



**SPECIAL MEETING OF THE FOWLER CITY COUNCIL
AGENDA
TUESDAY, APRIL 18, 2023
6:00 P.M.
CITY COUNCIL CHAMBER
128 SOUTH 5TH STREET
FOWLER, CA 93625**

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appropriate time, you will be prompted to unmute yourself, and asked to identify yourself when providing public comment.

Any writing or document that is a public record and provided to a majority of the City Council regarding an open session item on the agenda will be made available for public inspection at City Hall, in the City Clerk's office, during normal business hours. In addition, such writings and documents may be posted on the City's website at www.fowlercity.org.

Resolutions and Ordinances - With respect to the approval of resolutions and ordinances, the reading of the title thereto shall be deemed a motion to waive a reading of the complete resolution or ordinance and unless there is a request by a Councilmember that the resolution or ordinance be read in full, further reading of the resolution or ordinance shall be deemed waived by unanimous consent of the Council.

1. Meeting Called to Order
2. Roll Call
3. Actions pertaining to the City of Fowler 2040 General Plan Update and City of Fowler 2040 General Plan Environmental Impact Report:
 - APPROVE Resolution No. 2634 adopting the Statement of Overriding Considerations and Certifying the City of Fowler 2040 General Plan Environmental Impact Report (SCH# 2021110053)
 - APPROVE Resolution No. 2635 adopting the City of Fowler General Plan and Errata
4. WORKSHOP on EDA grant application process
5. Adjourn

Next Ordinance No. 2023-07

Next Resolution No. 2636

CERTIFICATION: I, Angela Vasquez, City Clerk of the City of Fowler, California, hereby certify that the foregoing agenda was posted for public review on Friday, April 14, 2023.

Angela Vasquez

*Angela Vasquez, CPMC
City Clerk*



CITY COUNCIL OF THE CITY OF FOWLER

ITEM NO: 3

REPORT TO THE CITY COUNCIL

April 18, 2023

FROM DAWN E. MARPLE, City Planner

SUBJECT

Actions pertaining to the City of Fowler 2040 General Plan Update and City of Fowler 2040 General Plan Environmental Impact Report:

- APPROVE Resolution No. 2634 adopting the Statement of Overriding Considerations and Certifying the City of Fowler 2040 General Plan Environmental Impact Report (SCH# 2021110053)
- APPROVE Resolution No. 2635 adopting the City of Fowler General Plan and Errata.

RECOMMENDATION

Staff and the Planning Commission recommend the City Council adopt a resolution to adopt a Statement of Overriding Considerations, certify the City of Fowler 2040 General Plan Environmental Impact Report (SCH No. 2021110053), and adopt the City of Fowler 2040 Fowler General Plan and Errata.

BACKGROUND

State planning and zoning law requires that counties and cities develop and maintain a general plan for the long-term development and management of land within a jurisdiction's boundaries. The general plan identifies the goals, objectives, policies, and implementation measures for development of a jurisdiction over the life of the plan. Local development regulations, such as the zoning code and subdivision ordinance, are required to be consistent with the general plan.

General plans are required by State law to provide a discussion on several topics, including: Land Use, Circulation, Housing, Conservation, Open Space, Noise, Safety, Air Quality, and Environmental Justice. Jurisdictions are given the discretion to combine these topics within their general plan. Jurisdictions may also add topics, or elements, that are not contained above.

Fowler's current General Plan, updated in 2004, plans for development within the City through the year 2025. While Fowler's General Plan was updated in 2004, it has not been comprehensively updated since 1976. The 2040 General Plan comprehensively updates the City's General Plan and brings the General Plan into compliance with current State law.

The 2040 General Plan has been constructed over the span of several years taking into account input from City representatives and the public. City staff along with City consultants have considered comments received in the preparation of 2040 Fowler General Plan and Environmental Impact Report. Following adoption of the 2040 General Plan and the certification of the General Plan Environmental Impact Report, staff would work to update the City's zoning and subdivision ordinance to be consistent with the General Plan, pursuant with State law.

ANALYSIS

General Plan Overview

The 2040 General Plan is broken down into 13 chapters which discuss the topics required by the State and develops goals and policies for future development within the City's planning area. A brief summary of each of the 13 chapters is contained below:

1. Introduction

The Introduction chapter introduces the reader to the history of Fowler's General Plan, the various boundaries being updated by the 2040 General Plan, what the General Plan document is and how it is used, how it can be amended, and navigation of the document itself.

2. The Planning Process

The Planning Process chapter discusses the schedule and phases that occurred during development of the General Plan.

3. Community Vision

The Community Vision chapter outlines the City's vision statement and five supporting principles, which provide the framework for the goals and policies in the policy chapters (chapters 4 through 12).

4. Land Use

The Land Use chapter provides the goals and policies for development and includes the growth management strategy for expansion within the planning area. The Land Use chapter also includes the updated land use diagram, displaying the General Plan land use designations for parcels within the planning area.

5. Community Design

The Community Design chapter includes goals and policies to guide design of the City's built environment and preserve and enhance the community character.

6. Housing

The Housing chapter is contained under separate cover and was most recently updated in 2016 as part of the 5th Cycle Multi-Jurisdictional Housing Element (MJHE) process. The City is participating in the

6th Cycle MJHE update process, which is currently underway. Adoption of the City's 6th Cycle Housing Element is expected to occur in December of 2023 following review by the California Department of Housing and Community Development. The 2040 General Plan incorporates the adopted Housing Element by reference.

7. Community Health and Equity

The Community Health and Equity chapter includes goals and policies that seek to reduce the health risks in the areas of pollution exposure, safe and sanitary homes, food access, physical activity, promotion of public facilities, community involvement, and noise.

8. Open Space

The Open Space chapter provides goals and policies related to the provision of open spaces, parks, trails, and other recreational facilities.

9. Mobility

The Mobility chapter identifies the City's goals for the circulation system in the city. This includes roadways, active transportation networks, truck routes, and public transit systems. The chapter also addresses road safety and includes an updated Circulation diagram.

10. Economic Development

The Economic Development chapter provides the City's policies for economic growth and encourages participation in regional economic development goals.

11. Community Resiliency and Safety

The Community Resiliency chapter includes goals and policies in the areas of community safety, disaster preparedness, and emergency services. The chapter also provides policies addressing hazardous materials, hydrology, geological and seismic hazards, climate adaptation, and natural resource conservation.

12. Public Facilities

The Public Facilities chapter identifies goals and policies which address community services and facilities such as water supply and distribution, wastewater, storm drainage, and other utilities as well as libraries, schools, and other governmental facilities.

13. Implementation Strategy

The Implementation Strategy chapter includes the actions required to implement the General Plan, organized by category. The categories are structured around the primary types of subsequent planning efforts, regulatory mechanisms, and administrative procedures required to implement the General Plan.

Public Participation

Information gathered from the public and decision-makers during the preparation of the 2040 General Plan and the Environmental Impact Report were vital during the drafting process of both documents. At several points during the update process, the public was given the opportunity to engage with staff on the General Plan. These public engagement opportunities are listed below:

Public Outreach Events

Event	Date	Summary
Planning Commission/City Council Study Session	1/15/19	Overview of what a general plan is, how it is used, and the steps involved in updating Fowler's General Plan.
Planning Commission Workshop: Key Issues and Vision	10/3/19	Opportunity for the public to comment on the General Plan and what the vision of the City should look like for the City moving forward.
City Council Study Session: Key Issues and Vision	11/5/19	Opportunity for the public to comment on the General Plan and what the vision of the City should look like for the City moving forward.
Planning Commission/City Council Study Session: Policy Approach	8/18/20	Opportunity for the public to comment on the policies and goals contained in the 2025 General Plan. An audit report of the existing General Plan policies was provided as well as two policy papers addressing newly required topics for the General Plan: Climate Adaptation and Environmental Justice.
Public Workshop: Growth Areas and Planning Priorities	11/14/20	Opportunity for the public to comment on the boundaries that the 2040 General Plan should address.
Public Workshop: Land Use Alternatives	4/28/21	Opportunity for the public to comment on the proposed changes to the land use designations and introduction of the interactive land use map to solicit comments on the proposed changes.
Planning Commission Workshop: Evaluate and Recommend preferred Land use Alternatives	7/1/21	Opportunity for the public to comment on the proposed land use alternatives for consideration, a proposed growth management strategy, and have input on the selection of the preferred land use scenario for the General Plan.
City Council Workshop: Evaluate and Select a Preferred Land Use Alternative	8/3/21	City Council considered and selected a preferred land use scenario for the General Plan, including direction to establish a growth management strategy.
General Plan Update Open House	2/7/23	Opportunity for the public to learn more and ask questions about the public draft 2040 General Plan and Environmental Impact Report. This open house was held during the 58-day public review and comment period for both documents.

Each presentation and workshop given on the General Plan allowed the public to understand the requirements of general plans, how they could be used, how they impact the public, how they could be modified, and ultimately how the new General Plan would guide the future development of the City through 2040. Additional input was provided through individual meetings with members of the community through stakeholder interviews in the spring of 2019, as well as one on one meetings with members of the community throughout the process as questions arose. The City provided a webpage

on their website dedicated to keeping the public informed of the process and allowing questions to be submitted through the webpage.

ENVIRONMENTAL REVIEW

The 2040 General Plan has been reviewed for compliance with the California Environmental Quality Act (CEQA). As a result, the City has prepared an environmental impact report (EIR) that analyzes the potential for the 2040 General Plan to have an impact on the environment. The EIR also contains mitigation measures that would aid to reduce potential impacts of the assumed buildout capacity accommodated under the 2040 General Plan.

The EIR has been prepared pursuant to CEQA requirements (California Resources Code Section 21000 et seq.) to analyze direct, indirect, and cumulative impacts that could result from the future development of the City in accordance with the proposed 2040 General Plan. The EIR is required to disclose any potentially significant impacts, as well as those that cannot be avoided through feasible mitigation measures or project alternatives. Additionally, the EIR must consider growth inducing effects.

Three sections within in the EIR were found to have significant and unavoidable impacts resulting from the future development planned for under the proposed General Plan. The sections include Agriculture and Forestry Resources, Air Quality, and Greenhouse Gas Emissions. As a result, the City has made a Statement of Overriding Considerations for each of these three impacts. The Statement of Overriding Considerations provides an explanation of why the implementation of the General Plan, despite its significant and unavoidable impacts, is a net benefit to the City of Fowler.

PUBLIC REVIEW

The public, including other jurisdictions and agencies, was given a 58-day public review and comment period, allowing for input to be provided on the General Plan and the Draft Environmental Impact Report. Both documents were made available for public comment beginning on December 21, 2022 and ending on February 15, 2023. The General Plan was made available pursuant to the California Code of Regulations. The Draft Environmental Impact Report was posted to the State Clearing House (SCH No. 2021110053). Additionally, both documents were posted on the City's website during the public comment period. The minimum required public comment period is 45 days; however, additional time was provided to account for the timing of release over the holiday period.

During the public comment period, the City received three responses from members of the public and five responses from public agencies (Fresno Irrigation District, Caltrans, California Department of Fish and Wildlife, San Joaquin Valley Air Pollution Control District, and the Fresno County Department of Public Health). The City considered the input provided from the responses and drafted a Final Environmental Impact Report incorporating and responding to comments as required by State law.

Comments Received

Commenter	Date Received	Comment Topic	Response
Parmpreet Pannu	12/21/22	Comment on the General Plan	Response to comments contained in the General Plan errata
Kevin Johnston	12/23/22	Requested access to portions of the Draft Environmental Impact Report	The City responded to the request for information
Fresno Irrigation District	2/3/23	Comment on the Draft Environmental Impact Report	Response to comments contained in the Final Environmental Impact Report
California Department of Transportation	2/6/23	Comment on the Draft Environmental Impact Report	Response to comments contained in the Final Environmental Impact Report and General Plan errata
California Department of Fish and Wildlife	2/15/23	Comment on the Draft Environmental Impact Report	Response to comments contained in the Final Environmental Impact Report
San Joaquin Valley Air Pollution Control District	2/16/23	Comment on the Draft Environmental Impact Report	Response to comments contained in the Final Environmental Impact Report
Kenneth Hampian	2/21/23	Requested access to portions of the Draft Environmental Impact Report	The City responded to the request for information
Fresno County Department of Public Health	3/2/23	Comment on the General Plan	Response to comments contained in the General Plan errata

Comments received as a result of circulation of both the General Plan and the Draft Environmental Report are shown in the table above. Comments relating to the General Plan have been responded to in the General Plan errata, described in more detail below, while those of the Draft Environmental Impact Report were responded to within the Final Environmental Impact Report. Other comments that we not related specifically to the contents of the General Plan or the Environmental Impact Report have been responded to directly by City staff.

Within the General Plan errata responses to Parmpreet Pannu, Caltrans, and the County Department of Public Health relating to the General Plan were provided. Additionally, some clarifying revisions were made to the document. This included the replacement of a land use diagram that did not print correctly and omitted data for two parcels on the map. Replacement of this map was also discussed in the Final Environmental Impact Report. Also, other clarifying language was included in the General Plan errata

to provide the Neighborhood Commercial use a better description of the uses allowed within these locations.

PREVIOUS ACTION

At a special meeting of the Planning Commission of the City of Fowler on March 28th, 2023, the Planning Commission considered the 2040 General Plan and Environmental Impact Report for recommendation to the City Council. The Planning Commission unanimously passed Resolution No. 687, making findings, recommending the adoption of the statement of overriding considerations, and recommending the certification of the City of Fowler 2040 General Plan Environmental Impact Report. Additionally, the Planning Commission Unanimously passed Resolution No. 688 recommending that the City Council approve the City of Fowler 2040 General Plan and Errata.

Attachments

- City of Fowler 2040 General Plan
- City of Fowler 2040 General Plan Errata – Summary of Recommended Changes
- City of Fowler 2040 General Plan Final Environmental Impact Report (SCH# 2021110053)
- Resolution No. 2634 (Statement of Overriding Considerations and Environmental Impact Report)
- Resolution No. 2635 (General Plan)

City of Fowler 2040 General Plan Draft EIR can be accessed here:

https://fowlercivty.org/wp-content/uploads/2022/12/Fowler-General-Plan-DEIR_Combined-II.pdf



City of Fowler

2040 General Plan

Public Review Draft
December 2022

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(Under separate cover)

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Chapter 1: Introduction

The City of Fowler General Plan is a policy document that sets the stage for future development in and around the City limits. The General Plan presents a framework of goals and policies that responds to issues of relevance to the community, strive to meet its imagined future, and maintain a high quality of life for its residents in the face of changing environmental, economic, and social circumstances.

The 2040 Fowler General Plan

The City of Fowler incorporated in 1908 and adopted its first comprehensive General Plan in 1976. In 2004, the City updated the Land Use and Circulation elements and added an Economic Development chapter. These changes were the first substantial updates to the General Plan document since its adoption.

As required by the Government Code, the General Plan Housing Element was more recently updated (April 2016). This Multi-Jurisdictional Housing Element (MJHE), as part of a coordinated effort with Fresno County and 12 of the 15 cities in Fresno County, created a regional plan for addressing housing needs County-wide. The 2040 Fowler General Plan incorporates the adopted MJHE by reference.

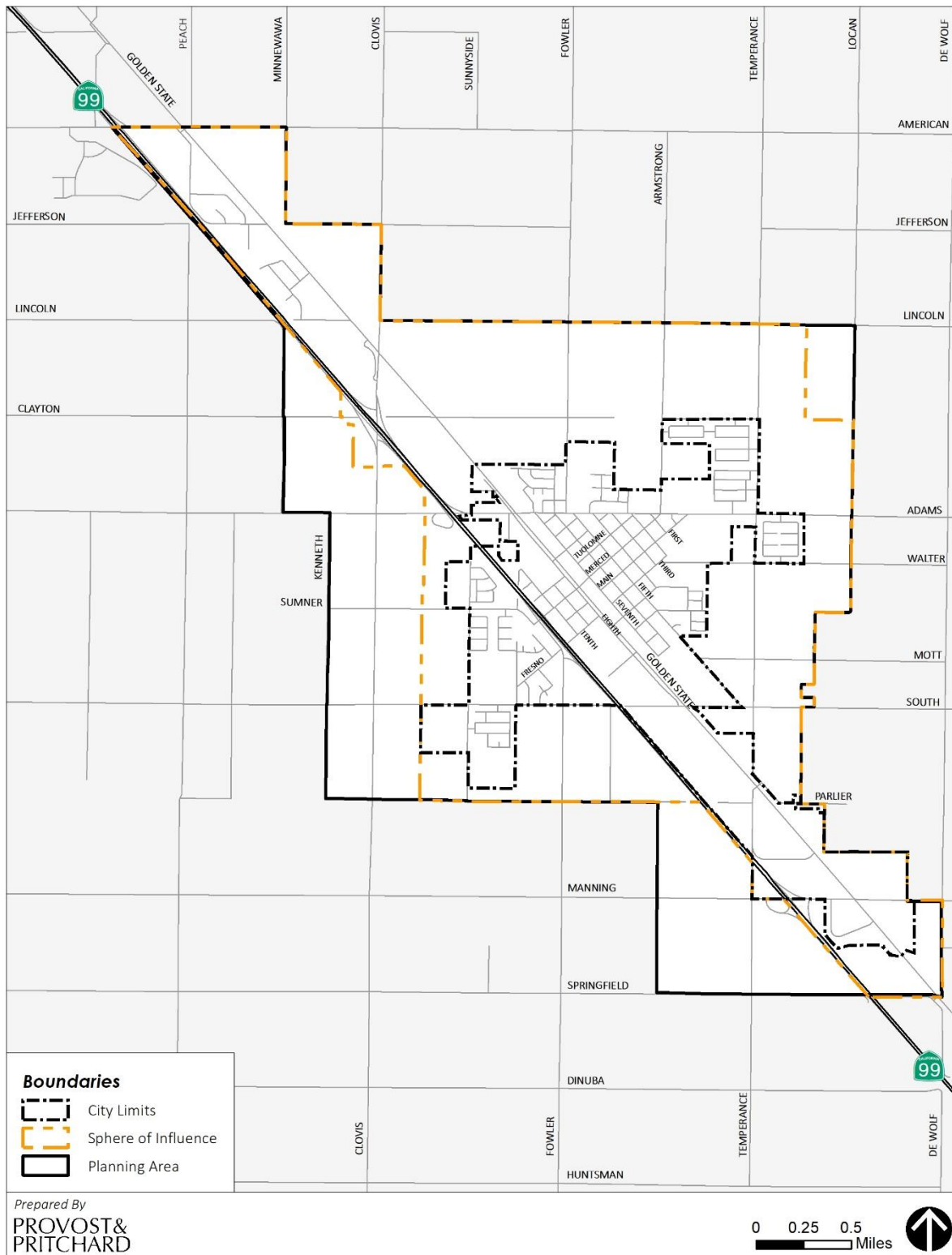
While certain chapters have been revised or added, the City has not prepared a comprehensive update of its General Plan since original adoption. Since that time, new laws affecting General Plans have been passed, new social and environmental issues have emerged, and new planning strategies and practices have been developed.

