

EXHIBIT E – FRESNO MUNICIPAL CODE 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 Text Amendment meets Criteria A (1 and 2) as noted below.

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; and

The purpose of the proposed Text Amendment is to amend Sections 15-1302, 15-4907, 15-5102, 15-6702, 15-6802 of the Fresno Municipal Code, repealing Section 15-1106 of the Fresno Municipal Code, and establishing Section 15-2742.5 of the Fresno Municipal Code, to permit ministerial approval of housing projects Citywide. Text Amendment Application No. P24-00794 has been examined with respect to its consistency with the Fresno General Plan and it has been concluded that the proposed Text Amendment is consistent with the following General Plan Policies:

Policy ED-1-d: **Strategic Land Regulation.** Explore increasing the amount of land properly zoned, consistent with the General Plan, and ready to be expeditiously developed, redeveloped, and/or revitalized for economic development and job creation purposes. Establish a priority infill development program for sites and districts.

Text Amendment Application No. P24-00794 supports Policy ED-1-d of the Fresno General Plan in that it will allow for ministerial approval of multi-unit residential uses in the NMX, CMX, RMX, CMS, and CR zone districts on parcels within the City's Infill Priority Area. This will further support a streamlined process for housing projects within the aforementioned mixed-use zone districts – resulting in an expeditious review of qualifying housing projects Citywide. In addition, eligible projects which qualify for ministerial, streamlined approval must be located on sites zoned mixed use which are located in the City's Infill Priority Area to further incentivize the development of housing projects located within City limits.

Policy UF-1-a: **Diverse Neighborhoods.** Support development projects that provide Fresno with a diversity of urban and suburban neighborhood opportunities.

Policy UF-1-d: **Range of Housing Types.** Provide for diversity and variation of building types, densities, and scales 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.

Policy UF-12-d: **Appropriate Mixed Use.** Facilitate the development of vertical and horizontal mixed-uses to blend residential, commercial, and public land uses on one or adjacent sites. Ensure land use compatibility between mixed-use districts in Activity Centers and the surrounding residential neighborhoods.

Text Amendment Application No. P24-00794 is consistent with the above-referenced Policies of the Fresno General Plan in that it proposes to further expand zones where housing is permitted to allow housing projects in office zone districts for both new construction of residential uses and conversion of existing office buildings to residential uses. In addition, the Text Amendment proposes ministerial approval of multi-unit residential uses in the NMX, CMX, RMX, CMS, and CR zone districts on parcels within the City's Infill Priority Area and in the RM-1, RM-2 and RM-3 zones located within one-half mile of a bus stop – further supporting the streamlined approval of housing projects on qualifying parcels. For these reasons, the proposed Text Amendment which will promote a range of uses from residential and commercial to facilitate the creation of diverse neighborhoods Citywide, therefore supporting the above-mentioned Policies of the Fresno General Plan.

Policy UF-12-a: **BRT Corridors.** Design land uses and integrate development site plans along BRT corridors, with transit-oriented development that supports transit ridership and convenient pedestrian access to bus stops and BRT station stops.

HC-2-d: **Mobility for Carless Population.** Improve multi-modal mobility for populations that do not have access to a car by connecting neighborhoods to major destinations, including parks; civic facilities; educational institutions; medical facilities; employment centers; shopping destinations; and recreation areas.

LU-5-f: **High Density Residential Uses.** Promote high-density residential uses to support Activity Centers and BRT Corridors, and walkable access to transit stops.

HC-2-a: **Healthy Neighborhoods.** Promote the design of Complete Neighborhoods whose physical layout and land use mix allow for walking to local stores and services, biking, and transit use; foster community pride; enhance neighborhood identity; encourage public safety; are family-friendly; and address the needs of residents of all ages and abilities.

UF-12-b:

Activity Centers. Mixed-use designated areas along BRT and/or transit corridors are appropriate for more intensive concentrations of urban uses. Typical uses could include commercial areas; employment centers; schools; compact residential development; religious institutions; parks; and other gathering points where residents may interact, work, and obtain goods and services in the same place.

