



City of Fowler  
128 S. 5<sup>th</sup> Street  
Fowler, California 93625

FOWLER PLANNING COMMISSION MEETING  
AGENDA  
July 1, 2021  
6:30 P.M.

This meeting will be conducted pursuant to the provisions of Paragraph 11 of the Governor's Executive Order N-25-20 which suspends certain requirements of the Ralph M. Brown Act, and as a response to mitigating the spread of COVID-19, the meeting will not be open to the public. The telephone number listed below will provide access to the City Council meeting via teleconference.

The following options are available for members of the public who want to address Planning Commission:

- |  |                               |
|--|-------------------------------|
| 1. Join online webinar on Zoom.  | 2. Join by phone              |
| a. Please use this URL:<br><a href="https://zoom.us/j/98674825642">https://zoom.us/j/98674825642</a> | a. Please call 1-669-900-9128 |
| b. Passcode: 291847  | b. Meeting ID: 986 7482 5642  |
|  | c. Passcode: 291847           |

Please note: When joining the meeting, you will be asked your name which will be used to identify you during any public comment period. It is requested that members of the public attending while on the teleconference to their phone set on "mute" to eliminate background noise or other interference from telephonic participation.

1. Meeting Called to Order
2. Roll Call
3. Consider Land Use Alternatives Summary & Recommendations Report as presented by staff and to make a recommendation to the City Council for a preferred land use alternative for the City of Fowler General Plan. This item is scheduled for 6:30 p.m. to 7:30 p.m.
4. Consent Calendar:
  - a. Approval of minutes for April 1, 2021 meeting.
5. Public Hearing to Consider Tentative Parcel Map (TPM) Application No. 21-01 and Adopt a Finding of a Categorical Exemption Pursuant to CEQA Guidelines Section 15332, Submitted by Alan Mok Engineering to create two (2) lots at the southeast corner of South 10th Street

and vacated Fowler Avenue (APN 343-201-08) to support the development of Conditional Use Permit 18-04, a previously-approved request to allow drive-through restaurants and/or retail facilities and a marquee sign measuring 675 square feet in area.

Consider Adoption of Resolution No. 658, Resolution to approve Tentative Parcel Map No. 21-01, before the Planning Commission of the City of Fowler, County of Fresno, State of California.

6. Public Hearing to Consider Zoning Text Amendment No. 21-01, filed by Jeff Long of CNI Signs, to modify special use sign standards of drive-through uses. The Planning Commission will also consider adoption of a Finding of a Categorical Exemption pursuant to CEQA Guidelines Section 15311.

Consider Adoption of Resolution No. 659, Resolution recommending City Council approve Zoning Text Amendment No. 21-01, before the Planning Commission of the City of Fowler, County of Fresno, State of California.

7. Public Hearing to Consider Conditional Use Permit Application No. 21-02, filed by Jose Juan Aguilar, to establish a recycling center use, at 600 North 8th Street (APN: 345-190-09). The Planning Commission will also consider adoption of a Finding of a Categorical Exemption pursuant to CEQA Guidelines Section 15332.

Consider Adoption of Resolution No. 660, Resolution approving Conditional Use Permit Application No. 21-02, before the Planning Commission of the City of Fowler, County of Fresno, State of California.

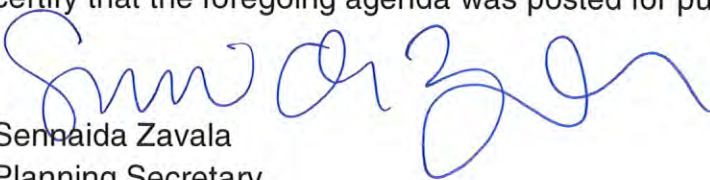
#### 8. Oral Communications

You may address the Planning Commission at the conclusion of the Commission meeting regarding matters of public interest that are not listed on the agenda and that are within the Commission's jurisdiction. Please be present at the conclusion of the meeting if you wish to be heard. Anyone wishing to be placed on the Planning Commission Agenda should contact the Planning and Community Development Department (559-834-4832) at least 10 days before the desired appearance date.

#### 9. Adjournment

Next Resolution No.: 661

CERTIFICATION: I, Sennaida Zavala, Planning Secretary for the City of Fowler, California, hereby certify that the foregoing agenda was posted for public review on, Monday, June 28, 2021.



Sennaida Zavala  
Planning Secretary



## **FOWLER PLANNING COMMISSION**

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ITEM NO: 3

### **REPORT TO THE PLANNING COMMISSION**

July 1, 2021

**FROM:** Dawn E. Marple, City Planner

### **SUBJECT**

Consider Land Use Alternatives Summary & Recommendations Report as presented by staff and make a recommendation to the City Council for a preferred land use alternative for the City of Fowler General Plan

### **RECOMMENDATION**

Staff recommend the Commission recommend to the City Council that Alternative 4, with a tiered urban growth management approach, be adopted.

### **BACKGROUND**

The City of Fowler adopted its first General Plan in 1976. Since then, the City has grown and changed significantly. The City made updates to certain parts of the General Plan, including an update to the Land Use, Circulation, and Economic Development elements in 2004. Additionally, new laws affecting General Plans have been passed, new social and environmental issues have emerged, and new planning strategies and practices have been developed.

The City of Fowler, in 2018, selected a consultant to prepare the next update to the City of Fowler General Plan. Since then, the consultant has been working with City staff, stakeholders, and the public to prepare the groundwork for the General Plan Update.

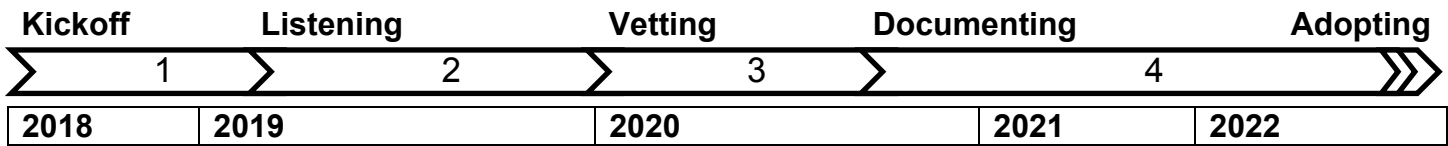
On April 28<sup>th</sup>, 2021, the consultant team for the City of Fowler General Plan Update conducted a virtual public workshop to present land use alternatives and solicit community feedback on proposed land use changes being considered as part of the update process. Announcement flyers were emailed to a previously established participants list, and Fresno County Department of Public Health staff called, emailed, and assisted residents with signing up to participate. Notices were mailed to those who own property in areas identified for potential changes in land use. A total of 43 community members attended the workshop.



The following General Plan Update topics were discussed at the workshop:

- Project timeline
- Summary of the previous workshop held in November of 2020
- Proposed land use changes
- Introduction of the project story map and interactive land use map

Below is the established timeline of the General Plan Update:



Attendees at the April virtual workshop were asked several questions that would assist in the development of the General Plan Update. The questions, options, and results are as follows:

Question / Option	Count	Percent
<b><i>Which supporting principle should be prioritized?</i></b>		
Thriving economy: providing jobs and increasing local amenities	17	57%
Community character: facilitating growth in a way that complements Fowler's character	11	37%
No preference	2	7%
<b><i>Which land use planning priority should be prioritized?</i></b>		
Healthy food options: facilitate larger markets with more food options	17	55%
Amenities west of Highway 99: expand commercial options west of Highway 99	12	39%
No preference	2	6%
<b><i>What type of development should be prioritized?</i></b>		
Infill development: concentrate growth in the existing City limits or Sphere of Influence boundary first	19	61%
Growth areas: allow development to occur in one or more areas concurrent with or before infill development.	10	32%
No preference	2	6%
<b><i>Should the City decide to add growth area(s), which one should be prioritized?</i></b>		
Growth Area 1, located to the west of the City	16	64%
Growth Area 2, located to the north and east of the City	7	28%
Growth Area 3, located to the south of the City	0	0%
No preference	2	8%

Percent totals may not add to 100% due to rounding.

The growth areas presented at the workshop and voted on in the live poll include the following:

Growth Area 1 is approximately 676 acres located west of State Route 99 and is generally bound by Lincoln Avenue to the north, Minnewawa to the west, South Avenue to the south, and Sunnyside Avenue to the east. This area is currently located outside of the City of Fowler's General Plan area currently.

Growth Area 2 is approximately 697 acres located north of Clayton Avenue to Lincoln Avenue east of Sunnyside Avenue, as well as east of Temperance Avenue to Locan Avenue between Sumner and Clayton Avenues. These areas are currently designated by the Fowler General Plan as Agriculture.

Growth Area 3 is approximately 282 acres, also outside of the current General Plan area, and is primarily bordered by Parlier Avenue to the north, Armstrong Avenue to the west, Springfield Avenue to the south, and Temperance Avenue to the east.

Given the feedback received, the General Plan Update consultant developed four (4) alternatives, comprised of varying combinations of growth areas, resulting in different buildout potential for each alternative. A comparison chart between each alternative is provided below (numbers in **bold** represent the Land Use Alternative closest to the targeted goal):

Land Use Alternative	Current	Alt. 1	Alt. 2	Alt. 3	Alt. 4
<b>Prioritized Growth Areas</b>	N / A	1	2	1 and 2	All
<b>Urban Reserve Growth Areas</b>	N / A	2 and 3	1 and 3	3	None
<b>Jobs : Housing Balance (Target 2.0)</b>	3.5	2.5	2.3	2.06	<b>2.0</b>
<b>Commercial Land Area, % of Total (Target 8%)</b>	5.5	<b>7.5</b>	6.1	6.6	<b>7.5</b>
<b>Residential Land Area, % of Total (Target 50%)</b>	32.1	48.1	<b>51.2</b>	54.1	48.1
<b>Industrial Land Area, % of Total (Target 33%)</b>	36.6	40.3	38.6	<b>35.4</b>	40.3
<b>Housing Units</b>	6,642	10,660	10,868	13,917	15,248
<b>Population</b>	21,784	34,966	35,648	45,647	50,013
<b>Employees</b>	23,110	27,346	25,267	28,600	30,539

Of those developed alternatives, Alternative 4 meets the majority of targeted goals; thus, Alternative 4 is recommended to be chosen as the preferred alternative. The recommendation also includes establishment of tiered urban growth boundaries to facilitate development in certain areas over others. The order of priority being recommended for development to occur is first within the current adopted Planning Area boundary followed by development in Growth Area 2 (to the west), then Growth Area 1 (to the north), and finally Growth Area 3 (to the south).

## ENVIRONMENTAL FINDING

Pursuant to the California Environmental Quality Act (CEQA), an agency must complete environmental review prior to committing itself to a definite course of action in regard to a proposed project (CEQA Guidelines Section 15352). Environmental review must occur as early as feasible in the planning process to enable environmental considerations to influence project program and design, yet late enough to provide meaningful information for environmental assessment (CEQA Guidelines Section 15004(b)).

At this time, the Planning Commission is not taking any action that would constitute approval of a General Plan Update. Rather, the Planning Commission is being asked to provide a recommendation to City Council with regard to a preferred land use alternative that would be evaluated in a Program Environmental Impact Report (PEIR).

The City Council retains full discretion either to approve or disapprove the project. The selection of the preferred option for further study is therefore exempt from environmental review pursuant to CEQA

Guidelines, Section 15262 (feasibility and planning studies for possible future actions that have not been approved, adopted, or funded), as well as the general rule that CEQA only applies to “projects” that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA (CEQA Guidelines, Section 15061(b)(3)).

Attachments:

Land Use Alternatives Workshop Summary, April 2021

Alternative Land Use Summary & Recommendations Report, June 2021

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# CITY OF FOWLER GENERAL PLAN UPDATE

## LAND USE ALTERNATIVES WORKSHOP SUMMARY

April 30, 2021

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On April 28<sup>th</sup>, 2021, the consultant team for the City of Fowler General Plan Update conducted a public workshop to present land use alternatives and solicit community feedback on proposed land use changes being considered as part of the update process. The workshop was held virtually, via Zoom webinar between the hours of 6:00 and 7:30 P.M. To generate interest and attendance at the workshop, announcement flyers were emailed to a previously established participants list. Staff with the Fresno County Department of Public Health also helped generate interest by calling and emailing residents and assisting them with signing up for the participant email list. Notices were also mailed to those who own property in areas identified for potential changes in land use.

The primary workshop activity consisted of a PowerPoint presentation, live polling, a live question and answer session, and the presentation of a project story map. The story map also includes an interactive map exercise where residents are encouraged to leave parcel-specific feedback.

The purpose of this memo is to provide a summary of these outreach efforts, including:

- Live poll results
- PowerPoint presentation content
- Story map content and instructions

## SUMMARY OF PRESENTATION

The PowerPoint presentation was given by the project team via video screen share during the live Zoom webinar. Each presentation slide was provided in English and Spanish and live verbal Spanish translation services were provided via the interpretation function through Zoom. Participants were able to pre-register or join at any time during the meeting. Participants were notified of the meeting and its content via the project website, mailed property owner notices, as well as via email. Participants were also able to join via phone conference.

The presentation content included instructions on how to navigate the Zoom webinar, how to initiate translation services, as well as the following General Plan Update topics:

- Project timeline
- Summary of the previous workshop held in November of 2020
- Proposed land use changes
- Introduction of the project story map and interactive land use map

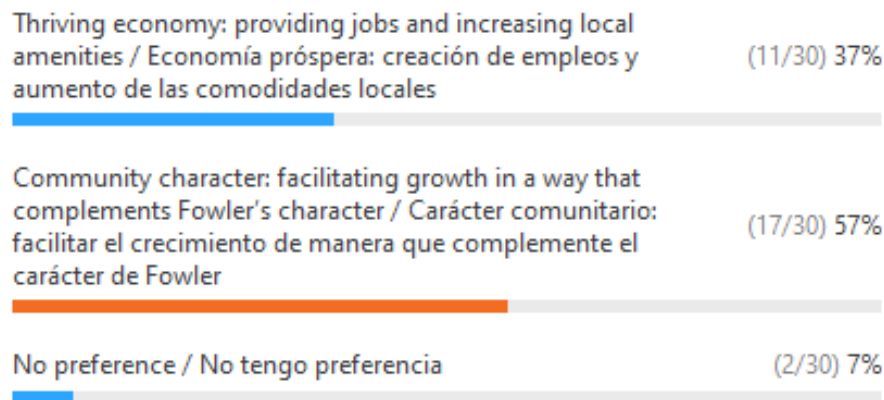
43 community members attended either by video or phone conference. All were able to view or hear the presentation and were given the opportunity to provide feedback via live polling. Participants were also able to ask questions or provide comments via online chat or live during several question-and-answer sessions. The voting results of each poll are summarized below. In some cases, not all participants responded to each poll question. A live recording of the workshop is available on the project website.

## LIVE POLL RESULTS

Four poll questions were asked during the presentation. Each question was designed to confirm community preferences expressed during the November 2020 workshop activities around preferred planning priorities, supporting principles, development of infill versus growth area properties, and preferred growth locations. The poll questions and results are summarized in **Figures 1-4** below.

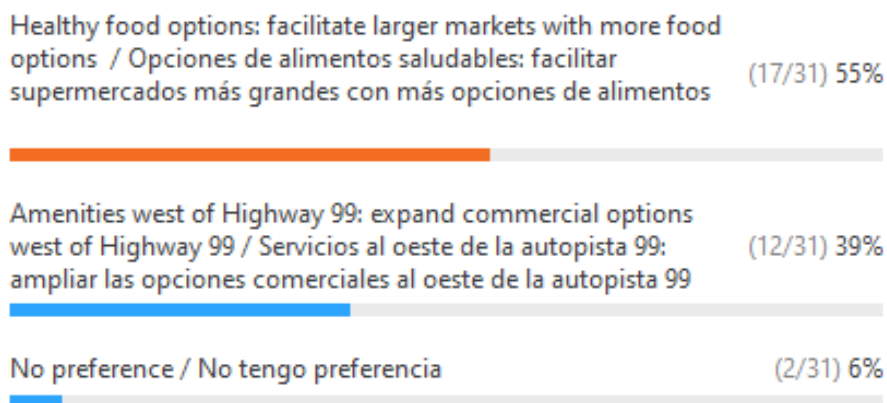
**Figure 1: Poll Question 1, Preferred Supporting Principle**

**1. Which supporting principle should be prioritized? /  
¿Qué principio de apoyo debe priorizarse? (Multiple choice)**

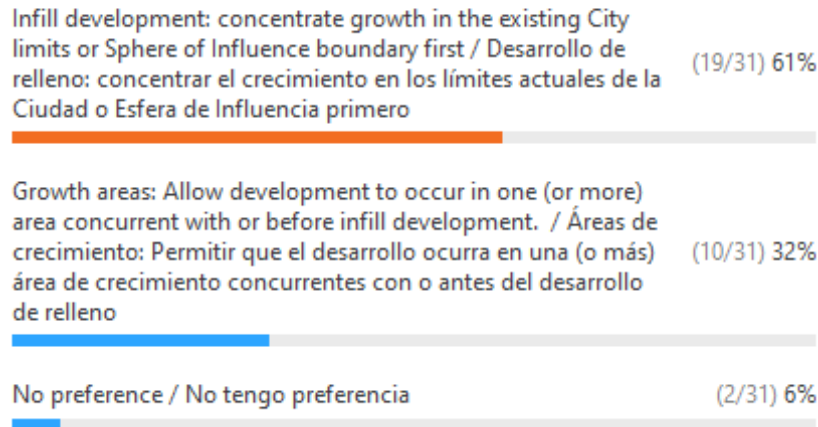
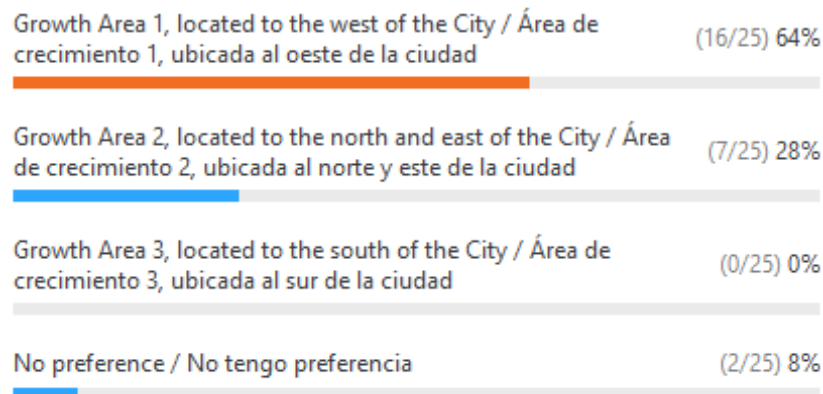


**Figure 2: Poll Question 1, Land Use Planning Priorities**

**1. Which land use planning priority should be prioritized? /  
¿Qué prioridad debe darse a la planificación del uso de la tierra? (Multiple choice)**





**Figure 3: Poll Question 3, Development Type Priority****1. What type of development should be prioritized? / ¿Qué tipo de desarrollo debe priorizarse? (Multiple choice)****Figure 4: Poll Question 4, Preferred Growth Area****1. Should the City decide to add growth area(s), which one should be prioritized? / ¿Si la Ciudad decide agregar área(s) de crecimiento, cuál debe ser priorizada? (Multiple choice)**

## SUMMARY OF STORY MAP & INTERACTIVE LAND USE MAP

A story map is a digital web-based storytelling platform that combines text, graphics, maps, and interactive multimedia content. The story map for the Fowler General Plan Update was developed by the project team as a web-based companion to the live presentation. The story map link was posted to the project website and presented during the Zoom webinar.

All the content presented in the PowerPoint presentation was also formatted into a story map, including project background, timelines, summary of common terms, proposed land uses, growth areas, and a summary of proposed land use designations. Content is provided in both English and Spanish. The story map also includes an interactive land use map showing the proposed land use plan and the boundaries of each potential growth area and change area, as shown in **Figure 5: Interactive Land Use Map**.

Users of the map can navigate to specific parcels by either zooming in and clicking on a parcel, entering an address into the search bar, or looking up a property's assessor's parcel number (APN). Once a specific parcel is selected, participants are able to view its current land use designation, its proposed land use designation, and its size, among other details. In addition, participants were encouraged to leave parcel-specific feedback by entering comments into the dialogue box, as shown in **Figure 6**.

Links to the story map and instruction sheets were posted to the City's project web page the day of the workshop and will be available to the public to review and leave comments through May 5<sup>th</sup>, 2021. An additional reminder to make use of the interactive map was also included in a follow up email announcement sent after the workshop. Once the public comment period has ended, the project team will consolidate all comments and include them as part of the Land Use Alternatives Summary Report, scheduled to be presented to Planning Commission and City Council on June 3<sup>rd</sup> and June 15<sup>th</sup>, respectively.

Figure 5: Interactive Land Use Map

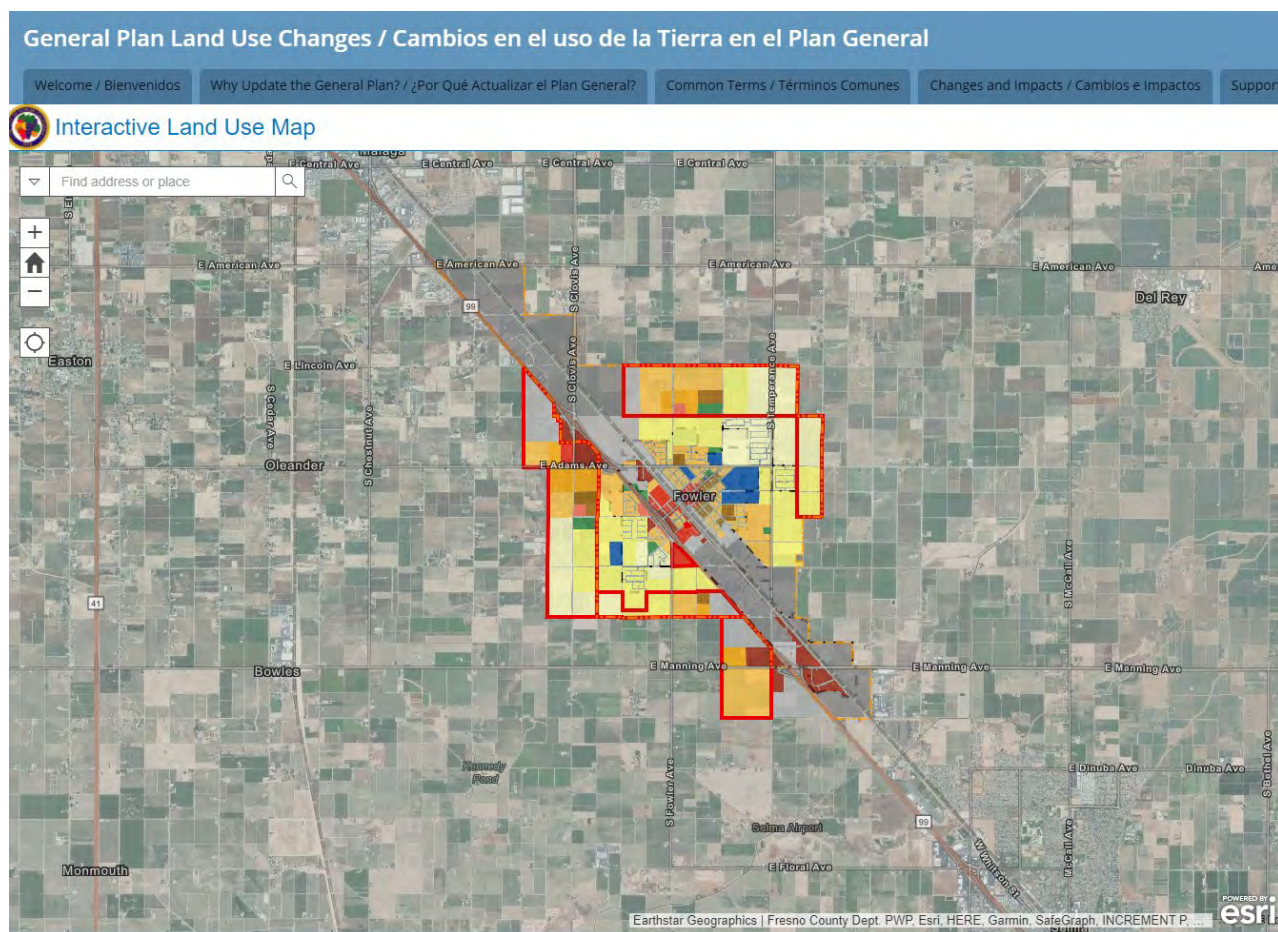


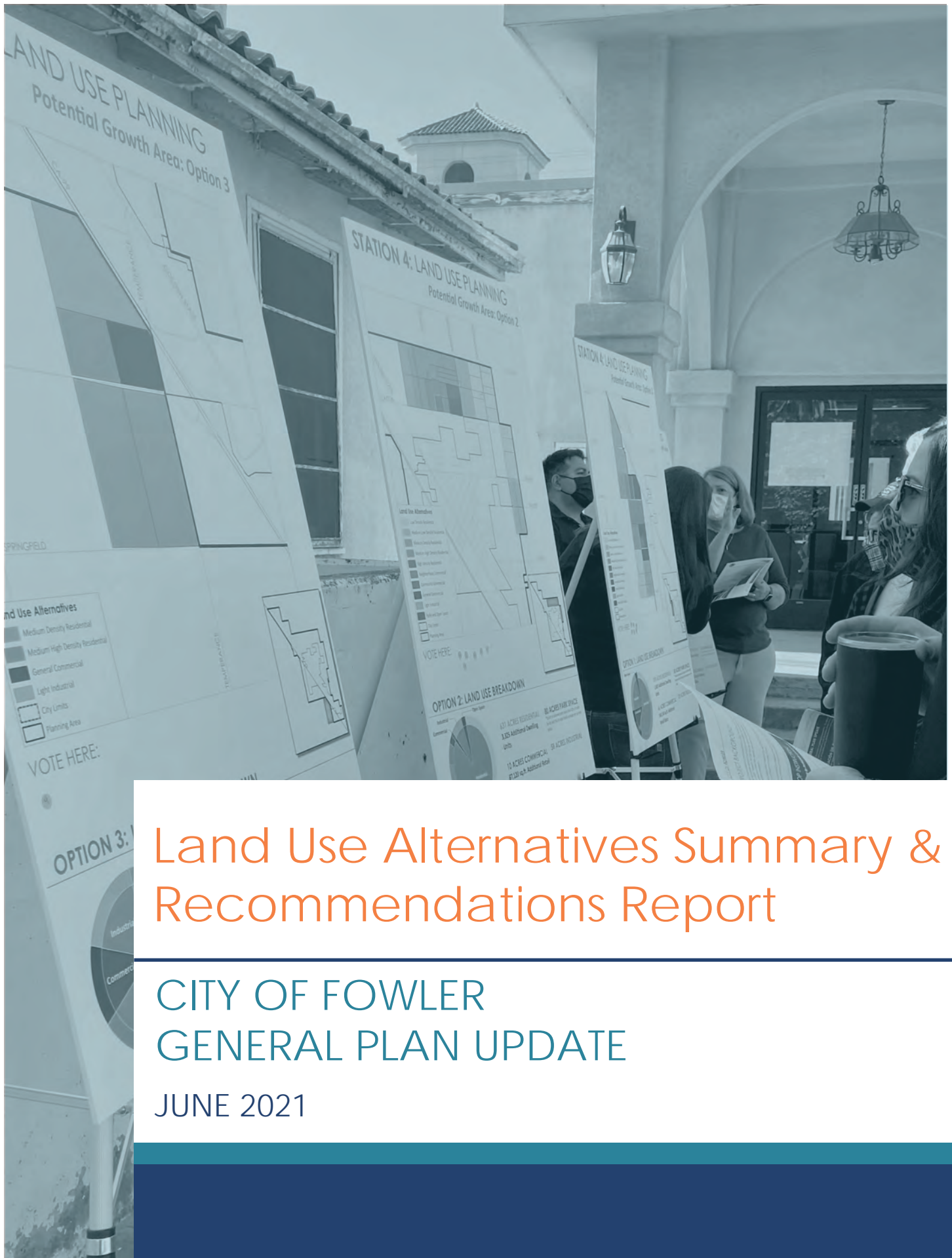
Figure 6: Interactive Land Use Map Comment Box

The screenshot shows the 'Interactive Land Use Map' interface with a comment box open for APN 345-11-014. The map on the left shows a satellite view of the area with various land use designations. The comment box on the right contains the following information:

- APN: 345-11-014
- Current GP Designation: Agriculture
- Proposed GP Designation: High Density Residential
- Address: 8264 S BURGAY AVE, FOWLER, CA 93625
- Change or Growth Area: Change Area C
- Acres: 9.85

Below this information, there are input fields for 'Name (optional)', 'Contact (optional)', and 'Comments'. The 'Submitted On' date is 4/29/2021. There are 'Submit' and 'Cancel' buttons. The 'Comments' section shows 'No comments'.