The Fowler General Plan looks ahead to the year 2040, establishing policies and land uses based on current issues and emergent trends. It is important to note that not all the General Plan's policies and action items may be implemented and completed by 2040; however, looking forward and identifying growth trends better enables the community to envision and identify goals for the City. The 2040 Fowler General Plan also brings the Plan into compliance with new laws related to environmental justice, complete streets, flood and fire protection, and climate adaptation. The Fowler General Plan comprehensively assesses current conditions and allows today's residents to express a vision for the future.

2040 General Plan Planning Boundaries

The following terms have specific meaning when used to discuss local planning efforts. The boundaries described below refer to jurisdictional boundaries and describe areas of potential growth or expansion that could occur over the planning horizon. Each boundary is shown on *Figure 1-1: Planning Boundaries*.

Figure 1-1: Planning Boundaries



City Limits

The City limits represent the jurisdictional boundary of the City of Fowler. As the City grows and new land is annexed into the City, the City limit boundaries will continue to grow over time. Within the City limits, General Plan policies are implemented, and the City's development regulations, including its Zoning Ordinance, are enforced.

Sphere of Influence

A Sphere of Influence (SOI) indicates an area of service provision and likely annexation by the City. It typically includes a greater area beyond the city limits and usually consists of unincorporated land administered by a county. The purpose of an SOI is to prevent overlapping jurisdictions among cities and duplication of services, and thereby help ensure the efficient provision of services while also discouraging urban sprawl and the premature conversion of agricultural and open space lands. Local Agency Formation Commissions (LAFCOs) for the counties determine SOIs for cities as well as other local governmental agencies. Fowler applies for SOI changes to the Fresno County LAFCo.

The Planning Area

The General Plan addresses all lands located within the City limit and areas beyond the City that, in the City's judgment, bear relation to its planning efforts. This entire area is referred to as the General Plan planning area and encompasses approximately 5,690 acres, or roughly nine square miles, inclusive of public rights-of-way. The planning area includes the existing City limit, the SOI, and approximately 1,195 acres beyond the SOI. The planning area includes the area into which the SOI and, subsequently, the incorporated City boundaries may eventually expand, subject to approval by Fresno County LAFCo. Fowler has an interest in guiding land use and circulation decisions within the planning area because of the impacts that decisions made for these lands may have on quality of life in the City. The General Plan sets policy for the City's planning area in case of future annexation and to help coordinate long-term development policy with adjacent jurisdictions.

What is a General Plan?

A general plan is a comprehensive, long-range planning document that envisions how a community will grow and forms the basis of land use decisions. It reflects community values and establishes goals and policies for growth and development. A general plan addresses issues that impact the entire city, such as how land is used, where buildings are built, the location of roads, and the placement of parks along with safety, noise, and more. Every other planning document adopted by a city must be consistent with the goals and policies of the general plan.

What General Plans Do

- ✓ **Establish goals, policies, and action items.** General plans guide land use, circulation, and resource conservation for a community by defining goals, establishing policies, and determining action items for each of the required elements of the Plan.
- ✓ **Establish jurisdiction priorities.** General plans help prioritize action items to align with other community priorities.
- ✓ **Guide decision-making.** General plans are the basis for regulations and administrative procedures and help the city staff, planning commission, and city council make decisions regarding land use and physical development. General plans also inform developers and the public at-large on the vision for the community and expectations for development.

What General Plans Don't Do

Just as important as understanding what general plans do is understanding what they don't do.

- ✗ General plans **do not implement themselves**. Other planning documents and activities, like the Zoning Code and its enforcement, implement the policies established in the General Plan. The General Plan cannot directly answer every question about development during the lifetime of the Plan, but it can provide the general policies that should govern the answer.
- ✗ General plan land use designations **do not zone land**. While both the general plan and zoning code designate land uses, they do so in different ways. General plans maintain a long-term outlook and the general pattern of physical development. Zoning codes establish specific development standards such as allowed uses, building height, or setbacks.

Who Uses the Plan?

The City of Fowler General Plan provides foundational information and policy guidance for the entire community. Groups such as elected officials, City staff, developers, investors, community organizations, and the public at-large will all be impacted by the goals, policies, and action items contained within the General Plan. Continued support and use of the General Plan by these groups is essential to the Plan's impact on Fowler's future.

Elected Officials: The City of Fowler’s government officials uphold the Plan’s principles through their actions and decisions. The City Council, the City’s legislative body, adopts (and may amend) the General Plan with the Planning Commission’s recommendation. The Planning Commission and the City Council ensure land use approvals and legislative actions are consistent with the goals and policies of the General Plan.

City staff: City staff are key to the implementation of the General Plan. The General Plan is the basis for all land use and planning decisions and, accordingly, City staff are charged with carrying out many of the policies and action items found within each element.

Developers: Developers seek guidance from the General Plan regarding the desired form of the built environment, land use planning, connectivity, and context sensitive development practices that will help achieve Fowler’s community vision. Development is required to be consistent with the General Plan and understanding the intent and vision behind General Plan policies will help inform and expedite the planning process for many private development projects.

Community Organizations: Community organizations can use the General Plan to advocate for the implementation of the community vision and supporting principles. Community organizations are considered key partners in implementing many of the policies found in the General Plan.

The Public: Fowler’s residents helped shape the development of the community vision, supporting principles, and the land use plan. The people of Fowler are the experts on their community and should continue to shape implementation of the General Plan through their advocacy, actions, and involvement in future opportunities for public participation.

General Plan Requirements

The California Government Code requires all California cities and counties to adopt a general plan. Government Code Section 65302 outlines nine required elements, or topic areas, that must be addressed in the general plan. These nine required elements are land use, circulation, housing, open space, conservation, noise, safety, air quality, and environmental justice. Additional State laws dictate topic areas that must be addressed within the general plan elements. Jurisdictions may also include optional elements based on local need or preference and may organize the plan in any way they see fit.

All elements incorporated into a city’s general plan carry the same legal weight and level of importance, regardless of whether they are required or optional. Additionally, each element must be fully integrated, meaning that all elements need to be internally consistent and compatible with one another.

While State law does mandate that specific content be addressed in general plans, it does not mandate how the content is organized within the general plan. This flexibility recognizes that each local agency should have discretion in determining what format and optional topics best fit its needs. The City of Fowler has taken advantage of this flexibility by combining elements with overlapping or closely related topics and through the establishment of optional elements that support the City’s community vision. **Table 1-1** demonstrates how each required element, as mandated by the Government Code, is addressed within the Fowler General Plan.

Table 1-1: Required Elements by General Plan Chapter

Fowler General Plan Chapters	Required Elements								
	Land Use	Circulation	Housing	Conservation	Open Space	Noise	Safety	Air Quality	Environmental Justice
1: Introduction									
2: The Planning Process									
3: Community Vision									
4: Land Use	●								
5: Community Design	◐								
6: Housing			●						
7: Community Health and Equity					◐	●		●	●
8: Open Space	◐				●				
9: Mobility		●							
10: Economic Development	◐								
11: Community Resiliency and Safety			◐	●			●		
12: Public Facilities and Services									
13: Implementation Strategy				◐			◐		
Appendices							◐		◐

Legend:

● = Addresses element requirements pursuant to the Government Code.

◐ = Addresses or supports element requirements pursuant to the Government Code which are not addressed in the primary chapter.

Navigating the General Plan Document

General Plan Organization

The Fowler General Plan is organized around a series of focus areas, allowing the plan to address implementation of the community vision and supporting principles more directly and concretely. The chapters of the General Plan are as follows.

Chapter 1: Introduction provides an overview of the purpose, intent, and organization of the General Plan. This chapter also provides valuable information related to navigating the General Plan, how to interpret the General Plan, the amendment process, and its relationship to other planning efforts relevant to the City of Fowler.

Chapter 2: The Planning Process provides an overview of the General Plan Update process.

Chapter 3: Community Vision identifies the vision statement and five supporting principles for the City of Fowler, which guided development of the General Plan.

Chapter 4: Land Use outlines the City's goals and policies related to the development, expansion, and preservation within the planning area. This chapter also contains key diagrams, including the Land Use Diagram.

Chapter 5: Community Design includes goals and policies guiding the development and preservation of Fowler's urban form.

Chapter 6: Housing is located under separate cover. The Housing Element is updated cyclically and certified by the California Department of Housing and Community Development (HCD) per Government Code Section 65580, et seq. The City participated in the 5th Cycle Multi-Jurisdictional Housing Element (MJHE) update, which was updated in April 2016 and subsequently certified by HCD. The City is currently participating in the 6th Cycle MJHE update, which has an anticipated adoption date of December 2023. The 2040 Fowler General Plan incorporates the adopted MJHE by reference.

Chapter 7: Community Health and Equity identifies goals and policies to reduce unique or compounded health risks in the areas of pollution exposure, safe and sanitary homes, food access, physical activity, promotion of public facilities, community involvement, and noise.

Chapter 8: Open Space presents the City's goals and policies for providing public open spaces, parks, trails, and recreational facilities.

Chapter 9: Mobility identifies the City's goals and policies for the circulation system, including roadways, multimodal and active transportation networks, truck routes, and public transit. This chapter also addresses metrics for road safety, efficiency, and vehicle miles traveled and contains the City's Circulation Diagram.

Chapter 10: Economic Development outlines the City's policies for economic vitality and growth as well as regional coordination related to economic goals.

Chapter 11: Community Resiliency and Safety presents the City's goals and policies for community safety, disaster preparedness, and emergency services. It also outlines policies to address hazardous materials, waste, hydrology, geological and seismic hazards, climate adaptation, and natural resource conservation.

Chapter 12: Public Facilities outlines the City's goals and policies addressing community services and facilities, including public safety, libraries, schools, and other government facilities.

Chapter 13: Implementation Strategy identifies actions to implement the General Plan goals and policies and identifies entities responsible for each action.

The **Appendices** contain supporting documents and information required in accordance with the Government Code, including the Climate Adaptation Vulnerability Assessment and Senate Bill 1000 (Environmental Justice) Analysis.

Policy Chapter Organization

Chapters 4 through 12 of this General Plan contain the goals, policies, and action items related to the various policy topics covered by the Plan. Each policy chapter is made up of three primary components: goals, policies, and action items. Supplementary items, including an overview, diagrams and tables, and guidance text may also be included in each element. **Figure 1-2** illustrates how the following numbered elements for the policy chapters are integrated into the Plan layout.

Overview. Each element will include an overview section, wherein the intent of the element is described, along with a listing of the policy topics covered in the element. Additional background information can be found in the *Fowler General Plan Update Background Report* or the *General Plan Draft Environmental Impact Report*, each contained under separate cover.

Diagrams and Tables. Each element will have diagrams and tables that support the policy text.

1 Goals. A goal is a general expression of the community vision for the future. It is typically not quantifiable, nor is it an action to be completed, but rather it is an end goal statement. All goals are for each element are located before policies and action items are listed as the policies included may support one or more goals.

2 Policies. A policy is a specific statement that guides decision-making and helps to implement the General Plan.

3 Policies are organized by *Policy Topic*, which group similar policies together and allow the user to find topics of interest more easily.

4 Action Items. Action items are specific procedures, programs, or techniques that carry out the policies of the General Plan. Action items should be quantifiable and directive to ensure clarity and provide the ability to monitor progress towards completion. Action items are linked to a specific policy.

5 Goal, Policy, Action Item Notations. Notations have been included for select goal, policy, or action item statements to offer additional context for users of the General Plan. When a goal, policy, or action item has carried over from the previous General Plan or other City policy document, such as the Multi-Hazard Mitigation Plan or Council Resolution, a notation “PP” for has been included at the end of the statement, indicating that the statement was a previous City policy. While many of the previous General Plan policies have been integrated into this Plan, wording of the statements may have been changed to clarify the statement; however, the intent of the previous statement remains the same. If no notation is included, then the statement is new for this General Plan. When a policy or action item has been identified in the Environmental Impact Report (EIR) to act as mitigation, a notation “EIR” has been included at the end of the statement. Should changes be made to the language of these statements, additional steps may be required to amend the EIR.

Example Components

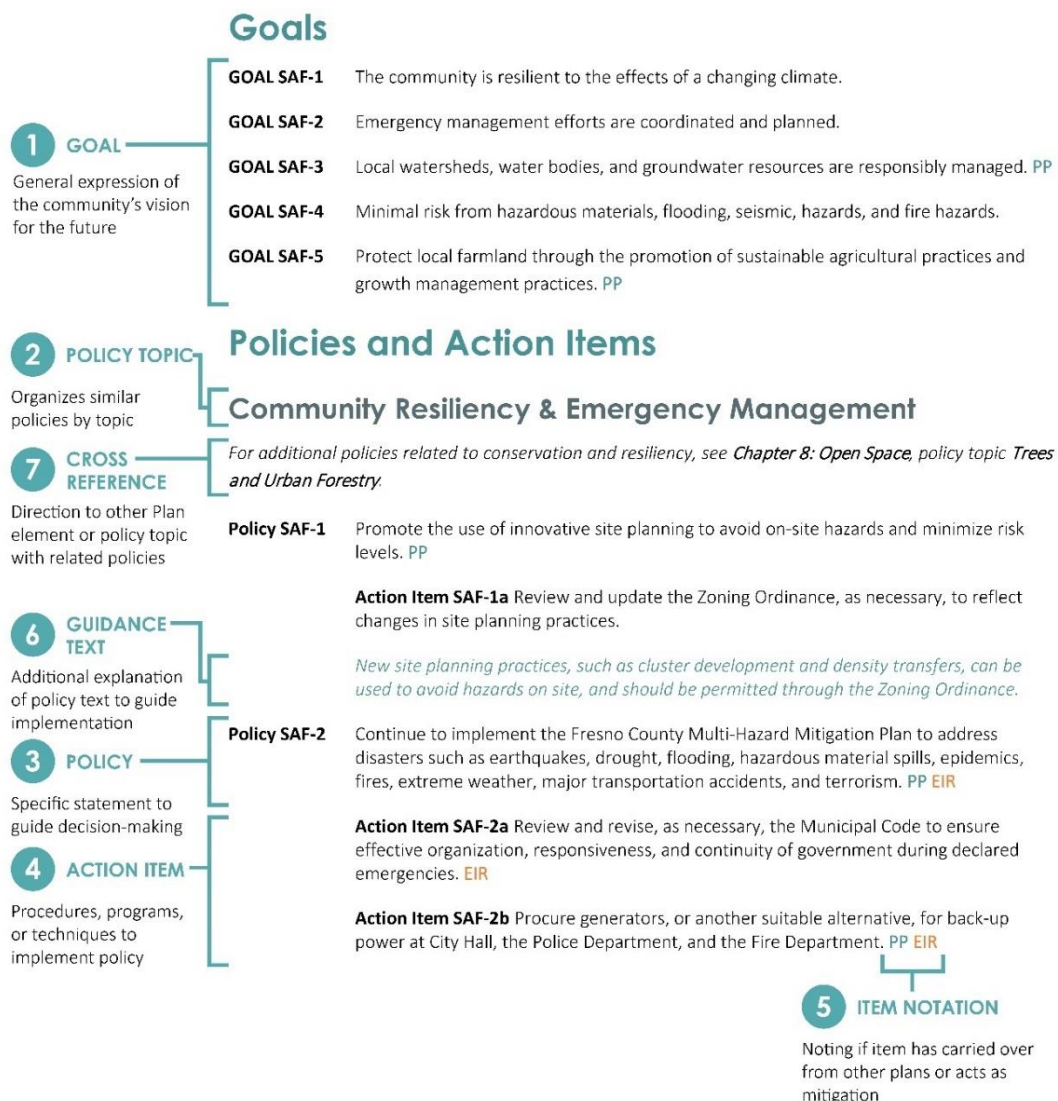
GOAL: A connected active transportation network.

POLICY: Accommodate pedestrian and bicycle facilities along all roadways.

ACTION ITEM: Review and update public works standards to ensure adequate sidewalk and bike lanes.

- 6 Guidance Text.** Some policies contain guidance text that provides additional information about a policy or policy topic but does not carry the same weight as the policy text itself. Guidance text may be located directly after each policy topic header or may be included after a specific policy or action item, as shown in **Figure 1-2**. It may include information such as local context, definition of terms used, explanation of why policy topics or policies are included, examples of what may be included as implementation of the policy, or any other explanatory text that assists in the implementation of the policy. Guidance text, which is shown in italics, should not be construed as policy language.
- 7 Cross References.** Similar policies have been organized into policy topic areas; however, some topics may be addressed within more than one chapter. In those instances, a cross reference is provided to guide the reader to additional policies that may cover similar content in a different chapter or policy topic area. These cross references are included to assist the reader navigate the General Plan but may not capture all possible references.

Figure 1-2: Sample Layout of Policy Chapter



How to Interpret the General Plan

Throughout the Fowler General Plan, there will be several directive or term of approximation which will help the reader interpret the intent of the policies in each element as well as direction on the intended use specific terms used in the Plan. Implementation of the General Plan is also subject to different, and often competing, priorities as well as funding availability, as noted below.

Directive Terms

Terms such as “shall”, “require”, and “must” indicate directive, rigid, or absolute statements. Terms such as “should”, “encourage”, and “may”, while still directive, are flexible and less absolute.

Language of Approximation

Terms such as “about,” “approximately,” or “roughly” are intended to be used flexibly and do not represent a specific amount or mandate ratios or margins of variation.

Definitions of Terms

Where terms may have an intended use or meaning in the context of the General Plan, definitions or clarifying language have been provided, typically as guidance text, to assist in the interpretation of the goals, policies, and action items contained in the Plan. Such language is intended to provide further explanation where helpful for the reader while still providing for flexibility in the application of terms through implementing policy documents, regulations, or standards, as appropriate, to meet the intent of this Plan.

Priorities and Implementation

Policies and action items should be prioritized for implementation based on current priorities of the City. When multiple priorities compete, decision-makers should use discretion and their understanding of local context to inform priority level. Additionally, all directives in the General Plan policies and action items are understood to take place only in the event there are available funding sources. As funding becomes available, decision-makers will use their discretion implement policies based on contextual factors such as priority level, cost, and budget availability.

