PROJECT DESCRIPTION

The proposed Development Code Update pertains to land located in the southeast portion of the City, in Fresno County, California, on approximately 9,000 acres of land (Exhibit 1). The City proposes amendments to the Fresno Development Code to implement the Fresno SEDA Specific Plan. The proposed Development Code Update would establish new zoning districts, land use regulations, development standards, and implementation provisions within the City of Fresno Municipal Code which would codify the land use framework evaluated as part of the SEDA PEIR (Exhibit 2). The proposed Development Code Update would codify the standards specified in the Urban Form Chapter of the SEDA Specific Plan, as discussed in more detail below. Finally, preparation of this Development Code Update is a specific implementation measure described in the Implementation Chapter of the Specific Plan.

SEDA Residential Districts

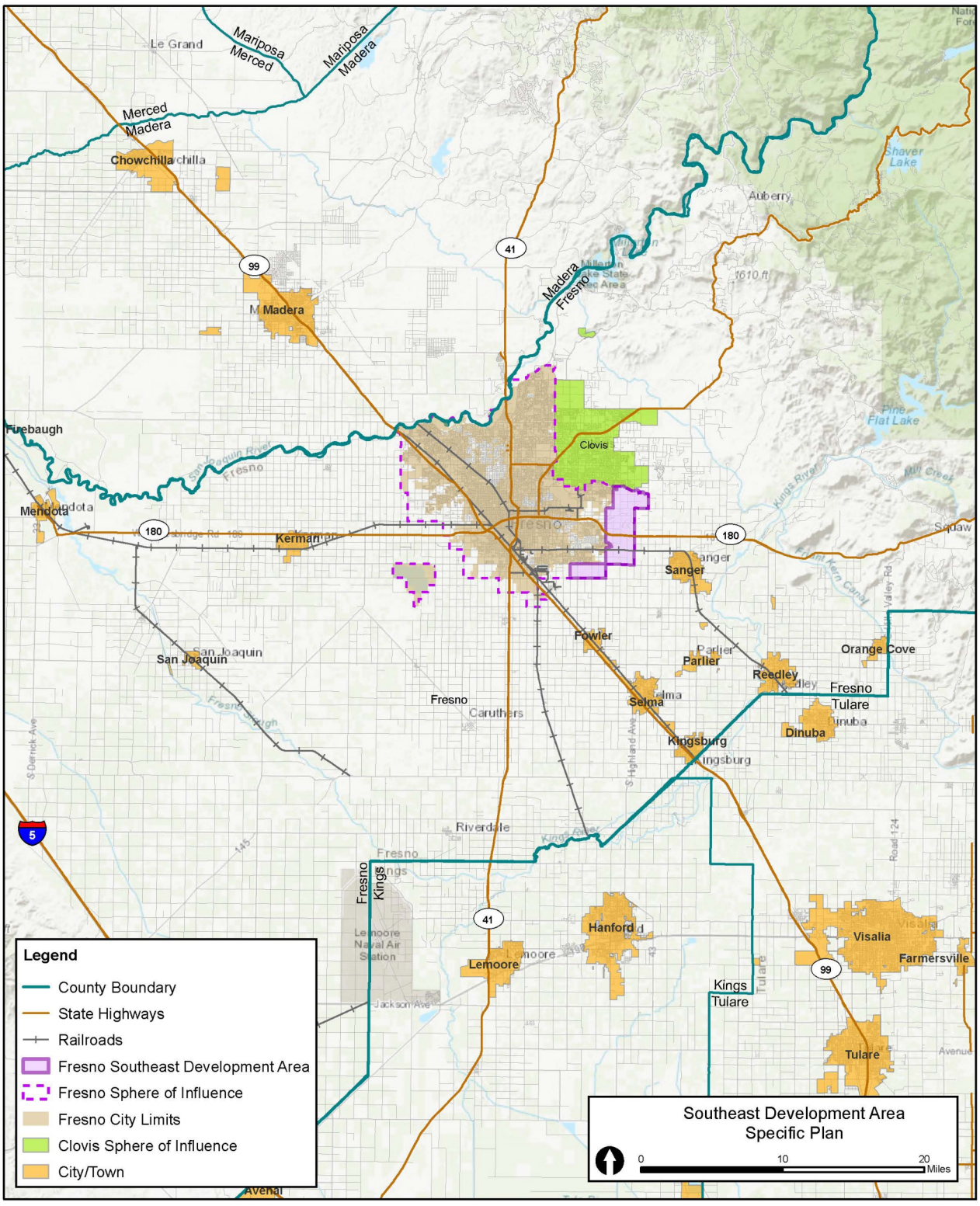
The proposed Development Code Update would establish the Rural Cluster Residential (RCR), Rural Residential (RR), Neighborhood Residential (NR), and Mixed Residential (MR) zoning districts. These districts would implement the residential land use designations evaluated in the SEDA Specific Plan through district-specific use regulations, development standards, building form standards, and site design requirements. The proposed regulations establish use regulations, density, intensity, and massing development standards, building form and location standards, site design development standards, and façade design development standards to guide future residential development consistent with the SEDA Specific Plan.

Rural Cluster Residential

The RCR District would accommodate clustered residential development patterns designed to preserve open space and maintain a transition between urban development within the SEDA Specific Plan Area and surrounding agricultural lands. As discussed in the Urban Form Element of the SEDA Specific Plan, properties within the RCR District would typically cover 20 to 40 acres, but homes would cluster on lots (less than 1 acre in size) on a small portion of the property. The RCR District would provide a maximum average net density of approximately 0.5 dwelling units per acre (du/acre) with block/building types consisting of single-family homes on medium or clustered lots.

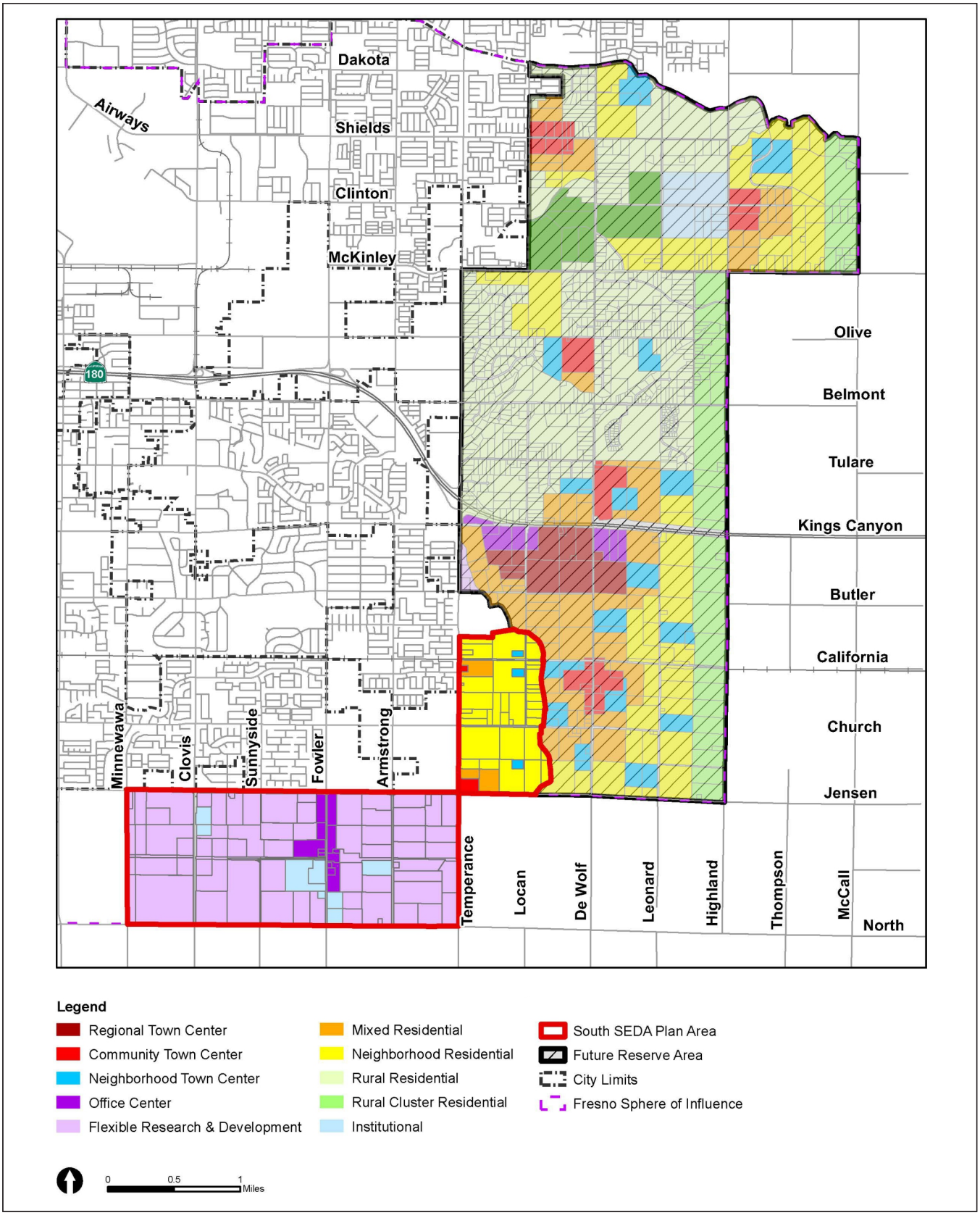
Rural Residential

The RR District would provide for the continuation of existing rural residential development patterns and associated uses, while maintaining the lower-intensity character of established rural neighborhoods within the SEDA Specific Plan Area. The RR District would primarily accommodate detached single-family homes on larger lots (1 to 10 acres) together with compatible accessory and limited agricultural uses. The RR District would provide a maximum average net density of 1 dwelling unit per lot, with block/building types consisting primarily of single-family homes on large rural lots.



Source: City of Fresno. Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), © OpenStreetMap contributors, and the GIS User Community. 2016 Census Designated Places.

Exhibit 1
Regional Location Map



Source: City of Fresno, SEDA Illustrative Plan derived from community and stakeholder meetings.

Exhibit 2
Specific Plan Map

Neighborhood Residential

The NR District would accommodate a variety of detached and attached residential development that supports surrounding neighborhoods and activity centers throughout the SEDA Specific Plan Area. The NR District would provide a maximum average net density of approximately 20 du/acre.

Mixed Residential

The MR District would accommodate a variety of medium- and higher-density residential development, including a range of housing types intended to support mixed-use centers and activity areas within the SEDA Specific Plan Area. The MR District would provide a maximum average net density of 25 du/acre with recommended block/building types consisting of mixed-use, multi-family residential, townhome, live/work, and single-family accessory units.

SEDA Mixed-Use Districts

The proposed Development Code Update would establish the Neighborhood Town Center (NTC), Community Town Center (CTC), and Regional Town Center (RTC) zoning districts. These districts are intended to implement the mixed-use land use framework established by the SEDA Specific Plan through the creation of a hierarchy of walkable, mixed-use centers that serve as commercial, civic, residential, and employment focal points within the SEDA Specific Plan Area. The proposed regulations establish use regulations, density, intensity, and massing development standards, building form and location standards, site design development standards, and façade design development standards to guide future mixed-use development consistent with the SEDA Specific Plan.

Neighborhood Town Center

The NTC District would accommodate employment and residential uses in addition to providing residents with essential walk, bike, transit, and short drive access to civic services and amenities. The NTC District would provide a maximum average net density of approximately 30 du/acre, with recommended block/building types consisting of mixed-use, commercial, multi-family residential, townhome, live/work, and single-family uses. The SEDA Specific Plan further identifies that public civic spaces would be sited in prominent, central locations, with semi-private civic spaces being sited at the heart of neighborhoods.

Commercial Town Center

The CTC District would accommodate a broader mix of residential, commercial, employment, civic, and service uses intended to serve multiple neighborhoods within the SEDA Specific Plan Area. The CTC District would provide a maximum average net density of 55 du/acre and a maximum Floor Area Ratio (FAR) of 1.5.

Regional Town Center

The RTC District is intended to serve as the primary mixed-use employment center, retail destination, and host to major cultural attractions in the SEDA. SEDA region-serving civic amenities and medium- to

higher-density housing would be located in the RTC District. The RTC District would provide a maximum average net density of 70 du/acre and a maximum FAR of 2.0.

SEDA Employment Districts

The proposed Development Code Update would establish the SEDA Office Center (SOC), Flexible Research and Development (FRD), and SEDA Institutional (SI) zoning districts. The proposed regulations establish use regulations, density, intensity, and massing development standards, building form and location standards, site design development standards, and façade design development standards to guide future office, FRD, and institutional development consistent with the SEDA Specific Plan.

SEDA Office Center

The SOC District would accommodate professional office and compatible commercial uses, such as restaurants, coffee shops, banks, book shops, and dry cleaners. The SOC District would have a maximum FAR of 2.0 and a minimum lot size of 7,500 square feet.

Flexible Research and Development

The FRD District would accommodate uses such as research and development, light manufacturing, product testing centers, and office development. Compatible commercial uses, such as restaurants, coffee shops, dry cleaners, etc., would also be permitted. The FRD District would have a maximum FAR of 1.0 and a minimum district size of 2 acres.

SEDA Institutional

The SI District would include existing and planned educational facilities, while providing a limited but compatible series of commercial uses. The SI District would have a maximum density of 45 du/acre, with a maximum lot coverage of 35 percent.

SEDA Annexed Overlay

The SEDA Annexed Overlay District (SEDA ANX Overlay District) would allow continued use of certain properties upon annexation to the City until such time as the properties are further developed consistent with the Base District. Properties eligible for the SEDA ANX Overlay District would include agricultural uses and properties and rural residential uses and properties established legally within the County of Fresno. The SEDA ANX Overlay District provides additional regulations for existing water wells, crop irrigation systems, and existing septic tanks.

Development Standards and Implementation

The proposed Development Code Update would establish use regulations, density, intensity, and massing development standards, building form and location standards, site design development standards, and façade design development standards applicable to the proposed SEDA Specific Plan zoning districts.

Detailed development standards, permitted use tables, and implemented regulations are included in the proposed Development Code Update language contained in Attachment A.

CEQA FRAMEWORK FOR EVALUATING LATER ACTIVITIES PURSUANT TO THE PROGRAM EIR

Criteria for a Section 15168 Consistency Analysis

CEQA Section 15168 applies when a Program Environmental Impact Report (Program EIR) already adequately describes the activity associated with a proposed project. If a lead agency determines that a proposed action's environmental effects were examined in the Program EIR and that a subsequent EIR would not be required, the agency may approve the activity as being within the scope of the project covered by the Program EIR and no additional environmental documentation is required (CEQA Guidelines § 15168(c)(1)–(2), (c)(5), (e)). In approving projects consistent with the Program EIR, the lead agency must incorporate relevant mitigation measures (CEQA Guidelines § 15168(c)(3)).

Pursuant to Section 15168(c):

> Subsequent activities in the Program EIR must be examined in the light of the Program EIR to determine whether an additional environmental document must be prepared.
>
> (1) If a later activity would have effects that were not examined in the Program EIR, a new Initial Study would need to be prepared leading to either an EIR or a Negative Declaration.
>
> (2) If the agency finds that, pursuant to Section 15162, no subsequent EIR would be required, the agency can approve the activity as being within the scope of the project covered by the Program EIR and no new environmental document would be required.
>
> (3) An agency shall incorporate feasible mitigation measures and alternatives developed in the Program EIR into later activities in the program.
>
> (4) Where the later activities involve site-specific operations, the agency should use a written checklist or similar device to document the evaluation of the site and the activity to determine whether the environmental effects of the operation are within the scope of the Program EIR.
>
> (5) A Program EIR will be most helpful in dealing with later activities if it provides a description of planned activities that would implement the program and deals with the effects of the program as specifically and comprehensively as possible. With a good and detailed project description and analysis of the program, many later activities could be found to be within the scope of the project described in the Program EIR, and no further environmental documents would be required.

CEQA Guidelines Section 15162 establishes the circumstances under which additional environmental review may be required following certification of a Program EIR. Pursuant to Section 15168(c)(2),

additional environmental review is required only where substantial changes are proposed to the previously approved project, substantial changes have occurred with respect to the circumstances under which the project is undertaken, or new information of substantial importance becomes available, and such changes or information would result in a new significant environmental effect, a substantial increase in the severity of a previously identified significant effect, or otherwise require major revisions to the previously certified EIR. For purposes of this analysis, the relevant Program EIR includes the SEDA PEIR (SCH No. 2022020486). The SEDA PEIR is a Program EIR that evaluates the environmental impacts of implementation of the Fresno SEDA Specific Plan. The City approved an alternative under the SEDA PEIR, referred to in this memorandum as the "refined project." The refined project was discussed and evaluated in the Findings of Fact and Statement of Overriding Considerations for the SEDA PEIR and was determined to be within the scope of the project evaluated within the SEDA PEIR. Accordingly, this consistency analysis evaluates whether the proposed Development Code Update remains within the scope of the development program, environmental analysis, and mitigation framework evaluated in the SEDA PEIR and whether any of the circumstances identified in CEQA Guidelines Section 15162 are present.

ANALYSIS OF POTENTIAL ENVIRONMENTAL EFFECTS

Analytical Framework

For each of the following environmental topics, this memorandum evaluates the proposed Development Code Update in light of the SEDA PEIR. The analysis first compares the proposed Development Code Update with the land use designations, development capacity, geographic boundaries, infrastructure assumptions, and mitigation requirements evaluated for the approved refined project. It then considers whether the proposed Development Code Update would introduce any use, development standard, implementation mechanism, or reasonably foreseeable development pattern that was not evaluated in the SEDA PEIR or that could result in a new significant environmental effect or a substantial increase in the severity of a previously identified significant effect.

Based on this evaluation, the memorandum determines whether the environmental effects, if any, associated with implementation of the proposed Development Code Update remain within the scope of the SEDA PEIR and whether any of the circumstances requiring subsequent environmental review under CEQA Guidelines Section 15162 are present.

Aesthetics, Light, and Glare

Environmental Issues	SEDA PEIR Determination	CEQA Section 15168(c)(2) Criteria Proposed Development Code Update within scope of PEIR?
Aesthetics *Except as provided in Public Resources Code Section 21099, would the project:*		
a) Have a substantial adverse effect on a scenic vista?	Less than significant impact	Yes
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a State Scenic Highway?	No impact	Yes
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage points). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	Significant and unavoidable impact	Yes
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	Significant and unavoidable impact	Yes

The SEDA PEIR evaluated aesthetics, light, and glare impacts associated with implementation of the approved SEDA refined project. The City determined that implementation of the refined project would not adversely affect a scenic vista or substantially damage scenic resources within a State Scenic Highway. The SEDA PEIR further determined that implementation of the refined project would result in significant and unavoidable impacts related to degradation of visual character and quality in non-urbanized areas, as well as significant and unavoidable impacts related to light and glare. To reduce light and glare impacts to the extent feasible, the SEDA PEIR adopted mitigation measures requiring shielding and direction of lighting systems, use of low-intensity fixtures where appropriate, limitations on sign illumination, and the use of non-reflective building materials. However, the City concluded that impacts related to visual character, light, and glare would remain significant and unavoidable even with implementation of these measures. The City also determined that the environmental effects of the refined project are within the scope of the impacts analyzed in the SEDA PEIR and are not materially different in kind or greater in severity than those disclosed in the SEDA PEIR.

The proposed Development Code Update would establish use regulations, density, intensity, and massing development standards, building form and location standards, site design development standards, and façade design development standards necessary to codify and implement the approved SEDA land use

framework. The proposed Development Code Update does not expand the SEDA Plan Area, approve a development project, increase residential capacity, increase employment capacity, or modify the approved land use framework. Rather, the proposed regulations provide the development standards and implementation mechanisms governing future development anticipated by the approved SEDA Specific Plan, which was evaluated within the PEIR. Consistent with the refined project, future development would be subject to applicable design, site planning, and development standards, including standards governing building form, streetscapes, façades, open space, pedestrian circulation, and lighting. The proposed Development Code Update would codify these visual quality standards. For example, the proposed Development Code Update would still include façade standards for applicable building materials and finishes, window design, and building length articulation for specific districts. The provision of on-site open space and parking space setbacks would be required for all districts. Height restrictions and massing regulations for structures in each district would also be established. As such, these standards would provide a precise guide for the physical development of the Plan Area such that the impacts to aesthetics would remain within the scope of the SEDA PEIR. In addition, implementation of mitigation measures previously identified for the refined project, including Mitigation Measure (MM) AES-4a through MM AES-4e related to lighting design and glare reduction, would continue to apply, as appropriate, to future development projects. These mitigation measures would require lighting to be shielded to minimize spillover to adjacent properties, building façades to be non-reflective, and freestanding signs to have height limitations. Because the proposed Development Code Update would not alter the development program framework analyzed in the SEDA PEIR and would continue to implement standards intended to regulate visual quality and lighting characteristics of future development, the proposed Development Code Update would not result in new impacts related to scenic vistas or scenic resources, would not increase impacts related to visual character and quality beyond those previously identified, and would not increase light and glare impacts beyond the level evaluated in the PEIR. As such, the proposed Development Code Update would be consistent with the impacts identified within the SEDA PEIR. The proposed Development Code Update would not result in any substantial changes or new significant impacts or increase the severity of any significant impacts that were previously identified in the SEDA PEIR. The proposed Development Code Update is within the scope of what was evaluated in the SEDA PEIR.

The SEDA PEIR included the following mitigation measures:

MM AES-4a Lighting systems for street and parking areas shall include shields to direct light to the roadway surfaces and parking areas. Vertical shields on the light fixtures shall also be used to direct light away from adjacent light sensitive land uses such as residences.

MM AES-4b Lighting systems for public facilities such as active play areas shall provide adequate illumination for the activity; however, low-intensity light fixtures and shields shall be used to minimize spillover light onto adjacent properties.

MM AES-4c Lighting systems for nonresidential uses, not including public facilities, shall provide shields on the light fixtures and orient the lighting system away from adjacent properties. Low-intensity light fixtures shall also be used if excessive spillover light onto adjacent properties will occur.

MM AES-4d Lighting systems for freestanding signs shall not exceed 100 footlambert (ft-L) when adjacent to streets which have an average light intensity of less than 2.0 horizontal foot-candles and shall not exceed 500 ft-L when adjacent to streets that have an average light intensity of 2.0 horizontal foot-candles or greater.

MM AES-4e Materials used on building façades shall be non-reflective.

Agricultural Resources and Forestry Resources

Environmental Issues	SEDA PEIR Determination	CEQA Section 15168(c)(2) Criteria Proposed Development Code Update within scope of PEIR?
Agricultural Resources and Forestry Resources *In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the State's inventory of forest land, including the Forest and Range Assessment project and the Forest Legacy Assessment project; and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board.* Would the project:		
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to nonagricultural use?	Significant and unavoidable impact	Yes
b) Conflict with existing zoning for agricultural use, or a Williamson Act Contract?	Significant and unavoidable impact	Yes
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526), or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?	No impact	Yes
d) Result in the loss of forest land or conversion of forest land to non-forest use?	No impact	Yes
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to nonagricultural use or conversion of forest land to non-forest use?	Significant and unavoidable	Yes

The SEDA PEIR evaluated agricultural resources and forestry resources impacts associated with implementation of the approved SEDA refined project. The City determined that the refined project would not conflict with existing zoning for forest land or timberland and would not result in the loss of forest land or conversion of forest land to non-forest use. The SEDA PEIR also determined that implementation of the refined project would result in significant and unavoidable impacts associated with the conversion of Prime Farmland, Unique Farmland, and Farmland of Statewide Importance to nonagricultural uses, conflicts with agricultural zoning and Williamson Act Contracts, and other changes to the environment that could result in conversion of farmland to nonagricultural uses. To reduce impacts to the extent feasible, the SEDA PEIR adopted MM AG-1, which requires future development projects to compensate for the loss of Prime Farmland, Farmland of Statewide Importance, and Unique Farmland through preservation of equivalent farmland at a 1:1 ratio using conservation easements or other recorded instruments, or through compliance with a future City-adopted Farmland Preservation Program. However, because conversion of farmland would still occur, the City concluded that these impacts would remain significant and unavoidable even with implementation of mitigation. The City further determined that the environmental effects of the refined project are within the scope of the impacts analyzed in the SEDA PEIR and are not materially different in kind or greater in severity than those disclosed in the PEIR.

The proposed Development Code Update would establish use regulations, density, intensity, and massing development standards, building form and location standards, site design development standards, and façade design development standards necessary to codify and implement the approved SEDA land use framework. The proposed Development Code Update does not expand the SEDA Plan Area, approve a development project, increase residential capacity, increase employment capacity, or modify the approved land use framework. Rather, the proposed regulations provide the regulatory framework governing future development anticipated by the approved Specific Plan. Consistent with the refined project, future development within the SEDA Plan Area would continue to be subject to applicable land use regulations, agricultural compatibility requirements, buffer requirements, and mitigation measures previously identified in the PEIR, including MM AG-1. Because the proposed Development Code Update does not increase the extent of anticipated farmland conversion beyond that evaluated in the SEDA PEIR and would continue to implement the approved land use framework analyzed by the City, the proposed code amendments would not result in new impacts related to the conversion of farmland, conflicts with Williamson Act Contracts, or other agricultural resource impacts beyond those previously identified. Likewise, the proposed Development Code Update would not create new impacts related to forest land or timberland because no such resources occur within the Plan Area. Therefore, agricultural resources and forestry resources impacts associated with the proposed Development Code Update remain within the scope of the SEDA PEIR and would not result in new significant impacts or a substantial increase in the severity of previously identified impacts. As such, the proposed Development Code Update would be consistent with the impacts identified within the SEDA PEIR. The proposed Development Code Update would not result in any substantial changes or new significant impacts or increase the severity of any significant impacts that were previously identified in the SEDA PEIR. The proposed Development Code Update is within the scope of what was evaluated in the SEDA PEIR.

The SEDA PEIR included the following mitigation measures:

MM AG-1 Prior to initiation of grading activities, project proponents shall compensate for the loss of Prime Farmland, Farmland of Statewide Importance, and Unique Farmland within the Fresno Southeast Development Area Specific Plan Area (Plan Area) by preserving an equivalent type and quantity of land at a 1:1 ratio through recordation of a conservation easement, or other recorded instrument, such as a covenant or deed that restricts the preserved land in perpetuity to agricultural uses.

The acreage and type of land use to compensate for the loss of farmland shall be determined using the Land Evaluation and Site Assessment (LESA) Model. The LESA Model evaluates measures of soil resource quality, a given project's size, water resource availability, surrounding agricultural lands, and surrounding protected resource lands.

In the alternative, if the City adopts a Farmland Preservation Program pursuant to Fresno General Plan Policy RC-9-c, project proponents may compensate for the loss of Prime Farmland, Farmland of Statewide Importance, and Unique Farmland by complying with the adopted Farmland Preservation Program.

Air Quality

Environmental Issues	SEDA PEIR Determination	CEQA Section 15168(c)(2) Criteria Proposed Development Code Update within scope of PEIR?
Air Quality *Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations.* Would the project:		
a) Conflict with or obstruct implementation of the applicable air quality plan?	Significant and unavoidable impact	Yes
b) Result in a cumulatively considerable net increase of criteria pollutants for which the project region is in nonattainment under applicable federal or State ambient air quality standards during construction?	Significant and unavoidable impact	Yes
c) Result in a cumulatively considerable net increase of criteria pollutants for which the project region is in nonattainment under applicable federal or State Ambient Air Quality Standards during operation?	Significant and unavoidable impact	Yes
d) Expose sensitive receptors to substantial pollutant concentrations during construction activities?	Significant and unavoidable impact	Yes

Environmental Issues	SEDA PEIR Determination	CEQA Section 15168(c)(2) Criteria Proposed Development Code Update within scope of PEIR?
e) Expose sensitive receptors to substantial pollutant concentrations?	Significant and unavoidable impact	Yes
f) Result in other emissions (such as those leading to odors or) adversely affecting a substantial number of people?	Less than significant impact with mitigation incorporated	Yes

The SEDA PEIR evaluated air quality impacts associated with implementation of the approved SEDA refined project. The City determined that implementation of the refined project would conflict with or obstruct implementation of the applicable air quality plan, result in a cumulatively considerable net increase in criteria pollutants for which the San Joaquin Valley Air Basin is in nonattainment, and expose sensitive receptors to substantial pollutant concentrations. The SEDA PEIR further determined that implementation of the refined project could result in objectionable odors affecting a substantial number of people. To reduce air quality impacts to the extent feasible, the City adopted MM AIR-1a through MM AIR-1d, which require future discretionary projects to implement construction- and operational-phase emission reduction measures, prepare project-specific air quality analyses, and conduct health risk assessments where appropriate. The City also adopted MM AIR-4, which requires preparation of odor impact assessments and implementation of odor control measures for projects with the potential to generate substantial odor impacts. While MM AIR-4 reduced odor impacts to a less than significant level, the City concluded that Impacts AIR-1, AIR-2, and AIR-3 would remain significant and unavoidable due to the magnitude of development evaluated under the refined project and the resulting regional emissions, even with implementation of all feasible mitigation measures. The City also determined that cumulative air quality impacts would remain significant and unavoidable. Furthermore, the City found that the environmental effects of the refined project are within the scope of the impacts analyzed in the SEDA PEIR and are not materially different in kind or greater in severity than those disclosed in the PEIR.

The proposed Development Code Update would establish use regulations, density, intensity, and massing development standards, building form and location standards, site design development standards, and façade design development standards necessary to codify and implement the approved SEDA land use framework. The proposed Development Code Update does not expand the SEDA Plan Area, approve a development project, increase residential capacity, increase employment capacity, or modify the approved land use framework. Rather, the proposed regulations provide the implementation framework governing future development anticipated by the approved SEDA Specific Plan, which was analyzed within the PEIR. Future development facilitated by the proposed Development Code Update would remain subject to applicable federal, State, and local air quality regulations, as well as the mitigation measures adopted in the PEIR, including MM AIR-1a through MM AIR-1d and MM AIR-4, as applicable. Because the proposed Development Code Update does not increase development intensity, population, employment,

vehicle trips, or other emission-generating activities beyond the assumptions evaluated in the PEIR, the proposed code amendments would not result in new air quality impacts, increase exposure of sensitive receptors beyond previously evaluated conditions, or increase regional emissions beyond those considered in the PEIR. Similarly, the proposed Development Code Update would not alter the conclusions related to significant and unavoidable regional air quality impacts identified for the refined project. As such, the proposed Development Code Update would be consistent with the impacts identified within the SEDA PEIR. The proposed Development Code Update would not result in any substantial changes or new significant impacts or increase the severity of any significant impacts that were previously identified in the SEDA PEIR. The proposed Development Code Update is within the scope of what was evaluated in the SEDA PEIR.

The SEDA PEIR included the following mitigation measures:

MM AIR-1a Prior to future discretionary project approval in the Fresno Southeast Development Area Specific Plan Area (Plan Area), development project applicants shall prepare and submit to the Director of the Planning and Development Department, or designee, documentation that demonstrates the use of “Super Compliant” architectural coatings during construction of the proposed project. “Super Compliant” architectural coatings, also known as low-VOC, are paints which do not exceed 10 grams of reactive organic gas (ROG) per liter of paint.

All architectural coatings shall be applied either by (1) using a high-volume, low pressure spray method operated at an air pressure between 0.1 and 10 pounds per square inch gauge to achieve a 65 percent application efficiency; or (2) manual application using a paintbrush, hand-roller, trowel, spatula, dauber, rag, or sponge, to achieve a 100 percent application efficiency. The construction contractor shall also use precoated/natural colored building materials, where feasible.

MM AIR-1b Prior to future discretionary project approval in the Fresno Southeast Development Area Specific Plan Area (Plan Area), development project applicants shall prepare and submit to the Director of the Planning and Development Department, or designee, a technical assessment evaluating potential project construction phase related air quality impacts. The evaluation shall be prepared in conformance with San Joaquin Valley Air Pollution Control District (Valley Air District) methodology for assessing construction impacts. If construction-related air pollutants are determined to have the potential to exceed the Valley Air District adopted threshold of significance, project applicants for new development projects shall be required to incorporate mitigation measures into construction plans to reduce air pollutant emissions during construction activities. The identified measures shall be included as part of the Project Conditions of Approval. Possible mitigation measures to reduce construction emissions include but are not limited to:

- Use of offroad construction equipment that meets the United States Environmental Protection Agency (EPA) Tier 4 Final off-road engine emissions standards.

- Install temporary construction power supply meters on-site and use these to provide power to electric power tools whenever feasible. If temporary electric power is available on-site, forbid the use of portable gasoline- or diesel-fueled electric generators.
- Use of diesel oxidation catalysts and/or catalyzed diesel particulate traps on diesel equipment, as feasible.
- Maintain equipment according to manufacturers' specifications.
- Restrict idling of equipment and trucks to a maximum of 5 minutes (per California Air Resources Board [ARB] regulation).
- Phase grading operations to reduce disturbed areas and times of exposure.
- Avoid excavation and grading during wet weather.
- Limit on-site construction routes and stabilize construction entrance(s).
- Remove existing vegetation only when absolutely necessary.
- Sweep up spilled dry material (e.g., cement, mortar, or dirt trackout) immediately. Never attempt to wash them away with water. Use only minimal water for dust control.
- Store stockpiled material and waste under a temporary roof or secured plastic sheeting or tarp.

MM AIR-1c Prior to future discretionary project approval in the Fresno Southeast Development Area Specific Plan Area (Plan Area), development project applicants shall prepare and submit to the Director of the Planning and Development Department, or designee, a technical assessment evaluating potential project operation-related air quality impacts. The evaluation shall be prepared in conformance with San Joaquin Valley Air Pollution Control District (Valley Air District) methodology in assessing air quality impacts. If operation-related air pollutants are determined to have the potential to exceed the Valley Air District adopted thresholds of significance, the project applicants for new development projects shall be required to incorporate mitigation measures to reduce air pollutant emissions during operational activities. The identified measures shall be included as part of the Project Conditions of Approval. Possible mitigation measures to reduce long-term emissions include but are not limited to:

- For site-specific development that requires refrigerated vehicles, the construction documents shall demonstrate an adequate number of electrical service connections including the use of electric-powered forklifts and/or other interior vehicles at loading docks for plugging in the anticipated number of refrigerated trailers to reduce idling time and emissions.
- Applicants for manufacturing and light industrial uses shall consider energy storage (i.e., battery) and combined heat and power (CHP, also known as cogeneration) in appropriate applications to optimize renewable energy generation systems and avoid peak energy use.
- Site-specific developments with truck delivery and loading areas and truck parking spaces shall include signage as a reminder to limit idling of vehicles while parked for

loading/unloading in accordance with ARB Rule 2845 (13 California Code of Regulations [CCR] Chapter 10, § 2485).

