

FINDINGS PER FRESNO MUNICIPAL CODE SECTION 15-5306

The Planning Commission may only approve a Conditional Use Permit application if it finds that the application is consistent with the purposes of this article and with the following:

a. The proposed use is allowed within the applicable zoning district and complies with all other applicable provisions of this Code and all other chapters of the Municipal Code; and,

Finding a:	In accordance with FMC Table 15-902 (Use Regulations – Residential Single Family Districts) and FMC Section 15-906-B, the proposed multiple family residential development is a permitted use in the RS-5 (<i>Single Family Residential, Medium Density</i>) zone district subject to Planning Commission approval of a Conditional Use Permit. Conditional Use Permit Application No. P20-00488 will comply with the RS-5 zone district and with all applicable codes, given that the special conditions of project approval issued for the project will be complied with prior to the construction of the structures and development of the site.
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b. The proposed use is consistent with the General Plan and any other applicable plan and design guideline the City has adopted; and,

Finding b:	Conditional Use Permit Application No. P20-00488 is consistent with the Medium Density Residential planned land use designation for the project site and complies with the design guidelines of the Development Code subject to the Conditions of Approval dated December 2, 2020.
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c. The proposed use will not be substantially adverse to the public health, safety, or general welfare of the community, nor be detrimental to surrounding properties or improvements; and,

Finding c:	The proposed multiple family residential development will not have a negative impact on either the subject site or neighboring properties given the conditions of approval. Approval of the special permits would be in accordance with applicable provisions of the FMC, including the determination that all findings have been made relative to the issuance of a conditional use permit for the proposed project.
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d. The design, location, size, and operating characteristics of the proposed activity are compatible with the existing and reasonably foreseeable future land uses in the vicinity; and,

Finding d:	The proposed multiple family residential development will comply with FMC requirements, and will not have a negative impact on either the subject site or neighboring properties given the conditions of approval.
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e. The site is physically suitable for the type, density, and intensity of use being proposed, including access, emergency access, utilities, and services required.

Finding e:	The proposed multiple family residential development is consistent with the allowable land use and intensity requirements per the underlying zone district. Adequate access, parking, utilities and services shall be provided to serve the property and were reviewed for consistency with the requirements of the RS-5 (<i>Single Family Residential, Medium Density</i>) zone district.
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f. The proposed use is consistent with the Fresno County Airport Land Use Compatibility Plan (as may be amended) adopted by the Fresno County Airport Land Use Commission pursuant to California Public Utilities Code Sections 21670-21679.5.

Finding f:	The proposed project is located within the area of influence under the Fresno County Airport Land Use Compatibility Plan (ALUCP). The project site is located within the Fresno Yosemite International Airport's (FYIA) Safety Zone 7 – Precision Zone. Listed uses considered to be hazards to flight which include physical (e.g., tall objects), visual, and electronic forms of interference with the safety of aircraft operations and land use development, such as golf courses are prohibited in Traffic Pattern Zone 7. The proposed multi-unit residential development is not a listed prohibited use. Therefore the proposed project is compatible and in compliance with the Airport Land Use Compatibility Plan. Therefore, the City of Fresno Airports Department anticipates no adverse impacts on Fresno Yosemite International Airport as a result of the proposed project and the use is consistent with the Fresno County Airport Land Use Compatibility Plan.
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