

Exhibit H

**FRESNO MUNICIPAL CODE FINDINGS
ANNEXATION APPLICATION NO. P24-04526
PRE-ZONE APPLICATION NO. P24-04527
VESTING TENTATIVE TRACT MAP NO. 6502
PLANNED DEVELOPMENT PERMIT APPLICATION NO. P25-00027**

ANNEXATION APPLICATION FINDINGS

Section 15-6104 of the Fresno Municipal Code provides that Annexations shall not be approved unless the proposed annexation meets all of the following criteria:

Findings per Fresno Municipal Code (FMC) Section 15-6104	
A. <i>Concept Plan.</i> <i>If land proposed for annexation is required to create a Concept Plan per Section 15-6102, the Concept Plan must be created and adopted prior to annexation.</i>	
Finding A:	Pursuant to FMC Section 15-6102.B.2.a, this proposed project is not required to create a Concept Plan because there is no more undeveloped land within the Concept Plan Area with a residential land use designation.
B. <i>Plan Consistency.</i> <i>The proposed annexation and parcel configuration 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, Concept Plan, and any applicable operative plan; and</i>	
Finding B:	<p>The project is consistent with the following Fresno General Plan goals and objectives related to land use and the urban form:</p> <p>Goal 13: Emphasize the City as a role model for good growth management planning, efficient processing and permit streamlining, effective urban development policies, environmental quality, and a strong economy. Work collaboratively with other jurisdictions and institutions to further these values throughout the region.</p> <p>Objective LU-1: Establish a comprehensive citywide land use planning strategy to meet economic development objectives, achieve efficient and equitable use of resources and infrastructure, and create an attractive living environment in accordance with Goal 13 of the Fresno General Plan (see above).</p> <p>Policy LU-1-e calls for adopting implementing policies and requirements that achieve annexations to the City that conform to the General Plan planned land use designations and open space and park system, and are revenue neutral and cover all costs for public infrastructure, public facilities, and public services on an ongoing basis consistent with the requirements of ED-5-b.</p> <p>Policy ED-5-b requires new residential and commercial development that requires annexation to the City to pay its fair and proportional share of needed community improvements through impact fees, assessment districts, and other mechanisms. Approve new residential and commercial development projects that require annexation to the City only after making findings that all of the following conditions are met:</p> <ul style="list-style-type: none"> • No City revenue will be used to replace or provide developer funding that has or would have been committed to any mitigation project;

- The development project will fully fund public facilities and infrastructure as necessary to mitigate any impacts arising from the new development;
- The development project will pay for public facilities and infrastructure improvements in proportion to the development's neighborhood and citywide impacts; and,
- The development will fully fund ongoing public facility and infrastructure maintenance and public service costs.

Vesting Tentative Tract Map No. 6502 (T-6502) is required to pay its fair share and proportional share of needed community improvements through impact fees, assessment districts, and other mechanisms, including Community Facilities District (CFD) No. 18 providing for Fire and Police services. CFD No. 18 applies to projects that have a proposed single-family or multi-family development on property that has been annexed into the City after October 20, 2022. Furthermore, required connections to City sewer and water will require the property owner to connect and pay all costs associated with those connections, and not requiring the City to pay for the cost of those connections. Conditions of approval and mitigation measures assure the annexation area remains revenue neutral and will cover all costs for public infrastructure, public facilities, and public services on an ongoing basis consistent with the requirements of Fresno General Plan Policy ED-5-b. The developer for T-6502 will be required to pay applicable fees and develop the land according to the requirements for T-6502. Therefore, (1) No City revenue will be used to replace or provide developer funding that has or would have been committed to any mitigation project; (2) T-6502 will fully fund public facilities and infrastructure as necessary to mitigate any impacts; (3) T-6502 will pay for public facilities and infrastructure improvements in proportion to the development's neighborhood and citywide impacts; and, (4) T-6502 will fully fund ongoing public facility and infrastructure maintenance and public service costs.

Policy PU-3-h calls for developing annexation strategies to include the appropriate rights-of-way and easements necessary to provide cost effective emergency services.