- Electric vehicle (EV) charging shall be provided as specified in Section A4.106.8.2 (Residential Voluntary Measures) of the California Green Building Standards Code (CALGreen) Code.
- Bicycle parking shall be provided as specified in Section A4.106.9 (Residential Voluntary Measures) of the CALGreen Code.
- Projects shall be required to implement, at a minimum, an increase in each building's energy efficiency 15 percent beyond Title 24 and reduction of indoor water use by 25 percent.
- Maximize use of solar energy including solar panels; installing the maximum possible number of solar energy arrays on building roofs throughout the City to generate solar energy.
- Maximize the planting of trees in landscaping and parking lots.
- Use light-colored paving and roofing materials.
- Require use of electric or alternatively fueled street-sweepers with HEPA filters.
- Require use of electric lawn mowers and leaf blowers.
- Utilize only Energy Star heating, cooling, and lighting devices, and appliances.
- Use of water-based or low volatile organic compound (VOC) cleaning products.
- For buildings with more than 10 tenant-occupants, changing/shower facilities shall be provided as specified in Section A5.106.4.3 (Nonresidential Voluntary Measures) of the California Green Building Standards Code (CALGreen) Code.
- Long-term and short-term bicycle parking shall be provided as specified in Section A5.106.4 (Nonresidential Mandatory Measure) of the CALGreen Code.
- Preferential parking for low-emitting, fuel-efficient, and carpool/van vehicles shall be provided as specified in Section A5.106.5.1 (Nonresidential Voluntary Measures) of the CALGreen Code.

Facilities shall be installed to support future EV charging at each nonresidential building with 30 or more parking spaces. Installation shall be consistent with Section A5.106.5.3 (Nonresidential Voluntary Measures) of the CALGreen Code.

MM AIR-1d Prior to future discretionary project approval in the Fresno Southeast Development Area Specific Plan Area (Plan Area), development project applicants proposing a project with the potential to introduce sources of diesel particulate matter (DPM) and/or toxic air contaminants (TACs) (such as diesel backup generators or significant truck trips) within 1,000 feet of a sensitive land use (e.g., residential, schools, hospitals, or nursing homes), as measured from the property line of the project to the property line of the nearest sensitive use, shall prepare and submit to the Director of the Planning and Development Department, or a designee, a Health Risk Assessment (HRA). The HRA shall be prepared in accordance with policies and procedures of the most current California Office of Environmental Health Hazard Assessment (OEHHA) and the San Joaquin Valley Air Pollution Control District (Valley Air District). If the HRA shows that the incremental health risks exceed their respective thresholds, as established by the Valley Air District at the

time a project is considered, the project applicant shall be required to identify and demonstrate that Best Available Control Technologies for toxics (T-BACTs), including appropriate enforcement mechanisms to reduce risks to an acceptable level. T-BACTs may include, but are not limited to:

- Restricting idling on-site or electrifying warehousing docks to reduce DPM;
- Requiring use of newer tier equipment and/or vehicles;
- Providing charging infrastructure for: electric forklifts, electric yard trucks, local drayage trucks, last mile delivery trucks, electric and fuel-cell heavy-duty trucks; and/or
- Installing solar panels, zero-emission backup electricity generators, and energy storage to minimize emissions associated with electricity generation at the project site.

T-BACTs identified in the HRA shall be identified as mitigation measures in the environmental document and/or incorporated into the site plan.

MM AIR-4 Prior to future discretionary project approval in the Fresno Southeast Development Area Specific Plan Area (Plan Area), development project applicants proposing a project with the potential to generate significant odor impacts, as determined through review of San Joaquin Valley Air Pollution Control District (Valley Air District) odor complaint history for similar facilities and consultation with the Valley Air District, shall prepare an odor impact assessment and shall implement odor control measures recommended by the Valley Air District or the City as needed to reduce the impact to a level deemed acceptable by the Valley Air District.

Biological Resources

Environmental Issues	SEDA PEIR Determination	CEQA Section 15168(c)(2) Criteria Proposed Development Code Update within scope of PEIR?
Biological Resources Would the project:		
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or United States Fish and Wildlife Service?	Less than significant impact with mitigation incorporated	Yes

Environmental Issues	SEDA PEIR Determination	CEQA Section 15168(c)(2) Criteria Proposed Development Code Update within scope of PEIR?
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Wildlife or United States Fish and Wildlife Service?	Less than significant impact with mitigation incorporated	Yes
c) Have a substantial adverse effect on State or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	Less than significant impact with mitigation incorporated	Yes
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of wildlife nursery sites?	Less than significant impact	Yes
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	Less than significant impact	Yes
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or State Habitat Conservation Plan?	Less than significant impact	Yes

The SEDA PEIR evaluated biological resources impacts associated with implementation of the approved SEDA refined project. The City determined that implementation of the refined project could have a substantial adverse effect on special-status plant and wildlife species, riparian habitat and other sensitive natural communities, and federally protected wetlands. To reduce these impacts to a less than significant level, the City adopted MM BIO-1a through MM BIO-1d, MM BIO-2a through MM BIO-2c, and MM BIO-3a through MM BIO-3b, which require pre-construction biological surveys, avoidance and minimization measures, agency consultation, habitat preservation or compensation, wetland delineations, regulatory permitting, nesting bird protections, and implementation of best management practices. The SEDA PEIR further determined that implementation of the refined project would not substantially interfere with wildlife movement or wildlife corridors, would not conflict with local policies or ordinances protecting biological resources, and would not conflict with an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved Habitat Conservation Plan. With implementation of the adopted mitigation measures, the City concluded that biological resources impacts would be reduced to a less than significant level and that cumulative biological resources impacts would also be less than significant.

The City further determined that the environmental effects of the refined project are within the scope of the impacts analyzed in the PEIR and are not materially different in kind or greater in severity than those disclosed in the SEDA PEIR.

The proposed Development Code Update would establish use regulations, density, intensity, and massing development standards, building form and location standards, site design development standards, and façade design development standards. The proposed Development Code Update would establish zoning districts, use regulations, development standards, site design requirements, pedestrian-oriented design standards, architectural standards, and implementation provisions necessary to codify and implement the approved SEDA land use framework. The proposed Development Code Update does not expand the SEDA Plan Area, approve a development project, increase residential capacity, increase employment capacity, or modify the approved land use framework. Rather, the proposed regulations provide the implementation framework governing future development anticipated by the approved SEDA Specific Plan, which was analyzed within the PEIR. Future development facilitated by the proposed Development Code Update would continue to be subject to applicable federal, State, and local biological resource regulations and the mitigation measures adopted in the PEIR, including MM BIO-1a through MM BIO-1d, MM BIO-2a through MM BIO-2c, and MM BIO-3a through MM BIO-3b, as applicable. These requirements would continue to ensure that future development appropriately evaluates the presence of special-status species, sensitive natural communities, riparian habitat, and jurisdictional wetlands, and incorporates avoidance, minimization, compensation, monitoring, and permitting requirements where necessary. Because the proposed Development Code Update does not alter the development assumptions evaluated in the SEDA PEIR or increase the extent of development beyond what was previously analyzed, the proposed code amendments would not result in new impacts to special-status species, sensitive habitats, wetlands, wildlife movement corridors, or habitat conservation plans, nor would updates increase the severity of previously identified impacts. As such, the proposed Development Code Update would be consistent with the impacts identified within the SEDA PEIR. The proposed Development Code Update would not result in any substantial changes or new significant impacts or increase the severity of any significant impacts that were previously identified in the SEDA PEIR. The proposed Development Code Update is within the scope of what was evaluated in the SEDA PEIR.

The SEDA PEIR included the following mitigation measures:

MM BIO-1a Construction of a proposed project shall avoid, where possible, vegetation communities that provide suitable habitat for a special-status species known to occur within the Southeast Development Area (SEDA) Plan Area. If construction within potentially suitable habitat must occur, the presence/absence of any special-status plant or wildlife species must be determined prior to construction, to determine whether the habitat supports any special-status species. If a special-status species are determined to occupy any portion of a project site, avoidance and minimization measures shall be incorporated into the construction phase of a project to avoid direct or incidental take of a listed species to the greatest extent feasible. Specific mitigation measures for direct or incidental impacts to special-status species shall be determined on a case-by-case basis through agency consultation during the review process for discretionary projects, and shall be consistent with survey protocols and mitigations measures recommended by the agency at the time of consultation.

MM BIO-1b Direct or incidental take of any State or federally listed species shall be avoided to the greatest extent feasible. If construction of a proposed project will result in the direct or incidental take of a listed species, consultation with the resources agencies and/or additional permitting may be required. Agency consultation through the California Department of Fish and Wildlife (CDFW) 2081 and United States Fish and Wildlife Service (USFWS) Section 7 or Section 10 permitting processes shall take place prior to any action that may result in the direct or incidental take of a listed species. Specific mitigation measures for direct or incidental impacts to special-status species shall be determined on a case-by-case basis through agency consultation during the review process for discretionary projects and shall be consistent with survey protocols and mitigations measures recommended by the agency at the time of consultation.

MM BIO-1c Development within the Southeast Development Area (SEDA) Plan Area shall avoid, where possible, special-status natural communities and vegetation communities that provide suitable habitat for special-status species. If a proposed project will result in the loss of a special-status natural community or suitable habitat for special-status species, compensatory habitat-based mitigation is required under CEQA and California Endangered Species Act (CESA). Mitigation shall consist of preserving on-site habitat, restoring similar habitat or purchasing off-site credits from an approved mitigation bank. Compensatory mitigation shall be determined through consultation with the City and/or resource agencies. An appropriate mitigation strategy and ratio shall be agreed upon by the Developer and Lead Agency to reduce project impacts to special-status natural communities to a less than significant level. Agreed-upon mitigation ratios shall depend on the quality of the habitat and presence/absence of a special-status species. Specific mitigation measures for direct or incidental impacts to special-status natural communities and vegetation communities shall be determined on a case-by-case basis through agency consultation during the review process for discretionary projects and shall be consistent with survey protocols and mitigations measures recommended by the agency at the time of consultation.

MM BIO-1d Proposed projects within the Southeast Development Area (SEDA) Plan Area should avoid, if possible, construction within the general nesting season of February through August for avian species protected under Fish and Game Code 3500 and the Migratory Bird Treaty Act (MBTA), if it is determined that suitable nesting habitat occurs on a project site. If construction cannot avoid the nesting season, a qualified Biologist shall conduct a pre-construction clearance survey to determine whether any nesting birds or nesting activity is observed on or within 500 feet of a project site. If an active nest is observed during the survey, a Biological Monitor shall be on-site to ensure that no proposed project activities would impact the active nest. A suitable buffer shall be established around the active nest until the nestlings have fledged and the nest is no longer active. Project activities may continue in the vicinity of the nest only at the discretion of the Biological Monitor. Prior to commencement of grading activities and issuance of any building permits, the Director of the City of Fresno Planning and Development Department, or designee, shall verify that all proposed project grading and construction plans include specific documentation regarding the requirements of the MBTA and California Fish and

Game Code Section 3503, that pre-construction surveys have been completed and the results reviewed by staff, and that the appropriate buffers (if needed) are noted on the plans and established in the field. Specific mitigation measures for direct or incidental impacts to avian species protected under Fish and Game Code 3500 and the MBTA shall be determined on a case-by-case basis through agency consultation during the review process for discretionary projects and shall be consistent with survey protocols and mitigations measures recommended by the agency at the time of consultation.

MM BIO-2a A pre-construction clearance survey, following current California Department of Fish and Wildlife (CDFW) protocols, shall be conducted by a qualified Biologist to determine whether a proposed project will result in the removal or impact to any riparian habitat and/or a special-status natural community with potential to occur in the Southeast Development Area (SEDA) Plan Area, compensatory habitat-based mitigation shall be required to reduce project impacts. Compensatory mitigation must involve the preservation or restoration or the purchase of off-site mitigation credits for impacts to riparian habitat and/or a special-status natural community. Mitigation must be conducted in-kind or within an approved mitigation bank in the region. The specific mitigation ratio for habitat-based mitigation shall be determined through consultation with the appropriate agency (i.e., CDFW or the United States Fish and Wildlife Service [USFWS]) on a case-by-case basis. The project applicant/developer for a proposed project shall develop and implement appropriate mitigation regarding impacts on their respective jurisdictions.

MM BIO-2b A pre-construction clearance survey, following current California Department of Fish and Wildlife (CDFW) protocols, shall be conducted by a qualified Biologist to determine whether a proposed project will result in significant impacts to streambeds or waterways protected under Section 1600 of Fish and Wildlife Code and Section 404 of the Clean Water Act (CWA). The project applicant/developer for a proposed project shall consult with partner agencies such as CDFW and/or the United States Army Corps of Engineers (USACE) to develop and implement appropriate mitigation regarding impacts on their respective jurisdictions, determination of mitigation strategy, and regulatory permitting to reduce impacts, as required for projects that remove riparian habitat and/or alter a streambed or waterway. The project applicant/developer shall implement mitigation as directed by the agency with jurisdiction over the particular impact identified.

MM BIO-2c Prior to project approval, a pre-construction clearance survey, following current California Department of Fish and Wildlife (CDFW) protocols, shall be conducted by a qualified Biologist to determine whether a proposed project will result in project-related impacts to riparian habitat or a special-status natural community or if it may result in direct or incidental impacts to special-status species associated with riparian or wetland habitats. The project applicant/developer for a proposed project shall be obligated to address project-specific impacts to special-status species associated with riparian habitat through agency consultation, development of a mitigation strategy, and/or issuing incidental take permits for the specific special-status species, as determined by the CDFW and/or the United States Fish and Wildlife Service (USFWS).

MM BIO-3a If a proposed project will result in the significant alteration or fill of a federally protected wetland, a formal wetland delineation conducted according to the United States Army Corps of Engineers (USACE) accepted methodology is required for each project to determine the extent of wetlands on a project site. The delineation shall be used to determine whether federal permitting and mitigation strategy are required to reduce project impacts. Acquisition of permits from USACE for the fill of wetlands and USACE approval of a wetland mitigation plan would ensure a “no net loss” of wetland habitat within the Planning Area. Appropriate wetland mitigation/creation shall be implemented in a ratio according to the size of the impacted wetland.

MM BIO-3b In addition to regulatory agency permitting, Best Management Practices (BMPs) identified from a list provided by the United States Army Corps of Engineers (USACE) shall be incorporated into the design and construction phase of the project to ensure that no pollutants or siltation drain into a federally protected wetland. Project design features such as fencing, appropriate drainage and incorporating detention basins shall assist in ensuring project-related impacts to wetland habitat are minimized to the greatest extent feasible.

Cultural Resources and Tribal Cultural Resources

Environmental Issues	SEDA PEIR Determination	CEQA Section 15168(c)(2) Criteria Proposed Development Code Update within scope of PEIR?
Cultural Resources and Tribal Cultural Resources Would the project:		
a) Cause a substantial adverse change in the significance of a historical resource as pursuant to Section 15064.5?	Less than significant impact with mitigation incorporated	Yes
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	Less than significant impact with mitigation incorporated	Yes
c) Disturb any human remains, including those interred outside of formal cemeteries?	Less than significant impact with mitigation incorporated	Yes
Would the project cause a substantial adverse change in the significance of a Tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American Tribe, and that is:		

Environmental Issues	SEDA PEIR Determination	CEQA Section 15168(c)(2) Criteria Proposed Development Code Update within scope of PEIR?
d) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k), or	Less than significant impact with mitigation incorporated	Yes
e) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American Tribe.	Less than significant impact with mitigation incorporated	Yes

The SEDA PEIR evaluated cultural resources and tribal cultural resources impacts associated with implementation of the approved SEDA refined project. The City determined that implementation of the refined project would result in impacts to historical resources, archaeological resources, human remains, and tribal cultural resources. To reduce the impacts to a less than significant level, the City adopted MM CUL-1, MM CUL-2, and MM CUL-3. These measures require historical resource protection procedures, treatment of inadvertent discoveries, and compliance with applicable State laws governing the treatment of human remains. The PEIR further concluded that cumulative impacts to cultural resources and tribal cultural resources would be less than significant with implementation of MM CUL-1 through MM CUL-3. The City determined that, with implementation of these mitigation measures, all cultural resources and tribal cultural resources impacts would be reduced to a less than significant level. The City further found that the environmental effects of the refined project are within the scope of the impacts analyzed in the PEIR and are not materially different in kind or greater in severity than those disclosed in the PEIR.

The proposed Development Code Update would establish use regulations, density, intensity, and massing development standards, building form and location standards, site design development standards, and façade design development standards. The proposed Development Code Update would establish zoning districts, use regulations, development standards, site design requirements, pedestrian-oriented design standards, architectural standards, and implementation provisions necessary to codify and implement the approved SEDA land use framework. The proposed Development Code Update does not expand the SEDA Plan Area, approve a development project, increase residential capacity, increase employment capacity, or modify the approved land use framework. Rather, the proposed regulations provide the implementation framework governing future development anticipated by the approved SEDA Specific Plan, which was analyzed within the PEIR. Future development facilitated by the proposed Development Code Update would continue to be subject to applicable federal, State, and local regulations protecting cultural and tribal cultural resources, as well as mitigation measures adopted in the PEIR, including MM

CUL-1, MM CUL-2, and MM CUL-3. These requirements would continue to ensure that future development appropriately evaluates historic resources, archaeological resources, tribal cultural resources, and human remains; conducts required consultation and resource investigations; and implements avoidance, preservation, monitoring, documentation, and recovery measures where necessary. Because the proposed Development Code Update does not alter the development assumptions evaluated in the PEIR or increase the extent of ground-disturbing activities beyond those previously analyzed, the proposed Development Code Update would not result in new impacts to historical resources, archaeological resources, human remains, or tribal cultural resources, nor would the proposed Development Code Update increase the severity of previously identified impacts. As such, the proposed Development Code Update would be consistent with the impacts identified within the SEDA PEIR. The proposed Development Code Update would not result in any substantial changes or new significant impacts or increase the severity of any significant impacts that were previously identified in the SEDA PEIR. The proposed Development Code Update is within the scope of what was evaluated in the SEDA PEIR.

The SEDA PEIR included the following mitigation measures:

MM CUL-1 Individual development projects which proposed to alter a building or structure greater than 45 years of age at the time an application is submitted would be required to undergo project-specific environmental review, in compliance with CEQA Guidelines Section 15064.5, in order for the City to determine whether the building or structure may be a historic resource and take appropriate action such as requiring additional site-specific or project-specific measures to reduce any potential impacts. These measures are, but not limited to the following:

- Prior to project development that may affect historical resources (i.e., structures 45 years or older), a historical resources assessment shall be performed by an architectural historian or historian who meets the Secretary of the Interior's Professionally Qualified Standards in architectural history or history. This shall include a records search to determine whether any resources that may be potentially affected by the project have been previously recorded, evaluated, and/ or designated in the National Register of Historic Places (NRHP), California Register of Historical Resources (CRHR), or a local register. Following the records search, the qualified architectural historian shall conduct a survey in accordance with the California Office of Historic Preservation (OHP) guidelines to identify any previously unrecorded potential historical resources that may be potentially affected by the proposed project. The criteria for determining a historically significant building or structure shall meet one or more of the following criteria:
  - Is associated with events that have made a significant contribution to the broad patterns of local, regional, or national history; or
  - Is associated with the lives of persons significant in local, regional, or national history; or
  - Embodies the distinctive characteristics of a significant architectural style, property type, period, or method of construction; represent the work of an architect, designer, engineer, or builder who is locally, regionally, nationally

significant, or it is a significant visual feature of the City; possess high artistic values, represent a significant and distinguishable entity whose components may lack individual distinction; or
  - That have yielded, or may be likely to yield, information important in prehistory or history.
- Properties identified as historically significant resources, shall contain proper documentation meeting the Historic American Building Survey (HABS) Guidelines that shall be prepared and implemented, as approved by the qualified historian meeting the Secretary of the Interior's Professional Qualifications Standards. Such documentation shall include drawings, photographs, and written data for each building/structure/element, and provide a detailed mitigation plan, including a monitoring program, recovery, rehabilitation, redesign, relocation, and/or in situ preservation plan.
- To ensure that projects requiring the relocation, rehabilitation, or alteration of a historical resource do not impact the resource's significance, the Secretary of Interior's Standards for the Treatments of Historic Properties shall be used to the maximum extent possible. The application of the standards shall be overseen by a qualified architectural historian or historic architect meeting the Professional Qualified Standards. Prior to any construction activities that may affect the historical resource, a report identifying and specifying the treatment of character defining features and construction activities shall be provided to the City of Fresno for review and approval.
- If a proposed project would result in the demolition or significant alteration of historical resource, such demolition cannot be mitigated to a less than significant level. However, recordation of the resource prior to construction activities will assist in reducing adverse impacts to the resource to the greatest extent possible. Recordation shall take the form of Historic American Buildings Survey, Historic American Engineering Record, or Historic American Landscape Survey documentation, and shall be performed by an architectural historian or historian who meets the Professional Qualified Standards. Documentation shall include an architectural and historical narrative; medium- or large-format black and white photographs, negatives, and prints; and supplementary information such as building plans and elevations, and/or historical photographs. Documentation shall be reproduced on archival paper and placed in appropriate local, State, or federal institutions. The specific scope and details of documentation are to be developed in coordination with the City of Fresno.

MM CUL-2 To determine the archaeological sensitivity for individual development projects within the City, an archaeological resources assessment shall be performed under the supervision of an Archaeologist that meets the Secretary of the Interior's Professional Qualified Standards for their role. The assessment shall include a California Historical Resources Information System (CHRIS) records search at the Southern San Joaquin Valley Information Center (SSJVIC) and a search of the Sacred Lands File (SLF) maintained by the Native American Heritage Commission (NAHC). The records searches shall determine if the proposed project has been previously surveyed for archaeological

resources, identify and characterize the results of previous cultural resource surveys, and disclose any cultural resources that have been recorded and/or evaluated. A Phase I pedestrian survey shall be undertaken in areas that are developed and undeveloped to locate any surface cultural materials.

MM CUL-3 In the event of the accidental discovery or recognition of any human remains, CEQA Guidelines Section 15064.5; Health and Safety Code Section 7050.5; Public Resources Code Section 5097.94 and Section 5097.98 must be followed. If during the course of any future development project there is accidental discovery or recognition of any human remains, the following steps shall be taken.

1. There shall be no further excavation or disturbance within 100 feet of the remains until the County Coroner is contacted to determine whether the remains are Native American and if an investigation of the cause of death is required. If the Coroner determines the remains to be Native American, the Coroner shall contact the Native American Heritage Commission (NAHC) within 24 hours, and the NAHC shall identify the person or persons it believes to be the Most Likely Descendant (MLD) of the deceased Native American. The MLD may make recommendations to the landowner or the person responsible for the excavation work within 48 hours, for appropriate treatment and disposition of, with appropriate dignity, the human remains and any associated grave goods as provided in Public Resources Code Section 5097.98.
2. Where the following conditions occur, the landowner or his or her authorized representative shall rebury the Native American human remains and associated grave goods with appropriate dignity either in accordance with the recommendations of the MLD or on the project site in a location not subject to further subsurface disturbance:
    - The NAHC is unable to identify a MLD or the MLD failed to make a recommendation within 48 hours after being notified by the commission.
    - The descendant identified fails to make a recommendation.
    - The landowner or his authorized representative rejects the recommendation of the descendant, and mediation by the NAHC fails to provide measures acceptable to the landowner.

Additionally, California Public Resources Code Section 15064.5 requires the following relative to Native American remains:

When an initial study identifies the existence of, or the probable likelihood of, Native American remains within a project site, a lead agency shall work with the appropriate Native Americans as identified by the NAHC as provided in Public Resources Code Section 5097.98. The applicant may develop a plan for treating or disposing of, with appropriate dignity, the human remains and any items associated with Native American Burials with the appropriate Native Americans as identified by the NAHC.

Energy

Environmental Issues	SEDA PEIR Determination	CEQA Section 15168(c)(2) Criteria Proposed Development Code Update within scope of PEIR?
Energy Would the project:		
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	Less than significant impact	Yes
b) Conflict with or obstruct a State or local plan for renewable energy or energy efficiency?	Less than significant impact	Yes

The SEDA PEIR evaluated energy impacts associated with implementation of the approved SEDA refined project. The City determined that implementation of the refined project would result in less than significant impacts related to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation, as well as conflicts or obstructions to State or local plan for renewable energy or energy efficiency. No mitigation measures were determined to be required for energy impacts. Furthermore, the City found that the environmental effects of the refined project are within the scope of the impacts analyzed in the SEDA PEIR and are not materially different in kind or greater in severity than those disclosed in the PEIR.

The proposed Development Code Update would establish use regulations, density, intensity, and massing development standards, building form and location standards, site design development standards, and façade design development standards. The proposed Development Code Update would establish zoning districts, use regulations, development standards, site design requirements, pedestrian-oriented design standards, architectural standards, and implementation provisions necessary to codify and implement the approved SEDA land use framework. The proposed Development Code Update does not expand the SEDA Plan Area, approve a development project, increase residential capacity, increase employment capacity, or modify the approved land use framework. Future development would be subject to applicable energy efficiency requirements and other regulations, which were evaluated in the SEDA PEIR. The proposed Development Code Update would not increase residential or employment capacity beyond the refined project analyzed in the PEIR, alter the approved development program, or authorize development beyond what was previously evaluated. Therefore, the proposed Development Code Update would be consistent with the impacts identified within the SEDA PEIR. The proposed Development Code Update would not result in any substantial changes or new significant impacts or increase the severity of any significant impacts that were previously identified in the SEDA PEIR. The proposed Development Code Update is within the scope of what was evaluated in the SEDA PEIR.

Geology, Soils, and Seismicity

Environmental Issues	SEDA PEIR Determination	CEQA Section 15168(c)(2) Criteria Proposed Development Code Update within scope of PEIR?
Geology, Soils, and Seismicity Would the project:		
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:		
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42?	No impact	Yes
ii) Strong seismic ground shaking?	Less than significant impact	Yes
iii) Seismic-related ground failure, including liquefaction?	Less than significant impact	Yes
iv) Landslides, mudslides, or other similar hazards?	Less than significant impact	Yes
b) Result in substantial soil erosion or the loss of topsoil?	Less than significant impact	Yes
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	Less than significant impact	Yes
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	Less than significant impact	Yes
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	Less than significant impact	Yes
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	Less than significant impact with mitigation incorporated	Yes

The SEDA PEIR evaluated geology, soils, and seismicity impacts associated with implementation of the approved SEDA refined project. The City determined that implementation of the refined project would not result in impacts related to fault rupture, strong seismic ground shaking, liquefaction, landslides, substantial soil erosion or loss of topsoil, unstable geologic units or soils, expansive soils, or soils incapable of supporting septic systems or alternative wastewater disposal systems. The SEDA PEIR further determined that implementation of the refined project could directly or indirectly destroy a unique paleontological resource or site or unique geologic feature. To reduce this impact to a less than significant level, the City adopted MM GEO-6a and MM GEO-6b, which require future development projects involving excavation or disturbance of previously undisturbed soils to conduct paleontological resource investigations, implement monitoring where appropriate, halt work in the vicinity of discoveries, evaluate resources for significance, and recover or preserve significant resources consistent with applicable standards. With implementation of these mitigation measures, the City concluded that impacts related to paleontological and unique geologic resources would be reduced to a less than significant level. The City also determined that cumulative geology and soils impacts would be less than significant. The City further found that the environmental effects of the refined project are within the scope of the impacts analyzed in the SEDA PEIR and are not materially different in kind or greater in severity than those disclosed in the PEIR.

The proposed Development Code Update would establish use regulations, density, intensity, and massing development standards, building form and location standards, site design development standards, and façade design development standards. The proposed Development Code Update would establish zoning districts, use regulations, development standards, site design requirements, pedestrian-oriented design standards, architectural standards, and implementation provisions necessary to codify and implement the approved SEDA land use framework. The proposed Development Code Update does not expand the SEDA Plan Area, approve a development project, increase residential capacity, increase employment capacity, or modify the approved land use framework. Rather, the proposed regulations provide the development framework governing future development anticipated by the approved Specific Plan. Future development facilitated by the proposed Development Code Update would continue to be subject to applicable building code requirements, geotechnical review, site-specific engineering evaluation, and mitigation measures previously identified in the PEIR, including MM GEO-6a and MM GEO-6b related to the identification, monitoring, and protection of paleontological and unique geologic resources. Because the proposed Development Code Update would not modify the development program analyzed in the SEDA PEIR and would not increase ground-disturbing activities beyond those previously evaluated, the proposed code amendments would not result in new impacts related to seismic hazards, unstable soils, expansive soils, erosion, septic suitability, paleontological resources, or unique geologic features, nor would the updates increase the severity of previously identified impacts. As such, the proposed Development Code Update would be consistent with the impacts identified within the SEDA PEIR. The proposed Development Code Update would not result in any substantial changes or new significant impacts or increase the severity of any significant impacts that were previously identified in the SEDA PEIR. The proposed Development Code Update is within the scope of what was evaluated in the SEDA PEIR.

The SEDA PEIR included the following mitigation measures:

MM GEO-6a Subsequent to a preliminary City review of the project grading plans, if there is evidence that a project will include excavation or construction activities within previously undisturbed soils, a field survey and literature search for unique paleontological/geological resources shall be conducted. The following procedures shall be followed:

- If unique paleontological/geological resources are not found during either the field survey or literature search, excavation and/or construction activities can commence. In the event that unique paleontological/geological resources are discovered during excavation and/or construction activities, construction shall stop in the immediate vicinity of the find and a qualified Paleontologist shall be consulted to determine whether the resource requires further study. The qualified Paleontologist shall make recommendations to the City on the measures that shall be implemented to protect the discovered resources, including but not limited to, excavation of the finds and evaluation of the finds. If the resources are determined to be significant, mitigation measures shall be identified by the monitor and recommended to the Lead Agency. Appropriate mitigation measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds. No further grading shall occur in the area of the discovery until the Lead Agency approves the measures to protect these resources. Any paleontological/geological resources recovered as a result of mitigation shall be provided to a City-approved institution or person who is capable of providing long-term preservation to allow future scientific study.
- If unique paleontological/geological resources are found during the field survey or literature review, the resources shall be inventoried and evaluated for significance. If the resources are found to be significant, mitigation measures shall be identified by the qualified Paleontologist. Similar to above, appropriate mitigation measures for significant resources could include avoidance or capping, incorporation of the site in green space, parks, or open space, or data recovery excavations of the finds. In addition, appropriate mitigation for excavation and construction activities in the vicinity of the resources found during the field survey or literature review shall include a paleontological monitor. The monitoring period shall be determined by the qualified Paleontologist. If additional paleontological/geological resources are found during excavation and/or construction activities, the procedure identified above for the discovery of unknown resources shall be followed.

MM GEO-6b Applicants, owners and/or sponsors of all future development or construction projects shall be required to perform or provide paleontological monitoring during ground-disturbing activities. Should significant paleontological resources (e.g., bones, teeth, well-preserved plant elements) be unearthed by the future project construction crew, the project activities shall be diverted at least 15 feet from the discovered paleontological resources until a professional Paleontologist has assessed such discovered resources and, if deemed significant, such resources shall be salvaged in a timely manner. The applicant/owner/sponsor of said project shall be responsible for diverting project work and providing the assessment including retaining a professional Paleontologist for such

purpose. Collected fossils shall be deposited by the applicant/owner/sponsor in an appropriate repository (e.g., University of California Museum of Paleontology (UCMP), California Academy of Sciences) where the collection shall be properly curated and made available for future research.

Greenhouse Gas Emissions

Environmental Issues	SEDA PEIR Determination	CEQA Section 15168(c)(2) Criteria Proposed Development Code Update within scope of PEIR?
Greenhouse Gas Emissions Would the project:		
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	Less than significant impact	Yes
b) Conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?	Less than significant impact	Yes

The SEDA PEIR evaluated greenhouse gas (GHG) emission impacts associated with implementation of the approved SEDA refined project. The City determined that implementation of the refined project would result in less than significant impacts related to generation of GHG emissions and conflicts with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of GHGs. No mitigation measures were determined to be required to mitigate GHG impacts. Furthermore, the City found that the environmental effects of the refined project are within the scope of the impacts analyzed in the SEDA PEIR and are not materially different in kind or greater in severity than those disclosed in the SEDA PEIR.

The proposed Development Code Update would establish use regulations, density, intensity, and massing development standards, building form and location standards, site design development standards, and façade design development standards. The proposed Development Code Update would establish zoning districts, use regulations, development standards, site design requirements, pedestrian-oriented design standards, architectural standards, and implementation provisions necessary to codify and implement the approved SEDA land use framework. The proposed Development Code Update does not expand the SEDA Plan Area, approve a development project, increase residential capacity, increase employment capacity, or modify the approved land use framework. As such, no direct GHG emissions would occur as a result of the proposed Development Code Update. Any future development would be subject to the regulations and planning framework evaluated in the SEDA PEIR. The proposed Development Code Update would not increase residential or employment capacity beyond the refined project analyzed in the PEIR, alter the approved development program, or authorize development beyond what was previously

evaluated. Rather, the proposed Development Code Update would help implement the land use and urban design strategies that supported the PEIR's consistency determinations with the City's 2014 Greenhouse Gas Reduction Plan, the California Air Resource Board's (ARB's) 2022 Scoping Plan, and the Fresno Council of Governments (Fresno COG) Regional Transportation Plan and Sustainable Communities Strategy (RTP/SCS). The SEDA PEIR identified compact and mixed-use development, transit-supportive densities, reduced parking, pedestrian and bicycle connectivity, transportation demand management, and increased access to transit as measures that would reduce vehicle travel and associated GHG emissions.

