

**FRESNO MUNICIPAL CODE FINDINGS  
TENTATIVE TRACT MAP NO. 6266/P19-03611  
PLANNED DEVELOPMENT PERMIT NO. P19-03635**

**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:

<b>Findings per Fresno Municipal Code Section 15-3309</b>	
<b>A. <i>Consistency.</i></b> <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:	For the reasons contained within the Staff Report to the Planning Commission dated December 4, 2019 the proposed project is found to be consistent with all applicable goals, objectives, and policies of the Fresno General Plan and Bullard Community Plan. Subject to compliance with the Conditions of Approval attached hereto, the proposed project may be found consistent with all applicable local ordinances, regulations, policies, and land use regulations for the base zone district.
<b>B. <i>Passive and Natural Heating and Cooling.</i></b> <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 sizing of all lots in a manner which exceeds minimum area requirements thereby allowing structures to be oriented and constructed in a manner which will be able to take advantage of shade and/or prevailing breezes in order to take advantage of natural and passive heating and cooling opportunities.
<b>C. <i>Availability of Water.</i></b> <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 38-lot townhouse residential subdivision/development. Therefore, a water supply assessment is not required. The Department of Public Utilities, Water Division has reviewed the proposed project and has determined that implementation of the Fresno General Plan policies and the mitigation measures of the associated Master Environmental Impact Report, along with the implementation of the Water Resources Management Plan and the identified project related conditions of approval, which include installation of water service and meter boxes and payment of applicable water fees and connection charges will provide an adequate, reliable, and sustainable water supply for the project's urban domestic and public safety consumptive purposes.
<b>D. <i>Infrastructure Capacity.</i></b> <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:	Pursuant to the findings and representations made within the Public Services section included within the Staff Report to the Planning Commission dated December 4, 2019, and subject to compliance with the attached conditions of approval, it may be determined that sufficient infrastructure capacity for water, runoff, storm water, waste water, and solid waste systems exist or will be available to serve the proposed project.
<b>E. <i>Compliance with Floodplain Regulations.</i></b> <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:	The proposed project site is not located within a designated floodplain or floodway.

## PLANNED DEVELOPMENT PERMIT APPLICATION REVIEW FINDINGS

Section 15-5905 of the Fresno Municipal Code provides the Director or Planning Commission may only approve a Planned Development Permit application if it finds that the application is consistent with the purposes of this article and with the following:

FINDINGS PER FRESNO MUNICIPAL CODE SECTION 15-5905	
<i>a. 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,</i>	
Finding a:	For the reasons contained within the Staff Report to the Planning Commission dated December 4, 2019 the proposed project is found to be consistent with all applicable goals, objectives and policies of the Fresno General Plan and Bullard Community Plan. Subject to compliance with the conditions of approval attached hereto, the proposed project may be found consistent with all applicable local ordinances, regulations, policies, and land use regulations for the base zone district.
<i>b. The subject site is physically suitable for the type and intensity of the land use being proposed; and,</i>	
Finding b:	The proposed 38-lot subdivision meets the land use regulations, lot, and density standards of the underlying RM-1 zone district. The zone district supports the density being proposed.
<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>	

Finding c:	Adequate access, parking, utilities and services shall be provided to serve the property and were reviewed for consistency with the requirements of the Residential Multi-Family planned land use and the RM-1 ( <i>Residential Multi-Family, Medium High Density</i> ) zone district. The proposed 38-lot subdivision will not have a negative impact on either the subject site or neighboring properties, subject to compliance with the Conditions of Approval, dated December 4, 2019. Approval of the special permit would be in accordance with applicable provisions of the FMC, including the determination that all findings have been made relative to the issuance of a planned development permit for the proposed project.
d. <i>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:	The proposed 38-lot subdivision is consistent with the Residential Multi-Family, Medium High Density planned land use designation for the project site and will not have a negative impact on either the subject site or neighboring properties subject to compliance with the Conditions of Approval, dated December 4, 2019.
e. <i>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> <ol style="list-style-type: none"> <li>1. <i>Appropriateness of the use(s) at the proposed location.</i></li> <li>2. <i>The mix of uses, housing types, and housing price levels.</i></li> <li>3. <i>Provision of infrastructure improvements.</i></li> <li>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></li> <li>5. <i>Connectivity to public trails, schools, etc.</i></li> <li>6. <i>Compatibility of uses within the development area.</i></li> <li>7. <i>Creativity in design and use of land.</i></li> <li>8. <i>Quality of design, and adequacy of light and air to the interior spaces of the buildings.</i></li> <li>9. <i>Overall contribution to the enhancement of neighborhood character and to the built and natural environment of Fresno in the long term.</i></li> </ol>	

Finding e.	<p>The proposed 38-lot subdivision will benefit the community through the development of a viable housing development on the subject property that provides an overall improvement to the area by providing an alternative to single family housing with townhouses. The proposed subdivision provides adequate open space in the form of both private yards for each townhouse and BBQ and playground areas to serve the subdivision. The subject property has connectivity to public schools and trails, primarily the Class I Bicycle Path on N Santa Fe Avenue. Furthermore, the requested modifications to the Development Code design guidelines will contribute to meeting density requirements pursuant to FMC Section 15-1003, making it an appropriate use for the subject property. The proposed subdivision will serve as a buffer between the multi-family apartment complex to the south and the single family homes to the north.</p>
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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.