Amendments To The General Plan

For the General Plan to remain a relevant, effective guide for decision-makers, developers, and the community, it is important that the document accurately reflects community goals and values. As time passes, changing local conditions and legislative updates may necessitate the General Plan be updated to reflect those changes. The process to do so is through a General Plan Amendment. To accommodate this process, California allows any mandatory element of a general plan to be amended up to four times per calendar year; an optional element may be amended as needed without limitation. Amendment to Fowler’s General Plan requires action by the City Council following review and recommendation from the Planning Commission.

Relationship to Other Planning Efforts

The Fowler General Plan acts as the primary policy document guiding development in the planning area. However, the General Plan does not operate in isolation. Regional planning documents help inform the General Plan's policies and provide context for local growth and include the Fresno Council of Governments Regional Transportation Plan/Sustainable Community Strategy and the San Joaquin Valley Blueprint.

General Plan Implementation

While this General Plan includes policies and action items to guide Fowler's growth and decision-making, it is not intended to answer every question that will be faced by the City over the lifetime of the Plan. the General Plan relies on other local documents, such as the City of Fowler's Municipal Code, infrastructure plans, and public works standards to implement its goals and policies and future work will be needed to fully implement this General Plan, as identified in ***Chapter 13: Implementation Strategy***.

Chapter 2: The Update Process

The General Plan Update, the process by which the City updated its General Plan, was accomplished in six project phases, each focusing on a unique milestone of the Update process.



Phase 1. Kickoff. The General Plan Update process began in October of 2018 with project initiation and preparation of the *Fowler Community Report* to document relevant baseline conditions within the planning area on a variety of topics relevant to the General Plan. The kickoff phase culminated in presentation of the *Report* during a joint Planning Commission/City Council study session.

Phase 2. Listening. The listening phase of the General Plan Update began in the spring of 2019. While public workshops and meetings took place throughout the Update process, Phase 2 focused specifically on interviews with City staff, decision makers, and other interested parties. The information provided during these interviews identified a list of key issues that informed development of the draft community vision, which was presented to Planning Commission and City Council for feedback.

Phase 3. Vetting. The vetting phase of the General Plan Update focused on presenting information learned early in Phases 1 and 2 to the public and decision-makers for feedback. Phase 3 consisted of several public workshops and study sessions held from August 2020 through August 2021. Deliverables for this phase included a policy assessment of the 2025 General Plan, policy papers regarding recent state legislation, and preparation of a *Land Use Alternatives Summary Report*, which presented several land use plans for consideration by the public, Planning Commission, and City Council. This phase resulted in the selection of a preferred land use plan, which is shown in *Figure 4-1*.

Phase 4. Documenting. The documenting phase of the General Plan Update included finalizing the land use diagram and drafting the goals, policies, and action items in each of the policy chapters of this Plan. This phase also included refining the information in the *Fowler Community Report*, prepared in Phase 1, to develop the *Fowler General Plan Update Background Report*. This *Report* contains background information that informed development of the General Plan as well as the Environmental Impact Report (EIR), which was also completed during this phase.

Phase 5. Presenting. Public drafts of the General Plan and EIR were released for review by the public and other interested parties. A workshop was held during the review period to present the General Plan and provide an opportunity for questions and comments.

Phase 6. Adopting. The final General Plan and EIR were presented to the Planning Commission for recommendation and the City Council for adoption.

Chapter 3:Community Vision

The community vision for Fowler is expressed through a vision statement and a series of supporting principles and is a declaration of the kind of community that Fowler wants to be in the future. The community vision provides the framework for understanding the intent and long-term vision for Fowler establishes the basis for the General Plan goals and policies.

The **vision statement** describes the values and aspirations for Fowler in the future. It identifies key characteristics necessary for sustaining what is important to the community and for Fowler to achieve its potential. The vision statement is supported by five **supporting principles**, statements that together contribute to the larger community vision and provide more specific guidance for general plan goals and policies.

Vision Statement

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 people can raise their families and know their 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 to the City’s vision statement, which implement the broader community vision and will inform the goals and policies of the General Plan.

Our Economy Thrives and Businesses Provide Local Amenities.

We value and support businesses that 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.



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. Fowler has 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 existing residents. This also means ensuring that infrastructure and services successfully reach growth areas while continuing to serve established neighborhoods. New development is executed through land use decisions involving careful research, coordination, and community outreach.

Our Community is Mobile and Connected.

Our circulation system is complete, with amenities that make walking, biking, and transit 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 that recognize street design as a vital method of community connection and placemaking.



Parks and Recreation are a Focal Point of Our Community.



Our parks and recreation facilities are safe, accessible, and connected to the community. Passive and active recreation opportunities are abundant and coordinated across local facilities and organizations.

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 the General Plan and other planning documents. Growth policies preserve our central commercial core and residential neighborhoods and support local businesses that contribute to the fabric of our community.



Chapter 4: Land Use

Overview

The land use element is what people typically think of when they think of the “plan” for the City and is often considered the heart of a General Plan. This land use element establishes 12 land use designations for residential, commercial, industrial, and open space and public facility uses that will guide development not only within the City’s limit, but throughout its planning area as the City grows. The land use goals and policies in this element provide direction on how each of these land use designations should develop, including the density (dwelling units per acre) and intensity (floor area ratio) of development allowed within each designation. As the density and intensity standards for each land use designation are applied to future development projects, properties will gradually transition from one use to another to align with the intent of the General Plan.

Land Use Policy Topics

Policies contained in this element are organized into the following policy topic areas:

Land Use and Zoning Compatibility.....	16
County Coordination	20
Growth Management.....	20
Residential.....	23
Commercial	24
Industrial	24
Parks and Open Space.....	25
Public Facilities	25

Land Use Diagram

The Land Use Diagram (**Figure 4-1**) shows where each of the 12 land use designations are located within the City’s planning area. Land use descriptions and density and intensity standards for each land use designation are outlined in **Table 4-1: Land Use Designations and Consistency Matrix**. Density is the number of residential dwelling units per acre of land, expressed as dwelling units per acre (du/ac). Intensity is used for non-residential uses and is measured as floor area ratio (FAR) and is a measurement of a building’s floor area in relation to the size of the lot or parcel the building is located on. 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.

Land uses were programmed to maintain the downtown as the community core, allow for a range of housing types, provide for a balance of service opportunities across the community, provide proximity to parks and open spaces, and maintain growth opportunities along major corridors. One component of the Land Use Diagram is the location of future neighborhood and community parks. However, the location of these park spaces is subject to acquisition of land and is schematic in nature. Parks may be developed on any suitable lands in the general vicinity leaving the original location available for other development. To facilitate development at these locations, the Dual Designation Diagram (**Figure 4-2**) identifies an underlying land use designation, or dual designation, that would apply to these locations.

Development Capacity and Growth Management

The Land Use Diagram could accommodate a total population of approximately 48,130 persons and an anticipated 30,670 jobs at ultimate buildout. However, the City of Fowler has adopted a growth management strategy to balance growth with demand for new development, prioritize development in alignment with the community goals, and effectively manage municipal service expansion and maintain services for existing development.

The growth management strategy includes the establishment of four urban growth tiers, as shown on **Figure 4-3: Growth Management Tiers**. The Priority Development Area (PDA) indicates the top priority for growth and development, followed by Growth Tiers I, II, and III. The PDA encompasses approximately 3,962 acres and focuses on infill development within and around the City limits as well as development of industrial and commercial lands along the State Route (SR) 99 and Golden State Boulevard corridors. Growth Tier I includes approximately 697 acres planned for a mix of residential, commercial land, and open space uses to the west of the PDA. Growth Tier II includes approximately 744 acres to the north and east of the PDA and is planned for primarily residential land uses with some minor commercial uses. Growth Tier III includes approximately 287 acres to the south of the PDA west of the Manning Avenue interchange and is planned for residential, commercial, and industrial land uses. Each growth tier has an associated threshold that determines when annexation into the area may occur. Thresholds are based on building permits issued and are identified for residential, commercial, and industrial development, as outlined in the policies under the **Growth Management** policy topic.

Goals

*For goals and policies related to the design and compatibility between land uses, see **Chapter 5: Community Design**. For goals and policies related to employment generating uses, see **Chapter 10: Economic Development**.*

- Goal LU-1** Growth occurs logically and efficiently. **PP**
- Goal LU-2** A wide range of housing types are available to accommodate all housing needs in the community.
- Goal LU-3** Thriving commercial centers are located throughout the City.
- Goal LU-4** There are continued opportunities for the expansion of industrial land uses.

Policies and Action Items

Land Use and Zoning Compatibility

Land uses established by the General Plan are implemented by other local regulatory documents, primarily the Zoning Ordinance. The Zoning Ordinance sets specific standards for what types of uses can locate within

a certain land use designation, as well as standards for site and building design. Because the General Plan and Zoning Ordinance work together to regulate development activity, it is required zoning be consistent with the General Plan.

California jurisdictions are also required to consult with the United States Military if planned land uses could interfere with military operations. A search of the California Military Land Use Compatibility Analyst (CMLUCA), a mapping tool developed by OPR to identify military facilities confirmed that the planning area does not fall within military air space, training areas, or bases.

Policy LU-1 Development shall occur in accordance with the planned land uses as shown on **Figure 4-1: Land Use Diagram**. **EIR**

Policy LU-2 Density and intensity standards for each land use designation are shown in **Table 4-1: Land Use Designations and Consistency Matrix**. Consistent zoning districts determined to be compatible with the identified land use designation are also included in **Table 4-1**. Other zoning districts may be determined to be consistent with a land use designation based on compatibility with the intent of the designation and its specified density or intensity range. Such density or intensity range shall be calculated based on gross acres. **PP EIR**

While density and intensity ranges for properties shall be determined based on gross acres, which is the entire acreage of the property, other policies within this General Plan may specify the reduction of certain property acreage to demonstrate compliance with a policy's specific requirements. Gross acreage is the entire acreage of the property.

Policy LU-3 For a plan amendment and/or rezoning request, the City may require submittal of supplemental information to determine the need for the plan amendment or rezoning **PP EIR**

Supplemental information would be in addition to the items required for submittal at the time of application for a plan amendment or rezoning request.

Policy LU-4 The overall maximum density of the land use designation shall not be exceeded, except when a project is eligible for increased density as part of a Planned Unit Development or under the State Density Bonus Law. **PP**

Policy LU-5 Residential developments may use the average density across the total project site to meet density requirements, so that development may be clustered at higher densities in certain areas, so long as the project total does not exceed the maximum density permitted by the General Plan. **PP**

Table 4-1: Land Use Designations and Consistency Matrix

DESIGNATION	DESCRIPTION	DENSITY/INTENSITY	CONSISTENT ZONES
Residential Land Uses			
LDR – Low Density Residential	<p>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.</p> <p>This designation is typically programmed near the edges of the community and agricultural land to allow for compatible transition of uses.</p>	0.0-3.6 du/ac	R-1-12 R-1-10
MLDR – Medium Low Density Residential	<p>Medium low density residential is characterized primarily by single family homes. Lot sizes would typically range from 7,000 to 10,000 square feet.</p> <p>This designation is typically programmed near the edges of the community and agricultural land to allow for compatible transition of uses.</p>	3.7-5.5 du/ac	R-1-8.5 R-1-7 R-1-6
MDR – Medium Density Residential	<p>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.</p> <p>This designation is typically programmed between the higher and lower residential densities and serves as a transitional land use. It is also appropriate near neighborhood commercial and park land use designations.</p>	5.6-13.5 du/ac	R-1-7 R-1-6 R-1-5 RM-2-A RM-2 R-MP
MHDR – Medium High Density Residential	<p>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.</p> <p>This designation is typically programmed near commercial centers, the downtown, and parks.</p>	8.0-13.5 du/ac	RM-2-A RM-2 R-MP
HDR – High Density Residential	<p>High density residential is characterized by apartments or townhomes and is intended to be located near major community facilities, business centers, and downtown.</p> <p>This designation is typically programmed near commercial centers, the downtown, and parks.</p>	13.6-21.8 du/ac	RM-2 RM-3-A RM-3
Commercial Uses			
NC – Neighborhood Commercial	<p>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.</p> <p>This designation is typically programmed near activity centers, homes, and the downtown. Neighborhood Commercial uses are most appropriate on sites of 10 acres or smaller.</p>	Maximum FAR 0.4	C-1
CC – Community Commercial	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	13.6-21.8 du/ac Maximum FAR 0.4	C-2

DESIGNATION	DESCRIPTION	DENSITY/INTENSITY	CONSISTENT ZONES
	retail, financial, governmental, and entertainment activities occur. Mixed use residential uses are also encouraged in Community Commercial locations. This designation is typically programmed near major intersections and State Route 99.		
GC – General Commercial	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. This designation is typically programmed near major intersections and State Route 99.	Maximum FAR 0.4	C-3
Industrial Uses			
LI – Light Industrial	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. This designation is typically programmed along the State Route 99 and Golden State Boulevard corridor in order to provide a buffer between Heavy Industrial uses and non-industrial designations.	Maximum FAR 0.6	M-1 M-P
HI – Heavy Industrial	Heavy industrial provides for uses such as manufacturing, fabricating, process, assembling, wholesale and storage uses, 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. This designation is typically programmed along the State Route 99 and Golden State Boulevard corridor.	Maximum FAR 0.6	M-2
Open Space and Public Facility Uses			
P/OS – Parks and Open Space	Parks and open space includes areas of permanent open spaces, parks, and/or areas precluded from major development. This designation is dependent on land acquisition for determining final location. Parks should be equally distributed throughout the City.	Maximum FAR 0.25	O RCO
PF – Public Facility	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	PF RCO

du/ac = dwelling units/acre

FAR = floor area ratio

County Coordination

Policy LU-6 Coordinate planning of the unincorporated area within the Sphere of Influence (SOI) with Fresno County and encourage the County to zone unincorporated areas within the SOI for continued agricultural use. **PP**

Policy LU-7 Request Fresno County refer all proposals for development located within the City's Sphere of Influence to the City for annexation. In cases where annexation is not feasible, the City may request the County attach conditions of approval to such applications to ensure the development will conform to City standards, will agree to annex when feasible, and will not be detrimental to future urban development in the City. **PP**

Action Item LU-7a Review the Memorandum of Understanding (MOU) with the County of Fresno and initiate negotiations to amend the MOU, if necessary, to ensure City review of development applications with the City's Sphere of Influence.

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. Fowler has established urban growth boundaries to effectively manage growth while meeting the requirements of state legislation. In adopting this approach, the City has established growth boundaries and associated thresholds to determine when development may occur from one growth boundary to the next. Once development thresholds within a specific growth tier have been met, additional growth tiers are opened, allowing infrastructure to expand, but only after a majority of the development potential within existing urban areas has been realized.

*Policies in this topic area outline how Fowler will use its urban growth tiers and corresponding thresholds to manage development over time. These policies establish four growth areas, including the Primary Development Area (PDA) and Urban Growth Tiers I, II, and III. Development will first be concentrated in the PDA, which consists of approximately 3,957 acres. Urban Growth Tier I is located in the western portion of the planning area and includes approximately 697 acres designated for residential and commercial land. Urban Growth Tier II, located to the northeast, includes approximately 738 acres of residential and commercial, land uses. Finally, Urban Growth Tier III, located to the south, includes approximately 287 acres of residential and commercial land. These boundaries are shown in **Figure 4-3: Growth Management Tiers**.*

Policy LU-8 Annex land into the City in accordance with adopted growth management thresholds and reject proposals for annexation that do not comply with requirements of General Plan policies relating to orderly and contiguous development and provision of public services and facilities.

*Growth management thresholds for annexation of land in subsequent growth tiers are outlined in **Policy LU-9** for residential designations and **Policy LU-10** for commercial*

designations. Applications for annexations are reviewed for approval by the Fresno County Local Agency Formation Commission.

Additional policies related to the provision of public services and facilities can be found in Chapter 12: Public Facilities.

Policy LU-9 Allow annexation of residential land uses in the Tier I, Tier II, and Tier III development boundaries, as shown in **Figure 4-3: Growth Management Tiers**, according to the following thresholds:

Tier I:

- Annexation of property designated Medium High Density Residential or High Density Residential may occur within Tier I once:
 - 112 building permits for new dwelling units located on property designated either Medium High Density Residential or High Density Residential in the Primary Development Area (PDA) have been issued after December 31, 2021.
- Annexation of property designated Low Density Residential, Medium Low Density Residential, or Medium Density Residential may occur within Tier I once both of the following have occurred:
 - 1,512 building permits for new dwelling units located on property designated Low Density Residential, Medium Low Density Residential, or Medium Density Residential in the PDA have been issued after December 31, 2021.
 - 155 building permits for new dwelling units located on property designated Medium High Density Residential or High Density Residential in the PDA have been issued after December 31, 2021.

Building permits for units issued on property planned Medium High Density Residential and High Density Residential to meet the threshold for annexation of higher density properties (i.e., Medium High or High Density Residential) also count toward the threshold required for annexation of lower density properties (i.e., Low, Medium Low, and Medium Density Residential).

Tier II:

- Annexation of property designated Medium High Density Residential or High Density Residential may occur within Tier II once:
 - 789 building permits for new dwelling units located on property designated either Medium High Density Residential or High Density Residential in the PDA or Tier I have been issued.
- Annexation of property designated Low Density Residential, Medium Low Density Residential, or Medium Density Residential may advance to Tier II once:

- 3,005 building permits for new dwelling units located on property designated Low Density Residential, Medium Low Density Residential, or Medium Density Residential in the PDA or Tier I have been issued after December 31, 2021.
- 1,068 building permits for new dwelling units on property designated Medium High Density Residential and High Density Residential in the PDA or Tier I have been issued after December 31, 2021. Building permits counted towards the higher density residential threshold may also be counted towards this threshold.

Building permits issued within both the PDA and Tier I count toward meeting the Tier II threshold.

Tier III:

- Annexation of property designated Medium High Density Residential and High Density Residential may advance to Tier III once:
 - 1,492 building permits for new dwelling units on property designated Medium High Density Residential or High Density Residential in the PDA, Tier I, or Tier II have been issued after December 31, 2021.
- Annexation of property designated Low Density Residential, Medium Low Density Residential, and Medium Density Residential may advance to Tier III once:
 - 5,245 building permits for new dwelling units on property designated Low Density Residential, Medium Low Density Residential, and Medium Density Residential in the PDA, Tier I, or Tier II have been issued after December 31, 2021.
 - 2,053 building permits for new dwelling units on property designated Medium High Density Residential or High Density Residential in the PDA, Tier I, or Tier II have been issued after December 31, 2021. Building permits counted towards the higher density residential threshold may also be counted towards this threshold.

Building permits issued within both the PDA, Tier I, and Tier II count toward meeting the Tier II threshold.

Exceptions:

The following exceptions apply to the growth thresholds for each growth tier:

- The development of deed restricted affordable housing may occur in the next growth tier, regardless of whether the building permit issuance threshold in the previous tier has been met.
- The City may provide an exception to the growth tier thresholds for master planned properties that include properties within two growth tiers.

