

Exhibit "I"
Annexation, Plan Amendment,
Prezone and Tentative Map Findings

FRESNO MUNICIPAL CODE FINDINGS

TENTATIVE PARCEL MAP FINDINGS

The Review Authority may approve or conditionally approve a Tentative Parcel Map or Tentative Map if it makes all the following findings:

Findings per Fresno Municipal Code Section 15-3309	
<i>A. Consistency. 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.</i>	
Finding A:	As outlined in "Land Use Plans and Policies" of the staff report, the proposed project is found to be consistent with all applicable goals, objectives and policies of the Fresno General Plan and Edison Community Plan. Subject to compliance with the Conditions of Approval dated August 2, 2017, the proposed project may be found consistent with all applicable local ordinances, regulations, policies and standards.
<i>B. Passive and Natural Heating and Cooling. A subdivision for which a Tentative Map is required shall provide pursuant to the Map Act (Section 66473.1), to the extent feasible, for future passive or natural heating or cooling opportunities in the subdivision.</i>	
Finding B:	This project does not include a subdivision which requires a Tentative Map.
<i>C. Availability of Water. Water will be available and sufficient to serve a proposed subdivision with more than 500 dwelling units in accordance with the Map Act (Section 66473.7).</i>	
Finding C:	A Water Supply Analysis was conducted by the Department of Public Utilities, dated July 26, 2017, which found that the City's projected supplies for the years 2020 to 2040 are sufficient to provide service to the site.
<i>D. Infrastructure Capacity. There exists sufficient infrastructure capacity for water, runoff, storm water, wastewater, and solid waste systems to serve the proposed subdivision. In cases where existing infrastructure is found to be deficient, plans shall show how sufficient capacity will be provided.</i>	
Finding D:	The project was routed to the appropriate agencies and it was determined that there is sufficient infrastructure capacity for water, runoff, storm water, wastewater, and solid waste systems to serve the proposed project, subject to the conditions listed in the memoranda from the Department of Public Utilities, dated July 12, 2017 and the Fresno Metropolitan Flood Control District, dated July 19, 2017.
<i>E. Compliance with Floodplain Regulations. 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 law.</i>	
Finding E:	The proposed project is not located within a designated floodplain or flood way.

VESTING TENTATIVE PARCEL MAP FINDINGS PURSUANT TO THE MAP ACT

The Director and Planning Commission shall recommend denial and the City Council may only deny a Vesting Tentative Parcel Map application if it makes any of the following findings pursuant to the Subdivision Map Act (California Government Code §§ 66400, *et seq.*):

Findings per Fresno Municipal Code Section 15-3310
<i>A. That the proposed map is not consistent with applicable general and specific plans as specified in Section 65451 of the SMA.</i>
<i>B. That the design or improvement of the proposed subdivision is not consistent with applicable general and specific plans.</i>
<i>C. That the site is not physically suitable for the type of development.</i>
<i>D. That the site is not physically suitable for the proposed density of development.</i>
<i>E. That the design of the subdivision or the proposed improvements are likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat.</i>
<i>F. That the design of the subdivision or type of improvements is likely to cause serious public health problems.</i>
<i>G. That the design of the subdivision or the type of improvements will conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision. In this connection, the governing body may approve a map if it finds that alternate easements, for access of or use, will be provided, and that these will be substantially equivalent to ones previously acquired by the public. This subsection shall apply only to easements of record or to easements established by judgment of a court of competent jurisdiction and no authority is hereby granted to a legislative body to determine that the public at large has acquired easements for access through or use of property within the proposed subdivision.</i>

The subdivision map based on the Subdivision Map Act required findings for denial of a map, cannot be made. Therefore, the map can be approved.

ANNEXATION APPLICATION FINDINGS

Annexation shall not be approved unless the proposed annexation meets all of the following criteria.

