

FRESNO MUNICIPAL CODE FINDINGS

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Development Code Text Amendment Findings

Section 15-5811 of the Fresno Municipal Code provides that the Planning Commission shall not recommend and the City Council shall not approve an application unless the proposed amendment meets the following criteria:

Criteria A-1: The Code text amendment 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 Sections 21670-21679.5, and any applicable operative plans.

Finding A-1: The Development Code Text Amendment is consistent with the General Plan, including the Housing Element. Consistent with Policy UF-1-d and Objective LU-2, the Code Text Amendment would clarify regulations related to a range of housing types, therefore improving access and certainty to those who would want to develop them. The types of housing addressed in the Code Text Amendment include manufactured homes and ADUs, which are more likely to be used on infill lots, therefore, the Code Text Amendment would help implement Objective UF-12 and Policy LU-1-a.

The Code Text Amendment directly supports the implementation of Housing Element Program 25, which outlines a requirement to update the ADU ordinance to be consistent with State law, to amend parking requirements for ADUs, to permit agricultural labor housing where ag uses are permitted, to update the use of “family” to “unit” where discussing housing units, and expanding the definition of tiny homes to allow for homeownership opportunities.

The Code Text Amendment contains primarily clarifying edits to the Development Code and therefore does not increase development potential within the Airport Influence Areas.

Criteria A-2: The amendment 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.

Finding A-2: The Code Text Amendment contains changes to the Code that clarify housing regulations, implement the Housing Element, improve consistency with State law, and help to remove barriers to housing production. Therefore, the Code Text Amendment is consistent with the purpose of the Development Code in that it supports achieving the goals, objectives, and policies of the General Plan, the provision of a precise guide for the physical development of the city, and provision for the housing needs of all economic segments of the community.

Plan Amendment 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 proposed Rezone or Plan Amendment meets the following criteria:

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

Finding A: The Development Code Text Amendment would lower the minimum density of the RM-MH zone district from 12 dwelling units per acre to eight dwelling units per acre, therefore Table 3-1 of the Fresno General Plan needs to be amended to ensure consistency between both documents. As stated above, the Code Text Amendment supports General Plan policies to increase housing options, especially in infill areas. Therefore, revising Table 3-1 is also in support of General Plan policies and is therefore consistent with the General Plan.

Criteria 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.

Finding B: The Code Text Amendment contains changes to the Code that clarify housing regulations, implement the Housing Element, improve consistency with State law, and help to remove barriers to housing production. Therefore, the Code Text Amendment is consistent with the purpose of the Development Code in that it supports achieving the goals, objectives, and policies of the General Plan, the provision of a precise guide for the physical development of the city, and provision for the housing needs of all economic segments of the community. Revising the General Plan to reflect the amendments to the Development Code is also in furtherance of the Development Code purpose of providing for orderly growth and promotion of the public health safety and welfare.

Criteria 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.

Finding C: The change to Table 3-1 of the Fresno General Plan is necessary to ensure clarity with respect to housing density requirements for the RM-MH zone district, to be consistent with the proposed Development Code Text Amendment. Clarity improves certainty, which is needed to support housing development.