# Land Use Alternatives Summary & Recommendations Report

## CITY OF FOWLER GENERAL PLAN UPDATE

JUNE 2021



CITY OF **FOWLER**  
*California*

# Land Use Alternatives Summary & Recommendations Report

## FOWLER GENERAL PLAN UPDATE

JUNE 2021

### PREPARED FOR:

City of Fowler  
128 S. 5<sup>th</sup> Street  
Fowler, CA 93625

### PREPARED BY:

Provost & Pritchard Consulting Group





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# I. INTRODUCTION

The Alternatives Land Use Summary Report summarizes the methodology and steps involved in the creation of alternative land use plans for the City of Fowler General Plan Update. The report includes four alternative land use plans for consideration. The report will be presented to the Planning Commission for review and comment and the City Council for consideration and selection of a preferred land use alternative. Once confirmed by the City Council, the preferred alternative will be included in the updated General Plan document. Once the General Plan is adopted, the land use plan will guide development in Fowler over the planning horizon of 2040 and beyond. All policy and regulatory documents, including the Zoning Ordinance must be consistent with the General Plan. This report also identifies important terminology and reviews the site selection process for growth areas and areas planned for land use changes. Finally, this report describes and compares various land use alternatives and identifies a recommended alternative for consideration and confirmation by the City Council.

## THE PLANNING PROCESS

Identifying land use alternatives began with research of existing plans, policies, and technical studies relevant to land use in the City of Fowler. The research phase builds on previous deliverables, including the Fowler Community Report, policy papers on environmental justice and climate adaptation, and a policy review of the adopted General Plan. The project team, made up of City staff and consultants, then held stakeholder interviews which helped identify key issues, and hosted public workshops to share a new community vision, supporting principles, and identify planning priorities to be addressed during the updated process. Additional public workshops were held to inform decision-makers of progress and key milestones in the process. Next steps included analyzing baseline conditions, establishing additional planning metrics and considerations, revising land use designations, and determining growth areas and areas of change. Once complete, these analyses facilitated the development of alternative land use plans.



Staff is now providing recommendations to the Planning Commission and City Council regarding changes to the City's overall planning boundary and land uses that align with the community vision, supporting principles, and overall planning priorities. These alternatives provide multiple road maps for planning the City's growth over the horizon of the General Plan Update.

## II. OUTREACH & COMMUNITY PRIORITIES

### COMMUNITY VISION

A community vision describes the values and aspirations a community has for its future. A community's vision statement is typically adopted as part of its general plan. Subsequently, all land use plans, goals, policies, and implementation measures found in the general plan should be designed in support of that vision.

The community vision for the City of Fowler was developed following stakeholder input and key issues identification. The vision is supplemented with five supporting principles, which are statements that provide more specific guidance for Fowler's General Plan goals and policies. The vision statement and supporting principles have informed the development of the land use alternatives and all other components of the General Plan Update.

#### Crafting the Vision Statement

The consultant team drafted a community vision based on key issues and stakeholder input, which was shared with residents and presented to both the Planning Commission and City Council at a series of public workshops in the Fall of 2019.

#### Vision Statement

The following statement identifies the vision for Fowler's future and expresses key characteristics needed to sustain the community's identity and values, and achieve its potential:

*The City of Fowler is a safe, affordable place to live with a small-town feel. Fowler's community events and thriving schools create a place where you can raise your family and know your neighbors. Fowler fosters a dynamic business-friendly environment where shared goals and cooperation support local businesses and new economic investment. Thoughtful policies help conserve natural resources and provide well-maintained infrastructure to support responsible growth and development while preserving the unique, small town identity that makes Fowler a great place to live, work, and play.*

#### Supporting Principles

The following statements are supporting principles which implement the broader community vision. The supporting principles are listed in order of their ranked priority according to polling conducted at previous public workshops.

1. **Our Economy Thrives and Businesses Provide Local Amenities.** We value and support businesses which bolster the community by providing jobs, services, goods, and recreational opportunities. Economic development focuses on supporting business expansion and diversification. Our small-town character is preserved while also providing jobs and increased local amenities, ensuring residents the opportunity to live, work, and recreate all in one place.

2. **Protecting our Community's Character.** We celebrate Fowler's unique small-town character and balance it with the need to foster growth both physically and economically. Our commitment to facilitating growth in a way that complements our character is reflected in core planning documents. Growth policies preserve our central commercial core, residential neighborhoods, and support local businesses that contribute to the fabric of our community.

3. **Growth Occurs Thoughtfully and is Shaped by Our Community.** A creative growth management strategy allows expansion to occur in a way that aligns economic needs, community vision, and regional goals. There is a strong system in place to guarantee that as the community accommodates new neighbors and new jobs, it continues to maintain and improve upon the lives of City residents, ensuring infrastructure and services successfully reach growth areas while continuing to serve established neighborhoods. New development is executed through land use decisions which involve careful research, coordination, and community outreach.

4. **Our Community is Mobile and Connected.** Our circulation system is complete, with amenities which make walking, biking, and transit use a safe, comfortable, and viable means of getting from place to place. Roadways are scaled appropriately for the types of land uses that surround them and provide access to jobs, services, goods, and recreational opportunities. The central commercial core is contiguous, with a well-maintained streetscape. Our circulation patterns are shaped by urban design principles which value street design as a method of community connection and placemaking.

5. **Parks and Recreation are a Focal Point of Our Community.** Our parks and recreation facilities are safe, accessible, and connected to the community they serve. Passive and active recreation opportunities are abundant and coordinated across local facilities and organizations.

### Determining Community Values

The vision statement is reinforced by five supporting principles. A public workshop was held on November 14th, 2020 to determine the community's priorities for each supporting principle through an interactive poster activity. Community members provided feedback on which supporting principles were most important to them.

All proposed land use plans have been designed in support of the vision, and specific land use locations consider the community's most valued supporting principles.



## PLANNING PRIORITIES

Planning priorities are more focused and specific than the supporting principles. Because of their granularity and focus, planning priorities provide guidance when balancing competing land use goals.

The following planning priorities were identified during the General Plan Update process and informed by the community vision, public input, and legislative considerations. The planning priorities are listed in rank order according to polling conducted at previous public workshops.

### 1. More Healthy Food Options

Healthy food options include health food markets, farmers markets, and full-service grocery stores. Planning for healthy food options provides local opportunities to shop for everyday essentials and supports environmental equity and public health by ensuring ease of access to fresh, unprocessed, and affordable food.

### 2. Amenities West of Hwy 99

Many of Fowler's residents on the west side of Highway (Hwy) 99 have noted a lack of amenities like shopping, parks, and entertainment compared to those who live east of the highway. Planning for non-residential land uses west of Highway 99 would support the realization of additional amenities in this part of the City.

### 3. More Retail Space

Planning for more commercial space can help facilitate more restaurants, entertainment, and retailers in Fowler. This would allow residents to utilize local resources for shopping and entertainment rather than seeking them out from nearby cities.

### 4. Additional Trails and Parks

Additional trails and parks can provide venues for outdoor activities, opportunities for exercise, and can help create a more mobile and connected community. Well-distributed parks and trails also support healthy communities by providing active transportation options and equitable access to green space.

### 5. More Diverse Housing Types

Housing diversity can lead to increased economic stability, better affordability, and increased access to quality housing for families, children, older adults, and those entering the housing market. Housing diversity is also being mandated through state legislation as well as local planning efforts such as the Regional Housing Needs Allocation (RHNA) process. Cities must plan for a diverse range of housing types and price points in their general plans to provide their fair share of housing stock for the region.

### Prioritizing Land Uses

On November 14th, 2020, the consultant team for the City of Fowler General Plan Update conducted a public workshop. The primary workshop activity consisted of interactive posters where community members responded to a specific prompt. The interactive posters were designed to gain an understanding of which planning priorities are most important to them. These priorities helped inform land use choices in the face of competing goals.

### III. LAND USE ANALYSIS

After surveying the community, the consultant team conducted research, analyzed the adopted land use plan, established planning considerations and target metrics, and identified a proposed planning area boundary for consideration. The intent of this effort was to determine how effective the adopted land use plan is at achieving the stated planning goals and community priorities as well as provide a baseline against which new land use alternatives could be compared. The following sections summarize the findings from each of these efforts and give additional technical background, as needed.

#### ADOPTED LAND USE PLAN ANALYSIS

An important component of any general plan is the land use diagram. This diagram illustrates the location and extent of different land uses assigned to each parcel in a jurisdiction's planning area. These designations express the intended use of property and direct future land development. The land use diagram, or plan, also shows the boundaries of a city's planning area. The City's adopted land use plan including the City limits, Sphere of Influence (SOI), and planning area boundary is shown in **Figure 1: Adopted General Plan Land Use Map**.<sup>1</sup>

The project team analyzed the adopted land use plan to determine how uses are currently allocated. The breakdown of land uses planned under the adopted General Plan is summarized in the **Land Use Summary** section below. The outcome of this analysis supports input received on the key issues (e.g., lack of commercial amenities) and informed the development of planning priorities (e.g., more amenities west of Hwy 99), confirmed during the public outreach process. The relationship between the adopted land use plan and current community goals is described in more depth in the **Planning Considerations** section of this report.

##### *Land Use Summary*

The adopted planning area includes a total of 3,939 acres. Based on the adopted land use plan, approximately 32 percent is planned for residential uses, 5 percent for commercial uses, 37 percent for industrial uses, and 4 percent for public facilities and parks and open space. It should be noted that additional park space is required as part of residential developments despite not being designated on the land use plan. An additional 22 percent of the planning area is designated for agricultural uses, which is atypical and generally inappropriate within an urban planning area.

Based on these land uses, the adopted General Plan land use plan could likely accommodate 6,642 dwelling units, a population of 21,748 individuals, and would result in a jobs-housing ratio of 3.48 at buildout. A full quantitative breakdown of the adopted land use plan is provided in **Table 1: Adopted Land Use Plan Analysis**. For expanded details on the assumptions used in calculating buildout potential, see the **Buildout Assumptions** section of this report under **Section IV, Land Use Alternatives**.

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<sup>1</sup> A Sphere of Influence is an established boundary line adopted by the Local Agency Formation Commission (LAFCo) to designate the future boundary and service area for a city or special district.

Figure 1: Adopted General Plan Land Use Map

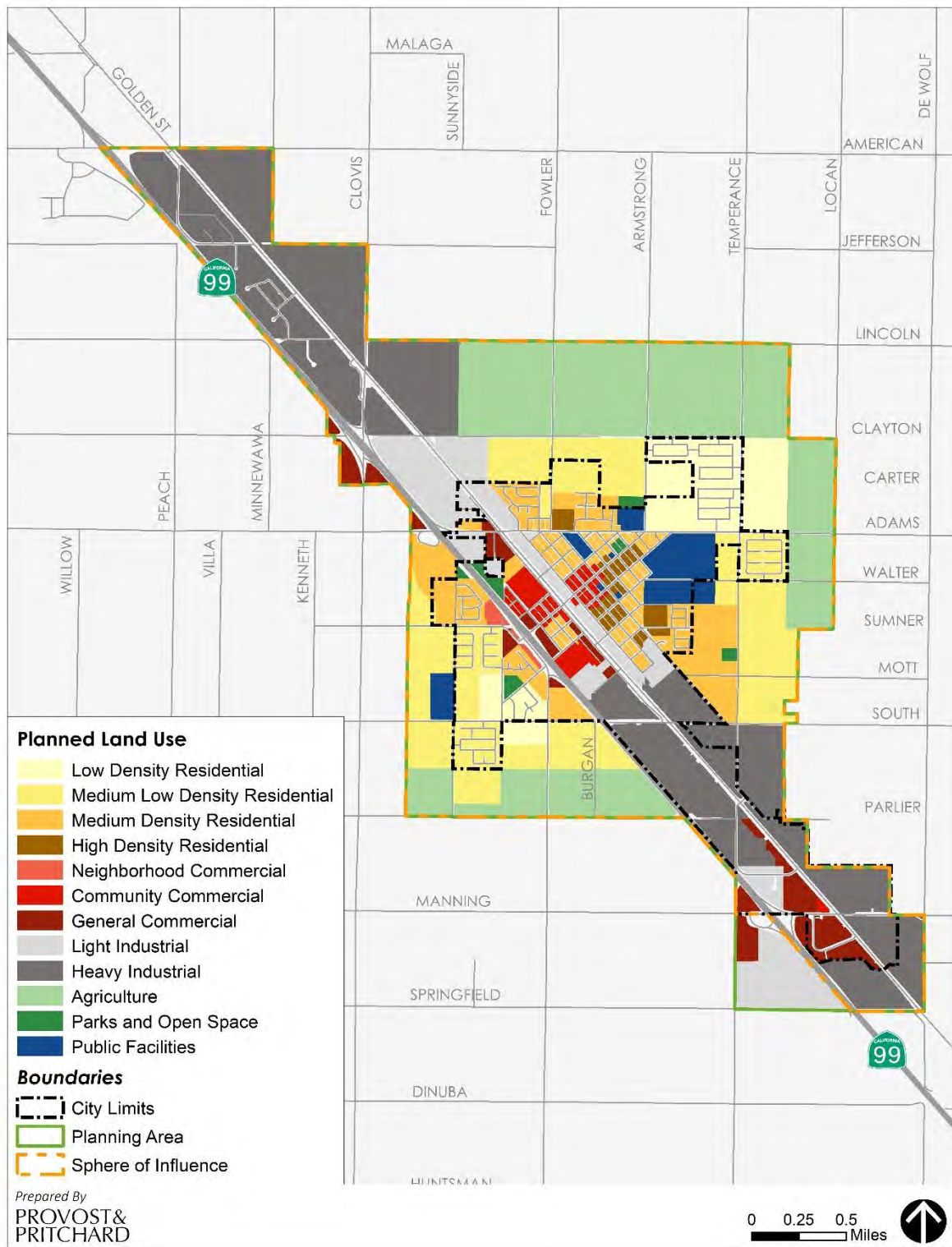


Table 1: Adopted Land Use Plan Analysis

Land Use Designation		Total Acreage	% of Planning Area	% of Land Use Category
<b>Residential Land Use Category</b>				
	Low Residential	258	7%	20%
	Medium Low Residential	638	16%	50%
	Medium Residential	326	8%	26%
	Medium High Residential <sup>1</sup>	0	0%	0%
	High Residential	44	1%	4%
<b>Residential Subtotal</b>		<b>1,266</b>	<b>32%</b>	<b>100%</b>
<b>Commercial Land Use Category</b>				
	Neighborhood Commercial	10	0%	4%
	Community Commercial	60	2%	28%
	General Commercial	146	4%	68%
<b>Commercial Subtotal</b>		<b>216</b>	<b>5%</b>	<b>100%</b>
<b>Industrial Land Use Category</b>				
	Light Industrial	336	9%	23%
	Heavy Industrial	1,105	28%	77%
<b>Industrial Subtotal</b>		<b>1,441</b>	<b>37%</b>	<b>100%</b>
<b>Agriculture, Open Space, and Public Facilities Land Use Category</b>				
	Agriculture	876	22%	86%
	Parks/Open Space	25	1%	2%
	Public Facilities	117	3%	12%
<b>Agriculture, Open Space, and Public Facilities Subtotal</b>		<b>1,018</b>	<b>26%</b>	<b>100%</b>
<b>TOTAL</b>		<b>3,939</b>	<b>100%</b>	

Numbers may not add up due to rounding.

<sup>1</sup> The Medium High Density Residential designation is proposed as a new designation under the General Plan Update and has been included here for consistency.

## PLANNING CONSIDERATIONS

After analyzing the adopted land use plan, it was necessary to evaluate how closely the adopted land use plan aligns with the community goals and priorities identified during the outreach efforts conducted for the General Plan Update process. To establish a baseline for comparison, a set of target metrics related to community priorities was established and then the adopted land use plan was evaluated against those metrics. Also considered during the planning process were growth management strategies and how they may provide for a framework to balance the development with a demonstrated need to ensure that growth is occurring thoughtfully and that services are provided relative to demand.

### Target Metrics

The metrics considered in this analysis were selected for their association with the vision, supporting principles, and planning priorities established through previous research and public outreach efforts. Topic areas include jobs-housing balance and the overall mix of land uses, including commercial, residential, and industrial uses, as well as performance relative to recent State legislative directives. A summary of the identified target metrics and their comparison to the adopted land use plan performance, as discussed in further detail below, is shown in **Table 2: Target Metrics and Considerations**. Each land use alternative was also evaluated with these metrics in mind. The results of the alternatives analysis can be reviewed in **Section IV, Land Use Alternatives**.

### Jobs-Housing Ratio

#### Target Metric: 2.0

The jobs-housing ratio is a measure of the number of employment opportunities compared to the number of housing units within the planning area. This ratio is one indicator that employees have the opportunity to live where they work, and residents have the opportunity to work where they live. A high jobs-housing ratio (i.e., more jobs than housing units) indicates a jobs-rich area while a low ratio (i.e., less jobs than housing units) indicates a housing-rich area. Many other factors, like labor force skills, available jobs, income, preference, and housing prices add complexity to how well this ratio represents the actual balance between jobs and residents. While the jobs-housing ratio may not reflect these nuances, it is a commonly used metric to evaluate land use plans.

#### Jobs-Housing Balance

Increasing the amount of housing compared to jobs in the community supports the Supporting Principles and Planning Priorities by providing more diverse housing options and the potential for economic development. It also helps the City meet its Regional Housing Needs Allocation (RHNA) and is in support of state housing-related legislation.

While there is no adopted standard, a ratio of 1.5, which indicates that there are one and a half jobs for every housing unit, is generally considered balanced. The potential benefits of a balanced jobs-housing ratio include reduced driving and congestion, shorter commutes to and from work, and reduced air pollution emissions. Together, these benefits can translate into a higher quality of life and a lower commute burden on the local workforce.



A balanced jobs-housing ratio may also provide economic benefits. Businesses may consider the local workforce when choosing where to locate. Cities offering a high quality of life (i.e., offer ample services, recreational opportunities, less traffic, and affordable and diverse housing options) often have the potential to attract more employers. In addition, mid- to larger-scale retailers generally choose to locate in areas with higher populations. Increasing the number of housing units in an area could attract retailers to the community, potentially bolstering the economy, increasing tax revenue, and providing residents with additional and more diverse services and amenities.

Under the adopted land use plan, Fowler's jobs-housing ratio is approximately 3.5, which is considered very high. This indicates that Fowler has planned for a substantially higher number of employment opportunities than housing opportunities. Recognizing that the adopted land use plan could result in such a high jobs-housing ratio, the new target moving forward must consider that any progress toward a ratio of 1.5 is beneficial. As such, the target jobs-housing ratio for land use programming is 2.0. While the target ratio is still higher than is commonly considered ideal, it is a reasonable goal given the size of the proposed planning area and the mix of land uses planned under the adopted General Plan. The target jobs-housing ratio of 2.0 also recognizes Fowler's location along Hwy 99 which positions Fowler as an ideal city for opportunities in both industrial and regional commercial growth, which could result in a greater number of associated job opportunities.

### *Commercial Land Use Target*

Target Metric: 8% of All Land Uses

Throughout the public outreach process, lack of local retailers was consistently stated as an issue to be addressed as part of the General Plan Update. Upon analysis of the adopted land use plan, it was found that only five percent of land within the planning area is designated for commercial uses. This low percentage offers some explanation for why residents and stakeholders consistently cited lack of retail amenities as an obstacle for the community. Increasing the amount of commercial land in relation to all other land uses will help facilitate the development of retail establishments within the proposed planning area. The target metric for commercial land uses in total compared to all other planned land uses is eight percent.

#### **Commercial Land Use Opportunities**

Increasing the amount of commercial land use designations in the community supports the Supporting Principles and Planning Priorities by providing additional opportunities for retail to locate in areas throughout the City and provide an increased level of service for the community.

### *Residential Land Use Targets*

Target Metric: 50% of All Land Uses

Housing is a critical component of community planning. Planning for diverse housing options increases choice, affordability, and opportunity. By extension, diverse housing options increase personal and financial stability by offering viable housing options to people across a range of ages, incomes, and life stages. For example, a retiree looking to downsize has different needs and preferences than younger adults with families, or those entering the housing market for the first time. Planning for various residential densities

allows the housing market to meet the needs of the entire community, responding to shifts in market demand.

In addition, California law recognizes that for the private housing market to adequately address demand, local governments must provide opportunities for and not unduly constrain housing development. As a result, housing policy implementation in California rests largely on local regulatory documents, such as the general plan. The primary process through which housing production is monitored at the state level is known as the Regional Housing Needs Allocation (RHNA). The RHNA considers population projections and incomes by region and then assigns each local jurisdiction its share of the region's housing needs. In turn, each local government must plan to meet those needs in its general plan.

While the general plan housing element is the main vehicle for local housing policy, the land use plan is the basis for a community's housing capacity.<sup>2</sup> It is with this legislative and planning context in mind that housing metrics have been developed for the Fowler General Plan Update. The total amount of land designated for residential uses under the adopted land use plan is 32 percent of all land uses. Moving forward, the primary target metric for residential land is 50 percent of total land uses. This will support to jobs-housing ratio metric to bring more balance between employment opportunities and housing opportunities.

Additionally, recognizing that the mix of residential densities is an important component of how the City will be able to respond to its obligations under the RHNA and provide for additional housing opportunities across the range of ages, incomes, and life stages, two supporting target metrics were identified and evaluated as part of the land use planning process: 1) of all planned residential land, approximately 10 percent should be planned for a combination of Medium High and High Density Residential, and; 2) of all planned residential land, approximately 40 percent should be planned for Medium Low Density Residential.

### Residential Land Use Mix and Supporting Targets

The primary target metric ratio for residential land uses compared to all other designations is 50%. Of that 50%, 10% of land should be planned for a combination of Medium High and High Density and another 40% for Medium Low Density Residential.

Increasing the overall amount of housing opportunities in Fowler supports a more balanced jobs-housing ratio, meeting Fowler's obligations under the RHNA, and facilitates compliance with state housing laws. In addition, providing opportunities for more diverse housing types increases affordability across all stages of life.

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<sup>2</sup> The Housing Element is being updated separately from this General Plan Update process. The Housing Element is required to be updated every eight years with the next (6<sup>th</sup>) cycle being initiated currently through a Multi-Jurisdictional Housing Element effort managed by the Fresno Council of Governments (Fresno COG). Though the Housing Element is being updated separately, the schedule for adoption generally aligns with the planned adoption of the General Plan and these efforts are being coordinated.