The proposed Development Code Update would codify several of these strategies by establishing mixed-use Town Center districts with residential densities ranging from 30 to 70 du/acre, including minimum-density requirements near planned or existing bus rapid transit routes; requiring active uses along public streets near planned or existing bus rapid transit stations; establishing building frontage and parking setback standards that place buildings closer to sidewalks and locate or screen parking away from street frontages; requiring pedestrian-oriented sidewalks, street trees, lighting, and connections between adjacent residential, mixed-use, and employment districts; and permitting a range of residential, commercial, office, civic, and service uses within the SEDA districts. These standards would facilitate the compact, walkable, mixed-use, and transit-supportive development pattern relied upon in the SEDA PEIR's GHG and RTP/SCS consistency analyses.

Future development would also remain subject to applicable State building and energy efficiency requirements and the mitigation measures adopted in the SEDA PEIR. These include measures addressing electric vehicle (EV) charging infrastructure, bicycle parking, enhanced building energy and water efficiency, solar energy, tree planting, transit service, pedestrian and bicycle improvements, reduced parking, and other transportation demand management strategies. In addition, consistent with the SEDA PEIR, future individual development projects would undergo project-level environmental review, as applicable, including review for compliance with the relevant project-level requirements and attributes of Appendix D of the 2022 Scoping Plan.

Accordingly, the proposed Development Code Update would provide regulatory mechanisms that implement key land use and urban design components of the GHG reduction framework evaluated in the SEDA PEIR, while the SEDA PEIR mitigation program, applicable State regulations, and subsequent project-level review would continue to implement the remaining transportation, energy efficiency, and electrification measures. The proposed Development Code Update therefore would not result in a new significant GHG emissions impact, conflict with an applicable GHG reduction plan beyond what was previously analyzed, or substantially increase the severity of a previously identified impact. Therefore, the proposed Development Code Update would be consistent with the impacts identified within the SEDA PEIR. The proposed Development Code Update would not result in any substantial changes or new significant impacts or increase the severity of any significant impacts that were previously identified in the SEDA PEIR. Thus, the proposed Development Code Update is within the scope of what was evaluated in the SEDA PEIR.

Hazards and Hazardous Materials

Environmental Issues	SEDA PEIR Determination	CEQA Section 15168(c)(2) Criteria Proposed Development Code Update within scope of PEIR?
Hazards and Hazardous Materials Would the project:		
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	Less than significant impact	Yes
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	Less than significant impact with mitigation incorporated	Yes
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	Less than significant impact with mitigation incorporated	Yes
d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	Less than significant impact with mitigation incorporated	Yes
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	Less than significant impact	Yes
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	Less than significant impact	Yes
g) Expose people or structures, either directly or indirectly to a significant risk of loss, injury or death involving wildland fires?	Less than significant impact	Yes

The SEDA PEIR evaluated hazards and hazardous materials impacts associated with implementation of the approved SEDA refined project. The City determined that implementation of the refined project would not create a significant hazard through the routine transport, use, or disposal of hazardous materials, would not result in airport-related safety hazards, would not impair implementation of an adopted emergency response or evacuation plan, and would not expose people or structures to significant risks

associated with wildland fire. The SEDA PEIR further determined that implementation of the refined project could create a significant hazard through accidental release of hazardous materials, could result in hazardous emissions or handling of hazardous materials within one-quarter mile of a school, and could occur on sites included on lists compiled pursuant to Government Code Section 65962.5. To reduce these impacts to a less than significant level, the City adopted MM HAZ-2a through MM HAZ-2h, which require Phase I and Phase II Environmental Site Assessments, site characterization and remediation where necessary, environmental site management plans, vapor intrusion assessments, asbestos and lead-based paint surveys, and evaluation of imported fill materials. With implementation of these mitigation measures, the City concluded that impacts related to hazardous materials would be reduced to a less than significant level and that cumulative hazards and hazardous materials impacts would also be less than significant. The City further determined that the environmental effects of the refined project are within the scope of the impacts analyzed in the SEDA PEIR and are not materially different in kind or greater in severity than those disclosed in the PEIR.

The proposed Development Code Update would establish use regulations, density, intensity, and massing development standards, building form and location standards, site design development standards, and façade design development standards. The proposed Development Code Update would establish zoning districts, use regulations, development standards, site design requirements, pedestrian-oriented design standards, architectural standards, and implementation provisions necessary to codify and implement the approved SEDA land use framework. The proposed Development Code Update does not expand the SEDA Plan Area, approve a development project, increase residential capacity, increase employment capacity, or modify the approved land use framework. Rather, the proposed regulations provide the regulatory framework governing future development anticipated by the approved Specific Plan. Future development facilitated by the Development Code Update would continue to be subject to applicable federal, State, and local hazardous materials regulations, site-specific environmental review, and mitigation measures previously adopted in the PEIR, including MM HAZ-2a through MM HAZ-2h. These requirements would continue to ensure that future development appropriately evaluates potential contamination, addresses hazardous building materials, remediates contaminated sites where necessary, and incorporates protective measures to reduce risks to future occupants, construction workers, nearby schools, and the environment. Because the proposed Development Code Update would not increase hazardous materials use, generate new hazardous conditions beyond those previously analyzed, or modify the development assumptions relied upon in the PEIR, the proposed Development Code Update would not result in new hazards and hazardous materials impacts or increase the severity of previously identified impacts. As such, the proposed Development Code Update would be consistent with the impacts identified within the SEDA PEIR. The proposed Development Code Update would not result in any substantial changes or new significant impacts or increase the severity of any significant impacts that were previously identified in the SEDA PEIR. The proposed Development Code Update is within the scope of what was evaluated in the SEDA PEIR.

The SEDA PEIR included the following mitigation measures:

MM HAZ-2a Prior to the issuance of a grading permit, the property owners and/or developers of properties shall ensure that a Phase I Environmental Site Assessment (Phase I ESA) (performed in accordance with the current Airborne Toxic Control Measures [ATCM] Standard Practice for Environmental Site Assessments: Phase I Environmental Site

Assessment Process [E 1527]) shall be conducted for each individual property prior to development or redevelopment to ascertain the presence or absence of Recognized Environmental Conditions (RECs), Historical Recognized Environmental Conditions (HRECs), and Potential Environmental Concerns (PECs) relevant to the property under consideration. The findings and conclusions of the Phase I ESA shall become the basis for potential recommendations for follow-up investigation, if found to be warranted.

MM HAZ-2b In the event that the findings and conclusions of the Phase I Environmental Site Assessment (Phase I ESA) for a property result in evidence of Recognized Environmental Conditions (RECs), Historical Recognized Environmental Conditions (HRECs) and/or Potential Environmental Concerns (PECs) warranting further investigation, the property owners and/or developers of properties shall ensure that a Phase II ESA shall be conducted to determine the presence or absence of a significant impact to the subject site from hazardous materials. The Phase II ESA may include but may not be limited to the following: (1) Collection and laboratory analysis of soils and/or groundwater samples to ascertain the presence or absence of significant concentrations of constituents of concern; (2) Collection and laboratory analysis of soil vapors and/or indoor air to ascertain the presence or absence of significant concentrations of volatile constituents of concern; and/or (3) Geophysical surveys to ascertain the presence or absence of subsurface features of concern such as underground storage tanks (USTs), drywells, drains, plumbing, and septic systems. The findings and conclusions of the Phase II ESA shall become the basis for potential recommendations for follow-up investigation, site characterization, and/or remedial activities, if found to be warranted.

MM HAZ-2c In the event the findings and conclusions of the Phase II Environmental Site Assessment (Phase II ESA) reveal the presence of significant concentrations of hazardous materials warranting further investigation, the property owners and/or developers of properties shall ensure that site characterization shall be conducted in the form of additional Phase II ESAs in order to characterize the source and maximum extent of impacts from constituents of concern. The findings and conclusions of the site characterization shall become the basis for formation of a remedial action plan and/or risk assessment

MM HAZ-2d If the findings and conclusions of the Phase II Environmental Site Assessment (Phase II ESA), site characterization and/or risk assessment demonstrate the presence of concentrations of hazardous materials exceeding regulatory threshold levels, prior to the issuance of a grading permit, property owners and/or developers of properties shall complete site remediation and potential risk assessment with oversight from the applicable regulatory agency including, but not limited to, the California Environmental Protection Agency (Cal/EPA) Department of Toxic Substances Control (DTSC) or Regional Water Quality Control Board (RWQCB), and Fresno County Environmental Health Division (FCEHD). Potential remediation could include the removal or treatment of water and/or soil. If removal occurs, hazardous materials shall be transported and disposed at a hazardous materials permitted facility.

MM HAZ-2e Prior to the issuance of a building permit for an individual property within the Plan Area with residual environmental contamination, the agency with primary regulatory oversight of environmental conditions at such property ("Oversight Agency") shall have determined that the proposed land use for that property, including proposed development features and design, does not present an unacceptable risk to human health, if applicable, through the use of an Environmental Site Management Plan (ESMP) that could include institutional controls, site-specific mitigation measures, a risk management plan, and deed restrictions based upon applicable risk-based cleanup standards. Remedial action plans, risk management plans and health and safety plans shall be required as determined by the Oversight Agency for a given property under applicable environmental laws, if not already completed, to prevent an unacceptable risk to human health, including workers during and after construction, from exposure to residual contamination in soil and groundwater in connection with remediation and site development activities and the proposed land use.

MM HAZ-2f For those sites with potential residual volatile organic compounds (VOCs) in soil, soil gas, or groundwater that are planned for redevelopment with an overlying occupied building, a vapor intrusion assessment shall be performed by a licensed environmental professional. If the results of the vapor intrusion assessment indicate the potential for significant vapor intrusion into the proposed building, the project design shall include vapor controls or source removal, as appropriate, in accordance with Regional Water Quality Control Board (RWQCB), the California Department of Toxic Substances Control (DTSC) or the Fresno County Environmental Health Division (FCEHD) requirements. Soil vapor mitigations or controls could include passive venting and/or active venting. The vapor intrusion assessment as associated vapor controls or source removal can be incorporated into the Environmental Site Management Plan (ESMP) (MM HAZ4-4e).

MM HAZ-2g In the event of planned renovation or demolition of residential and/or commercial structures on the subject site, prior to the issuance of demolition permits, asbestos and lead-based paint (LBP) surveys shall be conducted in order to determine the presence or absence of asbestos-containing materials (ACM) and/or LBP. Removal of friable ACM, and non-friable ACMs that have the potential to become friable, during demolition and/or renovation shall conform to the standards set forth by the National Emissions Standards for Hazardous Air Pollutants (NESHAPs). The San Joaquin Valley Air Pollution Control District (Valley Air District) is the responsible agency on the local level to enforce the NESHAPs and shall be notified by the property owners and/or developers of properties (or their designee(s)) prior to any demolition and/or renovation activities. If asbestos-containing materials are left in place, an Operations and Maintenance Program (O&M Program) shall be developed for the management of asbestos-containing materials (ACM).

MM HAZ-2h Prior to the import of a soil to a particular property within the Plan Area as part of that property's site development, such soils shall be sampled for toxic or hazardous materials to determine whether concentrations exceed applicable Environmental Screening Levels for the proposed land use at such a property, in accordance with Regional Water Quality

Control Board (RWQCB), the Fresno County Environmental Health Division (FCEHD), and the California Department of Toxic Substances Control (DTSC), including but not limited to the DTSC 2001 Information Advisory Clean Imported Fill Material Fact Sheet, which identifies land use activities appropriate for a fill material source area and provides guidelines for types of analyses to be performed, prior to importing to such a property.

Hydrology and Water Quality

Environmental Issues	SEDA PEIR Determination	CEQA Section 15168(c)(2) Criteria Proposed Development Code Update within scope of PEIR?
Hydrology and Water Quality Would the project:		
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	Less than significant impact	Yes
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	Less than significant impact with mitigation incorporated	Yes
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	Less than significant impact with mitigation incorporated	Yes
(i) result in substantial erosion or siltation on- or off-site;	Less than significant impact	Yes
(ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	Less than significant impact	Yes
(iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	Less than significant impact	Yes
(iv) impede or redirect flood flows?	Less than significant impact with mitigation incorporated	Yes
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	Less than significant impact	Yes

Environmental Issues	SEDA PEIR Determination	CEQA Section 15168(c)(2) Criteria Proposed Development Code Update within scope of PEIR?
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	Less than significant impact	Yes

The SEDA PEIR evaluated hydrology and water quality impacts associated with implementation of the approved SEDA refined project. The City determined that implementation of the refined project would not violate water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality, would not expose development to flood hazards, tsunami, or seiche-related risks (Impact HYD-4), and would not conflict with or obstruct implementation of a water quality control plan or groundwater sustainability plan. The SEDA PEIR further determined that implementation of the refined project could substantially decrease groundwater supplies or interfere with groundwater recharge, and could substantially alter existing drainage patterns through increased impervious surfaces and development, potentially resulting in erosion, flooding, exceedance of storm drainage capacity, or interference with flood flows. To reduce these impacts to a less than significant level, the City adopted MM HYD-2a through MM HYD-2e related to groundwater management, water supply planning, groundwater recharge, and water conservation, as well as MM HYD-3a through MM HYD-3g related to storm drainage planning, basin capacity improvements, flood control infrastructure, and drainage system enhancements. With implementation of these mitigation measures, the City concluded that hydrology and water quality impacts, including cumulative hydrology and water quality impacts, would be reduced to a less than significant level. The City further determined that the environmental effects of the refined project are within the scope of the impacts analyzed in the SEDA PEIR and are not materially different in kind or greater in severity than those disclosed in the PEIR.

The proposed Development Code Update would establish use regulations, density, intensity, and massing development standards, building form and location standards, site design development standards, and façade design development standards. The proposed Development Code Update would establish zoning districts, use regulations, development standards, site design requirements, pedestrian-oriented design standards, architectural standards, and implementation provisions necessary to codify and implement the approved SEDA land use framework. The proposed Development Code Update does not expand the SEDA Plan Area, approve a development project, increase residential capacity, increase employment capacity, or modify the approved land use framework. Rather, the proposed regulations provide the regulatory framework governing future development anticipated by the approved Specific Plan. The proposed Development Code Update also addresses the transition of annexed rural residential uses and properties from existing private wells to City water service. Under the SEDA Annexed Overlay District, a single-unit rural residential property with an active well may continue using the well until water resources are no longer available. If City water service is available at that time, the property owner would be required to connect to the available water utility within five years after installation of the utility pipe. If City service is unavailable, the property owner may continue to seek authorization from Fresno County to

deepen the existing well. The SEDA ANX Overlay District also specifies that crop irrigation systems served by wells or irrigation canals may not be connected to the City's treated-water system.

Future development facilitated by the proposed Development Code Update would continue to be subject to applicable stormwater regulations, water supply planning requirements, groundwater management programs, drainage master planning requirements, and the mitigation measures adopted in the SEDA PEIR, including MM HYD-2a through MM HYD-2e and MM HYD-3a through MM HYD-3g. These measures require, among other provisions, coordination with the Fresno Metropolitan Flood Control District on storm drainage planning and improvements, incorporation of updated drainage standards into future development, and measures addressing detention, retention, and stormwater-system capacity. Together, the proposed Development Code Update and the applicable SEDA PEIR mitigation framework would continue to support the planned transition to City water service where available, groundwater management and conservation, and drainage infrastructure capable of accommodating anticipated runoff. Because the proposed Development Code Update does not alter the overall development assumptions analyzed in the SEDA PEIR or increase water demand, groundwater use, runoff generation, or drainage infrastructure needs beyond those previously evaluated, it would not result in new impacts related to water quality, groundwater resources, drainage patterns, flooding, or stormwater infrastructure, nor would it increase the severity of previously identified impacts. As such, the proposed Development Code Update would be consistent with the impacts identified within the SEDA PEIR. The proposed Development Code Update would not result in any substantial changes or new significant impacts or increase the severity of any significant impacts that were previously identified in the SEDA PEIR. The proposed Development Code Update is within the scope of what was evaluated in the SEDA PEIR.

The SEDA PEIR included the following mitigation measures:

MM HYD-2a The City shall continue to be an active participant in the North Kings Groundwater Sustainability Agency (North Kings GSA) and the implementation of the North Kings Groundwater Sustainability Plan (North Kings GSP) in order to ensure that the Kings Subbasin has balanced levels of pumping and recharge. The City shall confirm that each project for future development in the Fresno Southeast Development Area Specific Plan Area (Plan Area) has incorporated any resulting standards prior to issuing approval for any development applications that require discretionary approval.

MM HYD-2b Prior to approving development per the Southeast Development Area (SEDA) Specific Plan for the Fresno SEDA Specific Plan Area (Plan Area), the City shall evaluate the water supply system to determine whether the proposed development will exceed the existing water supply capacity. If it is determined that such development would exceed the existing water supply capacity, the City shall provide additional capacity through water system improvements for the Plan Area in accordance with the City Metropolitan Water Resources Management Plan (Metro Plan).

MM HYD-2c Prior to approving development per the Southeast Development Area (SEDA) Specific Plan for the Fresno SEDA Specific Plan Area (Plan Area), the City shall evaluate existing water demands to determine whether the proposed development will exceed the existing water supplies. If it is determined that such development would exceed the existing water

demands, the City shall pursue the provision of adequate water supplies by securing additional water sources.

MM HYD-2d The City shall develop new and expand existing groundwater recharge facilities to balance increased water demands resulting from the Fresno Southeast Development Area Specific Plan Area (Plan Area). New and expanded groundwater recharge facilities shall be in accordance with the City of Fresno General Plan and City Metro Plan. The City shall complete these measures prior to approving any new project applications for future development in the project area that require a discretionary approval and shall confirm that each project has incorporated any resulting standards prior to issuing approval.

MM HYD-2e The City shall continue to develop and implement water conservation measures to reduce the per capita water use to 190 gallons per capita per day (gpcd) in accordance with the conservation target specified in the Fresno General Plan.

MM HYD-3a The City shall support the Fresno Metropolitan Flood Control District (FMFCD) in updating the Storm Drainage and Flood Control Master Plan for the Plan Area to include the proposed basins and the analysis necessary to provide adequate capacity for future stormwater runoff resulting from future development of the Southeast Development Area (SEDA) Specific Plan. The City shall complete these measures prior to approving any new project applications for future development in the Fresno SEDA Specific Plan Area (Plan Area) that require a discretionary approval and shall confirm that each project has incorporated any resulting standards prior to issuing approval.

MM HYD-3b The City shall support the Fresno Metropolitan Flood Control District (FMFCD) in implementing the Storm Drainage and Flood Control Master Plan improvements for the proposed drainage areas within the Fresno Southeast Development Area Specific Plan Area (Plan Area). Any new proposed development in the Plan Area shall be reviewed by the City and FMFCD to confirm that design and construction documents have incorporated the updated Storm Drainage and Flood Control Master Plan improvements, prior to approving any such development.

MM HYD-3c The City shall support the Fresno Metropolitan Flood Control District (FMFCD) in reevaluating proposed Basins DW and DX for available capacities and shall expand these basins or construct additional basins to accommodate the future stormwater capacities from development in the Southeast Development Area (SEDA) Specific Plan Area (Plan Area) in accordance with the SEDA Specific Plan. The City shall complete these measures prior to approving any new project applications for future development in the Plan Area that require a discretionary approval and shall confirm that each project has incorporated any resulting standards prior to issuing approval.

MM HYD-3d The City shall implement the following measures to reduce the impacts on the capacity of existing or planned storm drainage Master Plan collection systems within the Fresno

Southeast Development Area (SEDA) Specific Plan Area (Plan Area) to less than significant:

- Require developments that increase site imperviousness to install, operate, and maintain Fresno Metropolitan Flood Control District (FMFCD) approved on-site detention systems to reduce the peak runoff rates resulting from the increased imperviousness to the peak runoff rates that will not exceed the capacity of the existing stormwater collection systems.

MM HYD-3e The City shall implement the following measures to reduce the impacts on the capacity of existing or planned storm drainage Master Plan retention basins within the Fresno Southeast Development Area Specific Plan Area (Plan Area) to less than significant:

- Prior to approval of development projects, support the Fresno Metropolitan Flood Control District (FMFCD) in updating the Storm Drainage and Flood Control Master Plan to analyze the impacts to existing and planned retention basins within the Plan Area to determine remedial measures required to reduce the impact on retention basin capacity to less than significant. Remedial measures would include:
  - Increase the size of the retention basin through the purchase of more land or deepening the basin or a combination for planned retention basins.
  - Increase the size of the emergency relief pump capacity required to pump excess runoff volume out of the basin and into adjacent canals that convey the stormwater to a disposal facility for existing retention basins.
  - Require developments that increase runoff volume to install, operate, and maintain Low Impact Development (LID) measures to reduce runoff volume to the runoff volume that will not exceed the capacity of the existing retention basins.

MM HYD-3f The City shall implement the following measures to reduce the impacts on the capacity of existing or planned storm drainage Master Plan urban detention (stormwater quality) basins within the Fresno Southeast Development Area Specific Plan Area (Plan Area) to less than significant:

- Prior to approval of development projects, support the Fresno Metropolitan Flood Control District (FMFCD) in updating the Storm Drainage and Flood Control Master Plan to determine the impacts to the urban detention weir overflow rates and determine remedial measures required to reduce the impact on the detention basin capacity to less than significant. Remedial measures would include:
  - Modify overflow weir to maintain the suspended solids removal rates adopted by the FMFCD Board of Directors.
  - Increase the size of the urban detention basin to increase residence time by purchasing more land.
  - Require developments that increase runoff volume to install, operate, and maintain Low Impact Development (LID) measures to reduce peak runoff rates

and runoff volume to the runoff rates and volumes that will not exceed the weir overflow rates of the existing urban detention basins.

MM HYD-3g The City shall implement the following measures to reduce the impacts on the capacity of existing or planned storm drainage Master Plan pump disposal systems within the Fresno Southeast Development Area Specific Plan Area (Plan Area) to less than significant:

- Prior to approval of development projects, support the Fresno Metropolitan Flood Control District (FMFCD) in updating the Storm Drainage and Flood Control Master Plan to determine the extent and degree to which the capacity of the existing pump system will be exceeded.
- Require new developments to install, operate, and maintain FMFCD design standard on-site detention facilities to reduce peak stormwater runoff rates to existing planned peak runoff rates.
- Provide additional pump system capacity to maximum allowed by existing permitting to increase the capacity to match or exceed the peak runoff rates determined by the Storm Drainage and Flood Control Master Plan update.

Land Use and Planning

Environmental Issues	SEDA PEIR Determination	CEQA Section 15168(c)(2) Criteria Proposed Development Code Update within scope of PEIR?
Land Use and Planning Would the project:		
a) Physically divide an established community?	Less than significant impact	Yes
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	Less than significant impact	Yes

The SEDA PEIR evaluated land use and planning impacts associated with implementation of the approved SEDA refined project. The City determined that implementation of the refined project would not physically divide an established community and would not cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect. Because the refined project was specifically developed to implement and further the goals, policies, and land use framework established by the Fresno General Plan and associated planning documents, no mitigation measures were required for either impact. The City also concluded that cumulative land use and planning impacts would be less than significant. Furthermore, the City determined that the environmental effects of the refined project are within the scope of the impacts

analyzed in the SEDA PEIR and are not materially different in kind or greater in severity than those disclosed in the PEIR.

The proposed Development Code Update would establish use regulations, density, intensity, and massing development standards, building form and location standards, site design development standards, and façade design development standards. The proposed Development Code Update would establish zoning districts, use regulations, development standards, site design requirements, pedestrian-oriented design standards, architectural standards, and implementation provisions necessary to codify and implement the approved SEDA land use framework. The proposed Development Code Update does not expand the SEDA Plan Area, approve a development project, increase residential capacity, increase employment capacity, or modify the approved land use framework. Rather, the proposed regulations provide the zoning and development standards necessary to implement the land use designations, neighborhood structure, mixed-use centers, and employment districts previously evaluated as part of the refined project. Because the proposed Development Code Update implements the approved planning framework rather than modifying it, the proposed Development Code Update would not physically divide established communities, would not create inconsistencies with adopted land use plans or policies intended to avoid or mitigate environmental effects, and would not result in new land use and planning impacts beyond those previously analyzed. As such, the proposed Development Code Update would be consistent with the impacts identified within the SEDA PEIR. The proposed Development Code Update would not result in any substantial changes or new significant impacts or increase the severity of any significant impacts that were previously identified in the SEDA PEIR. The proposed Development Code Update is within the scope of what was evaluated in the SEDA PEIR.

Mineral Resources

Environmental Issues	SEDA PEIR Determination	CEQA Section 15168(c)(2) Criteria Proposed Development Code Update within scope of PEIR?
Mineral Resources Would the project:		
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the State?	No impact	Yes
b) Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	No impact	Yes

The SEDA PEIR evaluated mineral resources impacts associated with implementation of the approved SEDA refined project. The City determined that implementation of the refined project would not result in the loss of availability of a known mineral resource that would be of value to the region and the residents

of the State and would not result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan. Because the SEDA PEIR concluded that no significant mineral resources impacts would occur, no mitigation measures were required. The City also determined that cumulative mineral resources impacts would be less than significant. Furthermore, the City found that the environmental effects of the refined project are within the scope of the impacts analyzed in the SEDA PEIR and are not materially different in kind or greater in severity than those disclosed in the SEDA PEIR.

The proposed Development Code Update would establish use regulations, density, intensity, and massing development standards, building form and location standards, site design development standards, and façade design development standards. The proposed Development Code Update would establish zoning districts, use regulations, development standards, site design requirements, pedestrian-oriented design standards, architectural standards, and implementation provisions necessary to codify and implement the approved SEDA land use framework. The proposed Development Code Update does not expand the SEDA Plan Area, approve a development project, increase residential capacity, increase employment capacity, or modify the approved land use framework. Rather, the proposed regulations provide the regulatory framework necessary to implement future development anticipated by the refined project. Because the proposed Development Code Update would not modify the development assumptions analyzed in the PEIR, would not affect access to known mineral resources, and would not result in the loss of a locally important mineral resource recovery site beyond what was previously evaluated, the proposed Development Code Update would not result in new mineral resources impacts or increase the severity of previously identified impacts. As such, the proposed Development Code Update would be consistent with the impacts identified within the SEDA PEIR. The proposed Development Code Update would not result in any substantial changes or new significant impacts or increase the severity of any significant impacts that were previously identified in the SEDA PEIR. The proposed Development Code Update is within the scope of what was evaluated in the SEDA PEIR.

Noise

Environmental Issues	SEDA PEIR Determination	CEQA Section 15168(c)(2) Criteria Proposed Development Code Update within scope of PEIR?
Noise Would the project:		
a) Generate substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	Significant and unavoidable Impact	Yes
b) Generate excessive groundborne vibration or groundborne noise levels?	Less than significant impact	Yes

Environmental Issues	SEDA PEIR Determination	CEQA Section 15168(c)(2) Criteria Proposed Development Code Update within scope of PEIR?
	with mitigation incorporated	
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	Less than significant impact	Yes

The SEDA PEIR evaluated noise impacts associated with implementation of the approved SEDA refined project. The City determined that implementation of the refined project would result in less than significant impacts related to exposing people residing or working in the project area to excessive noise levels, a location within the vicinity of a private airstrip or an airport land use plan or within 2 miles of a public airport or public use airport. The SEDA PEIR further determined that implementation of the refined project would result in significant and unavoidable impacts related to generation of a substantial temporary or permanent increase in ambient noise levels. To reduce these impacts, the SEDA PEIR included MM NOI-1a through MM NOI-1d, which restrict construction hours and require noise plans for construction-related and operational activities. However, the City concluded that impacts related to generation of substantial noise increases would remain significant and unavoidable even with implementation of these measures. Additionally, the SEDA PEIR determined that implementation of the refined project could result in generation of excessive groundborne vibration or groundborne noise levels. To reduce this impact to a less than significant level, the City adopted MM NOI-2, which requires future development projects to prepare and follow a construction vibration reduction plan. With implementation of MM NOI-2, the City concluded that noise vibration impacts would be reduced to less than significant. Furthermore, the City found that the environmental effects of the refined project are within the scope of the impacts analyzed in the SEDA PEIR and are not materially different in kind or greater in severity than those disclosed in the SEDA PEIR.

The proposed Development Code Update would establish use regulations, density, intensity, and massing development standards, building form and location standards, site design development standards, and façade design development standards. The proposed Development Code Update would establish zoning districts, use regulations, development standards, site design requirements, pedestrian-oriented design standards, architectural standards, and implementation provisions necessary to codify and implement the approved SEDA land use framework. The proposed Development Code Update does not expand the SEDA Plan Area, approve a development project, increase residential capacity, increase employment capacity, or modify the approved land use framework. Rather, the proposed regulations provide the development standards and implementation mechanisms governing future development anticipated by the approved SEDA Specific Plan, which was evaluated within the SEDA PEIR. Consistent with the

refined project, future development would remain subject to applicable design, site planning, and development standards, including standards governing construction activities. In addition, implementation of mitigation measures previously identified for the refined project, including MM NOI-1a through MM NOI-1d related to construction noise reduction, would continue to apply, as appropriate, to future development projects. Because the proposed Development Code Update would not alter the development program analyzed in the SEDA PEIR, the proposed Development Code Update would not result in new impacts related to noise beyond those previously identified. As such, the proposed Development Code Update would be consistent with the impacts identified within the SEDA PEIR. The proposed Development Code Update would not result in any substantial changes or new significant impacts or increase the severity of any significant impacts that were previously identified in the SEDA PEIR. The proposed Development Code Update is within the scope of what was evaluated in the SEDA PEIR.

The SEDA PEIR included the following mitigation measures:

MM NOI-1a **Construction Activity Hours Restriction.** Construction activity which requires a permit issued by the City of Fresno shall be limited to the hours between 7:00 a.m. and 10:00 p.m. on weekdays and Saturdays. Any construction activity outside of these hours must comply with the City's noise performance standards in Section 15.2506 of the Municipal Code.

MM NOI-1b **Construction Noise Mitigation Plan.** Prior to the issuance of demolition, grading, and/or construction permits, applicants for individual development projects within 500 feet of noise-sensitive receptors (e.g., residences, hospitals, schools) shall conduct a project-level construction noise analysis to evaluate potential impacts on sensitive receptors. The analysis shall be conducted once the final construction equipment list that will be used for demolition and grading activities is determined. The project-level noise analysis shall be prepared, reviewed, and approved by the City of Fresno Planning Director. If the analysis determines that demolition and construction activities would result in an impact to identified noise-sensitive receptors, then specific measures to attenuate the noise impact shall be outlined in the analysis and reviewed and approved by the City of Fresno Planning Director. Specific measures may include, but are not limited to, the following Best Management Practices (BMPs):

- Post a construction site notice near the construction site access point or in an area that is clearly visible to the public. The notice shall include the following: job site address; permit number, name, and phone number of the contractor and owner; dates and duration of construction activities; construction hours allowed; and the City of Fresno Planning Director and construction contractor phone numbers where noise complaints can be reported and logged.
- Consider the installation of temporary sound barriers for construction activities immediately adjacent to occupied noise-sensitive structures.
- Restrict haul routes and construction-related traffic to the least noise-sensitive times of the day.
- Reduce non-essential idling of construction equipment to no more than 5 minutes.

- Ensure that all construction equipment is monitored and properly maintained in accordance with the manufacturer's recommendations to minimize noise.
- Fit all construction equipment with properly-operating mufflers, air intake silencers, and engine shrouds, no less effective than as originally equipped by the manufacturer, to minimize noise emissions.
- If construction equipment is equipped with backup alarm shut offs, switch off backup alarms and replace with human spotters, as feasible.
- Stationary equipment (such as generators and air compressors) and equipment maintenance and staging areas shall be located as far from existing noise-sensitive land uses, as feasible.
- To the extent feasible, use acoustic enclosures, shields, or shrouds for stationary equipment such as compressors and pumps.
- Shut off generators when generators are not needed.
- Coordinate deliveries to reduce the potential of trucks waiting to unload and idling for long periods of time.
- Grade surface irregularities on construction sites to prevent potholes from causing vehicular noise.
- Minimize the use of impact devices such as jackhammers, pavement breakers, and hoe rams. Where possible, use concrete crushers or pavement saws rather than hoe rams for tasks such as concrete or asphalt demolition and removal.
- The final noise reduction measures to be implemented and their associated details shall be determined by the construction-level noise analysis. The final noise reduction measures shall be included on all construction and building documents and/or construction management plans and submitted for verification to the City; implemented by the construction contractor through the duration of the construction phase; and discussed at the pre-demolition, -grade, and/or construction meetings.

MM NOI-1c **Traffic Noise Reduction Plan.** Prior to issuance of building permits, the property owner/developer shall be responsible to implement the following measures to limit potential traffic noise source impacts:

- Any proposed development project that would include noise-sensitive land use development along noise impacted roadway segments identified in Table 3.13-8 shall demonstrate compliance with Municipal Code Section 15-2506 by submitting a final acoustical report. This report shall demonstrate that the proposed project incorporates sufficient noise attenuation features, if needed, to meet the City's exterior/interior noise performance standards. The individual project owner/developer shall submit the acoustic study to the Planning Director for review and approval. Upon approval by the City of Fresno, the proposed acoustical design features shall be incorporated into the proposed development. Noise reduction design features may include, but are not limited to, locating noise-sensitive development on the site to be shielded by structures (buildings, enclosures, or sound walls) or by using upgraded wall and window assemblies to ensure that acceptable interior noise levels are maintained.