Action Item LU-9a The City shall compile a report outlining the building permits issued for all residential units by growth tier and planned land use on an annual basis for reporting to City Council.

Policy LU-10 Annexation of commercial or open space land uses may be allowed in any growth tier, provided the property is adjacent to the City limits and service capacity for water, sewer, storm drainage and other public services determined by the City is sufficient to serve the property.

Policy LU-11 Annexation of industrial land uses may be allowed, provided the property meets all applicable requirements for annexation.

Policy LU-12 Urban improvements and service extensions into agricultural areas shall be used to control the timing and direction of fringe development. **PP**

Residential

*For additional policies related to residential design standards, see **Chapter 5: Community Design**, policy topic area **Residential Development**.*

Policy LU-13 Planned unit developments may include any combination of single family and multifamily dwellings. Planned unit developments larger than 10 acres in size may also include related office and commercial uses. **PP EIR**

Action Item LU-13a Review and revise the Zoning Ordinance, as necessary, to reflect increased density allowances for planned unit developments at the City's discretion. Granting of additional density (not to exceed 25%) will depend on the developer's demonstration of the quality of design in such areas as access, circulation, building placement, parking, provision of open space, and architectural design and compatibility with the surrounding area. **PP EIR**

Policy LU-14 Mobile home parks must constitute a unified, master planned development with a minimum site area of five acres, excluding public streets, and subject to provisions of the Fowler Zoning Ordinance. The use is consistent within the Medium Density Residential land use designation. **PP**

Policy LU-15 Manufactured and modular housing units shall be permitted subject to existing ordinances. **PP**

Manufactured and modular homes are both prefabricated structures either partially or fully constructed in an off-site factory and transferred to a site for final construction. Manufactured homes are regulated by the Department of Housing and Urban Development (HUD) while modular homes are regulated by the California Building Code and other applicable local regulations.

Commercial

*For additional policies related to commercial design standards, see **Chapter 5: Community Design**, policy topic area **Commercial Development**.*

Policy LU-16 Maintain the downtown area as the governmental and cultural center of the City. Encourage community services, specialty shops, and office space on the ground floor with housing on the second floor. **PP**

Action Item LU-16a Develop an ongoing improvement program for the downtown which maintains its unique character and provides an opportunity for a variety of services, retail uses, offices, and housing.

Policy LU-17 Develop the Merced Street corridor between Highway 99 and the downtown as the main shopping commercial location in the community. **PP**

*The downtown area is generally the area surrounding Merced Street between 8th and 4th Street. The exact boundaries of the downtown area can be seen in **Figure 5-1: Community Gateways and Downtown Area**. Commercial establishments along Merced Street between State Route 99 and 8th Street may differ in character from commercial establishments along Merced Street within the downtown area.*

Policy LU-18 Residential uses shall be permitted in the Community Commercial designation in support of mixed-use development. **PP EIR**

Action Item LU-18a Review and revise the Zoning Ordinance, as needed, to allow residential uses in the Community Commercial Designation. **EIR**

Policy LU-19 Support neighborhood-serving commercial uses located near residential development with strong connectivity through walkable infrastructure. **EIR**

Action Item LU-19a Review and revise the Zoning Ordinance, as needed, to permit neighborhood-serving commercial uses, such as food markets, in residential zones through the Conditional Use Permit process. **EIR**

Industrial

*For additional policies related to industrial design standards, see **Chapter 5: Community Design**, policy topic area **Industrial Development**. For additional policies related to industrial land as it pertains to economic development, see **Chapter 10: Economic Development**.*

Policy LU-20 The City shall reserve sufficient space for industrial and supportive uses, recognizing greater land requirements due to methods of operation and marketing needs. **PP**

Action Item LU-20a Develop policies and regulations to protect industrial areas from incompatible uses. **PP**

Policy LU-21 Encourage large, employment-generating developments to provide services such as cafeterias, childcare, and business support services that reduce the need for vehicle trips. **PP EIR**

Policy LU-22 Industrial land in proximity to residential areas shall be planned for light industry. **PP**

Parks and Open Space

*For additional policies related to parks and open space, see **Chapter 8: Open Space**.*

Policy LU-23 Ensure that the location and design of all parks, recreation, and community centers are compatible with existing adjacent uses. **PP**

Public Facilities

*For policies related to public facilities, see **Chapter 12: Public Facilities**.*

Diagrams

Figure 4-1: Land Use Diagram

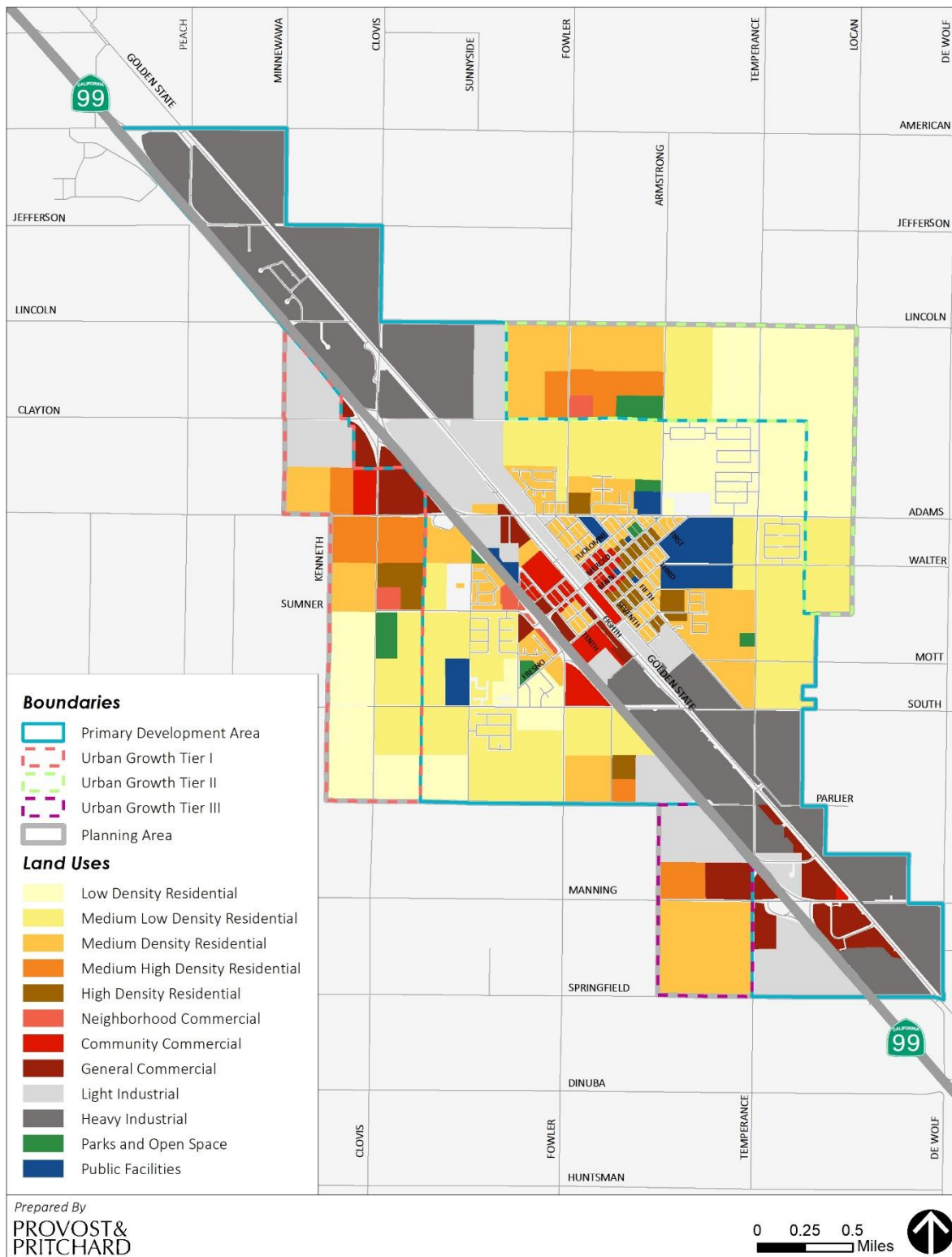


Figure 4-2: Dual Designation Diagram

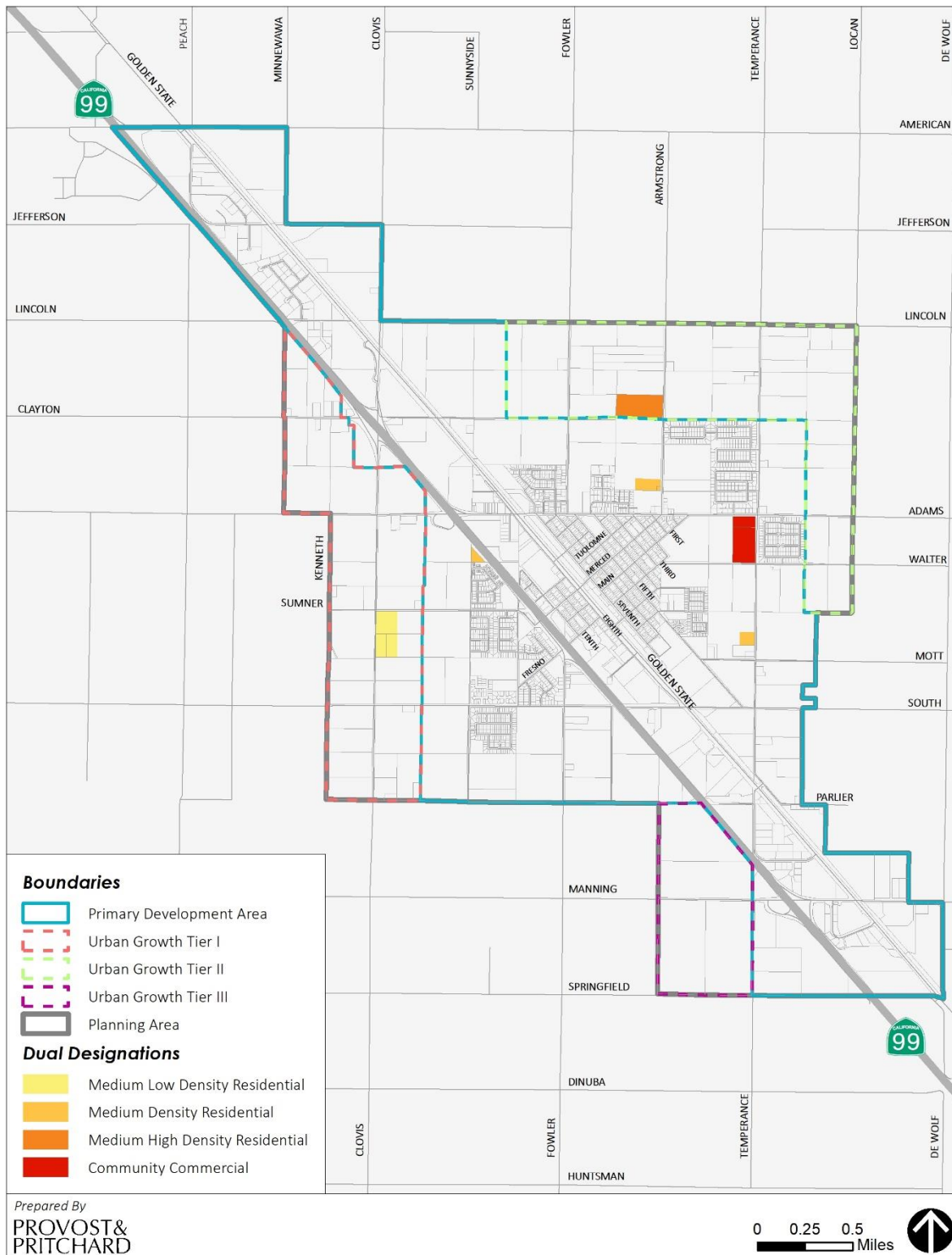
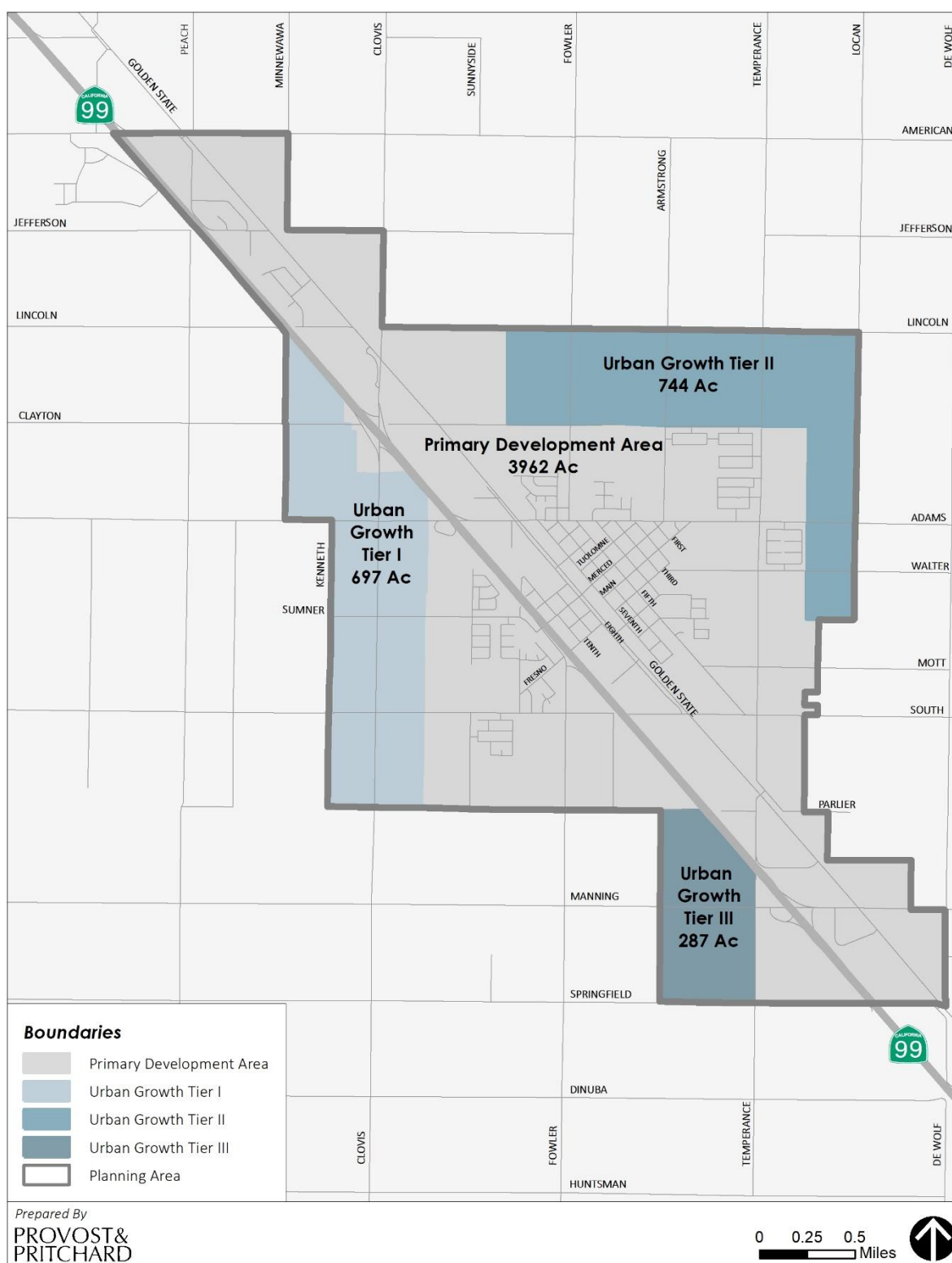


Figure 4-3: Growth Management Tiers



Chapter 5: Community Design

Overview

The community design element guides the design and aesthetic of the City of Fowler's built environment. Community design concerns not just how different buildings interface with the public realm such as streets and sidewalks, but also how design of public spaces can create a sense of place unique to the City.

In addition to policies for the design and development of residential, commercial, and industrial projects, this element guides design within the City's downtown area, as shown on **Figure 5-1** intended to enhance and protect the downtown as an important part of Fowler's identity. Community gateways are also an important community design feature as they welcome residents and visitors to the City. Gateway locations, also shown on **Figure 5-1**, are located at the primary northern and southern entrances to the City as well as the primary entrance to downtown.

This element also directs the identification and protection of notable community identifiers that contribute to Fowler's character. Community identifiers may include notable landmarks such as the Fowler Switch, historic buildings, or areas of historic or architectural value. Integral to this element is the development of a community branding package for the City to enhance Fowler's identity in the region and provide for a cohesive set of design standards for community gateways, wayfinding signage, and other branded materials such as the City website.

Community Design Policy Topics

Policies contained in this element are organized into the following policy topic areas:

Community Gateways and Wayfinding	30
Signage	31
Architectural Quality and Placemaking	31
Downtown and Historic Preservation.....	32
Historic and Cultural Preservation.....	32
Commercial Development.....	33
Industrial Development.....	35
Residential Development	36
Parking.....	38

Goals

- Goal CDES-1** Through community design, Fowler fosters and reinforces the City's unique sense of place.
- Goal CDES-2** Fowler incorporates enhanced gateways and wayfinding systems for an improved sense of arrival and orientation for residents and visitors.
- Goal CDES-3** Downtown Fowler is preserved and enhanced as the primary cultural and civic core of the community.

Goal CDES-4 New development is sensitive to Fowler’s historical context, enhances Fowler’s architectural quality, and contributes to its unique identity. Existing scenic, historic, and cultural resources enhance the community.

Policies and Action Items

Community Gateways and Wayfinding

Gateways are usually placed at the main entrances to the City and indicate to travelers and residents that they have arrived at a new destination. Community gateways may consist of monumentation, signage, art installations, special landscaping, or other design elements.

Wayfinding is a network of signage that orients and directs travelers to and from destinations. These systems include informational, directional, and identification strategies that are intuitive, cohesive, and easy-to read to help people of all ages and abilities find their way. Wayfinding systems also contribute to the brand and character of a community. A consistent and functional wayfinding plan provides opportunities through naming, gateways, identification signs, and site-specific signage to help develop a sense of place that connects users to the community.

Policy CDES-1 Create a sense of arrival to Fowler through development of prominent community gateways at key locations within the City, as shown in **Figure 5-1: Community Gateways and Downtown Area**.

Action Item CDES-1a Develop a branding package for the City of Fowler, including the development of gateway signage standards and a series of print and web graphics that create a cohesive design for the City.

Action Item CDES-1b As part of roadway and other public improvement projects, integrate gateway features at primary entrances to the City, including Merced Street, Golden State Boulevard, and Manning Avenue.

