

Exhibit E

FRESNO MUNICIPAL CODE FINDINGS

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. <i>Consistency.</i> <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 Edison Community Plan of which both plans designate the subject property for Low Density Residential (1-3.5 dwelling units per acre) planned land uses. Tentative Tract Map No. 6392 proposes a 33-lot single-family residential subdivision on ±7.71 acres of property at a density of 4.3 dwelling units per acre (du/ac) with the granting of an affordable housing density bonus.</p> <p>The project is consistent with the following Fresno General Plan goals, objectives, and policies related to residential land use and the urban form:</p> <p><u>Goals</u></p> <ul style="list-style-type: none">• Goal 1: Increase opportunity, economic development, business, and job creation.• 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 8: Develop Complete Neighborhoods and districts with an efficient and diverse mix of residential densities, building types, and affordability which are designed to be healthy, attractive, and centered by schools, parks, and public and commercial services to provide a sense of place and that provide as many services as possible within walking distance.• Goal 15: Improve Fresno's visual image and enhance its form and function through urban design strategies and effective maintenance. <p>These goals contribute to the establishment of 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 Objective LU-1 of the Fresno General Plan.</p> <p><u>Objectives</u></p> <ul style="list-style-type: none">• Objective UF-1: Emphasizes the opportunity for a diversity of districts, neighborhoods, and housing types.• Objective LU-5: Calls for a diverse housing stock that will support balanced

	<p>urban growth, and make efficient use of resources and public facilities.</p> <p><u>Policies</u></p> <ul style="list-style-type: none"> • Policy UF-1-d: 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. • Policy UF-1-e: Promotes and protects unique neighborhoods and mixed-use areas throughout Fresno that respect and support various ethnic, cultural, and historic enclaves; provide a range of housing options, including furthering affordable housing opportunities; and, convey a unique character and lifestyle attractive to Frensnans. <p>The project will provide affordable housing opportunities for single-family residential units and will add to the diversity of housing stock and will make efficient use of public facilities and resources.</p> <p>Improvements to street frontages and infrastructure to facilitate the development will be provided. The project also proposes additional public open space and the construction of a bike/pedestrian trail along the Florence Avenue frontage.</p> <p>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>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></p>	
Finding B:	<p>The proposed subdivision has been designed with a majority of lots oriented facing north-south exposures, and takes advantage of passive heating and cooling opportunities to the extent feasible by the subdivision design.</p>
<p>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></p>	
Finding C:	<p>The project consists of a conventional single family residential development consisting of a 33-lot subdivision, and a Water Assessment was not required.</p>
<p>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></p>	
Finding D:	<p>Pursuant to the findings and representations made within the Public Services section included within the Staff Report to the Planning Commission dated November 15, 2023, the Department of Public Utilities memorandum dated June 9, 2023, the Fresno Metropolitan Flood Control District memorandum dated July 26, 2023, 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.</p>

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 laws.*

Finding E:	The proposed project site is not located within a designated floodplain or floodway.
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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
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<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:	<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">• 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.• Develop Complete Neighborhoods and districts with an efficient and diverse mix of residential densities, building types, and affordability which are designed to be healthy, attractive, and centered by schools, parks, and public and commercial services to provide a sense of place and that provide as many services as possible within walking distance. <p>These goals contribute to the establishment of a comprehensive city-wide 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 Objective LU-1 of the Fresno General Plan.</p> <p>Policy UF-1-a supports development projects that provide Fresno with a diversity of urban and suburban neighborhood opportunities.</p> <p>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.</p> <p>Objective LU-5 of the General Plan calls for a diverse housing stock that will support balanced urban growth and make efficient use of resources and public facilities.</p> <p>Policy LU-5-c promotes medium density residential uses to maximize efficient use of residential property through a wide range of densities.</p> <p>Policy LU-5-h supports housing that offers residents a range of amenities, including</p>
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	<p>public and private open space, landscaping, and recreation facilities with direct access to commercial services, public transit, and community gathering spaces.</p> <p>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> <p>The project will provide affordable housing opportunities for single-family residential units and will add to the diversity of housing stock and will make efficient use of public facilities and resources. Improvements to street frontages and infrastructure to facilitate the development will be provided. The project also proposes additional public open space and the construction of a bike/pedestrian trail along the Florence Avenue frontage.</p> <p>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>
<i>B. The subject site is physically suitable for the type and intensity of the land use being proposed; and,</i>	
Finding B:	<p>The Fresno General Plan classifies the subject property as Low Density Residential (1 to 3.5 dwelling units per acre) and the project is proposing a density of 4.3 du/ac after the granting of a 35 percent affordable housing density bonus, 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 planned land uses.</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>	
Finding C:	<p>The project fronts onto East Florence Avenue, which is a local street. The project will construct a bike/pedestrian trail along East Florence within the project boundaries. The project was routed to both the Fire Department and the Department of Public Utilities and has been appropriately conditioned to provide services to the project, 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.</p>
<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:	<p>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. The proposed project will be developed at a scale and density similar to that of surrounding properties, and will provide both open space and connectivity to adjacent neighborhoods with bike and pedestrian connections.</p>
<i>E. The proposed development is demonstratively superior to the development that could occur</i>	

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:

- 1. Appropriateness of the use(s) at the proposed location.*
- 2. The mix of uses, housing types, and housing price levels.*
- 3. Provision of infrastructure improvements.*
- 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.*
- 5. Connectivity to public trails, schools, etc.*
- 6. Compatibility of uses within the development area.*
- 7. Creativity in design and use of land.*
- 8. Quality of design, and adequacy of light and air to the interior spaces of the buildings.*
- 9. Overall contribution to the enhancement of neighborhood character and to the built and natural environment of Fresno in the long term.*

Finding E:

The subject property is planned and zoned for single-family residential uses. The planned development facilitates development of the property at the permitted density of 4.3 du/ac; without modified lot sizes or setbacks, the project would not be able to develop at the allowed density when strictly adhering to the RS-3 zone district standards. All required infrastructure improvements will be constructed by the project applicant. Overall, the project positively contributes to the enhancement of the neighborhood character and to the built and natural environment providing for an affordable single-family residential development option for the neighborhood. A pocket park is also proposed, which provides on-site open space, as opposed to payment of in-lieu fees typically required for subdivisions less than 50 lots.

The planned development helps provide for a larger mix of housing and home types to ensure a more affordable community that appeals to a wider variety of homebuyer needs. In the long term, the proposed development will be compatible with the surrounding existing and planned land uses in the area.

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.