MM NOI-1d **Stationary Noise Reduction Plan.** Prior to issuance of building permits, the property owner/developer shall be responsible to implement the following measures to limit operational stationary noise source impacts:

- Any proposed development projects that include unshielded parking areas within 175 feet, or unshielded truck loading docks within 300 feet, or unshielded mechanical ventilation equipment systems within 35 feet of a noise-sensitive receptor, shall demonstrate compliance with Municipal Code Section 15-2506 by submitting a site-specific acoustic study. These reports shall demonstrate that the proposed project incorporates sufficient noise attenuation features, if needed, to meet the City of Fresno's exterior/interior noise performance standards. The individual project owner/developer shall submit the acoustic study to the Planning Director for review and approval. Upon approval by the City, the proposed acoustical design features shall be incorporated into the proposed development. Noise reduction design features may include, but are not limited to, locating stationary noise sources on the site to be shielded by structures (buildings, enclosures, or sound walls) or by using equipment that has a quieter rating.

MM NOI-2 **Construction Vibration Reduction Plan.** Prior to issuance of grading and/or building permits, a note shall be provided on grading and building plans indicating that during grading and construction the property owner/developer shall be responsible for requiring contractors to implement the following measures to limit construction-related vibration impacts:

- For any future development projects that would necessitate the use of pile driving within 200 feet of an off-site structure shall submit a Construction Vibration Reduction Plan that identifies specific techniques, such as the depth and location of temporary trenching that would reduce potential vibration impacts to less than significant for the impacted structure.
- For any future development projects that would necessitate the use of large vibratory rollers within 30 feet of an off-site structure, or the use of other heavy construction equipment within 15 feet of an off-site structure, shall submit a Construction Vibration Reduction Plan that identifies specific techniques, such as the depth and location of temporary trenching that would reduce potential vibration impacts to less than significant for the impacted structure.
- The individual project owner/developer shall submit the Construction Vibration Reduction Plan to the Planning Director for review and approval prior to issuance of building permits. Upon approval by the City, the construction vibration reduction measures shall be incorporated into the construction documents.

Population and Housing

Environmental Issues	SEDA PEIR Determination	CEQA Section 15168(c)(2) Criteria Proposed Development Code Update within scope of PEIR?
Population and Housing Would the project:		
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	Less than significant impact	Yes
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	Less than significant impact	Yes

The SEDA PEIR evaluated population and housing impacts associated with implementation of the approved SEDA refined project. The City determined that implementation of the refined project would not induce substantial unplanned population growth, either directly through the provision of new housing and employment opportunities or indirectly through the extension of infrastructure and public services. The SEDA PEIR further concluded that the refined project would not displace substantial numbers of existing people or housing requiring replacement housing elsewhere. The City determined that both impacts would be less than significant and that no mitigation measures were required. The SEDA PEIR also concluded that cumulative population and housing impacts would be less than significant. In making these findings, the City determined that the refined project's anticipated growth is consistent with and accommodated by the population, housing, and employment forecasts underlying the Fresno General Plan and does not represent unplanned growth beyond what has been contemplated within the City's planning framework. The City further determined that the environmental effects of the refined project are within the scope of the impacts analyzed in the SEDA PEIR and are not materially different in kind or greater in severity than those disclosed in the PEIR.

The proposed Development Code Update would establish use regulations, density, intensity, and massing development standards, building form and location standards, site design development standards, and façade design development standards. The proposed Development Code Update would establish zoning districts, use regulations, development standards, site design requirements, pedestrian-oriented design standards, architectural standards, and implementation provisions necessary to codify and implement the approved SEDA land use framework. The proposed Development Code Update does not expand the SEDA Plan Area, approve a development project, increase residential capacity, increase employment capacity, or modify the approved land use framework. Rather, the proposed regulations provide the regulatory framework governing future development anticipated by the approved SEDA Specific Plan,

which was analyzed within the PEIR. As discussed in the SEDA PEIR and Findings of Fact, the growth anticipated within the SEDA Plan Area is planned growth that is consistent with the City's long-term planning documents and population forecasts. Because the proposed Development Code Update does not increase the approved development assumptions or alter the amount of housing or employment capacity analyzed in the PEIR, the proposed code amendments would not result in new population growth impacts, induce unplanned growth, displace existing housing or residents, or increase the severity of previously identified impacts. As such, the proposed Development Code Update would be consistent with the impacts identified within the SEDA PEIR. The proposed Development Code Update would not result in any substantial changes or new significant impacts or increase the severity of any significant impacts that were previously identified in the SEDA PEIR. The proposed Development Code Update is within the scope of what was evaluated in the SEDA PEIR.

Public Services

Environmental Issues	SEDA PEIR Determination	CEQA Section 15168(c)(2) Criteria Proposed Development Code Update within scope of PEIR?
Public Services *Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:*		
a) Fire protection?	Less than significant impact	Yes
b) Police protection?	Less than significant impact	Yes
c) Schools?	Less than significant impact	Yes
d) Parks?	Less than significant impact	Yes
e) Other public facilities?	Less than significant impact	Yes

The SEDA PEIR evaluated public services impacts associated with implementation of the approved SEDA refined project. The City determined that implementation of the refined project would not result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities required to maintain acceptable service ratios, response times, or other performance objectives for fire protection, police protection, schools, parks, or other public facilities. The SEDA PEIR concluded that impacts associated with public services would be less than significant and

that no mitigation measures were required. The City also determined that cumulative public services impacts would be less than significant. The SEDA PEIR recognized that future growth within the SEDA Plan Area had been anticipated as part of the City's long-term planning framework and that future development would be served through planned expansion and coordination of public facilities and services. The City further determined that the environmental effects of the refined project are within the scope of the impacts analyzed in the SEDA PEIR and are not materially different in kind or greater in severity than those disclosed in the PEIR.

The proposed Development Code Update would establish use regulations, density, intensity, and massing development standards, building form and location standards, site design development standards, and façade design development standards. The proposed Development Code Update would establish zoning districts, use regulations, development standards, site design requirements, pedestrian-oriented design standards, architectural standards, and implementation provisions necessary to codify and implement the approved SEDA land use framework. The proposed Development Code Update does not expand the SEDA Plan Area, approve a development project, increase residential capacity, increase employment capacity, or modify the approved land use framework. Rather, the proposed regulations establish the development framework governing future growth anticipated by the approved SEDA Specific Plan, which was analyzed within the PEIR. Future development facilitated by the proposed Development Code Update would continue to be served by the public facilities and service planning assumptions evaluated in the PEIR, including fire protection, police protection, schools, parks, and other governmental services. Because the proposed Development Code Update does not increase the population, employment base, or service demands beyond those analyzed in the PEIR, the proposed Development Code Update would not result in new public services impacts or increase the severity of previously identified impacts. As such, the proposed Development Code Update would be consistent with the impacts identified within the SEDA PEIR. The proposed Development Code Update would not result in any substantial changes or new significant impacts or increase the severity of any significant impacts that were previously identified in the SEDA PEIR.

Recreation

Environmental Issues	SEDA PEIR Determination	CEQA Section 15168(c)(2) Criteria Proposed Development Code Update within scope of PEIR?
Recreation Would the project:		
a) Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	Less than significant impact	Yes

Environmental Issues	SEDA PEIR Determination	CEQA Section 15168(c)(2) Criteria Proposed Development Code Update within scope of PEIR?
b) Include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?	Less than significant impact with mitigation incorporated	Yes

The SEDA PEIR evaluated recreation impacts associated with implementation of the approved SEDA refined project. The City determined that implementation of the refined project would not increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of those facilities would occur or be accelerated. The SEDA PEIR further determined that implementation of the refined project could include recreational facilities or require the construction or expansion of recreational facilities that could result in adverse physical environmental effects. To reduce this impact to a less than significant level, the City adopted MM REC-1, which requires the City to periodically monitor residential population growth relative to parkland development to ensure that the minimum standard of three acres of parkland per 1,000 residents is maintained and, if necessary, identify additional opportunities to provide parkland within the SEDA Plan Area. With implementation of MM REC-1, the City concluded that recreation impacts would be reduced to a less than significant level. The City also determined that cumulative recreation impacts would be less than significant with implementation of MM REC-1. Furthermore, the City found that the environmental effects of the refined project are within the scope of the impacts analyzed in the SEDA PEIR and are not materially different in kind or greater in severity than those disclosed in the SEDA PEIR.

The proposed Development Code Update would establish use regulations, density, intensity, and massing development standards, building form and location standards, site design development standards, and façade design development standards. The proposed Development Code Update would establish zoning districts, use regulations, development standards, site design requirements, pedestrian-oriented design standards, architectural standards, and implementation provisions necessary to codify and implement the approved SEDA land use framework. The proposed Development Code Update does not expand the SEDA Plan Area, approve a development project, increase residential capacity, increase employment capacity, or modify the approved land use framework. Rather, the proposed regulations provide the implementation framework governing future development anticipated by the approved SEDA Specific Plan, which was analyzed within the PEIR. Future development facilitated by the proposed Development Code Update would continue to be subject to the parkland assumptions, recreational facility planning framework, and mitigation measures adopted in the PEIR, including MM REC-1. Because the proposed Development Code Update does not increase the population assumptions, housing capacity, or recreational facility demand beyond the development program previously analyzed in the PEIR, the proposed Development Code Update would not result in new recreation impacts, additional demand for park facilities beyond that already evaluated, or an increase in the severity of previously identified

impacts. As such, the proposed Development Code Update would be consistent with the impacts identified within the SEDA PEIR. The proposed Development Code Update would not result in any substantial changes or new significant impacts or increase the severity of any significant impacts that were previously identified in the SEDA PEIR. The proposed Development Code Update is within the scope of what was evaluated in the SEDA PEIR.

The SEDA PEIR included the following mitigation measures:

MM REC-1 As new development occurs in the Plan Area, the City shall periodically (every 5 years) monitor residential population growth compared to development of new parklands for the purpose of evaluating the strength of this Plan to meet the ratio of 3 acres of parkland per 1,000 population. If the ratio is not met, the City shall explore additional ways to increase the amount of dedicated parkland in the Plan Area, including but not limited to designating additional lands for parkland development.

Transportation and Traffic

Environmental Issues	SEDA PEIR Determination	CEQA Section 15168(c)(2) Criteria Proposed Development Code Update within scope of PEIR?
Transportation and Traffic Would the project:		
a) Conflict with a program plan, ordinance or policy of the circulation system, including transit, roadway, bicycle and pedestrian facilities?	Less than significant impact with mitigation incorporated	Yes
b) Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?	Less than significant impact	Yes
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	Less than significant impact with mitigation incorporated	Yes
d) Result in inadequate emergency access?	Less than significant impact with mitigation incorporated	Yes

The SEDA PEIR evaluated transportation and traffic impacts associated with implementation of the approved SEDA refined project. The City determined that implementation of the refined project would not conflict with or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b) related to vehicle

miles traveled. The SEDA PEIR further determined that implementation of the refined project could conflict with a program plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities; could substantially increase hazards due to roadway design features or incompatible uses; and could result in inadequate emergency access. To reduce these impacts to a less than significant level, the City adopted MM TRANS-1a through MM TRANS-1e, which require multimodal transportation improvements, pedestrian and bicycle connectivity, transit coordination, and transportation demand management strategies. The City also adopted MM TRANS-3a through MM TRANS-3d to address roadway safety and queueing concerns, and MM TRANS-4 requiring preparation of construction management plans to maintain emergency access during construction. With implementation of these mitigation measures, the City concluded that transportation and traffic impacts, including cumulative transportation impacts, would be reduced to a less than significant level. The City further determined that the environmental effects of the refined project are within the scope of the impacts analyzed in the SEDA PEIR and are not materially different in kind or greater in severity than those disclosed in the PEIR.

The proposed Development Code Update would establish use regulations, density, intensity, and massing development standards, building form and location standards, site design development standards, and façade design development standards. The proposed Development Code Update would establish zoning districts, use regulations, development standards, site design requirements, pedestrian-oriented design standards, architectural standards, and implementation provisions necessary to codify and implement the approved SEDA land use framework. The proposed Development Code Update does not expand the SEDA Plan Area, approve a development project, increase residential capacity, increase employment capacity, or modify the approved land use framework. Rather, the proposed regulations provide the implementation framework governing future development anticipated by the approved SEDA Specific Plan, which was analyzed within the PEIR. Consistent with the refined project analyzed in the PEIR, the proposed Development Code Update includes standards intended to support walkable neighborhoods, mixed-use development patterns, pedestrian circulation, connectivity between land uses, and other urban design features that support implementation of the transportation framework evaluated as part of the refined project. Future development facilitated by the proposed Development Code Update would also remain subject to the transportation-related mitigation measures adopted in the PEIR, including MM TRANS-1a through MM TRANS-1e, MM TRANS-3a through MM TRANS-3d, and MM TRANS-4, as applicable. Because the proposed Development Code Update does not increase development intensity, trip generation, or transportation demand beyond the assumptions evaluated in the PEIR, the proposed code amendments would not result in new transportation impacts, circulation conflicts, roadway safety issues, emergency access impacts, or cumulative transportation impacts beyond those previously analyzed. As such, the proposed Development Code Update would be consistent with the impacts identified within the SEDA PEIR. The proposed Development Code Update would not result in any substantial changes or new significant impacts or increase the severity of any significant impacts that were previously identified in the SEDA PEIR. The proposed Development Code Update is within the scope of what was evaluated in the SEDA PEIR.

The SEDA PEIR included the following mitigation measures:

MM TRANS-1a Provide more options for shorter trips by encouraging vertical mixed uses and locating residential uses in walking distance (0.5 mile) to retail and employment uses.

MM TRANS-1b Provide pedestrian and bicycle network improvements within the development connecting complementary uses (i.e., residential, employment, retail, and transit stops) internally and to existing off-site facilities.

MM TRANS-1c Ensure that design of key intersections and roadways encourage the use of walking, biking, and transit.

MM TRANS-1d Collaborate with the Fresno Area Express (FAX) to provide new transit services to the proposed project and within the proposed project area.

MM TRANS-1e In addition, the following Transportation Demand Management (TDM) strategies may be applicable at the implementing project level:

- Reduce Parking Supply for Retail Uses (maximum reduction: 12.5 percent)
- Add Transit Rerouting and Transit Stops (maximum reduction: 5 percent)
- Implementation of Local Shuttle Service (grouped strategy with transit system improvements)
- Mandatory Travel Behavior Change Program, Promotions and Marketing (maximum reduction: 1 percent)
- Promotions and Marketing (maximum reduction: 1 percent)
- Emergency Ride Home (ERH) Program (maximum reduction: 3 percent)
- School Carpool Program (maximum reduction: 15 percent)
- Bike Share (maximum reduction: 0.25 percent)
- Implement/Improve On-street Bicycle Facility (maximum reduction: 0.625 percent)
- Traffic Calming Improvements (maximum reduction: 1 percent)
- Pedestrian Network Improvements (maximum reduction: 2 percent)

MM TRANS-3a Lengthen the eastbound turning lane to 875 feet and the westbound turning lane to 1,150 feet for the De Wolf Avenue and State Route (SR) 180 intersection.

MM TRANS-3b Lengthen the westbound turning lane to 1,075 feet for the McCall Avenue and State Route (SR) 180 intersection.

MM TRANS-3c Prior to approval of individual development projects within the Fresno Southeast Development Area Specific Plan Area (Plan Area), the City of Fresno shall coordinate with the California Department of Transportation (Caltrans) to determine whether the project would result in a potential impact on queueing lengths at either the Clovis Avenue and State Route (SR) 180 eastbound off-ramp interchange or the Temperance Avenue and SR-180 eastbound off-ramp interchange. If the queueing extends into the auxiliary lane of either of these interchanges, the City shall implement mitigation consistent with the Caltrans Local Development Review Safety Review Practitioners Guidance in coordination with Caltrans. This mitigation includes, but is not limited to:

MM TRANS-3d Prior to approval of individual development projects within the Fresno Southeast Development Area Specific Plan Area (Plan Area), the City of Fresno shall establish a

development fee program that shall collect fees from developers of individual development projects within the Plan Area to fund required safety improvements to transportation facilities.

- Implementation of project-specific transportation demand management programs, such as rideshare programs, shared mobility facilities, or improvements to bicycle and pedestrian infrastructure;
- Improvements to existing site-specific active transportation infrastructure; or
- Improvements to ramp terminal operations such as lane reassignment, traffic signalization phasing or retiming, and turn lane extensions.

MM TRANS-4 At the time of planning application submittal, the project applicant shall prepare a Construction Management Plan (CMP) that shall specify traffic controls required to maintain adequate circulation and access throughout the Southeast Development (SEDA) Specific Plan Area. At least one lane shall remain open in each direction during construction and access to all existing businesses shall be maintained. This plan shall be subject to approval by the jurisdictional police and fire departments prior to commencement of construction.

Utilities and Service Systems

Environmental Issues	SEDA PEIR Determination	CEQA Section 15168(c)(2) Criteria Proposed Development Code Update within scope of PEIR?
Utilities and Service Systems Would the project:		
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	Less than significant impact with mitigation incorporated	Yes
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	Less than significant impact with mitigation incorporated	Yes
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	Less than significant impact with mitigation incorporated	Yes

Environmental Issues	SEDA PEIR Determination	CEQA Section 15168(c)(2) Criteria Proposed Development Code Update within scope of PEIR?
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	Less than significant impact with mitigation incorporated	Yes
e) Comply with federal, State, and local management and reduction statutes and regulations related to solid waste?	Less than significant impact	Yes

The SEDA PEIR evaluated utilities and service systems impacts associated with implementation of the approved SEDA refined project. The City determined that implementation of the refined project could require the relocation or construction of new or expanded water, wastewater treatment, stormwater drainage, electric power, natural gas, or telecommunications facilities; could require additional water supplies to serve future development under normal, dry, and multiple dry year conditions; could result in a determination that wastewater treatment capacity is inadequate to serve projected demand; and could generate solid waste in excess of applicable standards or available disposal capacity. The SEDA PEIR also determined that the refined project would comply with federal, State, and local statutes and regulations related to solid waste. To reduce impacts related to utility infrastructure, water supply, wastewater treatment, and solid waste to a less than significant level, the City adopted MM UTIL-1a through MM UTIL-1f, MM UTIL-2a through MM UTIL-2c, MM UTIL-4, MM HYD-2b, and MM HYD-2c. These measures require evaluation of available utility capacity, construction of infrastructure improvements prior to capacity exceedance, implementation of water conservation standards, expansion of water and wastewater facilities as necessary, storm drainage improvements, and verification of sufficient landfill capacity. With implementation of these mitigation measures, the City concluded that utilities and service systems impacts, including cumulative utilities impacts, would be reduced to a less than significant level. The City further determined that the environmental effects of the refined project are within the scope of the impacts analyzed in the SEDA PEIR and are not materially different in kind or greater in severity than those disclosed in the PEIR.

The proposed Development Code Update would establish use regulations, density, intensity, and massing development standards, building form and location standards, site design development standards, and façade design development standards. The proposed Development Code Update would establish zoning districts, use regulations, development standards, site design requirements, pedestrian-oriented design standards, architectural standards, and implementation provisions necessary to codify and implement the approved SEDA land use framework. The proposed Development Code Update does not expand the SEDA Plan Area, approve a development project, increase residential capacity, increase employment capacity, or modify the approved land use framework. Rather, the proposed regulations provide the implementation framework governing future development anticipated by the approved SEDA Specific Plan, which was analyzed within the PEIR. Future development facilitated by the proposed Development

Code Update would continue to rely on the utility planning assumptions evaluated in the SEDA PEIR and would remain subject to the mitigation measures adopted by the City, including MM UTIL-1a through MM UTIL-1f, MM UTIL-2a through MM UTIL-2c, MM UTIL-4, and applicable hydrology and water supply mitigation measures. These requirements would continue to ensure that adequate water supply, wastewater treatment capacity, storm drainage infrastructure, utility facilities, and solid waste disposal capacity are available to serve future development. Because the proposed Development Code Update does not increase utility demand or infrastructure needs beyond the assumptions analyzed in the SEDA PEIR and does not modify the approved development program, the proposed Development Code Update would not result in new impacts related to utility infrastructure, water supply, wastewater treatment capacity, storm drainage facilities, solid waste disposal, or other service systems, nor would the updates increase the severity of previously identified impacts. As such, the proposed Development Code Update would be consistent with the impacts identified within the SEDA PEIR. The proposed Development Code Update would not result in any substantial changes or new significant impacts or increase the severity of any significant impacts that were previously identified in the SEDA PEIR. The proposed Development Code Update is within the scope of what was evaluated in the SEDA PEIR.

The SEDA PEIR included the following mitigation measures:

MM UTIL-1a The City shall evaluate the water conveyance system at the time that discretionary projects are submitted for approval by the City, and the City shall not approve development that would demand additional water and exceed the capacity of a facility until additional capacity is provided. The City shall evaluate proposed water capacity and conveyance improvements provided in the City Metro Plan and General Plan for potential environmental impacts, and shall construct such improvements prior to exceedance of capacity to accommodate full buildout of the Specific Plan

MM UTIL-1b The City shall evaluate the water supply system at the time that discretionary projects are submitted for approval by the City, and the City shall not approve development that would demand additional water until additional sources are secured and provided for future development. The City shall evaluate proposed water supply improvements for potential environmental impacts, and shall construct such improvements prior to exceedance of demand to accommodate full buildout of the Specific Plan.

MM UTIL-1c The City shall evaluate the wastewater system at the time that discretionary projects are submitted for approval by the City, and the City shall not approve development that would contribute wastewater to the wastewater treatment system that would exceed capacity until additional capacity is provided. The City shall evaluate proposed wastewater treatment improvements provided in the City Wastewater Master Plan and General Plan for potential environmental impacts, and shall construct such improvements prior to exceedance of capacity to accommodate full buildout of the Specific Plan.

MM UTIL-1d Consistent with the Sewer System Management Plan, the City shall evaluate the wastewater collection system at the time that discretionary projects are submitted for approval by the City, the City shall not approve development that would generate additional wastewater and exceed the capacity of a facility until additional capacity is

provided. The City shall evaluate proposed wastewater collection improvements provided in the City Wastewater Master Plan and General Plan for potential environmental impacts, and shall construct such improvements prior to exceedance of capacity to accommodate full buildout of the Specific Plan.

MM UTIL-1e The City shall support the Fresno Metropolitan Flood Control District (FMFCD) in evaluating the stormwater collection system and implementing the District Services Plan and Storm Drainage and Flood Control Master Plan, and in constructing such improvements to the storm drain system prior to exceedance of capacity to accommodate full buildout of the Specific Plan. The City shall complete these evaluations prior to approving any new project applications for future development in the Plan Area that require a discretionary approval and shall confirm that each project has incorporated any resulting standards prior to issuing approval.

MM UTIL-1f At the time discretionary projects are submitted, the City shall require project-specific environmental evaluations for the expansion or relocation of electric, natural gas, or telecommunication facilities be completed prior to project approval.

MM UTIL-2a The City shall develop and implement water conservation measures to reduce the per capita water use, and continue to refine and implement water saving and conservation standards for new developments approved under the Specific Plan. The City shall complete these measures and standards prior to approving any new project applications for future development in the Plan Area that require a discretionary approval and shall confirm that each project has incorporated the refined measures and standards prior to issuing approval.

MM UTIL-2b The City shall continue to implement the City of Fresno Water Conservation Program, as may be updated, and periodically update restrictions on water uses, and evaluate the feasibility of the conservation target identified as part of the Fresno General Plan. The City shall complete these measures prior to approving any new project applications for future development in the Plan Area that require a discretionary approval and shall confirm that each project has incorporated any resulting standards prior to issuing approval. The City shall continue to implement Objective RC-7 and Policies RC-7-a through RC-7-I of Chapter 7, “Resource Conservation and Resilience,” and Objective PU-8 and Policies PU-8-a through PU-8 g of Chapter 6, “Public Utilities and Services,” of the approved Fresno General Plan.

MM UTIL-2c The City shall refine landscape water conservation standards that will apply to new development installed landscapes, building on the State Model Water Efficient Landscape Ordinance (MWELO) and other State regulations. The City shall complete these standards prior to approving any new project applications for future development in the Plan Area that require a discretionary approval and shall confirm that each project has incorporated any resulting standards prior to issuing approval.

MM UTIL-4 The City shall evaluate additional landfill locations at the time discretionary projects are submitted and shall not approve development that could contribute solid waste to a landfill that is at capacity until additional capacity is provided.

Wildfire

Environmental Issues	SEDA PEIR Determination	CEQA Section 15168(c)(2) Criteria Proposed Development Code Update within scope of PEIR?
Wildfire *If located in or near State Responsibility Areas or lands classified as Very High Fire Hazard Severity Zones, would the project:*		
a) If located in or near State Responsibility Areas or lands classified as very high fire hazard severity zones, substantially impair an adopted emergency response plan or emergency evacuation plan?	Less than significant impact	Yes
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	Less than significant impact	Yes
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	Less than significant impact	Yes
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	Less than significant impact	Yes

The SEDA PEIR evaluated wildfire impacts associated with implementation of the approved SEDA refined project. The City determined that implementation of the refined project would not substantially impair an adopted emergency response plan or emergency evacuation plan, would not exacerbate wildfire risks due to slope, prevailing winds, or other factors such that project occupants would be exposed to wildfire-related hazards or pollutant concentrations, would not require the installation or maintenance of infrastructure that could exacerbate fire risk or result in environmental impacts, and would not expose people or structures to significant risks associated with post-fire flooding, landslides, slope instability, or drainage changes. The SEDA PEIR concluded that wildfire impacts would be less than significant and that no mitigation measures were required. The City also determined that cumulative wildfire impacts would be less than significant. Furthermore, the City found that the environmental effects of the refined

project are within the scope of the impacts analyzed in the SEDA PEIR and are not materially different in kind or greater in severity than those disclosed in the PEIR.

The proposed Development Code Update would establish use regulations, density, intensity, and massing development standards, building form and location standards, site design development standards, and façade design development standards. The proposed Development Code Update would establish zoning districts, use regulations, development standards, site design requirements, pedestrian-oriented design standards, architectural standards, and implementation provisions necessary to codify and implement the approved SEDA land use framework. The proposed Development Code Update does not expand the SEDA Plan Area, approve a development project, increase residential capacity, increase employment capacity, or modify the approved land use framework. Rather, the proposed regulations provide the implementation framework governing future development anticipated by the approved SEDA Specific Plan, which was analyzed within the PEIR. As discussed in the PEIR, the SEDA Plan Area is not located in an area where implementation of the approved development program would result in significant wildfire-related impacts. Because the proposed Development Code Update does not increase development assumptions, modify the location or extent of planned development, or require new infrastructure beyond that previously analyzed, the proposed Development Code Update would not result in new impacts related to emergency access, wildfire risk, fire-related infrastructure, or post-fire hazards, nor would the update increase the severity of previously identified impacts. As such, the proposed Development Code Update would be consistent with the impacts identified within the SEDA PEIR. The proposed Development Code Update would not result in any substantial changes or new significant impacts or increase the severity of any significant impacts that were previously identified in the SEDA PEIR. The proposed Development Code Update is within the scope of what was evaluated in the SEDA PEIR.

CONCLUSION

Based on the comparison of the proposed Development Code Update with the development program, environmental analysis, mitigation measures, and adopted findings for the approved refined project, the City finds that the proposed Development Code Update is within the scope of the SEDA PEIR. The proposed Development Code Update would not involve substantial changes requiring major revisions to the SEDA PEIR; no substantial changes in circumstances have been identified that would require major revisions, and no new information of substantial importance has been identified that would show a new significant effect, a substantially more severe significant effect, or a new or newly feasible mitigation measure or alternative requiring additional review. Therefore, the proposed Development Code Update is within the scope of the SEDA PEIR, and no subsequent EIR or other additional environmental document is required under CEQA Guidelines Section 15168.

Should you have any questions regarding this memorandum, please contact me at lcampion@fcs-intl.com.

FCS
An ADEC Innovation

Attachment A:

Fresno Southeast Development Area Specific Plan Development Code Text Updates

ARTICLE 17 – SOUTHEAST DEVELOPMENT AREA (SEDA) DISTRICTS

SECTION 15-1701. - PURPOSE

The purposes of the SEDA Districts are to:

A. Develop vibrant mixed-use districts that serve as a commercial focal point and include a variety of uses
B. Incorporate living and working opportunities with entertainment, cultural activities and shops serving the daily needs of residents and employees
C. Promote SEDA region-serving retail, office and advanced manufacturing activity in proximity to medium and higher-density housing that is supported through a high-quality transit service network
D. Provide commercial, civic and essential services to meet the needs of residents and the surrounding community
E. Provide essential walk, bike, transit and short-drive access to services and amenities including elementary schools, local parks, community gardens and other services
F. Maximize development opportunities in SEDA for compact, mixed-use and higher density development to provide more housing, conserve resources and reduce travel distances
G. Provide pedestrian friendly development such as sidewalks, paths and direct connections to neighboring uses such as shopping, schools, libraries
H. Preserve existing Rural Residential zoned property and reinforce the Annexed Rural Residential Transitional Overlay throughout the SEDA where applicable
I. Protect and preserve existing and future agricultural uses by integrating community and large scale agricultural operations throughout the SEDA and establish the Rural Cluster Residential land use to serve as a buffer between the SEDA and surrounding agricultural operations
J. Promote research and development and advanced manufacturing uses to support existing businesses and local entrepreneurs and attract new business growth to foster economic opportunity

The purposes of the SEDA Residential Districts are to:

A. Create a fabric of complete residential communities that support mixed-use centers, flexible research and development uses and include a diversity of housing types
B. Offer flexibility in meeting the evolving needs of households in the region
C. Locate housing within walking distance to civic and institutional facilities

Additional purposes of each Residential District are as follows:

Rural Cluster Residential (RCR): The RCR district is intended to preserve the continuity and viability of the surrounding land for active recreation, habitat conservation and agricultural uses. The RCR district will be used as a transitional buffer between more intense urban uses within the SEDA and the commercial agricultural operations outside the Plan Area.

Rural Residential (RR): The RR district is intended to preserve the existing low-density rural residential homes, small farms, and ranchettes that exist in the SEDA at the date of SEDA Specific Plan adoption. Upon annexation to the City, the SEDA ANX Overlay district will be applied to the RR zoned parcels which

will allow the existing uses on the parcels to continue until such time as the property is further developed consistent with the base district. RR zoning only applies to parcels that are designated with an RR land use designation in the SEDA Specific Plan and which have Fresno County RR zoning as of the date of SEDA Specific Plan adoption.

Neighborhood Residential (NR): The NR district is intended to surround Neighborhood Town Centers and support the retail, employment and other services provided throughout the SEDA. Neighborhood Residential areas include a diversity of detached and attached single-unit housing types, as well as some multi-unit housing options.

Mixed Residential (MR): The MR district is intended to support the Regional and Community Town Centers with a variety of medium and higher density housing, including a diverse mix of attached and detached single-unit and multi-unit dwellings.

The purposes of the SEDA Mixed Use Districts are to:

- Include a mix and intensity of uses and serve as commercial and civic focal points
- Create human-scaled centers that are defined by quality design features and a rich mixture of uses that incorporate living and working opportunities with entertainment, cultural activities and shops serving the daily needs of residents and employees
- Support the daily commercial and business needs of the SEDA

Additional purposes of each Mixed Use District are as follows:

Neighborhood Town Center (NTC): The NTC district is intended to serve as focal points of adjacent areas and will include some employment and residential uses, but primarily provide the majority of SEDA residents with essential walk, bike, transit and short-drive access to civic services and amenities, including elementary schools, local parks, community gardens and other services.

Community Town Center (CTC): The CTC district is intended to provide commercial, civic and other services to meet the needs of multiple neighborhoods. The CTC districts will feature grocery stores and personal and business services, and a variety of medium density housing options. Some CTC districts will be focused around major rapid transit stations.

Regional Town Center (RTC): The RTC district is intended to serve as the primary mixed-use employment center, retail destination, and host to major cultural attractions in the SEDA. The RTC districts will be located south of State Highway 180 and along the realigned Kings Canyon Arterial. The RTC district will be focused around one or more major transit stations linked to the regional rapid transit network. SEDA region serving civic amenities and medium to higher density housing will help foster a complete and vibrant mixed-use environment.

The purposes of the SEDA Employment and Institutional Districts are to:

A. Provide a variety of research, office and advanced manufacturing employment opportunities in the SEDA.
B. Locate the highest concentrations of employment activity in close proximity to housing and retail services

C. Provide a range of employment opportunities to meet the needs of current and future Fresno employers

Additional purposes of each Employment and Institutional District are as follows:

SEDA Office Center (SOC): The SOC district is intended to accommodate professional office and compatible commercial uses such as restaurants, coffee shops, cafes, banks, book shops and dry cleaners. The SOC districts will be focused around adjacent Regional and Community Town Centers or along regionally significant transportation corridors.

Flexible Research and Development (FRD): The FRD district is intended to contain uses such as research and development, light manufacturing, advanced manufacturing, product testing centers and office development. The area could also include compatible commercial uses such as restaurants, coffee shops, cafes, printing and publishing, dry cleaners and supporting businesses. FRD districts are located south of Jensen Avenue. Residential uses are not permitted in this district.

SEDA Institutional (SI): The SI district is intended to include existing and planned educational facilities. The SI districts will include K-12 schools and university or state community college functions, and professional and trade schools while providing a limited but compatible series of commercial uses.

The purposes of the SEDA Annexed (ANX) Overlay are to:

A. Allow continued use of certain properties upon annexation to the City until such time as the properties are further developed consistent with the Base District.
B. Apply to properties in the SEDA Specific Plan boundary that include rural residential uses and properties and agricultural uses and properties established legally within the County of Fresno

Additional purposes of the SEDA Annexed (ANX) Overlay are as follows:

SEDA ANX Overlay: The SEDA ANX Overlay is intended to allow continued use of legally established rural residential uses and properties and agricultural uses and properties located within the SEDA Specific Plan boundary that are annexed into the City of Fresno. These protections do not apply to commercial and industrial uses, including but not limited to the following: extractive uses and properties, rendering uses and properties, and data center uses and properties.

