

ORDINANCE NO. 2004-02

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FOWLER ADOPTING A
GROWTH MANAGEMENT POLICY**

WHEREAS, the City Council authorized the update of the Fowler General Plan, including the Economic Development, Land Use, and Circulation Elements, in accordance with State Planning Law; and

WHEREAS, the City reviewed the draft General Plan Update at a series of workshops before the Planning Commission and City Council, and received input from a Council-appointed General Plan Citizen's Advisory Committee; and

WHEREAS, the Land Use Element of the General Plan Update identifies a desirable population growth rate that would approximately double the City's population by the year 2025 without creating adverse effects on public services, including those provided by the City of Fowler, SKF, and the Fowler Unified School District; and

WHEREAS, the City prepared a Draft and Final Program Environmental Impact Report on the General Plan Update and determined that, while growth consistent with the Plan will result in significant adverse effects on the environment, implementation of a growth management policy in keeping with the Land Use Element will reduce those effects to acceptable levels; and

WHEREAS, the City has determined that policies contained in the Land Use Element to manage growth shall be implemented by ordinance to ensure consistency in the application of growth management requirements; and

WHEREAS, the Fowler Planning Commission held a public hearing on May 6, 2004 and recommended that the Council adopt the proposed ordinance; and

WHEREAS, a public hearing was advertised before the City Council regarding the proposed ordinance in accordance with Government Code, Section 55090 et seq; and

WHEREAS, the Council did conduct a public hearing on the proposed ordinance on the 25th day of May, 2004 and the first day of June, 2004; and

WHEREAS, the Council, after receiving public testimony and reviewing the staff report prepared for the proposed ordinance, which is herein incorporated by reference, did make the following findings:

- a. The proposed growth management ordinance is necessary to implement the desired residential growth rate contained in the Fowler General Plan Land Use Element;
- b. The growth management ordinance will encourage well-planned, aesthetically-pleasing subdivisions while fostering access to affordable housing and housing choices;
- c. The growth management ordinance will help maintain sustainable clean air, water, and soil resources for existing and future residents of Fowler while reducing increased traffic from outlying development;

- d. Sound public schools for K-12 students is of the highest priority for Fowler residents and management of residential growth in keeping with capacities of the Fowler Unified School District will further this objective; and
- e. Managed residential growth will provide a desired jobs/housing balance, improve the economic health of the community, promote improvements within neighborhoods, and lead to a healthy downtown.

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF FOWLER DOES HEREBY ORDAIN THE FOLLOWING:

Section 1: Growth Management Ordinance No. 2004-02 is approved as shown on Exhibit "A".

Section 2: This ordinance shall take effect and be in full force and effect from and after thirty (30) days after its final passage and adoption. Within fifteen (15) days after its adoption, the ordinance, or a summary of the ordinance, shall be published once in a newspaper of general circulation.

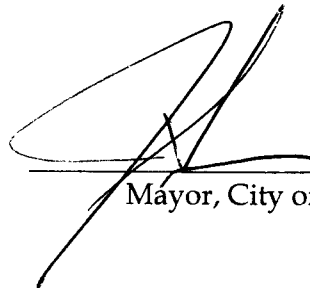
The foregoing ordinance was introduced at a regular meeting of the City Council of Fowler held on the 1st day of June, 2004, and passed and adopted at a regular meeting of the City Council held on the 15th day of June, 2004, by the following vote:

AYES: SIMONIAN, SHAW, CARDENAS, FERNANDEZ, ZADOURIAN

NOES: NONE

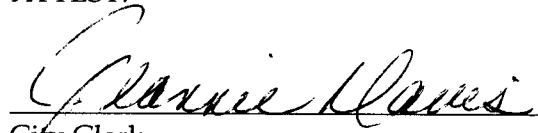
ABSTAIN: NONE

ABSENT: NONE



Mayor, City of Fowler

ATTEST:



City Clerk

EXHIBIT "A"
CITY OF FOWLER GROWTH MANAGEMENT POLICY

Policies and Standards

1. The desirable annual population and housing growth rate should not exceed the average of the planned growth rate through 2025 of 3% over any five-year period (50-60 units), and should not exceed 6% in any single year (80-90 units). Projects that may exceed these numbers should include provisions for phasing the project. Phasing may occur through conditions of approval, the use of a development agreement, or other mechanism.
2. The City will seek to manage the rates of population and housing growth at levels that do not exceed the capacity of the city, SKF, and the Fowler Unified School District to provide the necessary levels of community and educational services and facilities required, consistent with other goals of the General Plan.
3. School child generation is to be monitored in cooperation with the Fowler Unified School District. The City shall request annual reports from the district, along with projected enrollment by school, for discussion with district staff.
4. In January of each year, the Community Development Director shall prepare a report to the Planning Commission and City Council detailing the total number of housing permits finalized in the previous year and those anticipated for the coming year. Based on the annual report, the City Council will determine the need to continue or modify the housing objectives, including but not limited to, placing restrictions on the number of annexations and building permits that may be issued in any year. The Community Development Director may also submit reports for shorter periods of time as the Director determines to be necessary in the event of a fast pace of residential building activity.
5. Tentative subdivisions and/or use permits and site plan reviews for single family or multifamily use are to be processed in accordance with the following criteria:
 - a. Projects that are consistent with the general plan which are within the existing city limits or seek to infill property.
 - b. Projects that are consistent with the general plan but which are not within the city limits and require annexation.
 - c. Projects that are not consistent with the general plan and require general plan amendment and annexation. Such projects shall not be accepted for filing unless directed by the Planning Commission.
6. The City will not generally consider the annexation of more than 40 acres for residential development in any single project, unless required to comply with LAFCo policies and procedures, and will consider the following factors prior to initiating annexation to LAFCo:

- a. The amount of available infill property within the city limits;
 - b. The inventory of available subdivided lots within the city limits in relation to overall housing objectives;
 - c. The potential impact on the Fowler Unified School District facilities and services;
 - d. The availability and adequacy of City and SKF services to the proposed annexation.
7. Additional land for annexation could be considered if:
- a. Additional land is needed to achieve overall growth objectives, including the annexation of commercial or industrial land for economic development;
 - b. Additional land is needed to achieve housing objectives (i.e., senior housing, housing relocation from within a redevelopment area, etc.)
8. Ensure that land divisions and developments are approved only when a project's improvements, dedications, and fees fully cover incremental costs to the City and other agencies. Such improvements and infrastructure include parks, major streets, traffic signals, streetlights, drainage systems, sewer, water, fire, police, schools, and other related facilities.

(SPACE BELOW FOR USE OF COUNTY CLERK ONLY)

THE
FOWLER ENSIGN
740 "N" Street
Sanger, CA 93657
(559) 875-2511

SUPERIOR COURT OF CALIFORNIA, COUNTY OF FRESNO

NOTICE OF ORDINANCE NO. 2004-02

**ORDINANCE NO. 2004-02
AN ORDINANCE OF THE
CITY COUNCIL OF THE
CITY OF FOWLER
ADOPTING A GROWTH
MANAGEMENT POLICY**

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receiving public testimony and reviewing the staff report prepared for the proposed ordinance, which is herein incorporated by reference, did make the following findings:

- a. The proposed growth management ordinance is necessary to implement the desired residential growth rate contained in the Fowler General Plan Land Use Element;
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- AYES: Simonian, Cardenas, Fernandez, Shaw &

Zadourian NOES: None
ABSTAIN: None AB-
SENT: None
/s/ Jim Simonian Mayor, City of Fowler
ATTEST: /s/ Jeannie Davis City Clerk

**CITY OF FOWLER GROWTH
MANAGEMENT POLICY
Policies and Standards**

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(6/24/2004)

**STATE OF CALIFORNIA
County of Fresno**

I am a citizen of the United States and a resident of the County of Fresno, and I am over the age of eighteen years, and I am interested in the above entitled matter. I am the clerk of the printer of the FOWLER ENSIGN, a newspaper of general circulation, printed and published in the County of Fresno, and which newspaper has been published as a newspaper of general circulation by the Superior Court of Fresno, State of California, under the provisions of the Act of 1952, Case Number 86855; that the notice, of which a printed copy, has been published in each and every issue of said newspaper and not in any other publication thereof on the following dates, to-wit:

DATE: JUNE 24, 2004

I Certify (or declare) under penalty of perjury that the foregoing is true and correct.

ON: JUNE 24, 2004

BY: Shannon Hester

STATE OF CALIFORNIA }
COUNTY OF FRESNO

ss.

Therese Davis

....., Clerk of the CITY OF FOWLER,

do hereby certify the foregoing to be a full, true and correct copy ~~of~~ the original, and of the whole of such original, of the CITY OF FOWLER, 19-2004

I, *Therese Davis*, now on file in my office, and affixed the Seal of the CITY OF FOWLER, 19-2004

do hereby certify the foregoing to be a full, true and correct copy of the original, and of the whole of such original, of the CITY OF FOWLER, 19-2004

Therese Davis, 15th day of *January*, 19-2004

Therese Davis
Clerk of the CITY OF FOWLER

And duly published in WITNESS WHEREOF, I have hereunto set my hand and affixed the Seal of the CITY OF FOWLER this 15th day of January, 19-2004.
According to L.A.W.