The proposed pre-zone will pre-zone approximately 23.56 acres of property from the Fresno County AE-20 (*Exclusive Agricultural*) zone district to the City of Fresno RS-4 (*Single-Family Residential, Medium Low Density*) zone district; and approximately 17.6 acres of the subject property from the Fresno County AE-20 (*Exclusive Agricultural*) zone district to the City of Fresno OS (*Open Space*) zone district, consistent with the current planned land use designations (Medium Low Density Residential and Open Space – Ponding Basin) of the Fresno General Plan and McLane Community Plan.

The proposed project is located within the area of influence under the Fresno County Airport Land Use Compatibility Plan (ALUCP). The project is in Traffic Pattern Zone 6. Zone 6 has no limit on the dwelling units per acre and requires review for structures over 100 feet tall. The proposed peak height of the project is conditioned to be no taller than 35 feet (maximum height requirement of the RS-4 zone district). Therefore, the proposed project is compatible and in compliance with the Fresno County ALUCP.

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.

	Subject to compliance with the conditions of approval, the proposed project may be found consistent with all applicable local ordinances, regulations, policies and standards.
<p><i>C. Revenue Neutrality.</i></p> <ol style="list-style-type: none"> <i>1. Public Services, Facilities, and Utilities. Adequate public services, facilities, and utilities meeting City standards are available to the lands proposed for annexation or will be provided within a specific period of time, with financial guarantees and performance requirements, to ensure this will occur.</i> <i>2. Fair and Proportional Payments. Projects requiring annexation will not negatively impact City finances.</i> <ol style="list-style-type: none"> <i>a. No City revenue will be used to replace or provide developer funding that has or would have been committed to any mitigation project.</i> <i>b. The development project will fully fund public facilities and infrastructure as necessary to mitigate any impacts arising from the new development.</i> <i>c. The development project will pay for public facilities and infrastructure improvements in proportion to the development's neighborhood and citywide impacts.</i> <i>d. The development will fund its proportionate share of public facility infrastructure, maintenance and public service costs according to the City Council approved Development Impact Fee Schedule and through a uniform application of community facilities district fees.</i> 	
Finding C:	<p>Vesting Tentative Tract Map No. 6502 (T-6502) is required to pay its fair and proportional share of needed community improvements through impact fees, assessment districts, and other mechanisms, including Community Facilities District (CFD) No. 18 providing for Fire and Police services. CFD No. 18 applies to projects that have a proposed single-family or multi-family development on property that has been annexed after October 20, 2022, and would apply to T-6502. Furthermore, required connections to City sewer and water will require the property owner to connect and pay all costs associated with those connections, and not requiring the City to pay for the cost of those connections. Conditions of approval and mitigation measures will assure the annexation area remains revenue neutral and will cover all costs for public infrastructure, public facilities, and public services on an ongoing basis consistent with the requirements of Fresno General Plan Policy ED-5-b. Therefore, (1) No City revenue will be used to replace or provide developer funding that has or would have been committed to any mitigation project; (2) T-6502 will fully fund public facilities and infrastructure as necessary to mitigate any impacts; (3) T-6502 will pay for public facilities and infrastructure improvements in proportion the development's neighborhood and citywide impacts; and, (4) T-6502 will fully fund ongoing public facility and infrastructure maintenance and public service costs.</p>
<p><i>D. Disadvantaged Unincorporated Communities. The City will partner with the community, if there is wide support for annexation, to coordinate terms to initiate and support the annexation process.</i></p>	

Finding D:	The proposed project is not located within a Disadvantaged Unincorporated Community, as shown in Figure LU-3: Disadvantaged Unincorporated Communities of the Fresno General Plan.
<i>E. LAFCO Approval. The annexation shall be approved by the Local Agency Formation Commission (LAFCO) of Fresno.</i>	
Finding E:	The proposed Pre-zone Application No. P24-04527 has been filed to facilitate annexation of approximately 39.51 acres of land within the subject property boundary to the City of Fresno as well as detachment from the Kings River Conservation District and the Fresno County Fire Protection District in accordance with Annexation Application No. P24-04526. The combination of these actions comprises the proposed McKinley-Temperance No. 1b Reorganization and ultimately fall under the jurisdiction of the Fresno Local Area Formation Commission (LAFCO). An affirmative action by the Fresno City Council regarding Annexation Application No. P24-04526 will authorize the filing of an application with LAFCO to initiate proceedings for the consideration of the proposed McKinley-Temperance No. 1b Reorganization.

