CITY OF FRESNO
CEQA EXEMPTION
ENVIRONMENTAL ASSESSMENT FOR
TEXT AMENDMENT APPLICATION NO. P24-02419

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

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

PROJECT LOCATION: Citywide

PROJECT DESCRIPTION: Text Amendment Application No. P24-02419 proposes an amendment to Sections 15-4907 (Planning Actions) and 15-5016 (Revocation of Permits) of the Fresno Municipal Code to grant authority to the City Council, Planning Commission, and Director of Planning and Development to modify Conditional Use Permits. The decision-making body may revoke or modify the permit if it makes any of the following findings: (1) the approval was obtained by means of fraud or misrepresentation of a material fact; (2) the use, building, or structure has been substantially changed in character or expanded beyond what is set forth in the permit; (3) the use in question has ceased to exist or has been discontinued for one year or more; (4) there is or has been a violation of or failure to observe the terms or conditions of approval of the permit or variance, or the use has been conducted in violation of the provisions of the Code, or any applicable law or regulation; (5) the use to which the permit or variance applies has been conducted in a manner detrimental to the public safety, health, and welfare, or so as to be a nuisance.

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

CEQA Guidelines Section 15061(b)(3) under the common sense exemption states that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Because the proposed Text Amendment grants authority to the City Council, Planning Commission, and the Director of Planning and Development to modify conditional use permits and does not commit the City to any specific project, it can be seen with certainty that there is no possibility that accepting this Text Amendment may have a significant effect on the environment.

The proposed Text Amendment seeks to amend existing regulations to grant authority to the City Council, Planning Commission, and Director of Planning and Development to modify Conditional Use Permits. 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 Fresno Municipal Code Sections 15-4907 and 15-5016 and does not relate to any physical project.

The regulations of the proposed Text Amendment will not intensify the use of any establishment. The proposed Text Amendment would conform to the application process which currently exists in Section 15-5016 of the Fresno Municipal Code pertaining to initiation proceedings for revocation of permits.

Therefore, Text Amendment P24-02419 is exempt from CEQA pursuant to CEQA Guidelines Section 15061(b)(3). Based on staff analysis, it was determined that no adverse environmental impacts would occur as a result of the proposed project and none of the exceptions to Categorical Exemptions set forth in the CEQA Guidelines Section 15061(b)(3) apply to this project. Therefore, a categorical exemption, as noted above, has been prepared for the project.

No adverse environmental impacts will occur as a result of the proposed project.

Date: November 1, 2024

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