review Committees as follows:
 - a. Upon completion of an application following internal departmental review, DARM Department staff shall provide the completed application to members of any applicable Specific Plan Design Review Committee.
 - b. If a Committee member chooses to request a meeting to discuss the application, they must submit the request to DARM Department staff within three business days of their receipt of the application.
 - c. A meeting of the applicable Specific Plan Design Review Committee must be set within 5 business days of the first request for a meeting.
 - d. If no members of a Committee request a meeting to discuss the application within the allotted time, it shall move forward without review by the Committee.
 - e. The Committee's review is limited to verification of the project's compliance with the requirements of the Certainty Options set forth in sections 15-1004, 15-1005, 15-1104, and 15-1105 of this Code, and the requirements of any applicable Specific Plan, including all applicable design guidelines.
- I. **Compensation.** Council may provide a stipend to committee members through the Master Fee Schedule.
- 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.
- K. Nothing within this section shall be construed as to cause the dissolution or suspension of any committee in existence at the time of the adoption of this Code.

SECTION 77. Table 15-4907 of the Fresno Municipal Code is amended to read:

TABLE 15-4907: PLANNING PERMITS AND ACTIONS
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Proposed Activity	Permit or Action Required	Type of Decision
Use-Only Proposals		
Establishment of a (P) Permitted use, not associated with development of property	Zone Clearance	Ministerial
Establishment of a (C) Conditional use	Conditional Use Permit	Discretionary Quasi-Judicial
Establishment of a Temporary use	Temporary Use Permit	Discretionary Quasi-Judicial
Establishment of use which is not listed in this Code	Director's Determination	Ministerial
Development Proposals		
[Second Dwelling Unit]	[Building permit]	[Ministerial]
Development of one single-family [unit] home, duplex, or qualifying Downtown housing which complies with all provisions of this Code	Zone Clearance	Ministerial
Development of property to a greater extent than is covered by a Zone Clearance	Development Permit (Formerly Site Plan Review)	Discretionary Quasi-Judicial
Request for relief from property development standards due to unique conditions in conjunction w/a Development Permit	Variance	Discretionary Quasi-Judicial
Request for relief from property development standards of 10% or less in conjunction with a Development Permit	Minor Deviation	Discretionary Quasi-Judicial
Innovative development proposal which does not comply with the provisions of any zone district within this Code	Planned Development Permit	Discretionary Quasi-Judicial
Other Proposals or Actions		
Formal interpretation of this Code, verifications of prior permits, or confirmation of zoning district	Zoning Inquiry	Ministerial
Minor changes to approved plans, consistent with original findings and conditions	Minor Modification	Ministerial
Change to discretionary permit or change to approved plans that would affect findings or conditions	Major Modification	Discretionary Quasi-Judicial
Violation of conditions or terms of permit	Revocation of Permit	Discretionary Quasi-Judicial
Modifications of or exceptions from regulations to ensure equal access to housing for individuals with disabilities	Reasonable Accommodation for Housing	Discretionary Quasi-Judicial

Proposals to change a regulation within this Code	Development Code Text Amendment	Discretionary Legislative
Proposal for development which complies to regulations of an existing district, but not the one currently applied to the site	Rezone	Discretionary Legislative
Change of the General Plan land use designation for a site	Plan Amendment	Discretionary Legislative
Large, multi-phase project which needs certainty regarding regulations over time in exchange for public benefits	Development Agreement	Discretionary Legislative

NOTE: This table is not regulatory, and is provided only as an overview of permits and actions for ease of reference. For complete regulations, procedures, and requirements, see Articles 49 through 66.

PC = Planning Commission and CC= City Council

TABLE 15-4907: PLANNING PERMITS AND ACTIONS (CONTINUED)						
Permit or Action	Advisory Body	Review Authority	Appeal Body	Public Notice?	Public Hearing?	Article
Use-Only Proposals						
Zone Clearance	-	Director	PC	No	No	51
Conditional Use Permit	-	Director (PC on referral)	PC (CC if referred)	Yes	No (Yes w/PC referral)	53
Temporary Use Permit	-	Director	PC	No	No	54
Director's Determination	-	Director	PC	No	No	50
Development Proposals						
Zone Clearance	-	Director	PC	No	No	51
Development Permit (Formerly Site Plan Review)	-	Director (PC on referral)	PC (CC if referred)	No	No (Yes w/PC referral)	52
Variance	-	Director (PC on referral)	PC (CC if referred)	Yes	No (Yes w/PC referral)	55
Minor Deviation	-	Director	PC	No	No	56
Planned Development Permit	-	Director (PC on referral)	PC (CC if referred)	Yes	No (Yes w/PC referral)	59
Other Proposals or Actions						
Zoning Inquiry	-	Director	PC	No	No	50