### Industrial Land Use Target

#### Target Metric: 33% of All Land Uses

The City of Fowler's adopted land use plan allocates approximately 37 percent of total land uses to industrial designations. The high proportion of planned industrial land is, in some capacity, appropriate due to Fowler's location along Hwy 99 and rail lines, as well as its proximity to agricultural. These circumstances make Fowler a logical and efficient location for industrial uses such as warehousing, packing houses, storage uses, and freight services.

Moving forward, land use planning should consider industrial uses as economic opportunities for the City while balancing the need for other uses, such as housing and commercial facilities. As such, the target metric for light and heavy industrial uses under each alternative land use plan is 33 percent compared to all other land uses.

### Industrial Land Use Opportunities

Industrial uses will continue to be an economic driver in Fowler and will be balanced with increases in housing and commercial land use opportunities.

### Vehicle Miles Traveled

#### Target Metric: Reduction of Baseline

Senate Bill (SB) 743 was adopted in 2013 to address four state priorities, including improving the transportation system, meeting climate targets, addressing housing needs, and reducing environmental impacts. SB 743 directed a new method of analyzing transportation impacts of land development and infrastructure projects under the California Environmental Quality Act (CEQA) be developed. This new method, measuring vehicle miles traveled (VMT), was approved in 2018. A Technical Advisory was subsequently issued by the Governor's Office of Planning and Research (OPR) to provide guidance on how VMT analysis could be evaluated under CEQA.

Prior to SB 743, traffic impact analysis focused on whether a development project would increase congestion on the roadway, also known as level of service (LOS). Under an LOS analysis, if a development were determined to create traffic congestion because of the vehicle trips it would likely generate, developers would be required to build new infrastructure to mitigate that congestion or pay mitigation fees. Sometimes, this meant that the developer would be responsible for new infrastructure, like widening intersections or building new roads. In some instances, the cost of mitigation made projects infeasible and in others, it incentivized developers to reduce project size or build in outlying areas, which contributed to less efficient land use patterns and longer commutes.

Under SB 743, local agencies must now analyze transportation impacts through VMT analysis. Rather than focus on congestion and road conditions, VMT measures the amount and length of new vehicle trips

### Vehicle Miles Traveled

VMT focuses on how to reduce dependence on driving and increase efficiency of the transportation system by analyzing the amount and length of new vehicle trips generated by proposed development projects. It does this through evaluating the proximity of future development to existing land uses, including housing, commercial, office, and other services.

Consistent with the Technical Advisory issued by the OPR, the goal for all land use alternatives is to reduce the overall estimated annual VMT for the General Plan service area.

generated by proposed development projects by considering their proximity to existing land uses, including housing, commercial, office, and other services. The intention in measuring VMT is to reduce dependence of driving and increase efficiency of the transportation system, resulting in decreased greenhouse gas emissions.

The goal for all land use alternatives is to achieve an overall reduction in estimated annual VMT for the General Plan service population.<sup>3</sup> Each land use alternative was programmed with this in mind and attempts to reduce VMT by clustering new housing and services together. In addition, higher density housing opportunities are planned in closer proximity to retail, office, and service uses to maximize efficiency on the roadway.

**Table 2: Target Metrics and Considerations**

Metric	Current	Target
<b>Jobs to Housing Balance</b>		
Jobs-Housing Ratio	3.5	2.0
<b>Commercial Land Uses</b>		
Commercial Land Uses as % of Total	5%	8%
<b>Residential Land Uses</b>		
Residential Land Use as % of Total	32%	50%
Medium Low Density as % of Residential	50%	40%
Medium High and High Density as % of Residential	4%	10%
<b>Industrial Land Uses</b>		
Industrial Land Uses as % of Total	37%	33%
<b>Vehicle Miles Traveled<sup>1</sup></b>		
Annual Estimated VMT for the General Plan service population.	Baseline	Reduction compared to baseline

<sup>1</sup> The VMT target metric will be evaluated qualitatively. For purposes of this analysis, baseline estimates were developed using CalEEMod relying on a series of model assumptions. While these estimates are appropriate to guide alternative land use planning efforts, they should not be utilized in CEQA analysis. Further quantitative analysis will be conducted as part of the environmental review process.

## Growth Management

Growth management strategies encourage the orderly development of land to effectively manage municipal service expansion and maintain services for existing development. Additionally, they aim to balance growth with demand for new development, reducing the premature conversion of farmland and other natural resource and open space areas.

While various types of growth management strategies have been commonly used in the past, recent updates to State law have impacted a jurisdiction's ability to limit growth. SB 330, the Housing Crisis Act of 2019, prohibits a city or county from enacting development policies, standards, or conditions that do any of the following:

<sup>3</sup> The service population is the sum of the estimated resident population the estimated employee population at buildout.

- Reduce the density or intensity (also known as downzoning) of a land use below what was allowed under the established regulations in effect January 1, 2018.<sup>4</sup>
- Impose a moratorium on housing development for any reason other than to protect against an imminent threat to health and safety.
- Limit the number of land use or permit approvals allowed to construct housing.
- Cap the number of units that can be approved or constructed annually or for some other period, unless the limit was approved by voters prior to 2005 and the city or county is in a predominantly agricultural county.
- Limit population growth rate.

As a result, many cities and counties, including Fowler, must adopt a new approach to growth management that does not enact moratoriums, permit caps, or otherwise limit development of residential units. Fowler adopted a growth management ordinance in June 2004 to implement adopted General Plan policy. The ordinance limited the population and housing growth rate to 6 percent per year, or 3 percent over a five-year period, which does not comply with the intent of SB 330. This resulted in the City suspending enforcement of the growth management ordinance in February 2020.

As an alternative to Fowler's adopted growth management strategy, which has been suspended due to its inconsistency with the intent of SB 330, other growth management strategies may be considered. One such strategy that complies with the intent of SB 330 is the use of urban growth boundaries. Urban growth boundaries delineate locations where development should occur first, often prioritizing infill over expansion. Establishing multiple growth boundaries allows for a tiered approach, wherein development within a specific growth boundary is prioritized over development in subsequent growth boundaries. Thresholds are established to determine when development may occur within the next growth boundary and are typically structured around building permit issuance to ensure that expansion aligns with demand. Once development thresholds within a specific growth tier have been met, additional growth tiers are opened, allowing infrastructure to expand only after a majority of development potential within existing urban areas has been realized. In addition to managing growth, this strategy allows a city to maximize efficiency by establishing a comprehensive blueprint for future land development and infrastructure phasing early in the planning process. This approach meets the intent of SB 330 because there is no cap on the allowed number of permits that may be issued within any one growth boundary – only a threshold to meet, which may be exceeded, that then dictates where development may continue.

### Legislative Context and Limitations

SB 330, the Housing Crisis Act of 2019, has limited the ability of jurisdictions to establish or enact growth management policies, including moratoriums, permit caps, and downzoning. This limitation will be in effect until January 1, 2025.

At present, Fowler has a growth management ordinance which limits the population and housing growth rate to 6% per year, or 3% over a five-year period. This ordinance does not comply with SB 330. Adopting a tiered approach to growth management is one method to

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<sup>4</sup> SB 330 does not prohibit an affected county or an affected city from changing a land use designation or zoning ordinance to a less intensive use if the city or county concurrently changes the development standards, policies, and conditions applicable to other parcels within the jurisdiction to ensure that there is no net loss in residential capacity.



## PLANNING BOUNDARIES & SITE SELECTION

When comparing the adopted land use plan to the General Plan Update planning priorities and metrics, it was determined that these goals could not be met within the current planning area boundary. To do so would require implementing a significant and potentially undesirable amount of land use changes. In addition, it was determined that a considerable amount of land within the planning area had already been developed or was progressing through the development review process, limiting the opportunity for land use changes that would not affect existing development or projects in process. To redesignate large amounts of land in the existing planning area would result in many planning and regulatory inconsistencies, also known as nonconforming uses. To avoid this, it was found that expanding the planning area boundary would be necessary to fulfill the vision, principles, and planning priorities for the community as well as meet the identified target metrics.

### *Proposed Planning Area Boundary*

To determine the extent of the proposed planning area, a memorandum summarizing potential boundaries was delivered to City staff in August of 2020. In that memorandum, three separate alternatives were summarized, including retaining the existing planning area boundary, expanding the planning area to the west, and expanding the planning area to both the west and the south.

Multiple considerations informed the ultimate extent of the proposed planning area boundary, including public feedback, LAFCo policies, City staff recommendations, and property owner requests. The proposed planning area boundary includes 4,909 acres and is inclusive of all potential expansion areas submitted to staff for review.

### *Change Areas & Growth Areas*

Once the proposed planning area was determined, locations for potential land use changes were identified, including changes to land uses currently designated on the adopted General Plan land use map. All areas identified for a potential land use change were then organized into one of two categories: growth areas or change areas. Each category is described in further detail below and is shown on **Figure 2: Growth Areas and Change Areas**. **Table 3** includes a summary of acreage for each growth area and change area. Land use designations for properties not identified as a growth area or a change area would remain as currently planned and are identified collectively as the unchanged area. It should be noted that additional land use changes while not anticipated may occur, specifically around park space as park types, definitions, sizes, and policies are refined throughout the General Plan Update process.

### *Change Areas*

Parcels identified as change areas are located within the existing City limits or SOI and have either been planned for urban use or are in areas expected to be developed with urban uses relatively soon. There are four change areas identified on **Figure 2: Growth Areas and Change Areas**.

Change Areas A and B are currently planned for urban uses but are identified as parcels that should be updated to alternative urban uses based on site context.

Change Area C is within the adopted SOI boundary but is currently planned for agriculture, which is atypical and not consistent with LAFCo policies. Area C has been identified as a change area because it is currently planned for agricultural use, is already in the City's SOI, and represents a logical continuation of growth already being experienced within the City.

Change Area D is currently planned for park space but has been developed as a water retention basin. Moving forward, this Area will be redesignated as public facilities, consistent with its current use.

### Growth Areas

Growth areas include land that is proposed to be converted from non-urban<sup>5</sup> to urban uses. The main consideration when categorizing a growth area was not necessarily related to location but was related to size and whether proposed land use changes would result in the addition of considerable urban uses to the City of Fowler. There are three potential growth areas identified on **Figure 2: Growth Areas and Change Areas**.

Growth Areas 1 and 3 are outside of the City's adopted planning area and SOI to the west and south, respectively. Growth Area 2 is located within the adopted planning area and SOI but planned for non-urban uses. Proposed land uses for each growth area are reviewed in greater detail in **Section IV, Land Use Alternatives** of this report and can be viewed in **Figure 3** through **Figure 6**.

**Table 3: Summary of Change Areas and Growth Areas**

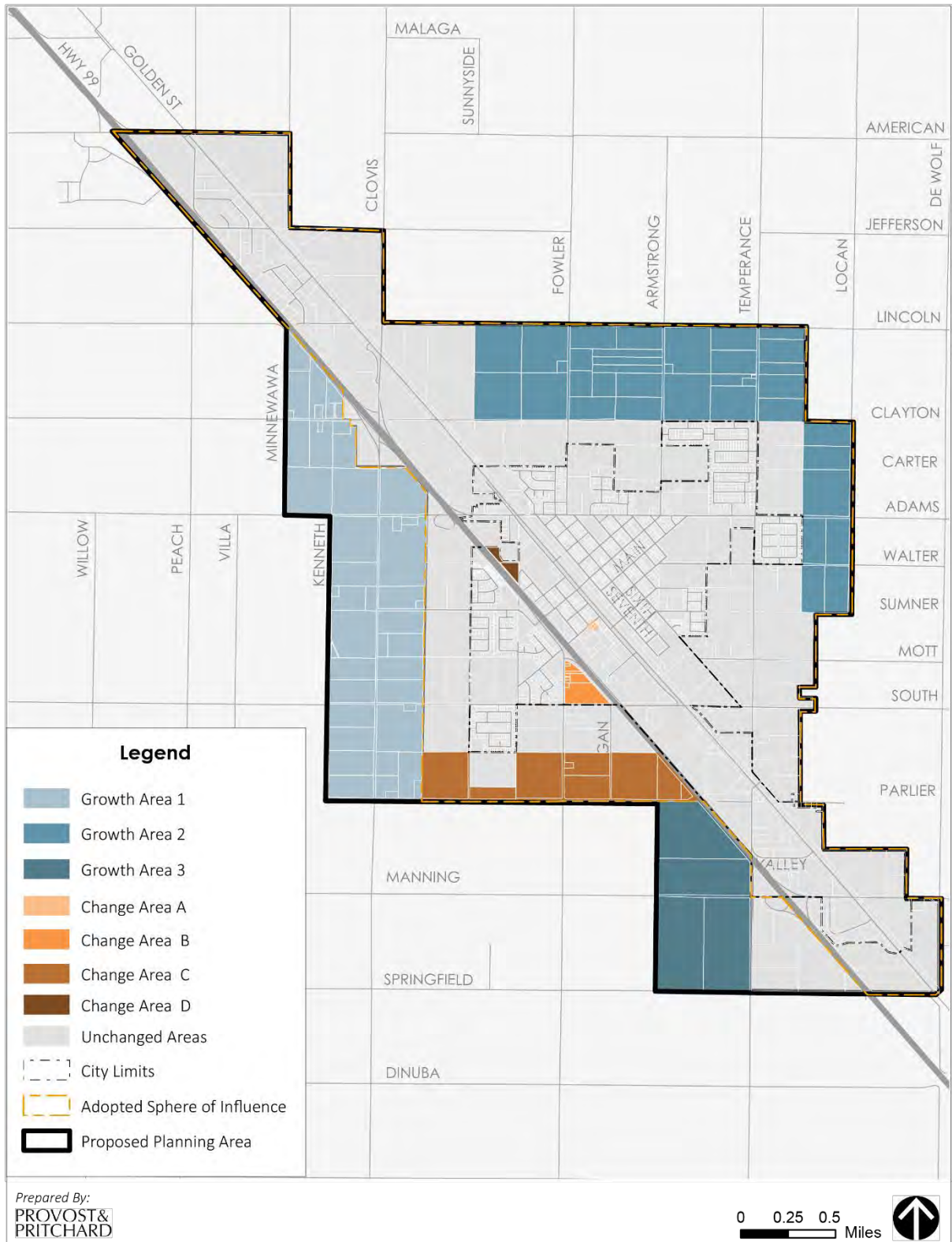
Location	Acreage <sup>1</sup>	Current General Plan Designation	Proposed General Plan Designation <sup>2</sup>
<b>Change Areas</b>			
<b>A</b>	0.18	Medium Density Residential	Community Commercial
<b>B</b>	19.8	Medium Density Residential General Commercial	Community Commercial
<b>C</b>	191	Agriculture	Various Urban Uses
<b>D</b>	6.19	Parks/Open Space	Public Facilities
<b>Growth Areas</b>			
<b>1</b>	676	No Designation (County)	Various Urban Uses
<b>2</b>	697	Agriculture	Various Urban Uses
<b>3</b>	282	No Designation (County)	Various Urban Uses

<sup>1</sup> Total acreage for Change Areas based on parcel boundaries, not including roadways. Total acreage for Growth Areas is gross and includes roadways within overall area boundary.

<sup>2</sup> Proposed land use designations are reviewed in detail in **Section IV, Land Use Alternatives** of this report and can be viewed in **Figure 3** through **Figure 6**.

<sup>5</sup> Non-urban land uses refer to land planned for agriculture under the adopted land use plan.

Figure 2: Growth Areas and Change Areas



## IV. LAND USE PLANNING

After analyzing the adopted land use plan and establishing planning considerations, including target metrics, the consultant team began the land use planning process. This process consisted of confirming, and in some cases adding, revising, or deleting land use designations, land use programming (i.e., the process by which land uses are assigned to a map), calculating build out assumptions, and presenting possible land use plans to the public for review and comment. Each step of the land use planning process is described in more detail below.

### LAND USE DESIGNATIONS

The next step in the analysis stage of the planning process included evaluating the adopted land use designations for consistency with planning metrics, community priorities, and state legislative requirements. Each land use designation has an associated description which defines the types of uses appropriate within the designation as well as quantifies the density (e.g., dwelling units per acre) or intensity (e.g., floor area ratio) of each designation, as required by State law. Each designation is then applied to a land use plan showing the proposed location and extent of future development in the City. Once adopted, all other local plans, policies, and ordinances are required to be consistent with the land use plan.

#### *Summary of Proposed Changes*

To ensure that the General Plan Update reflects the community vision, supporting principles, and planning priorities, each land use designation has been refined or revised. These revisions are summarized in **Table 4: Proposed General Plan Land Use Designations**. Revisions generally fall into one of three categories: language revisions, proposed addition, or proposed deletion.

Language revisions are proposed to either add clarity or flexibility to the land use descriptions. Typically, language refinements do not change the intent or function of the land use designation. In some instances, references to specific permitting or standards and requirements have been removed, as that type of oversight is more appropriate for general plan policies or implementation documents, such as the Zoning Ordinance.

Proposed additions include the establishment of an Urban Reserve (UR) and a Medium High Density Residential (MHDR) land use designation. The UR designation is proposed to specify areas of land being held for future urban expansion but which are not anticipated to be developed within the planning horizon of the General Plan Update. Land Use Alternatives 1, 2, and 3, which are covered in **Section V, Land Use Alternatives** of this report, incorporate the UR designation. The UR designation would only become a relevant in the event that one of those alternatives is chosen for adoption.

The purpose of the MHDR designation is to provide a designation focused on providing for residential densities between 8.0 and 13.5 dwelling units per acre (du/ac). This density range is currently provided for

under the adopted Medium Density Residential designation, which accommodates a range of 5.5-13.5 du/ac. While 8.0-13.5 du/ac is provided for under the adopted general plan, both historic and recent development patterns have favored lower densities characterized by single-family housing on average lot sizes of 7,000-8,000 square feet. Establishing the MHDR designation will designate areas specifically for development within the 8.0-13.5 du/ac density range, which will positively impact the jobs/housing balance, support the City of Fowler meeting its RHNA, increase the diversity of the housing stock, and respond to current housing market demands.

Proposed deletions include the Agriculture and Office Commercial designations. The Agriculture designation is proposed to be deleted to maintain consistency with LAFCo policy, as agricultural uses are inappropriate for long-term use in urban areas. The Office Commercial category is proposed to be deleted because that development type is already accommodated in other commercial or light industrial designations and there are no properties currently planned for Office Commercial on the adopted land use plan.

In addition to language revisions, deletions, and additions, it should be noted that all non-residential land use intensity guidelines have been updated from a percentage, with typically indicates maximum lot coverage allowances, to a floor area ratio (FAR). FAR is a measurement of a building's floor area in relation to the size of the lot or parcel the building is located on. See **Figure 3: Floor Area Ratio** for a demonstration of how FAR differs from lot coverage requirements. The FAR is calculated by dividing the gross floor area of a building by the total area of the lot upon which it is built. Higher FARs typically result in more intense (i.e., higher square footage) development while lower FARs typically result in less intense development. A full list of proposed revisions to the land use designations and descriptions is provided in **Table 2: Proposed General Plan Land Use Designations**.

**Figure 3: Floor Area Ratio**

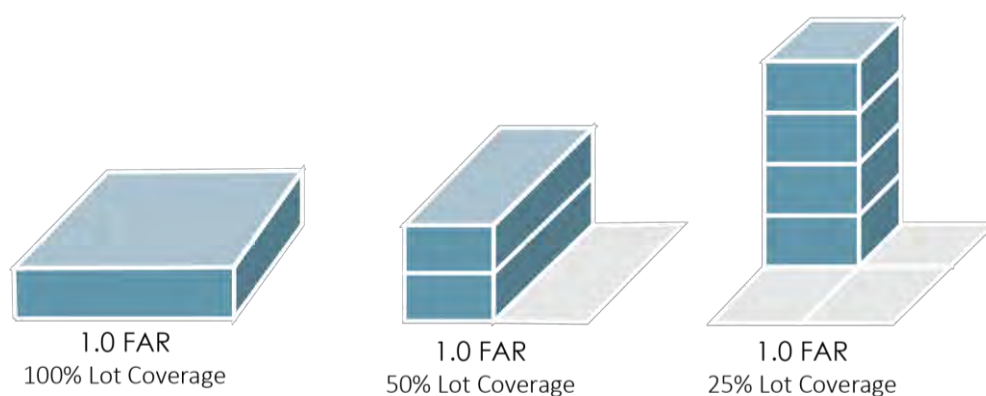


Table 4: Proposed General Plan Land Use Designations

Adopted Description		Adopted Density/Intensity	Proposed Description	Proposed Density/Intensity	Summary of Changes
<b>Residential Land Uses</b>					
<b>LDR – Low Density Residential</b>					
	Low density residential is characterized by larger lots for single family residential development. Minimum lot size would be 10,000 square feet with lot sizes ranging from 10,000 to 12,000 square feet and larger. It is not envisioned that lots greater than one acre in size would be appropriate within the City limits.	0.0-3.6 du/ac	Low density residential is characterized by larger lots for single family residential development. Lot sizes would typically range from 8,500 to 12,000 square feet and larger. It is not envisioned that lots greater than one acre in size would be appropriate within the City limits.	0.0-3.6 du/ac	<b>Language Revisions. No functional changes.</b>
<b>MLDR – Medium Low Density Residential</b>					
	Medium low density residential is characterized primarily by single family homes with a minimum lot size of 7,000 square feet ranging to 10,000 square feet.	3.7-5.5 du/ac	Medium low density residential is characterized primarily by single family homes. Lot sizes would typically range from 7,000 to 10,000 square feet.	3.7-5.5 du/ac	<b>Language Revisions. No functional changes.</b>
<b>MDR – Medium Density Residential</b>					
	Lots as small as 5,000 square feet would be permitted. Mobile home parks and apartments within this density range will meet the needs of many households without the financial means or the desire to be homeowners. The most compatible zone districts are R-1-5, R-1-6, R-1-7, R-2-A, and R-MP.	5.6-13.5 du/ac	Medium density residential is characterized by detached single family residential development, attached dwelling units, apartments, or townhomes. Lot sizes would typically range from 3,500 to 7,000 square feet.	5.6-13.5 du/ac	<b>Language Revisions. No functional changes.</b>
<b>MHDR – Medium High Density Residential</b>					
	N/A	N/A	Medium high density residential is characterized by apartments, townhomes, or detached or attached single family residential development. Lot sizes for smaller lot single family development may range from 3,500 to 5,000 square feet.	8.0-13.5 du/ac	<b>Proposed Addition</b>
<b>HDR – High Density Residential</b>					
	13.6 - 21.8 units per gross acre. The high-density land use category provides for the highest	13.6-21.8 du/ac	High density residential is characterized by apartments or townhomes and is intended	13.6-21.8 du/ac	<b>Language Revisions. No</b>



Adopted Description	Adopted Density/Intensity	Proposed Description	Proposed Density/Intensity	Summary of Changes
residential densities permitted in the City. It is intended that this category utilize innovative site planning, provide on-site recreation, and be located near major community facilities, business centers and streets of at least collector capacity. Greater density for senior's housing only may be achieved subject to a Conditional Use Permit. The most compatible zone districts are R-2, R-3-A, and R-3.		to be located near major community facilities, business centers, and downtown.		<b>functional changes.</b>
<b>Commercial Land Uses</b>				
<b>Office Commercial</b>				
This designation provides for office development as permitted in the C-1 and C-2 zone districts. Commercial uses contemplated as part of this category include business support services and support restaurant and medical services.	50%	N/A	N/A	<b>Proposed Deletion</b>
<b>NC – Neighborhood Commercial</b>				
Neighborhood commercial provides for a 10 acre or smaller cluster of commercial uses serving convenience and commercial needs, but also offering general merchandise, variety, and specialty items. The neighborhood commercial center is intended to serve the smaller market area surrounding the site.	40%	Neighborhood commercial provides for commercial uses serving convenience and commercial needs, but also offers general merchandise, variety, and specialty items and are intended to serve the smaller market area surrounding the site.	Maximum FAR 0.4	<b>Language Revisions. No functional changes.</b>
<b>CC – Community Commercial</b>				
The community commercial designation provides an activity center oriented towards the downtown as permitted in the C-2 district. The designation is also appropriate outside the downtown in primary commercial districts where a range of retail, financial, governmental, and entertainment activities occur. Community Commercial land use areas outside the downtown should be developed as unified	40%	Community commercial provides an activity center oriented towards the downtown district. The designation is also appropriate outside the downtown in primary commercial districts where a range of retail, financial, governmental, and entertainment activities occur. Mixed use residential uses are also encouraged in Community Commercial locations.	13.6-21.8 du/ac Maximum FAR 0.4	<b>Language Revisions. No functional changes.</b>

Adopted Description		Adopted Density/Intensity	Proposed Description	Proposed Density/Intensity	Summary of Changes
commercial centers, except where the existing development pattern or parcelization makes it impractical. Mixed use residential uses are also encouraged in Community Commercial locations by Conditional Use Permit where appropriate.					
<b>GC – General Commercial</b>					
This designation provides for commercial areas with a wide range of retail and service activities along major traffic corridors as permitted in the C-3 district. Highway commercial uses as permitted in the C-H district are permitted at the interchange of major streets with Highway 99 and Golden State Boulevard and are intended to provide for visitor-serving uses, including restaurants, lodging, and gasoline.		40%	General Commercial provides for commercial areas with a wide range of retail and service activities along major traffic corridors and at the interchange of major streets with Highway 99 and Golden State Boulevard and are intended to provide for visitor-serving uses, including restaurants, lodging, and gasoline service areas.	Maximum FAR 0.4	<b>Language Revisions. No functional changes.</b>
<b>Industrial Land Uses</b>					
<b>LI – Light Industrial</b>					
This category establishes light industrial areas where uses such as fabricating, assembly, research and development, electronics, low intensity warehousing and other such similar industrial uses are appropriate. All work, materials, and equipment storage are generally conducted indoors. Special landscaping, enclosures and other site development standards are appropriate. Industrial park development is intended on larger parcels to create distinct districts of industrial, office, and support uses. The M-1 and M-P districts are most consistent with this designation.		40%	Light industrial provides for uses such as business park, research and development, low intensity warehousing, fabricating, assembly, and other such similar industrial uses, which are typically conducted indoors.	Maximum FAR 0.6	<b>Language Revisions. No functional changes.</b>
<b>HI – Heavy Industrial</b>					
The heavy industrial category allows those uses which require exposed or unenclosed processing and storage of uncovered materials or		60%	Heavy industrial provides for uses such as manufacturing, fabricating, process, assembling, wholesale and storage uses,	Maximum FAR 0.6	<b>Language Revisions. No</b>

Adopted Description	Adopted Density/Intensity	Proposed Description	Proposed Density/Intensity	Summary of Changes
equipment. The designation provides for manufacturing, fabrication, processing, assembling, wholesale and storage uses, trucking terminals, and quasi-public and utility services structures and facilities. The M-2 designation is most consistent with this designation.		trucking terminals, and quasi-public and utility structures and facilities. Heavy industrial often requires exposed or unenclosed processing and storage of uncovered materials or equipment.		<b>functional changes.</b>
<b>Public Facilities, Parks, Open Space, and Conservation Designations</b>				
<b>PF – Public Facility</b>				
This designation indicates areas owned and maintained by public or institutional agencies such as facilities owned by the city, schools, hospitals, and other facilities.	Not Stated	Public facility includes areas owned and/or maintained by public or institutional agencies such as facilities owned by the City, schools, hospitals, and similar facilities.	Maximum FAR 0.25	<b>Language Revisions. No functional changes.</b>
<b>P/OS – Parks and Open Space</b>				
This designation determines areas of permanent open spaces, parks and/or areas precluded from major development.	Not Stated	Parks and open space includes areas of permanent open spaces, parks, and/or areas precluded from major development.	Maximum FAR 0.25	<b>Language Revisions. No functional changes.</b>
<b>Agriculture</b>				
This designation provides sites for permanent agriculture, as well as areas reserved for long term urbanization.	Not Stated	N/A	N/A	<b>Proposed Deletion</b>
<b>UR – Urban Reserve</b>				
N/A	N/A	Urban reserve includes areas planned for future expansion of urban uses and/or services.	N/A	<b>Proposed Addition</b>

## LAND USE PROGRAMMING

Land use programming is the first step in creating a land use plan and is the process by which land uses are assigned to different locations within the planning area boundary. Several factors impact the programming process and inform the location and extent of proposed land uses in each alternative plan. These considerations include the community vision, supporting principles and planning priorities, planning considerations such as the target metrics, local context, and best planning practices.

