

Exhibit F

FRESNO MUNICIPAL CODE FINDINGS

ANNEXATION CRITERIA

Section 15-6104 of the Fresno Municipal Code provides that annexation shall not be approved unless the proposed annexation meets all of the following criteria:

Findings Criteria per Fresno Municipal Code Section 15-6104	
<p>A. <i>Concept Plan.</i> <i>If land proposed for annexation is required to create a Concept Plan per Section 15-6102, the Concept Plan must be created and adopted prior to annexation; and,</i></p>	
<p>Finding A:</p>	<p>Subject to Fresno Municipal Code (FMC) Section 15-6102(B)(2).(a) (Exceptions), land proposed for annexation does not need to create a concept plan if “[w]ith the exception of the proposed project, there is no more undeveloped land within the Concept Plan Area with a residential land use designation.” The area proposed for annexation includes several parcels, all of which are planned for residential land use. However, all but one parcel proposed for annexation is already developed with single family residences. The only vacant parcel proposed for annexation is the western portion of Vesting Tentative Tract Map (VTTM) No. 5756, which was approved in 2008 and pursuant to which the vacant parcel will be developed. Thus, a Concept Plan is not required for Annexation Application No. P22-03846 and Pre-zone Application No. P22-04069.</p>
<p>B. <i>Plan Consistency.</i> <i>The proposed annexation and parcel configuration is consistent with the General Plan, 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 Section 21670-21679.5, Concept Plan, and any applicable operative plan; and,</i></p>	
<p>Finding B:</p>	<p>The project is consistent with the following Fresno General Plan goals and objectives related to land use and the urban form:</p> <ul style="list-style-type: none"> • Goal 13: Emphasize the City as a role model for good growth management planning, efficient processing and permit streamlining, effective urban development policies, environmental quality, and a strong economy. Work collaboratively with other jurisdictions and institutions to further these values throughout the region. <p>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</p>

living environment in accordance with goal 13 of the Fresno General Plan.

Policy LU-1-e calls for adopting implementing policies and requirements that achieve annexations to the City that conform to the General Plan planned land use designations and open space and park system, and are revenue neutral and cover all costs for public infrastructure, public facilities, and public services on an ongoing basis consistent with the requirements of ED-5-b.

General Plan Policy ED-5-b requires new residential and commercial development that requires annexation to the City to pay its fair and proportional share of needed community improvements through impact fees, assessment districts, and other mechanisms. Approve new residential and commercial development projects that require annexation to the City only after making findings that all of the following conditions are met:

- No City revenue will be used to replace or provide developer funding that has or would have been committed to any mitigation project;
- The development project will fully fund public facilities and infrastructure as necessary to mitigate any impacts arising from the new development;
- The development project will pay for public facilities and infrastructure improvements in proportion to the development's neighborhood and citywide impacts; and,
- The development will fully fund ongoing public facility and infrastructure maintenance and public service costs.

VTTM No. 5756, and all future development projects will be required to pay their fair and proportional share of needed community improvements through impact fees, assessment districts, and other mechanisms when future development is proposed within the annexation area, including annexation into Community Facilities District (CFD) No. 18 providing for fire and police services. CFD No. 18 applies to projects that have a proposed single-family or multi-family development on property that has been annexed into the City after August 29, 2020, and would only apply to the western half of the previously approved VTTM No. 5756, and not to the already developed parcels subject to annexation under this application. Furthermore, required connections to City sewer and water, at such time as service is available to the applicable properties within the annexation area, will require the property owner to connect and pay all costs associated with those connections, and not requiring the City to pay for the cost of those connections. This includes the future development to take place within VTTM No. 5756. Conditions of approval and possible

