



**PLANNING COMMISSION OF THE CITY OF FOWLER  
AGENDA  
THURSDAY, SEPTEMBER 2, 2021  
6:30 P.M.  
CITY COUNCIL CHAMBER  
128 SOUTH 5TH STREET  
FOWLER, CA 93625**

In compliance with the Americans with Disabilities Act, if you need assistance or accommodations to access the City Council Chambers or participate in this meeting, please contact the planning secretary at (559) 834-3113 x110. Notification at least 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility.

Planning Commission meetings are open to the public at the physical address listed above. There are numerous ways to participate in the Planning Commission meetings: you may attend in person, you may appear by telephone as described below, or you may submit written comments via email to [szavala@ci.fowler.ca.us](mailto:szavala@ci.fowler.ca.us). Please include your name and reference the agenda item you are commenting on, if any. Written comments received that do not specify an agenda item will be marked for the general public comment portion of the agenda. Emails received by 8:00 am on the date of the meeting will be provided to the Planning Commission at the meeting and made part of the record of proceedings but will not be read aloud.

**This meeting will be conducted pursuant to the provisions of the Governor's Executive Order N-25-20 which suspends certain requirements of the Ralph M. Brown Act. The telephone number listed below will provide access to the meeting via teleconference. Please note: when joining the teleconference you will be asked your name which will be used to identify you during any public comment period.**

**Telephone Number: 978-990-5175  
Meeting ID: 494026#**

**It is requested that any member of the public attending while on the teleconference have their phone set on "mute" to eliminate background noise or other interference from telephonic participation.**

1. Meeting Called to Order
2. Roll Call
3. Public Presentation – (This portion of the meeting reserved for persons desiring to address the Commission on any matter not on this agenda. Presentations are limited to five minutes per person and no more than 15 minutes per topic).
4. APPROVE Minutes of the August 5, 2021 Planning Commission Meeting

5. PUBLIC HEARING to Consider Items Pertaining to Zoning (Rezoning) Ordinance Amendment No. 19-03, and Annexation Request No. 19-03, filed by Fowler Unified School District for property located on the west side of South Armstrong Avenue between East Adams and East Clayton Avenues.

Consider Approval of Resolution No. 663, a Resolution adopting an Addendum to the Mitigated Negative Declaration for Zoning (Rezoning) Ordinance Amendment No. 19-03 and Annexation Request No. 19-03. ., before the Planning Commission of the City of Fowler, County of Fresno, State of California.

Consider Approval of Resolution No. 664, a Resolution recommending approval to the City Council of Zoning (Rezoning) Ordinance Amendment No. 19-03. before the Planning Commission of the City of Fowler, County of Fresno, State of California.

6. Commissioner Reports and Comments
7. Adjournment

Next Resolution No.: 665

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, August 30, 2021.

  
Sennaida Zavala  
Planning Secretary

***MINUTES OF THE PLANNING COMMISSION OF THE CITY OF FOWLER***  
***Thursday, August 5, 2021 Meeting***

Chair Mellon called the meeting to order at 6:41 p.m. Roll call was taken.

Commissioners Present: Chair Mellon, Vice Chair Kandarian, Hammer, Prado, Rodriguez

Commissioners Absent: None

City Staff Present: Community Development Director Gaffery, City Attorney Carlson, City Planner Marple, and Planning Secretary Zavala

**AGENDA ITEM NO. 4**

**APPROVE Minutes of the July 1, 2021 Meeting**

Vice Chair Kandarian made a motion to approve the minutes from the July 1, 2021 meeting. Commissioner Prado seconded the motion. Motion carried by roll call vote: Ayes: Mellon, Kandarian, Hammer, Prado, Rodriguez.

**AGENDA ITEM NO. 5**

**Public Hearing to Consider Items Pertaining to Site Plan Review Application No. 21-05, filed by Beckenhauer Inc., to expand the existing Bee Sweet Citrus facility with a 257,500 square foot building for mandarin orange processing and a 10,000 square foot mechanics' shop at 416 East South Avenue (APN: 345-110-85S) and consider adoption of a Mitigated Negative Declaration pursuant to CEQA.**

Ms. Marple presented the item. The project proposes to expand the Bee Sweet Citrus Facility for a mandarin orange processing facility. Staff recommended approval of the proposed project.

Commissioners asked questions and Ms. Marple clarified the applicant will also complete a parcel merger as the new structure may not be built across two different parcels. Ms. Marple also answered questions regarding the relocation of the existing ponding basin.

Commissioner Hammer made a motion to adopt resolution number 661, resolution adopting a Mitigated Negative Declaration for Site Plan Review No. 21-05. Commissioner Rodriguez seconded the motion. Motion carried by a roll call vote: Ayes: Mellon, Hammer, Prado, Rodriguez. Recused: Kandarian

Commissioner Hammer made a motion to adopt resolution number 662, resolution approving Site Plan Review Application No. 21-05, to expand the existing Bee Sweet Citrus facility with a 257,500 square foot building for mandarin orange processing and a 10,000 square foot mechanics' shop at 416 East South Avenue. Commissioner Rodriguez

MINUTES OF THE PLANNING COMMISSION OF THE CITY OF FOWLER

July 1, 2021 Meeting

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seconded the motion. Motion carried by a roll call vote: Ayes: Mellon, Hammer, Prado, Rodriguez. Recused: Kandarian

Vice Chair Kandarian recused himself from this item due to conflict of interest based on source of income.

**AGENDA ITEM NO 6**

**Commissioner Reports and Comments**

Commissioners asked questions of staff. Community Development Director Gaffery advised the Building Official recruitment is posted and also answered questions about accessory structures in residential zones.

**AGENDA ITEM No. 9**

**Adjournment**

Commissioner Hammer made a motion to adjourn. Commissioner Prado seconded the motion. Motion carried by a voice vote and meeting was adjourned at 7:03 PM.





## **FOWLER PLANNING COMMISSION**

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ITEM NO: 5

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

September 2, 2021

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

### **SUBJECT**

Public Hearing to Consider Items Pertaining to Zoning (Rezoning) Ordinance Amendment No. 19-03, and Annexation Request No. 19-03, filed by Fowler Unified School District for property located on the west side of South Armstrong Avenue between East Adams and East Clayton Avenues.

1. Consider Approval of Resolution No. 663, a Resolution adopting an Addendum to the Mitigated Negative Declaration for Zoning (Rezoning) Ordinance Amendment No. 19-03 and Annexation Request No. 19-03.
2. Consider Approval of Resolution No. 664, a Resolution recommending approval to the City Council of Zoning (Rezoning) Ordinance Amendment No. 19-03.

### **RECOMMENDATION**

Staff recommend the Planning Commission approve Resolution No. 664 recommending approval to the City Council of Zoning (Rezoning) Ordinance Amendment No. 19-03 and adopt an Addendum to a Mitigated Negative Declaration to CEQA.

