

Exhibit H

FRESNO MUNICIPAL CODE FINDINGS
PLAN AMENDMENT-REZONE APPLICATION NO. P23-01117
VESTING TENTATIVE TRACT MAP NO. T-6441
PLANNED DEVELOPMENT PERMIT APPLICATION NO. P23-03735

PLAN AMENDMENT-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 Plan Amendment-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; and,</i>	
Finding A:	<p>The subject property is located within the Fresno General Plan and the Roosevelt Community Plan of which both plans designate the subject property for Low Density Residential (1-3.5 dwelling units per acre (du/ac)) planned land uses. The proposed plan amendment proposes to change the planned land use designation to Medium Density Residential (5-12 du/ac). Vesting Tentative Tract Map No. 6441 proposes a 30-lot residential subdivision on approximately 3.90 acres of property at a density of 7.69 du/ac.</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> <p>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.</p> <p><u>Objectives</u></p> <p>Objective UF-1: Emphasizes the opportunity for a diversity of districts, neighborhoods, and housing types.</p> <p>Objective LU-5: Calls for a diverse housing stock that will support balanced urban growth and make efficient use of resources and public facilities.</p> <p><u>Policies</u></p> <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>

	<p>Policy UF-14-b: Promotes connection throughout neighborhoods with adjacent roadways and pathways of existing development.</p> <p>Policy LU-5-c: Promotes medium density residential uses to maximize efficient use of residential property through a wide range of densities.</p> <p>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.</p> <p>The proposed project provides for a diverse type of housing in that it is a smaller lot single-family subdivision in an area that is predominately rural residential with larger lots. This fosters a variety of market-based options for living in this area to suit a large range of income levels. The project promotes medium density residential uses that maximize an efficient use of the residentially zoned property. This subdivision is directly adjacent and connected to a previously approved subdivision (Tract 6299) that provides amenities for residents, including an approximately 22,089 square-foot open space area.</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 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>	
Finding B:	<p>The subject property meets the General Plan goals and strategies for sequencing of development and growth. Therefore, for the reasons contained within the attached initial study for the associated environmental assessment as well as within the Background section contained within the staff report to the Planning Commission dated April 2, 2025, the subject property is a logical expansion for purposes of orderly development within the City limits as depicted on Figure IM-2: Sequencing of Development of the General Plan; and, will promote orderly land use development in pace with public facilities and services needed to serve development</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>	
Finding C:	<p>The project proposes to amend the Fresno General Plan and Roosevelt Community Plan to achieve the balance of land uses desired by the City of Fresno. This includes, but is not limited to, emphasizing land conservation and maximizing the efficient use of available underutilized property within a planned residential growth area through the proposed Tentative Tract Map application which will increase the inventory of land available for development of single-family residential homes while providing for a variety of market-based options to suit a large range of income levels on lands situated with proximity to public facilities, schools and employment.</p>

TENTATIVE TRACT MAP FINDINGS

Section 15-3309 of the Fresno Municipal Code provides that the Review Authority (Planning Commission) for a tentative tract map may approve or conditionally approve a tentative tract map if it makes all of the following findings:

Findings per Fresno Municipal Code Section 15-3309(A)	
1. Consistency. <i>The proposed subdivision, together with the provisions for its design and improvement, is consistent with the General Plan, any applicable operative plan, adopted policies or guidelines, and the Municipal Code; and,</i>	
Finding 1:	<p>The subject property is located within the Fresno General Plan and the Roosevelt Community Plan of which both plans designate the subject property for Low Density Residential (1-3.5 dwelling units per acre (du/ac)) planned land uses. The proposed plan amendment proposes to change the planned land use designation to Medium Density Residential (5-12 du/ac). Vesting Tentative Tract Map No. 6441 proposes a 30-lot residential subdivision on approximately 3.90 acres of property at a density of 7.69 du/ac.</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> <p>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.</p> <p><u>Objectives</u></p> <p>Objective UF-1: Emphasizes the opportunity for a diversity of districts, neighborhoods, and housing types.</p> <p>Objective LU-5: Calls for a diverse housing stock that will support balanced urban growth and make efficient use of resources and public facilities.</p> <p><u>Policies</u></p> <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> <p>Policy UF-14-b: Promotes connection throughout neighborhoods with adjacent roadways and pathways of existing development.</p> <p>Policy LU-5-c: Promotes medium density residential uses to maximize efficient use of residential property through a wide range of densities.</p> <p>Policy D-4-e: Promotes innovative lot designs and patterns to enhance community livability in residential neighborhoods through new zoning provisions, with flexible</p>

