

**Plan Amendment and Rezone Findings**

Based upon analysis of the application and subject to the applicant’s compliance with all of the conditions of approval noted, staff concludes that the following required findings of Section 15-5812 of the FMC can be made.

| <b>FINDINGS PER FRESNO MUNICIPAL CODE SECTION 15-5812.</b>  |   |
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| <i>Finding A:</i>   | The change is consistent with the General Plan goals and policies, any operative plan, or adopted policy;   |
| a. As outlined in the “Land Use Plans and Policies” discussion above, the application is consistent with the General Plan goals and policies, the Woodward Park Community Plan, and other adopted policies.   |   |
| <i>Finding B:</i>   | The change is consistent with the purpose of the Development Code to promote growth in orderly and sustainable manner, and to promote and protect the public health, safety, peace, comfort, and general welfare;       |
| b. As outlined in the “Land Use Plans and Policies” discussion above, the application is consistent with the purpose of the Development Code to promote growth in an orderly and sustainable manner, support infill development, and to promote and protect the public health, safety, peace, comfort, and general welfare;   |   |
| <i>Finding C:</i>   | The change necessary to achieve balance of land uses desired by City to provide needed housing or employment-generated uses, consistent with GP, increase inventory of land within zone district to meet market demand. |
| c. The change in land use will achieve a balance of land uses desired by the City to provide needed housing or employment-generated uses, consistent with the General Plan, as Shepherd Avenue is already sufficiently developed with single-family residential uses. This project provides an increased inventory of land within this type of zone district to meet market demand for multi-family housing in a manner which supports the Complete Neighborhood Concepts included within the General Plan. |   |

**Development Permit Findings**

Based upon analysis of the application included in this staff report and the associated environmental assessment, and subject to the applicant’s compliance with all of the conditions of approval noted, staff concludes that the following required findings of Section 15-5206 of the FMC can be made.

| <b>FINDINGS PER FRESNO MUNICIPAL CODE SECTION 15-5206.</b>   |
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| 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: |

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| <i>Finding A:</i>  | The applicable standards and requirements of this Code.   |
| <p>a. The project, as proposed, meets the required setbacks for residences and from adjacent single-family uses. Buildings, carports and parking stalls are located near the center of the property and setback a minimum of 10-feet from the adjacent church use, and 20 to 40 feet from adjacent residential uses in conformance with Development Code requirements. As proposed, the project is in compliance with codified requirements for buffer landscaping which necessitates planting and irrigation responsibilities for the property owner. Therefore, this request to construct 34 multiple-family residences complies with the requirements of the Development Code.</p>                                  |   |
| <i>Finding B:</i>  | The General Plan and any operative plan or policies the City has adopted.   |
| <p>b. The proposed project is compliant with the goals and objectives of the Fresno General Plan and Woodward Park Community Plan. These objectives include affording peace and privacy to sensitive uses on neighboring property through the provision of appropriate interface and adjacency standards between different land uses. The separation of multi-story structures and carports from neighboring residential properties mandates that vehicular access/circulation aisles and off-street parking facilities be afforded around the perimeter of the subject property. Required setbacks for structures and parking stalls from interior property lines have been incorporated into the project design.</p> |   |
| <i>Finding C:</i>  | Any applicable design guidelines adopted by the City Council; and   |
| <p>c. The project, as proposed, will not be detrimental or injurious to property or improvements in the vicinity, and will not be detrimental to the public health, safety, general welfare, or convenience, nor the preservation and conservation of open space lands. The granting of approval will comply with design guidelines of the Development Code, including building facade and design, building heights, parking lot configuration, and open space, while affording appropriate interface adjacent to sensitive land uses.</p>   |   |
| <i>Finding D:</i>  | Any approved Tentative Map, Conditional Use Permit, Variance, or other planning or zoning approval that the project required. |
| <p>d. There are no other required approvals other than the Plan Amendment and Rezone for which separate findings have been made, above.</p>  |   |

Development Permit Application No. D-16-031, subject to the recommended conditions of approval, complies with the design and property development standards of the Fresno Municipal Code. Based upon the plans and information submitted by the applicant and the recommended conditions of project approval, staff has determined that these findings can be made.