PRE-ZONE APPLICATION FINDINGS

Section 15-5812 of the Fresno Municipal Code provides that the Planning Commission and City Council shall not approve an application unless the proposed Pre-zone meets the following criteria:

Findings per Fresno Municipal Code Section 15-6103	
<i>A. The change is consistent with the General Plan goals and policies, any operative plan, or adopted policy;</i>	
Finding A:	<p>The project is consistent with the following Fresno General Plan goals and objectives related to land use and the urban form:</p> <ul style="list-style-type: none"> • 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. • Goal 13: Emphasize the City as a role model for good growth management planning, efficient processing and permit streamlining, effective urban development policies, environmental quality, and a strong economy. Work collaboratively with other jurisdictions and institutions to further these values throughout the region. • Objective UF-1 emphasizes the opportunity for a diversity of districts, neighborhoods, and housing types. • Policy UF-1-a supports development projects that provide Fresno with a diversity of urban and suburban neighborhood opportunities. • 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.

	<ul style="list-style-type: none"> • Objective LU-5 calls for a diverse housing stock that will support balanced urban growth and make efficient use of resources and public facilities. • Policy LU-5-b promotes medium low density residential uses to preserve existing uses of that nature or provide a transition between low and medium density residential areas. • Policy LU-5-h supports housing that offers residents a range of amenities, including public and private open space, landscaping, and recreation facilities with direct access to commercial services, public transit, and community gathering spaces. • 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>The proposed project provides for a diverse housing type in that there is a portion of the subdivision that is private development allowing for a smaller home build. 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 low density residential uses that provide a transition for future medium density residential uses to the south from other low density residential uses from the west. The proposed subdivision includes both public streets with larger lots that comply with the RS-4 zone district development standards and a private portion of the subdivision that is gated with smaller lots for a varied product that promotes innovative lot designs and patterns that enhance community livability in residential neighborhoods with flexible development standards. The proposed project includes an approximately 11,522 square-foot open space area along the eastern subdivision boundary, centrally located and connecting to the Class I pedestrian and bicycle trail. The open space area is located within the public street portion of the subdivision, thus both the residents of the public street and private street portions of the subdivision have access to it.</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 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 project site is located within an area which has primarily developed various residential neighborhoods. The subject property is a logical location for further residential expansion, as the subject site is served with public facilities and services needed to provide for increased housing opportunities and is currently planned for single-family residential uses in the Fresno General Plan.</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>Approval of Annexation Application No. P24-04526, Pre-zone Application No. P24-04527, Vesting Tentative Tract Map No. 6502 (T-6502), and Planned Development Permit Application No. P25-00027 would help contribute to fulfilling the housing needs of the region and increase the inventory of land within the RS-4 zone district</p>

	to meet market demand. Furthermore, T-6502, once developed, will contribute to the housing inventory for the City.
--	--

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. 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 A:	<p>The subject property is located within the Fresno General Plan and the McLane Community Plan of which both plans designate the subject property for Medium Low Density Residential (3.5-6 dwelling units per acre (du/ac)) planned land uses. Vesting Tentative Tract Map No. 6502 proposes a 119-lot single-family residential subdivision on approximately 23.56 acres at a density of 5.05 du/ac.</p> <p>The project is consistent with the following Fresno General Plan goals and objectives related to land use and the urban form:</p> <ul style="list-style-type: none">• 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.• Goal 13: Emphasize the City as a role model for good growth management planning, efficient processing and permit streamlining, effective urban development policies, environmental quality, and a strong economy. Work collaboratively with other jurisdictions and institutions to further these values throughout the region.• Objective UF-1 emphasizes the opportunity for a diversity of districts, neighborhoods, and housing types.• Policy UF-1-a supports development projects that provide Fresno with a diversity of urban and suburban neighborhood opportunities.• 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.• Objective LU-5 calls for a diverse housing stock that will support balanced urban growth and make efficient use of resources and public facilities.• Policy LU-5-b promotes medium low density residential uses to preserve existing uses of that nature or provide a transition between low and medium density residential areas.• Policy LU-5-h supports housing that offers residents a range of amenities, including public and private open space, landscaping, and recreation facilities