	<p>mitigation measures which could be applied to future projects will assure the annexation area remains revenue neutral and will cover all costs for public infrastructure, public facilities, and public services on an ongoing basis consistent with the requirements of ED-5-b. The developer for VTTM No. 5756 will be required to pay applicable fees and develop the land according to the requirements listed under the approved map. Therefore, (1) No City revenue will be used to replace or provide developer funding that has or would have been committed to any mitigation project; (2) Future development projects will fully fund public facilities and infrastructure as necessary to mitigate any impacts arising from future development; (3) Future development projects will pay for public facilities and infrastructure improvements in proportion to all future development's neighborhood and citywide impacts; and, (4) Future development projects will fully fund ongoing public facility and infrastructure maintenance and public service cost.</p> <p>Policy PU-3-h calls for developing annexation strategies to include the appropriate rights-of-way and easements necessary to provide cost effective emergency services.</p> <p>The proposed pre-zone will pre-zone approximately 9.78 acres from RR (Rural Residential) to RS-5/cz (Residential Single-Family, Medium Density/conditions of zoning). and approximately 9 54 acres from RR (Rural Residential) to RS-5/ANX (Residential Single-Family, Medium Density/Annexed Rural Residential Transitional Overlay) consistent with current planned land use designations of the Fresno General Plan and West Area Community Plan.</p> <p>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.</p> <p>Subject to compliance with future conditions of approval for development, the proposed project may be found consistent with all applicable local ordinances, regulations, policies and standards.</p>
	<p>C. Revenue Neutrality. (1) Public Services, Facilities, and Utilities. Adequate public services, facilities, and utilities meeting City standards are available to the lands proposed for annexation or will be provided within a specific period of time, with financial guarantees and performance requirements, to ensure this will occur; and, (2) Fair and Proportional Payments. Projects requiring annexation will not negatively impact City finances in any manner set forth in Section 15-6104-C-2 of the FMC; and,</p>
<p>Finding C:</p>	<p>VTTM No. 5756, and all future development projects will be required to pay their fair and proportional share of needed community improvements</p>

	<p>through impact fees, assessment districts, and other mechanisms when future development is proposed within the annexation area, including annexation into Community Facilities District (CFD) No. 18 providing for fire and police services. CFD No. 18 applies to projects that have a proposed single-family or multi-family development on property that has been annexed into the City after August 29, 2020, and would only apply to the western half of the previously approved VTTM No. 5756, and not to the already developed parcels subject to annexation under this application. Furthermore, required connections to City sewer and water, at such time as service is available to the applicable properties within the annexation area, will require the property owner to connect and pay all costs associated with those connections, and not requiring the City to pay for the cost of those connections. This includes the future development to take place within VTTM No. 5756. Conditions of approval and possible mitigation measures which could be applied to future projects will assure the annexation area remains revenue neutral and will cover all costs for public infrastructure, public facilities, and public services on an ongoing basis consistent with the requirements of ED-5-b. The developer for VTTM No. 5756 will be required to pay applicable fees and develop the land according to the requirements listed under the approved map. Therefore, (a) No City revenue will be used to replace or provide developer funding that has or would have been committed to any mitigation project; (b) Future development projects will fully fund public facilities and infrastructure as necessary to mitigate any impacts arising from future development; (c) Future development projects will pay for public facilities and infrastructure improvements in proportion to all future development's neighborhood and citywide impacts; and, (d) Future development projects will fully fund ongoing public facility and infrastructure maintenance and public service cost.</p>
<p><i>D. Disadvantaged Unincorporated Communities.</i> <i>The City will partner with the community, if there is wide support for annexation, to coordinate terms to initiate and support the annexation process; and,</i></p>	
<p>Finding D:</p>	<p>No Disadvantaged Unincorporated Communities are identified adjacent or within the vicinity of the proposed annexation boundary.</p>
<p><i>E. LAFCO Approval.</i> <i>The annexation shall be approved by the Local Agency Formation Commission (LAFCO) of Fresno.</i></p>	
<p>Finding E:</p>	<p>The proposed Pre-zone Application No. P22-04069 has been filed to facilitate annexation of the approximately 20.23 acres of land within the subject property boundary to the City of Fresno as well as detachment from the Kings River Conservation District and North Central Fire Protection District in accordance with Annexation Application No. P22-03846. The combination of these actions comprises the proposed Ashlan-Polk Nos. 3 and 4 Reorganization and ultimately fall under the</p>

	jurisdiction of the Fresno Local Area Formation Commission (LAFCO). An affirmative action by the Fresno City Council regarding Annexation Application No. P22-03846 will authorize the filing of an application with LAFCO to initiate proceedings for the consideration of the proposed Ashlan-Polk Nos. 3 and 4 Reorganization.
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PRE-ZONE APPLICATION FINDINGS

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

Findings per Fresno Municipal Code Section 15-5812

A. The change is consistent with the General Plan goals and policies, any operative plan, or adopted policy;

Finding A:	<p>The project is consistent with the following Fresno General Plan goals and objectives related to land use and the urban form:</p> <ul style="list-style-type: none"> • Goal 7: 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 8: Develop 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. • Goal 9: Promote a city of healthy communities and improve quality of life in established neighborhoods. • Goal 15: Improve Fresno’s visual image and enhance its form and function through urban design strategies and effective maintenance. <p>Policy UF-1-a supports development projects that provide Fresno with a diversity of urban and suburban neighborhood opportunities.</p> <p>Policy UF-1-d further emphasizes provisions for a diversity and variation of building types, densities, and scale 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.</p>
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Policy UF-1-f promotes the use of Complete Neighborhood design concepts and development standards to achieve the development of Complete Neighborhoods and the residential density targets of the General Plan.