SECTION 15-1702. – USE REGULATIONS (SEDA RESIDENTIAL DISTRICTS)

A. Table 15-1702 prescribes the proposed land use regulations for the SEDA Residential 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 15-1702: USE REGULATIONS— SEDA RESIDENTIAL DISTRICTS					
Use Classifications	RCR	RR	NR	MR	Additional Regulations
Residential Use Classifications					
Residential Housing Type					
Single-Unit Dwelling, Detached	P	P	P	P	§ 15-2738, Manufactured Homes; § 15-2754, Second/Accessory Dwelling Units (ADUs)
Single-Unit Dwelling, Attached	-	-	P	P	§ 15-2754, Second/Accessory Dwelling Units (ADUs)
Cottage Housing Development	P	P	P	P	§ 15-2723, Cottage Housing Developments (Pocket Neighborhoods)
Duplex	P	P	P	P	§ 15-906, Duplex and Multi-Unit Residential Standards; § 15-2754, Second/Accessory Dwelling Units (ADUs)
Multi-Unit Residential	-	-	P	P	§ 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	
Large (7 to 12 clients)	-	-	C	C	
Domestic Violence Shelter					
Small (6 persons or less)	-	P	P	P	
Large (7 persons or more)	-	-	C	C	
Elderly and Long-Term Care	-	-	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	
Group Residential					
Small (6 persons or less)	P	P	P	P	
Large (7 persons or more)	-	-	P	P	

Re-Entry Facility	-	-	C	C	
Residential Care Facilities					
Residential Care, General	-	C	C	C C C	
Residential Care, Limited	P	P	P	P P P	
Residential Care, Senior	-	-	C	C	
Single Room Occupancy	-	-	C	C	
Public and Semi-Public Use Classifications					
Colleges and Trade Schools, Public or Private	-	-	C(1)	C(1)	
Community and Religious Assembly (less than 2,000 square feet)	-	-	P	P	§ 15-2719, Community and Religious Assembly Facilities
Community and Religious Assembly (2,000 square feet or more)	-	-	C(1)	C(1)	
Community Garden	P	P	P	P	§ 15-2720, Community Gardens/Urban Farms
Cultural Institutions	-	-	C	C	
Day Care Centers	-	-	C	C	§ 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	
Social Service Facilities	-	-	C	C	
Commercial Use Classifications					
Animal Care, Sales, and Services					
Grooming and Pet Stores	-	-	-	C	
Kennels	C	C	-	-	
Veterinary Services	C	-	-	-	
Corner Commercial	-	-	P	P	§ 15-2722, Corner Commercial
Eating and Drinking Establishments					
Restaurant with Alcohol Sales	-	-	C	C	
Restaurant without Alcohol Sales	-	-	P	P	
Food and Beverage Sales					
Farmer's Markets	-	-	-	P(3)	§ 15-2730, Farmer's Markets

General Market	-	-	P(2)	P(2)	
Healthy Food Grocer	-	-	P(2)	P(2)	
Lodging					
Bed and Breakfast	P	P	P	P	§ 15-2713, Bed and Breakfast Lodging
Offices					
Business and Professional	-	-	P(4)	P(4)	
Medical and Dental	-	-	P(4)	P(4)	
Walk-In Clientele	-	-	P(4)	P(4)	
Retail Sales					
Convenience Retail	-	-	P(5)	P(5)	
General Retail	-	-	P(5)	P(5)	
Nurseries and Garden Centers	P	P	P	P	
Industrial Use Classifications					
Warehousing, Storage, and Distribution					
Personal Storage	-	-	C	C	§ 15-2747, Personal (Mini) Storage
Custom Manufacturing	C	C	-	-	
Transportation, Communication, and Utilities Use Classifications					
Communication Facilities					
Antenna and Transmission Towers	See § 15-2759, Telecommunications and Wireless Facilities				
Photovoltaic / Solar Farm					
Small (sites under 5 acres)	C	C	-	-	
Large (sites over 5 acres)	P	P	-	-	
Utilities, Major	C	-	-	-	
Utilities, Minor	P	P	P	P	
Agricultural and Extractive Use Classifications					
Agricultural Accessory Storage, Structures and Uses	P	P	-	-	
Agricultural Labor Housing	P	-	-	-	
Agricultural Processing	C	-	-	-	
Agricultural Support Services	P	-	-	-	
Agricultural Product Sales, Produced On-Site	P	P	-	-	
Animal Raising	C	C	-	-	
Beekeeping	P	P	-	-	
Crop Cultivation	P	P	P	P	§ 15-2716, Crop Cultivation

Crop Production	P(7)	P(7)	-	-	
Dairy	P(6)	-	-	-	
Distilleries	C	C	-	-	
Horticulture/Greenhouses, Private	P	P	-	-	
Horticulture/Greenhouses, Public	P	P	-	-	
Mining and Quarrying	C	-	-	-	
Produce Stand	P	P	P	P	§ 15-2752, Roadside Fruit Stands / Grower Stands
Sales Lot, Feed Lot, Stockyard	C	-	-	-	
Stables, Commercial	C	C	-	-	
Stables, Private	P	P	-	-	
Tasting Room	C	C	C	C	
Urban Farm	P	P	P	P	§ 15-2720, Community Gardens/Urban Farms
Winery	C	C	-	-	
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	§ 15-2708, 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				

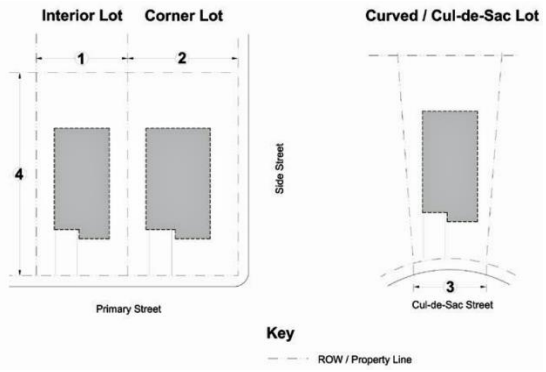
Specific Limitations:

1. Only on parcels with direct access from a major street.
2. Limited to sites that are a minimum of five acres and 1,500 square feet of sales area.
3. Off-street Farmer's Markets are permitted only on non-residential sites, such as schools and religious institutions.
4. Limited to 1,500 square feet in size if on the ground floor.
5. Limited to 2,500 square feet in size
6. Only on lots 40 acres or more in size
7. Only on sites larger than 5 acres

SECTION 15-1703. – DENSITY, INTENSITY AND MASSING DEVELOPMENT STANDARDS (SEDA RESIDENTIAL DISTRICTS)

Tables 15-1703-1 through 15-1703-2 prescribe the development standards for the SEDA Residential 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 15-1703-1: LOT AND DENSITY STANDARDS – SEDA RESIDENTIAL DISTRICTS

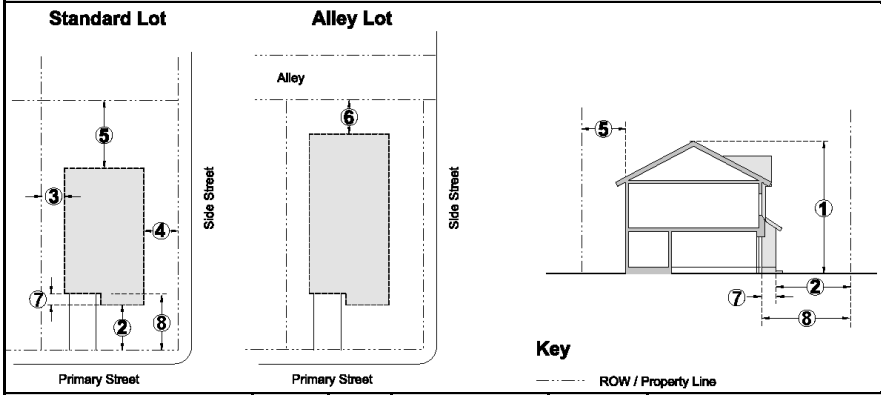


District	RCR	RR	NR	MR	Additional Regulations	#
Minimum Lot Size (sq. ft.)	20 acres	5 acres	2,000	-		
Minimum Lot Size, with Enhanced Streetscape (sq. ft.)	-	-	1,500	-	§ 15-1704-C.2, Enhanced Streetscape	
Maximum Lot Size[2]	-	-	-	-		
Residential Density	1 (du/lot)	1 (du/lot)	6-20 (du/acre)	8-25	§ 15-310, Determining Residential Density	
Minimum Lot Width (ft.)						
General Standard	130	165	30	-		①
Corner	-	165	40	-		②
Reversed Corner	-	165	50	-		
Where Side Property Line Abuts a Major	-	165	60	-		

Street, Freeway or Railroad						
Curved/Cul-de-Sac	-	90	30	-		③
Minimum Lot Depth (ft.)						
General Standard	200	170	50	-		④
Where Front or Rear Property Line Abuts a Major Street	-	200	70	-		④
Where a Front or Rear Property Line Abuts a Freeway or Railroad	-	200	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.
    a. This does not apply to existing Rural Residential uses at the time of Specific Plan adoption.

TABLE 15-1703-2: BUILDING FORM AND LOCATION STANDARDS - SEDA RESIDENTIAL DISTRICTS



District	RCR	RR	NR	MR	Additional Regulations	#
Maximum Height (ft.)	35	35	40	50	§ 15-2012, Heights and Height Exceptions	①
Maximum Height, Accessory Structures (ft.)	-	25	-	-		
Minimum Setbacks (ft.)						

Front (min./max.)	35	35	10/20	10/20	§ 15-313, Determining Setbacks and Yards § 15-1704-C.1, Additional Setback Regulations § 15-1704-C.2, Enhanced Streetscape § 15-2004, Accessory Buildings and Structures § 15-2014, Projections/Encroachments into Yards	②
Front, curve lots/cul-de-sacs	-	25	-	-		
Front, with Enhanced Streetscape	-	-	-	-		
Interior Side (min.)	20	20	8 total, min.3/side	5		③
Street Side	35	25	-	-		④
Street Side (min.) (Parcel<125ft. in depth)	-	-	10	10		
Street Side (min.) (Parcel>125ft. in depth)	-	-	15	15		
Reversed Corner (street side)	-	25	-	-		
Rear (min.)	20	20	20	15		⑤
Alley (min.)	-	20	20	3		⑥
Freeway/Railroad	-	50	50	-		
Minimum distance between structures housing livestock and poultry to human habitation	-	40	-	-		
Garage, from back of sidewalk or curb	-	-	35	-		⑧
Garage, from primary façade	-	-	4	-		⑦
Parking, from back of sidewalk or curb (min.)			30	30		
Minimum Frontage Coverage (%)						
Residential Blocks	-	-	-	-		
Mixed Use Blocks	-	-	50	50		

Minimum Frontage Coverage (% of lot)	-	-	50	50		
Maximum Lot Coverage (% of Lot)	5	30 (1)	60	50	§ 15-311, Determining Lot Coverage	
Minimum On-Site Open Space for Multi-Unit Residential (% of Lot Area)	-	-	20	-		
Minimum On-Site Open Space (% of Lot Area)	-	-	-	15		
1. Existing structures can retain existing lot coverage at time of Specific Plan adoption.						

SECTION 15-1704. – SITE DESIGN DEVELOPMENT STANDARDS (SEDA RESIDENTIAL DISTRICTS)

A. The following standards apply to RCR district properties:
   1. **Additional Height for Agricultural-Related Structures**. The Director may approve Accessory Structures, up to a height of 75 feet, for agricultural-related structures, per the following standards:
      a. The Accessory Structure shall be used only for agricultural products and equipment.
      b. Any request to exceed the 35 foot maximum shall be subject to a flag test to be performed by the applicant, with a member of City staff in attendance.
      c. There shall be no advertising on the structure.
      d. Sight lines, shadows, and overall aesthetics shall be considered by the Director when over-height structures are proposed.

B. The following standards apply to RR district properties:

   1. **Existing RR District Properties.** All existing RR district properties must conform to existing Fresno County regulations identified in Fresno County Municipal Code Articles 2, 3 and 4, at the date of SEDA Specific Plan adoption, for Rural Residential zoned properties.

   2. **New Uses and Structures in RR District Properties**. For new uses and structures, they must follow requirements in Tables 15-1702, 15-1703-1 and 15-1703-2.

C. The following standards apply to NR district, single-unit uses and properties:
   1. **Additional Setback Regulations.**
      a. **Setbacks for Developed Blocks.**
         i. **Front Yards.** Where 50 percent or more of the lots on the same blockface have been improved with buildings, the front setback for new structures shall not be greater than

120 percent of the average of the actual front setbacks of all improved lots on such blockface, nor shall it be less than 80 percent of the average of the actual front setbacks of all improved lots on such blockface.

ii. **Garage Encroachments into Rear and Side Setbacks.** Where 50 percent 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.

iii. **Garage Setbacks for Developed Blocks.** Where 50 percent or more of the lots on the same blockface feature detached garages, new garages shall be set back no less than 10 feet behind the primary façade.

b. **Side Setbacks for Attached Dwellings.** Required side setbacks shall apply only to the ends of rows of attached dwellings, and shall not be required between attached dwellings.

c. **Water-Efficient Landscaping Incentive.** The minimum front setback may be reduced by up to three feet if the front yard complies with the following:

i. The installed landscaping complies with the State Model Water Efficient Landscape Ordinance (MWELO) regardless of whether the new landscape project meets or does not meet the Applicability criteria in MWELO; and

ii. The Maximum Applied Water Allowance is reduced by 10 percent; and

iii. The setback reduction shall not result in a front setback of less than three feet.

d. **Park Strip Incentive.** When a park strip is provided between the curb and sidewalk in a new subdivision, the minimum front setback for adjacent parcels shall be reduced by the width of the park strip.

e. **Swing Garages.** A garage with an entrance that is perpendicular to the adjacent street is known as a swing garage. If the wall of a swing garage which faces the street has windows and other architectural treatments which are comparable to that of the primary façade of the living area, then swing garages shall be subject to the minimum front setback and shall not be subject to garage setbacks.

f. **Rear Setback Reduction.** Rear setbacks may be reduced if all of the following conditions are met:

i. A site plan shall be submitted in accordance with the provisions of Article 52 Development Permit;

ii. The rear setback shall be greater than or equal to the required interior side setback for the Base District

iii. Space equal to the reduction shall be provided elsewhere on the lot, exclusive of any required yard area. Said replacement space shall have minimum dimensions of five feet by eight feet, and shall be so located that it is suitable for general use by the occupant of the premises; and

iv. Such a reduction would not conflict with the provisions of Section 15-1704-D.1, NR Transition Standards.

g. **Driveway Paving.** All driveways shall be paved per Public Works standards.

h. **Curb Cuts.** Curb cuts shall be placed along secondary or side street infrastructure.

2. **Enhanced Streetscape.** When an Enhanced Streetscape is provided, the minimum lot size and minimum front setback shall be reduced as identified in Tables 15-1703-1 and 15-1703-2. Enhanced Streetscape shall mean that no fewer than five of the following qualities are present on the site or the adjacent public street:

   a. A landscaped parkway strip of no less than four feet in width; or

   b. An elevated first floor which is at no less than three feet above the grade of the adjacent sidewalk or curb; or

   c. A front porch with a depth of no less than five feet and a width equal to no less than 20 percent of the building frontage; or

   d. A street-facing balcony with a depth of no less than five feet and a width equal to no less than 30 percent of the building frontage; or

   e. A bay window with a depth of no less than two feet; or

   f. An alley-loaded garage; or

   g. A front-loaded garage door, the width of which occupies less than 50 percent of the area of the front façade; or

   h. A design in which no exterior front street-facing wall has a continuous plane of more than eight feet without an opening such as a window or door or a projection, offset, or recess at least one foot in depth; or

   i. Stone or brick cladding accounts for no less than 25 percent of the cladding of ground floor front street-facing facades, excluding windows, doors, and garages; or

   j. A two-story front elevation; or

   k. Shutters, lintels, sills, awnings, decorative trim or similar architectural treatments on front street-facing windows and doors; or

   l. Ornamental architectural elements such as medallions, keystones, or quatrefoils, and decorative vent covers; or

   m. Decorative eave treatments such as cornice moldings, modillions, corbels, and outlookers; or

   n. 8-foot tall front door; or

   o. Juliet balcony.

3. **Pedestrian Access.** Where 50 percent or more of the single-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.

4. **Driveway Design.** Where 50 percent or more of the lots on the same blockface have a driveway design with a landscaped strip in the center (commonly known as ribbon drives or Hollywood drives), new driveways shall also include a central landscape strip.

5. **Driveway Paving.** The entire length of the driveway, from the street to the garage or carport, shall be paved. The minimum width of the paved area shall equal the width [of] the garage door, however central landscaped strips (commonly known as ribbon drives or Hollywood drives) may be provided.

D. The following standards apply to NR District, multi-unit uses and properties.

1. **Parking Setback.** Parking Setback. Parking shall be setback as identified in Table 15-1703-2 except as provided below:

   a. **Surface Parking.**

      i. Surface parking which is located behind a building shall not be subject to the parking setback requirement.

      ii. On lots less than 150 feet in width or depth, surface parking may be set back less than the distance identified in Table 15-1703-2, if the following conditions are met:

         a) Such parking shall not be set back from the street less than adjacent buildings on the site.

         b) The parking setback area shall be landscaped.

         c) There shall be no more than four adjacent parking spaces in surface parking areas located less than 30 feet from a street-facing lot line. The space between groups of four adjacent parking spaces shall be equal in width to the adjacent parking spaces and shall be landscaped.

         d) Parking spaces shall be screened from the adjacent street with a minimum three foot berm, wall, or hedge, or combination thereof.

   b. **Partially Submerged Podium Parking.** Parking that is partially below the street grade may extend to the setbacks of the main structure, if the following conditions are met:

      i. No more than six feet of the partially submerged parking podium may extend above the street grade.

      ii. The partially submerged parking podium shall be screened along street facing elevations by foundation plant materials. Gates need not be screened.

   c. **Underground Parking.** Parking that is fully underground and below the street grade may extend from lot line to lot line.

2. **On-Site Open Space**. This section applies to multi-unit residential and non-residential uses.

   a. **Minimum Open Space Required.** The minimum amount of on-site open space required shall be based on the size of the lot, as identified in Table 15-1703-2. This requirement may be met through a combination of private open space, common open space, or public plazas as follows:

      i. **Private Open Space Requirements.** Private open spaces are those which are attached to a dwelling unit and are available only for the private use of the residents of the dwelling unit, such as balconies, porches, and patios. No fewer than 50 percent of the dwelling

units on a site shall have a private open space. The following standards shall apply to private open space:

a) The minimum dimension of any private open space shall be four feet.

b) The minimum area of any private open space shall be 32 square feet.

c) When located within 30 feet of a public street and located on the ground floor, private open spaces shall be designed as a porch.

d) When located within 30 feet of a public street and located above the ground floor, private open spaces shall be designed as a balcony.

ii. **Common Open Space Requirements.** Common open spaces are those which are available for active or passive use by all tenants, but use by the general public may be restricted. To the extent that common open space is provided, the following standards shall apply:

a) The minimum dimension of any common open space shall be 20 feet.

b) The minimum area of any common open space shall be 1,000 square feet. The calculation of the common open space area shall exclude structures which are unusable as open space, but shall include structures that enhance its usability, such as swimming pools, changing facilities, fountains, planters, benches, and landscaping.

c) Not less than 80 percent of common open space shall be unobstructed to the sky. Trellises, pergolas, and similar structures shall be considered open to the sky for the purposes of this measurement.

d) Common open space may be located at grade, on rooftops, on top of parking podiums, or any other such location that is accessible to tenants. Common open space may not be located within required front setbacks or NR buffer setbacks.

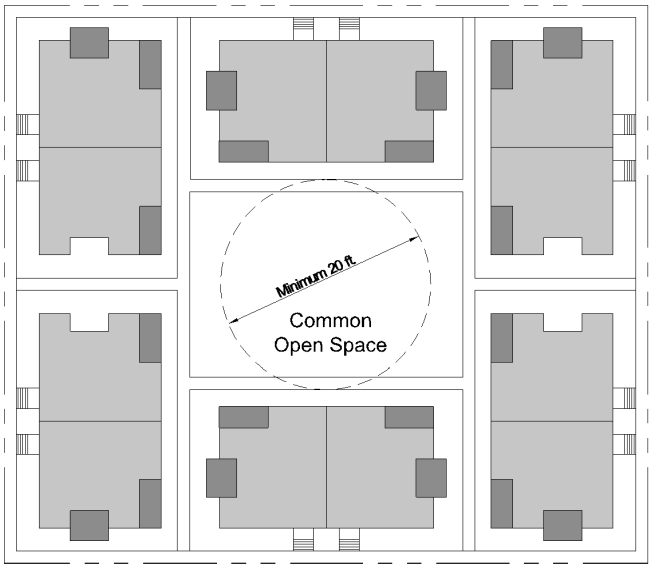


FIGURE 15-1704-D.2.a.ii: COMMON OPEN SPACE REQUIREMENTS

b. **Minimum Open Space Reduction**. The minimum amount of open space required shall be reduced by 25 percent in any one of the following circumstances:

i. Any portion of the lot is located within a quarter mile of a transit stop with regular, scheduled service during the weekday hours of 7:00 a.m. to 9:00 a.m. and 5:00 p.m. to 7:00 p.m.

ii. There is a public park within 400 feet of the site, and

iii. Said park is located on the same side of the street and provides an ADA compliant pedestrian path of travel to and from the site; or

iv. The public park is across a local street and the site provides an ADA compliant pedestrian path of travel to and from the site.

a) The parcel is 15,000 square feet or less in area.

3. **Parking**

a. Residential Districts must comply with parking standards identified in FMC Section 15-2409.

b. If on-street parking is provided, only parallel parking is permitted.

4. **Curb Cuts.** Curb cuts shall be placed along secondary or side street infrastructure.

5. **Block Length.** Neighborhood Residential blocks longer than 500' shall incorporate a perpendicular, mid-block pass through for pedestrian and bicycle circulation.

E. The following standards apply to MR district properties:

1. **NR Transition Standards.** Where an MR district abuts an NR District, the following standards apply:

a. **Height.** The maximum height within 40 feet of an NR District is limited to 30 feet. The maximum height within 50 feet of an NR District is 40 feet.

b. **Additional Setbacks.** The following additional setback requirements shall be applied to all structures, including accessory structures, on parcels which are adjacent to an NR District:

i. **Front.** The minimum front setback requirement of the adjacent NR district shall be applied to all structures within 50 feet of the NR District.

ii. **Interior Side.** The interior side setback shall be 10 feet.

iii. **Rear.** The rear setback shall be 20 feet.

c. **Landscape.** See Table 15-2305-C.1, Required Landscape Buffers.

d. **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-unit lot, the following screening measures shall apply:

i. **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.

ii. **Sufficiency of Screening.** Balconies are not permitted on side within 50 feet of single unit residential properties.

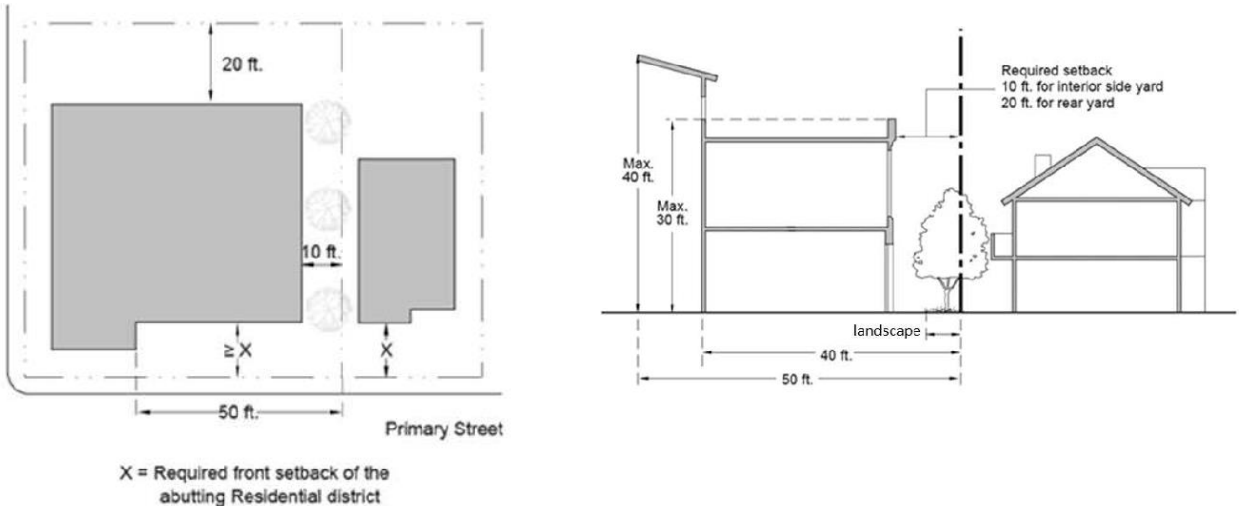


FIGURE 15-1704-E.1: TRANSITION STANDARDS—MR DISTRICTS.

2. **Additional Setback Standards.**

   a. **Side Setbacks for Attached Dwellings.** Required side setbacks shall apply only to the ends of rows of attached dwellings, and shall not be required between attached dwellings.

   b. **Rear Setback Reduction.** Rear setbacks may be reduced if all of the following conditions are met:

      i. A site plan shall be submitted in accordance with the provisions of Article 52 Development Permit;

      ii. The rear setback shall be greater than or equal to the required interior side setback for the Base District;

      iii. Space equal to the reduction shall be provided elsewhere on the lot, exclusive of any required yard area. Said replacement space shall have minimum dimensions of five feet by eight feet; and

      iv. Such a reduction would not conflict with the provisions of this Section.

3. **Parking Setback.** Parking shall be setback as identified in Table 15-1703-2 except as provided below:

   a. **Surface Parking.**

      i. Surface parking which is located behind a building shall not be subject to the parking setback requirement.

      ii. On lots less than 150 feet in width or depth, surface parking may be set back less than the distance identified in Table 15-1703-2, if the following conditions are met:

         a) Such parking shall not be set back from the street less than adjacent buildings on the site.

b) The parking setback area shall be landscaped.

c) There shall be no more than four adjacent parking spaces in surface parking areas located less than 30 feet from a street-facing lot line. The space between groups of four adjacent parking spaces shall be equal in width to the adjacent parking spaces and shall be landscaped.

d) Parking spaces shall be screened from the adjacent street with a minimum three foot berm, wall, or hedge, or combination thereof.

iii. If a sound wall is required along a frontage, the Parking Setback can be waived.

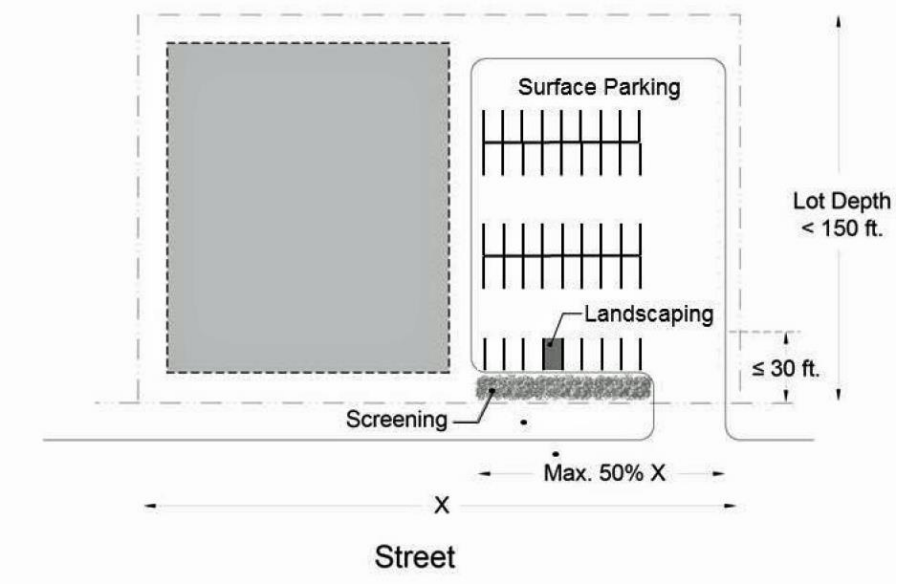


FIGURE 15-1704-E-3.a.ii: SURFACE PARKING SETBACK REDUCTION

b. **Partially Submerged Podium Parking.** Parking that is partially below the street grade may extend to the setbacks of the main structure, if the following conditions are met:

i. No more than six feet of the partially submerged parking podium may extend above the street grade.

ii. The partially submerged parking podium shall be screened along street facing elevations by foundation plant materials. Gates need not be screened.

c. **Underground Parking.** Parking that is fully underground and below the street grade may extend from lot line to lot line.

4. **On-Site Open Space.**

a. **Minimum Open Space Required.** The minimum amount of on-site open space required shall be based on the size of the lot, as identified in Table 15-1703-2. This requirement may be met through a combination of private open space, common open space, or public plazas as follows:

i. **Private Open Space Requirements.** Private open spaces are those which are attached to a dwelling unit and are available only for the private use of the residents of the dwelling

unit, such as balconies, porches, and patios. No fewer than 50 percent of the dwelling units on a site shall have a private open space. The following standards shall apply to private open space:

a) The minimum dimension of any private open space shall be four feet.

b) The minimum area of any private open space shall be 32 square feet.

c) When located within 30 feet of a public street and located on the ground floor, private open spaces shall be designed as a porch.

d) When located within 30 feet of a public street and located above the ground floor, private open spaces shall be designed as a balcony.

ii. **Common Open Space Requirements.** Common open spaces are those which are available for active or passive use by all tenants, but use by the general public may be restricted. To the extent that common open space is provided, the following standards shall apply:

a) The minimum dimension of any common open space shall be 20 feet.

b) The minimum area of any common open space shall be 1,000 square feet. The calculation of the common open space area shall exclude structures which are unusable as open space, but shall include but are not limited to swimming pools, changing facilities, fountains, planters, benches, and landscaping.

c) Not less than 80 percent of common open space shall be unobstructed to the sky. Trellises, pergolas, and similar structures shall be considered open to the sky for the purposes of this measurement.

d) Common open space may be located at grade, on rooftops, on top of parking podiums, or any other such location that is accessible to tenants. Common open space may not be located within required front setbacks or NR buffer setbacks.

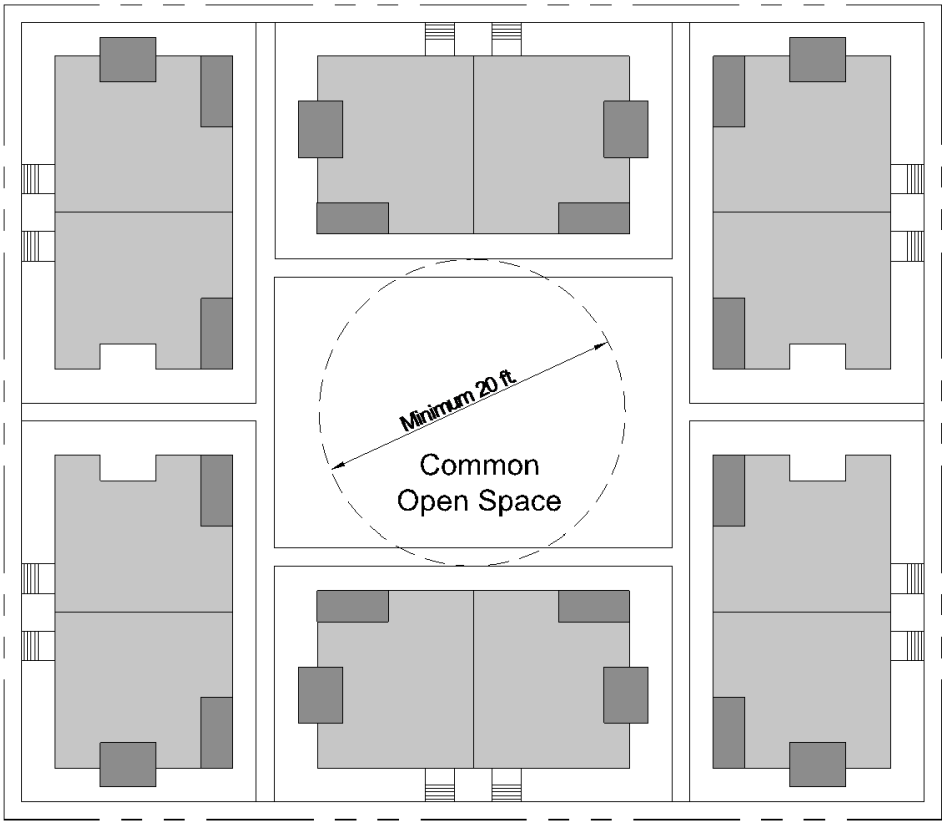


FIGURE 15-1704-E-4.a.ii: COMMON OPEN SPACE REQUIREMENTS

iii. **Public Plaza Requirements.** Only required for non-residential uses. Public plazas are those which are available for use by the general public, as well as tenants of the project. To the extent that public plazas are provided, the following standards shall apply:

a) The minimum dimension of any public plaza shall be 20 feet.

b) The minimum area of any public plaza shall be 500 square feet. The calculation of the public plaza area shall include but not be limited to fountains, planters, benches, and landscaping.

c) Public plazas shall include benches or other seating. Amenities provided shall include, but not be limited to, trees and other landscaping, shade structures, drinking fountains, water features, public art, or performance areas.

d) Public plazas shall be fully accessible from the public right-of-way, shall be located in front of project buildings and shall not be located where public views into the space are obstructed by buildings or other structures.

e) Public plazas may be located within required front setbacks.

f) A public access covenant shall be provided for the space.

