

Exhibit K – Fresno Municipal Code Findings

**FRESNO MUNICIPAL CODE FINDINGS FOR DEVELOPMENT PERMIT
APPLICATION NO. P22-01346**

DEVELOPMENT PERMIT 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.

Finding (a) can be made for the following reason: Pursuant to Table 15-1302 of the Fresno Municipal Code (FMC), Automobile Carwash is permitted in the Light Industrial zone district “by right”, with an approved Development Permit.

The project is conditioned to comply with the requirements for intensity and massing development standards in regard to minimum lot size, width, and depth; maximum floor area ratio; maximum height; and minimum setbacks from major streets as identified in FMC Article 13. As the project is zoned for Light Industrial uses, no specific provisions of the site design development standards or façade design development standards of the development code apply to the project.

The project is subject to the landscape requirements of FMC Article 23. Property borders in industrial districts abutting other industrial districts are not required to be landscaped; however, the project proposes landscaped areas at the borders of the subject property.

The project is required to comply with the parking standards of FMC Article 24. The project is required to meet the required location, development standards, access, surface standards, lighting, landscaping and shading, and circulation requirements of Article 24.

The project is required to meet any relevant Performance standards of FMC Article 25.

The project will be required to meet the sign code requirements of FMC Article 26.

The project will be required to meet the requirements for Automobile/Vehicle Washing outlined in Article 27.

Finding b: The General Plan and any operative plan or policies the City has adopted.

Finding (b) can be made for the following reason: The proposed project complies with the goals, objectives, and applicable policies of the Fresno General Plan and McLane Community Plan, as well as with the planned land use designation of Employment – Light Industrial. Examples of relevant General Plan objectives the project is consistent with include but are not limited to: Objectives LU-1, LU-6, and H-1; and Policies LU-1-a, LU-6-d, and H-1-a.

Finding c: Any applicable design guidelines adopted by the City Council.

Finding (c) can be made for the following reason: The proposed project complies with all applicable objectives and policies for buildings and design contained in the Development Code and the Fresno General Plan. The site design and development standards for Employment districts, including façade design standards, do not apply to Light Industrial zoned properties. Given the conditions of approval, the project will meet all applicable standards and requirements of the development code, including FMC Articles 23, 24, 25, and 27.

Finding d: Any approved Tentative Map, Conditional Use Permit, Variance, or other planning or zoning approval that the project required.

Finding (d) can be made for the following reason: The proposal does not require approval of a tentative map, conditional use permit, or variance for approval. All special conditions required for the proposed project have been incorporated into the Conditions of Approval which shall be met prior to 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.

Finding (e) can be made for the following reason: 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.