Minor Modification	-	Director	PC	No	No	50
Major Modification	Director	Review Authority of Original Permit	PC or CC	Yes	Same as Original Permit	50
Modification or Revocation of Permit	See Section 15-5016					
Reasonable Accommodation for Housing	-	Director	PC	No	No	57
Development Code Text Amendment	PC	CC	None	Yes	Yes	58
Rezone	PC	CC	None	Yes	Yes	58
Plan Amendment	PC	CC	None	Yes	Yes	58
Development Agreement	PC	CC	None	Yes	Yes	60

SECTION 78. Section 15-5102 subsection B of the Fresno Municipal Code is amended to read:

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

SECTION 79. Section 15-6102 of the Fresno Municipal Code is amended to read:

Sec. 15-6102. CONCEPT PLANS.

- A. **Purpose.** To facilitate the orderly expansion of the city by shaping new growth areas into a series of complete neighborhoods which feature a connected mix of houses, apartments, stores offices, open space, and public facilities.
- B. **Applicability.**
1. **Annexation of Certain Land Uses.** A Concept Plan shall be prepared by the applicant when land with one of the following General Plan land use designations is proposed to be annexed:

- a. Residential, Low Density
 - b. Residential, Medium Low Density
 - c. Residential, Medium Density
2. **Exceptions.** Applications with the following circumstances shall not be required to prepare a Concept Plan:
- a. With the exception of the proposed project, there is no more undeveloped land within the Concept Plan Area with a residential land use designation.
 - b. The site is already part of an adopted Concept Plan.
 - c. The site is already part of a Specific Plan which was adopted after December 18, 2014. Sites within the boundaries of specific plan which is substantially complete may not be required to prepare a Concept Plan at the discretion of the Review Authority.
 - d. If the Director determines that the subject quarter section and/or adjacent quarter sections provide a sufficient amount of land with commercial and multi-family unit land use designations, the project shall not be required to submit a Land Use Map as part of their Concept Plan.
 - e. Once the Concept Plan is received by the City the development may proceed if no general plan amendment is required.
- C. **Review Authority.** The City Council shall approve, conditionally approve, or deny Concept Plans based on consideration of the requirements of this section.
- D. **Concept Plan Area.** The Concept Plan Area shall consist of the entire contiguous area surrounding the project which is bounded by existing or planned Major Streets. This will typically be a quarter section, or about 160 acres, but the actual size may vary.
- E. **Concept Plan Contents.**
- 1. **Land Use Map.** The Concept Plan shall feature a land use map which assigns new planned land uses to the Concept Plan Area according to the Complete Neighborhood policies of the General Plan. The land use map shall be designed as follows:
 - a. *Residential Capacity.* The residential capacity of the Concept Plan Area shall not be reduced, but may be increased.
 - b. *Ratio of Land Use Designations.* The percentage of land within the Concept Plan Land Use Map that is assigned various land use designations shall fit within the parameters of one of the profiles in the table below, unless unique site conditions warrant an alternative profile, to be determined at the discretion of the Review Authority:

Planned Land Use Designations	Conventional Profile		Mixed-Use Profile	
	Min.	Max.	Min.	Max.

Commercial (Main Street, Community, or General)	10%	15%	0%	0%
Mixed-Use (Neighborhood or Corridor)	0%	0%	15%	40%
Office	5%	15%	0%	0%
Multi-Family[Unit] (Medium High Density, Urban Neighborhood, and High Density Residential)	15%	20%	5%	20%
Single-Family[Unit] (Low Density, Medium Low Density, or Medium Density Residential)	50%	70%	40%	80%
Public Facility and Open Space	Percentage shall not decrease from what is shown on the General Plan Land Use Map.			