Policy CDES-2 Enhance wayfinding opportunities within the planning area.

Action Item CDES-2a Prepare a cohesive and locally branded wayfinding program for the downtown, local parks, historic sites of interest, and community trails. Wayfinding signs shall be consistent with City branding standards. Interpretive signage shall be developed to enhance locally important places.

Policy CDES-3 The City shall support the beautification of the State Route 99 corridor, including cooperation with adjacent jurisdictions, Caltrans, and Fresno Council of Governments.

Action Item CDES-3a Review and revise, as needed, zoning and other City regulations to adopt design, setback, and landscaping standards for development of the State Route 99 corridor through the City of Fowler. **PP**

Signage

Policy CDES-4 Signage in Fowler should not contribute to excessive visual clutter.

Action Item CDES-4a Review and revise, as needed, sign standards within the Zoning Ordinance to minimize visual obtrusions from signage and identify appropriate size requirements for signs based on context, while ensuring adequate opportunities for commercial messaging.

Policy CDES-5 No new billboards shall be allowed within the City limits. The City will encourage Fresno County to maintain such controls in the unincorporated areas of the City's Sphere of Influence as well. [PP](#)

Action Item CDES-5a Review and revise, as needed, the sign ordinance within the Zoning Ordinance to prohibit new billboards.

Architectural Quality and Placemaking

Placemaking focuses on design elements which strengthen the connection between people and the places they share. Placemaking strategies promote activity on the street, contribute to easily identifiable areas, and emphasizes public spaces as the heart of a community. Examples include locating parking areas in a manner that promotes pedestrian activity, designing streets as places for human interaction rather than just moving automobiles, incorporating plazas or town squares into commercial development, and focusing on human-scaled structures, site planning, and design features.

*Façade refers to the building face or building elevation. Architectural review may also take into account the **context** and **period** of a building. Here, both refer to the architectural era during which a building was designed and constructed and the predominant styles and architectural features of the time.*

Policy CDES-6 Require site plan review for all multifamily, commercial, and industrial development, to ensure consistency with all applicable development standards. Require project design to respond to site features. [PP](#)

Policy CDES-7 Maintain the integrity of community identifiers, that contribute to Fowler's character. Community identifiers may include notable landmarks; historic buildings; and areas of historic, architectural, or aesthetic value.

Action Item CDES-7a Prepare a local inventory of community identifiers.

Action Item CDES-7b Establish a design resource for property owners, developers, and City staff to ensure awareness of the community identifiers inventory and considerations for making improvements to such landmarks or adjacent properties.

*Considerations for improvements to community identifiers and adjacent properties should be coordinated with the establishment of design standards, as identified in other action items, most notably in **Action Item CDES-1a**.*

Policy CDES-8 Promote the maintenance, restoration, and rehabilitation of historical resources and community identifiers through a variety of financial and development incentives.

Action Item CDES-8a Monitor grant funding and low- or no-interest loan programs and advertise the available opportunities.

Policy CDES-9 Encourage properties to be maintained consistent with established community design standards.

Action Item CDES-9a Review the adequacy of code enforcement and administrative citation procedures and revise and/or expand the program where necessary. **PP**

Downtown and Historic Preservation

Policy CDES-10 Improvements to older buildings in the downtown area and throughout the City should enhance rather than weaken the original character of such buildings. **EIR**

Action Item CDES-10a Establish standards for downtown commercial building façade enhancements and restorations.

Policy CDES-11 Protect and enhance the downtown area as a critical element of Fowler’s identity and small-town character.

Action Item CDES-11a Establish design guidelines and standards for public realm enhancements specific to the downtown area through a Downtown Specific Plan, or other appropriate mechanism. Distinctions should be made between upgrading existing development and new development. **PP**

The public realm consists of the space between buildings, such as the streets, parks, and open spaces that connect the architecture of a city. Together, these elements create a sense of place and visual interest. Cohesion between the architectural design and building materials of private buildings with the public space between such buildings is key to quality urban design. Standards should provide for well-lit streets, consistent paving treatment, vegetation, shade, street furniture, and enhanced crosswalk treatments.

Historic and Cultural Resources

Cultural resources can refer to prehistoric and historic archaeological sites, architectural properties like buildings, bridges, and infrastructure, and locations significant to Native Americans. Known historical resources within the Fowler planning area include Fowler’s Switch, which was registered as a California Historical Resource in May of 1973.

Policy CDES-12 All construction shall cease, and the Community Development Director and City Engineer shall be notified immediately if any prehistoric, archaeological, or fossil artifact or resource is uncovered during construction. All construction shall immediately stop and an archaeologist that meets the Secretary of the Interior’s Professional Qualifications Standards in prehistoric or historical archaeology shall be retained, at the applicant’s and/or successors-in-interest’s expense, to evaluate the find(s) and recommend appropriate action according to Section 15064.5 of the California Environmental Quality Act (CEQA) Guidelines. If avoidance is infeasible, other appropriate measures would be instituted. Work may proceed on other parts of the project subject to direction of the archaeologist while assessment of historic resources or unique archaeological resources is being carried out. **EIR**

Policy CDES-13 All construction shall cease if any human remains are uncovered, and the Community Development Director, City Engineer and Fresno County Medical Examiner and Coroner shall be notified in accordance to Section 7050.5 of the California Health and Safety Code. If human remains are determined to be those of a Native American or has reason to believe that they are those of a Native American, the Native American Heritage Commission shall be contacted, and the procedures outlined in California Environmental Quality Act (CEQA) Section 15064.5(e) shall be followed. **EIR**

Commercial Development

*For additional policies related to commercial land uses, see **Chapter 4: Land Use**, policy topic area **Commercial**.*

Policy CDES-14 Encourage the incorporation of publicly accessible spaces, such as plazas or squares, into new commercial developments.

Action Item CDES-14a Review and revise zoning and other City regulations, as needed, to ensure nonresidential development allows for small plazas, civic spaces, and other gathering places available to the public to help meet recreational demands. **PP**

Policy CDES-15 Locate parking areas within commercial projects in a manner that promotes pedestrian activity, connectivity, and amenities. Commercial loading areas and passenger drop-off and pick-up areas should also be considered in commercial site design.

Pedestrian activity is primarily people walking (or running) from one place to another. Good pedestrian design, however, will elevate pedestrian access and safety to be considered at least equally to non-pedestrian activities and create opportunities for people to spend time in a place while not on the move. This includes amenities such as benches and outdoor seating areas.

Policy CDES-16 Locate parking areas within commercial projects in a manner that promotes pedestrian activity. **EIR**

Policy CDES-17 Design off-street loading facilities at commercial establishments so that they are screened from public view and from adjacent residential properties.

Policy CDES-18 New commercial projects are designed in such a way that they enhance Fowler's character. **EIR**

Building and site design can have varying impacts on the ways people interact with the space, both positive and negative. Maximizing positive effects from building and site design will serve to enhance Fowler's character. Parking should not obstruct non-drivers from reaching building entrances. Buildings should have inviting façades that allow people to see inside.

Action Item CDES-18a Adopt commercial standards in consideration of the following design principles:

- Commercial sites are designed with human scale and pedestrian amenities.
- Landscaping is used to unify and improve the visual quality of commercial sites.
- Where appropriate, commercial development should be oriented along the street edges of new commercial sites, at street corners, or along main roadways internal to larger developments.
- Encourage the use of shared parking amongst various commercial and office uses where possible. Minimize required off-street parking.
- Ensure that commercial buildings incorporate ground floor transparency when appropriate.
- Encourage architectural elements that contribute to the visual quality and existing context of new commercial development, such as varied massing and roof types, articulating building façades, and a variety of cohesive building materials and color schemes. **EIR**

Policy CDES-19 Require commercial projects to provide transitions when new or expanded commercial development is proposed adjacent to planned or zoned residential areas. **PP**

Transitions between commercial and residential areas require architectural features that ensure site design compatibility between the uses. Transition features may include building setbacks, height limitations, lighting, masonry walls, or landscaping.

Action Item CDES-19a Review and revise, as needed, the Zoning Ordinance to integrate compatibility standards for commercial development adjacent to residential and other sensitive users. Such compatibility standards shall address, at a minimum, increased building setbacks, enhanced landscaping, lighting standards, masonry wall requirements, and/or loading or operational limitations.

Policy CDES-20 A minimum of 10% of the total surface area of all commercial developments shall be landscaped. [PP](#)

Action Item CDES-20a Review and revise, as needed, landscaping standards for commercial developments.

Industrial Development

*For additional policies related to industrial land uses, see **Chapter 4: Land Use**, policy topic area **Industrial**.*

Policy CDES-21 Industrial development should contribute to the aesthetic quality of the city, including consistency with public improvement and frontage requirements in other designations.

Action Item CDES-21a Review and amend, as needed, the zoning ordinance to establish minimum development standards for industrial development, including minimum landscape setbacks, sign standards, lighting standards, and screening standards, as appropriate.

Action Item CDES-21b Review and revised, as needed, public works standards to require sidewalks and street trees, as appropriate, within the public right-of-way. Additional standards addressing driveway consolidations may also be addressed, as appropriate.

Policy CDES-22 Design off-street loading facilities at industrial establishments so they are screened from public view and adjacent residential properties.

Policy CDES-23 New industrial buildings are designed in a way such that they enhance Fowler's character.

Action Item CDES-23a Adopt industrial standards in consideration of the following design principles:

- Exterior lighting should be integrated within the architectural design for industrial buildings. Light sources should not be visible and should be shielded to reflect down onto the ground and not into streets or neighboring property. Utility connections should be coordinated with architectural elements of the site and/or building so as not to be a visual nuisance. Utilities should be underground or screened from view from the street.
- Storage facilities should be screened and constructed to prevent visual clutter.
- Permanent outdoor storage should be screened by landscaping or materials compatible with the surrounding buildings' architecture.
- Varied architectural details should be applied to all façades exposed to public view. Blank end walls and long, monotonous façades shall be avoided. Treatments shall include architectural features, landscaping, or art elements that tie into the overall design theme.

Action Item CDES-23b Require industrial projects to provide transitions when new or expanded industrial development is proposed adjacent to planned or zoned residential areas. Review and revise the Zoning Ordinance, as needed, to integrate compatibility standards for industrial development adjacent to residential and other sensitive users. Such compatibility standards shall address increased building setbacks, enhanced landscaping, lighting standards, masonry wall requirements, and/or loading or operational limitations.

Action Item CDES-23c Map existing industrial and residential interface locations.

Residential and industrial interfaces exist wherever residential and industrial land uses are adjacent to each other. Because of the types of activities conducted as part of industrial land uses, there may be compatibility issues with nearby residential land uses which may be addressed or minimized through site design.

Residential Development

*For additional policies related to residential land uses, see **Chapter 4: Land Use**, policy topic area **Residential**.*

Policy CDES-24 New multifamily residential projects are designed in a way such they enhance Fowler's character.

Action Item CDES-24a Adopt multifamily residential standards in consideration of the following design principles:

- Building elevations and massing should be modulated to convey the characteristics of separate units. Long, unbroken building façades are discouraged. Building massing that incorporates a combination of one story and two-story elements with varied floor setbacks is encouraged.
- Reduce the visual impact of parking.
- Multifamily structures should be clustered to provide for maximum open space, when possible. **PP**
- Within multifamily projects, including mobile home parks, a minimum of 10% of the project site shall be developed with usable open space which could include swimming pools, green space, recreation trails, or parks. **PP**

Multifamily projects are required to provide open space for the use of residents. This may include private open space for each unit, such as a balcony or patio, or larger open space uses such as pools, trails, or playground equipment. These facilities are for the private use of project residents.

Policy CDES-25 Multiple family developments shall be constructed to minimize potential compatibility issues when located adjacent to existing or planned single family housing types.

Action Item CDES-25a Review and revise the Zoning Ordinance, as needed, to address potential compatibility issues in consideration of the following design principles:

- When present, outdoor recreational areas, game courts, and pools on multi-family properties shall be oriented away from adjacent properties.
- Solid waste collection areas shall be screened and not visible from public streets.
- Parking and access drives should be separated from adjacent properties with a landscaped setback containing deciduous and evergreen trees. A 10-foot minimum transition is preferred but may be reduced at the City's discretion depending on site conditions. The transition may include such provisions as building setbacks, landscaping, and masonry wall requirements.
- Exterior light sources should not be directly visible and should be shielded to reflect down onto the ground and not into streets or neighboring property.
- Multi-story buildings abutting property planned low, medium low, or medium density or developed with existing single-family residences shall employ design techniques, such as second story step backs, to limit the view shed into neighboring single-family property. **PP**

Policy CDES-26 Single family residential projects shall be designed in a way such that they enhance Fowler's character.

Action Item CDES-26a Adopt single family residential standards in consideration of the following design principles:

- Avoid box-like structures through the articulation and modulation of building elevations, variation of rooflines, and features to create visual interest.
- Require architectural elements, such as entries, porches, and windows along all street facing façades.
- Encourage a blend of compatible architectural styles that contain varied façade detailing, rooflines, materials, and color schemes.
- Use varied front yard setbacks within single family residential projects, wherever possible, to provide visual interest to the street scene and provide an effective transition from the home to the street. Buildings should be arranged in a staggered and variable setback fashion to provide visual interest and to avoid a repetitive appearance. **PP**
- Require design transitions when new residential development is proposed adjoining existing residential development of a lower density.

Transitions may include common lot sizes, building setbacks, landscaping, or masonry wall requirements.

Policy CDES-27 Discourage direct access to collector streets from single-family residential properties except where physical circumstances do not allow other design solutions. **PP**

Action Item CDES-27a Establish direct access standards for single-family residential onto collector streets.

Such standards may include circular drive standards, increased lot width for new subdivisions, or increased visibility standards.

Parking

Policy CDES-28 Require parking areas of all commercial and industrial land uses that abut residential areas to be buffered and shielded by adequate landscaping. **PP**

Policy CDES-29 Off street parking shall be provided in a manner that is compatible the surrounding urban fabric. **PP**

Action Item CDES-29a Review and revise, as needed, the parking requirements for specific uses and/or areas, such as the downtown area, which may have different parking objectives when compared to other areas of the city. Parking requirements will facilitate shared parking and other strategies to reduce, to the extent appropriate, the area dedicated to off-street parking.

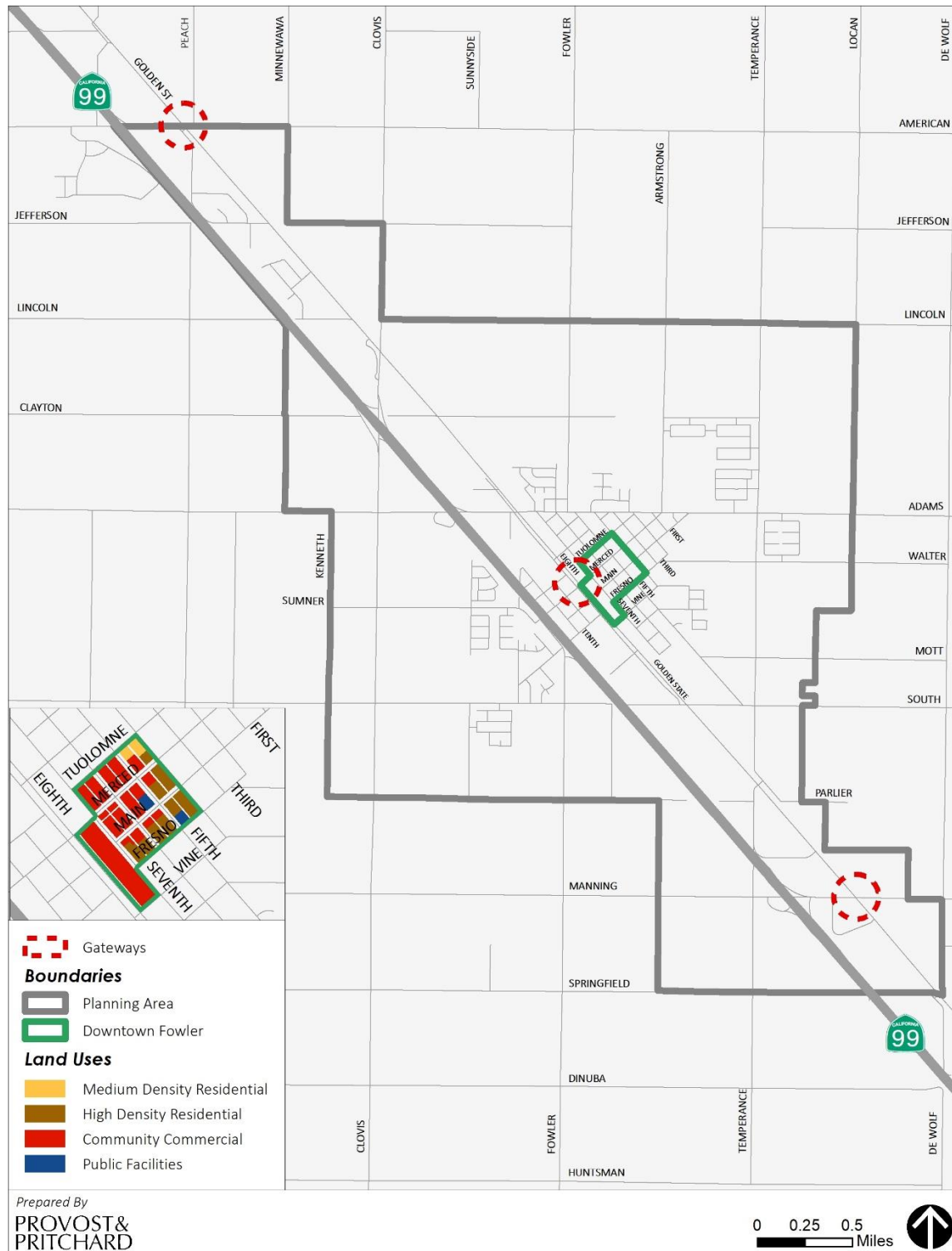
Action Item CDES-29b Review and revise, as needed, off-street parking requirements for residential projects that allow for flexibility in meeting such requirements and minimize the impact of off-street parking on site design. Off-street parking requirements may differ depending on location within the City and type and size of the project.

Policy CDES-30 Adjacent parking areas for large commercial and industrial developments should be designed to allow interconnection and flow of traffic between these facilities. Access easements and agreements should be obtained during the development process. **PP**

Policy CDES-31 Electric vehicle charging facilities shall be permitted in accordance with the most recent state regulations. **EIR**

Diagrams

Figure 5-1: Community Gateways and Downtown Area



Chapter 6:Housing

The Housing Element is contained under separate cover.