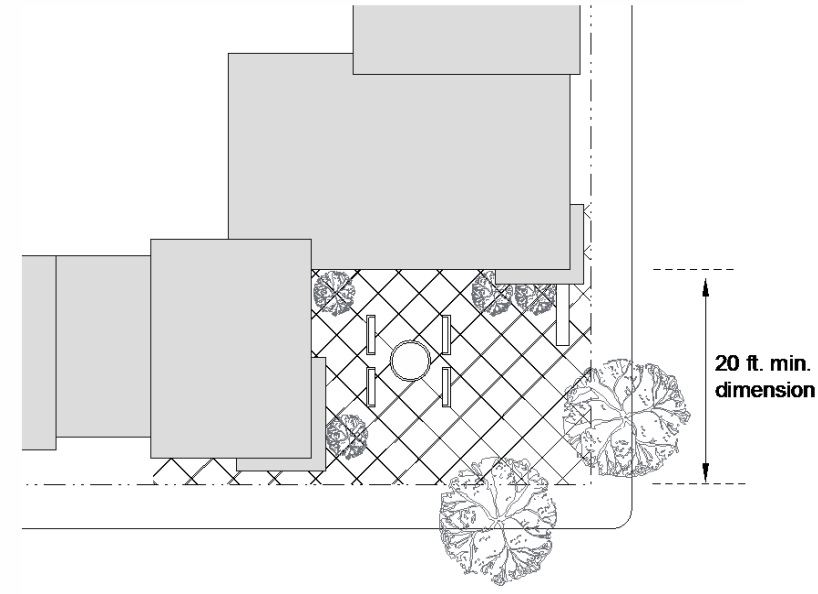


FIGURE 15-1704-E.4.a.iii: MINIMUM REQUIRED PUBLIC PLAZA DIMENSION

b. **Minimum Open Space Reduction.** The minimum amount of open space required shall be reduced by 25 percent in any one of the following circumstances:

i. Any portion of the lot is located within a quarter mile of a transit stop with regular, scheduled service during the weekday hours of 7:00 a.m. to 9:00 a.m. and 5:00 p.m. to 7:00 p.m.

ii. There is a public park within 400 feet of the site, and

a) Said park is located on the same side of the street and provides an ADA compliant pedestrian path of travel to and from the site; or

b) The public park is across a local street and the site provides an ADA compliant pedestrian path of travel to and from the site.

Iii. The parcel is 15,000 square feet or less in area.

5. **Pedestrian Access.** Pedestrian access to public streets shall be as follows:

a. **Common Area Sidewalk Connections.** Common entrances into lobbies or internal pedestrian paths shall be provided at the rates prescribed below. When providing access to a structure, such entrances shall be protected by a portico, canopy, or alcove of no less than four feet in depth.

i. No less than one per 600 feet of linear street frontage.

b. **External Connections to Adjacent Development.** Pedestrian walkways shall connect the project site to adjacent Commercial, Mixed-Use, and Employment and Institutional districts at a frequency of no less than one per 600 feet. Projects may be excepted from this requirement in the following situations:

i. A street network with blocks less than 600 feet and sidewalks on at least one side of the street in the area within 1,000 feet of the subject property; or

ii. The project site is less than one acre in size; or

iii. The adjacent properties are developed and there are no possible connection points.

c. If the project is located within an area with adopted design guidelines, all applicable guidelines which relate to pedestrian access and the location of doors and entrances shall also be followed.

6. **Parking**

a. Residential Districts must comply with parking standards identified in FMC Section 15-2409.

b. If on-street parking is provided, only parallel parking is permitted.

7. **Curb Cuts.** Curb cuts shall be placed along secondary or side street infrastructure.

8. **Block Length.** Mixed Residential blocks longer than 500' shall incorporate a perpendicular, mid-block pass through for pedestrian and bicycle circulation.

SECTION 15-1705. – FAÇADE DESIGN DEVELOPMENT STANDARDS (SEDA RESIDENTIAL DISTRICTS)

A. The following façade design development standards apply to NR district properties:

1. **Façade Alignment.**

a. **Vertical Alignment.** Façades shall be oriented vertically and shall have no slope.

b. **Horizontal Alignment.** Facades that are located within 50 feet of a public street shall run parallel or perpendicular to said street.

2. **Façade Compatibility for Developed Blocks.** Where 50 percent or more of the lots on the same blockface have been improved with buildings, the following standards shall apply:

a. **Building Materials and Finishes.** At least two cladding materials (excluding roof and foundation) and at least three exterior colors (each cladding material shall count as a color, trim/accent colors shall each count as a color) shall be provided; and

b. **Windows.** Windows shall be provided on all walls that are along the front and street side setbacks.

3. Street-facing façades for buildings adjacent to a public street shall comply with five of the following standards. Other façades shall not be subject to these standards.

a. **Building Length Articulation.** At least one projection or recess will be provided for every 50 horizontal feet of wall in one of the following manners:

i. Projections or recesses for buildings 50 feet wide or less shall be exempted from the building length articulation requirement; projections or recesses for buildings greater than 50 feet in width but less than 100 feet in width shall be no less than 12 inches in depth; or projections or recesses for buildings 100 feet wide or wider shall be no less than 24 inches in depth.

b**. Building Materials and Finishes.** The following building materials and finishes shall be provided:

i. At least two cladding materials (excluding roof and foundation); and

ii. At least three exterior colors (each cladding material shall count as a color, trim/accent colors shall each count as a color).

iii. Exception: Buildings with all of the following characteristics shall be allowed to use one cladding material:

a) Building height of 3 stories or less;

b) Building width of 100 feet or less; and

c. **Window Design.**

i. **Glazing Ratio.** Street-facing façades of each floor of the building shall have an overall wall composition of at least 25 percent glazing, but not more than 70 percent glazing, as long as the total building envelope glazing does not exceed the glazing provisions in the California Building Code.

ii. **Vertical Proportion.** On upper stories, at least 30 percent of all window openings, window panes, or distinct window units shall have a vertical proportion, in which their height exceeds their width by 25 percent or more.

d. **Balconies.** If balconies are provided, they shall not be grouped together into a continuous band across the façade. No more than two balconies shall be contiguous. Each balcony or group of two contiguous balconies shall have at least six feet of horizontal separation from any other balcony.

B. The following façade design development standards apply to MR district properties:

1. Street-facing façades for buildings adjacent to a public street shall comply with five of the following standards. Other façades shall not be subject to these standards.

a. **Building Length Articulation.** At least one projection or recess will be provided for every 50 horizontal feet of wall in one of the following manners:

i. Projections or recesses for buildings 50 feet wide or less shall be exempted from the building length articulation requirement; projections or recesses for buildings greater than 50 feet in width but less than 100 feet in width shall be no less than 12 inches in depth; or projections or recesses for buildings 100 feet wide or wider shall be no less than 24 inches in depth.

b. **Building Materials and Finishes.** The following building materials and finishes shall be provided:

i. At least two cladding materials (excluding roof and foundation); and

ii. At least three exterior colors (each cladding material shall count as a color, trim/accent colors shall each count as a color)

iii. Exception: Buildings with all of the following characteristics shall be allowed to use one cladding material:

a) Building height of 3 stories or less;

b) Building width of 100 feet or less; and

c. **Window Design.**

i **Glazing Ratio.** Street-facing façades of each floor of the building shall have an overall wall composition of at least 25 percent glazing, but not more than 70 percent glazing, as long as the total building envelope glazing does not exceed the glazing provisions in the California Building Code.

ii. **Vertical Proportion.** On upper stories, at least 30 percent of all window openings, window panes, or distinct window units shall have a vertical proportion, in which their height exceeds their width by 25 percent or more.

d. **Balconies.** If balconies are provided, they shall not be grouped together into a continuous band across the façade. No more than two balconies shall be contiguous. Each balcony or group of two contiguous balconies shall have at least six feet of horizontal separation from any other balcony.

SECTION 15-1706. – USE REGULATIONS (SEDA MIXED USE DISTRICTS)

A. Table 15-1706 prescribes the proposed land use regulations for SEDA Mixed-Use 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.

Uses listed as "P" or "C" may be restricted in certain locations by this and subsequent Sections.

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 15-1706: USE REGULATIONS—SEDA MIXED-USE DISTRICTS				
Use Classifications	NTC	CTC	RTC	Additional Regulations
Residential Use Classifications				
Residential Housing Types				
Single-Unit Dwelling, Detached	P	P	-	
Single-Unit Dwelling, Attached	P	P	P	§ 15-2754, Second/Accessory Dwelling Units (ADUs)
Second Dwelling Unit	P	P	P	
Cottage Housing Development	P	P	P	
Duplex	P	P	-	
Multi-Unit Residential	P	P	P	§ 15-2754, Second/Accessory Dwelling Units (ADUs)
Adult Family Day Care				
Small (6 clients or less)	P(1)	P(1)	P(1)	
Large (7 to 12 clients)	P(1)	-	-	
Caretaker Residence	P(1)			
Domestic Violence Shelter				
Small (6 persons or less)	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	
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(2)	C(2)	
Clinic	P	P	P	
Substance Abuse Treatment Clinic	C(3)	C(3)	C(3)	
Instructional Services	P	P	P	
Park and Recreation Facilities, Public	P	P	P	
Parking, Public or Private	-	C(4)	C(4)	
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(6)	C(6)	
Artist's Studio	P	P	P	
Automobile/Vehicle Sales and Services				
Automobile/Vehicle Sales and Leasing	C	C	C	§ 15-2709, Automobile and Motorcycle Retail Sales and Leasing
Automobile Rentals	C(5)	C(5)	C(5)	
Automobile/Vehicle Repair, Major	C(5)	C(5)	C(5)	
Automobile/Vehicle Service and Repair, Minor	C(5)	C(5)	C(5)	
Automobile Washing	C(5)	C(5)	C(5)	
Service Station	C	C	C	§ 15-2755, Service Stations
Banks and Financial Institutions				
Banks and Credit Unions	P	P	P	
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
Large-Scale	-	C	C	

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(5)	C(5)	C(5)	§ 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(9)	P	P	
Tattoo or Body Modification Parlor	P(9)	P	P	§ 15-2758, Tattoo or Body Modification Parlor
Retail Sales				
Building Materials and Services	-	C	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	C(5)	C(5)	C(5)	
Limited Industrial	C(7)	C(7)	C(7)	
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	-	-	§ 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(11)	C(11)	C(11)	§ 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:

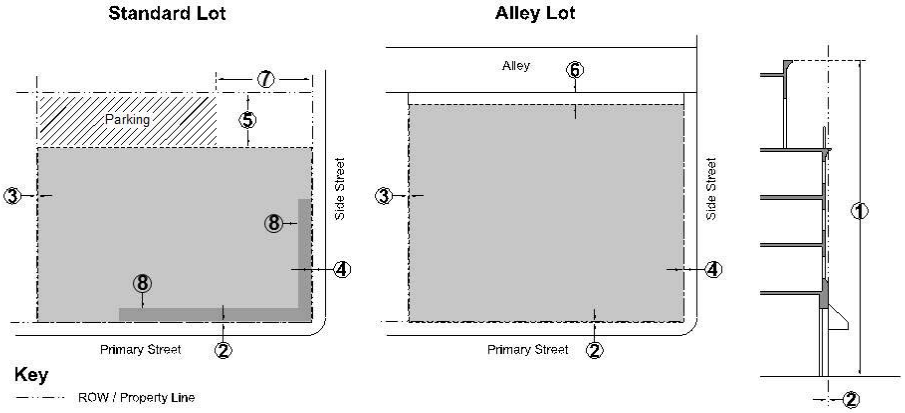
1. Not allowed on the ground floor within 200ft of an intersection (measured from the lot line of two or more major streets with the exception of main building entrances and active community spaces).
2. Building heights for hospitals shall not exceed 150 ft. There is no maximum Floor Area Ratio for hospitals.
3. Must include an indoor waiting area
4. Shall be below grade or in structures faced with active uses along the street
5. Not allowed within 500 feet of an existing or planned Bus Rapid Transit stop.
6. Provided that such use shall be completely enclosed in a building of soundproof construction
7. Must take place entirely within a building
8. Limited to upper stories unless at least 50 percent of ground floor street frontage is occupied by food service use.
9. Limited to establishments with a gross floor area of 5,000 square feet or less.
10. Limited to heliports used as accessory to a hospital.

11. Not allowed within 100 feet of a planned or existing Bus Rapid Transit station and not allowed between a building and a sidewalk.

SECTION 15-1707. – DENSITY, INTENSITY AND MASSING DEVELOPMENT STANDARDS (SEDA MIXED-USE DISTRICTS)

Table 15-1707 prescribes the density, intensity, and massing development standards for the SEDA Mixed-Use 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 15-1707: DENSITY, INTENSITY, AND MASSING STANDARDS—MIXED-USE DISTRICTS



District	NTC	CTC	RTC	Additional Regulations	#
Floor Area Ratio (max.)	1	1.5	2.0	§ 15-309, Determining Floor Area Ratio	
Residential Density, du/ac	12-30	16-55	30-70	§ 15-310, Determining Residential Density Min. res. density shall not be required for the following: projects on lots less than 20,000 sq. ft. in area; projects further than 1,000 feet from a planned or existing BRT route	
Maximum Height (ft.)	40	60	75	§ 15-1708-B, NR Transition Standards and § 15-2012, Heights and Height Exceptions	①
Setbacks (ft.)					
Front (min./max.)	-/10	-/10	-/10	§ 15-313, Determining Setbacks and Yards § 15-1708-B, NR Transition Standards § 15-1708-D, Parking Setback § 15-2305, Areas to be Landscaped	②
Interior Side (min.)	-	-	-		③
Street Side (min.)	-	-	-		④
Rear (min.)	-	-	-		⑤
Alley (min.)	3	3	3		⑥
Parking, from back of sidewalk or curb (min.)	30	30	30		⑦

Minimum Frontage Coverage (%)	60	70	80	§ 15-317, Determining Frontage Coverage	
Corner Frontage (ft., measured from property corner)	15	30	50	§ 15-1708-C, Corner Frontage	⑧
Minimum On-Site Open Space (% of Lot Area)	15	10	8	§ 15-1708-E, On-Site Open Space	

SECTION 15-1708. – SITE DESIGN DEVELOPMENT STANDARDS (SEDA MIXED-USE DISTRICTS)

A. **Active Uses Adjacent to Sidewalks.** For buildings located within 20 feet of a public street, the following standards shall apply:

1. **Within 100 Feet in each direction of an Existing or Planned Bus Rapid Transit Station.** No less than 60 percent of the building frontage along public 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.
2. **Other Locations.** Active spaces, such as individual dwelling unit entrances, cinemas/theaters, eating and drinking establishments, offices, personal services, general retail, or residential or office lobbies, or shall occupy no less than 60 percent of building frontage along public streets. Inactive and utilitarian spaces, such as storage, utility rooms, or facilities which are occupied infrequently shall not occupy more than 50 percent of the building frontage along public streets. Sites with frontage on multiple streets may not be required to meet this standard along the street with the lowest classification.

B. **NR Transition Standards.** Where a Mixed-Use district abuts a NR District, the following standards apply:

1. **Height.** The maximum height within 40 feet of an NR District is limited to 30 feet. The maximum height within 50 feet of an NR 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 NR District:
    a. **Front and Street Side Yard.** The front setback shall not be less than the required front yard on the abutting NR District lot within 50 feet of the NR District.
    b. **Interior Side and Rear.** The interior side and rear setback abutting an NR District boundary shall be 20 feet.
3. **Landscape.** See Table 15-2305-C.1, Required Landscape Buffers.

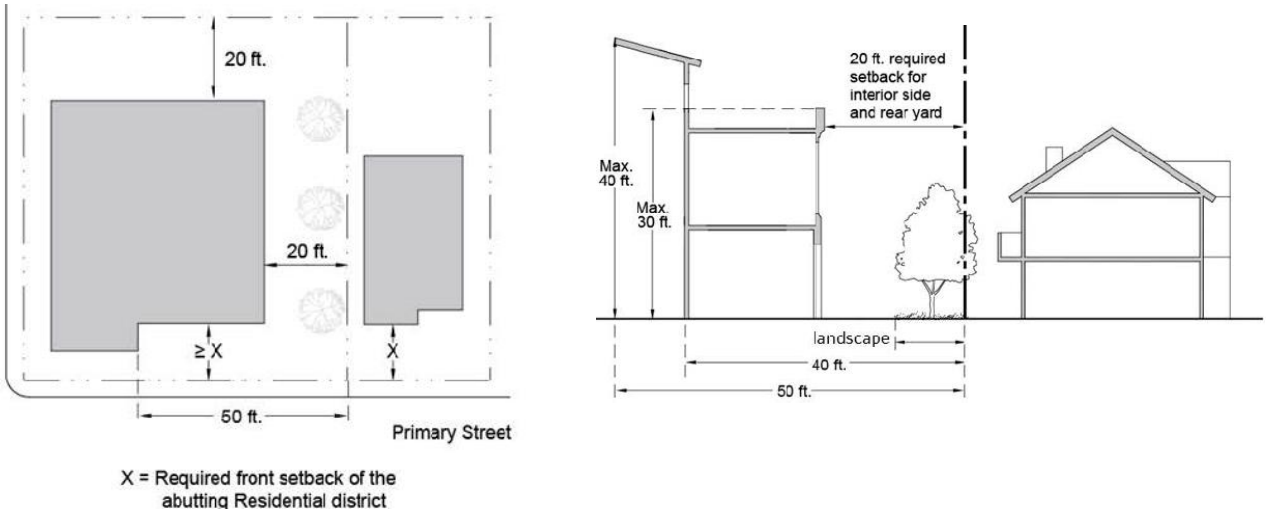


FIGURE 15-1708-B: NR TRANSITION STANDARDS—MIXED-USE DISTRICTS.

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-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. Only fully recessed balconies are permitted on side and rear façades.

C. **Corner Frontage.** Buildings on corner lots must be located within five feet of the street property line for the minimum length specified in Table 15-1707. Plazas maybe located at the street corner provided the plaza meets the requirements of Section 15-1708-E.1.c and buildings are built to the edge of the plaza.

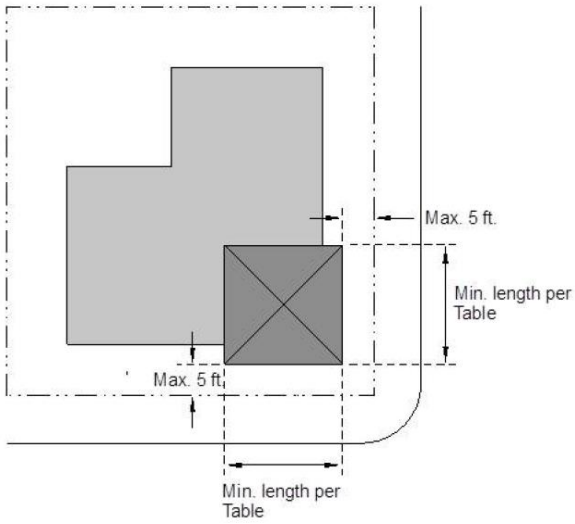


FIGURE 15-1708-C: CORNER FRONTAGE STANDARDS

D. **Parking Setback.** Parking shall be setback as identified in Table 15-1707 except as provided below:

1. **Surface Parking.**

a. Surface parking which is located behind a building shall not be subject to the parking setback requirement.

b. On lots less than 150 feet in width or depth, surface parking may be set back less than the distance identified in Table 15-1707, if the following conditions are met:

i. Such parking shall not be set back from the street less than adjacent buildings on the site.

ii. The parking setback area shall be landscaped.

iii. There shall be no more than four adjacent parking spaces in surface parking areas located less than 30 feet from a street-facing lot line. The space between groups of four adjacent parking spaces shall be equal in width to the adjacent parking spaces and shall be landscaped.

iv. Parking spaces shall be screened from the adjacent street with a minimum three foot berm, wall, or hedge, or combination thereof.

c. If a sound wall is required along a frontage, the Parking Setback can be waived.

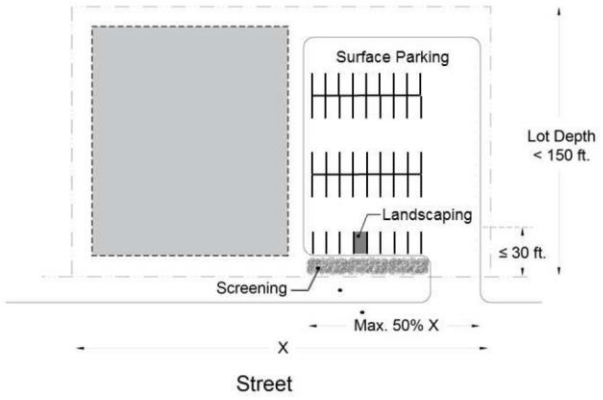


FIGURE 15-1708-D-1.b: SURFACE PARKING SETBACK REDUCTION

2. **Partially Submerged Podium Parking.** Parking that is partially below the street grade may extend to the setbacks of the main structure, if the following conditions are met:
    a. No more than six feet of the partially submerged parking podium may extend above the street grade.
    b. The partially submerged parking podium shall be screened along street facing elevations by foundation plant materials. Gates need not be screened.
3. **Underground Parking.** Parking that is fully underground and below the street grade may extend from lot line to lot line

E. **On-Site Open Space.**

1. **Minimum Open Space Required.** On-site open space shall be required for projects with more than four dwelling units. The minimum amount of on-site open space required shall be based on the size of the lot, as identified in Table 15-1707. This requirement may be met through a combination of private open space, common open space, or public plazas as follows:
    a. **Private Open Space Requirements.** Private open spaces are those which are attached to a dwelling unit and are available only for the private use of the residents of the dwelling unit, such as balconies, porches, and patios. No fewer than 50 percent of the dwelling units on a site shall have a private open space. The following standards shall apply to private open space:
        i. The minimum dimension of any private open space shall be five feet.
        ii. The minimum area of any private open space shall be 32 square feet.
        iii. When located within 30 feet of a public street and located on the ground floor, private open spaces shall be designed as a porch.
        iv. When located within 30 feet of a public street and located above the ground floor, private open spaces shall be designed as a balcony.
    b. **Common Open Space Requirements.** Common open spaces are those which are available for active or passive use by all tenants, but use by the general public may be

restricted. To the extent that common open space is provided, the following standards shall apply:

i. The minimum dimension of any common open space shall be 20 feet.

ii. The minimum area of any common open space shall be 1,000 square feet. The calculation of the common open space area shall include but are not limited to swimming pools, changing facilities, fountains, planters, benches, and landscaping.

iii. At least 80 percent of common open space shall be unobstructed to the sky. Trellises, pergolas, and similar structures shall be considered open to the sky for the purposes of this measurement.

iv. Common open space may be located at grade, on rooftops, on top of parking podiums, or any other such location that is accessible to tenants. Common open space may not be located within required setbacks or parking areas.

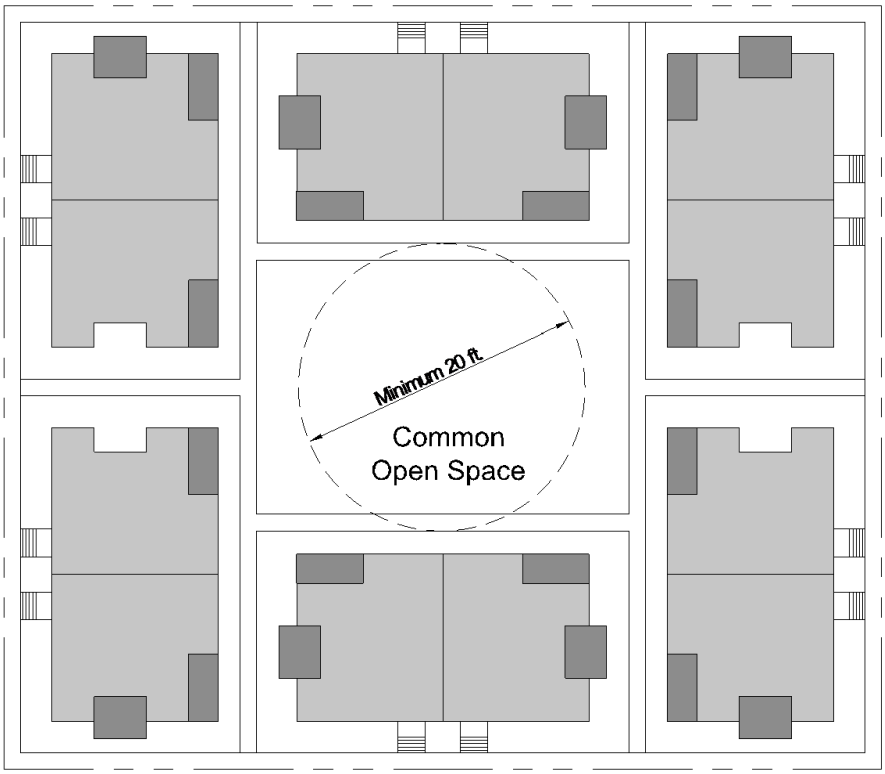


FIGURE 15-1708-E.1.b: MINIMUM REQUIRED COMMON OPEN SPACE DIMENSION

c. **Public Plaza Requirements.** Public plazas are those which are available for use by the general public, as well as tenants of the project. This section is applicable to mixed-use and commercial projects. To the extent that public plazas are provided, the following standards shall apply:

i. The minimum dimension of any public plaza shall be 20 feet.

ii. The minimum area of any public plaza shall be 500 square feet. The calculation of the public plaza area shall include but not be limited fountains, planters, benches, and landscaping.

iii. Public plazas shall include benches or other seating. Amenities provided shall include, but not be limited to, trees and other landscaping, shade structures, drinking fountains, water features, public art, or performance areas.

iv. Public plazas shall be fully accessible from the public right-of-way, shall be located in front of project buildings and shall not be located where public views into the space are obstructed by buildings or other structures.

v. Public plazas may be located within required front setbacks.

vi. A public access easement shall be provided for the space.

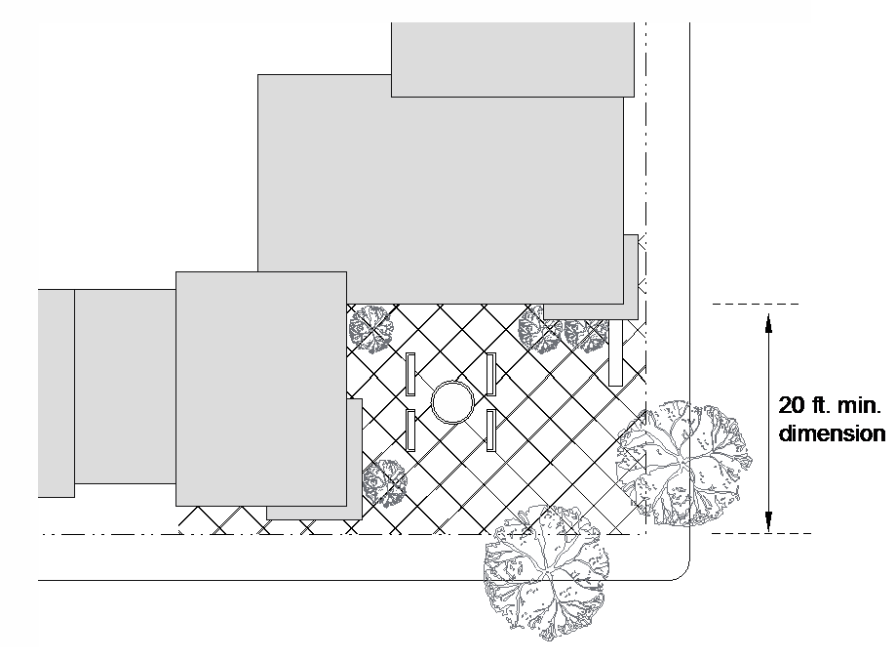


FIGURE 15-1708-E.1.c: MINIMUM REQUIRED PUBLIC PLAZA DIMENSION

2. **Minimum Open Space Reduction.** The minimum amount of open space required shall be reduced by 25 percent in any one of the following circumstances:

   a. Any portion of the lot is located within 400 feet of a transit stop with regular, scheduled service during the weekday hours of 7:00 a.m. to 9:00 a.m. and 5:00 p.m. to 7:00 p.m.

   b. There is a public park within 400 ft. of the site, and

      i. Said park is located on the same side of the street and provides an ADA compliant pedestrian path of travel to and from the site; or

      ii. The public park is across a local street and the site provides an ADA compliant pedestrian path of travel to and from the site.

c. The parcel is 15,000 square feet or less in area.

F. **Sidewalk Standards.** Notwithstanding Chapter 13, Section 208 of the Municipal Code, the following shall apply:

1. **Applicability.** All projects shall be required to bring adjacent sidewalk conditions into conformance with the standards of this section, subject to the following exceptions:

   a. Applications for signs only.

   b. Additions, remodels, or tenant improvements of less than 50 percent of the current value of the property.

2. **Width.** Sidewalks shall be no less than 12 feet in width. If the current distance between the right-of-way boundary and the face of the adjacent curb is less than 12 feet, the available methods shall be as follows:

   a. **Set Back.** The building may be set back from the right-of-way boundary the distance that is necessary to achieve the required sidewalk width. The portion of the sidewalk which lies within the private parcel shall be guaranteed for public access by the enactment of a public access easement.

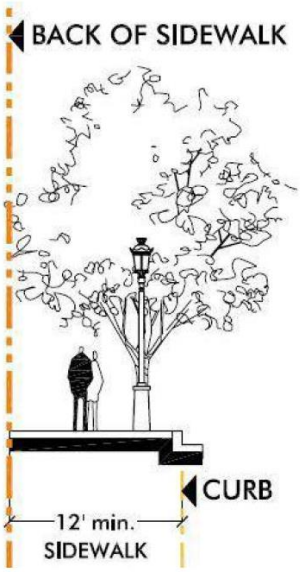
   b. **Reconstruction.** The applicant may demolish and reconstruct the sidewalk for the entirety of the block frontage(s) which the project occupies to the extent necessary to satisfy the requirements of this section.

   c. **Parklet.** The sidewalk may be expanded into the roadway by a metal or wood deck which does not interfere with the drainage of the street. In such instances the applicant shall enter into an encroachment agreement with the City in which the applicant accepts full responsibility for the maintenance and repair of the parklet, as well as providing the indemnification and insurance as required by the City's Risk Manager.

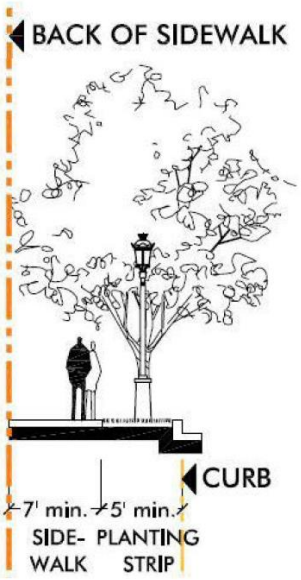
3. **Treatment.** Required sidewalks shall be paved and landscaped as follows:

   a. **Adjacent to Mixed-Use or Non-Residential Projects.** The full width of the sidewalk shall be fully paved in uncolored concrete with a simple 30-inch scoring pattern.

   b. **Adjacent to Residential-Only Projects.** A seven-foot walkway adjacent to the private parcel shall be paved in uncolored concrete with a simple 30 inch scoring pattern. The five feet adjacent to the curb shall be a parkway strip which shall be landscaped.



Adjacent to Mixed-Use or Non-Residential Projects.



Adjacent to Residential-Only Projects.

4. **Trees.** Street trees shall be provided with sidewalk improvements. Exact tree type and location shall be determined by the Director. Preferred street tree type and location shall be as follows:

    a. **Alignment.** Street trees should be located no more than three feet from the back of curb.

    b. **Spacing.** Street trees shall be evenly spaced, no less than 20 feet apart, and not more than 40 feet apart. Whenever possible, trees should not be located directly in front of building entrances.

    c. **Wells.** When a parkway strip is not provided, trees shall be placed in tree wells measuring five feet by five feet. To maximize usable sidewalk area, tree wells shall be covered by grates of a design which is approved by the Director. Larger tree wells may be required by the Public Works Director for species requiring more space. The property owner shall assume maintenance responsibilities for the tree grates.

    d. **Species.** Street trees shall be deciduous, fast growing, drought tolerant, and form a tall canopy at maturity. Not more than one species shall be planted per block. Whenever nearby pre-existing trees are in good condition and meet the intent of this section, new trees should be of the same species.

5. **Lighting.** Pedestrian-scaled street lights shall be provided with sidewalk improvements. Exact design and location shall be determined by the Director. Preferred designs and locations shall be as follows:

    a. **Alignment.** Street lights should be located no more than three feet from the curb, and shall be aligned with street trees, as well as other lights on the block.

    b. **Spacing.** Street lights shall be evenly spaced, no less than 30 feet apart, and not more than 80 feet apart. Street lights shall be no less than 15 feet from nearby street trees.

c. **Design.** Street lights shall not be of the type commonly known as Cobra Heads or other types which are intended primarily for the illumination of the vehicular roadway. Lights shall be ornamental and designed for the illumination of the sidewalk. Whenever nearby pre-existing lights are in good condition and meet the intent of this section, new lights shall be of the same type. Intersection safety lights shall be typical cobra-head design, while mid-block lighting shall be ornamental and scaled for the pedestrian environment. Lighting shall meet Public Works standards.

6. **Maintenance.** If a Community Facilities District is not established to maintain sidewalks, street trees, and lighting, the applicant shall enter into a maintenance agreement to ensure the maintenance of said facilities.

G. **Service Areas and Loading.** Service and loading areas shall be screened from residential areas. Special attention shall be given when designing loading facilities in a location that is proximate to residential uses. Techniques such as block walls, enhanced setbacks, or enclosed loading shall be used to minimize adverse impacts to residents.

H. **Pedestrian Access.** Pedestrian access to public streets shall be provided as follows:

1. **Common Area Sidewalk Connections.** Common entrances into lobbies or internal pedestrian paths shall be provided at a rate of no less than one per 400 feet of linear street frontage. When providing access to a structure, such entrances shall be protected by a portico, canopy, or alcove of no less than four feet in depth.

2. **Residential Unit Sidewalk Connections.** Direct entrances into individual ground-floor dwelling units which are adjacent to streets shall be provided at a rate of no less than one per 100 feet of linear street frontage. Such entrances shall be protected by a portico, canopy, or alcove of no less than four feet in depth.

3. **External Connections to Adjacent Development.** Pedestrian walkways shall connect the project site to adjacent Residential, Mixed Use, and Employment and Institutional districts at a frequency of no less than one per 600 feet. Projects may be excepted from this requirement in the following situations:

a. An interconnected street network with short blocks and sidewalks exists in the surrounding area; or

b. The project site is less than one acre in size; or

c. The adjacent properties are developed and there are no possible connection points via breaks in the perimeter wall/fence.

d. If the project is located within an area with adopted design guidelines, all applicable guidelines which relate to pedestrian access and the location of doors and entrances shall also be followed.

