

Exhibit H

**FRESNO MUNICIPAL CODE FINDINGS
 PLAN AMENDMENT AND REZONE APPLICATION NO. P22-00388
 VESTING TENTATIVE TRACT MAP NO. 6360
 PLANNED DEVELOPMENT PERMIT APPLICATION NO. P22-00387**

REZONE APPLICATION FINDINGS

Section 15-5812 of the Fresno Municipal Code provides that the Planning Commission and City Council shall not approve an application unless the proposed Pre-zone meets the following criteria:

Findings per Fresno Municipal Code Section 15-5812	
<i>A. The change is consistent with the General Plan goals and policies, any operative plan, or adopted policy;</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. • Promote a city of healthy communities and improve quality of life in established neighborhoods. • 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 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>Policy UF-1-f promotes the use of Complete Neighborhood design concepts and development standards to achieve the development of Complete Neighborhoods and the residential density targets of the General Plan.</p>

Objective UF-14 promotes development that facilitates multi-modal connectivity.

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.

Policy LU-5-g promotes new development in or adjacent to established neighborhoods that is compatible in scale and character with the surrounding area by promoting a transition in scale and architectural character between new buildings and established neighborhoods, as well as integrating pedestrian circulation and vehicular routes.

Policy LU-5-h supports housing that offers residents a range of amenities, including public and private open space, landscaping, and recreation facilities with direct access to commercial services, public transit, and community gathering spaces.

Objective D-4 supports that the City preserve and strengthen Fresno's overall image through design review and create a safe, walkable and attractive urban environment for the current and future generations of residents.

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.

The defining characteristic of a Complete Neighborhood is a neighborhood that is mostly self-sufficient, walkable, and interconnected. It provides residents with most all they need on a daily basis nearby. In other words, a Complete Neighborhood anticipates and plans in advance all amenities needed in a neighborhood to ensure quality and lasting property values before the residential units are built instead of trying to piecemeal those amenities after the fact. This convenient and healthy lifestyle is the benefit of a Complete Neighborhood. While total self-sufficiency or even completeness is unlikely to be accomplished in each neighborhood, some of the defining characteristics of a Complete Neighborhood include parks and public schools within or near the neighborhood, public plaza/civic space, access to public transit, neighborhood-serving retail, and a range of employment opportunities.

An approximate 11,777 sq. ft. open space area is proposed in the southern area of the proposed subdivision. This open space area is adjacent to a proposed 15,207 sq. ft. outlot which will be utilized by providing a community building, swimming pool and associated facilities.

The proposed development of the subject property will contribute to the completion of expanding roadway (such as the construction of a portion of East McKinley Avenue and widening of North Armstrong Avenue within the limits of the application), and infrastructure improvements within the area in a manner which is consistent with the land use designations and circulation element of the Fresno General Plan. The proposed project will also provide for connectivity through pedestrian integration with adjacent land for future development.

Therefore, 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.

B. The change is consistent with the purpose of the Development Code to promote growth of the city in an orderly and sustainable manner and to promote and protect the public health, safety, peace, comfort, and general welfare; and

Finding B:	The project site is located within an area which is increasingly being developed various residential neighborhoods. The subject property is a logical location for further residential expansion, as the subject site is served with public facilities and services needed to provide for increased housing opportunities, and is currently planned for single-family residential uses in the Fresno General Plan.
<i>C. The change is necessary to achieve the balance of land uses desired by the City and to provide sites for needed housing or employment-generating uses, consistent with the General Plan, any applicable operative plan, or adopted policy; and to increase the inventory of land within a given zoning district to meet market demand.</i>	
Finding C:	Since about 1970, California has been experiencing an increasing housing shortage, such that by 2018, California ranked 49th among the United States in housing units per resident. This shortage has been estimated to be 3-4 million housing units (20-30% of California's housing stock, 14 million as of 2017). Experts say that California needs to double its current rate of housing production (85,000 units per year) to keep up with expected population growth and prevent prices from further increasing and needs to quadruple the current rate of housing production over the next 7 years for prices and rents to decline. Approval of Vesting Tentative Tract Map No. 6360 would help contribute to fulfilling the housing needs of the region and increase the inventory of land within the RS-5 zone district to meet market demand.

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	
<i>A. 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; and,</i>	
Finding A:	<p>The subject property is located within the Fresno General Plan and the McLane Community Plan of which both plans are proposed to designate the subject property for Medium Density Residential (5-12 dwelling units per acre) planned land uses. Vesting Tentative Tract Map No. 6360 proposes a 326-lot single-family residential subdivision on approximately 28.6 net acres at a density of 11.4 dwelling units per acre.</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.

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.

Objectives

- Objective UF-1: Emphasizes the opportunity for a diversity of districts, neighborhoods, and housing types.
- Objective UF-14 promotes development that facilitates multi-modal connectivity.
- Objective LU-5: Calls for a diverse housing stock that will support balanced urban growth, and make efficient use of resources and public facilities.
- Objective D-4 supports that the City preserve and strengthen Fresno's overall image through design review and create a safe, walkable and attractive urban environment for the current and future generations of residents.

Policies

- Policy UF-1-a supports development projects that provide Fresno with a diversity of urban and suburban neighborhood opportunities.
- 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 Fresnoans.
- Policy UF-1-f promotes the use of Complete Neighborhood design concepts and development standards to achieve the development of Complete Neighborhoods and the residential density targets of the General Plan.

