



BILL NO. B-9

ORDINANCE NO. 2016-9

AN ORDINANCE OF THE CITY OF FRESNO,
CALIFORNIA, AMENDING SUBSECTION (a) OF SECTION
12-4.1404 OF THE FRESNO MUNICIPAL CODE,
RELATING TO THE EXEMPTION FROM PAYMENT OF
FEES FOR CERTAIN TYPES OF BUSINESS

SECTION 1. Subsection (a) of Section 12-4.1404 of the Fresno Municipal Code is amended to read:

SECTION 12-4.1404. EXEMPTION FROM PAYMENT OF FEES
FOR CERTAIN TYPES OF BUSINESS.

(a) A development project located in an Economically Disadvantaged Neighborhood is exempt from payment of Development Impact Fees if all of the following criteria are met:

(1) The development project is either:

(i) A grocery store dedicating at least fifty percent of its retail space for a general line of food and non-food grocery products intended for home preparation, consumption, and use; or a grocery store dedicating at least thirty percent of its retail space for perishable goods that include dairy, fresh produce, fresh meats/poultry/fish, and frozen foods; or a grocery store dedicating at least 500 square feet of retail space to fresh produce. The exemption shall not apply to convenience stores.

(ii) Any building to be used as a professional or medical office.



(iii) Banks or credit unions. This article does not apply to Payday Lending Establishments.

(iv) Mixed use developments.

[(v) Newly constructed or newly renovated hotels.]

(2) The development project is owner-occupied or subject to a commercial lease of three years or more.

(3) Necessary city infrastructure is already in place.

SECTION 2. This Ordinance shall become effective and in full force and effect at 12:01 a.m. on the thirty-first day after its final passage.

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

I, YVONNE SPENCE, City Clerk of the City of Fresno, certify that the foregoing Ordinance was adopted by the Council of the City of Fresno, at a regular meeting held on the 31st day of March, 2016.

AYES : Baines, Brand, Brandau, Olivier, Quintero,
NOES : Soria
ABSENT : Caprioglio
ABSTAIN : None

Mayor Approval: N/A, 2016
Mayor Approval/No Return: April 11th, 2016
Mayor Veto: N/A, 2016
Council Override Vote: N/A, 2016

YVONNE SPENCE, CMC
City Clerk

BY: *Yvonne Spence*
Deputy

APPROVED AS TO FORM:
DOUGLAS T. SLOAN,
City Attorney

BY: *Laurie Avedisian-Favini* 5/2/16
Laurie Avedisian-Favini, Assistant

LAF:ns [70725ns/laf]



April 1, 2016

Council Adoption: 3/31/2016
Mayor Approval:
Mayor Veto:
Override Request:

TO: MAYOR ASHLEY SWEARENGIN

FROM: YVONNE SPENCE, CMC *YJS*
City Clerk

SUBJECT: TRANSMITTAL OF COUNCIL ACTION FOR APPROVAL OR VETO

At the Council meeting of 3/31/16, Council adopted the attached Bill No. B-9 and Ordinance No. 2016-9, entitled, **Amending subsection (a) of Section 12-4.1404 of the Fresno Municipal Code relating to the exemption from payment of fees for certain types of businesses**, Item No. 1D, ID#16-348, by the following vote:

Ayes : Baines, Brandau, Brand, Olivier, Quintero
Noes : Soria
Absent : Caprioglio
Abstain : None

Please indicate either your formal approval or veto by completing the following sections and executing and dating your action. Please file the completed memo with the Clerk's office on or before April 11, 2016. In computing the ten day period required by Charter, the first day has been excluded and the tenth day has been included unless the 10th day is a Saturday, Sunday, or holiday, in which case it has also been excluded. Failure to file this memo with the Clerk's office within the required time limit shall constitute approval of the ordinance, resolution or action, and it shall take effect without the Mayor's signed approval.

Thank you.

*4/13/16
mmv*

APPROVED/NO RETURN: _____

VETOED for the following reasons: (Written objections are required by Charter; attach additional sheets if necessary.)

Ashley Swearengin, Mayor

Date: _____

COUNCIL OVERRIDE ACTION:

Date: _____

Ayes :
Noes :
Absent :
Abstain :