Exhibit M – Notice of Action

CITY OF FRESNO
PLANNING AND DEVELOPMENT DEPARTMENT
NOTICE OF ACTION GRANTING
DEVELOPMENT PERMIT APPLICATION NO. P22-01346 & RELATED ENVIRONMENTAL ASSESSMENT

NOTICE IS HEREBY GIVEN that the Planning and Development Department Director, in accordance with Fresno Municipal Code (FMC) Section 15-5009, has approved Development Permit Application No. P22-01346 and Environmental Assessment No. P22-01346 filed by Orlando Ramirez on behalf of Xpress Carwash, pertaining to a ±0.69 acre parcel of property located at 4941 East McKinley Avenue, on the northwest corner of East McKinley and North Fine Avenues. The applicant requests authorization to construct a 4,400-square-foot mechanical carwash building consisting of a 120-foot washing tunnel. The project will include 16 self-service vehicle-vacuum stalls, one new solid-waste trash enclosure, and new landscaping. The project also includes a determination that the proposed project is exempt from the California Environmental Quality Act (CEQA) through a Class 32 dated December 8, 2022. The property is zoned IL *(Light Industrial)*. The special permit has been granted subject to compliance with the Conditions of Approval, dated December 8, 2022.*

*This document is available for review at the Planning and Development Department, located at 2600 Fresno Street, 3rd Floor, Fresno, California 93721. Documents are available for viewing at City Hall during normal business hours (Monday-Friday, 8 a.m.-5 p.m.) by appointment only. **Please contact the Planner listed below via e-mail or phone to request electronic copies or schedule an appointment to view documents**.

Development Permit Application No. P22-01346 was granted subject to the following findings:

Findings per Fresno Municipal Code Section 15-5206	
The Director or Planning Commission may only approve a Development Permit application if it finds that the application is consistent with the purposes of this article and with the following:	
Finding a:	*The applicable standards and requirements of this Code.*
a. The proposed structure and use are permitted by right in the IL zone district. The proposed project is subject to the development standards of said zone district and Code Sections 15-1301 and 15-2711. The proposed application conforms to the applicable standards of the Fresno Municipal Code.	
Finding b:	*The General Plan and any operative plan or policies the City has adopted.*
b. The proposed project is consistent with the planned land use designation, goals, and policies called out in the Fresno General Plan, McLane Community Plan, and the Fresno Municipal Code.	
Finding c:	*Any applicable design guidelines adopted by the City Council.*
c. The proposed project is consistent with the site design and façade design development standards provided in the IL (Light Industrial) zone district and applicable design guidelines adopted in the Fresno General Plan.	
Finding d:	*Any approved Tentative Map, Conditional Use Permit, Variance, or other planning or zoning approval that the project required.*
d. The proposed project does not require a Tentative Map, Conditional Use Permit, Variance, or other planning or zoning approval. All special conditions required for the proposed project have been incorporated into the Conditions of Approval which shall be met prior to the issuance of building permits/occupancy. Furthermore, the applicant is required to submit corrected exhibits, inclusive of all conditions of approval, which will ensure that all requirements are met.	
Finding e:	*Fresno County Airport Land Use Compatibility Plan (as may be amended) adopted by the Fresno County Airport Land Use Commission pursuant to California Public Utilities Code Sections 21670-21679.5.1.*
e. The proposed use is consistent with the Fresno County Airport Land Use Compatibility Plan (ALUCP). The project is within the boundaries of Traffic Pattern Safety Zone 6 of the Fresno Yosemite International Airport, which restricts non-residential use to no more than 300 persons per acre, hazards to flight, outdoor stadium, and similar uses of very high intensity. ALUC review is required for any proposed object taller than 100 feet above ground level. The proposed commercial use will occur within a vacant lot adjacent to the East McKinley Avenue corridor. Furthermore, the proposed building will be less than 25 feet. Therefore, the proposed project use and height are consistent with the ALUCP.	

The Development Permit will not become effective until 15 days from the date the permit is granted in order to allow time for any interested parties to file an appeal.

In the event you wish to appeal the Director's decision, you may do so by filing a written appeal with

the Director. The appeal must include the appellant's interest in, or relationship to, the subject property, the decision or action appealed, and the specific reason(s) why the appellant believes the decision or action should not be upheld. A $930.66 fee applies to an appeal by an applicant (no fee applies if a member of the public). **The fee is required prior to accepting the appeal, as required by Section 15-5017-A.1 of the FMC and established by the Master Fee Schedule.**

ANY WRITTEN appeal must be submitted to this office prior to the close of business on **December 23, 2022**.