Objective UF-14 promotes development that facilitates multi-modal connectivity.

Policy UF-14-b promotes the design of local roadways to connect throughout neighborhoods and large private developments with adjacent major roadways and pathways of existing adjacent development, and the ability to create access for pedestrians and bicycles where a local street must dead end or be designed as a cul- de-sac to adjoining uses that provide services, shopping, and connecting pathways for access to the greater community area.

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.

Policy LU-5-g promotes new development in or adjacent to established neighborhoods that is compatible in scale and character with the surrounding area by promoting a transition in scale and architectural character between new buildings and established neighborhoods, as well as integrating pedestrian circulation and vehicular routes.

Policy LU-5-h supports housing that offers residents a range of amenities, including public and private open space, landscaping, and recreation facilities with direct access to commercial services, public transit, and community gathering spaces.

Objective D-4 supports that the City preserve and strengthen Fresno's overall image through design review and create a safe, walkable and attractive urban environment for the current and future generations of residents.

Policy D-4-e promotes innovative lot designs and patterns to enhance community livability in residential neighborhoods through new zoning provisions, with flexible development standards.

The defining characteristic of a Complete Neighborhood is a neighborhood that is mostly self-sufficient, walkable, and interconnected. It provides residents with most all they need on a daily basis nearby. In other words, a Complete Neighborhood anticipates and plans in advance all amenities needed in a neighborhood to ensure quality and lasting property values before the residential units are built instead of trying to

	<p>piecemeal those amenities after the fact. This convenient and healthy lifestyle is the benefit of a Complete Neighborhood. While total self-sufficiency or even completeness is unlikely to be accomplished in each neighborhood, some of the defining characteristics of a Complete Neighborhood include parks and public schools within or near the neighborhood, public plaza/civic space, access to public transit, neighborhood-serving retail, and a range of employment opportunities.</p> <p>An approximate .39 acre neighborhood park is proposed at the southwest corner of the proposed subdivision.</p> <p>Approximately one mile away to the north is an established commercial use corridor along West Shaw Avenue providing employment opportunities for all new residents of the neighborhood.</p> <p>Subject to compliance with future conditions of approval for development and implementation of identified project specific mitigation, the proposed project may be found consistent with all applicable local ordinances, regulations, policies and standards.</p> <p>VTTM No. 5756 will be required to annex into Community Facilities District (CFD) No. 18 providing for fire and police services. CFD No. 18 applies to projects that have a proposed single-family or multi-family development on property that has been annexed after August 29, 2020, and would only apply to the western half of the previously approved VTTM No. 5756.</p> <p>The proposed pre-zone will pre-zone approximately 9.78 acres from RR (Rural Residential) to RS-5/cz (Residential Single-Family, Medium Density/conditions of zoning). and approximately 9 54 acres from RR (Rural Residential) to RS-5/ANX (Residential Single-Family, Medium Density/Annexed Rural Residential Transitional Overlay) consistent with current planned land use designations of the Fresno General Plan and West Area Community Plan.</p> <p>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.</p>
	<p><i>B. The change is consistent with the purpose of the Development Code to promote 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></p>
<p>Finding B:</p>	<p>The project site is located within an area which has primarily developed various rural residential properties and single-family residential neighborhoods. The subject property is a logical location for further residential expansion, as the subject site will be served with public</p>

	<p>facilities and services needed to provide for increased housing opportunities once they are extended past Polk Avenue to serve VTTM No. 5756, and is currently planned for single-family residential uses in the Fresno General Plan and is surrounded by similar uses.</p>
<p><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></p>	
<p>Finding C:</p>	<p>Approval of Pre-zone Application No. P22-04069 will help contribute to fulfilling the housing needs of the region and increase the inventory of land within the RS-5 zone district to meet market demand. Furthermore, VTTM No. 5756, once developed, will contribute to the housing inventory for the City.</p>