While community preferences and target metrics guide the overall acreage of each land use proposed, best practices and local context are the main drivers of specific programming considerations. The following discussion identifies the general objectives for why land use designations were programmed in certain locations.

### *Commercial Designations*

Commercial designations are broken down by category and intent and are located accordingly. More intense commercial uses generally fall into the Highway or Community Commercial designations as they are intended to capture a larger market base and should be generally located along major travel corridors and at major intersections. The uses accommodated within these designations tend to attract more people, which often results in more vehicle traffic. Highway Commercial uses, in particular, should be located proximal to regional travel corridors, such as Hwy 99. Smaller scale commercial development in the Neighborhood Commercial designation offers more efficiency and benefits when located near people, housing, and businesses. For this reason, Highway and Community Commercial uses are located along the Hwy 99 corridor and near the Clovis at Hwy 99 intersection while Neighborhood Commercial uses are located in closer proximity to activity centers like neighborhoods and the downtown.

**Programming Considerations:** Highway and Community Commercial designations are located proximal to major intersections and Hwy 99. Neighborhood Commercial designations are located near activity centers, homes, and the downtown.

### *Residential Designations*

Residential uses are planned with best practices and context in mind. Higher residential densities are located near major commercial centers and the downtown. Lower-density residential, characterized by larger lots and single-family homes are most appropriate for the edges of the community bordering agricultural and open space land. Programming residential uses in this way allows for compatible transitions from urban to non-urban areas. Housing of any type is generally not appropriate near environmentally hazardous uses, such as freeways and heavy industrial sites. It is also important to ensure residential areas are near neighborhood-serving commercial uses, schools, and parks for ease of access.

**Programming Considerations:** Medium High and High Density Residential designations are programmed near commercial centers, downtown, and parks. Low and Medium Low Density Residential designations

are located near the edges of the community and agriculture land to allow for compatible transition of uses. Medium Density Residential designations are programmed between the higher and lower densities to as a transitional land use, as well as next to neighborhood commercial and park space.

### *Park and Open Space Designations*

Park space is located equitably throughout the planning area and generally takes advantage of the locations of other uses benefiting from proximity to park space, including schools, and homes. While the ultimate location of parks is driven by land availability and acquisition, the land use alternatives indicate the general location and size of community parks needed to meet the needs of the population at buildout. In the event that parks are not constructed in the locations shown, an alternate land use designation, typically residential, has been identified for those parcels. Neighborhood park space and other open space requirements to meet development standards for individual projects are not designated on the land use plan but will be integrated into proposed residential developments to meet the minimum requirements.

**Programming Considerations:** While land acquisition will ultimately dictate the location of parks throughout the planning area, the Parks/Open Space designation is located near residential uses and equitably distributed throughout the City to accommodate for planned growth. Neighborhood park space is not programmed at the general plan level but will be incorporated as a permitting requirement as development projects are approved throughout the entitlement process.

### *Industrial Designations*

Industrial designations are broken down by type and intent and are located accordingly. Heavy Industrial uses, while economically beneficial, may also pose certain public health and safety risks, or may create land use compatibility issues due to noise, traffic, and aesthetic characteristics. As such, Heavy Industrial designations are most appropriate along major truck routes providing connections to larger regional markets. Industrial uses are also generally compatible with Highway Commercial uses but are typically not appropriate near sensitive uses like schools, hospitals, or homes.

The Light Industrial designation, while it may also accommodate warehousing, packing houses, and other uses that generate higher amounts of truck traffic, also accommodates business park uses, which are generally lower in intensity. Light Industrial designations can be an appropriate transition between Heavy Industrial land use designations and commercial or residential uses.

**Programming Considerations:** Heavy Industrial designations are generally programmed along the Hwy 99 and the Golden State Boulevard corridor. Light Industrial designations are also programmed along this corridor and provide a buffer between Heavy Industrial and non-industrial land use designations.

### *Vehicle Miles Traveled*

All programming efforts must also consider how the land use plan will impact VMT. VMT has important implications for air quality, land use efficiency, and the environmental review process. As discussed in **Planning Considerations** under **Section III, Land Use Analysis** of this report, VMT analysis considers

efficiency of the transportation system by evaluating the amount and length of new vehicle trips generated by proposed development projects.

**Programming Considerations:** An important goal of the General Plan Update is to achieve an overall reduction in VMT compared to the adopted land use plan. Creating synergistic land uses by placing homes near commercial development and other necessary services will reduce overall VMT as development occurs.

## BUILDOUT ASSUMPTIONS

Several assumptions were made in the analysis of each alternative. All calculations related to density and intensity of specific land uses account for buildout potential. Buildout potential assumes a reasonable amount of development within a given range, rather than assuming land uses would build out to the maximum allowed density or intensity. For the purposes of this analysis, residential development is assumed at 80 percent of maximum density, commercial and industrial development at 50 percent of maximum intensity, open space at 10 percent of maximum intensity, and public facilities at 40 percent of maximum intensity. In addition, while park space is included in the land use alternative maps, it should be noted that open space is also required to be constructed as part of single and multifamily developments. The build out assumptions identified for each alternative only reflect park space that has been designated on the land use map, typically representing community-wide park facilities. The potential number of dwelling units, population, and resulting jobs-housing ratio are summarized for each land use alternative described below under **Section V, Land Use Alternatives**.

## PUBLIC COMMENT PERIOD

On April 28<sup>th</sup>, 2021, the consultant team for the City of Fowler General Plan Update conducted a public workshop to present land use alternatives and solicit community feedback on proposed land use changes. The workshop was held virtually, via Zoom webinar. The primary workshop activity consisted of a PowerPoint presentation, live polling, a live question and answer session, and the presentation of a project story map. The story map also included an interactive map exercise where residents were encouraged to leave parcel-specific feedback. A workshop summary was prepared following the event and was posted to the City's project website and emailed directly to project stakeholders.

The interactive map was available for public review and comment for a week following the public workshop. During that period, the story map was viewed over 100 times and four comments were left. Approximately 15 additional meetings also took place between City staff and the public to answer questions following the workshop. Public comments generally consisted of additional questions, confirmation of the timeline over which land use changes would take place, and whether certain land uses were compatible. One property owner reached out to request a change in designation for their property. Public comments were responded to and necessary changes were incorporated into the alternative plans.



## V. LAND USE ALTERNATIVES

Development of land use alternatives included determining specific locations for each land use within the growth areas and change areas, based on the programming considerations detailed in **Section IV, Land Use Planning**. The consultant team developed four alternative land use plans to be reviewed in this report. Each alternative has the same overall planning area boundary but offers different priorities for growth and is designed around certain Growth Areas. Growth Areas 1 and 2 were each considered separately as potential additions to the urban area since they were consistently preferred by the public, while Growth Area 3 was least preferred. For this reason, Growth Area 3 was not considered independently from Growth Areas 1 and 2 in the land use alternatives.

After land uses for each alternative were programmed, they were mapped and evaluated against the objectives for the General Plan Update and the target metrics discussed under **Planning Considerations** in **Section III, Land Use Analysis**. Each alternative land use plan can be seen in **Figure 3** through **Figure 6**, along with corresponding quantitative breakdowns of each land use by category in **Table 5** through **Table 8**. A summary of how each land use alternative performs relative to the quantitative target metrics is also included in the alternative land use plans. In some instances, the land use alternatives feature a new land use designation known as Urban Reserve. For the purposes of buildout assumptions, Urban Reserve land was not considered the same as planned urban uses.

## ALTERNATIVE 1: GROWTH AREA 1 PLUS URBAN RESERVE

Alternative 1 expands planned urban uses into Growth Area 1, thereby adding 676 acres of planned urban uses to the proposed planning Area. Alternative 1 also plans Growth Areas 2 and 3 as Urban Reserve, as shown in **Figure 4: Alternative 1 Land Use Plan**. This results in an overall planning area of 4,909 acres with approximately 3,930 planned for various urban uses and 979 acres planned as Urban Reserve. Performance of Alternative 1 land uses against the quantitative target metrics is also provided in **Figure 4**.

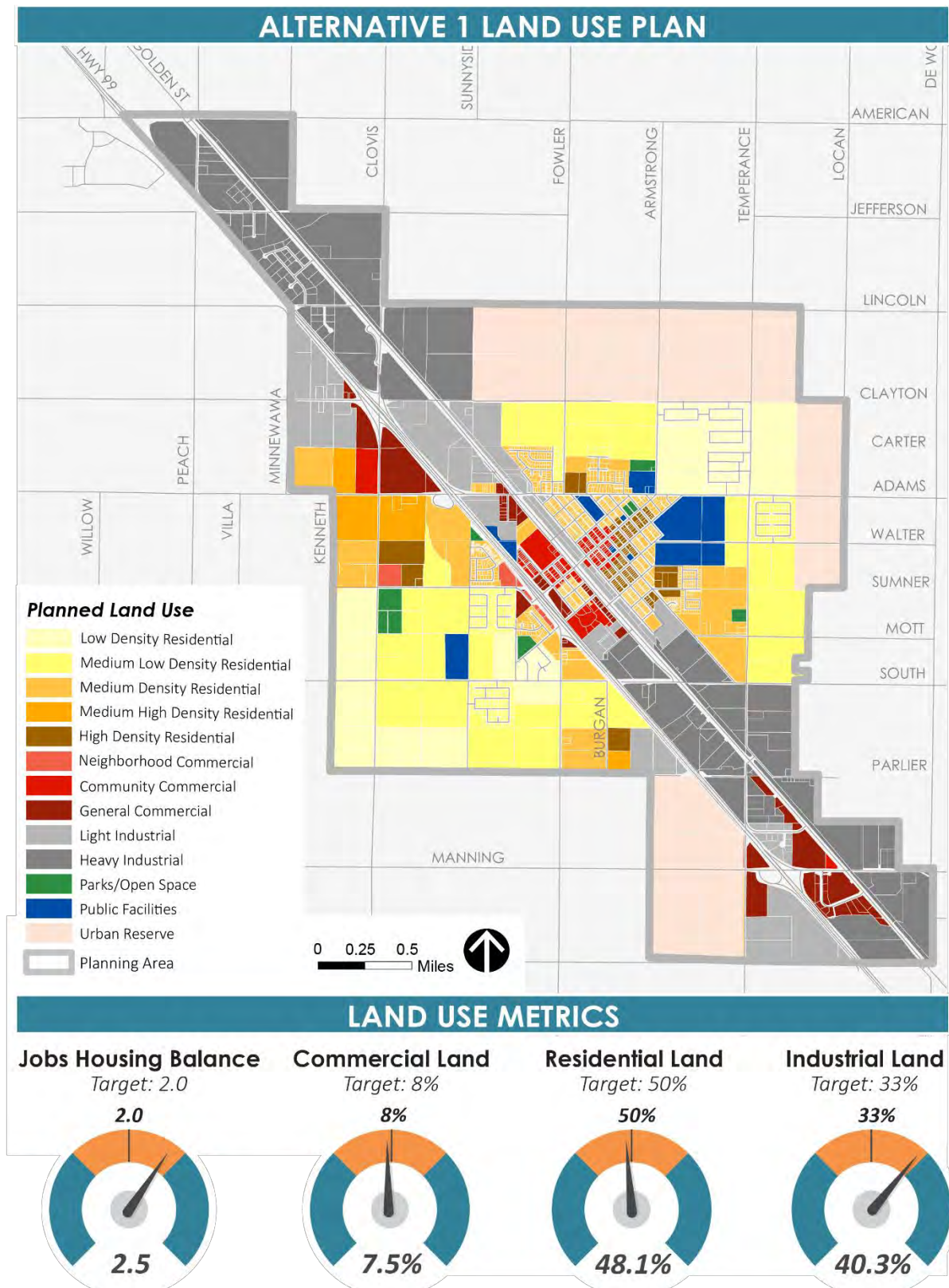
Of the land designated for planned urban uses, approximately 48 percent is planned for residential uses, 7.5 percent for commercial uses, 40.3 percent for industrial uses, and 3 percent for public facilities and parks and open space. Of the residential land uses, 10.5 percent is planned for either Medium High or High Density Residential and 41.4 percent is planned for Medium Low Density Residential. Alternative 1 accommodates approximately 10,660 dwelling units, a population of 34,966 individuals, and has a jobs-housing ratio of 2.57. A quantitative breakdown of proposed land uses is provided in **Table 5: Alternative 1 Urban Planned Land Use Analysis**.

**Table 5: Alternative 1 Urban Planned Land Use Analysis**

Land Use Designation		Total Acreage	% of Planned Urban Uses	% of Land Use Category
<b>Residential Land Use Category</b>				
	Low Residential	485	12%	26%
	Medium Low Residential	783	20%	41%
	Medium Residential	425	11%	22%
	Medium High Residential	110	3%	6%
	High Residential	88	2%	5%
<b>Residential Subtotal</b>		<b>1891</b>	<b>48%</b>	<b>100%</b>
<b>Commercial Land Use Category</b>				
	Neighborhood Commercial	19	0%	6%
	Community Commercial	98	2%	33%
	General Commercial	178	5%	60%
<b>Commercial Subtotal</b>		<b>295</b>	<b>8%</b>	<b>100%</b>
<b>Industrial Land Use Category</b>				
	Light Industrial	479	12%	30%
	Heavy Industrial	1105	28%	70%
<b>Industrial Subtotal</b>		<b>1584</b>	<b>40%</b>	<b>100%</b>
<b>Open Space and Public Facilities Land Use Category</b>				
	Parks/Open Space	37	1%	23%
	Public Facilities	123	3%	77%
<b>Open Space and Public Facilities Subtotal</b>		<b>160</b>	<b>4%</b>	<b>100%</b>
<b>Subtotal (planned urban uses only)</b>		<b>3,930</b>	<b>100%</b>	
<b>Urban Reserve</b>		<b>979</b>		
<b>Total Planning Area</b>		<b>4,909</b>		

*Numbers may not add up due to rounding.*

Figure 4: Alternative 1 Land Use Plan



## ALTERNATIVE 2: GROWTH AREA 2 PLUS URBAN RESERVE

Alternative 2 replaces 697 acres of existing and planned agricultural uses with urban uses in Growth Area 2, which is within the adopted Planning Area and SOI, and plans Growth Areas 1 and 3 as Urban Reserve, as identified in **Figure 5: Alternative 2 Land Use Plan**. This results in an overall planning area of 4,909 acres with approximately 3,951 acres planned for various urban uses and 958 acres planned as Urban Reserve. Performance of Alternative 2 land uses against the quantitative target metrics is also provided in **Figure 5**.

Of the land designated for planned urban uses, approximately 51 percent is planned for residential uses, 6 percent for commercial uses, 39 percent for industrial uses, and 4 percent for public facilities and parks and open space. Of the residential land uses, 7.1 percent is planned for either Medium High or High Density Residential and 41.7 percent is planned for Medium Low Density Residential. Alternative 2 accommodates approximately 10,868 dwelling units, a population of 35,648 individuals, and has a jobs-housing ratio of 2.32. A quantitative breakdown of proposed land uses is provided in **Table 6: Alternative 2 Urban Planned Land Use Analysis**.

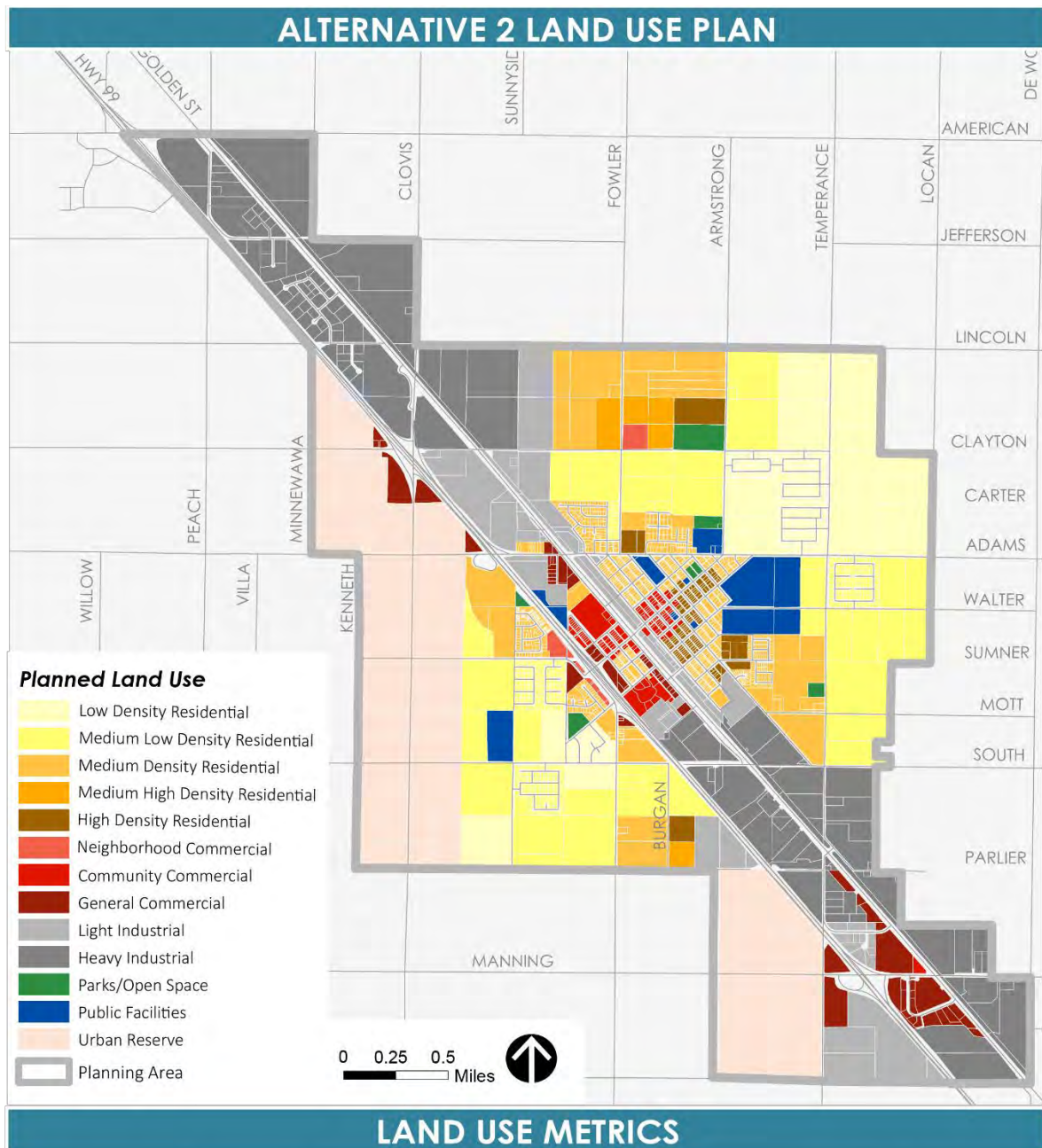
**Table 6: Alternative 2 Urban Planned Land Use Analysis**

Land Use Designation		Total Acreage	% of Planned Urban Uses	% of Land Use Category
<b>Residential Land Use Category</b>				
	Low Residential	528	13%	26%
	Medium Low Residential	843	21%	42%
	Medium Residential	507	13%	25%
	Medium High Residential	64	2%	3%
	High Residential	79	2%	4%
	<b>Residential Subtotal</b>	<b>2022</b>	<b>51%</b>	<b>100%</b>
<b>Commercial Land Use Category</b>				
	Neighborhood Commercial	19	0%	8%
	Community Commercial	80	2%	33%
	General Commercial	144	4%	59%
	<b>Commercial Subtotal</b>	<b>243</b>	<b>4%</b>	<b>100%</b>
<b>Industrial Land Use Category</b>				
	Light Industrial	420	11%	28%
	Heavy Industrial	1105	28%	72%
	<b>Industrial Subtotal</b>	<b>1526</b>	<b>39%</b>	<b>100%</b>
<b>Open Space and Public Facilities Land Use Category</b>				
	Parks/Open Space	38	1%	24%
	Public Facilities	123	3%	76%
	<b>Open Space and Public Facilities Subtotal</b>	<b>162</b>	<b>4%</b>	<b>100%</b>
<b>Subtotal (planned urban uses only)</b>		<b>3,951</b>	<b>100%</b>	
<b>Urban Reserve</b>		<b>958</b>		
<b>Total Planning Area</b>		<b>4,909</b>		

*Numbers may not add up due to rounding.*

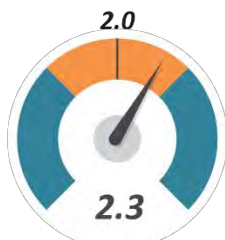


Figure 5: Alternative 2 Land Use Plan



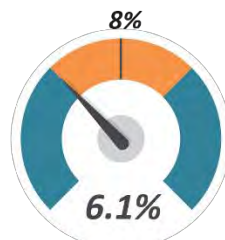
**Jobs Housing Balance**

Target: 2.0



**Commercial Land**

Target: 8%



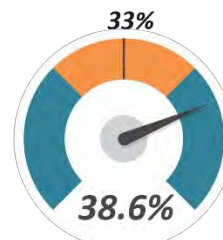
**Residential Land**

Target: 50%



**Industrial Land**

Target: 33%



## ALTERNATIVE 3: GROWTH AREAS 1 & 2 PLUS URBAN RESERVE

Alternative 3 expands planned urban uses to the west, north, and east (Growth Areas 1 and 2) and proposes Growth Area 3 to be programmed with Urban Reserve, as shown in **Figure 6: Alternative 3 Land Use Plan**. This results in an overall planning area of 4,909 acres with approximately 4,627 acres planned for various urban uses and 282 acres planned as Urban Reserve. Performance of Alternative 3 land uses against the quantitative target metrics is also provided in **Figure 6**.

Of the land designated for planned urban uses, 54 percent is planned for residential uses, 7 percent for commercial uses, 35 percent for industrial uses, and 4 percent for public facilities and parks and open space. Of the residential land uses, 10.6 percent is planned for either Medium High or High Density Residential and 37.5 percent is planned for Medium Low Density Residential. Alternative 2 accommodates approximately 13,917 dwelling units, a population of 45,647 individuals, and has a jobs-housing ratio of 2.06. A quantitative breakdown of proposed land uses is provided in **Table 7: Alternative 3 Urban Planned Land Use Analysis**.