	<p>with direct access to commercial services, public transit, and community gathering spaces.</p> <ul style="list-style-type: none"> • 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>The proposed project provides for a diverse housing type in that there is a portion of the subdivision that is private development allowing for a smaller home build. 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 low density residential uses that provide a transition for future medium density residential uses to the south from other low density residential uses from the west. The proposed subdivision includes both public streets with larger lots that comply with the RS-4 zone district development standards and a private portion of the subdivision that is gated with smaller lots for a varied product that promotes innovative lot designs and patterns that enhance community livability in residential neighborhoods with flexible development standards. The proposed project includes an approximately 11,376 square-foot open space area along the eastern subdivision boundary, centrally located and connecting to the Class I pedestrian and bicycle trail. The open space area is located within the public street portion of the subdivision, thus both the residents of the public street and private street portions of the subdivision have access to it.</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>
B. <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>	
Finding B:	The proposed subdivision has been designed with approximately 75 percent of the lots are oriented with north-south facing exposures and take advantage of passive heating and cooling opportunities to the extent feasible by the subdivision design.
C. <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>	
Finding C:	The project consists of a 119-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 memorandum.
D. <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>	
Finding D:	The project was reviewed by appropriate partner agencies including City of Fresno Department of Public Utilities (DPU) and Fresno Metropolitan Flood Control District (FMFCD), and it was determined from the DPU and FMFCD memorandums 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.

E. Compliance with Floodplain Regulations. <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>	
Finding E:	According to the Fresno Metropolitan Flood Control District (FMFCD) memorandum, the subject property is located within a 100-year flood prone area as designated on the latest Flood Insurance Rate Maps available to the District, necessitating appropriate floodplain management action. As a result; All development shall be properly flood-proofed below the calculated water surface elevation of the 100-year flood event; All development and/or permanent improvement activity which, if located within the primary floodway, may unduly impede, retard, or change the direction of flow of water either, by itself, or by the catching or collecting of other debris or is placed where the flow of water could carry such obstruction downstream to the damage or detriment of either life or property, will not be permitted; and, Development proposed to be constructed in a manner which would cause displacement of any and all floodwaters from that portion of the flood plain to be developed will not be permitted.

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	
A. <i>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 pursuant to California Public Utilities Code Sections 21670-21679.6, any applicable operative plan, and adopted policies, including the density and intensity limitations that apply; and,</i>	
Finding A:	<p>The project is consistent with the following Fresno General Plan goals and objectives related to land use and the urban form:</p> <ul style="list-style-type: none"> • 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. • Goal 13: Emphasize the City as a role model for good growth management planning, efficient processing and permit streamlining, effective urban development policies, environmental quality, and a strong economy. Work collaboratively with other jurisdictions and institutions to further these values throughout the region. • Objective UF-1 emphasizes the opportunity for a diversity of districts, neighborhoods, and housing types. • Policy UF-1-a supports development projects that provide Fresno with a diversity of urban and suburban neighborhood opportunities. • 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

