

Exhibit E

FINDINGS PER FRESNO MUNICIPAL CODE SECTION 15-5306

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 multi-family residential development is a permitted use in the RS-5 (*Single Family Residential, Medium Density*) zone district subject to Planning Commission approval of a Conditional Use Permit.

Per FMC Section 15-906, Multi-Unit Residential uses in the RS-5 district have an allowable density range of 5 to 12 dwelling units per acre. As proposed, the 9 units, with the single family residence included, would result in a density of 12 dwelling units per acre and would therefore be consistent with the maximum density requirements of FMC Section 15-906-D.1.b.

The setback requirements are as follows:

- Front setback: Per FMC Sec. 15-906-D.2, where adjacent sites have been improved with buildings, the front setback for new structures shall match the front setbacks of those buildings as determined by the Review Authority. Since the site is already developed with a single-family residence and the new apartment building is located behind the existing structure, the minimum/maximum front setback requirements are not applicable.
- Interior side setback: For the RM-1 zone district, the minimum interior side setback is 10’ total with at least 4’ on each side. The site plan depicts the interior side setbacks at 16’ and 20’, providing consistency with FMC Sec. 15-1003.
- Rear yard setback: The minimum rear setback for the RM-1 zone district is 20’. The site plan depicts the rear yard setback at 21’4”, providing consistency with FMC Sec. 15-1003.

The maximum lot coverage for the RM-1 zone district is 50%. The proposed lot coverage for the project is approximately 27%, providing consistency with the maximum lot coverage of the RM-1 zone district

Conditional Use Permit Application No. P23-03676 will comply with the RS-5 and RM-1 zone districts and with all applicable codes, given that the special conditions of project approval issued for the project will be complied with prior to the issuance of building permits.

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. P23-03676 is consistent with the Medium High Density Residential planned land use designation as well as

the Medium Density Residential planned land use designation for the project site.

- Objective UF-1: Emphasize the opportunity for a diversity of districts, neighborhoods, and housing types.
 - Policy UF-1-a: **Diverse Neighborhoods.** Support development projects that provide Fresno with a diversity of urban and suburban neighborhood opportunities.
 - Policy UF-1-d: **Range of Housing Types.** Provide for diversity and variation of building types, densities, and scales of development in order to reinforce the identity of individual neighborhoods, foster a variety of market-based options for living and working to suit a large range of income levels, and further affordable housing opportunities throughout the city.
 - Policy UF-1-e: **Unique Neighborhoods.** Promote and protect unique neighborhoods and mixed-use areas throughout Fresno that respect and support various ethnic, cultural and historic enclaves; provide a range of housing options, including furthering affordable housing opportunities; and convey a unique character and lifestyle attractive to Fresnans. Support unique areas through more specific planning processes that directly engage community members in creative and innovative design efforts.
- Objective LU-1: Establish a comprehensive citywide land use planning strategy to meet economic development objectives, achieve efficient and equitable use of resources and infrastructure, and create an attractive living environment.
- Objective LU-2: Plan 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.
- Objective LU-5: Plan for a diverse housing stock that will support balanced urban growth, and make efficient use of resources and public facilities.
 - Policy LU-5-c: **Medium Density Residential Uses.** Promote medium density residential uses to maximize efficient use of residential property through a wide range of densities.

The proposed project would allow development on underutilized property within the City of Fresno. The project promotes multi-family residential development and reinvestment within the City and preserves and protects resources within the City by expanding opportunities for development. Infill

	development conserves resources and takes advantage of existing infrastructure. Furthermore, the proposed multi-family development promotes a city of healthy communities and will enhance the overall character of the neighborhood by providing multi-family residential development that is compatible with the surrounding established neighborhood. The project complies with the guidelines of the Roosevelt Community Plan, subject to the Conditions of Approval dated July 17, 2024.
	<i>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,</i>
Finding c:	The proposed multi-family residential development will not have a negative impact on either the subject site or neighboring properties given the conditions of approval. The project provides a landscape buffer and sufficient screening from adjacent land uses. The approval of this project will benefit the surrounding community because it will provide additional housing units near the existing school and bus stops. 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.
	<i>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,</i>
Finding d:	The design, location, size, and operating characteristics of the proposed apartment building are compatible with the existing multi-family uses to the north and south and the middle school located across North Ninth Street. The proposed multi-family residential development will comply with the FMC requirements, and will not have a negative impact on either the subject site or neighboring properties given the conditions of approval.
	<i>e. The site is physically suitable for the type, density, and intensity of use being proposed, including access, emergency access, utilities, and services required.</i>
Finding e:	The proposed multi-family residential development is consistent with the allowable land use and intensity requirements per the underlying zone districts. The Department of Public Utilities (DPU) has determined that adequate sanitary sewer and water services are available to serve the project site subject to implementation of the Fresno General Plan policies, and the construction and installation of public facilities and infrastructure in accordance with Department of Public Works standards, specifications, and policies. Adequate access, parking, utilities, and services shall be provided to serve the property and were review for consistency with the requirements of the RM-1 (<i>Multi Family Residential, Medium High Density</i>) and RS-5 (<i>Single Family Residential, Medium Density</i>) zone districts.

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 use is consistent with the Fresno County Airport Land Use Compatibility Plan (ALUCP). The project is within the boundaries of Traffic Pattern Safety Zone 6 of the Fresno Yosemite International Airport, which restricts non-residential use to no more than 300 persons per acre, hazards to flight, outdoor stadium, and similar uses of very high intensity. ALUC review is required for any proposed object taller than 100 feet above ground level. The proposed residential building will be less than 30 feet. Therefore, the proposed project use and height are consistent with the ALUCP.
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