- c. *Location of Land Use Designations.* Land use designations shall be located in the following manner, unless unique site conditions warrant an alternative layout, to be determined at the discretion of the Review Authority:
- i. Commercial designations (Main Street, Community, or General) shall be located at the intersections of Major Streets.
 - ii. Mixed-Use designations (Neighborhood or Corridor) shall be located at the intersections of Major Streets. Additional Mixed-Use designations may also be located along Major Streets between major intersections.
 - iii. Office designations shall be located along Major Streets between major intersections.
 - iv. Multi-Family[Unit] residential designations (Medium High Density, Urban Neighborhood, or High Density) shall be located along Major Streets between major intersections.
 - v. Single-Family[Unit] residential designations (Low Density, Medium Low Density, or Medium Density) shall be located within the Concept Plan Area, not abutting Major Streets.
 - vi. Public Facilities and Open Space designations shall be located along Major Streets between major intersections.
2. **Connectivity Map.** The Concept Plan shall feature a Connectivity Map which identifies a potential street and trail system for the entire Concept Plan Area. The Connectivity Map shall feature a street, path, and trail system for the entire Concept Plan Area which complies with all applicable provisions of Article 41, Subdivision Design Standards, including, but not limited to, the following:

- a. Connections between the proposed subdivision and adjacent subdivisions or potential future subdivisions shall be identified in conformance with Section 15-4107-D.
- b. Connections between single-family[[unit](#)] subdivisions and non-single-family[[unit](#)] uses shall be identified in conformance with Section 15-4107-G.3.

F. Adoption.

1. **Planning Commission Recommendation.** Prior to City Council Action, the Planning Commission shall review the proposed Concept Plan and make a recommendation to the City Council.
2. **Public Notice.** Public Notice shall be provided prior to the date of Planning Commission and City Council hearings pursuant to Section 15-5007, with the exception that notice shall be provided to all owners and residents within the Concept Plan Area, as well as those within 500 feet.
3. **General Plan Amendment.** Concurrent with the adoption of the Concept Plan, a corresponding amendment to the General Plan shall be presented for adoption in order to maintain consistency.

G. Authority of Concept Plan.

1. **Land Use Map.** Land uses may not deviate from those shown in the Concept Plan unless the Concept Plan and General Plan Land Use Map are amended accordingly.
2. **Connectivity Map.**
 - a. The applicant who proposed the annexation and Concept Plan shall build streets and trails within their site as they are shown in the adopted Concept Plan.
 - b. Subsequent subdividers may build streets as shown in Concept Plan, or may propose an alternative layout which complies with Article 41, Subdivision Design Standards, and which incorporates the connections between subdivisions and non-residential uses put forth in the Concept Plan.

SECTION 80. Section 15-6702 of the Fresno Municipal Code is amended to read:

SEC. 15-6702. RESIDENTIAL USE CLASSIFICATIONS.

Residential Housing Types. [\[For the purposes of determining consistency with applicable sections of the California Government Code 'single/multi-unit' shall have the same meaning as 'single/multi-family' as it is used in the California Government Code.\]](#)

Single-Unit Dwelling, Detached. A dwelling unit designed for occupancy by one household, and located on a separate lot from any other unit (except second living units, where permitted). This classification includes individual manufactured

housing units installed on a foundation system pursuant to Section 18551 of the California Health and Safety Code.

Single-Unit Dwelling, Attached. A dwelling unit designed for occupancy by one household, located on a single lot and typically grouped together in a row of similar units. They may be attached through common vertical party wall(s) to one or more dwellings on abutting lots, or may appear to be attached, but are structurally independent.

Second Dwelling Unit. A dwelling unit providing ~~complete~~ independent living facilities for one or more persons that is located on a lot with ~~another~~ primary, ~~single-unit~~ dwelling(s). A second unit may be within the same structure as the primary unit, in an attached structure, or in a separate structure on the same lot.

Duplex. A single building on a lot that contains two dwelling units or two single-unit dwellings on a single lot. This use is distinguished from a Second Dwelling Unit, which is an accessory residential unit as defined by State law and this Ordinance.

Multi-Unit Residential. Three or more dwelling units on a site or lot. Types of multiple unit dwellings include townhouses, garden apartments, senior housing developments, and multi-story apartment buildings. This use includes multi-unit development in which individual units are occupied exclusively by one or more persons 62 years of age or older.

Cottage Housing Development. A group of single-~~family~~~~[unit]~~ homes, typically smaller than 1,200 square feet, that are arranged in common relation to one another, usually surrounding a shared landscaped area. Also known as a "pocket neighborhood."

~~**Cottage Housing Development.** A group of single-family homes, typically smaller than 1,200 square feet, that are arranged in common relation to one another, usually surrounding a shared landscaped area. Also known as a "pocket neighborhood."~~

~~**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.~~

Adult Family Day Care. A day-care facility licensed by the State of California that is located in a single-unit residence or other dwelling unit where a resident of the dwelling provides care and supervision for adults over the age of 18 for periods of less than 24 hours a day.