Chapter 7: Community Health and Equity

Overview

The community health and equity element promotes and supports healthy living in the City of Fowler and establishes goals and policies to enhance community health in areas where public health, social equity, and land use planning intersect. The development of the goals and policies in this element were informed by previous efforts, including the adoption of a Healthy Eating Active Living (HEAL) resolution adopted by the City. The intent of the HEAL resolution is to provide opportunities through land use planning and policies for access to healthy eating options and to increase physical activity options for residents. This element also addresses issues related to the impact of land use planning on disadvantaged communities, as required by Senate Bill (SB) 1000, the *Planning for Healthy Communities Act*. To inform

the goals and policies in this element and ensure they meet the intent of SB 1000, the City prepared an Environmental Justice Policy Paper, which is included as **Appendix A** to this General Plan. SB 244, the Planning for Disadvantaged Unincorporated Communities Act, requires cities and counties to also include data and an analysis of any unincorporated, fringe, island, or legacy communities within its planning area that are determined to be disadvantaged unincorporated communities (DUC). In 2020, the Fresno Local Agency Formation Commission (LAFCo) mapped DUCs in Fresno County and there were no DUCs identified within the General Plan planning area.

This element focuses on creating comfortable, convenient, and safe places for people to walk and bike both for exercise or as an alternative to driving for key destinations, such as schools, parks, or work. The goals and policies also encourage access to healthy food options and services such as healthcare and minimize exposure to air pollution and noise. Providing for safe and sanitary housing opportunities for all income levels in the City and encouraging community engagement across all segments of the community is also a focus of addressing community health and equity in Fowler.

Community Health and Equity Policy Topics

Policies contained in this element are organized into the following policy topic areas:

Active Living	42
Pollution Exposure and Air Quality	44
Access to Healthy Food	44
Safe and Sanitary Homes	45
Access to Public Facilities and Health Care	46
Civic Engagement	46
Noise	47

Goals

GOAL CH-1 Opportunities for physical activity, such as walking and biking, are integrated into the built environment. **PP**

- GOAL CH-2** Impacts from pollution are minimized through thoughtful and deliberate land use planning.
- GOAL CH-3** All members of the community have access to affordable and nutritious foods.
- GOAL CH-4** Public facilities are equitably distributed throughout the community.
- GOAL CH-5** All members of the community are afforded meaningful opportunities to engage in local decision making.
- GOAL CH-6** Excessive community noise exposure is limited.
- GOAL CH-7** Sensitive uses are protected from excessive noise and vibration.

Policies and Action Items

Active Living

The following policies recognize that for residents to participate in active transportation, the built environment must facilitate walking and biking as effective, easy, and comfortable options. As such, the policies below support planning for the creation of a city-wide network of active transportation facilities, land uses which facilitates non-motorized trips, and the establishment of pedestrian and bicycle facilities that are comfortable, safe, and well-designed.

*For additional policies related to transportation and mobility, including the provision of active transportation infrastructure, see **Chapter 9: Mobility**. For additional policies related to parks and trails, see **Chapter 8: Open Space**.*

- Policy CH-1** Implement an active transportation network that links residential uses with schools, shopping, entertainment, recreation, and employment centers. **EIR**
- Action Item CH-1a** Identify gaps in the existing pedestrian and bicycle network to inform capital improvements programming and grant funding opportunities. **EIR**
- Action Item CH-1b** Prioritize pedestrian and bicycle improvement projects that close gaps in the mobility network and those which link the east and west sides of the city. **EIR**
- Action Item CH-1c** Amend road design standards, as necessary, to include complete street design principles. **EIR**
- Action Item CH-1d** Develop and implement an Active Transportation Plan. **EIR**
- Action Item CH-1e** Pursue funding for the adoption of a Safe Routes to School Master Plan to assist in the planning and funding of bicycle and pedestrian infrastructure improvements along school routes. **EIR**

*Additional policies related to the active transportation network can be found in **Chapter 9: Mobility**.*

Policy CH-2 Promote walking and bicycling and reduce vehicle miles traveled by allowing complementary land uses in close proximity to one another. **EIR**

Action Item CH-2a Review and revise the Zoning Ordinance, as needed, to include complementary land uses within zoning districts. **EIR**

Examples include small scale commercial uses and parks in proximity to residential neighborhoods, residential uses in commercial districts, and allowing local-serving businesses, such as childcare centers, restaurants, banks, family medical offices, drug stores, and other similar services near employment centers.

Policy CH-3 Consider pedestrian and bicyclist safety and comfort in the design and development of streets, parks, and public spaces. **EIR**

When considering transportation mode choice, people will consider the utility, safety, comfort, and interest of a route. In order to encourage walking and bicycling in Fowler, pedestrian and bicycle facilities need to create a safe, pleasant environment for those active transportation modes.

Action Item CH-3a Conduct a visual quality assessment of bicycle and pedestrian facilities to determine the efficacy of existing active transportation improvements and to help prioritize future improvements. **EIR**

A visual quality assessment involves the review of existing facilities through either on-site evaluation or analysis of recent, high-quality aerial imagery. The assessment examines the apparent condition of facilities and how they function as part of the complete network.

Action Item CH-3b Require street lighting within the rights-of-way of all public streets. **PP**
EIR

Policy CH-4 Require street trees or other shade coverage along key pedestrian and bicycle routes and near transit stops. **EIR**

Action Item CH-4a Establish street design standards for each land use zone and require street trees of “medium” size or larger in commercial, residential, and mixed-use zones. **EIR**

Medium-sized trees are generally considered to include species that ultimately reach a canopy size of approximately 20 to 40 feet in diameter.

Policy CH-5 Establish lighting standards that limit public lighting to produce a warm color temperature that protects circadian rhythms.

Pollution Exposure and Air Quality

Policy CH-6 Evaluate land use decisions for consistency with siting recommendations as outlined in California Air Resources Board's (CARB's) Land Use Compatibility Handbook. **EIR**

Policy CH-7 Consider the use of solid and vegetative barriers as a means for reducing near-roadway air pollution concentrations along SR 99 and local expressways. **EIR**

Action Item CH-7a Create standards for vegetative barriers that increase vegetation density and height, reduce gaps, and facilitate maximum pollution dispersion.

Policy CH-8 Reduce exposure to secondhand smoke.

Action Item CH-8a Initiate and enforce tobacco control laws that aim to address underage tobacco sales and smoke-free home and workplace laws.

California law already prohibits smoking in building entryways; in cars when a minor is present; and at playgrounds/tot lots, workplaces, bars, restaurants, and daycares.

Action Item CH-8b Establish licensing and advertising fees related to tobacco sales and advertising.

Action Item CH-8c Continue to enforce smoking bans on public property, government buildings, and public parks.

Action Item CH-8d Adopt local ordinances which ban smoking in outdoor dining areas, within 30 feet of unenclosed waiting areas, within 30 feet of enclosed areas where smoking is prohibited, in hotel rooms, in retail stores dealing exclusively in the sale of tobacco and smoking paraphernalia, and in unenclosed places of employment.

Access to Healthy Food

Healthy foods are typically considered to be fresh fruits, vegetables, and other foods that are limited in saturated fats, sodium, and added sugars. Ensuring access to healthy foods improves overall opportunities for healthy living, which is consistent with the goals of the HEAL Resolution passed by the City Council and the objectives of SB 1000.

Policy CH-9 Facilitate the siting of new grocery stores, and other retailers carrying grocery items, to increase access to healthy food, including fresh fruits and vegetables. **PP**

Action Item CH-9a Review and revise zoning regulations, as needed, to increase opportunities for access to grocery stores and healthy foods wherever possible. **PP**

Policy LU-19 discusses the facilitation of neighborhood-serving uses, including grocery stores and other food retailers.

Policy CH-10 Prioritize the development of healthy food outlets in economic development efforts.

Policy CH-11 Encourage farmers' markets as a means of providing fresh fruit and vegetables to the community. **PP**

Action Item CH-11a Review and revise the Zoning Ordinance and other City regulations, as needed, to allow licensed farmers' markets as a permitted use in public parks, plazas, and other appropriate locations. **PP**

Action Item CH-11b Increase support for farmers' markets through partnerships with other public agencies and private institutions.

Examples may include the Fowler Unified School District, neighborhood groups, senior centers, businesses, and agricultural organizations.

Policy CH-12 Support the creation of a community garden program to improve nutrition, physical activity, community engagement, and economic vitality.

*Community gardens are spaces within the community to grow flowers, fruits, or vegetables. A community garden may be a stand-alone use or combined with a primary use, such as a school, hospital, or residential use. Additional policies in the **Agricultural Resources** policy topic of **Chapter 11: Community Resiliency and Safety** also support additional types of urban agriculture.*

Action Item CH-12a Identify existing and potential community garden sites on public property, including parks, recreation and senior centers, public easements and rights-of-way, and surplus property.

Action Item CH-12b Review and revise zoning and other City regulations, as needed, to allow community gardens as a permitted use in appropriate locations, including parks, commercial, public facility, and residential districts.

Action Item CH-12c Create standards for community gardens which identify appropriate use of land, necessary water service considerations, site design, fencing and screening, and requirements for oversight.

Safe and Sanitary Homes

*For additional policies related to housing in Fowler, please see the **Housing Element** (under separate cover). For additional policies related to reduction of exposure to secondhand smoke, see policy topic area **Pollution Exposure and Air Quality** contained in this chapter.*

Policy CH-13 Increase awareness of warning signs for the presence of toxic substances related to aging housing stock. **EIR**

Action Item CH-13a Distribute informational materials on the warning signs of toxic substances through the Building Department. **EIR**

Policy CH-14 Encourage the construction of housing that can accommodate larger and multi-generational households.

Action Item CH-14a Review and revise the Zoning Ordinance and other City regulations, as needed, to allow for multi-generational homes, accessory dwelling units, and other housing types that may accommodate larger households and potentially reduce overcrowding.

Policy CH-15 Increase awareness of and participation in affordable housing programs and programs that assist in off-setting other living costs such as food and transportation.

Action Item CH-15a Coordinate with Fresno County Housing Authority and Department of Public Health to distribute informational materials on affordable housing programs and other, similar opportunities.

Policy CH-16 Support the reduction of secondhand smoke exposure in residential properties.

Action Item CH-16a Coordinate with Fresno County Department of Public Health to distribute informational materials on the dangers of secondhand smoke exposure and methods to limit exposure.

Access to Public Facilities and Health Care

Policy CH-17 In order to promote equitable access to government/public facilities, consider additional and/or alternative locations for cooling centers beyond traditional government buildings.

*See **Policy SAF-7** encouraging the installation and upgrade of HVAC systems at residences, providing a greater ability for residents to not rely on cooling centers during extreme heat days.*

Policy CH-18 Continue to ensure the equitable location of public facilities, such as libraries and daycare centers.

Policy CH-19 Support the development of additional healthcare facilities, including urgent care and 24-hour healthcare facilities.

Civic Engagement

Policy CH-20 Ensure language accessibility for public government meetings.

Action Item CH-20a Upon request, provide translation services for in-person and virtual public meetings to ensure information is provided in a way that supports broad community participation. Translation services should be made available in a variety of languages most applicable to the community, which may change over time.

Policy CH-21 Maximize the use of technology to provide remote access to public meetings and hearings.

Policy CH-22 Create accessible opportunities for all people regardless of race, color, national origin, or income to engage in the decision-making process.

Action Item CH-22a Consider alternative schedules, venues, and formats for public meetings to facilitate maximum participation.

Policy CH-23 Actively recruit diverse representation on City boards, commissions, and advisory committees that directly contribute to City decision-making.

Policy CH-24 Encourage the collaboration between City departments and interested organizations, service districts, and schools.

Noise

There are health effects of excessive noise exposure, especially for exposure in the long term. These health effects include increased stress, anxiety, and depression; high blood pressure; and heart disease. Excessive noise may cause further health effects when it results in a lack of sleep.

Noise itself is not problematic but rather that excess noise is harmful. Noise may be inherent to a land use, such as noise from farming activities in agricultural areas, or even a desirable, such as conversation, music, and activity in downtown areas.

Noise is measured in decibels (dB) as a unit used to express the relative intensity of a sound. The A-weighted scale (dBA) for measuring sound in decibels adjusts the effects of low and high frequencies to simulate human hearing.

Noise Standards

Policy CH-25 New development of the land uses listed in **Table 7-1** shall be located, designed, and operated in such a way that external noise levels from stationary noise sources do not exceed the maximum identified. Noise levels shall be measured immediately within the property line of the affected land use. Where two land uses meet, the more restrictive standard shall be used. **EIR**

Table 7-1: Noise Standards

Land Use	Noise Level
Residential	Daytime: 60 dBA Nighttime: 50 dBA
Mixed Use	Daytime: 65 dBA Nighttime: 60 dBA
Commercial	Daytime: 65 dBA Nighttime: 60 dBA
Public Facilities (schools, libraries, churches, and parks)	Daytime: 60 dBA Nighttime: 55 dBA
Industrial	Daytime: 70 dBA Nighttime: 70 dBA

Daytime is from 7:00 AM to 10:00 PM while nighttime is from 10:00 PM to 7:00 AM. Does not apply to railroad operations, motor vehicles, or agricultural equipment.

Action Item CH-25a Require an acoustical analysis as part of the environmental review process when uses are proposed within the contour lines as shown on **Figure 7-1** that exceed the exterior noise levels identified in **Table 7-1**. **EIR**

Action Item CH-25b Require an acoustical analysis as part of the environmental review process when a proposed use is likely to exceed the permitted exterior noise levels identified in **Table 7-1**. **EIR**

Action Item CH-25c Temporary uses such as live music events, festivals, or markets that are considered short-term or intermittent may exceed maximum noise levels but shall incorporate noise reduction measures to the extent feasible. **EIR**

Action Item CH-25d Review and revise, as necessary, the Municipal Code to reflect the noise standards contained in this chapter. **EIR**

*Stationary noise sources typically refer to buildings or uses that generate noise at a specific location. The most common stationary noise sources include industrial operations, entertainment uses such as music venues, and some commercial uses that may use noise-generating equipment on site. Stationary noise sources do not include noise generated from moving vehicles or other transitory sound generators, which are considered mobile noise sources. Mobile noise source thresholds and standards are discussed in policies **Policy CH-26** and **Policy CH-27**. Additionally, the policies contained in the **Reduction Strategies and Construction Noise** policy topic areas apply to both stationary and mobile noise sources.*

Policy CH-26 New development shall be designed and operated in such a way that interior noise levels from both stationary and mobile noise sources do not exceed 45 dBA Ldn for adjacent residential uses or other uses where people normally sleep and 45 dBA Leq at peak hour for adjacent office, school, church, or similar use. **PP EIR**

Ldn represents the day-night average sound and averages the sound level over a 24-hour period. An additional 10 dB is added between the hours of 10:00 PM and 7:00 AM to reflect the impact of noise at night.

Leq represents the equivalent continuous sound level and provides a single value which accounts for the total sound energy over a specified period of time.

Policy CH-27 New uses increasing stationary and/or mobile noise levels shall be subject to the following thresholds for CEQA significance: **EIR**

- Where existing ambient noise levels are less than 60 dB, an increase of 5 dB or more, measured at the outdoor activity area of a noise-sensitive use, shall be considered significant;
- Where existing ambient noise levels are between 60 and 65 dB, an increase of 3 dB or more, measured at the outdoor activity area of a noise-sensitive use, shall be considered significant;

- Where existing ambient noise levels are greater than 65 dB, an increase of 1.5 dB or more, measured at the outdoor activity area of a noise-sensitive use, shall be considered significant.

Noise-sensitive land uses are generally considered to include those uses that would result in noise exposure that could cause health-related risks to individuals. Places where quiet is essential are also considered noise-sensitive uses. Noise-sensitive land uses within the City of Fowler consist predominantly of residential land uses. Other noise-sensitive land uses include schools, places of worship, and parks.

Reduction Strategies

Policy CH-28 Require noise generators to provide increased setbacks, walls, landscaped berms, other sound-absorbing barriers, or a combination thereof to prevent excessive noise exposure and reduce noise levels to acceptable levels, as needed. **PP EIR**

Policy CH-29 Require noise reduction methods along major roadways in order to protect adjacent, noise-sensitive land uses against excessive noise. Noise reduction methods shall include design strategies, including setbacks, landscaped berms, and other sound-absorbing barriers, when possible, in lieu of sound walls, to mitigate noise impacts and enhance aesthetics. Sound walls may also be appropriate noise-reduction strategies. **PP EIR**

Policy CH-30 When sound walls are proposed, encourage a combination of berms and/or landscaping and walls to produce a more visually pleasing streetscape. **EIR**

Policy CH-31 Require roof-mounted and detached mechanical equipment to be acoustically buffered when adjacent to residential uses to prevent equipment noise in excess of 55 dBA as measured at the nearest residential property line. **PP EIR**

Policy CH-32 Purchase City vehicles and equipment with low noise generation. Maintain City vehicles to minimize noise. **PP EIR**

Action Item CH-32a Consider City vehicles and equipment as part of the Capital Improvement Program (CIP) process. **EIR**

Construction Noise

Policy CH-33 Transportation and City infrastructure construction shall not be subject to typical noise standards so long as construction occurs between the hours of 7 AM and 7 PM, Monday through Friday, or between 8 AM and 5 PM on weekends and federal holidays. Construction may occur outside of these times if completing the work within these time frames is deemed infeasible. **EIR**

Policy CH-34 The City shall require an assessment of construction noise impacts on nearby noise-sensitive land uses and associated activities to minimize those impacts as part of the discretionary review process. **EIR**

