



# AMENDING PREVIOUSLY APPROVED ENTITLEMENTS Amendments and Revised Exhibits

Development and Resource Management Department  
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Policy and Procedure No.

# G-003

Date:

Updated August 2018

### Target Audience:

Planning staff and the general public

### Purpose:

The Department has established this procedural outline to assist Planners and the Public in determining the level of review, materials to be submitted, and the appropriate fee to be paid for amendments to Development Permits and Conditional Use Permits.

This policy is an amendment to a policy of the same name that went into effect on February 29, 1996 and later revised in 2012 and 2015. The purpose of these changes is to modify the definitions of the levels of review.

### Procedures:

When the client is proposing to amend, alter, or revise a specific project, staff will be required to determine the type of application (Development Permit or CUP), level of review, what forms and exhibits are to be filed, and what fees are to be paid.

#### I. Type of Application

- A. Determine if the proposed use is permitted by right, or permitted by CUP in the zone district of the subject site.

#### II. Level of Review

A. File Stuffer (Level 1)
1. Structural additions to non-residential projects of less than 200 square feet not requiring the review of other departments or agencies. Square footage shall be the aggregate of all proposed structures.
2. Updates to an operational statement, including changes in hours or days of operation, not expanding the sale of alcohol or expanding the hours for dancing.
3. Any change to a telecommunications tower that does not change the appearance of the tower or lease area (i.e. new equipment in the fenced lease area). Equipment additions/modifications within an existing radome do not require review.
4. Architectural or exterior material or color changes which: <ul style="list-style-type: none"> <li>• Change the basic form and theme of an existing building or conflict with the original architectural form and theme of an existing building not requiring the review of other departments or agencies; <b>and</b>,</li> <li>• Are not located within the Tower District Specific Plan, any MX, CMS, or DT zone</li> </ul>

district, or within a Neighborhood Revitalization Overlay.
5. Architectural changes which <b>do not</b> change the basic form and theme of an existing building not requiring the review of other departments or agencies.
6. Exterior material or color changes which <b>do not</b> conflict with the original architectural form and theme of an existing building not requiring the review of other departments or agencies.
7. Landscape modifications which <b>do not</b> alter the general concept or reduce the effective amount of landscaping not requiring the review of other departments or agencies.
8. Structural additions or alterations to existing residential project that add no additional units.

<b>B. Minor Revised Exhibit (Level 1)</b>
1. Structural additions to non-residential projects of equal to or greater than 200 square feet and less than 1,000 square feet. Square footage shall be the aggregate of all proposed structures.
2. Landscape modifications which alter the general concept or reduce the effective amount of landscaping not requiring the review of other departments or agencies.
3. Any modification to a telecommunications facility that does not constitute a substantial change as defined by the FCC Wireless Infrastructure Report and Order, dated October 21, 2014.
4. Large family daycare home. This is related to the fee only. CUP findings and noticing to property owners within 100 feet is still required. Reference Development Code Requirements.
5. Changes to parking and circulation configurations, including minor ADA upgrades, which do not change the basic parking areas or circulation concept or reduce the number of required parking spaces by more than one parking space not requiring the review of other departments or agencies.
6. Structural additions or alterations to existing residential projects that add four or less units.
7. Construction of fences, walls, and screens on non-residential property.
8. Any addition of solar covered parking structures less than or equal to 1,000 square feet not requiring the review of other departments or agencies.