Small. A facility that provides care for six or fewer adults.

Large. A facility that provides care for seven to 12 adults.

Caretaker Residence. A dwelling unit occupied by employees or caretakers of the primary use on the site.

Domestic Violence Shelter. A facility providing sleeping accommodations for a maximum of eight persons, inclusive of any children or support staff using sleeping accommodations, located in a single-unit residence or other dwelling unit where

survivors of domestic violence or sexual abuse are provided temporary housing, food, and other specialized services in compliance with California Welfare and Institutions Code Section 18290 et seq., and which may also be occupied by professional support staff provided by a sponsoring agent.

Elderly and Long-Term Care. Establishments that provide 24-hour medical, convalescent, or chronic care to individuals who, by reason of advanced age, chronic illness, or infirmity, are unable to care for themselves, and is licensed as a skilled nursing facility by the State of California, including, but not limited to, rest homes and convalescent hospitals, but not Residential Care, Hospitals, or Clinics.

Family Day Care. A day-care facility licensed by the State of California that is located in a single-unit residence or other dwelling unit where a resident of the dwelling provides care and supervision for children under the age of 18 for periods of less than 24 hours a day.

Small. A facility that provides care for eight or fewer children, including children who reside at the home and are under the age of 10.

Large. A facility that provides care for nine to 14 children, including children who reside at the home and are under the age of 10.

Group Residential. Shared living quarters without separate kitchen or bathroom facilities for each room or unit, offered for rent for permanent or semi-transient residents on a weekly or longer basis. This classification includes clean and sober facilities, other types of organizational housing, private residential clubs, and farmworker housing, but excludes Hotels and Motels, Residential Care Facilities, and Re-Entry Facilities.

Small. A facility that houses six or fewer persons.

Large. A facility that houses seven or more persons.

Lodging-to-Dwelling Conversions. The conversion of existing hotels or motels from a commercial lodging use to a residential use which will provide housing to non-transient residents and facilitate bringing such hotel or motel buildings into safe and habitable condition as required by State and local law.

Mobile Home Parks. A development designed and occupied by mobile homes including development with facilities and amenities used in common by occupants who rent, lease, or own spaces for mobile homes through a subdivision, cooperative, condominium, or other form of resident ownership.

Re-Entry Facility. A facility used for the rehabilitation and overnight accommodations of 25 or more individuals, including staff, who are (a) under the jurisdiction of a court, but not under confinement, or (b) individuals recently released from the jurisdiction of a court. Such facility shall be operated by the City, the State, the federal government, or a private party under contract with the City, the State, or the federal government for the purpose of providing treatment or rehabilitation intended to assist such individuals with their re-entry into the community.

Residential Care Facilities. Facilities that are licensed by the State of California to provide permanent living accommodations and 24-hour primarily non-medical care

and supervision for persons in need of personal services, supervision, protection, or assistance for sustaining the activities of daily living. Living accommodations are shared living quarters with or without separate kitchen or bathroom facilities for each room or unit. This classification includes facilities that are operated for profit as well as those operated by public or not-for-profit institutions, including hospices, nursing homes, convalescent facilities, and group homes for minors, persons with disabilities, and people in recovery from alcohol or drug addictions. This use classification excludes Transitional Housing and Social Service Facilities.

Residential Care, General. A facility providing care for more than six persons.

Residential Care, Limited. A facility providing care for six or fewer persons.

Residential Care, Senior. A housing arrangement chosen voluntarily by the resident, the resident's guardian, conservator, or other responsible person; where residents are 60 years of age or older and where varying levels of care and supervision are provided as agreed to at the time of admission or as determined necessary at subsequent times of reappraisal. This classification includes continuing-care retirement communities and life care communities licensed for residential care by the State of California.

Single Room Occupancy. A residential facility containing housing units that may have kitchen and/or bathroom facilities and are guest rooms or efficiency units as defined by the State Health and Safety Code. Each housing unit is occupied by no more than two adults and is offered on a monthly rental basis or longer. This definition includes Single Room Occupancy Hotels, Boarding Homes, and extended stay hotels that offer rooms intended for long-term occupancy (30 days or more).

Supportive Housing. Dwelling units with no limit on the length of stay, that are occupied by the target population as defined in Section 50675.14 of the California Health and Safety Code, and that are linked to on-site or off-site services that assist the supportive housing resident in retaining the housing, improving their health status, and maximizing their ability to live and, where possible, work in the community.