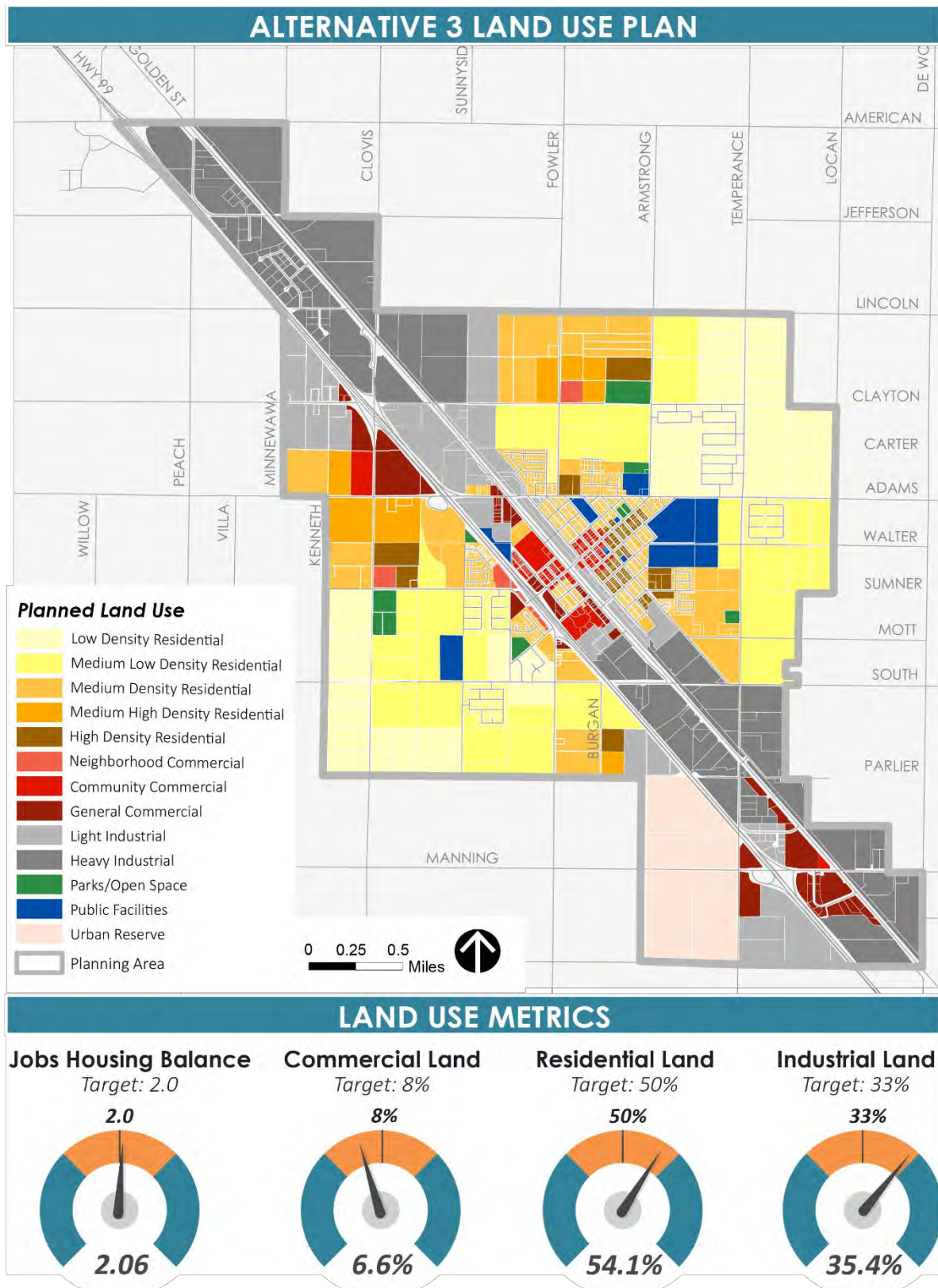
**Table 7: Alternative 3 Urban Planned Land Use Analysis**

Land Use Designation		Total Acreage	% of Planned Urban Uses	% of Land Use Category
<b>Residential Land Use Category</b>				
	Low Residential	716	15%	29%
	Medium Low Residential	938	20%	37%
	Medium Residential	584	13%	23%
	Medium High Residential	159	3%	6%
	High Residential	108	2%	4%
<b>Residential Subtotal</b>		<b>2505</b>	<b>54%</b>	<b>100%</b>
<b>Commercial Land Use Category</b>				
	Neighborhood Commercial	28	1%	5%
	Community Commercial	98	2%	32%
	General Commercial	178	4%	58%
<b>Commercial Subtotal</b>		<b>304</b>	<b>7%</b>	<b>100%</b>
<b>Industrial Land Use Category</b>				
	Light Industrial	533	12%	33%
	Heavy Industrial	1105	24%	67%
<b>Industrial Subtotal</b>		<b>1638</b>	<b>35%</b>	<b>100%</b>
<b>Open Space and Public Facilities Land Use Category</b>				
	Parks/Open Space	56	1%	32%
	Public Facilities	123	3%	68%
<b>Open Space and Public Facilities Subtotal</b>		<b>180</b>	<b>4%</b>	<b>100%</b>
<b>Subtotal (planned urban uses only)</b>		<b>4,627</b>	<b>100%</b>	
<b>Urban Reserve</b>		<b>282</b>		
<b>Total Planning Area</b>		<b>4,909</b>		

*Numbers may not add up due to rounding.*



Figure 6: Alternative 3 Land Use Plan



## ALTERNATIVE 4: ALL GROWTH AREAS

Alternative 4 proposes planned urban uses for all growth areas (Growth Areas 1, 2, and 3), as shown in **Figure 7: Alternative 4 Land Use Plan**. This results in an overall planning area of 4,909 acres with the entire acreage planned for various urban uses. Performance of Alternative 4 land uses against the quantitative target metrics is also provided in **Figure 7**.

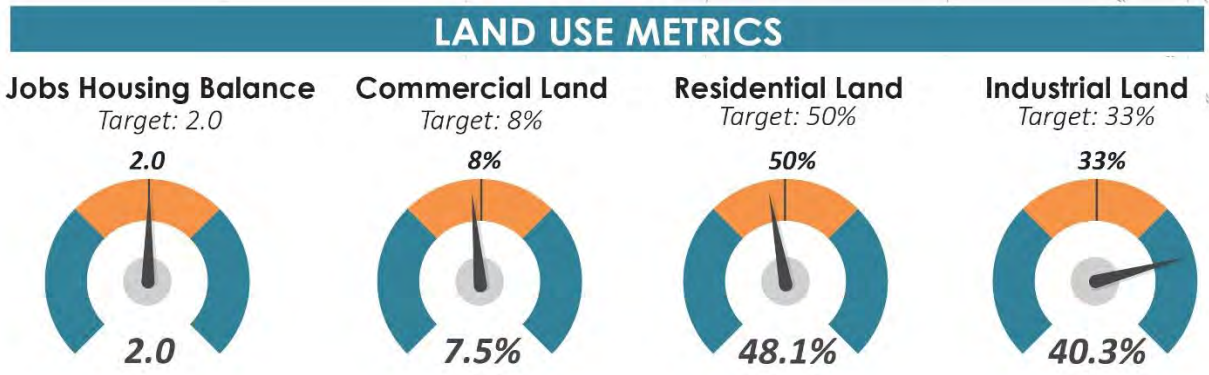
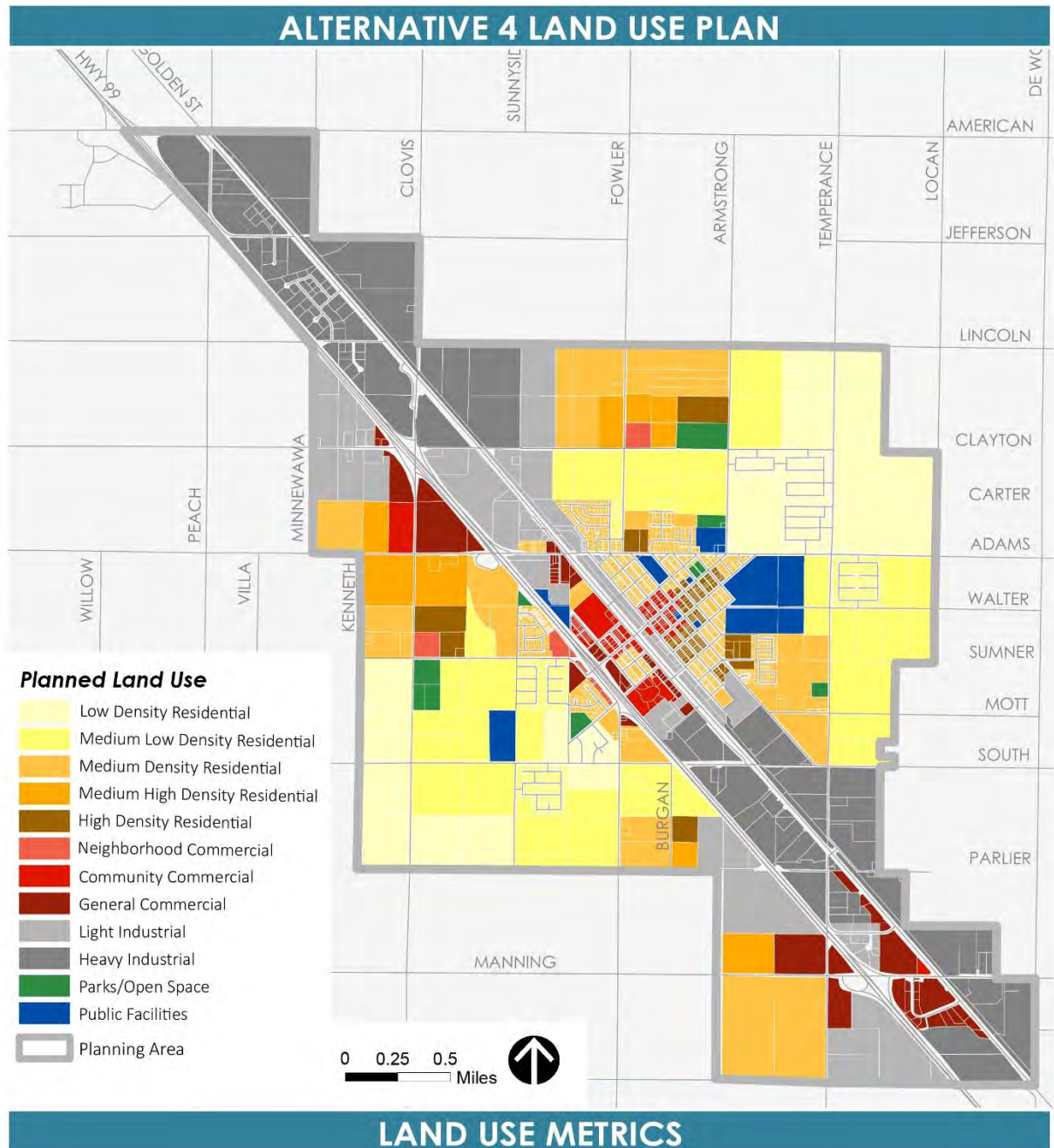
Of the total proposed planning area, approximately 55 percent of land is planned for residential uses, 7 percent for commercial uses, 35 percent for industrial uses, and 4 percent for public facilities and parks and open space. Of the residential land uses, 11 percent is planned for either Medium High or High Density Residential and 34.9 percent is planned for Medium Low Density Residential. Alternative 4 accommodates approximately 15,248 dwelling units, a population of 50,013 individuals, and has a jobs-housing ratio of 2.00. A quantitative breakdown of proposed land uses is provided in **Table 8: Alternative 4 Urban Planned Land Use Analysis**.

**Table 8: Alternative 4 Urban Planned Land Use Analysis**

Land Use Designation		Total Acreage	% of Planned Urban Uses	% of Land Use Category
<b>Residential Land Use Category</b>				
	Low Residential	716	15%	27%
	Medium Low Residential	938	19%	35%
	Medium Residential	740	15%	27%
	Medium High Residential	189	4%	7%
	High Residential	108	2%	4%
<b>Residential Subtotal</b>		<b>2,691</b>	<b>55%</b>	<b>100%</b>
<b>Commercial Land Use Category</b>				
	Neighborhood Commercial	28	1%	8%
	Community Commercial	98	2%	29%
	General Commercial	208	4%	62%
<b>Commercial Subtotal</b>		<b>334</b>	<b>7%</b>	<b>100%</b>
<b>Industrial Land Use Category</b>				
	Light Industrial	599	12%	35%
	Heavy Industrial	1,105	23%	65%
<b>Industrial Subtotal</b>		<b>1,705</b>	<b>35%</b>	<b>100%</b>
<b>Open Space and Public Facilities Land Use Category</b>				
	Parks/Open Space	56	1%	32%
	Public Facilities	123	3%	68%
<b>Open Space and Public Facilities Subtotal</b>		<b>180</b>	<b>4%</b>	<b>100%</b>
<b>TOTAL (planned urban uses only)</b>		<b>4,909</b>	<b>100%</b>	
<b>Urban Reserve</b>		<b>0</b>		
<b>Total Planning Area</b>		<b>4,909</b>		

*Numbers may not add up due to rounding.*

Figure 7: Alternative 4 Land Use Plan

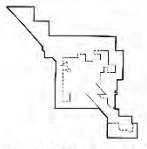








## ALTERNATIVES COMPARISON

It was found that all the land use alternatives offered improvement towards meeting target metrics and planning goals when compared to the adopted General Plan. As shown in **Figure 8: Alternatives Comparison**, Alternative 1 performs the best in reaching commercial land use targets, while Alternative 2 most closely aligns with residential land use goals. Alternative 4 performs the best in relation to the jobs-housing balance and industrial land use target metrics. Alternative 3 makes improvements in all metrics but did not outperform any of the other alternatives. All four alternatives offer some reduction of VMT over the adopted land use plan.

Figure 8: Alternatives Comparison

Alternatives Comparison	Adopted Plan	Alternative 1	Alternative 2	Alternative 3	Alternative 4
					
	<i>*Adopted Planning Area</i>	<i>*Growth Area 1</i>	<i>*Growth Area 2</i>	<i>*Growth Areas 1 &amp; 2</i>	<i>*All Growth Areas</i>
<b>Planning Metrics</b>					
<b>Jobs Housing Balance</b> Target Metric: 2.0	3.5	2.5	2.3	2.06	2.0*
<b>Commercial Land</b> Target Metric: 8% of total	5.5%	7.5%*	6.1%	6.6%	6.8%
<b>Residential Land</b> Target Metric: 50% of total	32.1%	48.1%	51.2%*	54.1%	54.8%
<b>Industrial Land</b> Target Metric: 33% of total	36.6%	40.3%	38.6%	35.4%	34.7%*
<b>Vehicle Miles Traveled</b> Target Metric: Reduction	Baseline	< Baseline	< Baseline	< Baseline	< Baseline
<b>Plan Demographics</b>					
<b>Housing Units</b>	6,642	10,660	10,868	13,917	15,248
<b>Population</b>	21,784	34,966	35,648	45,647	50,013
<b>Employees</b>	23,110	27,346	25,267	28,600	30,539

(\*) (\*) Closest to Target Metric

## VI. RECOMMENDATIONS

While each land use alternative features varied benefits, Alternative 4 met the target metrics most often. While Alternative 4 performed the best in terms of meeting the target metrics, it also adds substantial urban uses and population to the City's planning area. To provide the most balanced land use plan while still offering a responsible and strategic framework for urban growth, the consultant team recommends the City adopt Alternative 4 while also implementing a tiered urban growth management approach.

### GROWTH BOUNDARIES

The proposed growth management strategy includes the creation of four separate urban growth boundaries. Each area is categorized into urban growth tiers. Growth Tier 1 indicates the top priority for growth and development, followed by Growth Tiers 2, 3, and 4. Growth Tier 1 focuses on infill development within and around the City limits and most closely aligns with the planning area boundary adopted in the current General Plan. Growth Tier 2 expands to include Growth Area 1. The third and fourth tiers expand to Growth Areas 2 and 3, respectively. Each growth tier boundary can be seen in **Figure 9: Recommended Growth Tier Boundary Map**.

To determine growth priorities, the consultant team relied on public input and key stakeholder feedback, which confirms that the community values infill development and prefers Growth Area 1 as the most desired location for expansion, followed by Growth Area 2, with Growth Area 3 the least preferred area for expansion. In addition, Growth Area 1 offers the most balanced and immediate opportunity to increase commercial space within the planning area. Prioritizing Growth Area 1 as the first area of expansion after current capacity is met supports key community goals and provides for increased local retail amenities. The recommended land use plan, reflecting Alternative 4 land uses with growth tier boundaries, is shown in **Figure 10: Recommended Land Use Plan**.

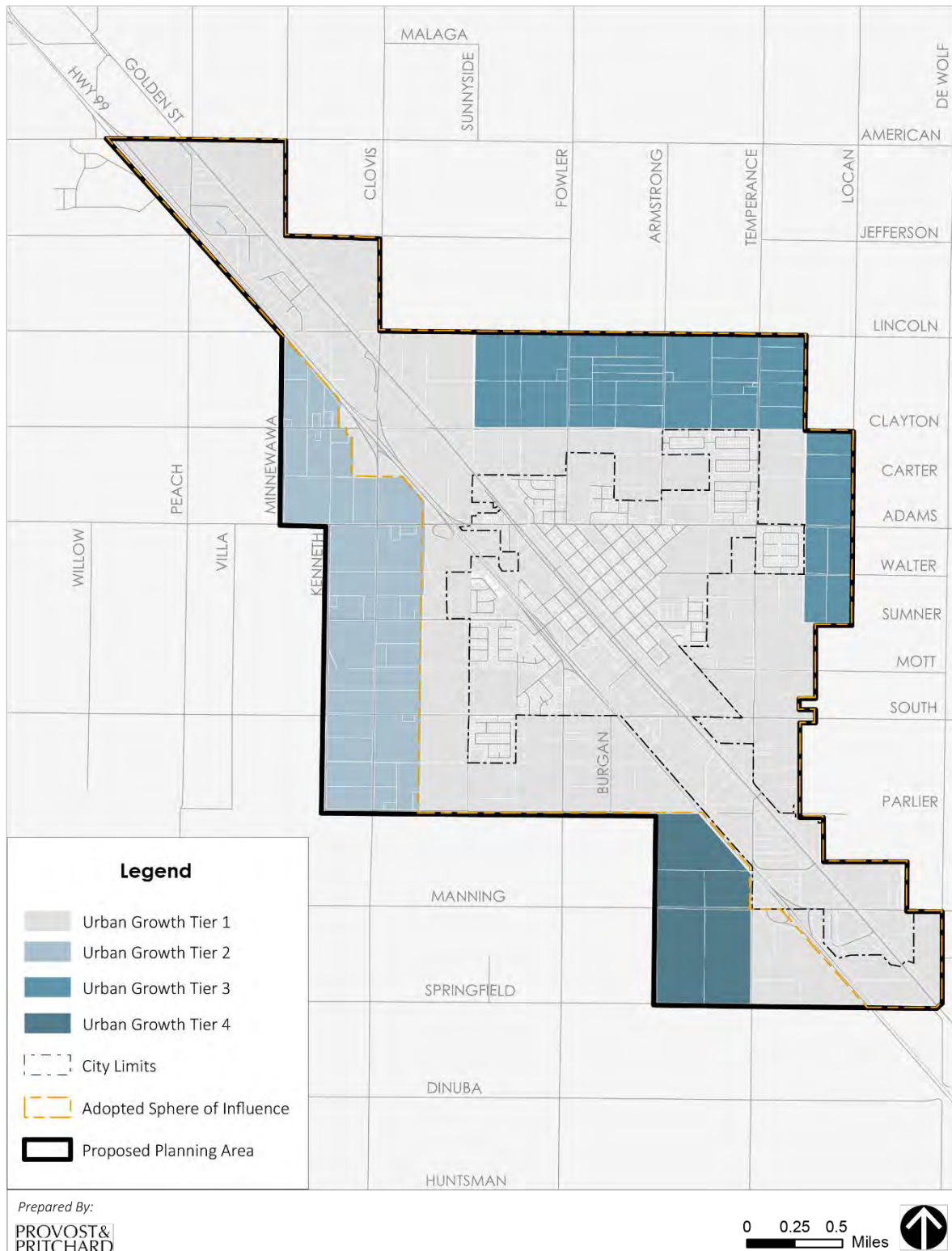
### GROWTH THRESHOLDS

Growth thresholds must consider that the City is not allowed to implement or enforce moratoriums or similar policies that limit the number of permits approved or population growth. However, the City can implement a tiered development plan where development within certain tiers is prioritized over development in subsequent areas as long as the number of permits is not limited. Development thresholds will be included as policies in the land use element of the updated General Plan document. The policies will generally consider the number of building permits already issued, the amount of obligated land, and vacancy rates.<sup>6</sup> Unique thresholds will be established for each major land use category to allow for maximum flexibility.

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<sup>6</sup> Obligated land includes land with an approved development project that is not yet constructed.

Figure 9: Recommended Growth Tier Boundary Map





## RECOMMENDED LAND USE PLAN

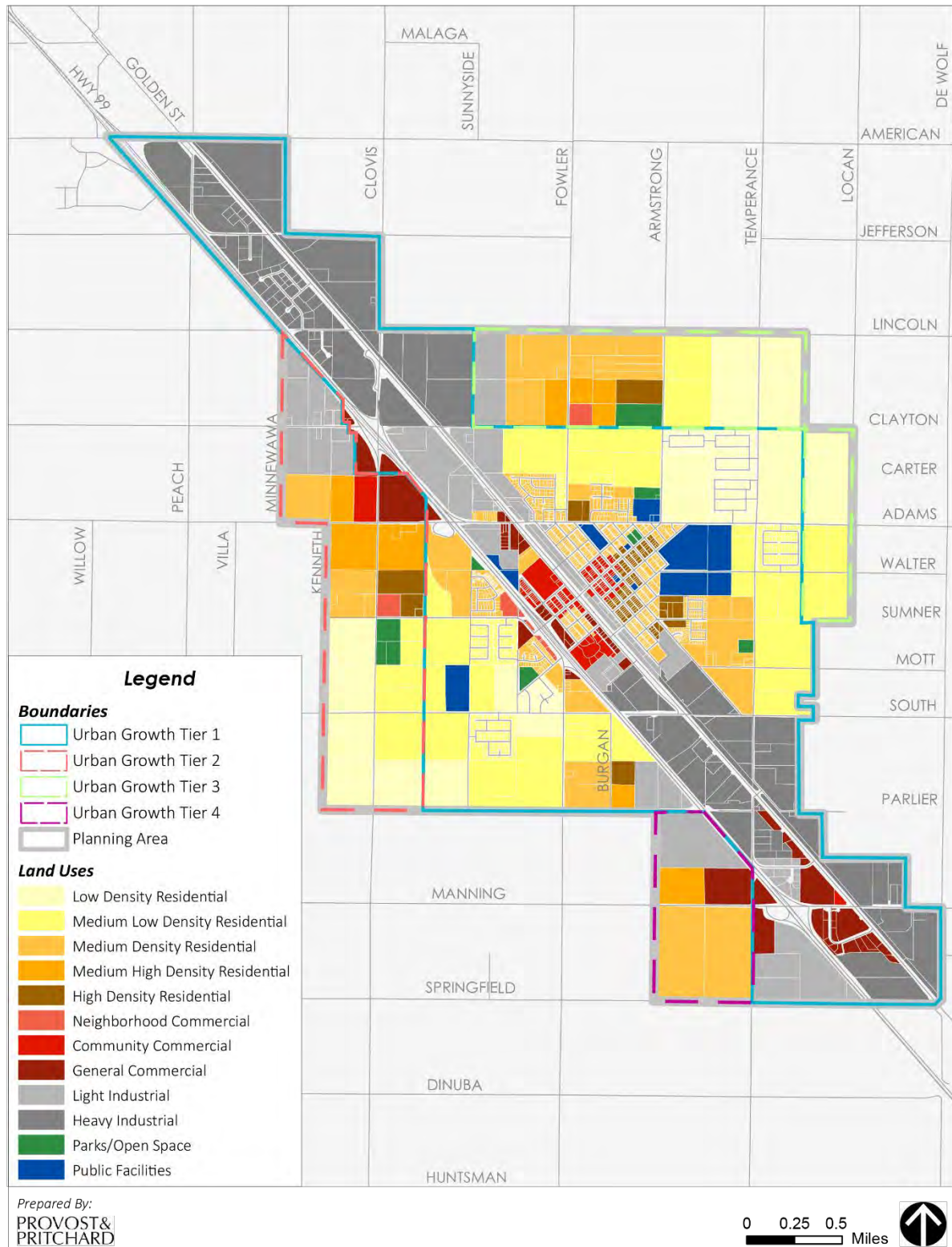
The consultant team recommends the use of tiered urban growth boundaries for the variety of benefits the approach offers, including efficiency, the ability to forward plan, and increased predictability in the planning process. Assigning land uses to the entire planning area while focusing development to certain growth tiers ahead of others allows the City to create a thoughtful, comprehensive blueprint for future land development. This approach also facilitates other long range land use and infrastructure management projects, such as roadway, water, and sewer infrastructure and improvement needs. In addition, this approach also allows the City to responsibly manage growth while still meeting legislative requirements around the limitation of growth and development.

This approach may also facilitate development by ensuring higher levels of predictability and streamlining future planning efforts. Should the City rely on the use of an urban reserve designation, future development in those areas would require a general plan amendment to progress through the entitlement and permitting process. General plan amendments tend to require significant time and permitting fees, require public hearings, and must be approved by City Council. Additional environmental review and analysis would also be required. Assigning land uses on the General Plan plan but prioritizing growth within certain areas through the establishment of growth tiers ensures consistency and compatibility of land uses over time and increases the predictability of the planning process, while still allowing the City to balance growth with actual demand.

### *Recommendation*

To provide the most balanced land use plan while still offering a streamlined, responsible, and strategic framework for urban growth, the consultant team recommends the City adopt Alternative 4 with a tiered urban growth management approach, as shown in **Figure 10: Recommended Land Use Plan**.

Figure 10: Recommended Land Use Plan



**MINUTES OF THE FOWLER CITY PLANNING COMMISSION MEETING**  
**May 6, 2021**

Vice Chair Kandarian called the meeting to order at 6:32 p.m. Roll call was taken.

Commissioners Present: Kandarian, Hammer, Prado, Rodriguez

Commissioners Absent: Mellon

City Staff Present: City Manager Quan, Police Chief Alcaraz, Community Development Director Gaffery, City Attorney Carlson, Planning Consultant Marple, Planning Consultant Allinder, Planning Secretary Zavala

**AGENDA ITEM NO. 3**

**APPROVAL OF MINUTES FOR APRIL 1, 2021 MEETING**

Commissioner Hammer made a motion to approve the minutes from the April 1, 2021 meeting, motion seconded by Commissioner Rodriguez. Motion carried by roll call vote. Ayes: Kandarian, Hammer, Prado, Rodriguez. Noes: None. Absent: Mellon.