### **BACKGROUND**

Fowler Unified School District is proposing the expansion of the existing Marshall Elementary School to serve the existing student population and relocate the District's early learning program. The preschool is a year-round program with hours between 7:30 a.m. and 5:30 p.m., Monday through Friday, and will serve 90 students at build-out. The site will include up to 6 classrooms, administration offices, parking, and play areas. There will be three modular buildings, with an approximate area totaling almost 16,000 square feet (sq. ft.). The school expansion site will be annexed into the City of Fowler and connect to the City of Fowler's water systems and to the Selma-Kingsburg-Fowler Sanitation District sewer systems.

The Project site is located north of the existing Marshall Elementary School. Figure 1 shows the aerial view of the Project site. The proposed Project will occupy approximately 3-acre portion of an undeveloped site (APN 340-130-09) in unincorporated Fresno County. The school expansion site will

be annexed into the City of Fowler and connect to the City of Fowler's water systems and to the Selma-Kingsburg-Fowler Sanitation District sewer systems.

The proposed Project will include three new modular buildings, hardcourts, playfield and paved parking and fire access driveways. The three modular buildings will have an approximate area totaling almost 16,000 square feet (sq. ft.). Also, new parking lot improvement are planning in the east portion of the site. Construction is anticipated to take approximately 9-12 months to complete.

In order to provide a logical boundary, the City proposes to include 0.33 acres of land (APN 340-220-33) into the Project. This parcel contains a single-family residence.

Both parcels are proposed for annexation. Zoning (Prezoning) Ordinance Amendment No. 19-03 proposes to rezone the subject properties to RCO (Resource Conservation, Public Use, and Open Space) zone district (see Exhibit 3), which is consistent with the underlying General Plan Land Use designation of Parks and Open Space (FMC Section 9-5.307; see Exhibit 2). Public elementary schools are a permitted use in the RCO zone district (FMC Section 9-5.503).

While the school is proposed on land designated as Parks and Open Space, approval of this prezone and annexation would not preclude future park development in the area, as "[l]ocations for future park sites are schematic and may be located on any suitable lands in the general vicinity." (General Plan Policy 4.7-15). Future school sites too can be located on any suitable lands in the general vicinity. (General Plan Policy 4.7-17)

Single-family residences are not allowed in the RCO zone district. The existing single-family residence would become a legal non-conforming use, however expansion and/or remodels up to 50 percent of the value of the structure are allowed subject to Administrative Approval (FMC Section 9-5.504). Repairs and customary maintenance are as always permitted (FMC Section 9-5.29.02). Residential dwellings are exempt from abandonment of legal nonconforming use regulations (FMC Section 9-5.29-.03).

If the project is approved by the City Council, an application for annexation can be submitted to LAFCo. However, recommendations for annexation are not within the purview of the Commission; annexation is acted upon independently by the Council.

## **ENVIRONMENTAL FINDINGS**

A Draft Mitigated Negative Declaration (MND) (State Clearinghouse No. 2021050269) was prepared by Fowler USD in accordance with the requirements of the California Environmental Quality Act (CEQA) Guidelines (Attachment D).

This process included the distribution of requests for comment from other responsible or affected agencies and interested organizations. The 30-day public review period for the Draft MND occurred May 13, 2021 to June 11, 2021. On June 16, 2021, Fowler USD adopted the MND for the Marshall Elementary School Expansion Project. Relevant documents may be found at the Fowler USD website at <http://www.fowlerusd.org>.

Fowler USD named the City of Fowler as a Responsible Agency pursuant to Section 15381 of the CEQA Guidelines in order to carry out Zoning (Prezoning) Ordinance Amendment No. 19-03 and Annexation Request No. 19-03. Pursuant to Section 15164 of the CEQA Guidelines, the City of Fowler has prepared an Addendum to the 2021 Marshall Elementary School Expansion Project MND to

facilitate the expansion of the annexation area. The addendum did not identify any new environmental impacts.

Attachments:

- A. Figure 1 – Aerial Photo
- B. Figure 2 – General Plan Land Use Map
- C. Figure 3 – Prezone Map
- D. Planning Commission Resolution No. 663
- E. Planning Commission Resolution No. 664