Transitional Housing. Dwelling units configured as rental housing developments, but operated under program requirements that call for the termination of assistance and recirculation of the assisted unit to another eligible program recipient at some predetermined future point in time, which shall be no less than six months.

SECTION 81. Section 15-6707 of the Fresno Municipal Code is amended to read:

See[EC]. 15-6707. AGRICULTURAL AND EXTRACTIVE USE CLASSIFICATIONS.

Agricultural Labor Housing. Living accommodations for employees and their immediate families employed for the exclusive purpose of agricultural pursuits either on the premises or off site. It includes single or multi-unit dwellings, including mobile homes and dormitories. [[See California Health and Safety Code Sections 17021.5 and 17021.6.](#)]

Agricultural Processing. Establishments performing a variety of operations on crops after harvest, to prepare them for market on-site or further processing and packaging

at a distance from the agricultural area including, but not limited to: alfalfa cubing; hay baling and cubing; corn shelling; drying of corn, rice, hay, fruits, and vegetables; pre-cooling and packaging of fresh or farm-dried fruits and vegetables; grain cleaning and custom grinding; custom grist mills; custom milling of flour, feed, and grain; sorting, grading, and packing of fruits and vegetables, tree nut hulling and shelling; cotton ginning; wineries, alcohol fuel production; and receiving and processing of green material, other than that produced on-site (commercial composting).

Agricultural Support Services. Agriculturally related services, such as storage of agricultural products; sales, maintenance, and repair of farm machinery and equipment; farm animal veterinary clinics; custom farming services; agriculturally related building, feed, and farm supply stores; agricultural waste handling and disposal services (e.g. manure, bedding and litter, composting); and other similar related services. This definition does not include the rendering or transport of deceased animals.

Animal Raising. The raising, grazing, or feeding of animals for animal products, animal increase, or value increase, and dairying as an accessory use on farms with dairy cattle.

Crop Cultivation. The cultivation of tree, vine, field, forage, and other plant crops intended to provide food or fibers. The classification excludes wholesale or retail nurseries (See Nurseries and Garden Centers), but includes plant nurseries where plants are grown for sale either on site or to be sold elsewhere.

Dairy. Shelter and other facilities for the feeding and milking of cattle and the extraction of milk, where the milk may be processed either on or off site.

Mining and Quarrying. The extraction of nonmetallic minerals, including dredging, and sand and gravel pit operations. This classification includes surface mining operations.

Produce Stand. Producer-owned and operated facility for the sale of vegetables, nuts, and other produce grown on the same site or as part of a shared multi-farm operation.

Rendering. A process in which animal tissue waste is converted into value-added materials such as lard, tallow, or high-protein meat and bone meal.

Sales Lot, Feed Lot, Stockyard. An open, fenced lot where cattle are fed prior to slaughter or transport, and which may include auction or other sales activities.

Slaughterhouse. Establishments engaged in the commercial butchering of animals.

Tasting Room. A retail sales facility which is ancillary to an on-site production facility, where customers may purchase and consume beverage and food products grown and/or processed on the site. Products offered for tasting and sale may include wine, beer, olive oil, cheese, and/or other food and beverage products. The floor area of the Tasting Room will not exceed 33% of the production floor area. Tasting Rooms which exceed this ratio will be classified as a Bar/Nightclub/Lounge, Restaurant, or other use as determined by the Review Authority.

Urban Farm. An agricultural use in an urban area, in a zoning district where urban land uses predominate. Urban farms may be of any size, though permit requirements may differ. Community-supported agriculture (CSA) farms, and private farms may all be considered urban farms.

SECTION 82. This ordinance shall become effective and in full force and effect at 12:01 a.m. on the thirty-first day after its final passage.

* * * * *

STATE OF CALIFORNIA)
COUNTY OF FRESNO) ss.
CITY OF FRESNO)

I, 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 the _____ day of _____ 2025.

AYES :
NOES :
ABSENT :
ABSTAIN :

Mayor Approval: _____, 2025
Mayor Approval/No Return: _____, 2025
Mayor Veto: _____, 2025
Council Override Vote: _____, 2025

TODD STERMER, CMC
City Clerk

By: _____
Deputy Date

APPROVED AS TO FORM:
ANDREW JANZ
City Attorney

By: _____
Talía Kolluri Date
Assistant City Attorney