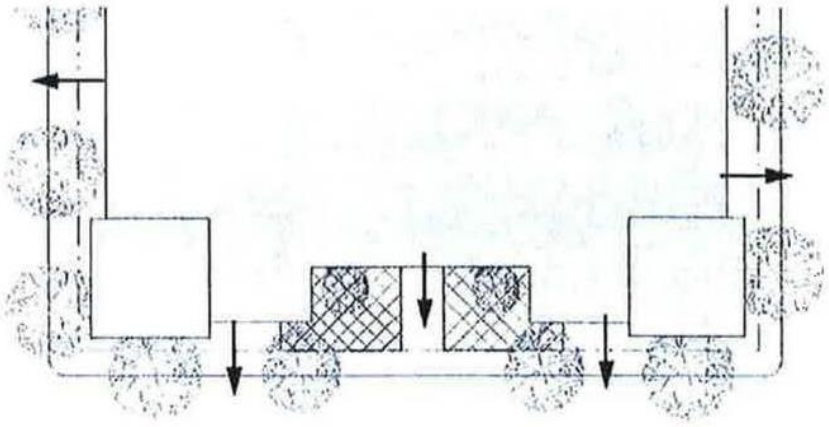


FIGURE 15-1708-H: SIDEWALK CONNECTIONS

I. **Parking**

1. Mixed-Use Districts must comply with parking standards identified in FMC Section 15-2408.

2. If on-street parking is provided, only parallel parking is permitted.

J. **Curb Cuts**

1. Each block face shall have a maximum of one non-alley curb cut.

2. Curb cuts shall be placed along secondary or side street infrastructure.

3. Additional curb cuts shall be permitted for public and private parking structures.

K. **Block Length.** Mixed-Use District blocks longer than 500' shall incorporate a perpendicular, mid-block pass through for pedestrian and bicycle circulation.

SECTION 15-1709 – FAÇADE DESIGN DEVELOPMENT STANARDS (SEDA MIXED-USE DISTRICTS)

A. Street-facing façades for buildings adjacent to a public street shall comply with the following standards.

1. **Building Length Articulation.** At least one projection or recess shall be provided for every 50 horizontal feet of wall in one of the following manners:

   a. Projections or recesses for buildings 50 feet wide or less shall be exempted from the building length articulation requirement; projections or recesses for buildings greater than 50 feet in width but less than 100 feet in width shall be no less than 12 inches in depth; or projections or recesses for buildings 100 feet wide or wider shall be no less than 24 inches in depth.

2. **Building Height Articulation.** For multi-story buildings, the height of façades shall be broken into smaller increments as follows:

   a. **Ground Floor.** The horizontal articulation of the façade shall be applied at the top of the first story. This element shall be no less than 18 inches tall, and shall project from the adjacent wall plane. It shall be designed as a cornice or belt course.

b. **Top Floor.** Buildings or portions of buildings which are four stories in height or taller shall also provide articulation for the top story of the building. This may be accomplished by a color change, material change, a cornice/belt course at the bottom of the uppermost story, by stepping the uppermost story back, or similar measures.

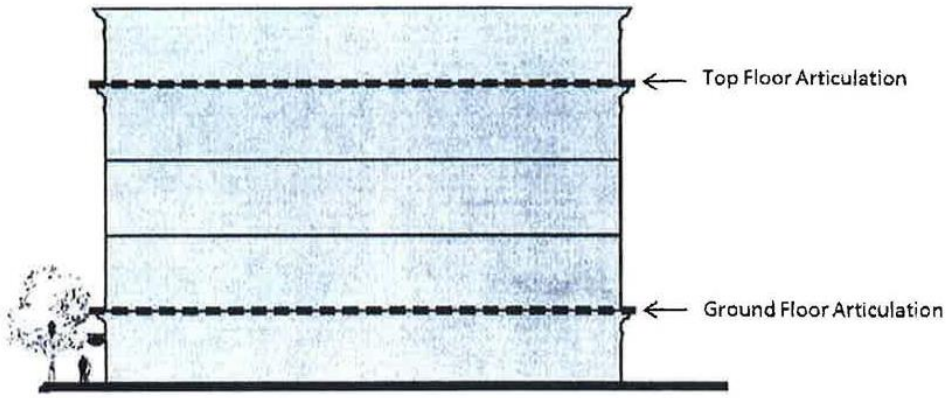


FIGURE 15-1709-A.2: BUILDING HEIGHT ARTICULATION

3. **Building Materials and Finishes.** The following building materials and finishes shall be provided:
   a. At least two cladding materials (excluding roof and foundation); and
   b. At least three exterior colors (each cladding material shall count as a color, and trim/accent colors shall each count as a color).
   c. **Exception:** Buildings with all of the following characteristics shall be allowed to use one cladding material:
      i. Building height of 3 stories or less;
      ii. Building width of 100 feet or less; and
4. **Window Design.**
   a. **Glazing Ratio.** Street-facing façades of each floor of the building shall have an overall wall composition of at least 25 percent glazing, but not more than 70 percent glazing, as long as the total building envelope glazing does not exceed the glazing provisions in the California Building Code, with the exception that commercial portions of the ground floor shall be subject to subsection 4-b below.
   b. **Ground Floor Commercial Transparency.** For ground floor street-facing façades on portions of a structure occupied by commercial uses, exterior walls facing a front or street-side tot line shall Include windows, doors, or other openings with transparent glazing for at least 50 percent of the building wall area located between 2.5 and seven feet above the level of the sidewalk. Openings fulfilling this requirement shall have transparent glazing and provide views into work areas, display areas, sales areas, lobbies, or similar active spaces, or into window displays that are at least two feet deep.

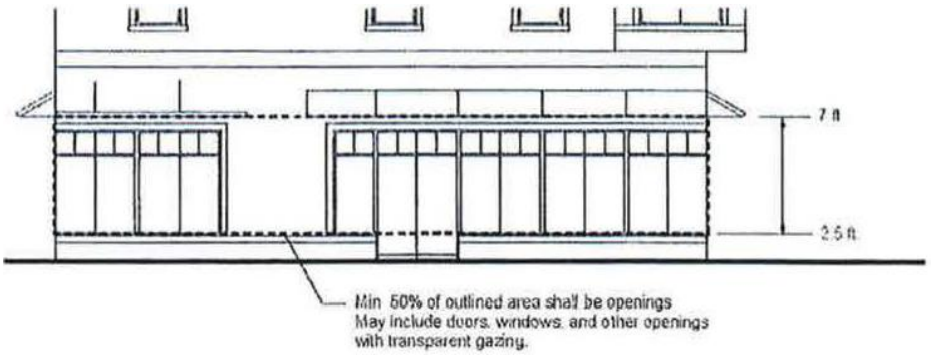


FIGURE 15-1709-A.4.b: GROUND FLOOR COMMERCIAL TRANSPARENCY

c. **Vertical Proportion.** On upper stories, at least 50 percent of all window openings, window panes, or distinct window units shall have a vertical proportion, in which their height exceeds their width by 25 percent or more.

d. **Window Depth.** Windows shall comply with one of the following options:

i. Trim at least one inch in depth and three inches wide must be provided around all upper story windows and non-commercial ground-floor windows;

ii. Windows must be recessed at least two inches from the plane of the surrounding exterior wall (for double-hung and horizontal sliding windows, at least one sash shall achieve the two-inch recess); or

iii. Decorative plaster screed, minimum 2 inches wide.

iv. Exception: Buildings with all of the following characteristics shall be allowed to use flush windows without trim:

a) Building height of 3 stories or less;

b) Building width of 100 feet or less; and

c) A façade that includes one of the following: awnings, canopies, balconies, massing changes.

5. **Façade Alignment.**

a. **Vertical Alignment.** Façades shall be oriented vertically and shall have no slope.

b. **Horizontal Alignment.** Façades shall run parallel or perpendicular to the adjacent street.

c. **External Stairs, Corridors, and Hallways.** External stairs, corridors, and hallways that are located within 30 feet of a public street must have the same cladding, materials, and colors of the main building façade.

6. **Balconies.** If balconies are provided, they shall be grouped together into a continuous band across the façade. No more than two balconies shall be contiguous. Each balcony or group of two balconies shall have at least six feet of horizontal separation from any other balcony.

7. **Façade Elements.** Development shall incorporate a minimum of one of the following Façade Elements into street-facing building façades.

a. Forecourts;

b. Bay Windows;

c. Balconies;

d. Porches;

e. Stoops;

f. Arcades.

8. If the project is located within an area with adopted design guidelines, all applicable guidelines which relate to façade design shall also be followed.

SECTION 15-1710. – USE REGULATIONS (SEDA EMPLOYMENT AND INSTITUTIONAL DISTRICTS)

A. Table 15-1710 below prescribes the proposed land use regulations for the SEDA Employment and Institutional Districts. The regulations for the district 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 15-1710: LAND USE REGULATIONS— SEDA EMPLOYMENT AND INSTITUTIONAL DISTRICTS				
Use Classifications	SOC	FRD	SI	Additional Regulations
Residential Use Classifications				
Caretaker Residence	-	P(1)		
Multi-Unit Residential	-	-	P(13)	
Public and Semi-Public Use Classifications				
Cemetery			C	
Colleges and Trade Schools, Public or Private	P(2)	P	P	
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	P	
Cultural Institutions	P	P	P	
Day Care Centers	P	P	P	§ 15-2725, Day Care Centers and Family Child Care Homes
Emergency Shelter	-	P	P	§ 15-2729, Emergency Shelters
Government Offices	P	P	P	
Hospitals and Clinics				
Hospital	C(3)	C(3)	P(3)	
Clinic	P	P	P	
Substance Abuse Treatment Clinic	C(4)	C(4)	C(4)	
Instructional Services	P	P	P	
Park and Recreation Facilities, Public	P	P	P	
Parking, Public or Private	P	P	C	
Public Safety Facilities	P	P	P	
Schools, Public or Private	P	P	P	
Social Service Facilities	C	C	P	
Commercial Use Classifications				
Animal Care, Sales and Services				
Kennels	-	P	C(5)	
Veterinary Services	C	P	-	
Artist's Studio	P	-	-	
Automobile/Vehicle Sales and Services				

Automobile Rentals	P	P	-	§ 15-2709, Automobile and Motorcycle Retail Sales and Leasing
Automobile/Vehicle Sales and Leasing	-	P	-	§ 15-2709, Automobile and Motorcycle Retail Sales and Leasing
Automobile/Vehicle Repair, Major	P	P	-	§ 15-2710, Automobile/Vehicle Service and Repair, Major and Minor
Automobile/Vehicle Service and Repair, Minor	P	P	-	
Large Vehicle and Equipment Sales, Service and Rental	P	P	-	
Service Station	P	P	-	§ 15-2755, Service Stations
Washing	P	P	-	§ 15-2711, Automobile/Vehicle Washing
Banks and Financial Institutions				
Banks and Credit Unions	P	P	-	
Business Services	P	P	-	
Banquet Hall	C	C	-	§ 15-2712, Banquet Hall
Eating and Drinking Establishments				
Restaurant with Alcohol Sales	C	C	C (14)	§ 15-2751, Restaurants with Alcohol Sales, Bars, Nightclubs, and Lounges; § 15-2744, Outdoor Dining and Patio Areas
Restaurant without Alcohol Sales	P	P	P	§ 15-2751, Restaurants with Alcohol Sales, Bars, Nightclubs, and Lounges; § 15-2744, Outdoor Dining and Patio Areas
Entertainment and Recreation				
Small-Scale	C	C	-	
Food and Beverage Sales				
Farmer's Market	P	P	-	
General Market	P	P	-	§ 15-2744, Outdoor Dining and Patio Areas; § 15-2745, Outdoor Retail Sales
Healthy Food Grocer	-	P	-	

Food Preparation	-	P	-	
Funeral Parlors and Internment Services	-	P	-	§ 15-2714, Body Preparation and Funeral Services
Lodging				
Hotels and Motels	P	P	-	
Maintenance and Repair Services	-	P	-	
Offices				
Business and Professional	P	P	-	
Medical and Dental	P	P	-	
Walk-In Clientele	P	P	-	
Personal Services				
General Personal Services	P	P	-	
Retail Sales				
Convenience Retail	P(7)	P(7)	-	§ 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(8)	-	§ 15-2737, Large-Format Retail; § 15-2745, Outdoor Retail Sales
Industrial Use Classifications				
Construction and Material Yards	-	P(9)	-	§ 15-2721, Concrete Batch Plants, Storage Yards, and Similar Uses
Custom Manufacturing	-	P(8)	-	
Limited Industrial	-	P(8)	-	
General Industrial	-	C(8)	-	
Recycling Facility				
Reverse Vending Machine	P	P	-	§ 15-2750, Recycling Facilities
CRV Recycling Center	-	C	-	
Recycling Processing Facility	-	P	-	
Research and Development				
Advanced Manufacturing	P	P	-	
Green Technology	P	P	-	

Warehousing, Storage, and Distribution				
Indoor Warehousing and Storage	-	P	-	
Outdoor Storage	-	P(8)	-	§ 15-2721, Concrete Batch Plants, Storage Yards, and Similar Uses
Personal Storage	C	P	-	§ 15-2747, Personal (Mini) Storage
Wholesaling and Distribution	-	P	-	
Transportation, Communication, and Utilities Use Classifications				
Airports and Heliports	-	C(10)	C(11)	
Communication Facilities				
Antenna and Transmission Towers	§ 15-2759, Telecommunications and Wireless Facilities			
Facilities within Buildings	P	P	P	
Freight/Truck Terminals and Warehouses	-	P	-	
Light Fleet-Based Services	C	P	-	
Photovoltaic/Solar Farm				
Large (sites over 5 acres)	C	C	C	
Small (sites under 5 acres)	C	C	C	
Utilities, Major	-	C	P	
Utilities, Minor	P	P	P	
Waste Transfer Facility	-	-	C(12)	
Agricultural and Extractive Use Classifications				
Agricultural Processing	-	C	-	§ 15-2732, Hazardous Waste Management Facilities
Agricultural Support Services	-	P	-	
Agricultural Product Sales, Produced On-Site	P	P	-	
Distilleries	C	C	-	
Horticulture/Greenhouses, Public	-	P	-	
Microbreweries	C	C	-	
Tasting Room	-	C	-	
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	-	§ 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			

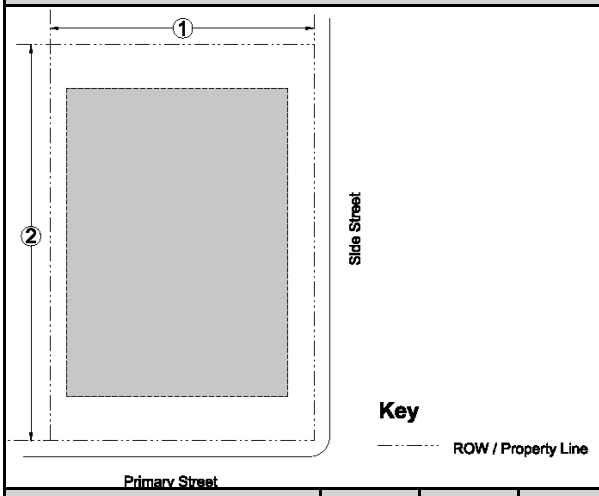
Specific Limitations:

1. One caretaker dwelling is allowed where having a caretaker living on the site is necessary for the conduct of the on-site business.
2. Not to include industrial training such as welding or automotive repair involving the use of tools and materials appropriate to an industrial use area.
3. Building heights for hospitals shall not exceed 150 ft. There is no maximum Floor Area Ratio for hospitals.
4. Must include an indoor waiting area.
5. Limited to government or non-profit animal shelters located a minimum of 100 feet from a residential use or district.
6. Limited to gift shops, cafes, and restaurants that are an accessory to cultural institutions, community and religious assembly, and conference/convention centers.
7. Limited to establishments with a gross floor area of 6,000 square feet or less.
8. Outdoor storage shall be incidental to a primary use and screened from public view.
9. A courtesy notice will be provided to all properties within 1,000 feet of these uses when approved.
10. Limited to heliports used as accessory to a hospital.
11. Heliports used as accessory to a hospital are permitted by right and shall not require a Conditional Use Permit.
12. Must not be located within 500 feet of an existing or planned school facility.
13. Limited to on-campus housing operated by an accredited school.
14. Limited to gift shops, cafes, and restaurants that are an accessory to cultural institutions, community and religious assembly, and conference/convention centers.

SECTION 15-1711. – DENSITY, INTENSITY AND MASSING DEVELOPMENT STANDARDS (EMPLOYMENT AND INSTITUTIONAL DISTRICTS)

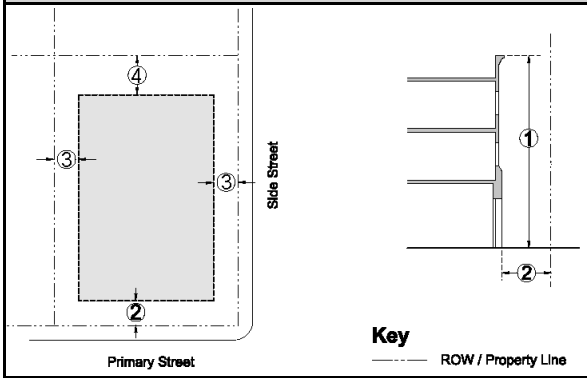
Tables 15-1711-1 to 15-1711-2 prescribe the intensity and massing development standards for the Employment and Institutional Districts. Additional regulations are denoted in a right hand column. Section numbers in this column refer to other sections of the Code, while individual letters refer to subsections 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 15-1711-1: LOT AND INTENSITY STANDARDS – SEDA EMPLOYMENT AND INSTITUTIONAL DISTRICTS



District	SOC	FRD	SI	Additional Regulations	#
Minimum District Size	-	2 acres	-		
Minimum Lot Size (sq. ft.)	7,500	-	-		
Minimum Lot Width (ft.)	65	150	-		①
Minimum Lot Depth (ft.)	110	200	-		②
Maximum Floor Area Ratio (FAR)	2.0	1.0	-	§ 15-309, Determining Floor Area Ratio	

TABLE 15-1711-2: BUILDING FORM AND LOCATION STANDARDS – SEDA EMPLOYMENT AND INSTITUTIONAL DISTRICTS



District	SOC	FRD	SI	Additional Regulations	#
Maximum Density (du/ac)	-	-	45		
Maximum Height (ft.)	60	60	35	§ 15-2012, Heights and Height Exceptions § 15-1712-A, Residential Transition Standards § 15-1712-B, Exceptions to Maximum Height the FRD District	①
Minimum Setbacks (ft.)				§ 15-313, Determining Setbacks § 15-1712-A, Residential Transition Standards § 15-1712-C, Enhanced Streetscape § 15-1712-D, Parking Setbacks § 15-2014, Projections/ Encroachments into Yards	

				§ 15-2305, Areas to be Landscaped	
Front (Major Street)	15	15	20		②
Front (Major Street), with Enhanced Streetscape	-	-	-		
Front (Local Street)	-	-	-		
Side	-	-			③
Interior Side	-	-	15		
Street Side	-	-	20		
Rear	-	-	15		④
Parking, from back of sidewalk or curb	15	15	-		
Maximum Lot Coverage (%)	-	-	35		

SECTION 15-1712. – SITE DESIGN DEVELOPMENT STANDARDS (EMPLOYMENT AND INSTITUTIONAL DISTRICTS)

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

1. **Height.** The maximum height within 40 feet of a Residential District is limited to 30 feet. The maximum height within 50 feet of a residential district is 40 feet.

2. **Setbacks.**

   a. **Front and Street Side Yards.** The front setback shall not be less than the required front yard on the abutting Residential District lot within 75 feet of the Residential District.

   b. **Interior Side and Rear Setbacks for All Other Employment and Institutional Districts.** The interior side and rear setback abutting a Residential District boundary 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-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.** Only fully recessed balconies are permitted on side and rear facades.

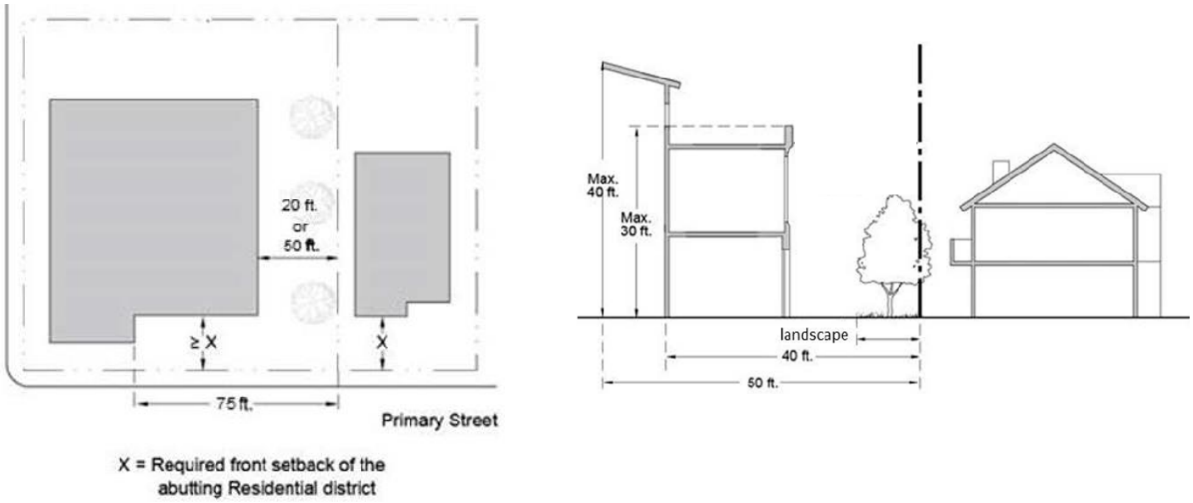


FIGURE 15-1712-A: RESIDENTIAL TRANSITION STANDARDS—E/I DISTRICTS.

B. **Exceptions to Maximum Height in the FRD District.** Within the FRD District, uninhabited structures such as silos, cooling towers, and similar structures used for storage and manufacturing may exceed the maximum height prescribed in 15-1711-2 by no more than 40 feet. Height in excess of 100 feet for such structures is subject to a Conditional Use Permit.

C. **Enhanced Streetscape.** Projects in SOC District which include buildings with a front setback of less than 15 feet shall provide the following streetscape enhancements:

1. Sidewalks shall be no less than 12 feet in width.

2. Street trees shall be provided as follows:

    a. Street trees shall be located no more than three feet from the back of curb, and shall be aligned with other trees on the block.

    b. Street trees shall be evenly spaced, no less than 20 feet apart, and not more than 40 feet apart.

    c. Trees shall not be located directly in front of building entrances.

    d. Trees shall be placed in tree wells measuring five feet by five feet. Larger tree wells may be required by the Public Works Director for species requiring more space. The property owner shall assume maintenance responsibilities for the tree grates.

    e. Street trees shall be deciduous, fast growing, drought tolerant, and shall form a tall canopy at maturity. Not more than one species shall be planted per block.

3. Pedestrian-scaled street lights shall be provided as follows:

    a. Street lights shall be located no more than three feet from the curb, and shall be aligned with street trees and other lights on the block.

    b. Street lights shall be evenly spaced, no less than 30 feet apart, and not more than 80 feet apart. Street lights shall be no less than 15 feet from nearby street trees.

    c. Street lights shall not be of the type commonly known as Cobra Heads or other types which are intended primarily for the illumination of the vehicular roadway. Lights shall be ornamental and designed primarily for the illumination of the sidewalk. Whenever nearby pre-existing lights are in good condition and meet the intent of this section, new lights shall be of the same type. Intersection safety lights shall be typical cobra-head design, while mid-block lighting shall be ornamental and scaled for the pedestrian environment. Lighting shall meet Public Works standards.

4. Facades located with 15 feet of the public sidewalk shall be oriented to the street as follows:

    a. If there is a primary common building entrance which provides access to reception areas, elevators, stairs, and internal circulation, it shall face and be oriented to the street. If there is a yard between the sidewalk and the building, a paved path six feet in width shall be provided from the public sidewalk to the entrance.

    b. Direct entrances from the sidewalk into individual establishments located along the street frontage shall be provided. If there is a yard between the sidewalk and the building, a paved path six feet in width shall be provided from the public sidewalk to the entrance.

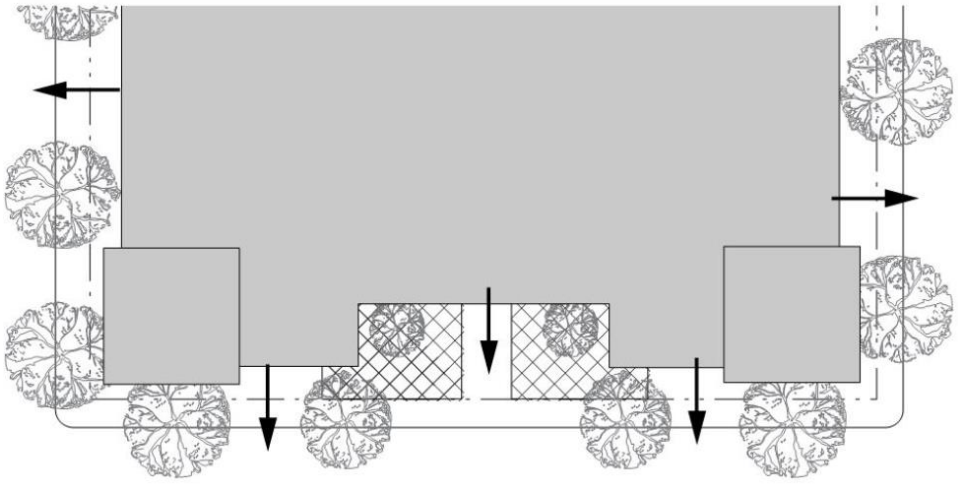


FIGURE 15-1712-C-4: BUILDING ORIENTATION TO THE STREET

5. Exterior walls facing a front or street side lot line shall include windows, doors, or other openings that comply with the California Building Code. Openings fulfilling this requirement shall have transparent glazing and provide views into work areas, display areas, sales areas, lobbies, or similar active spaces, or into window displays that are at least two feet deep.

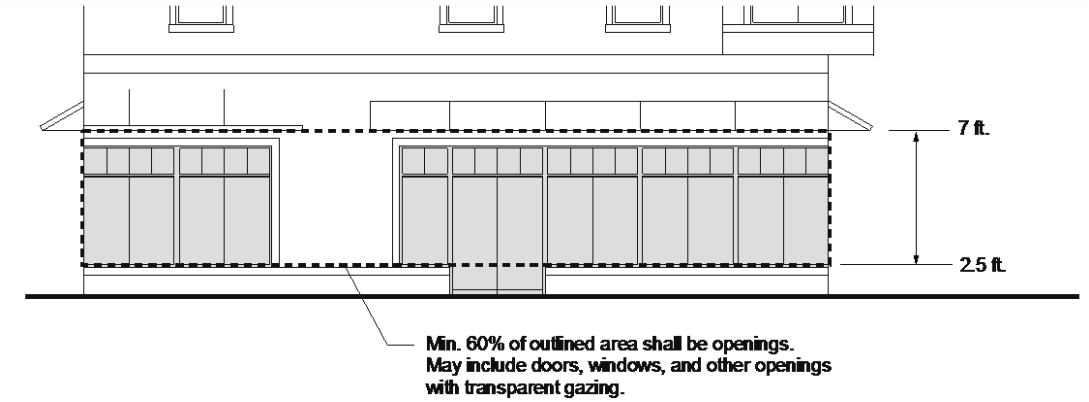


FIGURE 15-1712-C-5: BUILDING TRANSPARENCY

6. Where buildings are located within two feet of a public sidewalk, the sidewalk shall be shaded by awnings or canopies as follows:
    a. Awning or canopy depth shall be no less than four feet and no more than 10 feet.
    b. Clearance shall be no less than eight feet and no more than 12 feet from the finished floor.

D. **Parking Setbacks.** Parking shall be set back from the street facing lot line as shown in Table 15-1711-2, except as provided below:

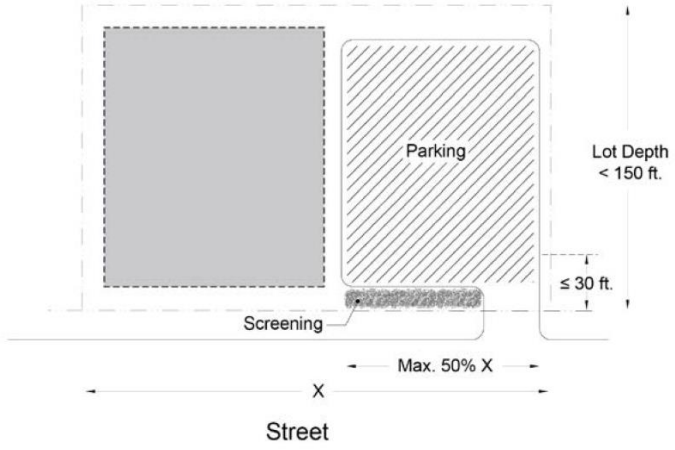


FIGURE 15-1712-D.1: SURFACE PARKING SCREENING

1. **Surface Parking.** On lots less than 150 feet in width or depth, the parking setback may be reduced to six feet. This area shall be landscaped. Parking spaces shall be screened with a minimum three foot high berm, wall, or hedge, or combination thereof.
2. **Partially Submerged and Podium Parking.** Parking that is partially below the street grade may extend to the setbacks of the main structure. A maximum six feet of the parking structure height may extend above the street grade if screened along street facing elevations by foundation plant materials. Gates need not be screened.
3. **Underground Parking.** Parking that is fully underground and below the street grade may extend from property line to property line.
4. **Carports.** If proposed on a Major Street, carports:
    a. Shall be located away from major streets.
    b. There shall be no more than six consecutive carport spaces parallel to major streets, with a minimum distance of 20 feet between every six carport spaces.
5. **Driveways.** Driveways are permitted only to provide access to garages, carports, and parking areas. Curb cuts are limited to one for every 50 feet of street frontage.

E. **Pedestrian Access.** Within the SOC District, on-site pedestrian circulation and access must be provided according to the following standards.

1. **To Streets.** Access shall be provided to adjoining residential and commercial areas.
2. **To Transit.** Pedestrian connections shall be provided from transit stops to building entrances.
3. **To Circulation Network.** Connections between on-site walkways and the public sidewalk and other planned or existing pedestrian routes shall be provided. An on-site walkway shall connect the primary building entry or entries to a public sidewalk on each street frontage.
4. **Internal Connections.** Pedestrian walkways shall connect all buildings on a site to each other, to on-site automobile and bicycle parking areas, and to on-site open space areas.
5. **External Connections.** In the SOC District, pedestrian walkways shall connect the project site to adjacent Residential, Mixed Use, Employment and Institutional districts as follows:

a. If the adjacent Residential, Mixed Use, and Employment and Institutional districts are undeveloped, stub connections shall be provided at a frequency of one per 600 feet. Upon the development of the adjacent parcels, any fencing or gates at the stubs shall be opened.

b. If the adjacent Residential, Mixed Use, and Employment and Institutional districts are developed and provide connection points via breaks in the perimeter wall/fence or stub streets, then the project shall provide pedestrian walkway connections at those locations.

c. If the adjacent Residential, Mixed Use, and Employment and Institutional districts are developed there are no possible connection points via breaks in the perimeter wall/fence, then the project shall not be required to provide connections.

6. **Pedestrian Walkway Design.**

a. Walkways shall be a minimum of four feet wide, shall be hard-surfaced, and paved with concrete, stone, tile, or brick.

b. Where a required walkway crosses driveways, parking areas, or loading areas, it must be identifiable through the use of a raised crosswalk or a different paving material.

c. Where a required walkway is parallel and adjacent to an auto travel lane, it must be raised or separated from the auto travel lane by a raised curb at least six inches high, bollards, or a physical barrier.

F. **Service Areas and Loading.** Service and loading areas shall be screened from residential areas with the use of block walls, enhanced setbacks, or enclosed loading docks.

G. The following Site Design Development standards apply to SI District properties:

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

2. **Residential Transition Standards.** See Table 15-2305-C.1, Required Landscape Buffers.

3. **Service Areas and Loading.** Service and loading areas shall be located so that they are oriented away from residences, primary pedestrian entrances and areas, and not adjacent to or parallel to any public right-of-way (except alleys).

4. **Setbacks.** The prescribed setbacks apply to all structures, including, but not limited to, bleachers, dugouts, backstops, lights, etc. Should the parcel be less than one-half acre, the front and street side yard may be reduced to 15 feet.

5. **On-Campus Housing Standards.** The provisions set in 15-1704-D, NR Transition Standards and 15-1704-C.7, -1004-A, On-Site Open Space shall apply.

H. **Parking**

1. Employment and Institutional Districts must comply with parking standards identified in FMC Section 15-2409.

2. If on-street parking is provided, only parallel parking is permitted.

I. **Curb Cuts**

1. In the SOC District, each block face shall have a maximum of one non-alley curb cut. Additional curb cuts in the SOC District can be permitted for public and private parking structures.

2. Curb cuts shall be placed along secondary or side street infrastructure.

J. **Block Length**

1. In the SOC and SI Districts, blocks longer than 500' shall include a perpendicular, mid-block pass through for pedestrian and bicycle circulation.

SECTION 15-1713. – FAÇADE DESIGN DEVELOPMENT STANDARDS (EMPLOYMENT AND INSTITUTIONAL DISTRICTS)

A. **Building Articulation.** In the SOC District, all street-facing façades must include at least one projection or recess at least two feet in depth for every 25 feet of horizontal feet of wall.

B. **Building Materials and Finishes.**

1. In the SOC District, the following standards shall apply:

   a. There shall be a minimum of two exterior wall finish materials.

   b. Veneers shall turn corners, avoiding exposed edges and continue down the side of a building to a logical break, such as a change in wall plane. Material changes at outside corners shall be avoided.

   c. Metal buildings should employ a variety of building forms shapes, colors, materials, and other architectural treatments to add visual interest and variety to the building. Architectural treatments should emphasize the primary entrance to the building.

   d. Unless roofing materials are part of the design element (for example, tiles, concrete, or metal roofing elements), the ridge line elevation shall not exceed the parapet elevation.

   e. Windows shall be of the same material on all elevations facing a street.

   f. Parking areas and structures shall match the materials, and colors of the overall development.