**AGENDA ITEM NO 4**

**Presentation of the Proposed Master Uses & Process by Zone Category Table for the City of Fowler Zoning Code Update**

Ms. Allinder presented the item. The table presented multiple zone categories with allowed uses and their approval process in the upcoming Zoning Code Update. The three categories presented Planning Commission Approval (discretionary), Director Approval (discretionary), and Directory Approval (ministerial). The goal of these new categories is to streamline the approval process while still ensuring conditions are met.

**ANGENDA ITEM NO 5**

**Hearing to Consider Conditional Use Permit No. 21-01, filed by Mirella Soto and Dinora Lopez de Roque, to modify operations of an alcohol sales and service use, at 115 North 6<sup>th</sup> Street (APN: 343-142-17)**

Ms. Marple Presented the item. Mi Favorito is the applicant is asking to amend/remove their conditions of approval for their ABC license. The applicant is asking to modify six of their conditions. 1. Sales, service and consumption of alcoholic beverages shall be permitted only between the hours of 8:00 a.m. and 11:00 p.m. each day of the week; 2. There shall be no bar or lounge area upon the licensed premises maintained for the purpose of sales, service or consumption of alcoholic beverages directly to patrons for consumption; 3. At all times when the premises are open for business the sale of alcoholic beverages shall be incidental to the sale of food; 5. There shall be no live entertainment or dancing permitted on the premises at any time and 6. The quarterly gross sales of alcoholic beverages shall not exceed the quarterly gross sales of food during the same period.

Chief of Police asks for two conditions to be met; 1. Security camera(s) shall be placed inside the restaurant area, and shall have views of the bar, dance area, registers, and all entrances and exits. Surveillance video shall be recorded on a minimum 7-day loop. Access to such video shall be provided to Fowler PD within twenty-four (24) hours of request to aid in any criminal investigation and 2. Security shall be provided during all promotional events. Staff recommends approval.

Commission had questions in regards to needing security, event types and placement, and lighting on the street for events.

Ms. Soto, the applicant, spoke on behalf of the restaurant.

Ms. Marple notified commission that there is a one year review condition that will provide staff to review any issues that arise and come up with solutions to the issues.

Commission requested that a condition be added for the security company being used to be a licensed agency and lighting where security cameras are placed.

Commissioner Rodriguez made a motion to approve resolution number, 657 approving Conditional Use Permit Application No. 21-01 with modification of condition number two to say security shall be provided during all promotional events using a vendor license to provide security in the state of California, and a proposal to provide adequate lighting at all locations of the security cameras that shall be installed pursuant to condition number one, seconded by Commissioner Hammer. Motion carried by roll call vote. Ayes: Kandarian, Hammer, Prado, Rodriguez. Noes: None. Absent: Mellon.

**AGENDA ITEM NO 6**  
**Communication**

Ms. Marple gave an update on the General Plan Workshop that happened on April 28, 2021. The Summary report is available to the public via the City website.

Vice Chair Kandarian had questions in regards to 8<sup>th</sup> and Adams property. Staff advised the Commission that they have been working diligently to solve this issue and will continue to provide updates on meetings to come.

Commission had questions in regards to KB Homes construction and the dust they have created while building and netting around the sites. Staff advised the Commission that KB Homes has to be in compliance with both City codes and air pollution control district regulations.

Commissioner Prado shared concern from new builders on responses to emails. Mr. Gaffery advised he will follow up with staff.

Commissioner Hammer made a motion to adjourn, seconded by Commissioner Prado. Motion carried by a voice vote and meeting was adjourned at 7:32 PM



## FOWLER PLANNING COMMISSION

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ITEM NO: 5

### REPORT TO THE PLANNING COMMISSION

July 1, 2021

**FROM:** Dawn E. Marple, City Planner

### SUBJECT

Public Hearing to Consider Tentative Parcel Map (TPM) Application No. 21-01 and Adopt a Finding of a Categorical Exemption Pursuant to CEQA Guidelines Section 15332, Submitted by Alan Mok Engineering to create two (2) lots at the southeast corner of South 10th Street and vacated Fowler Avenue (APN 343-201-08) to support the development of Conditional Use Permit 18-04, a previously-approved request to allow drive-through restaurants and/or retail facilities and a marquee sign measuring 675 square feet in area.

### RECOMMENDATION

Staff recommend the Commission approve TPM Application No. 21-01 and adopt Finding of a Categorical Exemption pursuant to CEQA Guidelines Section 15332, including the attached resolutions and conditions of approval. The decision of the Planning Commission is final unless appealed to the City Council. The Commission is empowered to grant or deny applications for TPMs and to impose reasonable conditions upon granting approval.

### BACKGROUND

In May 2021, Alan Mok Engineering submitted a TPM Application proposing to subdivide the land at the southeast corner of South 10th Street and vacated Fowler Avenue (APN 343-201-08).

TPM No. 21-01 proposes to create a 0.95-acre (41,547.90 s.f.) parcel and a 0.22-acre (9,397.06 s.f.) parcel from an existing 1.16-acre parcel. TPM 21-01 will support the development of Conditional Use Permit (CUP) No. 18-04, a previously approved request to allow drive-through restaurants and/or retail facilities and a marquee sign measuring 675 square feet in area. The subject parcel is zoned C-H (Highway Commercial) and is within the Highway Beautification (HB) Overlay district. The General Plan Designation for the site is General Commercial. The C-H Zone District does not have any limitations regarding lot size; therefore, the proposed parcel sizes are consistent with the City of Fowler Zoning Ordinance.

The proposed parcels have public road frontage and will take access from South 10th Street.

Figure 1 contains an aerial photo showing the project site in relation to other facilities. Figure 2 illustrates the zoning of the site and vicinity. Figure 3 shows the Fowler General Plan land use designations. Figure 4 contains proposed Tentative Parcel Map No. 21-01. Figure 5 contains the approved site plan for Conditional Use Permit No. 18-04

Adjacent land uses and zoning are:

North	Residential	R-1-6
West	Commercial	C-H
South	Commercial	C-H
East	Commercial	C-H/C-2

## **PROPOSED STRUCTURES WITHIN SUBDIVISION**

Per previously approved CUP No. 18-04, the site will be developed with drive-through restaurants and/or retail facilities and a marquee sign measuring 675 square feet in area. The developer/builder will be required to comply with the approved conditions of approval for CUP No. 18-04.

## **ENVIRONMENTAL FINDINGS**

The City, as the Lead Agency under the California Environmental Quality Act (CEQA), determined that the proposed project is categorically exempt from CEQA through a Class 32 Infill Development Projects exemption. The Class 32 categorical exemption is appropriate for projects that: (a) are consistent with the applicable land use designation, General Plan policies, and zoning; (b) are within city limits on a project site of no more than five (5) acres substantially surrounded with urban uses; (c) are located on sites with no value as habitat for endangered, rare, or threatened species; (d) would not result in significant effects relating to traffic, noise, air quality, and water quality; and (e) is located on a site that can be adequately served by all utilities. The proposed project satisfies these requirements in order to qualify for the Class 32 categorical exemption. None of the exceptions to Categorical Exemptions set forth in the CEQA Guidelines Section 15300.2 apply to this project.

Further, CUP No. 18-04 was evaluated under CEQA at the time it was approved and the proposed project is intended to support the development of CUP 18-04. TPM 21-01 will not have any environmental effects not previously evaluated in conjunction with the approval of CUP No. 18-04. The proposed tentative parcel map is not expected to have any significant effect on the environment.

## **FINDINGS**

The Subdivision Map Act (Sec. 66474) requires that a City makes the following findings prior to approval of a tentative map:

- 1. That the proposed map is consistent with applicable general and specific plans as specified in Section 65451.**

The project site is designated General Commercial in the 2004 General Plan. General Commercial provides for commercial uses with a wide range of retail service activities along major traffic corridors. Highway commercial uses are intended to provide for visitor-serving uses, including restaurants. The project proposes the creation of two lots to accommodate drive-through restaurants and/or retail facilities and a marquee sign measuring 675 square feet in area; therefore, the proposed project is



consistent with the 2004 Fowler General Plan.

**2. That the design or improvement of the proposed subdivision is consistent with applicable general and specific plans.**

The City is empowered to regulate the design and improvement of subdivisions by the Subdivision Map Act and the City's Subdivision Ordinance. The proposed development was approved with CUP No. 18-04, which is subject to the conditions of approval implemented by the City of Fowler. Therefore, the design and improvement of the proposed subdivision is consistent with applicable general and specific plans.

**3. That the site is physically suitable for the type of development.**

The site is generally flat and level and can support a drive-through restaurant and/or retail facilities and a marquee sign measuring 675 square feet in area.

**4. That the site is physically suitable for the proposed density of development.**

Infrastructure needed to serve the development has been addressed with CUP No. 18-04. The flat, level nature of the site in conjunction with the proximity of infrastructure and project conditions ensure that the site is physically suitable for the proposed density of development of the project.

**5. That the design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure a fish or wildlife habitat.**

The proposed project must be reviewed for compliance with the California Environmental Quality Act (CEQA). TPM 21-01 is categorically exempt under Section 15332 - Infill Development Projects of the State CEQA Guidelines.

**6. That the design of the subdivision or type of improvements is not likely to cause serious public health problems.**

There is no evidence in the record that the project is likely to cause serious public health problems. The project will comply with all City ordinances.

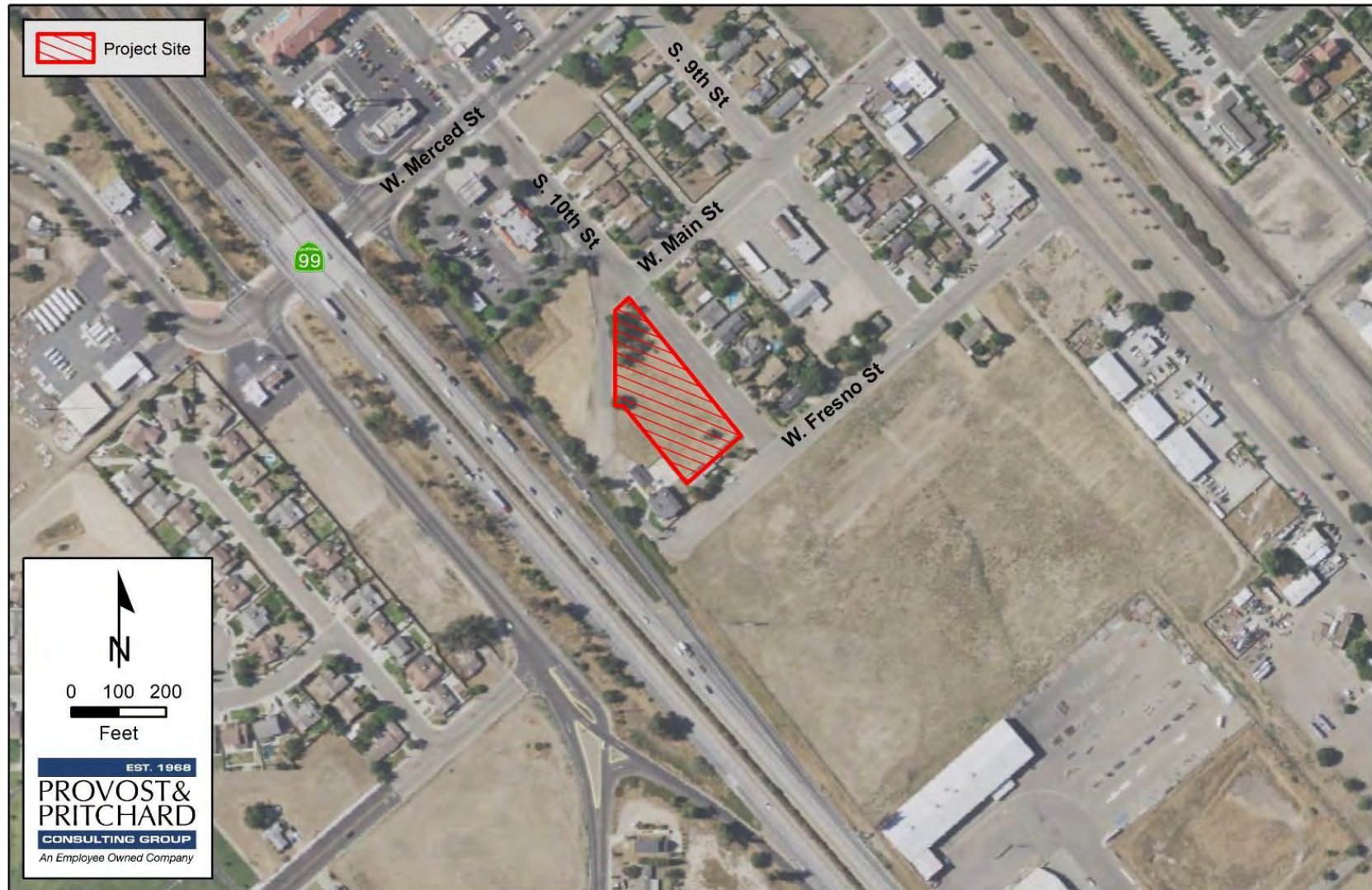
**7. That the design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.**

The project will not conflict with easements.

**Attachments:**

- A. Figure 1
- B. Figure 2
- C. Figure 3
- D. Figure 4
- E. Figure 5
- F. Resolution 658

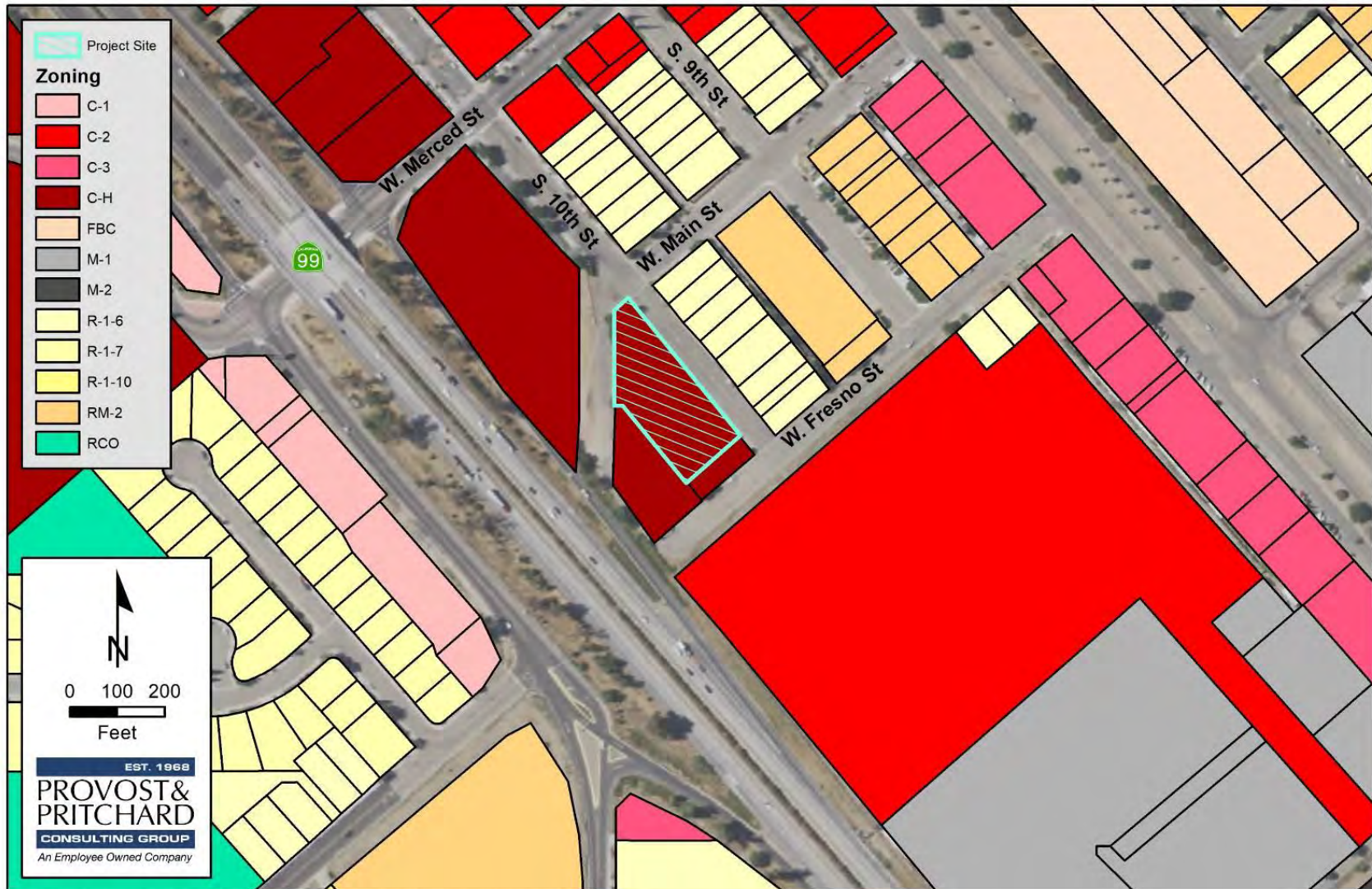
FIGURE 1 – AERIAL PHOTO



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FIGURE 2 – ZONING MAP



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**FIGURE 3 – GENERAL PLAN LAND USES**



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## FIGURE 4 – SITE PLAN

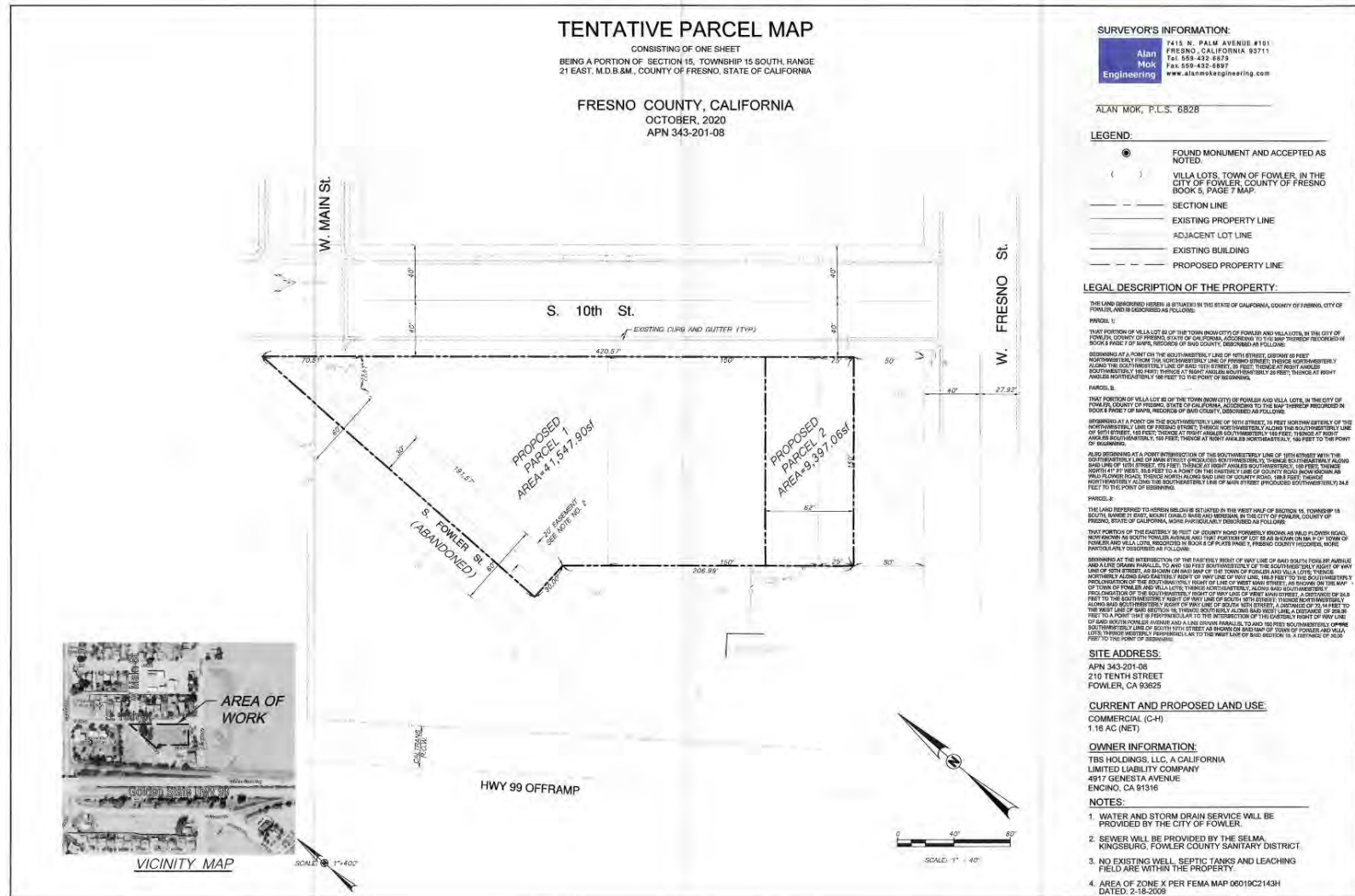
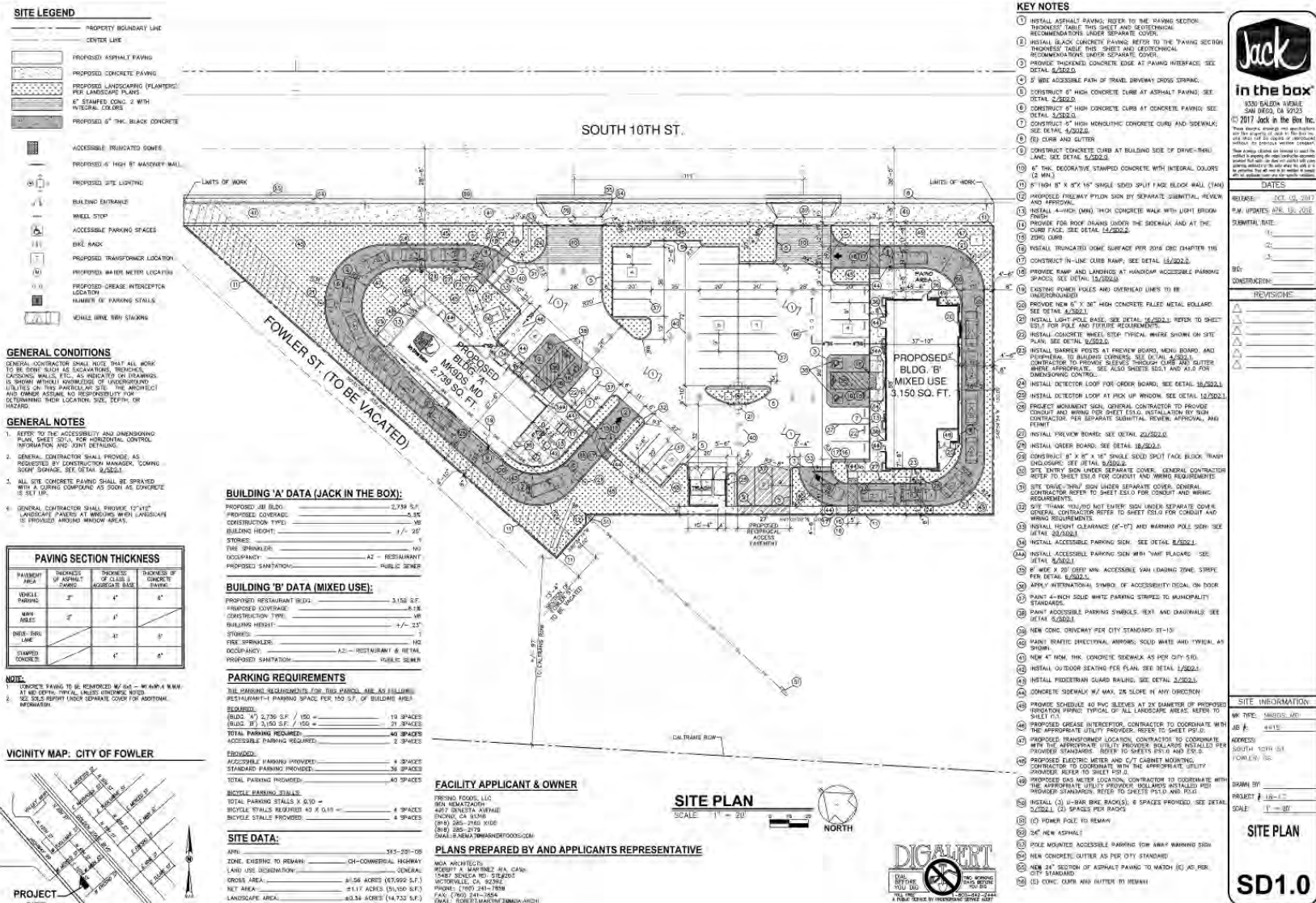


FIGURE 5 – CONDITIONAL USE PERMIT NO. 18-04 APPROVED SITE PLAN





RESOLUTION NO. 658  
RESOLUTION BEFORE THE PLANNING COMMISSION  
OF THE CITY OF FOWLER  
COUNTY OF FRESNO, STATE OF CALIFORNIA

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RESOLUTION APPROVING  
TENTATIVE PARCEL MAP APPLICATION NO. 21-01

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**WHEREAS**, Tentative Parcel Map No. 21-01 proposes to create two (2) lots (“Project”) in the C-H (Highway Commercial) zone district and within the HB (Highway Beautification) Overlay district, on an approximately 1.16-acre parcel (APN: 343-201-08) at the southeast corner of South 10th Street and Vacated Fowler Avenue (“Property”); and

**WHEREAS**, the subject application was deemed complete by the Fowler Planning Department and has been reviewed for compliance with the Fowler Zoning Ordinance; and

**WHEREAS**, the City has determined that the Project is categorically exempt under the California Environmental Quality Act (CEQA) in accordance with CEQA Guidelines Section 15332, Infill Development Projects, and that no additional environmental analysis is required; and

**WHEREAS**, a public hearing notice was duly published informing the public that the Project and Categorical Exemption would be considered for approval at a Planning Commission meeting held on July 1, 2021 at 6:30 p.m.; and

**WHEREAS**, the Planning Commission reviewed the proposed Tentative Parcel Map together with the Categorical Exemption at a duly noticed public hearing on July 1, 2021; and

**WHEREAS**, the Planning Commission reviewed and considered the staff report, categorical exemption, and all evidence presented at the public hearing, including oral and written public testimony on the Project and the Categorical Exemption, and those records and documents related to the Project determined to be necessary to make an informed decision, which are incorporated herein by this reference.