	<p>development standards.</p> <p>The proposed project provides for a diverse type of housing in that it is a smaller lot single-family subdivision in an area that is predominately rural residential with larger lots. This fosters a variety of market-based options for living in this area to suit a large range of income levels. The project promotes medium density residential uses that maximize an efficient use of the residentially zoned property. This subdivision is directly adjacent and connected to a previously approved subdivision (Tract 6299) that provides amenities for residents, including an approximately 22,089 square-foot open space area.</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>2. <i>Passive and Natural Heating and Cooling.</i> <i>The proposed subdivision provides, to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision; and,</i></p>	
Finding 2:	<p>The proposed subdivision has been designed with approximately 93 percent of the lots oriented facing east-west exposures and takes advantage of passive heating and cooling opportunities to the extent feasible by the subdivision design.</p>
<p>3. <i>Availability of Water.</i> <i>Water will be available and sufficient to serve a proposed subdivision with more than 500 dwelling units in accordance with the Subdivision Map Act (Section 66473.7); and,</i></p>	
Finding 3:	<p>The project consists of a 30-lot residential subdivision; therefore, a water supply assessment is not required, because the number of dwelling units will be fewer than 500. Water facilities are available to provide service to the site subject to the conditions listed in the Department of Public Utilities comments dated July 19, 2023.</p>
<p>4. <i>Infrastructure Capacity.</i> <i>There exists sufficient infrastructure capacity for water, runoff, storm water, wastewater, and solid waste systems to serve the proposed subdivision; and,</i></p>	
Finding 4:	<p>The project was reviewed by appropriate partner agencies including City of Fresno Department of Public Utilities (DPU), Fresno Irrigation District (FID), and Fresno Metropolitan Flood Control District (FMFCD) and it was determined from the DPU memorandum dated July 19, 2023 and FMFCD memorandum dated August 7, 2023 that there is sufficient infrastructure capacity for water, runoff, storm water, wastewater, and solid waste systems to serve the proposed subdivision, subject to compliance with conditions of approval dated April 2, 2025.</p>
<p>5. <i>Compliance with Floodplain Regulations.</i> <i>The proposed subdivision is compliant with the City of Fresno Floodplain Management Ordinance and the State of California Code of Regulations Title 23, as well as any other applicable State or federal laws.</i></p>	
Finding 5:	<p>The proposed project site is not located within a designated floodplain or floodway as determined by the Fresno Metropolitan Flood Control District memorandum dated August 7, 2023.</p>

PLANNED DEVELOPMENT FINDINGS

A Planned Development shall only be approved if all of the following findings are made:

Findings per Fresno Municipal Code Section 15-5905	
<i>A. The proposed development 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, any applicable operative plan, and adopted policies, including the density and intensity limitations that apply; and,</i>	
Finding A:	<p>The subject property is located within the Fresno General Plan and the Roosevelt Community Plan of which both plans designate the subject property for Low Density Residential (1-3.5 dwelling units per acre (du/ac)) planned land uses. The proposed plan amendment proposes to change the planned land use designation to Medium Density Residential (5-12 du/ac). Vesting Tentative Tract Map No. 6441 proposes a 30-lot residential subdivision on approximately 3.90 acres of property at a density of 7.69 du/ac.</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> <p>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.</p> <p><u>Objectives</u></p> <p>Objective UF-1: Emphasizes the opportunity for a diversity of districts, neighborhoods, and housing types.</p> <p>Objective LU-5: Calls for a diverse housing stock that will support balanced urban growth and make efficient use of resources and public facilities.</p> <p><u>Policies</u></p> <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> <p>Policy UF-14-b: Promotes connection throughout neighborhoods with adjacent roadways and pathways of existing development.</p> <p>Policy LU-5-c: Promotes medium density residential uses to maximize efficient use of residential property through a wide range of densities.</p> <p>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.</p>

	<p>The proposed project provides for a diverse type of housing in that it is a smaller lot single-family subdivision in an area that is predominately rural residential with larger lots. This fosters a variety of market-based options for living in this area to suit a large range of income levels. The project promotes medium density residential uses that maximize an efficient use of the residentially zoned property. This subdivision is directly adjacent and connected to a previously approved subdivision (Tract 6299) that provides amenities for residents, including an approximately 22,089 square-foot open space area.</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 subject site is physically suitable for the type and intensity of the land use being proposed; and,</i></p>	
Finding B:	<p>The concurrent plan amendment and rezone applications propose to change the planned land use of the subject property from Low Density Residential to Medium Density Residential, which is consistent with the proposed zone change to the RS-5/UGM (<i>Single-Family Residential, Medium Density/Urban Growth Management</i>) zone district. The concurrent application for a Tentative Tract Map proposes the development of a 30-lot residential subdivision at an allowable density under the Fresno General Plan as noted above, i.e. 7.69 dwelling units per acre (du/ac), within the Medium Density Residential (5-12 du/ac) planned land use. The site is characterized by relatively flat, undeveloped land. The proposed development is consistent with the surrounding land uses, which are predominantly single-family residential properties with comparable densities. The Environmental Assessment concludes that the project would not result in significant impacts. Therefore, the subject site is physically suitable for the type and intensity of the land use being proposed.</p>
<p><i>C. Adequate transportation facilities, utilities, and public services exist or will be provided, in accord with the conditions of PD approval, to serve the proposed development; and the approval of the proposed development will not result in a reduction of public services so as to be a detriment to public health, safety, or welfare; and,</i></p>	
Finding C:	<p>The project will front onto East Belmont Avenue, which is an arterial street. There are currently no FAX bus facilities serving the site, however with more development, this may increase the need for bus service. It should be noted that the closest FAX bus facility is approximately 1.75 miles from the subdivision entrance at the intersection of East Belmont and North Clovis Avenues. The project was routed to both the Fire Department and the Department of Public Utilities, which these departments have appropriately conditioned the project in order to provide services to the project. The Department of Public Utilities memorandum dated July 19, 2023, requires construction of an 8-inch sanitary sewer main (including sewer house branches to adjacent properties) in East Belmont Avenue from the existing 8-inch sewer main in East Belmont Avenue located west of the subject property to the east property line of the subject property. For water service, required infrastructure improvements and facilities include installation of water mains within the interior of the proposed tract to connect to the existing 12-inch water main located in East Belmont Avenue, providing an adequate, reliable, and sustainable water supply for</p>