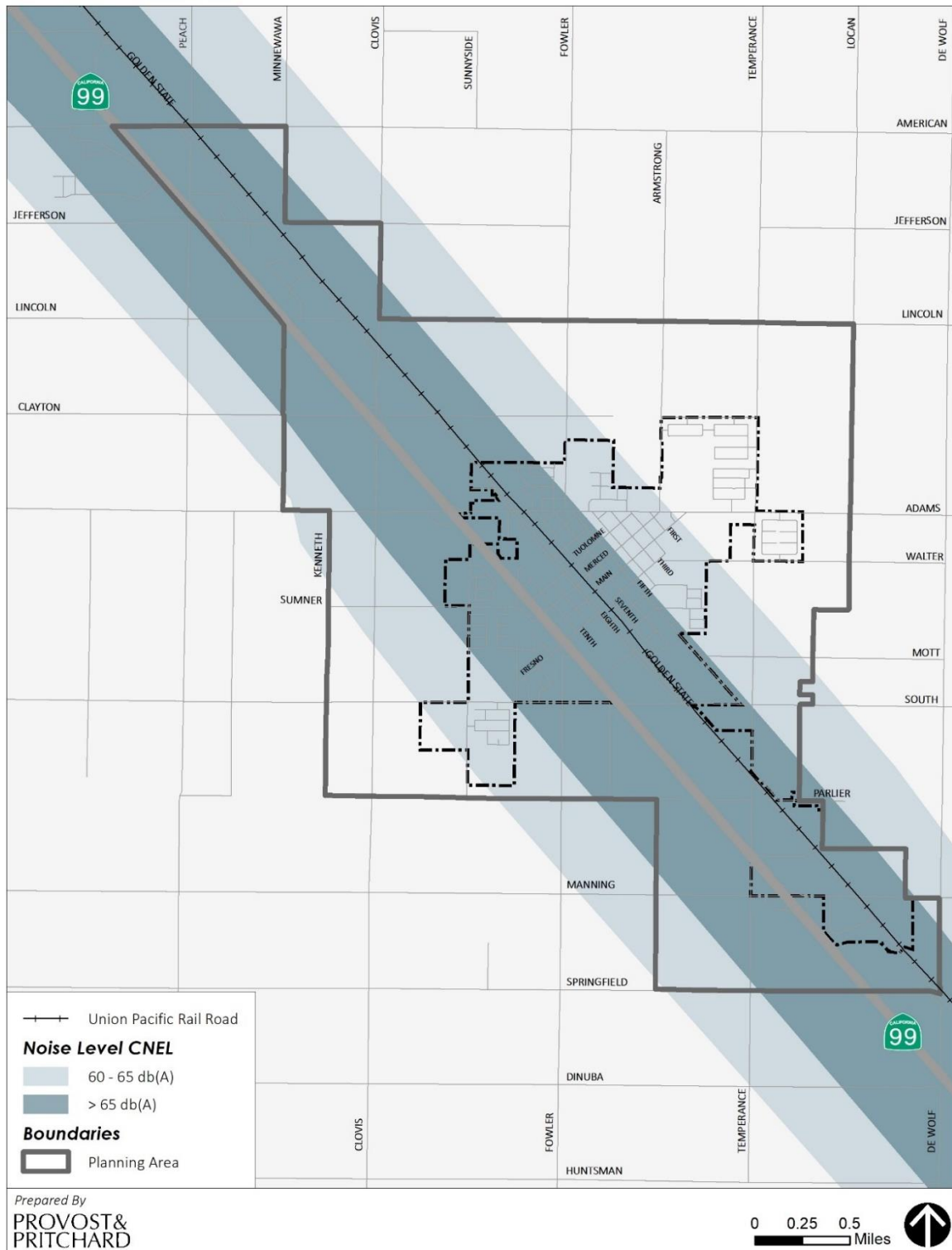
Policy CH-35 Require construction projects anticipated to generate a significant amount of vibration to ensure acceptable interior vibration levels at nearby residential and commercial uses based on current City or Federal Transit Administration (FTA) criteria. **PP EIR**

Vibration Standards

Policy CH-36 The City may require a project-specific vibration impact assessment and associated impact reduction measures for projects involving the use of major vibration-generating equipment which could result in vibration levels in excess of 0.2 in/sec peak particle velocity (PPV). **EIR**

Diagrams

Figure 7-1: Projected Noise Contours



Chapter 8: Open Space

Overview

The open space element is focused on the provision of and maintenance of open spaces within the City of Fowler. This element addresses not only park space and trails, but also use of community centers and other multipurpose facilities. It includes policies that address the provision of these facilities to ensure that they are being provided at levels that support growth and development and are being adequately maintained.

Park and Open Space

The City of Fowler has established a standard of providing three acres of park space for every 1,000 residents, which includes two acres per 1,000 residents for neighborhood parks and one acre per 1,000 residents for community parks. Both existing park space and planned park space is shown on **Figure 8-1: Park Facilities**. In addition to the park spaces shown on **Figure 8-1**, the City requires that five percent of all single-family residential projects be developed as usable open space. Development as usable open space, including neighborhood trails, as part of residential developments ensures that park space is distributed throughout the community as projects develop.

Open Space Policy Topics

Policies contained in this element are organized into the following policy topic areas:

Parks Planning	53
Open Space Requirements for New Development	54
Park Siting	55
Trails and Connectivity	55
Joint Facilities	56
Park Funding	57
Trees and Urban Forestry	57

Trails

An integral part of this open space element is to provide access to park spaces developed within the community. This element establishes a community trail network as shown in **Figure 8-2: Trail Facilities**, which includes a community trail alignment that extends throughout the planning area as well as community trail connectors intended to provide for additional access points to the trail network.

Goals

- GOAL OS-1** Open space areas form a connected network, linking Fowler’s residential neighborhoods to passive and active recreation opportunities. **PP**
- GOAL OS-2** Open space areas enhance community livability, provide opportunities for improved public health, and are equitably distributed throughout the City. **PP**
- GOAL OS-3** Recreational programming and facilities meet the needs of community members of all ages and abilities.

GOAL OS-4 Open space acquisition, development, programming, and maintenance is adequately and reliably funded. **PP**

GOAL OS-5 Improve quality of life and environmental resilience through the development and maintenance of the City's urban forest. **PP**

Policies and Action Items

*Fowler's open space network consists of its park and trail facilities. Existing facilities vary in size from approximately one half to six acres. Additional park space includes the 0.1-acre Veteran's Plaza. In addition to parks, the City of Fowler operates the Edwin Blayney Senior Center. These joint use facilities are primarily used for youth sports and community recreation. For planning purposes, the City of Fowler defines the types of park facilities and target service levels, as shown in **Table 8-1**. Existing and planned park facilities are shown in **Figure 8-1: Park Facilities**. Planned community trail facilities are shown in **Figure 8-2: Trail Facilities**.*

Parks Planning

Policy OS-1 Parks shall be developed according to the park classifications, access radii, and service level requirements outlined in **Table 8-1**. **PP EIR**

Table 8-1: Park Classifications and Service Level Requirements

Park Type	Description	Access Radius	Service Level/Residents
Community Plaza	Community Plazas provide opportunities for public gathering or social events within an urban context. There is no size requirement for public plazas.	n/a	n/a
Neighborhood Park	Neighborhood parks may be up to 2 acres in size and provide both passive and active open space within the community and within residential subdivisions when dedicated for public use.	0.25 Miles	2.0 per 1,000
Community Park	Community parks range in size from just over 2 acres to 25 acres and provide amenities for multiple age groups and opportunities for passive and active recreation.	0.5 Miles	1.0 per 1,000

Policy OS-2 The City shall develop and maintain an open space network that provides both passive and active recreation opportunities. **PP**

Passive recreation activities are commonly undertaken for leisure, such as picnicking, bird watching, and walks. Site amenities for passive recreation activities may include picnic tables, paved paths, pathways, benches, tot lots, and rest rooms. Active recreation activities typically involve a higher level of physical exertion and development and may include activities such as running, basketball, volleyball, swimming, and other active sports.

Action Item OS-2a Develop and implement a Parks and Trails Master Plan. The master plan shall consider the following:

- The recreational needs of the community, including special user groups, such as young families, the disabled, and seniors, and address these in the design and development of park and trail facilities. **PP**
- Service area coverage and connectivity gaps in the open space network to identify underserved portions of the community.
- The state of existing parks to determine current condition, ongoing level of maintenance, and safety.

Open Space Requirements for New Development

For policies related to open space requirements for multifamily and non-residential development, see Chapter 5: Community Design.

Policy OS-3 Within single family residential projects, whether attached or detached, a minimum of 5% of the project site, not inclusive of existing or future major road rights-of-way, shall be developed with usable open space. Such open space shall be maintained by an assessment district, landscape/lighting district, homeowners' association, or other appropriate maintenance entity. **PP EIR**

Action Item OS-3a Adopt standards that establish minimum requirements for open space areas to qualify as usable for purposes of meeting the 5% usable open space requirement. Such standards shall require a minimum of a one-half acre park site. The remaining acreage needed to satisfy the 5% usable open space requirement may be made up of neighborhood trails or other usable open space areas meeting the minimum established requirements. In instances where 5% of a project site's acreage, exclusive of rights of way, results in less than one-half acre, the park site for that project site may be constructed equal to the minimum acreage required to comply with 5% standard. **EIR**

Action Item OS-3b Review and revise, as needed, the Zoning Ordinances for consistency with the 5% open space requirement for single family residential projects.

Policy OS-4 Usable open space areas, as required in **Policy OS-3**, may fulfill the requirements for parkland dedication, per the City's Quimby Ordinance. To qualify, such land shall be dedicated to the City and meet the minimum established requirements for usable open space. **EIR**

Policy OS-5 Developers may elect to construct the usable open space as required in **Policy OS-3**, or the parkland required for dedication per the City's Quimby Ordinance. Upon construction, dedication, and acceptance of such improvements by the City, a credit of up to 50% against payment of the park development impact fee, as required by **Policy OS-**

18, may be allowed and should be based on the actual cost of construction of the usable open space.

Policy OS-6 When a site or portion thereof designated as Parks and Open Space, as shown on *Figure 4-1: Land Use Diagram*, is located within the boundaries of a subdivision map or other discretionary planning permit project site, the City may require the applicant to dedicate the park site, prepare plans for development of the park site, and construct the park site within the limits of the project site. Such park sites dedicated to the City may be counted toward the 5% open space required by *Policy OS-3*, and the parkland dedication requirement per the City's Quimby Ordinance.

Park Siting

Policy OS-7 When siting park space within a subdivision project, it should be located with an emphasis on equitable distribution within the overall project site and consistent with the access standards identified in *Table 8-1*. When park space is not sited accordingly, neighborhood trails shall be integrated into the project design to ensure adequate access to the park space from areas beyond the limits of the project is provided.

Policy OS-8 Locations for planned park sites, as shown on *Figure 4-1: Land Use Diagram* are schematic and may be located on any suitable land in the general vicinity of the planned park location that maintains an equitable distribution of community park space throughout the City and is consistent with the access standards identified in *Table 8-1*. In the event parks are not constructed in the locations planned on the Land Use Diagram, the underlying land use designation shown on *Figure 4-2: Dual Designation Diagram* shall apply. PP

Trails and Connectivity

Policy OS-9 Trails shall be planned and constructed according to the classifications found in *Table 8-2: Trail Facilities*.

Table 8-2: Trail Facilities

Trail Type	Description
Neighborhood Trail	Provides for linkages from neighborhood parks to the surrounding mobility and open space network, including to the community trail or community trail connectors.
Community Trail	Provides a dedicated City-wide trail system. The community trail is separate from road rights-of-way and provides for active transportation and recreational opportunities and links all segments of the City. The portion of the community trail along Golden State also functions as a regional trail, with connections planned to other jurisdictions in the region.
Community Trail Connector	Typically integrated into road rights-of-way, the community trail connector is programmed in areas that are either already developed or in areas that are too constrained to offer a separate, dedicated community trail. The purpose of the community trail connector is to provide a continuous path of travel connecting larger segments of the community trail system. Community trail connectors are primarily distinguished through the use of wayfinding measures or visual cues. Visual cues may include pavement or concrete treatments, lighting, bollards, landscaping, or similar design features.

Policy OS-10 The City shall implement the community trail network as shown *Figure 8-2: Trail Facilities*. **EIR**

Action Item OS-10a Develop and adopt community trail and community trail connector design standards as shown in *Figure 8-2: Trail Facilities*.

*The design standards developed for the community trail and community trail connector shall be integrated into the Parks and Trails Master Plan identified under **Action Item OS-2a**.*

Action Item OS-10b Update the Development Impact Fee Study for the park development impact fee to include the community trail network.

Policy OS-11 Neighborhood trails should be planned as part of a connected, City-wide open space network which connects neighborhoods, parks, community trails, and other destinations including the downtown and shopping districts. **EIR**

Policy OS-12 Placement of neighborhood trails should be constructed along the most direct alignment possible to close network gaps in the trail system. Neighborhood trails may be required to be constructed as part a new development in order to accommodate that connection. **EIR**

Policy OS-13 When a site designated for a segment of the community trail is located within the boundaries of a subdivision map or the project site for other discretionary planning permits, the City may require the applicant to dedicate the trail area, prepare plans, and construct the trail. The planning, design, and construction of the community trail is in addition to other open space dedication and funding requirements, as detailed in *Policy OS-18* and *Policy OS-3*. However, the cost to construct the community trail may be reimbursed, consistent with City standards and procedures.

Joint Facilities

Policy OS-14 Continue cooperative efforts with the Fowler Unified School District for park and recreational facilities. **PP**

Policy OS-15 Support the use of multipurpose open space by collocating public facilities with park and trail facilities. **PP**

Policy OS-16 Ensure that community centers provide sufficient space to conduct civic meetings, recreational programs, and social activities to meet the needs of residents. The City should aim to meet the standard of one meeting room per 7,500 residents. Community centers should serve the needs of seniors; families with children; and teens. Locate a new Community Center within or adjacent to parks or downtown. **PP**

Park Funding

Policy OS-17 The City shall use a broad range of funding and economic development tools to ensure high quality development, maintenance, and programming of the City parks, trails, and recreation system. **PP EIR**

Funding and economic development tools may include exploring grant opportunities or establishing sponsorship opportunities, such “adopt-a-park” programs.

Policy OS-18 All residential projects shall be subject to the payment of park development impact fees, as adopted by resolution of the City Council. Payment of these development impact fees shall be in addition to any parkland dedication or in-lieu fee payment requirements in accordance with Fowler’s adopted Quimby Act Ordinance, as applicable, except as provided for in **Policy OS-6**. **EIR**

Trees and Urban Forestry

Urban forests are tree populations in urban settings for the benefit of the environment, such as improving air quality. Tree populations also increase the shade canopy which can have a co-benefit of supporting the use of active transportation facilities.

Policy OS-19 Promote the City’s urban forest as a contributor to the local environment and community aesthetics.

Action Item OS-19a Pursue the establishment of the City of Fowler as a Tree City USA community.

Tree City USA is a nationwide program that provides the framework necessary for communities to manage and expand their public trees. Receiving a designation as a Tree City USA signals a commitment to maintaining the urban forest and can often increase competitiveness for grant opportunities.

Policy OS-20 Require the planting of shade trees with substantial canopies within private development.

Action Item OS-20a Ensure adopted design standards require shading requirements for industrial, commercial, and residential development to minimize the urban heat island effect. **PP**

The urban heat island effect occurs in areas with structures such as buildings, roads, and other infrastructure improvements that absorb and re-emit the sun’s heat more than in natural landscapes. Developed areas, where these structures are concentrated and greenery is more limited, become “islands” of higher temperatures relative to outlying areas.

Action Item OS-20b Establish tree shading implementation standards, including identification of preferred tree species.

Policy OS-21 Maximize tree canopy coverage on public lands and open spaces through the planting of new trees and the management and care for existing trees.

Action Item OS-21a Pursue funding opportunities for the development of an Urban Forestry Management Plan.

Action Item OS-21b Review and revise public works standards as needed to accommodate street trees.

Policy OS-22 Consider opportunities to substantially increase tree canopy, enhance air quality, and provide a sense of scale along the Golden State Boulevard and State Route 99 corridors.

Sense of scale refers to the ways size of site components influence the experience of the site. Sense of scale depends on both the site design itself and the way people use the space. For example, a pedestrian experiences the scale of a street differently than someone operating a vehicle. Site design should reflect the appropriate scale for the intended use.

Action Item OS-22a Review and revise the standards in the Highway Beautification Overlay Zoning District.

Action Item OS-22b Develop design standards in support of the Golden State Boulevard Corridor Plan.

Policy OS-23 Provide adequate funding to manage and maintain the urban forest on City property, including tree planting, training, maintenance, removal, and replacement. **PP**

Policy OS-24 Require the retention of trees of significance (such as heritage trees) by promoting stewardship of such trees and ensuring that the design of development projects provides for the retention of these trees wherever possible. Where tree removal cannot be avoided, the City shall require tree replacement or suitable mitigation. **PP EIR**

A heritage tree is a tree with a trunk diameter of 30 inches or more in Diameter at Standard Height (DSH). Multi-trunked trees are considered heritage trees when the trunks have a combined DSH of 50 inches or more. DSH is the diameter of the tree trunk when measured 4.5 feet from the ground.

Action Item OS-24a Develop and implement a Tree Preservation Ordinance for the preservation of the City's urban forest, including heritage trees, on public and private property. **EIR**

Policy OS-25 Trees shall be planted within parking lots such that a minimum of 50% of the paved area is shaded by tree canopies within 10 years of planting. **PP**

Action Item OS-25a Adopt a parking lot shading standard to achieve compliance with the minimum shading requirement. Some exceptions may apply, such as for certain types of industrial developments. Such exceptions shall be specified in the shading policy.