**NOW THEREFORE, BE IT RESOLVED** that the Planning Commission of the City of Fowler, based upon the entire record of proceedings, and subject to the conditions contained in Exhibit “B.”, makes the following findings with regard to the Tentative Parcel Map No. 21-01 for the Project:

1. Tentative Parcel Map No. 21-01 is hereby approved, subject to the conditions of approval set forth in Exhibit “B” to this Resolution.
2. The proposed map is consistent with applicable general and any applicable specific plan.
3. The design or improvement of the proposed subdivision is consistent with applicable general and specific plans.
4. The site is physically suitable for the type of development.
5. The site is physically suitable for the proposed density of development.
6. The design of the subdivision or the proposed improvements are not likely to cause substantial

environmental damage or substantially and avoidably injure a fish or wildlife habitat.

7. The design of the subdivision or type of improvements is not likely to cause serious public health problems.
8. The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.
9. The Project is categorically exempt under the California Environmental Quality Act (CEQA) in accordance with CEQA Guidelines Section 15332, Infill Development Projects.

\_\_\_\_\_  
Chairman of the Planning Commission

Attest:

\_\_\_\_\_  
Secretary of the Planning Commission

I, Sennaida Zavala, Secretary of the Planning Commission, do hereby certify that the foregoing resolution was adopted at a meeting of the Planning Commission of the City of Fowler, on the motion of Commissioner \_\_\_\_\_ and second by Commissioner \_\_\_\_\_ on the 1<sup>st</sup> day of July, 2021 by the following vote:

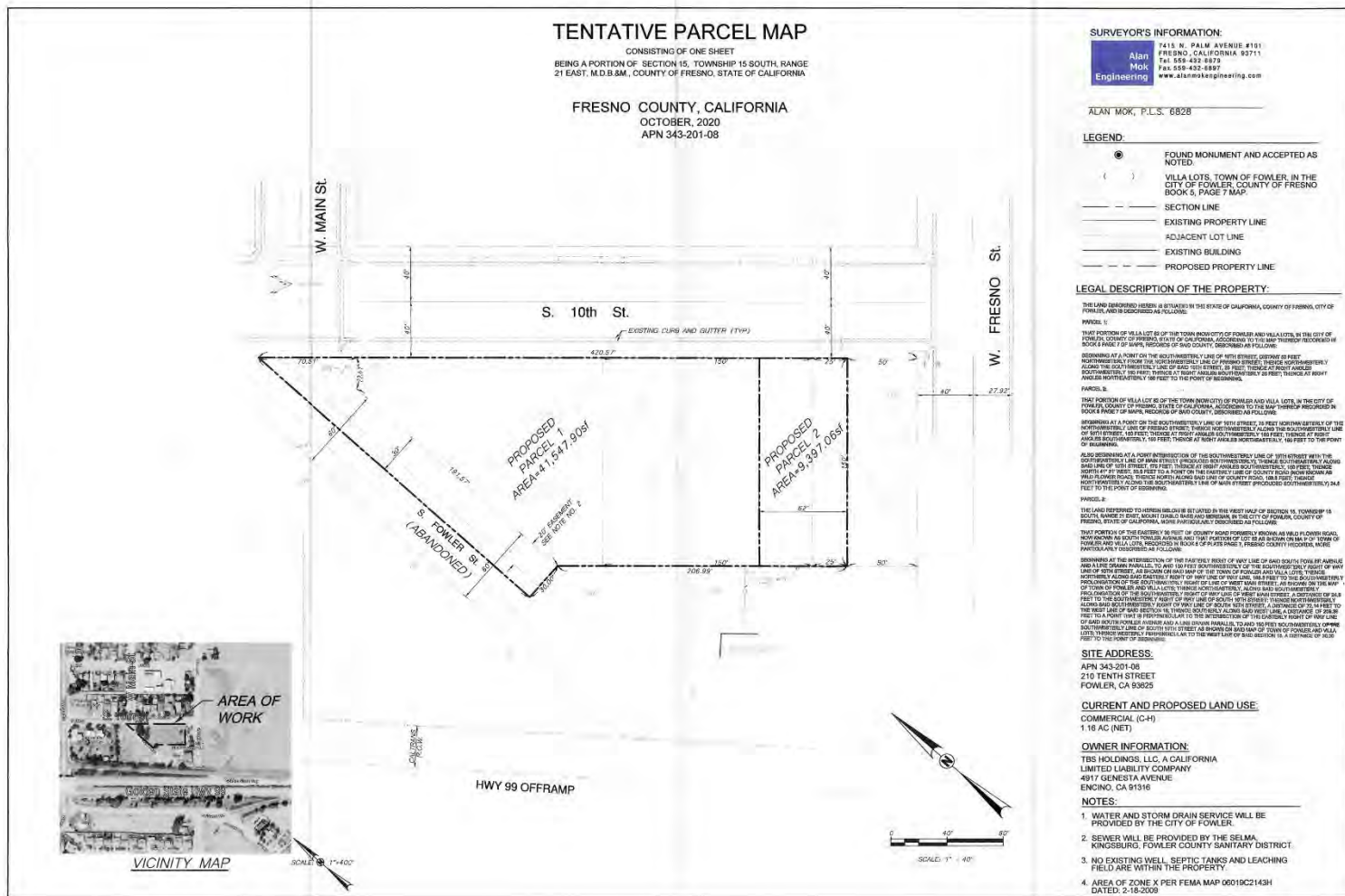
AYES: Commissioners: \_\_\_\_\_

NAYS: Commissioners: \_\_\_\_\_

ABSTAIN: Commissioners: \_\_\_\_\_

ABSENT: Commissioners: \_\_\_\_\_

**Exhibit "A"**  
**Tentative Parcel Map No. 21-01**



**Exhibit “B”**  
**Conditions of Approval TPM No. 21-01**

1. All conditions of the applicant shall be conditions of approval, except as further modified below, and subject to modifications to conform to applicable City Standards.
2. Approval of this tentative map shall comply with the Conditions of Approval for Conditional Use Permit No. 18-04. See Exhibit “C” attached.
3. The design and improvement of the subdivision shall conform to Titles 1 through 15 of the City of Fowler Subdivision Ordinance and to the City of Fowler Standard Specifications ("Standard Specifications"), unless otherwise specified in these conditions.
4. The applicant shall pay all fees as required by existing ordinances and schedules.
5. Approval of this tentative map shall expire twenty-four (24) months after its approval or conditional approval, or any extension thereof.
6. The expiration of the approved or conditionally approved tentative map shall terminate all proceedings and no final map of all or any portion of the real property included within the tentative map shall be filed with the City Council without processing a new tentative map.
7. Upon application of the subdivider filed prior to the expiration of the approved or conditionally approved tentative map, the time at which the map expires may be extended by the City Council for a period or periods not exceeding a total of three (3) years.

Signature of Applicant: \_\_\_\_\_

Date: \_\_\_\_\_

# Exhibit “C”

## CONDITIONS OF APPROVAL

### Conditional Use Permit No. 18-04

#### General Conditions

1. Approval of this conditional use permit and the associated site plan shall be valid for a period not to exceed one year from the date of approval unless a building permit for the facility described herein has been issued by the Building Department and construction is being diligently pursued. The owner may request an extension of up to one additional year via written request to the Planning Department submitted not less than thirty days prior to expiration of this approval. As there are two buildings on the site, once a building permit is facilitated for one of the proposed buildings construction of the second building will not be held to any time limits.
2. Development of the site shall be in substantial conformance with the site plan dated April 19, 2018 except as may be modified by these conditions or the direction of the Planning Commission. In accordance with Section 9-5.26.03 of the Fowler Municipal Code, the Director may authorize minor modifications to the approved project.
3. Label and depict all dimensions on the site plan. Dimensions along the site boundaries are currently absent.
4. Re-label “Fowler Street” as “Fowler Avenue” on the site plan.
5. All provisions of the C-H zone district shall apply.
6. All provisions of the Highway Beautification Overlay District shall apply.
7. The facility may install a marquee sign measuring up to 675 square feet in area subject to review and approval by the Director of the sign by means of a separate Sign Review process.
8. Any free standing or occupancy signs are subject to review and approval by the Director by means of a separate Sign Review process.
9. All conditions shall be satisfied prior to occupancy approval for any portion of the project. Failure to comply with all conditions of approval shall be grounds for the imposition of penalties, suspension of the permit, modification of the permit, or revocation of the permit.
10. The operator shall provide opaque slats on all existing or proposed chain-link fencing
11. The operator shall keep the exterior premises free of trash and debris. Graffiti shall be removed or covered within 48 hours of its discovery by the applicant, manager, or any employee.
12. Any business operating on the site and all contractors or sub-contractors working in the City must obtain a business license from the Finance Department at Fowler City Hall.
13. The operator shall report applicable sales tax revenue to the State.
14. All lighting shall be hooded and directed as to not shine towards adjacent properties and public streets.
15. Drive aisles shall be kept unobstructed at all times. Vehicles shall not block driveways.

16. A copy of these conditions must be kept on the premises and be shown to any requesting City official. Failure to comply with all conditions of approval shall be grounds for the imposition of penalties, modification of the permit, or revocation of the permit.

## Property Development Standards

17. Open storage of materials and equipment attendant to a permitted use or conditional use shall be permitted only within an area surrounded or screened by a solid wall or fence six (6) feet minimum in height, except as may be modified under Site Plan Review. Said storage shall not be visible above said fence or wall.
18. No use shall be permitted and no process, equipment or materials shall be used that are found by the City to be objectionable to persons living or working in the vicinity because of odor, fumes, dust, smoke, cinders, dirt, refuse, water-carried waste, noise, vibration, illumination, glare, or unsightliness or to involve any hazard of fire or explosion.
19. The minimum front yard shall be fifteen (15) feet. A minimum of ten (10) feet of the required front yard shall be landscaped.
20. A minimum of 18 parking spaces shall be provided for Building A and a minimum of 21 parking spaces shall be provided for Building B.
21. Parking lot shall comply with provision outlined in the City of Fowler Parking Manual. Standard parking stalls shall be 9 feet x 20 feet.
22. Improvement shall include handicap parking stalls and an ADA accessible sidewalk providing access to the front door of the buildings the parking lot is serving.
23. All parking areas shall have adequate ingress and egress to and from a street or alley. Sufficient room for turning and maneuvering vehicles shall be provided on the site. Bumper rails or other barriers shall be provided where needed for safety or to protect property, as determined by the City.
24. Fifty (50) percent of paved parking lot surfaces shall be shaded by tree canopies within fifteen (15) years of planting.

**\* Provide accurate landscaping measurements and verify that 50% of the parking area will be shaded.**

25. Parking lot shall be lit to a foot-candle coverage between 0.5 and 1.5.
26. Each drive-through lane shall be separated from the circulation routes necessary for ingress or egress from the property, or access to any parking space.

**\*Building B's drive-through design shall be altered to provide adequate circulation without congesting the ingress/egress property driveway. (See Public Works/ Fire Department Comments, Condition No. 33)**

27. If parallel to and visible from a public street, the drive-through lane shall be appropriately screened with landscaping or other material at the discretion of the City Engineer so as to visually screen vehicles in the drive-through lane from the public right-of-way.

## Highway Beautification Overlay District - Property Development Standards

28. The maximum permitted height of marquee signs shall be dependent on the distance that the marquee sign is set back from the highway and shall be calculated using the following formula: one (1) foot of sign height shall be permitted for each one (1) foot that the sign is set back from the highway, to a maximum of one hundred (100) feet in height. All signs not meeting the setback standard are required to obtain a conditional use permit. All signs exceeding one hundred (100) feet in height are required to obtain a conditional use permit. The maximum permitted area for marquee signs shall be dependent



on the distance that the sign is set back from the highway and shall be calculated using the following formula: three (3) square feet of sign area shall be permitted for each one (1) foot that the sign is set back from the highway, to a maximum of five hundred (500) square feet in area. All signs exceeding five hundred (500) square feet in area are required to obtain a conditional use permit.

**\*Provide the precise distance of the marquee sign to the highway frontage road in order to calculate the maximum allowable height. The sign height shall comply with the provisions set forth in Fowler Zoning Ordinance Section 9-5.1907 regarding marquee signs within the Highway Beautification Overlay District.**

29. Utility and mechanical equipment such as heating units, air conditioners, antennas, satellite dishes, HVAC units, or similar devices shall be integrated into the design of the building or situated on the site so that they are not visible from the highway. When this is not possible, the equipment shall be screened from view of the highway by a masonry wall or other method acceptable to the City.

## Public Works/Fire Department Comments

30. Submit a site plan showing sewer connections and improvements.
31. Submit a site plan depicting fire hydrant locations.
32. Submit a site plan depicting Fire Department connections (FDC) and backflow devices on both proposed buildings.
33. A secondary access point for emergency vehicles measuring no less than 20 feet in width must be developed.

## Police Comments

34. Install security cameras on the external of the building and the ingress/egress routes of the parking lot. Recording shall be maintained on a 7-day loop.

## Engineering Conditions

### General:

35. All proposals of the applicant shall be conditions of approval, except as further modified below, and subject to modifications to conform to applicable City Standards.
36. The applicant shall defend, indemnify, and hold harmless the City in any action brought by a third party to challenge the land use entitlement.
37. The applicant shall pay all fees as required by existing ordinances and schedules. The fees to be paid shall be those in effect at the time the application was accepted for processing. Fees levied by entities other than the City of Fowler shall be paid in the amounts in effect at the time of payment.
38. Applicant shall provide on-site lighting. An on-site lighting plan shall be submitted to the City Engineer for review and approval.
39. Fire Department Access shall meet the requirements set forth in Appendix D of the California Fire Code.
40. Applicant shall construct a concrete masonry trash enclosure(s) with screened gate. The trash enclosure plan shall be according to City Improvement Standards and reviewed and approved by the Building Official. The enclosure shall be of sufficient size to accommodate containers for refuse, green waste, and recycling.
41. Applicant shall construct a masonry block wall along the southeast property line (adjacent to existing residential parcel) as approved by the City Engineer.

**Circulation:**

- 42. Applicant shall complete street frontage improvements along S. 10<sup>th</sup> Avenue (including, but not limited to sidewalk, landscaping, and street lighting) in accordance with City standards.
- 43. Developer shall construct or pay a fair share contribution to mitigate traffic impacts as identified by the Fowler SE Area Traffic Study and the City Engineer.
- 44. Applicant shall pay to the Fresno Council of Governments the Regional Traffic Mitigation Fee.

**Grading and Drainage:**

- 45. A grading and site improvement plan shall be submitted for review and approval by the City Engineer. The applicant shall obtain a permit prior to any on-site grading and/or site improvement work.
- 46. A project-specific geotechnical report shall be prepared and submitted for review by the City Engineer.
- 47. Drainage shall be directed to existing storm drainage facilities near the Merced Street and Main Street intersection. Applicant shall pay the drainage fee.
- 48. Permanent surfacing shall be provided for all on-site roads and parking facilities consisting of an asphalt concrete surfacing and valley gutter for drainage, with minimum surfacing section to include 2.5 inches of asphalt concrete over 5 inches of aggregate base per City Standards. Valley gutters shall be a minimum width of three feet in width per City Standards.
- 49. The applicant shall obtain an NPDES permit from the Regional Water Quality Control Board. The plan shall provide for the mitigation of soil erosion from the project site during the construction and warranty periods and be submitted to the City prior to the start of construction.

**Landscaping:**

- 50. Applicant shall submit an on-site and off-site landscape and irrigation plan for review and approval by the City Engineer.
- 51. Landscaping shall be developed throughout the project. A landscaping and irrigation plan be prepared and submitted for review by the City Engineer for proposed on-site and off-site (within the City right-of-way) landscaping. Landscape and irrigation shall be low water consumption designs consistent with AB 1881 and City of Fowler ordinances.

**Water:**

- 52. Applicant shall install a minimum 2-inch domestic waterline and minimum 1-inch irrigation waterline into the project site with each service being equipped with a reduced pressure backflow preventer and water meter. A 4-inch waterline may be stubbed into the site from the main and split into the domestic and landscape services on-site.
- 53. Applicant shall install a minimum 4-inch fire waterline into the site for fire protection. The service shall be equipped with a double detector check valve per City Standards.
- 54. Applicant shall pay their fair share of the recently constructed water line improvements along S. 10<sup>th</sup> Avenue between Main Street and Fresno Street.

**Sewer:**

- 55. Applicant shall extend the 8-inch sewer line at S. 10<sup>th</sup> Avenue / Main Street into the project site or construct other service connects as necessary to provide sewer service as approved by Selma-Kingsburg-Fowler County Sanitation District (SKF). Any trench patches in S. 10<sup>th</sup> Avenue shall be finished by heater planer method and shall be seamless.
- 56. Applicant shall submit a plan for sewer service for review and approval by the City Engineer and Selma-Kingsburg-Fowler County Sanitation District (SKF).

57. Applicant shall pay applicable sewer connection fees to SKF based upon the rates in effect at the time of payment.

**Utilities:**

58. All existing overhead utilities adjacent to the development shall be undergrounded.
59. All electric, cable TV, telephone, internet, and other dry utility services shall be provided to the development shall be undergrounded.
60. Developer shall work with PG&E for the preparation of a utility plan, subject to the review and approval by the City Engineer prior to approval of the improvement plans and prior to the start of construction. All work shall be completed such that no street surface need be reopened for service.

**Irrigation:**

61. Any private irrigation facilities and those maintained by Consolidated Irrigation District, shall be relocated outside of the street right-of-way, except at street crossings. Any irrigation lines that must remain in service shall be reconstructed with rubber gasket reinforced concrete pipe.
62. All abandoned irrigation lines serving the property shall be removed.

**Other:**

63. Approval of this Project is for the benefit of the Applicant. The submittal of applications by Applicant for this Project was a voluntary act on the part of the Applicant not required by the City. Therefore, as a condition of approval of this Project, the Applicant agrees to defend, indemnify and hold harmless the City of Fowler and its agents, officers, consultants, independent contractors and employees ("City") from any and all claims, actions or proceedings against the City to attack, set aside, void, or annul an approval by the City concerning the Project, including any challenges to associated environmental review, and for any and all costs, attorneys fees, and damages arising therefrom (collectively "Claim").

The City shall promptly notify the Applicant of any Claim and the City shall cooperate fully in the defense. If the City fails to promptly notify the Applicant of any Claim or if the City fails to cooperate fully in the defense, the Applicant shall not thereafter be responsible to defend, indemnify, or hold harmless the City.

Nothing in this condition shall obligate the City to defend any Claim and the City shall not be required to pay or perform any settlement arising from any such Claim not defended by the City, unless the City approves the settlement in writing. Nor shall the City be prohibited from independently defending any Claim, and if the City does decide to independently defend a Claim, the Applicant shall be responsible for City's attorneys' fees, expenses of litigation and costs for that independent defense, including the costs of preparing any required administrative record. Should the City decide to independently defend any Claim, the Applicant shall not be required to pay or perform any settlement arising from any such Claim unless the Applicant approves the settlement.



## FOWLER PLANNING COMMISSION

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ITEM NO: 6

### REPORT TO THE PLANNING COMMISSION

July 1, 2021

**FROM:** Dawn E. Marple, City Planner

### SUBJECT

Public Hearing to Consider Zoning Text Amendment No. 21-01 to Amend Section 17, of Article 22, of Chapter 5, of Title 9 of the Fowler Municipal Code – Special Use Signs, to allow multiple drive-through menu boards. The Planning Commission will also consider adoption of a Finding of a Categorical Exemption pursuant to CEQA Guidelines Section 15311.

### RECOMMENDATION

Staff recommend the Planning Commission recommend to the City Council adoption of an amendment to Section 9-5.22.17 – Special Use Signs of the Fowler Zoning Ordinance to allow two (2) drive-through menu boards with up to 40 square feet in total sign area per drive-through lane. The City Council will consider the matter for final decision at a separately noticed public meeting.

### BACKGROUND

The City of Fowler Zoning Ordinance currently allows for restaurant uses with a drive-through to have one (1) additional sign for menu board purposes. Staff has received several development proposals recently requesting multiple menu boards for their multi-lane drive-throughs. These proposals cannot be fulfilled as the zoning ordinance allows only one drive-through sign per restaurant. The applicant, Commercial Neon Signs on behalf of Nematzadeh Enterprises Inc., proposed the following changes:

- Drive-through uses would be allowed two (2) menu boards per drive-through lane. Uses with two (2) drive-through lanes could have a total of four (4) menu boards.
- Each menu board would be allowed to be 27.1 square feet, up from 20 square feet.

A 2019 Drive-Thru Performance Study prepared by QSR (Quick Service Retail) Magazine studied 10 chains across 1,500 visits, and found that total time spent was reduced by 12 seconds per order with the inclusion of a second menu board.

Below is a comparison of the City's sign standards to other area jurisdictions. The City of Madera, while not in Fresno County, is also located along State Route 99. The proposal would exceed area sign standards.

<b>Jurisdiction</b>	<b>Max. Number of Boards</b>	<b>Maximum Area per Board</b>	<b>Total Sign Area Allowed (in square feet)</b>
Fowler	1 per restaurant	20 square feet	20
Reedley	2 per restaurant	40 square feet	80
Fresno City, Clovis, Madera City	2 per drive-thru	20 square feet	40 per drive-thru
Selma	No standard		75
Fowler (Applicant-proposed)	2 per drive-thru	27.1 square feet	54.2 per drive-thru

After discussion with the applicant, staff recommend the following changes:

- Drive-through uses would be allowed two (2) menu boards per drive-through lane. This means uses with two (2) drive-through lanes could have a total of four (4) menu boards.
- Each drive-through lane would be allowed up to 40 square feet in total signage, with a maximum of 25 square feet per sign.
- Each drive-through sign's speaker box must be positioned away from residential district or residential use.

The proposed text amendment would align the City's standards with the standards of most surrounding cities, while also allowing for some flexibility for restaurants needing more menu board sign area. Restaurants that need more sign area can seek administrative approval of a minor deviation to sign standards.

## **ENVIRONMENTAL FINDINGS**

Zoning Text Amendment No. 21-01 has been reviewed pursuant to the California Environmental Quality Act (CEQA) and has been determined to be exempt pursuant to CEQA Guidelines Section 15311 (Accessory Structures). There are six (6) restaurant locations in the City of Fowler with drive-throughs. Should these restaurants apply for a second drive-through menu board, no significant environmental impacts would occur. Future locations of menu boards would be reviewed and approved under the Conditional Use Permit process.

None of the exceptions to Categorical Exemptions set forth in the CEQA Guidelines, Section 15300.2 apply to this project. The proposed text amendment is not expected to have any significant effect on the environment.

Attachments:

- A. Planning Commission Resolution No. 659

RESOLUTION NO. 659  
RESOLUTION BEFORE THE PLANNING COMMISSION  
OF THE CITY OF FOWLER  
COUNTY OF FRESNO, STATE OF CALIFORNIA

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RESOLUTION RECOMMENDING APPROVAL OF ZONING TEXT  
AMENDMENT NO. 21-01 AMENDING SECTION 17, OF ARTICLE 22, OF  
CHAPTER 5, OF TITLE 9 OF THE FOWLER MUNICIPAL CODE TO ALLOW  
MULTIPLE DRIVE-THROUGH MENU BOARDS

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**WHEREAS**, Jeff Long of Commercial Neon, Inc., on behalf of Nematzadeth Enterprises, Inc., submitted an application for Zoning Text Amendment No. 21-01, to allow multiple drive-through menu board signs in the Fowler Zoning Ordinance (“Project”); and

**WHEREAS**, City staff evaluated the proposal, consulted with the Applicant, and based on staffs’ evaluation and consultation, proposed revisions to the proposed Zoning Text Amendment; and

**WHEREAS**, the proposed Zoning Text Amendment No. 21-01 is set forth in Exhibit A, attached hereto and incorporated by this reference; and

**WHEREAS**, the Planning Commission conducted a duly noticed public hearing at a regular meeting on July 1, 2021 at 6:30 pm; and

**WHEREAS**, the City has determined that the Project is categorically exempt from the California Environmental Quality Act under CEQA Guidelines Section 15311 (Accessory Structures); and

**WHEREAS**, the Planning Commission reviewed and considered the proposed Zoning Text Amendment No. 21-01, as well as the staff report, categorical exemption, and all evidence presented at the public hearing, including oral and written public testimony on the Project and the Categorical Exemption, and those records and documents related to the Project determined to be necessary to make an informed decision, which are incorporated herein by this reference.