	<p>the project's urban domestic and public safety consumptive purposes. Additionally, no water connections shall be allowed to the 72-inch non-potable raw water steel main located in East Belmont Avenue.</p> <p>Based upon the foregoing, the conditions of approval and the size of the development, the project is not proposed in size or scope which would result in a reduction of public services so as to be a detriment to public health, safety, or welfare.</p>
<p><i>D. The proposed development will not have a substantial adverse effect on surrounding land uses and will be compatible with the existing and planned land use character of the surrounding area; and,</i></p>	
Finding D:	<p>Planning and Development Department staff have determined that the proposed use will not have a substantial adverse effect on surrounding land uses if developed in accordance with the various conditions and requirements established through the related vesting tentative tract map application review and planned development application review process. The proposed development is consistent with the surrounding land uses, which primarily consist of single-family residential properties with comparable densities. To the west, the area is characterized by a single-family housing development, while to the east, the land is designated for single-family residential uses.</p>
<p><i>E. The proposed development is demonstratively superior to the development that could occur under the standards applicable to the underlying base district, and will achieve superior community design, environmental preservation, and/or substantial public benefit. In making this determination, the following factors should be considered:</i></p> <ol style="list-style-type: none"> <i>1. Appropriateness of the use(s) at the proposed location;</i> The project site is zoned and planned for single-family residential uses. The project proposes a rezone to change the property from RS-3 to RS-5, which increases the density allowed on the site. However, no changes to the type of development (i.e., residential) are proposed. In addition, the site is adjacent to an existing residential subdivision (Tract No. 6299) that is developed at a density of 7.79 du/ac, similar to the proposed project. <i>2. The mix of uses, housing types, and housing price levels;</i> The planned development gives an alternative option to home ownership that is more affordable by design by providing a mainstream, small lot format with less maintenance expenses. <i>3. Provision of infrastructure improvements;</i> The project site is in proximity to existing water and sewer mains. The project would include connection to the city's public utilities and infrastructure improvements such as the construction of sidewalks, roadways, curb, gutter, streetlights, etc. <i>4. Provision of open space. For example, a greater amount of open space than would otherwise be provided under the strict application of this code;</i> The proposed project does not reduce the amount of open space as required in the current code of ordinances. 	

5. *Connectivity to public trails, schools, etc.;*

The project would improve connectivity to public institutions and spaces since it would provide infrastructure (sidewalks, roadways) improvements. Additionally, there is a planned Class I Trail approximately one-quarter mile away to the west along South Armstrong Avenue that will also provide further connectivity to the Fancher Creek commercial center.

6. *Compatibility of uses within the development area;*

The proposed project is appropriate for the site because of the land use designation and because it's an infill lot primed for residential development compatible with the surrounding area. In addition, the site is adjacent to an existing residential subdivision (Tract No. 6299) that is developed at a density of 7.79 du/ac, similar to the proposed project.

7. *Creativity in design and use of land;*

The proposed project provides a creative design and use of land by providing a compact, single-family development on 3.90 acres.

8. *Quality of design, and adequacy of light and air to the interior spaces of the buildings;*

The project does not request modification to the interior side setbacks and height of the buildings, thus the adequacy of light and air to interior spaces are not affected. While the rear setback has become smaller, the proposed 5 feet would still provide adequate light and air into the interior spaces of the buildings, especially since the height of the buildings are restricted to 35 feet.

9. *Overall contribution to the enhancement of neighborhood character and to the built and natural environment of Fresno in the long term.*

The proposed project provides a compact and higher density design of single-family subdivision for a more affordable housing choice. This brings benefits to the natural environment as it does not encourage sprawl and reduces Vehicle Miles Traveled and Greenhouse Gases caused by traffic.

Finding E:

Please see analysis in the box above. Additionally, the subject property is planned and zoned for single-family residential uses. The planned development gives the prospective home buyers the option of purchasing a mainstream type of home with less annual expense on yard maintenance and water consumption. Multiple exterior elevations with various architectural styles will be a standard option for home buyers. All required infrastructure improvements will be constructed by the project applicant.

The planned development helps provide for a larger mix of housing and home types to ensure a more affordable community that appeals to a wider variety of home buyer needs. In the long term, the proposed development will be compatible with the surrounding existing and planned land uses in the area.

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.