

**CONDITIONAL USE PERMIT FINDINGS PER FRESNO MUNICIPAL CODE SECTION 15-5306**

*a. 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,*

Finding a:	The proposed use does not comply with the applicable provisions of the Citywide Development Code under Article 27 (Standards for Specific Uses and Activities), and Section 15-2706 (Alcohol Sales), Sub-Section E (Location Restrictions for New Establishments) in that the provisions restrict the location of alcohol sales to be within 500 feet of an elementary school and within 500 feet of an existing retail establishment providing alcohol sales. This required finding that the proposed use complies with all provisions and chapters of the Fresno Municipal Code cannot be made.
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*b. The proposed use is consistent with the General Plan and any other applicable plan and design guideline the City has adopted; and,*

Finding b:	The proposed use is not consistent with the Fresno General Plan or Roosevelt Community Plan goals in that the location and prevalence of off-sale alcohol sales can have a negative effect on neighborhood health with an overabundance of establishments with off-sale licenses to sell alcohol; potential nuisances and crime; and danger to schools when alcohol sales are allowed too close to schools because of the impact on teenage drinking, thus generating a negative perception about the community
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*c. 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,*

Finding c:	The proposed use will be substantially adverse to the public health, safety, or general welfare of the community and detrimental to surrounding properties or improvements in that the prevalence of alcohol sales establishments will have a negative effect on neighborhood health; has the potential to cause deleterious effects and nuisances on surrounding neighborhoods and businesses, especially when such establishments are concentrated near one another.
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*d. 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,*

Finding d:	The Dollar General store is located across the street from an elementary school and across the street of an establishment for off-sales alcohol license and therefore establishing a new alcohol sales use will not be compatible with existing and future land uses the area.
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*e. The site is physically suitable for the type, density, and intensity of use being proposed, including access, emergency access, utilities, and services required.*

Finding e:	The existing retail store is on a suitable site with adequate access, parking, emergency access, utilities and services provided to serve the property, however the proposed use for alcohol sales as an ancillary use does not meet the provisions for allowing alcohol sales under FMC Section 15-2706.
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