**C. Major Revised Exhibit (Level 2)**

1. Structural additions to non-residential projects of equal to or greater than 1,000 square feet and less than 2,500 square feet. Square footage shall be the aggregate of all proposed structures.
2. Changes to parking and circulation configurations which change the basic parking areas or circulation concept or reduce the number of required parking spaces requiring the review of other departments or agencies.
3. Landscape modifications which alter the general concept or reduce the effective amount of landscaping requiring the review of other departments or agencies.
4. Changes to building configurations or layouts requiring the review of other departments or agencies.
5. Architectural or exterior material or color changes which:
  - Change the basic form and theme of an existing building or conflict with the original architectural form and theme of an existing building requiring the review of other departments or agencies; **or**,
  - Are located within the Tower District Specific Plan or the Lowell Neighborhood.
6. Permanent outdoor display and sales.
7. New construction or expansion of existing parking lots that add 10 or more and less than 50 parking spaces on an existing site.
8. Any addition of solar covered parking structures greater than 1,000 square feet requiring the review of other departments or agencies.
9. Structural additions or alterations to existing residential projects that add more than four and less than or equal to seven units.
10. Any project that requires routing to other departments or agencies for review, regardless of the size and scope of the project. *(Note: If only minimal Traffic review is required, an over-the-counter review with Traffic can be requested by the applicant (they must go directly to the PW counter and talk to Traffic) prior to application to planning, which would NOT be considered routing to other departments for review for purposes of applying this threshold. Traffic must agree and a Level 1 fee can be charged on a minor revised exhibit.)*

**D. Amendment (Level 3)**

1. Structural additions to non-residential projects of equal to or greater than 2,500 square feet or 20%, whichever is less, and less than 10,000 square feet. Square footage shall be the aggregate of all proposed structures.
2. Any substantial change to the physical dimensions of an existing wireless tower or base

station as defined by the FCC Wireless Infrastructure Report and Order date October 21, 2014 (that requires noticing).
3. Changes resulting in additional environmental impacts not previously assessed.
4. Addition of a drive-through facility to an existing or previously approved building.
5. Upgrade or expansion of an alcohol permit. This includes updates to an operational statement that expands the hours or days of operation for the sale of alcohol.
6. New construction or expansion of existing parking lots that add 50 parking spaces or more on any existing site.
7. Structural additions or alterations to existing residential projects that add more than seven units and less than either 50 percent of the existing number of units or 50 additional units, whichever is less.

**E. Projects that do not fit the criteria above will be considered full development permits (DPs) or conditional use permits (CUPs). Examples include the following:**

<b>Full Review (Level 3)</b>
1. New use on vacant/undeveloped land
2. Construction of a new building on undeveloped land or parcel
3. Expansion of a building or use encompassing a land area not included in the previously approved entitlement.
4. Establishment of a new conditional use.
5. Establishment of a by-right use identified as a special use in Article 27, occurring primarily outdoors (standalone Commercial Truck Storage, outdoor storage, construction and material storage yards).
6. Expansion of a conditional use with no previously approved Conditional Use Permit on record.
7. Structural additions to non-residential projects equal to or greater than 10,000 square feet. Square footage shall be the aggregate of all proposed structures.
8. Structural additions to existing residential projects that add more than either 50 percent of the existing number of units or 50 additional units, whichever is less. The number of units shall be the aggregate of all additional units proposed.

**References:**

Fresno Municipal Code

**SEC. 15-5015. - MODIFICATION OF APPROVED PLANS**

No change in the use or structure for which a permit or other approval has been issued is permitted unless the permit is modified as provided for in this Code. For the purpose of this section, the modification of a discretionary permit may include modification of a Development Permit approval.

- a) Minor Modifications. The Director may approve minor changes to approved plans that are consistent with the original findings and conditions approved by the Review Authority and would not intensify any potentially detrimental effects of the project or create a new unanticipated impact that may or may not be significant. (*minor and major revised exhibits, file stuffers*).
  
- b) Major Modifications. A request for changes in conditions of approval of a Discretionary Permit or a change in an approved site plan or building plan that would affect a condition of approval or increase the project's density or intensity or create a potentially significant environmental impact shall be treated as a new application, except that the Director may approve changes that they determine to be minor. (*Amendments and Full Applications*).

**Review and Responsibility:**

Development and Resource Management Department

**Signature:**   
Bonique Emerson, Planning Manager

**Dated:** 8-15-18

**Signature:**   
Mike Sanchez, Assistant Director

**Dated:** 8/15/18