Text Amendment Application No. P24-00794 supports the above-mentioned policies of the Fresno General Plan in that it includes provisions that would permit ministerial approval of multi-unit residential development in the RM-1, RM-2, and RM-3 zone districts on parcels located within half a mile of an existing bus stop, further supporting multi-mobility uses by incentivizing residential uses adjacent to transit stops. In addition, the proposed Text Amendment would allow for ministerial approval of multi-unit residential uses in the NMX, CMX, RMX, CMS, and CR zone districts. These zone districts include a significant concentration along the City's Bus Rapid Transit (BRT) Corridors – those of which would promote complete neighborhoods and concentrate mixed-use designations along transit corridors. As a result, the proposed Text Amendment will incorporate a variety of uses that not only promote walkability but contribute to healthier neighborhoods Citywide.

LU-1-a:

Promote Development. 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.

LU-2-a:

Infill Development and Redevelopment. 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.

Text Amendment Application No. P24-00794 aligns with both Policy LU-1-a and LU-2-a of the Fresno General Plan in that it supports infill development and development of vacant, underutilized sites. The Text Amendment proposes ministerial, streamlined approval of housing projects which are located on parcels zoned RM-1, RM-2 and RM-3 and within one-half mile of an existing bus stop – further promoting development on parcels in proximity to transit that are concentrated within existing city limits. In addition, Text Amendment Application No. P24-00794 proposes ministerial, streamlined approval of housing projects in the NMX, CMX, RMX, CMS and CR zones, many of which are located in the City's Infill Priority Area and along existing Bus Rapid Transit Corridors. This also further prioritizes infill development, directly supporting both General Plan Policies LU-1-a and LU-1-2. This Text Amendment also proposes both the conversion of existing office uses to multi-unit residential uses and the construction of new multi-unit residential uses on vacant parcels zoned Office. Permitting the conversion of office

buildings to multi-unit residential provides additional opportunities for housing in existing underutilized office buildings. In addition, permitting the development of multi-unit residential on vacant parcels zoned Office further supports development within City limits on existing vacant parcels. For these reasons, Text Amendment Application No. P24-00794 directly supports the above-mentioned policies of the Fresno General Plan.

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.

The proposed Text Amendment is consistent with the purpose of the Development Code, in that it will promote the growth of the city in an orderly and sustainable manner by establishing ministerial approval of housing projects on parcels zoned RM-1, RM-2 and RM-3 that are within one-half mile of a bus stop. This further promotes orderly and sustainable development by concentrating housing adjacent to public transit. In addition, the Text Amendment also proposes ministerial approval of housing projects in various mixed-use zones Citywide, many of which are located along the City's Bus Rapid Transit Corridor. This provision further supports future development in an orderly manner, by facilitating the concentration of housing in higher density zones and in proximity to high-frequency transit. Furthermore, the Text Amendment proposes ministerial approval of a new use classification which would allow the conversion of existing office buildings in the Office zone to multi-unit residential uses. Promoting the conversion and reuse of existing structures facilitates development in a sustainable and efficient manner. In addition, the proposed Text Amendment will protect the public health, safety, peace, comfort and general welfare in that the Text Amendment permits ministerial approval of applicable housing projects located on parcels within one-half mile of existing bus stops. Providing streamlined approval of housing projects in proximity to transit reduces reliance on vehicular travel, therefore, reducing Vehicle Miles Traveled (VMT) and contributing to a healthier, safer environment. In addition to further reducing VMT by locating housing near office uses, this Text Amendment seeks to promote the accessibility of housing and office related uses to provide live and work opportunities in proximity to one another – further contributing to the overall peace and comfort of the general public. For these reasons, the proposed Text Amendment is consistent with the Development Code and will protect the public health, safety, peace, comfort, and general welfare.