

Exhibit D

**FRESNO MUNICIPAL CODE FINDINGS
REZONE APPLICATION NO. P25-01778 & DEVELOPMENT PERMIT
APPLICATION NO. P25-01774**

REZONE FINDINGS

Section 15-5812 of the Fresno Municipal Code provides that the Review Authority (Planning Commission) for a rezone application may approve or conditionally approve a rezone application if it makes all of the following findings:

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:	<p>The subject property is located within the Fresno General Plan which designates the subject property for Employment – Office planned land uses. Development Permit Application No. P25-01778 proposes to remove one (1) of three (3) existing conditions of zoning which prohibits an adult daycare/healthcare facility, among other various uses, for all ten parcels of the existing Granite Park Professional Center (APNs: 438-220-01, -02, -03, -04, -05, -06, -07, -08, -09, -10).</p> <p>The project is consistent with the following Fresno General Plan goals, objectives, and policies related to residential land use and the urban form:</p> <p><u>Goals</u></p> <ul style="list-style-type: none"> • Goal 1: Increase opportunity, economic development, business and job creation. • Goal 7: Provide for a diversity of districts, neighborhoods, housing types, residential densities, job opportunities, recreation, open space, and education that appeal to a broad range of people throughout the city. • Goal 9: Promote a city of healthy communities and improve quality of life in established neighborhoods. <p><u>Objectives</u></p> <ul style="list-style-type: none"> • 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-6: Retain and enhance existing commercial areas to strengthen Fresno’s economic base and site new office, retail, and lodging use districts to serve neighborhoods and regional visitors. <p><u>Policies</u></p> <ul style="list-style-type: none"> • Policy LU-1-a: Promote new development, infill, and rehabilitation of existing building stock in the Downtown Planning Area, along BRT corridors, in established neighborhoods generally south of Herndon Avenue, and on other infill sites and vacant land within the City.

	<ul style="list-style-type: none"> • Policy LU-2-a: Promote development of vacant, underdeveloped, and re-developable land within the City Limits where urban services are available by considering the establishment and implementation of supportive regulations and programs • Policy LU-6-a: Design of Commercial Development. Foster high quality design, diversity, and a mix of amenities in new development with uses through the consideration of guidelines, regulations and design review procedures. <p>The project supports the above-mentioned policies in that the intensity of the proposed development conforms to the applicable Employment – Office land use designation of the Fresno General Plan.</p>
<p><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></p>	
<p>Finding B:</p>	<p>The removal of the condition of zoning prohibiting specific uses is consistent with the purpose of the Development Code to promote the growth of the city in an orderly and sustainable manner by allowing uses that are would otherwise be prohibited by the conditions of zoning to be established at the project site and the surrounding undeveloped parcels.</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>The change is necessary to achieve a balance of land uses and will provide sites for employment-generating uses that are consistent with the General Plan, the McLane Community Plan, and the Development Code. The proposed project would otherwise be prohibited at the project site due to conditions of zoning that prohibit the proposed adult day care facility among other uses.</p>

DEVELOPMENT PERMIT FINDINGS

Section 15-5206 of the Fresno Municipal Code provides that the Review Authority (Planning Commission) for a development permit may approve or conditionally approve a development permit if it makes all of the following findings:

<p align="center">Findings per Fresno Municipal Code Section 15-5206</p>	
<p><i>A. The applicable standards and requirements of this Code.</i></p>	
<p>Finding A:</p>	<p>The proposed adult day care facility is a permitted use in the O (<i>Office</i>) zone district, subject to approval of a Development Permit. The proposed project is subject to the development standards of said zone district, including but not limited to FMC Sections 15-1303, 15-1304, and 15-1305.</p>

B. The General Plan and any operative plan or policies the City has adopted.

Finding B:

The subject property is located within the Fresno General Plan which designates the subject property for Employment – Office planned land uses. Development Permit Application No. P25-01774 proposes to construct a new ±17,880 square-foot one-story senior healthcare facility that will provide services to individuals aged 55 and over.

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

Goals

- **Goal 1:** Increase opportunity, economic development, business and job creation.
- **Goal 7:** Provide for a diversity of districts, neighborhoods, housing types, residential densities, job opportunities, recreation, open space, and education that appeal to a broad range of people throughout the city.
- **Goal 9:** Promote a city of healthy communities and improve quality of life in established neighborhoods.

Objectives

- **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-6:** Retain and enhance existing commercial areas to strengthen Fresno’s economic base and site new office, retail, and lodging use districts to serve neighborhoods and regional visitors.

Policies

- **Policy LU-1-a:** Promote new development, infill, and rehabilitation of existing building stock in the Downtown Planning Area, along BRT corridors, in established neighborhoods generally south of Herndon Avenue, and on other infill sites and vacant land within the City.
- **Policy LU-2-a:** Promote development of vacant, underdeveloped, and re-developable land within the City Limits where urban services are available by considering the establishment and implementation of supportive regulations and programs
- **Policy LU-6-a:** Design of Commercial Development. Foster high quality design, diversity, and a mix of amenities in new development with uses through the consideration of guidelines, regulations and design review procedures.

The project supports the above-mentioned policies in that the intensity of the proposed development conforms to the applicable Employment – Office land use designation of the Fresno General Plan.

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

<i>C. Any applicable design guidelines adopted by the City Council.</i>	
Finding C:	Given the conditions of approval, the proposed project will comply with the O (<i>Office</i>) zone district development standards. Compliance with the conditions of approval will ensure that the development will conform to the design guidelines established by the City Council.
<i>D. Any approved Tentative Map, Conditional Use Permit, Variance, or other planning or zoning approval that the project required.</i>	
Finding D:	The proposal would require approval of a Rezone Application approval due to existing conditions of zoning placed on the property that prohibit the proposed use of an adult day care facility. The proposed use would otherwise be allowed by right subject to a Development Permit in the O (<i>office</i>) zone district.
<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 proposed use is consistent with the Fresno County Airport Land Use Compatibility Plan. The project site is located within the Fresno Yosemite International Airport's (FYIA) Safety Zone 6 – Traffic Pattern Zone. The proposed bank is not a listed prohibited use. Therefore, the proposed project is compatible and in compliance with the Airport Land Use Compatibility Plan.

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.