Findings per Fresno Municipal Code Section 15-6104	
<i>A. 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:	A Concept Plan is not required for ANX-17-005. This site is part of the draft Southwest Fresno Specific Plan which is almost complete, and therefore as per Section 15-6102-B-2-c is not required to prepare a Concept Plan.
<i>B. The proposed annexation and parcel configuration is consistent with the General Plan, Concept Plan, and any applicable operative plan</i>	
Finding B:	As outlined in "Land Use Plans and Policies" of the staff report, the proposed project is found to be consistent with all applicable goals, objectives and policies of the Fresno General Plan and Edison Community Plan.
<i>C. 1. 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>	
Finding C1:	The project was routed to the appropriate agencies and it was determined that there is sufficient public services, facilities and utilities available serve the proposed project, subject to the conditions listed in the memoranda from: the Department of Public Utilities, Water Division dated July 12, 2017; Fresno Metropolitan Flood Control District, dated July 19, 2017; the Department of Public Utilities, Traffic and Engineering Division, dated July 19, 2017; the Fire Department, dated June 30, 2017.
<i>C2. Projects requiring annexation will not negatively impact City finances.</i>	
<ul 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 C2:	The proposed project will not negatively impact City finances. No City revenue will be used to replace or provide developer funding, the development project will fully fund public facilities and infrastructure as necessary to mitigate any impacts, 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 fund its proportionate share of public facility infrastructure, maintenance and public service costs according to the City Council approved Development Impact Fee Schedule.
D. <i>The City will partner with Disadvantaged Unincorporated Communities, if there is wide support for annexation, to coordinate terms to initiate and support the annexation process.</i>	
Finding D:	This site does not include a Disadvantaged Unincorporated Community, as per General Plan Figure LU-3, Disadvantaged Unincorporated Communities.

Plan Amendment Findings

The Planning Commission shall not recommend and the City Council shall not approve an application unless the proposed amendment meets the following criteria

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;</i>	
Finding A:	As outlined in “Land Use Plans and Policies” of the staff report, the proposed project is found to be consistent with all applicable goals, objectives and policies of the Fresno General Plan and Edison Community Plan. Subject to compliance with the Conditions of Approval dated August 2, 2017, the proposed project may be found consistent with all applicable local ordinances, regulations, policies and standards.
<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.</i>	
Finding B:	The proposed project 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.
<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>	
Finding C:	The change in land use will achieve a balance of land uses desire by the City; it will provide housing and employment generating uses consistent with the General Plan; it will also provide land for a community college in Southwest Fresno.

Prezone Findings

Planning Commission shall not recommend and the City Council shall not approve an application unless the proposed Prezone meets the following criteria.

Findings Per Fresno Municipal Code Section 15-6103	
<i>C-1. 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 pre-zoning</i>	
Finding A:	A Concept Plan is not required for ANX-17-005. This site is part of the draft Southwest Fresno Specific Plan which is almost complete, and therefore as per Section 15-6102-B-2-c, this project is not required to prepare a Concept Plan.
<i>C-2 Property that is subject to annexation shall be pre-zoned consistent with the General Plan, Concept Plan if applicable, and any applicable operative plan per Section 15-6104, Annexation Criteria. If an applicant proposes to pre-zone to different zone districts than those which are consistent with the General Plan, Concept Plan, and other operable plans, then plan amendments which achieve consistency shall be initiated and processed per Article 58, Amendments to Development Code Text Amendment, Rezones, and Plan Amendments prior to pre-zoning.</i>	
Finding B:	This project includes Plan Amendment Application No. A-17-007, the changes in zoning proposed are consistent with the Plan Amendment and the goals and policies of the General Plan and Edison Community Plan.
<i>C-3. In such cases where the Local Agency Formation Commission (LAFCO) of Fresno determines that additional land must be included for orderly growth, said land, if not previously pre-zoned by the Council, shall be brought before the Council for consideration prior to formal annexation. In order to potentially avoid such cases, staff should consult with LAFCO to identify potential parcels that would encourage the logical formation of city boundaries.</i>	
Finding C:	Staff consulted with LAFCO regarding this project on July 7, 2017. No additional land beyond the project boundary is anticipated to be annexed. The property is surrounded on three sides by property within the City limits; the annexation of this property would support orderly growth.