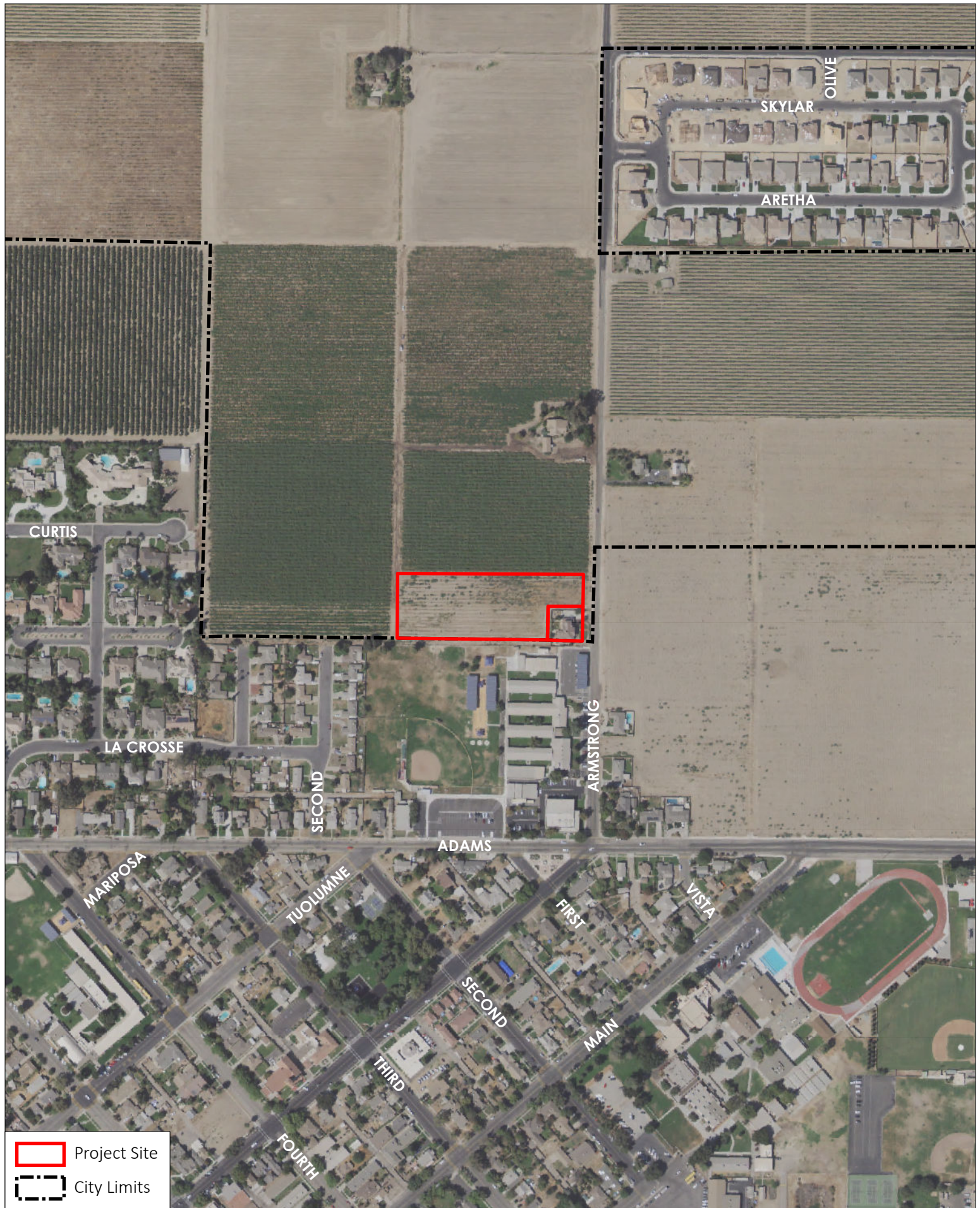
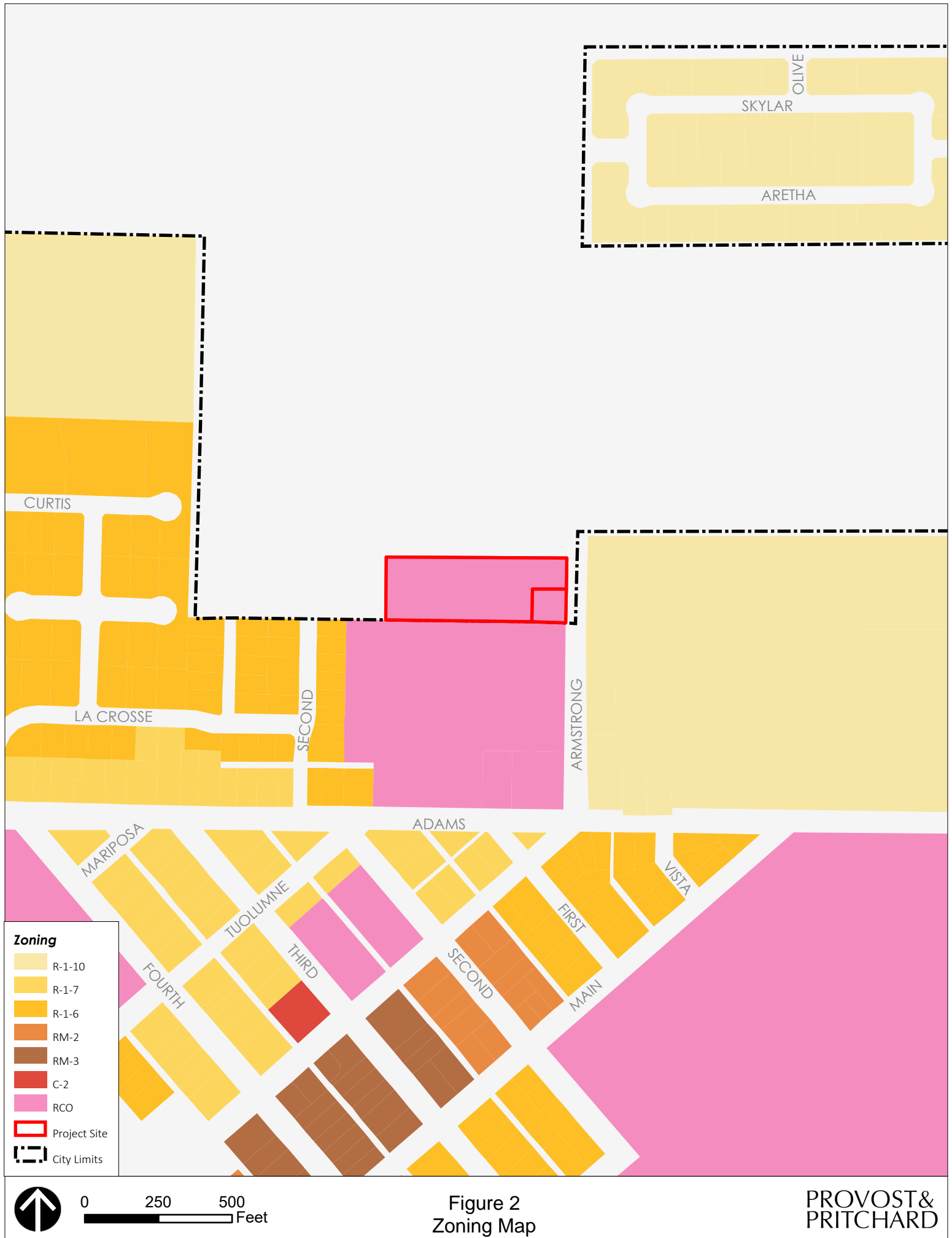