- Policy UF-14-b promotes the design of local roadways to connect throughout neighborhoods and large private developments with adjacent major roadways and pathways of existing adjacent development, and the ability to create access for pedestrians and bicycles where a local street must dead end or be designed as a cul-de-sac to adjoining uses that provide services, shopping, and connecting pathways for access to the greater community area.
- Policy UF-14-c promotes development standards that provide desired and maximum block lengths in residential, retail, and mixed-use districts in order to enhance walkability.
- Policy LU-5-c: Promotes medium density residential uses to maximize the efficient use of residential property through a wide range of densities.
- Policy LU-5-g promotes new development in or adjacent to established neighborhoods that is compatible in scale and character with the surrounding area by promoting a transition in scale and architectural character between new buildings and established neighborhoods, as well as integrating pedestrian circulation and vehicular routes.
- Policy LU-5-h supports housing that offers residents a range of amenities, including public and private open space, landscaping, and recreation facilities with direct access to commercial services, public transit, and community gathering spaces.
- 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.

Much of Fresno has been built as discrete residential tracts bordered by strip retail centers, many of which are not accessible from the adjacent homes due to security walls or other barriers. By contrast, the Complete Neighborhoods concept will enable Fresnoans to live in communities with convenient services, employment, and recreation within walking distance.

The defining characteristic of a Complete Neighborhood is a neighborhood that is mostly self-sufficient, walkable, and interconnected. It provides residents with most all they need on a daily basis nearby. In other words, a Complete Neighborhood anticipates and plans in advance all amenities needed in a neighborhood to ensure quality and lasting property values before the residential units are built instead of trying to piecemeal those amenities after the fact. This convenient and healthy lifestyle is the benefit of a Complete Neighborhood. While total self-sufficiency or even completeness is unlikely to be accomplished in each neighborhood, some of the defining characteristics of a Complete Neighborhood include parks and public schools within or near the neighborhood, public plaza/civic space, access to public transit, neighborhood-serving retail, and a range of employment opportunities.

An approximate 11,777 sq. ft. open space area is proposed in the southern area of the proposed subdivision. This open space area is adjacent to a proposed 15,207 sq. ft. outlot which will be utilized by providing a community building, swimming pool and associated facilities.

	<p>The proposed development of the subject property will contribute to the completion of expanding roadway (such as the construction of a portion of East McKinley Avenue and widening of North Armstrong Avenue within the limits of the application), and infrastructure improvements within the area in a manner which is consistent with the land use designations and circulation element of the Fresno General Plan. The proposed project will also provide for connectivity through pedestrian integration with adjacent land for future development.</p> <p>Therefore, 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:	As proposed, to the extent feasible, the proposed subdivision will provide for future passive or natural heating or cooling opportunities by maximizing east-west facing lots. Street tree requirements in the front of properties are also required for the subdivision
<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:	The project consists of a 326-lot residential subdivision, therefore, a water supply assessment is not required. Water facilities are available to provide service to the site subject to the conditions listed in the Department of Public Utilities comments dated December 16, 2022.
<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:	The project was reviewed by appropriate partner 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, subject to compliance with conditions of approval dated July 3, 2024.
<p>E. <i>Compliance with Floodplain Regulations.</i> <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></p>	
Finding E:	The proposed project site is conditioned to comply with the Fresno Metropolitan Flood Control District requirements and conditions of approval dated December 27, 2024.

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

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,*

Finding A:

The subject property is located within the Fresno General Plan and the McLane Community Plan of which both plans are proposed to designate the subject property for Medium Density Residential (5-12 dwelling units per acre) planned land uses. Vesting Tentative Tract Map No. 6360 proposes a 326-lot single-family residential subdivision on approximately 28.6 net acres at a density of 11.4 dwelling units per acre.

The project is consistent with the following Fresno General Plan goals, objectives and policies related to residential land use and the urban form:

Goals

- 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.

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.

Objectives

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 urban growth, and make efficient use of resources and public facilities.

Policies

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

	<p>a large range of income levels, and further affordable housing opportunities throughout the City.</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>Therefore, 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><i>B. The subject site is physically suitable for the type and intensity of the land use being proposed; and,</i></p>	
<p>Finding B:</p>	<p>The proposal to amend the Fresno General Plan and McLane community plan will classify the subject property as Medium Density Residential (5-12 dwelling units per acre) and the project is proposing a density of 11.4 du/ac, which is consistent with the proposed planned land use and zoning of the property. The proposed use is also consistent with the uses being developed to the north and south of the subject property, as well as the planned land use to the west.</p>
<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></p>	
<p>Finding C:</p>	<p>The project will front onto North Armstrong Avenue and East McKinley Avenue, which are both collector streets. Improvements to North Armstrong Avenue, and the construction of East McKinley Avenue along the project frontage is required. 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>
<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></p>	
<p>Finding D:</p>	<p>Planning and Development Department staff have determined that the proposed use will not have a substantial adverse effect on surrounding land uses if developed in accordance with the various conditions and requirements established through the related vesting tentative tract map application review and planned development application review process.</p>
<p><i>E. 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></p> <ol style="list-style-type: none"> <i>1. Appropriateness of the use(s) at the proposed location.</i> <i>2. The mix of uses, housing types, and housing price levels.</i> <i>3. Provision of infrastructure improvements.</i> <i>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.</i> 	

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 residential uses. The planned development gives the prospective home buyers 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. Open space will be provided in a central location to be easily accessible from all lots.
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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.