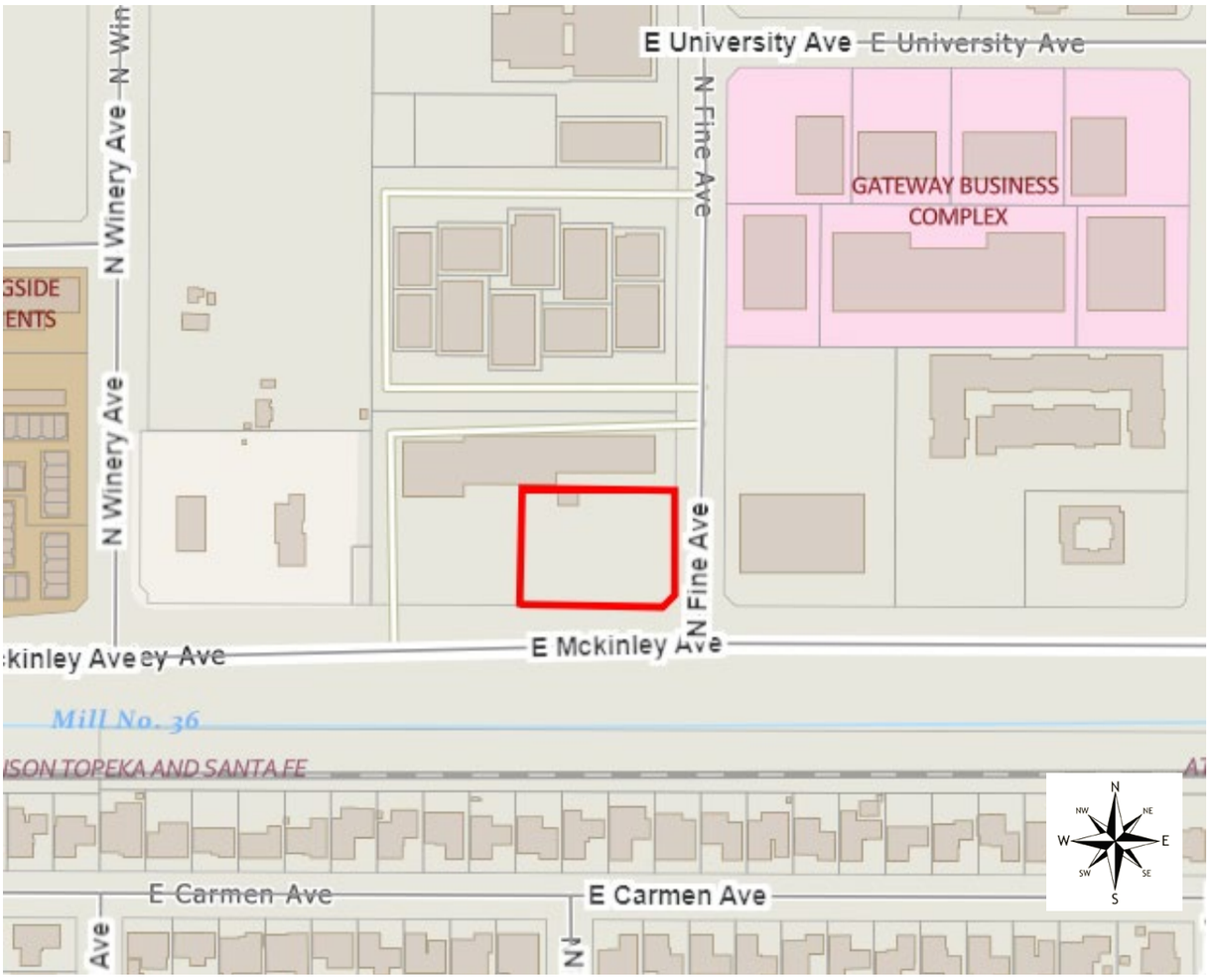
For additional information regarding this project, contact **Jose Valenzuela**, Planning and Development Department, by telephone at **(559) 621-8070** or via e-mail at Jose.Valenzuela@fresno.gov. ***Si necesita información en Español, comuníquese con Jose Valenzuela al teléfono (559) 621-8070.***

PLANNING AND DEVELOPMENT DEPARTMENT
Jennifer K. Clark, AICP, HDFP, Director

Dated: December 8, 2022

Assessor's Parcel No(s). 494-291-05

SEE MAP BELOW



SUBJECT PROPERTY