Figure 1  
Aerial Photo

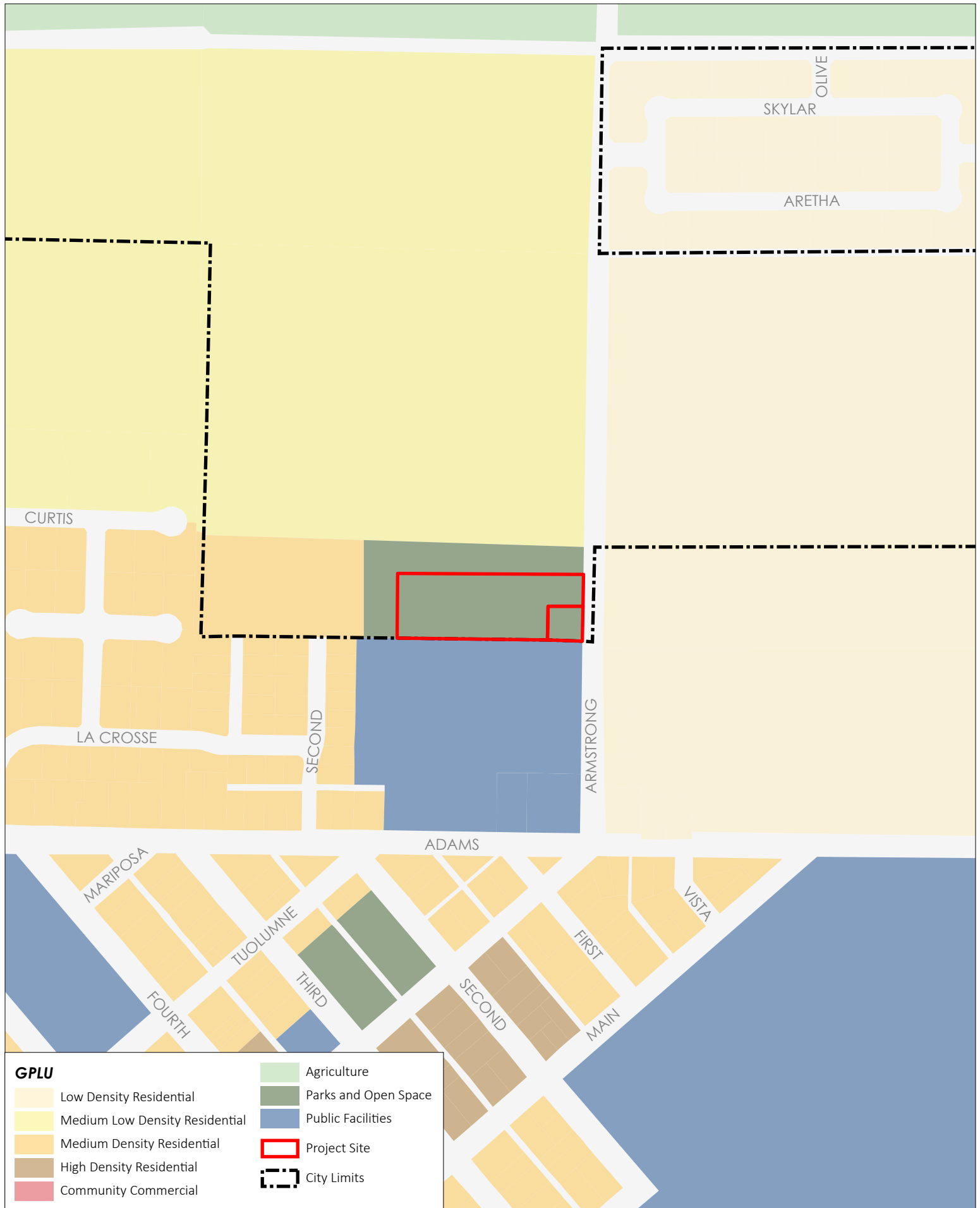




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Figure 2  
Zoning Map

PROVOST &  
PRITCHARD



0 250 500 Feet

Figure 3  
General Plan Land Use Map

PROVOST &  
PRITCHARD

RESOLUTION NO. 663  
RESOLUTION BEFORE THE PLANNING COMMISSION  
OF THE CITY OF FOWLER  
COUNTY OF FRESNO, STATE OF CALIFORNIA

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RESOLUTION TO ADOPT AN ADDENDUM TO THE FOWLER UNIFIED  
SCHOOL DISTRICT MITIGATED NEGATIVE DECLARATION (SCH NO.  
2021050269) FOR ZONING (PREZONING) ORDINANCE AMENDMENT NO.  
19-03 AND ANNEXATION REQUEST NO. 19-03

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**WHEREAS**, an application for Zoning (Prezoning) Ordinance Amendment No. 19-03 and Annexation Request No. 19-03 has been submitted for the annexation of the proposed project (“Marshall Elementary School Expansion Project”) on an approximately 2.97-acre parcel (APN: 340-130-29T) on the west side of South Armstrong Avenue between East Clayton and East Adams Avenues (“Parcel 1”); 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**, Fowler Unified School District prepared a Mitigated Negative Declaration (“MND”) pursuant to the California Environmental Quality Act (“CEQA”) (State Clearinghouse No. 2021050269) for the Marshall Elementary School Expansion Project, which was adopted on June 16, 2021, by Fowler Unified School District (“Fowler USD”), attached hereto as Attachment A; and

**WHEREAS**, Fowler USD named the City of Fowler as a Responsible Agency pursuant to Section 15381 of the CEQA Guidelines in order to carry out Zoning (Prezoning) Ordinance Amendment No. 19-03 and Annexation Request No. 19-03; and

**WHEREAS**, in order to provide a logical boundary, the City proposes to include an approximately 0.33-acre parcel (APN: 340-220-33) (“Parcel 2”) possessing a single-family residence into the annexation request; and

**WHEREAS**, Parcel 1 and Parcel 2 together with the Marshall Elementary School Expansion Project shall now be called the “Project” under CEQA and is therefore subject to requirements of the CEQA and the Guidelines implementing CEQA; and

**WHEREAS**, CEQA encourages finalization of environmental documents and CEQA Guidelines Section 15164 provides that the lead agency shall prepare an addendum to a previously adopted negative declaration if only some changes or additions are necessary but none of the conditions described in Section 15162, calling for the preparation of a subsequent negative declaration, have occurred; and

**WHEREAS**, the City of Fowler, a CEQA lead agency for the proposed Project has prepared this Addendum to the 2021 Marshall Elementary School Expansion Project MND pursuant to CEQA provisions because only minor changes or additions to said MND are needed to consider the proposed modifications; and

**WHEREAS**, the impact analysis in this Addendum does not identify any new significant impacts; and



**WHEREAS**, no additional mitigation measures were identified.

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

1. The foregoing recitals are true and correct.
2. The Addendum to the 2021 Marshall Elementary School Expansion Project MND should be adopted.
3. None of the conditions described in Section 15162 of the CEQA Guidelines calling for the preparation of a subsequent MND would occur as a result of the Project and that an Addendum is therefore appropriate under Section 15164(e) of the CEQA Guidelines.
4. On the basis of the whole record, there is no substantial evidence that the Project will have a significant effect on the environment with mitigation measures included.
5. The basis for the findings is detailed in the September 2, 2021 staff report, which is hereby incorporated by reference, the entire Administrative Record, as well as evidence and comments presented in connection with the Mitigated Negative Declaration.

\_\_\_\_\_  
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 2<sup>nd</sup> day of September 2021 by the following vote:

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

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

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

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

## Attachment A – Initial Study / Mitigated Negative Declaration and Addendum

CITY OF FOWLER

125 S. FIFTH STREET  
FOWLER, CA 93625

# Prezone and Annexation Application Nos. 19-03

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## Addendum to Adopted Initial Study/Mitigated Negative Declaration for the “Marshall Elementary School Expansion” Project

**August 2021**



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## Introduction

This document is an Addendum to the adopted Initial Study/Mitigated Negative Declaration for *Marshall Elementary School Expansion*, a project that authorized the expansion of an existing elementary school campus. The City, as a Responsible Agency under CEQA, has prepared this Addendum in accordance with the California Environmental Quality Act (CEQA, Public Resources Code Section 21000, et seq.) and the Guidelines implementing the CEQA (California Code of Regulations, Title 14, Chapter 3, Section 15000, et seq.).

### CEQA Regulations

Section 15164 – Addendum to an EIR or Negative Declaration, states, in pertinent parts:

- b) An addendum to an adopted negative declaration may be prepared if only minor technical changes or additions are necessary or none of the conditions described in Section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred.*
- c) An addendum need not be circulated for public review but can be included in or attached to the final EIR or adopted negative declaration.*
- d) The decision-making body shall consider the addendum with the final EIR or adopted negative declaration prior to making a decision on the project.*
- e) A brief explanation of the decision not to prepare a subsequent EIR pursuant to Section 15162 should be included in an addendum to an EIR, the lead agency's findings on the project, or elsewhere in the record. The explanation must be supported by substantial evidence.*

Referenced Section 15162 – Subsequent EIRs and Negative Declarations, states:

- (a) When an EIR has been certified or a negative declaration adopted for a project, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:*
  - 1. Substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;*
  - 2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or Negative Declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or*
  - 3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was*



*certified as complete or the Negative Declaration was adopted, shows any of the following:*

