

Exhibit F

FRESNO MUNICIPAL CODE FINDINGS

CRITERIA FOR REZONES AND PLAN AMENDMENTS

Section 15-5812 of the Fresno Municipal Code provides that the Planning Commission shall not recommend and the City Council shall not approve an application unless the proposed Rezone or Plan Amendment meets the following criteria:

Findings Criteria per Fresno Municipal Code Section 15-5812	
<i>A. The change is consistent with the General Plan goals and policies, any operative plan, or adopted policy; and,</i>	
Finding A:	For the reasons contained within the Staff Report to the Planning Commission dated November 17, 2021, such as the planning for a diverse housing stock that will support balanced urban growth, and expanding the network of pedestrian and bicycle paths, the proposed project is found to be consistent with the applicable goals, objectives and policies of the Fresno General Plan and Woodward Community Plan. Subject to compliance with conditions of approval for development and implementation of identified project specific mitigation, the proposed project may be found consistent with applicable local ordinances, regulations, policies and standards.
<i>B. The change is consistent with the purpose of the Development Code to promote the growth of the city in an orderly and sustainable manner and to promote and protect the public health, safety, peace, comfort, and general welfare; and,</i>	
Finding B:	The existing Copper River Ranch Development was originally submitted to and approved by the County of Fresno Board of Supervisors in 2000. The project was designated and zoned for a mixture of uses including commercial, multi-family residential, and single-family residential. In 2001, the City of Fresno initiated the update of the General Plan and included the Copper River Ranch area. The Copper River Ranch Project was approved in 2003 by the Fresno City Council. The Project has been in a state of development since 2004 and today, there are commercial and residential uses on the project site. By removing the conditions of zoning for Copper River Ranch project, and adding conditions of zoning applicable to the proposed project, the appropriate infrastructure and improvements will be constructed to ensure orderly development; and, will promote the public health, safety, peace, comfort and general welfare of the surrounding area.
<i>C. The change is necessary to achieve the balance of land uses desired by the City and to provide sites for needed housing or employment-generating uses, consistent with the General Plan, any applicable operative plan, or adopted policy; and to increase the inventory of land within a given zoning district to meet market demand.</i>	

Finding C:	The project proposes to amend the Fresno General Plan and Woodward Park Community Plan to achieve the balance of land uses desired by the City of Fresno. This includes but is not limited to emphasizing land conservation and maximizing the efficient use of available underutilized property within a planned residential growth area through the proposed and future Tentative Tract Map applications which will increase the inventory of land available for development of single-family and multi-family residential houses while providing for a variety of market-based options to suit a wide range of income levels on lands situated within proximity to public facilities, schools and employment opportunities.
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VESTING TENTATIVE TRACT MAP FINDINGS

Section 15-3309 of the Fresno Municipal Code provides that the Review Authority (Planning Commission) for a tentative tract map may approve or conditionally approve a tentative tract map if it makes all of the following findings:

Findings per Fresno Municipal Code Section 15-3309	
<i>A. Consistency. The proposed subdivision, together with the provisions for its design and improvement, is consistent with the General Plan, any applicable operative plan, adopted policies or guidelines, and the Municipal Code; and,</i>	
Finding A:	For the reasons contained within the Staff Report to the Planning Commission dated November 17, 2021, the proposed project is found to be consistent with applicable goals, objectives and policies of the Fresno General Plan and Woodward Park Community Plan. Subject to compliance with the conditions of approval and project specific mitigation measures, the proposed project may be found consistent with all applicable local ordinances, regulations, policies and standards.
<i>B. Passive and Natural Heating and Cooling. The proposed subdivision provides, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision; and,</i>	
Finding B:	The proposed subdivision has been designed with lots oriented facing north-south exposures, and takes advantage of passive heating and cooling opportunities to the extent feasible by the subdivision design.
<i>C. Availability of Water. Water will be available and sufficient to serve a proposed subdivision with more than 500 dwelling units in accordance with the Subdivision Map Act (Section 66473.7); and,</i>	
Finding C:	The project consists of two proposed single-family residential developments consisting of a 47-lot and 144-lot subdivision, and a water analysis was prepared for the associated EIR, which determined that the City of Fresno water system has sufficient capacity to supply the projected demands. Water facilities are available to provide service to the site subject to the conditions listed in the Public Utilities comments.
<i>D. Infrastructure Capacity. There exists sufficient infrastructure capacity for water, runoff, storm water, wastewater, and solid waste systems to serve the proposed subdivision; and,</i>	

