

**FRESNO MUNICIPAL CODE FINDINGS
REZONE APPLICATION NO. P19-04890
DEVELOPMENT PERMIT APPLICATION NO. P19-02898**

REZONE APPLICATION FINDINGS

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 following findings can be made for the proposed Rezone:

Findings 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;</i>	
Finding A:	The purpose for the proposed rezone is not to change the current RM-1 zone district, but to remove the existing conditions of zoning for the property, which provides consistency with the General Plan goals and policies, any operative plan or adopted policy.
<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 proposed rezone to remove the conditions of zoning will allow for the project to build to the density consistent with the current RM-1 zone district. The proposed construction of seven multi-family dwelling units promotes the growth of the city in an orderly and sustainable manner and further promotes and protects the public health, safety, peace, comfort, and general welfare.
<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 conditions of zoning for the property limit the number of dwelling units allowed on the property to no more than three dwelling units. The removal of conditions of zoning will allow for consistency with the RM-1 zone district and minimum number of dwelling units required by the Regional Housing Needs Allocation (RHNA) Housing Sites Inventory which increases the inventory of land to meet the market demand. The proposed development is consistent with the General Plan.

DEVELOPMENT PERMIT APPLICATION FINDINGS

Section 15-5206 of the Fresno Municipal Code provides the Director or Planning Commission may only approve a Development Permit application if it finds that the application is consistent with the purposes of this article and with the following:

FINDINGS PER FRESNO MUNICIPAL CODE SECTION 15-5206	
<i>a. The applicable standards and requirements of this Code.</i>	
Finding a:	Development Permit Application No. P19-02898, subject to the Conditions of Approval dated March 4, 2020, will comply with the Citywide Development Code for the RM-1 (<i>Residential Multi-Family, Medium High Density</i>) zone district and land use designation.
<i>b. The General Plan and any operative plan or policies the City has adopted.</i>	
Finding b:	The proposed project is in compliance with the Fresno General Plan and Bullard Community Plan. The proposed use is compatible with the surrounding uses, most of which are medium density (townhomes, condominiums, etc.) residential uses.
<i>c. Any applicable design guidelines adopted by the City Council.</i>	
Finding c:	Development Permit Application No. P19-02898 complies with all applicable design guidelines of the RM-1 (<i>Residential Multi-Family, Medium High Density</i>) zone district and standards.
<i>d. Any approved Tentative Map, Conditional Use Permit, Variance, or other planning or zoning approval that the project required.</i>	
Finding d:	Development Permit Application No. P19-02898 is consistent with the approval of Rezone Application No. P19-04890 in that the removal of conditions of zoning will allow for the development proposal of seven multi-family dwelling units.
<i>e. 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.</i>	
Finding e.	The subject property is located within the Airport Influence Area. The Fresno County Airport Land Use Commission approved a Finding of Consistency with the Fresno County Airport Land Use Compatibility Plan on August 12, 2019.

Based upon the plans and information submitted by the applicant and the recommended conditions of project approval, staff has determined that all of the findings above can be made.