- (A) The project will have one or more significant effects not discussed in the previous EIR or negative declaration;*
  - (B) Significant effects previously examined will be substantially more severe than shown in the previous EIR;*
  - (C) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or*
  - (D) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.*
- (b) If changes to a project or its circumstances occur or new information becomes available after adoption of a negative declaration, the lead agency shall prepare a subsequent EIR if required under subdivision (a). Otherwise the lead agency shall determine whether to prepare a subsequent negative declaration, an addendum, or no further documentation.*
- (c) Once a project has been approved, the lead agency's role in project approval is completed, unless further discretionary approval on that project is required. Information appearing after an approval does not require reopening of that approval. If after the project is approved, any of the conditions described in subdivision (a) occurs, a subsequent EIR or negative declaration shall only be prepared by the public agency which grants the next discretionary approval for the project, if any. In this situation no other responsible agency shall grant an approval for the project until the subsequent EIR has been certified or subsequent negative declaration adopted.*
- (d) A subsequent EIR or subsequent negative declaration shall be given the same notice and public review as required under Section 15087 or Section 15072. A subsequent EIR or negative declaration shall state where the previous document is available and can be reviewed.*

This Addendum, including the environmental analyses which follow, demonstrates that none of the conditions described above in Section 15162, calling for the preparation of a subsequent environmental document to the adopted *Marshall Elementary School Expansion Project* would occur as a result of the Prezone and Annexation Application Nos. 19-03. Therefore, the City has determined this Addendum, prepared pursuant to Section 15164 of the CEQA Guidelines, is the appropriate level of CEQA document for the Project.

## Project Background

On June 16, 2021, Fowler Unified School District (Fowler USD) adopted an Initial Study/Mitigated Negative Declaration (IS/MND) for *Marshall Elementary School Expansion Project* (see **Appendix A**), a project for the construction of an expansion of the existing Marshall Elementary School. The adopted IS/MND evaluated the impacts of the construction and operation of the school expansion, as well as the necessary infrastructure to support the development.

## Project Description

The Project, Zoning (Prezoning) Ordinance Amendment and Annexation Application Nos. 19-03, proposes to:

1. Prezone approximately 3.3 acres of land to the RCO (Resource Conservation, Public Use, and Open Space) zone district.
2. Annex approximately 3.3 acres into the City of Fowler

As the Fowler USD Project was required to annex into the City of Fowler by the Fresno County Local Agency Formation Commission (LAFCo), consultation with LAFCo came to the conclusion that an approximately 0.33-acre lot be included in the annexation to “square off” annexation boundaries to prevent future “county islands” where properties located in unincorporated Fresno County but surrounded by the City of Fowler would have varying types, and levels of, public services. The original IS/MND did not address this conditional approval that LAFCo would place on the annexation of the original project. For expediency purposes the City of Fowler is preparing this Addendum to cover this additional property.

A single-family residence exists on the 0.33-acre parcel to proposed to be annexed with the Fowler USD property. No development is proposed on this residential property. All future development with this property would have to be in accordance with the development standards in place at that time.

For these reasons, for all resource areas, impacts from the modified project would be the same as the impacts identified under the approved project. Therefore, impacts to the following resource areas would not substantively change:

- Aesthetics
- Agricultural and Forestry Resources
- Air Quality
- Biological Resources
- Cultural Resources
- Energy
- Geology and Soils
- Greenhouse Gas Emissions
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Land Use and Planning
- Mineral Resources
- Noise
- Population and Housing
- Public Services
- Recreation
- Transportation
- Tribal Cultural Resources
- Utilities and Service Systems
- Wildfire
- Mandatory Findings of Significance

Specifically, because the proposed annexation would not result in the change of any buildings, the modified project would be of the same size and massing than the approved project.

## **Determination**

As demonstrated in the preceding Analysis section, the proposed Prezone and Annexation Application Nos. 19-03 would not result in, or require, changes to previous impact determinations or mitigation requirements as identified in the adopted Initial Study/Mitigated Negative Declaration. None of the conditions described in CEQA Guidelines Section 15162 calling for the preparation of a subsequent EIR or negative declaration have occurred. Therefore, in accordance with California Environmental Quality Act (CEQA) Section 15164, *Addendum to an EIR or Negative Declaration*, the District, acting as a Responsible Agency under CEQA, has appropriately prepared this Addendum.

# APPENDICES

**Appendix A: Adopted Initial Study & Mitigated Negative Declaration and Adopted  
Mitigation Monitoring and Reporting Program**



Edmund G. Brown Jr.  
Governor

STATE OF CALIFORNIA  
Governor's Office of Planning and Research  
State Clearinghouse and Planning Unit



Ken Alex  
Director

May 4, 2018

Scott Griffin  
Fowler Unified School District  
658 E. Adams Avenue  
Fowler, CA 93625

Subject: Marshall Elementary School 3 Acre Addition  
SCH#: 2018041015

Dear Scott Griffin:

The State Clearinghouse submitted the above named Negative Declaration to selected state agencies for review. The review period closed on May 3, 2018, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

Sincerely,

Scott Morgan  
Director, State Clearinghouse



**Document Details Report  
State Clearinghouse Data Base**

**SCH#** 2018041015  
**Project Title** Marshall Elementary School 3 Acre Addition  
**Lead Agency** Fowler Unified School District

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**Type** Neg Negative Declaration  
**Description** The purchase of 3 acres to the north of Marshall ES.

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**Lead Agency Contact**

**Name** Scott Griffin  
**Agency** Fowler Unified School District  
**Phone** 559-834-6080 **Fax**  
**email**  
**Address** 658 E. Adams Avenue  
**City** Fowler **State** CA **Zip** 93625

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**Project Location**

**County** Fresno  
**City** Fowler  
**Region**  
**Lat / Long** 36° 38' 12" N / 119° 40' 28" W  
**Cross Streets** Armstrong & Adams Ave  
**Parcel No.** 340-130-9  
**Township** 15S **Range** 21E **Section** 10 **Base** Norris C

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**Proximity to:**

**Highways** 99  
**Airports**  
**Railways** SPRR  
**Waterways**  
**Schools** Marshall ES  
**Land Use** Parks/OS/PF per city of Fowler General plan map

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**Project Issues** Agricultural Land; Schools/Universities; Landuse

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**Reviewing Agencies** Resources Agency; Department of Fish and Wildlife, Region 4; Department of Parks and Recreation; Department of Water Resources; California Highway Patrol; Caltrans, District 6; Regional Water Quality Control Bd., Region 5 (Fresno); Native American Heritage Commission; Public Utilities Commission

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**Date Received** 04/04/2018 **Start of Review** 04/04/2018 **End of Review** 05/03/2018

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**Notice of Completion & Environmental Document Transmittal**

Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613  
 For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH # **2018041015**Project Title: **Marshall Elementary School 3 Acre Addition**Lead Agency: **Fowler Unified School District**Contact Person: **Mr. Scott Griffin**Mailing Address: **658 East Adams Avenue**Phone: **(559) 834-6080**City: **Fowler**Zip: **93625**County: **Fresno**Project Location: County: **Fresno**City/Nearest Community: **Fowler**Cross Streets: **Armstrong & Adams Avenue**Zip Code: **93625**Longitude/Latitude (degrees, minutes and seconds): **36 ° 38 ' 12 " N / 119 ° 40 ' 28 " W** Total Acres: **3 Acres**Assessor's Parcel No.: **340-130-9**Section: **10**Twp.: **15 South**Range: **21 East**Base: **Norris Cgd**Within 2 Miles: State Hwy #: **99**

Waterways:

Airports:

Railways: **Southern Pacific**Schools: **Marshall Elementary****Document Type:**CEQA: ☐ NOP☐ Draft EIRNEPA: ☐ NOIOther: ☐ Joint Document☐ Early Cons☐ Supplement/Subsequent EIR☐ EA☐ Final Document☒ Neg Dec

(Prior SCH No.) \_\_\_\_\_

☐ Draft EIS☐ Other: \_\_\_\_\_☐ Mit Neg Dec

Other: \_\_\_\_\_

☐ FONSI**Local Action Type:**☐ General Plan Update☐ Specific Plan☐ Rezone☐ Annexation☐ General Plan Amendment☒ Master Plan☐ Prezone☐ Redevelopment☐ General Plan Element☐ Planned Unit Development☐ Use Permit☐ Coastal Permit☐ Community Plan☒ Site Plan☐ Land Division (Subdivision, etc.)☐ Other: \_\_\_\_\_**Development Type:**☐ Residential: Units \_\_\_\_\_ Acres \_\_\_\_\_☐ Office: Sq.ft. \_\_\_\_\_ Acres \_\_\_\_\_

Employees \_\_\_\_\_

☐ Transportation: Type \_\_\_\_\_☐ Commercial: Sq.ft. \_\_\_\_\_ Acres \_\_\_\_\_

Employees \_\_\_\_\_

☐ Mining: Mineral \_\_\_\_\_☐ Industrial: Sq.ft. \_\_\_\_\_ Acres \_\_\_\_\_

Employees \_\_\_\_\_

☐ Power: Type \_\_\_\_\_

MW

☒ Educational: Addition to an existing school☐ Waste Treatment: Type \_\_\_\_\_

MGD

☐ Recreational: \_\_\_\_\_☐ Hazardous Waste: Type \_\_\_\_\_☐ Water Facilities: Type \_\_\_\_\_

MGD

☐ Other: \_\_\_\_\_**Project Issues Discussed in Document:**☐ Aesthetic/Visual☐ Fiscal☐ Recreation/Parks☐ Vegetation☒ Agricultural Land☐ Flood Plain/Flooding☒ Schools/Universities☐ Water Quality☐ Air Quality☐ Forest Land/Fire Hazard☐ Septic Systems☐ Water Supply/Groundwater☐ Archeological/Historical☐ Geologic/Seismic☐ Sewer Capacity☐ Wetland/Riparian☐ Biological Resources☐ Minerals☐ Soil Erosion/Compaction/Grading☐ Growth Inducement☐ Coastal Zone☐ Noise☐ Solid Waste☒ Land Use☐ Drainage/Absorption☐ Population/Housing Balance☐ Toxic/Hazardous☐ Cumulative Effects☐ Economic/Jobs☐ Public Services/Facilities☐ Traffic/Circulation☐ Other: \_\_\_\_\_**Present Land Use/Zoning/General Plan Designation:**

Parks/Open Space/Public Facilities per City of Fowler General Plan Map

Project Description: (please use a separate page if necessary)

The purchase of 3 acres to the north of Marshall Elementary School.

## Reviewing Agencies Checklist

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with an "X".  
If you have already sent your document to the agency please denote that with an "S".

<input type="checkbox"/> Air Resources Board	<input type="checkbox"/> Office of Historic Preservation
<input type="checkbox"/> Boating & Waterways, Department of	<input checked="" type="checkbox"/> Office of Public School Construction
<input type="checkbox"/> California Emergency Management Agency	<input type="checkbox"/> Parks & Recreation, Department of
<input type="checkbox"/> California Highway Patrol	<input type="checkbox"/> Pesticide Regulation, Department of
<input type="checkbox"/> Caltrans District # _____	<input type="checkbox"/> Public Utilities Commission
<input type="checkbox"/> Caltrans Division of Aeronautics	<input type="checkbox"/> Regional WQCB # _____
<input type="checkbox"/> Caltrans Planning	<input type="checkbox"/> Resources Agency
<input type="checkbox"/> Central Valley Flood Protection Board	<input type="checkbox"/> Resources Recycling and Recovery, Department of
<input type="checkbox"/> Coachella Valley Mtns. Conservancy	<input type="checkbox"/> S.F. Bay Conservation & Development Comm.
<input type="checkbox"/> Coastal Commission	<input type="checkbox"/> San Gabriel & Lower L.A. Rivers & Mtns. Conservancy
<input type="checkbox"/> Colorado River Board	<input type="checkbox"/> San Joaquin River Conservancy
<input type="checkbox"/> Conservation, Department of	<input type="checkbox"/> Santa Monica Mtns. Conservancy
<input type="checkbox"/> Corrections, Department of	<input type="checkbox"/> State Lands Commission
<input type="checkbox"/> Delta Protection Commission	<input type="checkbox"/> SWRCB: Clean Water Grants
<input checked="" type="checkbox"/> Education, Department of	<input type="checkbox"/> SWRCB: Water Quality
<input type="checkbox"/> Energy Commission	<input type="checkbox"/> SWRCB: Water Rights
<input type="checkbox"/> Fish & Game Region # _____	<input type="checkbox"/> Tahoe Regional Planning Agency
<input type="checkbox"/> Food & Agriculture, Department of	<input checked="" type="checkbox"/> Toxic Substances Control, Department of
<input type="checkbox"/> Forestry and Fire Protection, Department of	<input type="checkbox"/> Water Resources, Department of
<input type="checkbox"/> General Services, Department of	
<input type="checkbox"/> Health Services, Department of	Other: _____
<input type="checkbox"/> Housing & Community Development	Other: _____
<input type="checkbox"/> Native American Heritage Commission	

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Local Public Review Period (to be filled in by lead agency)

Starting Date Proposed May 15, 2018 Ending Date June 16, 2018  
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Lead Agency (Complete if applicable):

Consulting Firm: Integrated Designs by SOMAM, inc  
Address: 6011 N. Fresno Street #130  
City/State/Zip: Fresno/CA/93710  
Contact: Sharon Ashida  
Phone: (559) 436-0881

Applicant: Fowler Unified School District  
Address: 658 E. Adams  
City/State/Zip: Fowler/CA/93625  
Phone: (559) 834-6080

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Signature of Lead Agency Representative: 

Date: 4/2/18

Authority cited: Section 21083, Public Resources Code. Reference: Section 21161, Public Resources Code.

**CEQA APPENDIX G:  
ENVIRONMENTAL CHECKLIST FORM**

NOTE: The following is a sample form and may be tailored to satisfy individual agencies' needs and project circumstances. It may be used to meet the requirements for an initial study when the criteria set forth in CEQA Guidelines have been met. Substantial evidence of potential impacts that are not listed on this form must also be considered. The sample questions in this form are intended to encourage thoughtful assessment of impacts, and do not necessarily represent thresholds of significance.

