

## Exhibit F

# FRESNO MUNICIPAL CODE FINDINGS

## Planned Development Findings pursuant to FMC Section 15-5905

Conditional Use Permit No. P18-01235 proposes modified property development standards, including reduced setbacks. Based upon analysis of the conditional use permit application and subject to the applicant's compliance with the Conditions of Approval dated April 17, 2019, staff concludes that the following required findings of Section 15-5905 of the Fresno Municipal Code can be made:

1. The proposed development is consistent with the General Plan, any applicable operative plan, and adopted policies, including the density and intensity limitations that apply; and,

The proposed development is consistent with the General Plan designation of Medium Low and Medium Density Residential and the Roosevelt Community Plan. .

2. The subject site is physically suitable for the type and intensity of the land use being proposed; and,

The site is vastly surrounded by residential and urban uses and is developed at an allowable density under the Fresno General Plan.

3. 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,

The project will front onto one major street (East Fancher Creek Drive). The project was routed to the Public Utilities Department and which they have appropriate conditioned the project in order to provide service to the project, including the construction of a bridge across the adjacent canal as well as construction of trail facilities along East Fancher Creek Drive . The project is not proposed in size or scope which would result in a reduction of public services so as to be a detriment to public health, safety, or welfare.

4. 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,

The staff of the Development and Resource Management Department has determined that the proposed use will not have a substantial adverse effect on surrounding land uses if developed in accordance with the various conditions/requirements established through the related tentative tract map application review and conditional use permit application review process.

5. 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: (a) Appropriateness of the use(s) at the proposed location, (b) The mix of uses, housing types, and housing price levels, (c) Provision of infrastructure improvements, (d) Provision of open space. For example, a greater amount of open space than would otherwise be provided under the strict application of this code, (e) Connectivity to public trails, schools, etc., (f) Compatibility of uses within the development area, (g) Creativity in design and use of land, (h) Quality of design, and adequacy of light and air to the interior spaces of the buildings, (i) Overall contribution to the enhancement of neighborhood character and to the built and natural environment of Fresno in the long term.

The subject property is planned and zoned for residential uses. The planned development gives the home buyer the option of purchasing a mainstream type of home with less annual expense on yard maintenance and water consumption. Multiple exterior elevations with various architectural styles will be a standard option for home buyers. All required infrastructure improvements will be constructed by the project applicant. Pedestrian connectivity is provided with this project and includes use of recreation facilities within the existing Tract No. 6130 which is accessed via a pedestrian paseo in the northwest corner of the subject tract to provide connectivity to existing Tract No. 6130. Two pedestrian gates on East Fancher Creek Drive will allow access to residents that may work in adjacent business park to walk to work. The planned development helps provide for a larger mix of housing, home sizes, home types with varying yard size to insure a more affordable community that appeals to a wider variety of home buyer needs. The project is essentially Phase two of existing Tract No. 6130 and will provide the same product. The lot layout enhances the pedestrian walkways throughout the project. The product will maximize natural light through expansive windows and is at the forefront of the home industry in terms of urban product design trends. The community will be gated, which will help maintain community value. The community will have a Homeowners Association that will enforce design guidelines and ensure the general maintenance of the neighborhood.

### **Conditional Use Permit Application Findings pursuant to FMC Section 15-5306**

Conditional Use Permit No. P18-01235 proposes modified property development standards, including reduced setbacks. Based upon analysis of the conditional use permit application and subject to the applicant's compliance with the Conditions of Approval dated July 18, 2018, staff concludes that the following required findings of Section 15-5306 of the Fresno Municipal Code can be made:

1. The proposed use is allowed within the applicable zoning district and complies with all other applicable provisions of this Code and all other chapters of the Municipal Code; and,

Conditional Use Permit No. P18-01235 will comply with all applicable codes, including, landscaping, walls, etc., given that the special conditions of project approval will ensure that all conditions are met and as allowed pursuant to a Planned Development.

2. The proposed use is consistent with the General Plan and any other applicable plan and design guideline the City has adopted; and,

The proposed development is consistent with the General Plan designation of Medium Low and Medium Density Residential and the Roosevelt Community Plan.

3. The proposed use will not be substantially adverse to the public health, safety, or general welfare of the community, nor be detrimental to surrounding properties or improvements, and;

The Development and Resource Management Department has determined that the proposed use will not be detrimental to the public welfare or be injurious to property or improvements in the area in which the property is located if developed in accordance with the various conditions/requirements established through the related tentative tract map application review and conditional use permit application review process.

4. The design, location, size, and operating characteristics of the proposed activity are compatible with the existing and reasonably foreseeable future land uses in the vicinity, and;

The site is vastly surrounded by residential and urban uses and is developed at an allowable density under the existing Fresno General Plan.

5. The site is physically suitable for the type, density, and intensity of use being proposed, including access, emergency access, utilities, and services required.

The site is vastly surrounded by residential uses and is developed at an allowable density under the Fresno General Plan; and the project must comply with applicable codes, including, landscaping, walls, etc., and conditions from other City Departments and outside agencies, including the construction of a bridge across the adjacent canal.

## **Vesting Tentative Tract Map Findings pursuant to the FMC Section 15-3309**

Section 15-3309 of the FMC states that the Review Authority may approve or conditionally approve a Tentative Map if it makes all of the following findings:

1. 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.

The proposed development is consistent with the General Plan designation of Medium Low and Medium Density Residential and the Roosevelt Community Plan as is consistent with applicable operative plans, adopted policies or guidelines, and the Municipal Code.

2. 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.

As proposed, the proposed subdivision will provide for future passive or natural heating or cooling opportunities.

3. 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).

Water facilities are available to provide service to the site subject to the conditions listed in the memoranda dated January 28, 2019. Additionally, the application is proposing less than 500 lots.

4. 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.

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 subdivision.

5. 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.

The project is not located within a flood prone area as noted within the Fresno Metropolitan Flood Control District memo dated March 14, 2019.