Finding D:	The project was routed to the appropriate agencies and it was determined that there is sufficient infrastructure capacity for water, runoff, wastewater, and solid waste systems to serve the proposed subdivision, subject to mitigation measures of the associated SEIR.
E. Compliance with Floodplain Regulations. <i>The proposed subdivision is compliant with the City of Fresno Floodplain Management Ordinance and the State of California Code of Regulations Title 23, as well as any other applicable State or federal laws.</i>	
Finding E:	The proposed project site is not located within a designated floodplain or floodway.

FRESNO MUNICIPAL CODE FINDINGS

Planned Development Findings pursuant to FMC Section 15-5905

Planned Development Permit No. P21-02863 proposes modified property development standards, including reduced setbacks. Based upon analysis of the conditional use permit application and subject to the applicant's compliance with the Conditions of Approval dated November 17, 2021, staff concludes that the following required findings of Section 15-5905 of the Fresno Municipal Code can be made:

1. The proposed development is consistent with the General Plan, any applicable operative plan, and adopted policies, including the density and intensity limitations that apply; and, _____

The subject property is located within the Fresno General Plan and the Woodward Park Community Plan. The proposed density of Vesting Tentative Tract Map No. 6238 is 3.4 du/ac. and complies with the proposed low density residential density planned land use designation.

The project is consistent with the following Fresno General Plan goals and objectives related to residential land use and the urban form:

Goal No. 7 of the Fresno General Plan encourages the City to provide for a diversity of districts, neighborhoods, housing types (including affordable housing), residential densities, job opportunities, recreation, open space, and educational venues that appeal to a broad range of people throughout the City.

Goal No. 8 of the Fresno General Plan encourages the development of Complete Neighborhoods and districts with an efficient and diverse mix of residential densities, building types, and affordability which are designed to be healthy, attractive, and centered by schools, parks, and public and commercial services to provide a sense of place and that provide as many services as possible within walking distance.

These Goals contribute to the establishment of a comprehensive city-wide land use planning strategy to meet economic development objectives, achieve efficient and equitable use of resources and infrastructure, and create an attractive living environment in accordance with Objective LU-1 of the Fresno General Plan.

Similarly, supporting Objective LU-2 of the General Plan calls for infill development that includes a range of housing types, building forms, and land uses to meet the needs of both current and future residents.

Likewise, Objective LU-5 of the General Plan calls for a diverse housing stock that will support balanced urban growth, and make efficient use of resources and public facilities.

Therefore, it is staff's opinion that the proposed project is consistent with respective general and community plan objectives and policies and will not conflict with any applicable land use plan, policy or regulation of the City of Fresno.

2. The subject site is physically suitable for the type and intensity of the land use being proposed; and,

The proposed land use for the subject site is low density residential and the subject property is proposing residential uses; this is consistent with the proposed RS-3 zoning for the parcel. The proposed land use is also consistent with surrounding uses, notably the site is vastly surrounded by residential and urban uses and is proposed to be developed at an allowable density under the proposed Fresno General Plan designation as noted above.

3. Adequate transportation facilities, utilities, and public services exist or will be provided, in accord with the conditions of PD approval, to serve the proposed development; and the approval of the proposed development will not result in a reduction of public services so as to be a detriment to public health, safety, or welfare; and,

There are currently no FAX bus facilities serving the site, however with more development, this may increase the need for bus service. The project was routed to the Fire Department and the Public Utilities Department which departments have appropriately conditioned the project to ensure provision of services to the project. Based upon the foregoing, the Conditions of Approval, the size and infill nature of the development the project is not proposed in size or scope which would result in a reduction of public services so as to be a detriment to public health, safety, or welfare.

4. The proposed development will not have a substantial adverse effect on surrounding land uses and will be compatible with the existing and planned land use character of the surrounding area; and,

The staff of the Planning and Development Department has determined that the proposed use, a 47-lot single-family residential subdivision, will not have a substantial adverse effect on surrounding land uses if developed in accordance with the various conditions/requirements established through the related tentative tract map application review, planned development permit application review process as well as the associated environmental impact report.

