NOTICE OF EXEMPTION

FROM: City of Fresno
Planning and Development Department
2600 Fresno Street, 3rd Floor
Fresno, California 93721-3604

TO: X Fresno County Clerk
2220 Tulare Street
Fresno, California 93721

___Office of Planning & Research SCH NO.: N/A
P.O. Box 3044, Room 212
Sacramento, California 95812-3044

***Project Title*:** Environmental Assessment No. P25-00974 for Text Amendment Application No. P25-00974

***Project Location*:** Areas within the jurisdiction of the City of Fresno, generally located within the corporate boundaries.

Project Location – City: City of Fresno ***Project Location - County:*** County of Fresno

***Description of Nature, Purpose and Beneficiaries of Project*:** Text Amendment Application No. P25-00974 is proposed to allow existing establishments with drive-through facilities to relocate to a site within 100 feet of a planned or existing Bus Rapid Transit (BRT) station due to eminent domain. A qualifying project's/establishment's new location may be located within 100 feet of a planned or existing BRT stop provided the new site is within ½ mile of the original location. All other drive-through design guidelines shall apply.

Name of Public Agency Approving Project: City of Fresno
Planning and Development Department

Name of Person or Agency Carrying Out Project: City of Fresno
Planning and Development Department

Exempt Status: *(check one)*

☐ Ministerial - PRC § 21080(b)(1); CEQA Guidelines §15268
☐ Declared Emergency - PRC § 21080(b)(3); CEQA Guidelines §15269(a)
☐ Emergency Project - PRC § 21080(b)(4); CEQA Guidelines §15269(b) and (c)
X Common Sense/No Possibility Exemption - CEQA Guidelines Section 15061(b)(3)
☐ Statutory Exemption – PRC §_____

Reasons why project is exempt:

Staff has determined that the proposed Text Amendment is exempt from CEQA pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15061(b)(3) under the common sense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment.

This Text Amendment proposes only minor changes to the language of the text in the Development Code to allow existing establishments with drive-through facilities to relocate to a site within 100 feet of a planned or existing Bus Rapid Transit (BRT) station due to eminent domain provided the new site is within ½ mile of the original location. There will be no physical change to the environment as a result of the adoption of this Text Amendment as it is an amendment to Chapter 15 of Fresno Municipal

Code, Table 15-1102 (Use Regulations – Mixed Use Districts) and Section 15-2728 (Drive-In and Drive-Through Facilities). The proposed Text Amendment does not relate to any physical project and does not commit the city to any specific development on any particular site.

Therefore, Text Amendment P25-00974 is exempt from CEQA pursuant to the common sense exemption set forth in Section 15061(b)(3) of the CEQA Guidelines.

Lead Agency Contact Person: Erik Young, Supervising Planner
City of Fresno Planning and Development Department

Telephone No.: *(559) 621-8009*

If filed/signed by applicant:

Attach certified document of exemption finding ☐ *(check if attached)*
Has a Notice of Exemption been filed by the public agency approving the project? ☐ Yes ☐ No

Signature: Erik Young **Date:** **June 9, 2025**

Printed Name and Title: Erik Young, Supervising Planner
City of Fresno Planning and Development Department

☒ **Signed by Lead Agency** ☐ **Signed by applicant**

Attachments: Categorical Exemption Determination for P25-00974

CITY OF FRESNO
CEQA EXEMPTION
ENVIRONMENTAL DETERMINATION FOR
TEXT AMENDMENT APPLICATION NO. P25-00974

THE PROJECT DESCRIBED HEREIN IS DETERMINED TO BE EXEMPT FROM THE PREPARATION OF ENVIRONMENTAL DOCUMENTS PURSUANT TO ARTICLE 5 OF THE STATE CEQA GUIDELINES.

APPLICANT: City of Fresno
Planning & Development Department
2600 Fresno Street
Fresno, CA. 93721

PROJECT LOCATION: All areas within the corporate boundaries and jurisdiction of the City of Fresno.

PROJECT DESCRIPTION: Text Amendment Application No. P25-00974 is proposed to allow existing establishments with drive-through facilities to relocate to a site within 100 feet of a planned or existing Bus Rapid Transit (BRT) station due to eminent domain. A qualifying project's/establishment's new location may be located within 100 feet of a planned or existing BRT stop provided the new site is within ½ mile of the original location. All other drive-through design guidelines shall apply.

This project is exempt under Section 15061(b)(3) of the California Environmental Quality Act (CEQA) Guidelines as follows:

Staff has determined that the proposed Text Amendment is exempt from CEQA pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15061(b)(3) under the common sense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment.

This Text Amendment proposes only minor changes to the language of the text in the Development Code to allow existing establishments with drive-through facilities to relocate to a site within 100 feet of a planned or existing Bus Rapid Transit (BRT) station due to eminent domain provided the new site is within ½ mile of the original location. There will be no physical change to the environment as a result of the adoption of this Text Amendment as it is an amendment to Chapter 15 of Fresno Municipal Code, Table 15-1102 (Use Regulations – Mixed Use Districts) and Section 15-2728 (Drive-In and Drive-Through Facilities). The proposed Text Amendment does not relate to any physical project and does not commit the city to any specific development on any particular site.

Therefore, Text Amendment P25-00974 is exempt from CEQA pursuant to the common sense exemption set forth in Section 15061(b)(3) of the CEQA Guidelines.

Date: June 9, 2025

Prepared and Submitted by:

Erik Young
Supervising Planner
City of Fresno
Planning & Development Department
(559) 621-8009