	<p>for living and working to suit a large range of income levels, and further affordable housing opportunities throughout the city.</p> <ul style="list-style-type: none"> • Objective LU-5 calls for a diverse housing stock that will support balanced urban growth and make efficient use of resources and public facilities. • Policy LU-5-b promotes medium low density residential uses to preserve existing uses of that nature or provide a transition between low and medium density residential areas. • Policy LU-5-h supports housing that offers residents a range of amenities, including public and private open space, landscaping, and recreation facilities with direct access to commercial services, public transit, and community gathering spaces. • 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>The proposed project provides for a diverse housing type in that there is a portion of the subdivision that is private development allowing for a smaller home build. 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 low density residential uses that provide a transition for future medium density residential uses to the south from other low density residential uses from the west. The proposed subdivision includes both public streets with larger lots that comply with the RS-4 zone district development standards and a private portion of the subdivision that is gated with smaller lots for a varied product that promotes innovative lot designs and patterns that enhance community livability in residential neighborhoods with flexible development standards. The proposed project includes an approximately 11,376 square-foot open space area along the eastern subdivision boundary, centrally located and connecting to the Class I pedestrian and bicycle trail. The open space area is located within the public street portion of the subdivision, thus both the residents of the public street and private street portions of the subdivision have access to it.</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>	
<p>Finding B:</p>	<p>The Fresno General Plan and McLane Community Plan classify the subject property as Medium Low Density Residential (3.5 to 6 dwelling units per acre (du/ac)) and the project is proposing a density of 5.05 du/ac, which is consistent with the planned land use and zoning of the property. The proposed use is also consistent with the surrounding uses, which is vastly comprised of single-family residential uses developed at similar densities.</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:	The project will front onto East McKinley Avenue, which is a collector street. Pursuant to the Fire Department and the Department of Public Utilities memorandums, the project has been appropriately conditioned to provide services to the prospective residents, as well as ensure there will be no negative impacts or a reduction of public services which would result in a detriment to public health, safety or welfare.
<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>	
Finding D:	Planning and Development Department staff have determined that the proposed use will not have a substantial adverse effect on surrounding land residential uses if developed in accordance with the various conditions and requirements established through the related tentative tract map application review and planned development application review process.
<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> <i>2. The mix of uses, housing types, and housing price levels.</i> <i>3. Provision of infrastructure improvements.</i> <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> <i>5. Connectivity to public trails, schools, etc.</i> <i>6. Compatibility of uses within the development area.</i> <i>7. Creativity in design and use of land.</i> <i>8. Quality of design, and adequacy of light and air to the interior spaces of the buildings.</i> <i>9. Overall contribution to the enhancement of neighborhood character and to the built and natural environment of Fresno in the long term.</i> 	
Finding E:	<ol style="list-style-type: none"> <i>1. Appropriateness of the use(s) at the proposed location.</i> The subject property is zoned and planned for single-family residential uses. The project proposes a pre-zone to change the proposed development property from Fresno County AE20 (<i>Exclusive Agriculture</i>) to City of Fresno RS-4 (<i>Single-Family Residential, Medium Low Density</i>), which increases the density permitted on the site. However, no changes to the type of development (i.e., residential) are proposed. Additionally, the site is adjacent to an existing residential subdivision (Tract No. 5434) that is developed at a density of 4.86 du/ac, similar to the proposed project's density of 5.05 du/ac. <i>2. The mix of uses, housing types, and housing price levels.</i> The proposed subdivision includes larger lots on public streets and a portion of the subdivision will be private with smaller lots which 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 subject property is in proximity to existing water and sewer mains. The project

	<p>would include connection to the City's public utilities and infrastructure improvements, such as the construction of curb, gutter, sidewalks, roadways, streetlights, etc.</p> <p>4. <i>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></p> <p>The project proposes an approximately 11,522 square-foot open space area where a minimum of 9,766 square feet is required. The project is providing a greater amount of open space than would otherwise be provided under the strict application of this code.</p> <p>5. <i>Connectivity to public trails, schools, etc.</i></p> <p>The project provides direct connectivity to a public Class I pedestrian and bicycle trail along the eastern and northern subdivision boundaries which connect to existing and planned trails that lead to nearby public schools, including Virginia R. Boris Elementary School.</p> <p>6. <i>Compatibility of uses within the development area.</i></p> <p>The proposed project is appropriate for the site because of the planned land use designation (Medium Low Density Residential) and because it is an infill lot primed for single-family residential development compatible with the surrounding area. Additionally, as previously stated, the subject property is adjacent to an existing single-family residential subdivision (Tract No. 5434) that is developed at a density of 4.86 du/ac, similar to the proposed project's density of 5.05 du/ac.</p> <p>7. <i>Creativity in design and use of land.</i></p> <p>The proposed project provides creativity in design and use of land by providing both standard larger lots on public streets and a private area with smaller compact lots.</p> <p>8. <i>Quality of design, and adequacy of light and air to the interior spaces of the buildings.</i></p> <p>While the private portion of the subdivision has revised setback modifications, it is not proposed with a 0-foot setback, thus providing room on the lot to allow for adequate light and air into the interior spaces of the buildings, especially considering the maximum height of the buildings are restricted to 35 feet, pursuant to Fresno Municipal Code (FMC) Table 15-903-2.</p> <p>9. <i>Overall contribution to the enhancement of neighborhood character and to the built and natural environment of Fresno in the long term.</i></p> <p>Overall, the project positively contributes to the enhancement of the neighborhood character and to the built and natural environment providing for additional larger lots on public streets and compact lots on private streets for a variety of single-family residential development options for the neighborhood.</p>
--	---

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.