5. The proposed development is demonstratively superior to the development that could occur under the standards applicable to the underlying base district, and will achieve superior community design, environmental preservation, and/or substantial public benefit. In making this determination, the following factors should be considered: (a) Appropriateness of the use(s) at the proposed location, (b) The mix of uses, housing types, and housing price levels, (c) Provision of infrastructure improvements, (d) Provision of open space. For example, a greater amount of open space than would otherwise be provided under the strict application of this code, (e) Connectivity to public trails, schools, etc., (f) Compatibility of uses within the development area, (g) Creativity in design and use of land, (h) Quality of design, and adequacy of light and air to the interior spaces of the buildings, (i) Overall contribution to the enhancement of neighborhood character and to the built and natural environment of Fresno in the long term.

- (a) and (g) The subject property is planned and zoned for residential uses. The subject site is an odd shaped property and the proposed private streets probably best serve the development due to the configuration of the property.*
- (b) The proposed product is expected to sell well in the proposed location.*
- (c) The applicant will provide for infrastructure improvements, landscaping and amenities, consistent with what is currently featured at Copper River Ranch. Public improvements will be installed per the requirements of the City of Fresno.*
- (d) The proposed are of large enough size to provide adequate open space within each individual lot.*
- (e) The project proposes a pedestrian access gate located at the front of subdivision to connect to the internal sidewalks located within the Copper River Ranch development. The access point will promote walking in and around the neighborhood.*
- (f) The development will provide infill housing opportunities on a vacant lot that will complement the existing single-family uses within the development area.*
- (h) The homes will be designed with ample use of windows to allow for the dispersion of natural light and air throughout the home. The use of the latest technology in design allows for a green and water-wise neighborhood.*
- (i) This is a high-quality project in a Master Planned Community. Each new homeowner will not only participate in the ongoing maintenance of their private property but also in the perpetual maintenance of the open space and recreational features associated with the Copper River Ranch Master Plan through the CFD mechanism.*

HOUSING ELEMENT FINDINGS

Findings per California Government Code Section 65863

The Director or Planning Commission may only approve an application that reduces the residential density for sites within the Housing Element Inventory, or allow development of any site at, a lower density if it finds that the application is consistent with the purposes of this article and with the following.

a. The reduction in residential densities on sites within the Housing Element inventory included in the proposed Development Permit and Planned Development is consistent with the goals and objectives of the Fresno General Plan, and is consistent with the Housing Element; and

Finding a:	<i>The reduction in residential densities on sites within the Housing Element inventory included in the proposed Planned Development is consistent with the goals and objectives of the Fresno General Plan and are as noted in the related Planning Commission report dated June 19, 2019. Additionally, the project is consistent with the Housing Element in that the project is developing at the proposed density and as noted below.</i>
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b. The remaining sites identified in the Housing Element are adequate to meet the requirements of Section 65583.2 and to accommodate the City's share of the regional housing need pursuant to Section 65584. The capacity quantification for all income categories is as follows:

Finding b:

i) The 2013-2023 RHNA capacity for very low/low for very low/low is proposed to be decreased by 119 units which will decrease the excess capacity from 4,759 to 4,747. The 2013-2023 RHNA obligation for very low/low is 8,834 and the total capacity remaining after the proposed decrease is 13,581. Therefore, the project is consistent with the Housing Element.

ii) The 2013-2023 RHNA capacity for moderate is proposed to be decreased by 165 units which will decrease the excess capacity from 1,194 to 1,029. The 2013-2023 RHNA obligation for is 3,228 and the total capacity remaining after the proposed decrease is 4,257. Therefore, the project is consistent with the Housing Element.

iii) The 2013-2023 RHNA capacity for above moderate is proposed to be increased by 89 units which will increase the excess capacity from 4,302 to 4,391. The 2013-2023 RHNA obligation for above moderate is 10,116, and the total capacity remaining after the proposed increase is 14,507. Therefore, the project is consistent with the Housing Element.

iv) The 2008-2013 RHNA total capacity has no changes proposed.