1. Project title: Marshall Elementary School 3 Acre Addition
2. Lead agency name and address: Fowler Unified School District  
658 East Adams Avenue, Fowler, CA 93625
3. Contact person and phone number: Scott Griffin (559) 834-6080
4. Project location: 142 N. Armstrong Avenue, Fowler, CA 93625
5. Project sponsor's name and address: Fowler Unified School District  
658 East Adams Avenue, Fowler, CA 93625
6. General plan designation: Public Use/Parks/Open Space
7. Zoning: RCO - Resource Conservation, Public Use and Open Space District
8. Description of project: (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary.)  
Addition of 3 Acre to Marshall Elementary School.
9. Surrounding land uses and setting: Briefly describe the project's surroundings:  
Agriculture Use: North, West and East of the 3 Acre Addition. Existing school: South
10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement.)  
California Department of Education, Division of the State Architect, Department of Toxic Substance Control, Fresno County
11. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, has consultation begun?  
No, not required.

NOTE: Conducting consultation early in the CEQA process allows tribal governments, lead agencies, and project proponents to discuss the level of environmental review, identify and address potential adverse impacts to tribal cultural resources, and reduce the potential for delay and conflict in the environmental review process. (See Public Resources Code section 21083.3.2.) Information may also be available from the California Native American Heritage Commission's Sacred Lands File per Public Resources Code section 5097.96 and the California Historical Resources Information System administered by the California Office of Historic Preservation. Please also note that Public Resources Code section 21082.3(c) contains provisions specific to confidentiality.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- |   |   |  |
|---|---|--|
| <input type="checkbox"/> Aesthetics                         | <input type="checkbox"/> Agriculture and Forestry Resources | <input type="checkbox"/> Air Quality               |
| <input type="checkbox"/> Biological Resources               | <input type="checkbox"/> Cultural Resources                 | <input type="checkbox"/> Geology /Soils            |
| <input type="checkbox"/> Greenhouse Gas Emissions           | <input type="checkbox"/> Hazards & Hazardous Materials      | <input type="checkbox"/> Hydrology / Water Quality |
| <input type="checkbox"/> Land Use / Planning                | <input type="checkbox"/> Mineral Resources                  | <input type="checkbox"/> Noise                     |
| <input type="checkbox"/> Population / Housing               | <input type="checkbox"/> Public Services                    | <input type="checkbox"/> Recreation                |
| <input type="checkbox"/> Transportation/Traffic             | <input type="checkbox"/> Tribal Cultural Resources          | <input type="checkbox"/> Utilities/Service Systems |
| <input type="checkbox"/> Mandatory Findings of Significance |   |  |

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- ☒ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☐ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

  
\_\_\_\_\_  
Signature

3/27/18  
\_\_\_\_\_  
Date

Mr. Scott Griffin, Assistant Superintendent  
\_\_\_\_\_  
Printed Name

Fowler Unified School District  
\_\_\_\_\_  
For

## SAMPLE QUESTIONS

Issues:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b>I. AESTHETICS.</b> Would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**II. AGRICULTURE AND FORESTRY RESOURCES.** In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:



	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on <u>the maps prepared pursuant to the Farmland Mapping and Monitoring Program</u> of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a <u>Williamson Act</u> contract? (Designated as Non-Williamson Act Land – See Exhibit 1)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in <u>Public Resources Code section 12220(g)</u> ), timberland (as defined by <u>Public Resources Code section 4526</u> ), or timberland zoned Timberland Production (as defined by <u>Government Code section 51104(g)</u> )?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use? (City of Fowler General Plan designation is Parks/Open Space/Public Facilities. See Exhibit 2)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

III. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>IV. BIOLOGICAL RESOURCES:</b>				
Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the <u>California Department of Fish and Game</u> or <u>U.S. Fish and Wildlife Service</u> ?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the <u>California Department of Fish and Game</u> or <u>US Fish and Wildlife Service</u> ?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Have a substantial adverse effect on federally protected wetlands as defined by <u>Section 404 of the Clean Water Act</u> (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with the provisions of an adopted <u>Habitat Conservation Plan</u> , <u>Natural Community Conservation Plan</u> , or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
<b><u>V. CULTURAL RESOURCES.</u> Would the project:</b>				
a) Cause a substantial adverse change in the significance of a <u>historical resource</u> as defined in § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to § 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Disturb any human remains, including those interred outside of dedicated cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b><u>VI. GEOLOGY AND SOILS.</u> Would the project:</b>				
a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to <u>Division of Mines and Geology Special Publication 42.</u>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Be located on <u>expansive soil</u> , as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**VII. GREENHOUSE GAS EMISSIONS.** Would the project:

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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b) Conflict with an applicable plan, policy or <u>regulation</u> adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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**VIII. HAZARDS AND HAZARDOUS MATERIALS.** Would the project:

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>IX. HYDROLOGY AND WATER QUALITY.</b> Would the project:				
a) Violate any <u>water quality standards or waste discharge requirements</u> ?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially deplete <u>groundwater</u> supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Place housing within a 100-year flood hazard area as mapped on a <u>federal Flood Hazard Boundary or Flood Insurance Rate Map</u> or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
j) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<u>X. LAND USE AND PLANNING.</u> Would the project:				
a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect? (City of Fowler General Plan designation is Parks/Open Space/Public Facilities)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>



	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**XI. MINERAL RESOURCES.** Would the project:

a) Result in the loss of availability of a known <u>mineral resource</u> that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**XII. NOISE --** Would the project result in:

a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
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XIII. POPULATION AND HOUSING. Would the project:

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?   | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

XIV. PUBLIC SERVICES.

- |   |                          |                          |                          |                                     |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services: | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Fire protection?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Police protection?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Schools?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Parks?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| Other public facilities?  | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

XV. RECREATION.

- |  |                          |                          |                          |                                     |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

#### XVI. TRANSPORTATION/TRAFFIC.

Would the project:

a) Conflict with an applicable plan, ordinance or policy establishing measures of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

#### XVII. TRIBAL CULTURAL RESOURCES

a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:				

i) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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ii) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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#### XVIII. UTILITIES AND SERVICE SYSTEMS.

Would the project:

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

c) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
--------------------------	--------------------------	--------------------------	-------------------------------------

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Comply with <u>federal</u> , <u>state</u> , and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XIX. MANDATORY FINDINGS OF SIGNIFICANCE

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Note: Authority cited: Sections 21083 and 21083.05, 21083.09 Public Resources Code. Reference: Section 65088.4, Gov. Code; Sections 21073, 21074 21080(c), 21080.1, 21080.3, 21083, 21083.05, 21083.3, 21080.3.1, 21080.3.2, 21082.3, 21084.2, 21084.3, 21093, 21094, 21095, and 21151, Public Resources Code; Sundstrom v. County of Mendocino, (1988) 202 Cal.App.3d 296; Leonoff v. Monterey Board of Supervisors, (1990) 222 Cal.App.3d 1337; Eureka Citizens for Responsible Govt. v. City of Eureka (2007) 147 Cal.App.4th 357; Protect the Historic Amador Waterways v. Amador Water Agency (2004) 116 Cal.App.4th at 1109; San Franciscans Upholding the Downtown Plan v. City and County of San Francisco (2002) 102 Cal.App.4th 656.

## ACQUISITION PARCEL

Portion of Lot 4 of Norris Colony, recorded in Book 2, Page 28 of Plats, Fresno County Records

The South 239.25 feet of the East 617.55 feet of the North half of Lot 4 of Norris Colony, recorded in Book 2, Page 28 of Plats, Fresno County Records.