**NOW THEREFORE, BE IT RESOLVED** that the Planning Commission of the City of Fowler, based upon the entire record of proceedings, hereby recommends to the City Council:

1. That Zoning Ordinance Amendment No. 21-01 as shown on Exhibit A be adopted.

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Chairman of the Planning Commission

Attest:



\_\_\_\_\_  
Secretary of the Planning Commission

I, Sennaida Zavala, Secretary of the Planning Commission, do hereby certify that the foregoing resolution was adopted at a meeting of the Planning Commission of the City of Fowler, on the motion of Commissioner \_\_\_\_\_ and second by Commissioner \_\_\_\_\_ on the 1<sup>st</sup> day of July, 2021 by the following vote:

AYES: Commissioners: \_\_\_\_\_

NAYS: Commissioners: \_\_\_\_\_

ABSTAIN: Commissioners: \_\_\_\_\_

ABSENT: Commissioners: \_\_\_\_\_

# Attachment “A”

## PROPOSED ORDINANCE

# ORDINANCE NO. 2021- \_\_

## AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FOWLER AMENDING SECTION 17, OF ARTICLE 22, OF CHAPTER 5, OF TITLE 9 OF THE FOWLER MUNICIPAL CODE, TO ALLOW MULTIPLE DRIVE-THROUGH MENU BOARDS

THE CITY COUNCIL OF THE CITY OF FOWLER DOES ORDAIN AS FOLLOWS:

SECTION 1. Section 17, of Article 22, of Chapter 5, of Title 9 of the Fowler Municipal Code is hereby amended to read as follows:

Certain uses, because of their special sign needs or their allowance in several districts, have been specifically listed in this section. Where such uses are approved, the sign standards allowed for such uses shall as follows:

Auto/RV Sales (new only with incidental used vehicle sales)	1.	One freestanding sign may be provided per separate new car showroom. The minimum distance between freestanding signs shall be 50 ft.
	2.	Freestanding signs for incidental used car sales shall be no higher than 14 ft. nor contain more than 36 sq. ft. in area. One used car freestanding sign shall be allowed per site with distance between signs the same as for new car sales.
Churches		Not exceeding 32 sq. ft. in total sign area for freestanding signs. One allowed per street frontage. Wall signs not to exceed one-quarter sq. ft. per front foot of building.
Drive-in or Drive-up Uses		In addition to the sign area normally allowed, drive-up restaurants shall be allowed <del>one two</del> menu boards <u>per drive-through lane</u> not to exceed <del>20</del> <u>25</u> sq. ft. in area nor 6 ft. in height. <u>The total sign area per drive-through lane shall not exceed 40 sq. ft. All outdoor speakers shall be directed away from any residential district or residential use.</u>
Group Care Facilities		One wall-mounted sign, not to exceed 3 sq. ft.
Motels, Hotels		In addition to signs normally allowed, one "vacancy" sign not to exceed 5 sq. ft.
Movie Theaters		One sq. ft. of sign area per front foot of building facing a public street not to exceed 100 sq. ft. per frontage, and one freestanding sign not to exceed 35 sq. ft. per screen up to a maximum of 200 sq. ft. and a maximum height of 18 ft. Changeable copy may be used for movie listings.
Outdoor Uses other than Temporary/Seasonal		A maximum of 50 sq. ft. as approved by the Director.
Outdoor Uses Temporary Fireworks Sales		Temporary A-frame and I-frame signs may be used. Total number of signs per street frontage shall be one not to exceed 25 sq. ft. in size nor six ft. in height. Maximum sign area for all street frontages shall not exceed 50 sq. ft.
Service Stations Including Mini-Markets/Gas, Car Wash/Gas and Combinations	1.	Portable merchandise display signs may be located no farther than 6 ft. from the face of the principal building (connected canopy is not a part of the principal building) providing that each does not exceed 5

		ft. in height, 3 ft. in width nor 30 cu. ft. in area. A-frame and I-frame signs are not considered "merchandise islands" within the meaning of this section.
	2.	Gasoline Price Signs. One permanently mounted free-standing price sign per street frontage shall be allowed. Such signs shall not exceed a total of 20 sq. ft. with a maximum height of 5 ft. unless mounted on the freestanding business sign or the pump island supports in which case the height shall not exceed those allowed for the district.
	3.	In addition to the gasoline signs allowed above, one or a combination of the following gasoline price sign locations not to exceed 20 sq. ft. per street frontage may be displayed: a. on-building or window locations b. pump island support locations.
Time/Temperature	1.	The area of the time/temperature sign shall be counted against the allowed sign area of the site.
	2.	The sign shall be in keeping with the scale of the site and structure and shall not be located within 500 ft. of a similar time/temperature sign.
	3.	If mounted on the building, the top of such sign shall not extend above the roof line.



## FOWLER PLANNING COMMISSION

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ITEM NO: 7

### REPORT TO THE PLANNING COMMISSION

July 1, 2021

**FROM:** Dawn E. Marple, City Planner

### SUBJECT

Public Hearing to Consider Conditional Use Permit Application No. 21-02, filed by Jose Juan Aguilar, to establish a recycling center use, at 600 North 8th Street (APN: 345-190-09). The Planning Commission will also consider adoption of a Finding of a Categorical Exemption pursuant to CEQA Guidelines Section 15332.

Consider Adoption of Resolution No. 660, Resolution approving Conditional Use Permit Application No. 21-02, before the Planning Commission of the City of Fowler, County of Fresno, State of California.

### RECOMMENDATION

Staff recommend the Planning Commission approve Resolution No. 660 to approve Conditional Use Permit (CUP) Application No. 21-02, subject to the conditions of approval. The decision of the Planning Commission is final unless appealed to the City Council. The Planning Commission is empowered to grant or deny applications for CUPs and to impose reasonable conditions upon granting approval.

### BACKGROUND

The subject parcel is zoned C-3 (General Commercial) and is planned for General Commercial land uses by the City of Fowler General Plan. The site is approximately 0.43 acres and is located at the northwest corner of North 8<sup>th</sup> and East Adam Streets (APN 345-190-09). Recycling uses are allowed in this zoning district, subject to a Conditional Use Permit in accordance with Section 9-5.21.14 of the Fowler Zoning Ordinance. The west half of the property is located in the HB (Highway Beautification) Overlay District. The property is not visible from State Route 99.

Figure 1 depicts the aerial photo of the site; Figure 2 is the zoning map and Figure 3 is the general plan map. The site is immediately surrounded by General Commercial districts.

The property was previously issued Conditional Use Permit 18-02, which established a used car sales lot. However, staff determined that the Conditional Use Permit had expired by reason of non-use and subsequently issued a letter notifying the Conditional Use Permit beneficiary and property owner of

such determination on January 21, 2021. Automobiles continue to be sited on the property, and the City is pursuing enforcement actions.

Fowler Municipal Code Section 9-5.21.14 grants the City Council the authority to adopt, by resolution, specific criteria and guidelines for review of applications for recycling facilities. Staff has not found nor is staff aware of any adopted criteria or guidelines. Nevertheless, the Planning Commission is empowered to grant or deny applications for use permits and to impose reasonable conditions upon the granting of use permits, subject to appeal to the Council.

According to the California Department of Resources Recycling and Recovery (CalRecycle), there are no registered public CRV recycling locations in Fowler. The nearest facility is Salinas Recycling in Selma. Recyclables in the city are typically picked up in curbside totes and recycling enclosures by the city's solid waste franchise, Waste Management.

Staff conducted research of area cities with regards to the reasoning for the adoption of their regulations regarding recycling facilities, and have generally noted a concern for aesthetic-related issues that occur when the use is not in operation. Furthermore, the property in question previously had a standalone donation receptacle, of similar use to a recycling facility, and donations and other material was often left out, becoming a visual nuisance. Given the property's proximity to Golden State Boulevard, a street whose image is desired to be improved, the following conditions of approval are proposed in order to maintain a high level of community and design in support of Fowler General Plan Goal 2-5:

1. The use shall not be visible from adjacent rights-of-way or properties, and screened by at minimum a six-foot tall slatted chain-link fence.
2. Recycling Containers shall be located outside of all required setbacks.
3. All Recycling Containers shall be kept secure from unauthorized entry to prevent scavenging and theft of Recyclable Materials. The use shall be gated and locked outside all business hours.
4. At the end of each business day, all recycled goods shall be placed or stored in Recycling Containers.
5. Lightweight materials shall be immediately placed into Recycling Containers when they are dropped off.
6. All Recycling Containers shall be durable, waterproof, rustproof, of incombustible construction, and of sufficient capacity to accommodate the materials collected.
7. At least one (1) trash receptacle, of a minimum one (1) cubic yard in volume, shall be provided.
8. The area for collection of Recyclable Materials, and all driveways, parking areas, storage areas, and loading zones shall be paved and maintained in good condition.
9. The Operator shall not permit loitering, camping, public begging, consumption of alcoholic beverages, use of illegal narcotics, or any other criminal activity on any premises over which the Operator has control.
10. The site shall be kept free, at all times, of litter, debris, spillage, bugs, rodents, odors, and other similar undesirable hazards.
11. The Recycling Containers shall be clearly identified with the operator's name, address, telephone number, hours of operation, and a notice that no material shall be left outside the enclosure, and each recycling container must clearly indicate the type of material to be deposited. All commercial messages associated with the use shall submit a Sign Review permit, pursuant to Article 22 of the Fowler Zoning Ordinance.



In order to ensure no adverse effects occur and to protect the public health, safety, and general welfare, with regards to noise that could impact adjacent and nearby properties, staff recommend the conditions be placed on the Conditional Use Permit:

12. Operating hours shall be limited to Monday through Saturday, between 7:00 am and 8:00 pm, not to exceed eight (8) hours per day.
13. Total allowed recycling center area shall not exceed 500 square feet, and the recycling container volume shall not exceed that of two (2) 20-foot long shipping containers.
14. Customer access shall be limited to the property's North 8th Street frontage.
15. Three (3) parking spaces shall be required for the proposed use. Lighting for required parking stalls shall be building-attached and shall be lit to a foot-candle coverage between 0.5 and 1.5. Parking stalls shall be closed during non-business hours.
16. Recyclable Materials accepted for collection shall be limited to glass, plastic, paper, and aluminum.
17. In addition to the conditions above, the applicant shall obtain and comply with the Cal Recycle requirements and permits for the proposed use.
18. Power-driven processing equipment is not permitted.

The Police Chief reviewed the proposal and requested that the following conditions be imposed upon the Conditional Use Permit:

19. Security camera(s) shall be placed at locations and be of sufficient quality to identify customers. Surveillance video shall be recorded on a minimum 7-day loop. Access to such video shall be provided to Fowler PD within twenty-four (24) hours of request to aid in any criminal investigation.
20. Operator shall collect the license plate information of all vehicles driven to property.

## FINDINGS

The zoning ordinance requires the Planning Commission to make the following findings for approval of a CUP:

1. ***The site for the proposed use is adequate in size and shape to accommodate such use and all yards, spaces, walls and fences, parking, loading, landscaping and other features required by the Zoning Ordinance.***

Conditional Use Permit Application No. 21-02 proposes to place two recycling containers on the site. The last approved site plan, depicted as Figure 4, has a sufficient amount of space for these containers, and thus the site would be adequate in size and shape to accommodate the proposed operation, and all yards, spaces, walls and fences, parking, loading, landscaping and other features required by the Zoning Ordinance. The use would not preclude other uses from occupying the site.

2. ***The site for the proposed use relates to streets and highways adequate in width and pavement type to carry the quantity and kind of traffic generated by the proposed use.***

The use would generate a minimal amount of traffic. The property's North 8<sup>th</sup> Street frontage is adequate in width to handle the proposed operational changes.

**3.     *The proposed use will have no adverse effect upon abutting property or the use thereof.***

Operation of Conditional Use Permit Application No. 21-02, subject to compliance with the proposed conditions, will ensure that the proposed use has no adverse effects upon abutting properties or the uses thereof. The proposed use would be approximately 150 feet from the nearest residence, over 2,000 feet from the nearest school.

**4.     *The conditions established by the Planning Commission and stated in the Resolution for the Conditional Use Permit are deemed necessary to protect the public health, safety and general welfare.***

The conditions of approval will serve to accommodate the proposed uses while protecting the health, safety, and welfare of the public. Conditions of approval are based upon standards contained within the Fowler General Plan and the Fowler Zoning Ordinance. Further, the proposed conditions of approval will serve to implement the goals and objectives of the General Plan, which itself is intended to provide for logical and orderly development of the City in a manner that is beneficial to its residents.

## **ENVIRONMENTAL FINDINGS**

The City, as the Lead Agency under the California Environmental Quality Act (CEQA) determined that the proposed project is categorically exempt from CEQA through a Class 32 In-Fill Development Projects exemption, as the project:

1. is located on a 0.43-acre site and is substantially surrounded by general commercial uses;
2. is determined to be consistent with the applicable General Plan land use designation and zone district, as described above;
3. is located on a site that is developed and thus has no value as habitat for endangered, rare, or threatened species;
4. would not have a significant effect on air quality, traffic, noise, or water quality; and,
5. is already served by all required utilities.

**Attachments:**

- A. Figure 1 – Aerial Photo
- B. Figure 2 – Zoning Map
- C. Figure 3 – General Plan Land Use Map
- D. Figure 4 – Last Approved Site Plan
- E. Planning Commission Resolution No. 660

Figure 1 – Aerial Photo

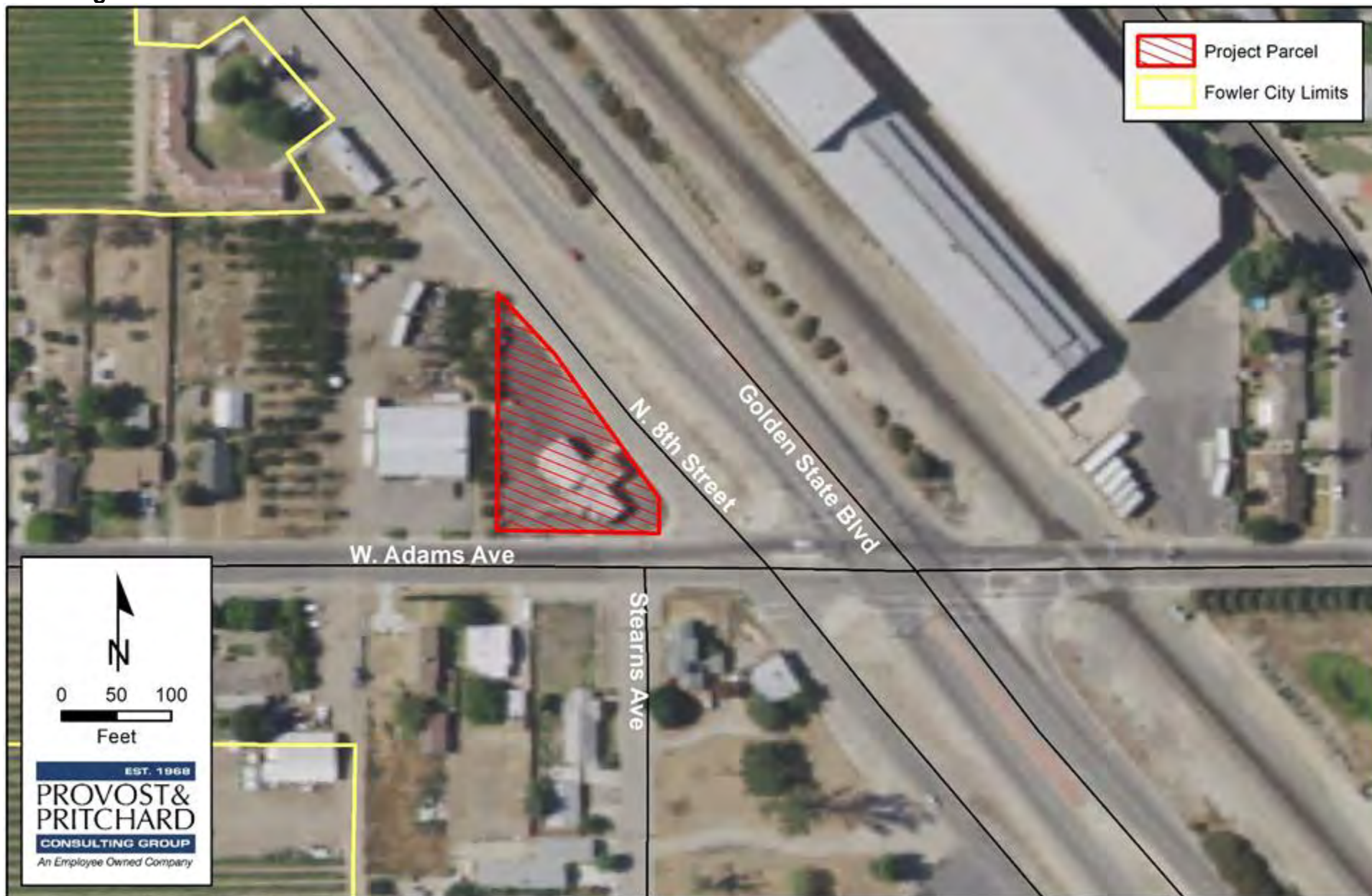


Figure 2 – Zoning Map

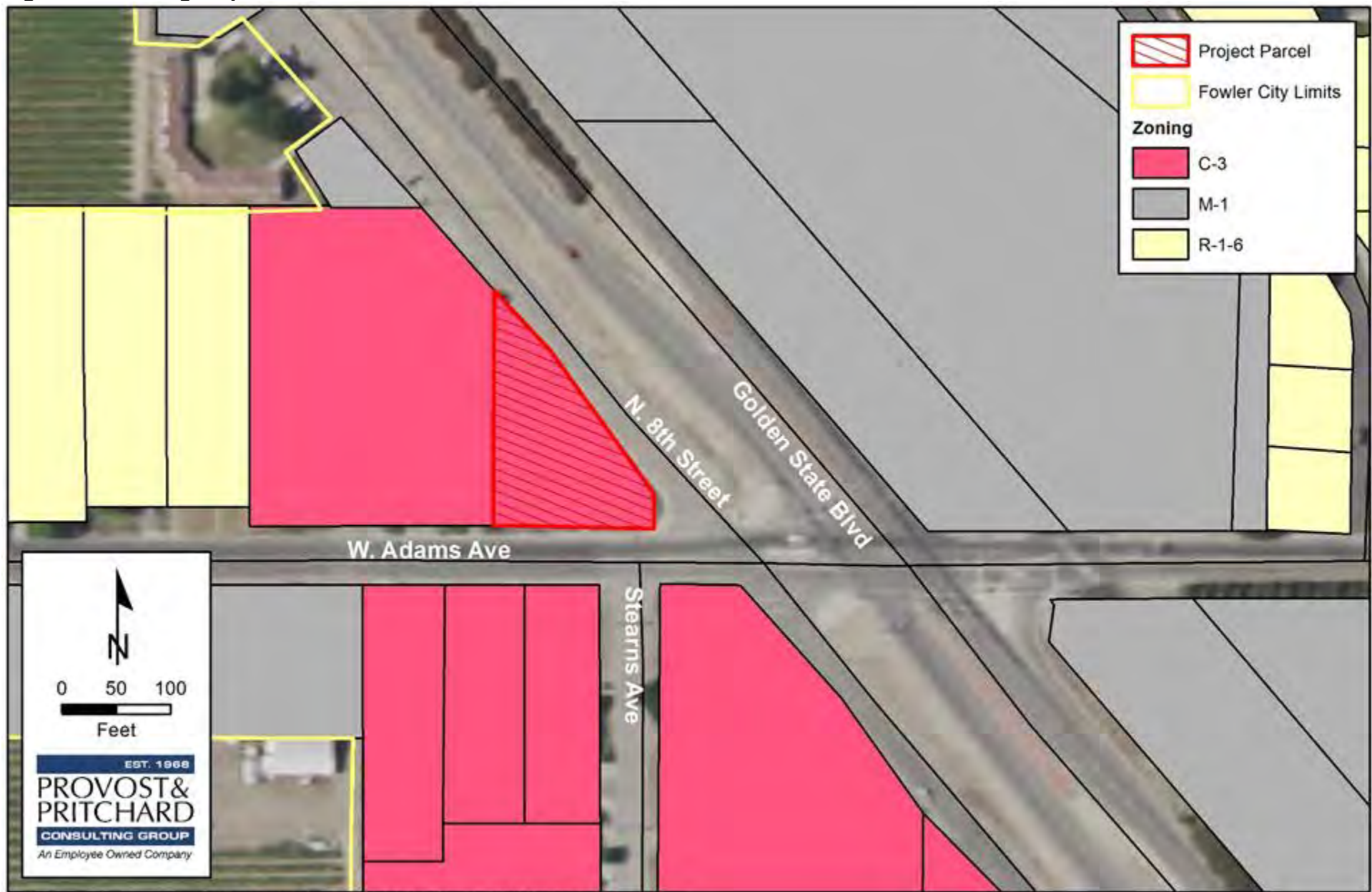
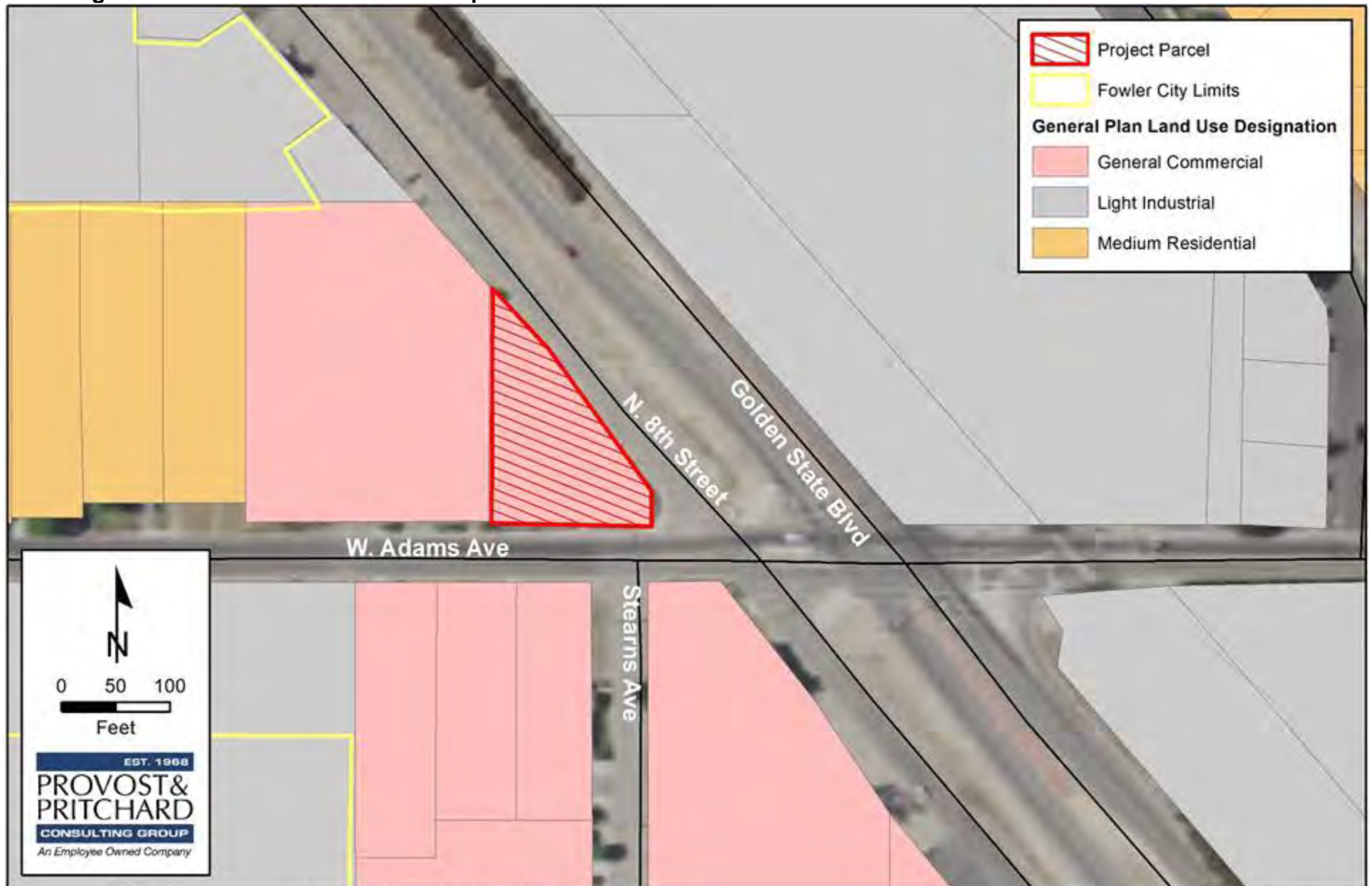




Figure 3 – General Plan Land Use Map





**SITE PLAN** 1" = 20' - 0"

**NOTES**

**CONSTRUCTION**

**SPECIAL**

**PLAN**

**SITE PLAN**



**CITY OF FOWLER CATEGORICAL EXEMPTION  
CONDITIONAL USE PERMIT NO. 21-02**

THE PROJECT DESCRIBED HEREIN IS DETERMINED TO BE CATEGORICALLY EXEMPT FROM  
THE PREPARATION OF ENVIRONMENTAL DOCUMENTS PURSUANT TO ARTICLE 19 OF  
THE STATE CEQA GUIDELINES

**APPLICANT:** Jose Juan Aguilar  
**PROJECT LOCATION:** 600 North 8<sup>th</sup> Street, Fowler CA 93625 (APN 345-190-09)  
**PROJECT DESCRIPTION:** Conditional Use Permit No. 21-02 proposes to establish a recycling center at an existing developed property.

**This project is exempt under Section 15301 of the State CEQA Guidelines.**

**EXPLANATION:** **15301. Existing Facilities:** Class 1 consists of the operation, repair, maintenance, permitting, leasing licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination. The types of "existing facilities" itemized below are not intended to be all-inclusive of the types of projects which might fall within Class 1. The key consideration is whether the project involves negligible or no expansion of an existing use.