2. In the FRD District, buildings within 100 feet of a major street shall apply at least two of the following standards:

   a. Use a minimum of two exterior wall finish materials shall be used.

   b. Use a minimum of three exterior paint colors.

   c. Design street-facing façades to have an overall wall composition of at least 20 percent glazing, as long as the total building envelope glazing does not exceed the glazing provisions in the California Building Code.

   d. Provide one inset of six inches in depth, 10 feet in height, and 20 feet in width for every 50 feet of wall length.

   e. Provide canopies or awnings with at least four feet of projection for at least 50 percent of the wall length.

   f. Provide primary entrance(s) with decorative lighting, increased height, or enhanced materials.

SECTION 15-1714. – SEDA ANNEXED OVERLAY DISTRICT

A. **Purpose.** The SEDA Annexed (ANX) Overlay District allows continued use of certain properties upon annexation to the city until such time as the properties are further developed consistent with the Base District. This section only applies to properties located within the Southeast Development Area Specific Plan boundary that are annexed into the City of Fresno. Properties eligible for the SEDA ANX Overlay District include agricultural uses and properties, and rural residential uses and properties established legally within the County of Fresno. These protections do not apply to commercial and industrial uses, including but not limited to the following: extractive uses and properties, rendering uses and properties and data center uses and properties.

B. **Use Regulations.**

1. **Permitted Uses.**

a. Existing Uses. Any use existing at the time the property was annexed to the city so long as the use and property had been lawfully allowed by the County at the time immediately preceding the annexation, including but not limited to uses, structures, site features, and lots.

2. **Fresno County Regulations. Existing Uses.**

a. In the event of a conflict between the City of Fresno Municipal Code and Fresno County regulations for a use and property legally established at the time immediately preceding annexation, within the County of Fresno, County regulations shall supersede.

b. In the event the use was granted through a Conditional Use Permit or Special Use Permit within the County of Fresno, the use permit shall control.

C. **Other Regulations.**

1. **Water**

a. Existing Water Wells (City Service Available). Single-unit rural residential properties with active water wells can continue use of each well until water resources have are no longer available. At that time, should City services be available, property owners will be required to connect to available water utilities within five years of installation of said utility pipe.

b. Existing Water Wells (City Service Unavailable). Single-unit rural residential properties with active water wells can continue use of each well until water resources have are no longer available. At that time, if City services are not available, property owners can continue to obtain a Well Permit with the Fresno County Department of Public Works to deepen the existing well to access local water.

c. Crop irrigation systems currently served through well or irrigation canal water shall not be connected to City treated water.

2. **Sewer**

a. Existing Septic Tanks (City Service Available). Single-unit rural residential properties with existing septic tanks can continue the use for residential sewage waste. At that time, should City services be available, property owners will be required to connect to available utilities within five years of installation of said utility pipe.

b. Existing Septic Tanks (City Service Unavailable). Single-unit rural residential properties with existing septic tanks can continue the use for residential sewage waste. At that time, if City services are not available, property owners can continue to use existing septic tanks for residential sewage waste.

The following table applies to rural residential uses only and does not apply to separate or associated agricultural uses. Agricultural uses are not required to connect to City water. Agricultural uses can utilize recycled water if/when it becomes available.

TABLE 15-1714-1: UTILITY CONNECTIONS - SEDA ANNEXED OVERLAY DISTRICT

	Water	
	Property has well water	**Property does not have well water (well ran dry)**
City Service Available	- Property can continue use of existing well until well runs dry or the property develops/subdivides. - If repairs to well are needed, property owner can continue use of well as repairs are made, until the property develops/subdivides. - If the well is deemed irreparable or unusable but still has water, property would be required to connect to City water. - No requirements for agricultural connections. Residential connections must connect per City standards, except in instances identified above.	- If the well is dry and a water main is available, property owners would be required to connect to City services (drilling a new would not be permitted). - Rural Residential properties can request to be reimbursed by the Community Benefit Fund for connection services.
City Service Unavailable	- Property can continue use of existing well until well runs dry. - A request to drill a new well would be evaluated.	- Property owner can obtain a Well Permit to deepen existing well from appropriate agency (City of Fresno or County of Fresno). - Property owner can request an evaluation to drill a new well from the appropriate agency (City of Fresno or County of Fresno).
	Sewer	
	Property has functioning septic system	**Property does not have functioning septic system**
City Service Available	- Five years after line is installed, property must connect to city services. - The property must connect at the time it is developed/subdivided, even before the 5-year mark (no new septic tanks will be allowed). - Rural Residential properties can request to be reimbursed by the Community Benefit Fund for connection services.	- Property must connect to City service if septic system fails (5-year grace period does not apply; no new septic tanks will be allowed). - Rural Residential properties can request to be reimbursed by the Community Benefit Fund for connection services.
City Service Unavailable	- Property owner can continue use of existing septic system. - A request to build a new septic tank would be evaluated.	- Property owner can obtain a permit from the appropriate agency (City of Fresno or County of Fresno) to repair or establish functioning septic system. - A request to build a new septic tank would be evaluated by the appropriate agency (City of Fresno or County of Fresno).

Sec. 15-6704. COMMERCIAL USE CLASSIFICATIONS.

Adult-Oriented Business. An establishment that, as a regular and substantial course of conduct, offers, sells or distributes adult-oriented merchandise, or that offers to its patrons materials, products, merchandise, services, entertainment, or performances that have sexual arousal, sexual gratification, and/or sexual stimulation as their dominant theme, or are characterized by an emphasis on specified sexual activities or specified anatomical areas and are not customarily open to the general public because they exclude minors by virtue of their age. This classification does not include any establishment offering professional services conducted, operated, or supervised by medical practitioners, physical therapists, nurses, chiropractors, psychologists, social workers, marriage and family counselors, osteopaths, and persons holding licenses or certificates under applicable State law or accreditation from recognized programs when performing functions pursuant to the respective license or certificate.

Aircraft Sales, Services, and Storage. Uses related to the rental, sales and leasing, storage, repair, and washing of aircraft.

Animal Care, Sales and Services. Retail sales and services related to the boarding, grooming, and care of household pets including:

Grooming and Pet Stores. Retail sales of animals and/or services, including grooming, for animals on a commercial basis. Grooming or selling of dogs, cats, and similar small animals. Typical uses include dog bathing and clipping salons, pet grooming shops, and pet stores and shops. This classification excludes dog walking and similar pet care services not carried out at a fixed location, and excludes pet supply stores that do not sell animals or provide on-site animal services.

Kennels. A commercial, non-profit, or governmental facility for keeping, boarding, training, breeding, or maintaining four or more dogs, cats, or other household pets not owned by the kennel owner or operator. Typical uses include pet clinics, pet day care, grooming, animal hospitals for small animals, and animal shelters, but exclude pet shops and animal hospitals that provide 24-hour accommodation of animals receiving medical or grooming services.

Stables, Private. A detached accessory structure(s) for the keeping of horses and/or ponies for the private use of the occupants of the premises, not for hire, remuneration, or sale.

Stables, Commercial. Commercial establishments for donkeys, horses, and/or mules, which are rented, used, or boarded for compensation, examples of which include boarding stables, riding schools and academies, horse ranches, horse exhibition facilities (for shows or other competitive events), and barns, corrals, paddocks, and stables accessory and incidental to these uses.

Veterinary Services. Veterinary services for household pets. This classification allows 24-hour accommodation of animals receiving medical services, but does not include kennels (see Kennels) nor veterinary care for farm animals (see Agricultural Support Services).

Artist's Studio. Work space for an artist or artisan, including individuals practicing one of the fine arts or performing arts, or skilled in an applied art or craft. This use is distinguished by incidental retail sales of items produced on the premises and does not include joint living and working units (see Live-Work).

Automobile/Vehicle Sales and Services. Retail or wholesale businesses that sell, rent, and/or repair automobiles, boats, recreational vehicles, trucks, vans, trailers, and motorcycles, including the following:

Automobile Rentals. Rental of automobiles. Typical uses include car rental agencies.

Automobile/Vehicle Sales and Leasing. Sale or lease, retail or wholesale, of automobiles, light trucks, motorcycles, motor homes, and trailers, together with associated repair services and parts sales, but excluding body repair and painting. Typical uses include automobile dealers and recreational vehicle sales agencies. This classification does not include automobile brokerage and other establishments which solely provide services of arranging, negotiating, assisting, or effectuating the purchase of an automobile for others.

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

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

Large Vehicle and Equipment Sales, Service, and Rental. Sales, servicing, rental, fueling, and washing of large trucks, trailers, tractors, and other heavy equipment used for construction, moving, agricultural, or landscape gardening activities. Examples include cranes, earth moving equipment, tractors, combines, heavy trucks, etc. Includes large vehicle operation training facilities. Sales of new or used automobiles are excluded from this classification.

Service Station. Establishments primarily engaged in retailing automotive fuels or retailing these fuels in combination with activities, such as providing minor automobile/vehicle

repair services; selling automotive oils, replacement parts, and accessories; and/or providing incidental food and retail services.

Towing and Impound. Establishments primarily engaged in towing light or heavy motor vehicles, both local and long distance. These establishments may provide incidental services, such as vehicle storage and emergency road repair services (for automobile dismantling, see Salvage and Wrecking).

Washing. Washing, waxing, detailing, or cleaning of automobiles or similar light vehicles, including self-serve washing facilities.

Banks and Financial Institutions.

Banks and Credit Unions. Financial institutions providing retail banking services. This classification includes only those institutions engaged in the on-site circulation of money, including credit unions, but excludes check-cashing businesses and payday lenders.

Check Cashing Businesses, Payday Lenders, and Similar Financial Services. Establishments that, for compensation, engage in the business of cashing checks, warrants, drafts, money orders, or other commercial paper serving the same purpose; that offer, originate, or make deferred deposit transactions in which the establishment/lender defers depositing a customer's personal check or electronically accessing a bank account until a specific date, pursuant to a written agreement, for a fee or other charge; or that engage in the business of making consumer or auto-title loans.

This category does not include State or federally chartered banks, savings associations, credit unions, or industrial loan companies. It also does not include retail sellers that are primarily engaged in the business of selling consumer goods, such as consumables to retail buyers, and that cashes checks or issues money orders as a service to its customers (for a fee not exceeding two dollars), incidental to their main purpose or business.

Banquet Hall. A facility, as part of a hotel or as a standalone facility, where various types of gatherings may occur. Banquet Hall activities include, but are not limited to, formal dinners, receptions, reunions, business meetings, benefits, and club meetings.

Business Services. Establishments providing goods and services to other businesses on a fee or contract basis, including printing and copying, blueprint services, advertising and mailing, equipment rental and leasing, office security, custodial services, photo finishing, model building, taxi or delivery services with two or fewer fleet vehicles on-site.

Corner Commercial. Small-scale commercial establishments within residential districts. Limited permitted uses are neighborhood-serving to provide convenient, walkable access to important amenities.

Eating and Drinking Establishments. Businesses primarily engaged in serving prepared food and/or beverages for consumption on or off the premises.

Bars/Nightclubs/Lounges. Businesses serving beverages for consumption on the premises as a primary use and including on-sale service of alcohol including beer, wine, and mixed

drinks. This use includes micro-breweries where alcoholic beverages are sold and consumed on-site and any food service is subordinate to the sale of alcoholic beverages.

Restaurant with Alcohol Sales. Restaurants providing food and beverage services, including the sales of alcoholic beverages for consumption on the premises. Takeout or delivery service may be provided. This use includes micro-breweries where the sale and consumption of alcoholic beverages are subordinate to on-site food service.

Restaurant without Alcohol Sales. Restaurants providing food and beverage services without the sales of alcoholic beverages. Food and beverages may be consumed on the premises, taken out, or delivered. This classification also includes catering businesses or bakeries that have a storefront retail component.

Entertainment and Recreation. Provision of participant or spectator entertainment to the general public.

Cinema/Theaters. Facilities for indoor display of films, motion pictures, or dramatic, musical, or live performances. This classification may include incidental food and beverage services to patrons.

Cyber/Internet Café. A private establishment that offers access to the Internet to its customers, usually within the setting of a café where food and drink may be purchased.

Motorcycle/Riding Clubs. Facilities that support the activities of motorcycle interest groups.

Shooting/Archery Range. A facility designed for firearm or archery practice.

Large-Scale. This classification includes large outdoor facilities such as amusement and theme parks, sports stadiums and arenas, racetracks, amphitheaters, drive-in theaters, water parks, zoos, driving ranges, golf courses, miniature golf courses, and riding stables. Fully enclosed sports stadiums and arenas are also included. This classification may include snack bars and other incidental food and beverage services to patrons. Bars or restaurants with alcohol sales shall be treated as a separate use and shall be regulated accordingly, even when operated in conjunction with the entertainment and recreation use.

Small-Scale. This classification includes smaller and primarily indoor facilities such as fitness centers, health clubs, and gymnasiums; handball, racquetball, and tennis club facilities; ice or roller skating rinks; public swimming pools; bowling alleys; card rooms; dance halls; pool and billiards lounges; trampoline and bounce house establishments; and amusement arcades. This classification may include snack bars and other incidental food and beverage services to patrons. Bars or restaurants with alcohol sales shall be treated as a separate use and shall be regulated accordingly, even when operated in conjunction with the entertainment and recreation use.

Food and Beverage Sales. Retail sales of food and beverages for off-site preparation and consumption. Typical uses include food markets, groceries, and liquor stores.

Farmer's Markets. A commercial use primarily consisting of an organized display, indoors or outdoors, of agricultural products in their natural state for retail sale. Other products

such as processed food (dried fruit, cheese or bread, for example), or artisan handiwork or art, are sometimes sold at Farmer's Markets as well. Farmer's Markets which take place within a fully enclosed building which is not disassembled when the Farmer's Market is not in operation shall be considered Healthy Food Grocers.

General Market. Retail food markets of food and grocery items for offsite preparation and consumption. Typical uses include full-service grocery stores, neighborhood grocery stores, and specialty food stores, such as retail bakeries; candy, nuts, and confectionary stores; meat or produce markets; vitamin and health food stores; cheese stores; and delicatessens. This classification may include small-scale specialty food production such as pasta shops with retail sales.

Healthy Food Grocer. A food and beverage retail sales establishment that (1) dedicates at least 50 percent of retail space to a general line of grocery products intended for home preparation, consumption and use; and (2) dedicates at least 30 percent of retail space to perishable goods including dairy, fresh, produce, fresh meats, poultry and fish, and frozen foods.

Liquor Stores. An establishment less than 10,000 square feet in size that sells liquor for off-site consumption and/or that devotes 30 percent or greater floor area to the selling of packaged alcoholic beverages (such as ale, beer, wine, and liquor) for off-site consumption.

Food Preparation. Businesses preparing and/or packaging food for off-site consumption, excluding those of an industrial character in terms of processes employed, waste produced, water used, and traffic generation. Typical uses include catering kitchens, bakeries with on-site retail sales, and small-scale specialty food production. This use includes micro-breweries, but does not include tasting rooms open to the public or sales for consumption on-site.

Funeral Parlors and Internment Services. An establishment primarily engaged in the provision of services involving the care, preparation, or disposition of human remains and conducting memorial services. Typical uses include crematories, columbaria, mausoleums, mortuaries, funeral chapels, and funeral homes.

Live/Work. A unit that combines a work space and incidental residential occupancy occupied and used by a single household in structure that has been constructed for such use or converted from commercial or industrial use and structurally modified to accommodate residential occupancy and work activity in compliance with the Building Code. The working space is reserved for and regularly used by one or more occupants of the unit.

Lodging. An establishment providing overnight accommodations to transient patrons for payment for periods of less than 30 consecutive calendar days.

Bed and Breakfast. A residential structure that is in residential use with one or more bedrooms rented for overnight lodging and where meals may be provided.

Hotels and Motels. An establishment providing overnight lodging to transient patrons. These establishments may provide additional services, such as conference and meeting rooms, restaurants, bars, or recreation facilities available to guests or to the general

public. This use classification includes motor lodges, motels, and tourist courts, but does not include rooming houses, boarding houses, private residential clubs, or bed and breakfast establishments within a single-unit residence, which are separately defined and regulated.

RV Parks. A form of lodging designed to specifically accommodate travelers with recreational vehicles and/or trailers.

Maintenance and Repair Services. Establishments engaged in the maintenance or repair of office machines, household appliances, furniture, and similar items. This classification excludes maintenance and repair of vehicles or boats (see Automotive/Vehicle Sales and Services) and personal apparel (see Personal Services).

Offices. Offices of firms or organizations providing professional, executive, management, administrative or design services, such as accounting, architectural, computer software design, engineering, graphic design, interior design, investment, insurance, and legal offices, excluding banks and savings and loan associations (see Banks and Financial Institutions). This classification also includes offices where medical and dental services are provided by physicians, dentists, chiropractors, acupuncturists, optometrists, and similar medical professionals, including medical/dental laboratories within medical office buildings but excluding clinics or independent research laboratory facilities and hospitals (see Hospitals and Clinics).

Business and Professional. Offices of firms or organizations providing professional, executive, management, or administrative services, such as accounting, architectural, computer software design, engineering, graphic design, interior design, legal offices, and tax preparation offices.

Medical and Dental. Office use providing consultation, diagnosis, therapeutic, preventive, or corrective personal treatment services by doctors, dentists, medical and dental laboratories, and similar practitioners of medical and healing arts for humans licensed for such practice by the State of California. Incidental medical and/or dental research within the office is considered part of the office use, where it supports the on-site patient services.

Walk-In Clientele. An office business providing direct services to patrons or clients that may or may not require appointments. This use classification includes employment agencies, insurance agent offices, real estate offices, travel agencies, utility company offices, and offices for elected officials. It does not include banks or check-cashing facilities that are separately classified and regulated.

Personal Services.

General Personal Services. Provision of recurrently needed services of a personal nature. This classification includes barber shops and beauty salons, seamstresses, tailors, day spas, dry cleaning agents (excluding large-scale bulk cleaning plants), shoe repair shops, self-service laundries, video rental stores, photocopying, photo finishing services, and travel agencies mainly intended for the consumer.

Fortune Telling Service. An establishment engaged in or that professes to foretell future or past events or that is engaged in the practice of palmistry (the art or practice of reading a person's character or future from the lines on the palms of hands). Examples of this use type include astrologers, fortune tellers, palm and card readers, and psychics.

Massage Establishments. Any business, including a sole proprietorship, which offers massage therapy in exchange for compensation, whether at a fixed place of business or at a location designated by the patron. Massage therapy includes the application of various techniques to the muscular structure and soft tissues of the human body, including, but not limited to, any method of pressure or friction against, or stroking, kneading, rubbing, tapping, compression, pounding, vibrating, rocking or stimulating of, the external surfaces of the body with the hands or with any object or appliance. Exempted from this definition are massage therapists operating in conjunction with and on the same premises as a physician, surgeon, chiropractor, osteopath, nurse or any physical therapist who is duly State-licensed to practice their respective profession in the State of California, and out-service massage therapists certified pursuant to the California Business and Professions Code Section 4612.

Medical Marijuana Collective. A location where marijuana is cultivated collectively by more than one qualified patient (with valid identification card) or designated primary caregiver of a person with a valid identification card, in order to collectively or cooperatively cultivate and/or store marijuana for medical purposes, as provided in Health and Safety Code Section 1362.775.

Tattoo or Body Modification Parlor. An establishment whose principal business activity is one or more of the following: 1) using ink or other substances that result in the permanent coloration of the skin through the use of needles or other instruments designed to contact or puncture the skin; or 2) creating an opening in the body of a person for the purpose of inserting jewelry or other decoration.

Retail Sales.

Building Materials and Services. Retail sales or rental of building supplies or equipment. This classification includes lumber yards, tool and equipment sales or rental establishments, and includes establishments devoted principally to taxable retail sales to individuals for their own use. This definition does not include Construction and Material Yards or plant nurseries.

Convenience Retail. Establishments primarily engaged in the provision of frequently or recurrently needed small personal items or services for residents within a reasonable walking distance. These include various general retail sales and personal services of an appropriate size and scale to meet the above criteria. Liquor Stores shall not be considered Convenience Retail.

General Retail. The retail sale or rental of merchandise not specifically listed under another use classification. This classification includes retail establishments with 80,000 square feet or less of sales area; including department stores, clothing stores, furniture stores, pet supply stores, hardware stores, and businesses retailing the following goods:

toys, hobby materials, handcrafted items, jewelry, cameras, photographic supplies and services (including portraiture and retail photo processing), medical supplies and equipment, pharmacies, electronic equipment, sporting goods, kitchen utensils, hardware, appliances, antiques, art galleries, art supplies and services, paint and wallpaper, carpeting and floor covering, office supplies, bicycles, and new automotive parts and accessories (excluding vehicle service and installation). Retail sales may be combined with other services such as office machine, computer, electronics, and similar small-item repairs.

Gun Shop. Any retail sales business engaged in selling, leasing, purchasing, or lending of guns, firearms, or ammunition.

Large-Format Retail. Retail establishments (over 80,000 square feet of sales area) that sell merchandise and bulk goods for individual consumption, including membership warehouse clubs.

Nurseries and Garden Centers. Establishments primarily engaged in retailing nursery and garden products—such as trees, shrubs, plants, seeds, bulbs, and sod—that are predominantly grown elsewhere. These establishments may sell a limited amount of a product they grow themselves. Fertilizer and soil products are stored and sold in package form only. This classification includes wholesale and retail nurseries offering plants for sale.

Pawn Shops. Establishments engaged in the buying or selling of new or secondhand merchandise and offering loans in exchange for personal property.

Second Hand/Thrift Store. A retail establishment that buys and sells used products, including through consignment, that may include clothing, furniture and household goods, jewelry, household appliances, musical instruments, business machines and office equipment, hand tools, and similar items. This use does not include book stores, antique stores, sale of used farm or construction equipment, junk dealers, scrap/dismantling yards, sale of used cars or other vehicles, or pawn shops.

Swap Meet/Flea Market. Any indoor or outdoor place, in an approved location, or for an approved activity where new or used goods or secondhand personal property is offered for sale or exchange to the general public by a multitude of individual licensed vendors, usually in compartmentalized spaces. The term swap meet is interchangeable with and applicable to: flea markets, auctions, open air markets, or other similarly named or labeled activities; but the term does not include supermarket or department store retail operations.

Sec. 15-6705. INDUSTRIAL USE CLASSIFICATIONS.

Advanced Manufacturing. Production activities that depend on information, automation, computation, software, sensing and networking that create new or existing products.

Construction and Material Yards. Storage of construction materials or equipment on a site other than a construction site.

Custom Manufacturing. Establishments primarily engaged in on-site production of goods by hand manufacturing or artistic endeavor, which involves only the use of hand tools or small mechanical equipment and the incidental direct sale to consumers of only those goods produced on-site. Typical uses include ceramic studios, candle making shops, woodworking, and custom jewelry manufacturers.

Green Technology. Any technology designed to reduce environmental impact, use resources more efficiently and promote long-term ecological sustainability. It includes innovations that reduce carbon emissions, conserve energy, support renewable resources, and help industries transition away from fossil-fuel-dependent systems.

Limited Industrial. Establishments engaged in light industrial activities taking place primarily within enclosed buildings and producing minimal impacts on nearby properties. This classification includes manufacturing finished parts or products primarily from previously prepared materials; micro-breweries where retail sales are clearly incidental and no alcoholic beverages are consumed on-site; commercial laundries and dry cleaning plants; monument works; printing, engraving and publishing; computer and electronic product manufacturing; furniture and related product manufacturing; and industrial services.

General Industrial. Manufacturing of products from extracted or raw materials or recycled or secondary materials, or bulk storage and handling of such products and materials. This classification includes operations such as food and beverage processing (excluding animal food manufacturing); production apparel manufacturing; photographic processing plants; leather and allied product manufacturing; wood product manufacturing; paper manufacturing; plastics and rubber products manufacturing; nonmetallic mineral product manufacturing; primary metal manufacturing; fabricated metal product manufacturing; and automotive and heavy equipment manufacturing. This classification does not include recycling or rendering.

Food and Beverage Processing. A facility combining raw food ingredients to produce packaged food products that can be easily prepared and served by the consumer. Examples include: parboiling, cooking, canning, bottling, freezing, or other methods to provide shelf-stable or freezer commodities for sale for human consumption. Additionally, this classification does not include the processing of animals.

Intensive Industrial. Industrial uses that regularly use hazardous chemicals or procedures or produce hazardous byproducts, including the following: manufacturing of acetylene, cement, lime, gypsum or plaster-of-Paris, chlorine, corrosive acid or fertilizer, insecticides, disinfectants, poisons, explosives, paint, lacquer, varnish, petroleum products, coal products, plastic and synthetic resins, and radioactive materials. This subcategory also includes biomass energy conversion, chemical manufacturing, animal food manufacturing, petrochemical tank farms, gasification plants, smelting, animal slaughtering, oil refining, asphalt and concrete plants, and tanneries. Intensive industrial uses have high potential for external impacts on the surrounding area in terms of noise, vibration, odor, hours of operation, and traffic. This classification does not include rendering.

Recycling Facility. A facility for receiving, temporarily storing, transferring and/or processing materials for recycling, reuse, or final disposal. This use classification does not include facilities

that deal with animal matter nor does it include waste transfer facilities that operate as materials recovery, recycling, and solid waste transfer operations, which are classified as utilities.

Reverse Vending Machine. An automated mechanical device that accepts, sorts, and processes recyclable materials and issues a cash refund or a redeemable credit slip.

CRV Recycling Center. A facility available for the general public for the recycling of California Redemption Value (CRV) products such as glass, aluminum cans, and plastic beverage containers as defined by the State's Department of Resources Recycling and Recovery. Processing and sorting is not conducted on-site.

Recycling Processing Facility. A facility that receives, sorts, stores and/or processes recyclable materials.

Research and Development. A facility for scientific research and the design, development, and testing of electrical, electronic, magnetic, optical, pharmaceutical, chemical, and biotechnology components and products in advance of product manufacturing. Includes assembly of related products from parts produced off-site where the manufacturing activity is secondary to the research and development activities.

Salvage and Wrecking. Storage and dismantling of vehicles and equipment for sale of parts, as well as their collection, storage, exchange or sale of goods including, but not limited to, any used building materials, used containers or steel drums, used tires, and similar or related articles or property.

Warehousing, Storage, and Distribution. Storage and distribution facilities without sales to the public on-site or direct public access except for public storage in small individual spaces exclusively and directly accessible to specific tenants. This classification includes mini-warehouses.

Chemical and Mineral Storage. Storage of hazardous materials including, but not limited to: bottled gas, chemicals, minerals and ores, petroleum or petroleum-based fuels, and fireworks.

Indoor Warehousing and Storage. Storage within an enclosed building of commercial goods prior to their distribution to wholesale and retail outlets and the storage of industrial equipment, products and materials including, but not limited to, automobiles, feed, and lumber. Also includes cold storage, draying or freight, moving and storage, and warehouses. This classification excludes the storage of hazardous chemical, mineral, and explosive materials.

Outdoor Storage. Storage of vehicles or commercial goods or materials in open lots.

Personal Storage. Facilities offering enclosed storage with individual access for personal effects and household goods including mini-warehouses and mini-storage. This use excludes workshops, hobby shops, manufacturing, or commercial activity.

Wholesaling and Distribution. Indoor storage and sale of goods to other firms for resale; storage of goods for transfer to retail outlets of the same firm; or storage and sale of

materials and supplies used in production or operation, including janitorial and restaurant supplies. Wholesalers are primarily engaged in business-to-business sales, but may sell to individual consumers through mail or internet orders. They normally operate from a warehouse or office having little or no display of merchandise, and are not designed to solicit walk-in traffic. This classification does not include wholesale sale of building materials.

Sec. 15-6706. TRANSPORTATION, COMMUNICATION, AND UTILITIES USE CLASSIFICATIONS.

Airports and Heliports. Facilities for the takeoff and landing of airplanes and helicopters, including runways, helipads, aircraft storage buildings, public terminal building and parking, air freight terminal, baggage handling facility, aircraft hangar and public transportation and related facilities, including bus operations, servicing, and storage. Also includes support activities such as fueling and maintenance; storage; airport operations and air traffic control; incidental retail sales, coffee shops and snack shops; and airport administrative facilities, including airport offices, terminals, operations buildings, communications equipment, buildings and structures, control towers, lights; and other equipment and structures required by the United States Government and/or the State for the safety of aircraft operations.

Communication Facilities. Facilities for the provision of broadcasting and other information relay services through the use of electronic and telephonic mechanisms.

Antenna and Transmission Towers. Broadcasting and other communication services accomplished through electronic or telephonic mechanisms, as well as structures and equipment cabinets designed to support one or more reception/transmission systems. Typical uses include wireless telecommunication towers and facilities, radio towers, television towers, telephone exchange/microwave relay towers, cellular telephone transmission/personal communications systems towers, and associated equipment cabinets and enclosures.

Facilities within Buildings. Includes radio, television, or recording studios; telephone switching centers, but excludes Antennae and Transmission Towers.

Freight/Truck Terminals and Warehouses. Facilities for freight, courier, and postal services by truck or rail. This classification does not include local messenger and local delivery services (see Light Fleet-Based Services).

Light Fleet-Based Services. Passenger transportation services, local delivery services, medical transport, and other businesses that rely on fleets of three or more vehicles with rated capacities less than 10,000 lbs. This classification includes parking, dispatching, and offices for taxicab and limousine operations, ambulance services, non-emergency medical transport, local messenger and document delivery services, home cleaning services, and similar businesses. This classification does not include towing operations (see Automobile/Vehicle Sales and Service, Towing and Impound) or taxi or delivery services with two or fewer fleet vehicles on-site (see Business Services).

Transportation Passenger Terminals. Facilities for passenger transportation operations. Includes rail stations and bus terminals, but does not include terminals serving airports or heliports.

Photovoltaic/Solar Farm. Any solar collector solar device, or structural design feature of a structure whose primary purpose is to provide for the collection, storage, and distribution of solar energy for space heating or cooling; for domestic, recreational, therapeutic, or service water heating; for the generation of electricity; for the production of process heat; and for the production of mechanical work. Solar energy systems include passive thermal systems, semi passive thermal systems, active thermal systems and photovoltaic systems. This category does not include parabolic mirror and devices of a similar nature.

Utilities, Major. Generating plants; electric substations; solid waste collection, including transfer stations and materials recovery facilities; solid waste treatment and disposal; water or wastewater treatment plants; and similar facilities of public agencies or public utilities.

Utilities, Minor. Facilities necessary to support established uses involving only minor structures, such as electrical distribution lines, and underground water and sewer lines.

Waste Transfer Facility. A public or private facility that operates as a materials recovery, recycling, and solid waste transfer operation providing solid waste recycling and transfer services for other local jurisdictions and public agencies that are not located within the City of Fresno. The facility sorts and removes recyclable materials (including paper, metal, wood, inert materials such as soils and concrete, green waste, glass, aluminum and cardboard) through separation and sorting technologies to divert these materials from the waste stream otherwise destined for landfill.

Sec. 15-6707. AGRICULTURAL AND EXTRACTIVE USE CLASSIFICATIONS.

Agricultural Accessory Storage, Structures and Uses. The maintenance and storage of agricultural equipment, accessory uninhabited structures, and related land uses designed to support the planting, maintenance, and harvesting of crops, and/or the raising of farm animals for food production, when carried on as a clearly secondary occupation in conjunction with and located on property supporting a bonafide agricultural operation where no more than ten (10) percent of the total land use used and no more than three (3) persons other than the owner are employed in such activities, and which are owned and operated by the owner or occupant of the premises.

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 product sales, produced on site: The sale of agricultural products, including flowers, fresh fruit, herbs, nuts, plants, and vegetables, grown on the premises.

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.

Beekeeping: The keeping of bees in hives and on-site extraction of honey and/or other beehive products or services.

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.

Crop production: The raising of agricultural crops, fruit trees, hay crops, nurseries for producing trees, vines and other horticultural stock, orchards, pasture crops, nut trees, row crops, vineyards, and other plant crops of all kinds, except mushroom growing.

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.

Distillery. A bonded agricultural processing facility primarily used for the commercial processing of grapes or other fruit products to produce wine or similar spirits or the re-fermenting of still wine into sparkling wine. Related activities may include, but are not limited to, administrative office functions, barrel aging, blending, bottling, crushing, disposal of wastewater and pumice, fermenting, retail sales, storage, tasting facilities, warehousing operations, wholesale sales, and related promotional events. The retail sales and tasting of wine and retail sales of related promotional items may be allowed as part of the winery operation.

Horticulture/Greenhouses, Private: The cultivation of garden, nursery, or orchard plants, especially flowers, fruits, ornamental plants, or vegetables limited to the sale of agricultural products produced on the property. A greenhouse is a structure constructed chiefly of glass, glass-like translucent material, cloth, or lath, which is devoted to the protection or cultivation of these typically tender plants.

Horticulture/Greenhouses, Public: The cultivation of garden, nursery, or orchard plants, especially flowers, fruits, ornamental plants, or vegetables. A greenhouse is a structure constructed chiefly of glass, glass- like translucent material, cloth, or lath, which is devoted to the protection or cultivation of these typically tender plants.

Microbrewery: Produces 15,000 barrels or less of beer per year. 75% or more of the beer produced on-site must be sold in off-site locations, unless tasting room exists on-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.

Winery. A bonded agricultural processing facility primarily used for the commercial processing of grapes or other fruit products to produce wine or similar spirits or the re-fermenting of still wine into sparkling wine. Related activities may include, but are not limited to, administrative office functions, barrel aging, blending, bottling, crushing, disposal of wastewater and pumice, fermenting, retail sales, storage, tasting facilities, warehousing operations, wholesale sales, and related promotional events. The retail sales and tasting of wine and retail sales of related promotional items may be allowed as part of the winery operation.