EXCEPTING THEREFROM, the land described herein is situated in the State of California, County of Fresno, unincorporated area described as follows:

Beginning at the Southeast corner of the North half of Lot 4 in Section 10 of Norris Colony, according to the map thereof recorded in Book 2, Page 28 of Plats, Fresno County Records, thence North 121 feet, thence West 120 feet, thence South 121 feet, thence East 120 feet to the Point of Beginning.





RESOLUTION NO. 664  
RESOLUTION BEFORE THE PLANNING COMMISSION  
OF THE CITY OF FOWLER  
COUNTY OF FRESNO, STATE OF CALIFORNIA

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RESOLUTION RECOMMENDING ADOPTION OF  
ZONING (PREZONE) ORDINANCE AMENDMENT NO. 19-03 (MARSHALL  
ELEMENTARY SCHOOL EXPANSION)

---

**WHEREAS**, an application for Zoning (Prezone) Ordinance Amendment No. 19-03 requesting adoption of RCO (Resource Conservation, Public Use, and Open Space) zoning for APN: 340-130-29T encompassing approximately 2.97 acres on the west side of South Armstrong Avenue between East Clayton and East Adams Avenues (“Parcel 1”) in connection with the Marshall Elementary School Expansion Project by Fowler Unified School District (“Fowler USD”); 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**, in order to provide a logical boundary, the City of Fowler (“City”) proposes to include an approximately 0.33-acre parcel (APN: 340-220-33) (“Parcel 2”) possessing a single-family residence into the RCO (Resource Conservation, Public Use, and Open Space) zoning request; and

**WHEREAS**, Parcel 1 and Parcel 2 shall be referred to as the “Property” and together with the Marshall Elementary School Expansion Project shall be called the “Project” pursuant to CEQA and the Guidelines implementing CEQA; and

**WHEREAS**, the City prepared an Addendum to the Mitigated Negative Declaration (“MND”) (State Clearinghouse No. 2021050269) prepared for the Marshall Elementary School Expansion Project, which was adopted on June 16, 2021, by Fowler USD; and

**WHEREAS**, the Planning Commission held a duly noticed public hearing on September 2, 2021 to consider the proposed Prezone of the Property and the Addendum to the MND for the Project; and

**WHEREAS**, the Planning Commission reviewed and considered the staff report prepared pursuant to the request, and which is herein incorporated by reference, determined that it is in the best interest of General Plan consistency and the surrounding neighborhood to adopt Zoning Ordinance Amendment No. 19-03.

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

1. The foregoing recitals are true and correct.
2. The City Council should adopt Zoning Ordinance Amendment No. 19-03 to prezone the Property, as shown in Exhibit A.

3. The Project is consistent with the General Plan and it is in the best interest of the City and the surrounding neighborhood that Zoning Ordinance Amendment No. 19-03 be adopted.

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

Attest:

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

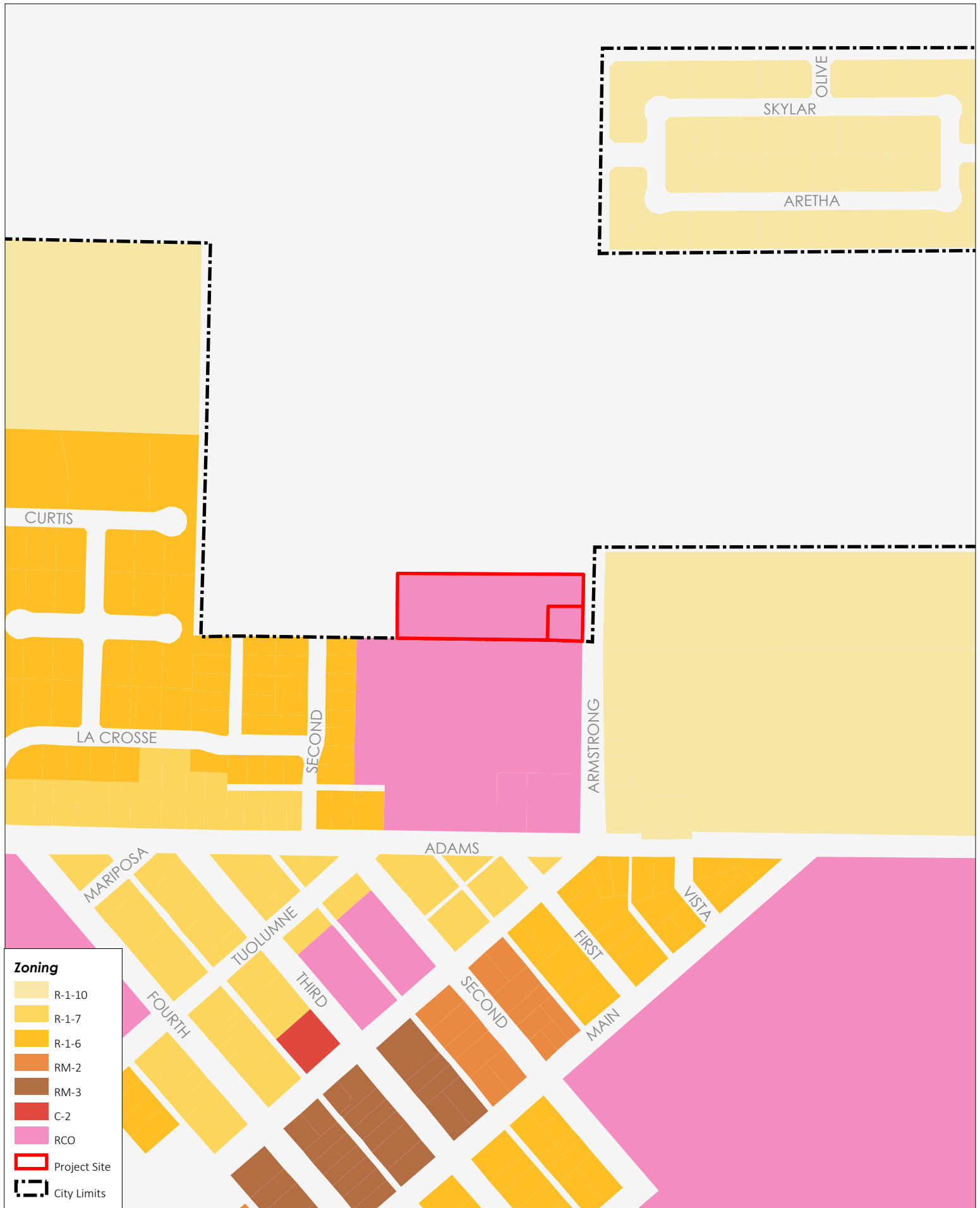
I, Sennaida Zavala, Secretary of the Planning Commission, do hereby certify that the foregoing resolution was adopted at a meeting of the Planning Commission of the City of Fowler, on the motion of Commissioner \_\_\_\_\_ and second by Commissioner \_\_\_\_\_ on the 2<sup>nd</sup> day of September 2021 by the following vote:

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

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

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

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



0 250 500 Feet