*This parking lot shading standard shall be coordinated with **Action Item OS-20b**, which requires that adopted design standards require shading requirements for industrial, commercial, and residential development. Industrial loading docks are considered separately from the facility parking lot and are not subject to the same shading standard.*

Diagrams

Figure 8-1: Park Facilities

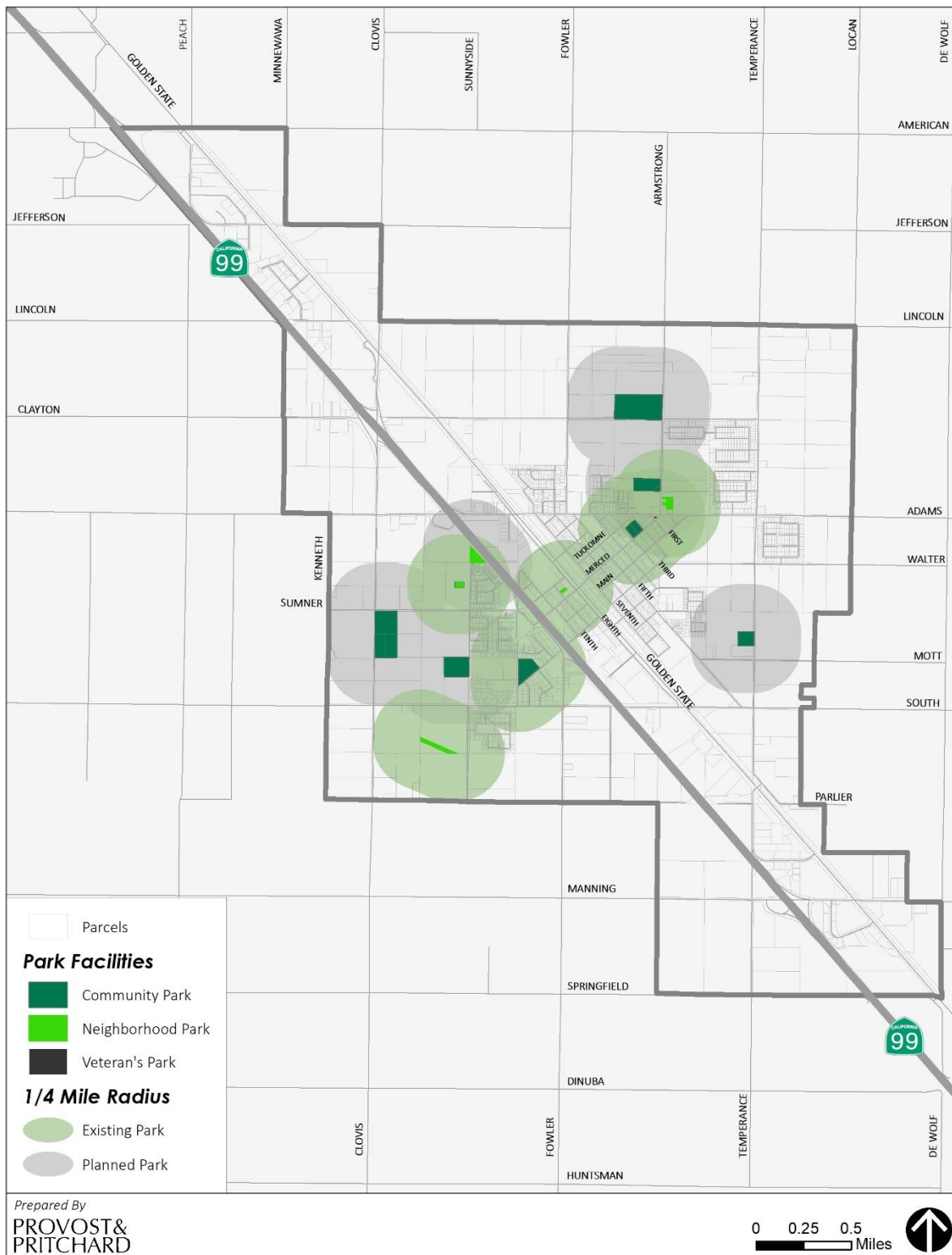
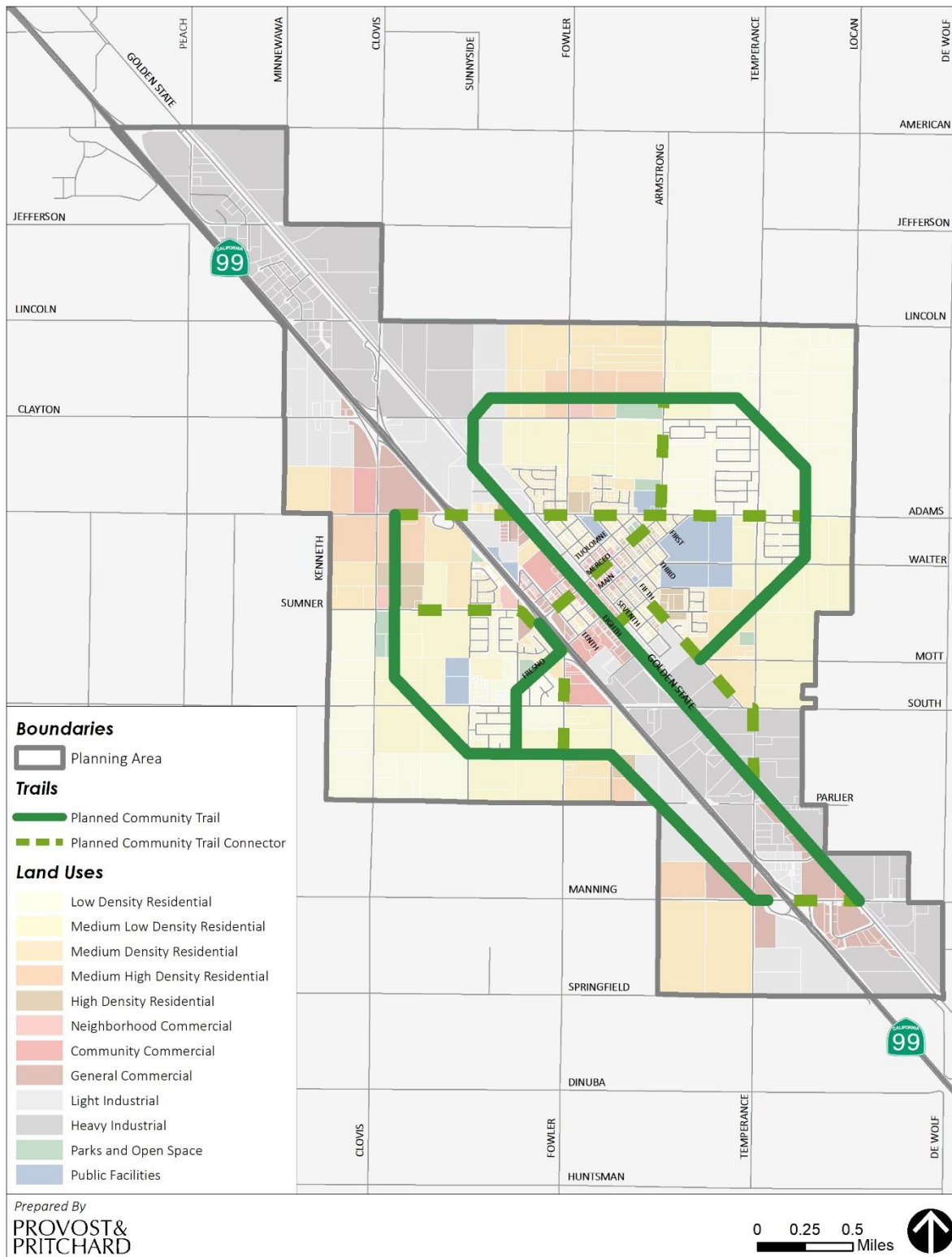


Figure 8-2: Trail Facilities



Chapter 9: Mobility

Overview

The mobility element's goals and policies guide the efficient movement of people and goods within the planning area, with a specific focus on improving mobility options. Mobility concerns all modes, or the how, of transportation that enable a person to move from point A to point B, such as walking, bicycling, driving, or taking public transportation. Along with modes, mobility also considers the purpose, or why, of a trip, such as getting to work or school, taking a trip to a commercial center or other neighborhood, delivering goods, or exercising by foot or bicycle. Planning a transportation system to for efficient mobility address both the how and why and provides for as many options as possible. The goals and policies specifically promotes the development of complete streets, which designs, builds, and maintains streets that enable safe access for everyone, including pedestrians, bicyclists, motorists, and transit riders of all ages and abilities.

Mobility Policy Topics

Policies contained in this element are organized into the following policy topic areas:

Circulation.....	63
Travel Management.....	65
Active Transportation Facilities	66
Public Transportation	67
Goods Movement and Truck Routes	68
Regional Coordination	69
Financing.....	69
Standards for Roadway Development and Access	70

Effective transportation planning for a city also calls for active coordination with the transportation planning of regional entities, which, for the City of Fowler, include the California Department of Transportation (Caltrans), the Fresno Council of Governments, and Fresno County. Either by their planning or operation, these entities play a role in serving or supporting the City's circulation network. Transportation planning also calls for consideration of investment in the City's infrastructure. The mobility element discusses options for financing infrastructure improvements, which facilitate and further the goals and policy of this element.

Circulation Diagram

This element establishes a hierarchy of roads, also known as a functional classification system, which groups streets into categories by service provided. There are five classifications established as described in **Table 9-1: Street Classifications and Descriptions**.

Table 9-1: Street Classifications and Descriptions

Street Type	Description
Freeway	Freeways carry regional traffic through the community with access only at interchanges with major streets.
Expressway	Expressways connect regional destinations on the non-freeway system and generally pass through several jurisdictions. Traffic carrying capacity is maintained through access control at 2-mile intervals.
Arterial	Arterials serve as the principal network for cross-town traffic flow. They connect areas of major traffic generation within the urban area and connect with important county roads and state highways. They also provide for the distribution and collection of through traffic to and from collector and local streets.
Collectors	Collectors provide for traffic movement between arterial and local streets, traffic movement within and between neighborhoods and major activity centers and limited direct access to abutting properties.
Local Streets	Two- to three-lane roadways designed to provide direct access to properties, while discouraging excessive speeds and volumes of motor vehicle travel incompatible with neighborhoods being served through the implementation of multiple, well connected routes and traffic calming measures.

The Circulation Diagram (**Figure 9-1**) shows where four of the five street classifications are planned within the City's planning area. More specific roadway design requirements and descriptions are provided for each classification as outlined in **Table 9-2**. The circulation network provides for the movement of people and goods and the Circulation Diagram has been designed to support existing and planned land uses. The Circulation Diagram is further augmented by **Figure 9-2**, which shows the designated truck routes within the planning area.

Goals

- Goal MOB-1** Fowler's streets are a safe and enjoyable environment for pedestrians, cyclists, motorists, and people of all ages and abilities.
- Goal MOB-2** The circulation system is safe, connected, and well-integrated with public transit and neighboring jurisdictions. **PP**
- Goal MOB-3** Goods movement throughout the planning area is efficient and safe. **PP**
- Goal MOB-4** The circulation system is adequately maintained. **PP**
- Goal MOB-5** Safe, well-designed, multi-modal connections exist across State Route 99, Golden State Boulevard, and the Union Pacific Railroad.

Policies and Action Items

Circulation

The City's circulation network provides for movement of people and goods. This network is correlated with existing and planned land uses. The two planning efforts work together to create a system of places and linkages which form the identity and framework of the community overall, with each one informing and shaping the other. It is required that the circulation and land use elements are consistent with one another. The following policies establish the overall and construction of the roadway network in Fowler.

For additional policies related to pedestrian and bicycle facilities, see **Chapter 7: Community Health and Equity**. For policies related to community and neighborhood trails, see **Chapter 8: Open Space**.

Policy MOB-1 Design and construct a multimodal circulation system as shown on *Figure 9-1: Circulation Diagram*. **EIR**

Action Item MOB-1a Establish and implement a Roadways Master Plan that addresses the following:

- Identification of design standards, and exceptions to those standards where deviations are appropriate, for the roadway network. Design standards should include pedestrian, bicycle, public transit, and vehicular accommodations to ensure the circulation network is designed for complete streets.
- Identification of Transportation System Management (TSM) and Transportation Demand Management (TDM) strategies for improving efficiencies in the circulation system for all modes of travel.
- Integration of a Vision Zero goal of reducing traffic fatalities and sever injuries to zero and adopting strategies to achieve this goal. **EIR**

Transportation System Management (TSM) is a set of strategies that focus on operational improvements that can maintain or maximize the performance of the existing transportation system before extra capacity is needed. Transportation Demand Management (TDM) is a set of strategies aimed at maximizing traveler choices, such as work location, route, time of travel, and mode.

Policy MOB-2 Streets are designated and planned according to the functional classifications listed in *Table 9-2*. **PP EIR**

Policy MOB-3 The right-of-way for arterials and collectors may be reduced to avoid disrupting existing development if the travel way generally meets the street classification design requirements listed in *Table 9-2*. **PP EIR**

Table 9-2: Roadway Design Requirements and Designations

Street Type	Design Requirements	Street Designation ^a	Right-of-Way
Freeway	Not applicable. The design of State Route (SR) 99 is within the jurisdiction of Caltrans.	SR 99	
Expressway	Expressways shall be developed with a minimum right-of-way of 100 feet, to include four to six travel lanes and access restricted to 2-mile intervals.	Temperance Avenue	100
Arterial	Arterials shall be developed with a minimum right-of-way of 80 feet, to include four travel lanes, parking, and a center median (either raised or painted). Traffic signals should be placed at no closer than ¼-mile intervals unless conditions warrant additional signalization to improve traffic flow. PP	American Avenue	84
		Fowler Avenue (west/south of HWY 99)	84
		Golden State Boulevard	150
		Manning Avenue	84
Collectors	Collectors are designed to have a 72- to 80-foot right-of-way width that allows four lanes undivided with parking, or two lanes with a two-way continuous left turn center lane.	5 th Street	80
		7 th Street	80
		8 th Street	80

Street Type	Design Requirements	Street Designation ^a	Right-of-Way
	Some Collectors in areas of heavy pedestrian use may deviate from these standards or utilize a narrower right-of-way to accommodate existing development patterns.	Armstrong Avenue	80
		Clayton Avenue	80
		Fowler Avenue (north of Adams)	80
	Traffic signals should be placed at no closer than ¼-mile intervals unless conditions warrant additional signalization to improve traffic flow. PP	Fresno Street	80
		Lincoln Avenue	80
		Merced Street	80
		South Avenue	80
		Sumner Avenue	80
		Walter Avenue	80
		Adams Avenue	80
		Temperance Avenue (south of SR 99)	80
Local Streets	Local streets shall have a minimum 60-foot right-of-way with two travel lanes and parking. Local streets may be reduced in width when it can be demonstrated that projected traffic flows can be accommodated. Local public streets should not be reduced to less than 32 feet between curbs.	The alignments of future local streets are typically not specified by the General Plan Circulation Diagram, but existing local streets may be depicted for informational purposes.	

^a Limits of applicability for each listed segment shall be determined by **Figure 9-1: Circulation Diagram**.

Policy MOB-4 Support the creation of a transportation network that provides for efficient movement of people and goods while accounting for environmental effects. **EIR**

Action Item MOB-4a Prepare guidelines for the evaluation of vehicle miles traveled. The guidelines should include significance criteria for evaluating impacts, thresholds of applicability for discretionary projects, and guidance on analyzing transportation impacts. **EIR**

Action Item MOB-4b Identify a range of actions available for developments to mitigate transportation impacts, specifically targeted at reducing vehicle miles traveled. **EIR**

A vehicle mile traveled (VMT) is a measure of one vehicle traveling on a roadway for one mile. VMT is measured by calculating the distance traveled by vehicles within a given region. Regardless of how many people are traveling in one vehicle, each vehicle traveling on a roadway generates one VMT for each mile it travels.

Travel Management

Travel management policies provide guidance on how people and automobiles move efficiently within the circulation network and improve the safety and performance of the roadways by establishing level of service thresholds, encourage effective transportation management systems, and prioritize operational improvements over physical improvements.

Policy MOB-5 Encourage a Level of Service (LOS) "C" throughout the local circulation network. LOS "D" may be allowed during peak hours at intersections of major streets, at State Route 99 interchanges, and along street segments where additional improvements are not feasible. LOS "D" may also be allowed along streets with the potential for a high level of pedestrian and bicyclist activity. LOS "E" may be permitted during peak hour use of

certain road intersections and segments where pedestrian and bicycle activity is prioritized. **PP EIR**

Areas in Fowler with a high potential for pedestrian and bicyclist activity may include streets within the downtown area or areas along connecting routes between residential uses and commercial areas, schools, or parks. These areas may shift over time as new development occurs and as new businesses and residents locate within the planning area.

Policy MOB-6 Use Intelligent Transportation Systems (ITS) to improve the safety and performance of the circulation network, consistent with the Fresno County ITS Strategic Plan. **PP EIR**

Intelligent Transportation Systems (ITA) are advanced information and telecommunications networks which aim to provide innovative services relating to different modes of transport and traffic management and enable users to be better informed and make safer decisions.

Policy MOB-7 Prioritize operational solutions over major structural improvements to existing roadways where feasible. **PP EIR**

Examples include signalization, use of directional signs or pavement markings, and diversion of traffic onto under-utilized streets.

Policy MOB-8 Explore opportunities for management and maintenance of traffic control facilities to fall under the City's jurisdiction. **EIR**

Active Transportation Facilities

Policies in this topic area of the Mobility Chapter address the provision of active transportation facilities resulting in physical changes or improvements to the circulation network. These policies support other elements of the General Plan by recognizing that for residents to effectively engage in active modes of transportation, there must be policies directing the development of active transportation facilities.

*For additional policies related to the planning and design of a connected city-wide active transportation network, community health, and active living through alternative modes of transportation, see **Chapter 7: Community Health and Equity**, under policy topic area **Active Living**. For additional policies related to the planning and implementation of a community trail network, see **Chapter 8: Open Space**.*

Policy MOB-9 New development may be required to provide off-site pedestrian and/or bicycle facilities to address gaps in the active transportation network. **PP EIR**

Policy MOB-10 Develop a multi-purpose recreational bikeway network and support facilities. **PP EIR**

Action Item MOB-10a Review and revise, as needed, the Zoning Ordinance to include provisions for short-term and long-term bicycle parking and storage facilities. **PP EIR**

Policy MOB-11 Ensure street and road projects are adequately designed to accommodate safe and convenient pedestrian and bicyclist access. **PP EIR**

Action Item MOB-11a Review and revise, as needed, public works standards to include pedestrian and bicycle safety features where appropriate. **EIR**

Examples include provisions for pedestrian and bicycle access like sidewalks, pedestrian signal indicators, bike lanes, bike boxes, and timing of traffic signals to allow safe pedestrian street crossing. Meandering sidewalks are discouraged. Special consideration should be given to the needs of children, seniors, and persons with disabilities.

Action Item MOB-11b Establish design standards to ensure the bikeway network is easily identifiable and consistent with standard signs and markings, as designated by the State of California Traffic Control Devices Committee and the State Bikeway Committee. **PP EIR**

Policy MOB-12 Require traffic calming techniques in the design of new local streets where such techniques will manage traffic flow and improve safety for pedestrian and bicyclist users. **PP EIR**

Traffic calming techniques are mainly physical measures that aim to reduce motor vehicle speeds, alter driver behavior, and improve conditions for non-motorized street users such as pedestrians and bicyclists. Such techniques may include but are not limited to narrow drive lanes, bulb-outs, raised crosswalks, or tighter corner turns.

Public Transportation

The Fresno County Rural Transit Agency (FCRTA) provides fixed-route bus services and on-demand transportation linking Fowler with the cities of Selma, Kingsburg, and Fresno. The nearest local passenger rail station is in the City of Fresno and provides Amtrak services terminating in Emeryville, Sacramento, Stockton, and Bakersfield. The following policies support the continued access and expansion of these services.

Policy MOB-13 Coordinate with Caltrans, Fresno Council of Governments (COG), Fresno County Rural Transit Agency (FCRTA), and other responsible agencies to identify the need for additional mobility infrastructure and/or services along major commuter travel corridors. **PP EIR**

Mobility infrastructure and services may include features such as park and ride facilities, on-call micro transit, or mobility as a service programs, among others. The intent of these facilities and services along commuter corridors is to provide connectivity from Fowler to neighboring centers of employment and regional transit hubs, such as nearby Amtrak stations.

Policy MOB-14 Identify opportunities for a multi-modal transit hub within the City. **PP EIR**

A multi-modal transit hub joins all modes of transportation - automobiles, public transit, bicycles, and pedestrians - into one convenient location to make it easier for travelers to use multiple modes of transportation and encouraging the use of alternative transportation modes.

Policy MOB-15 Support the development of paratransit service programs. **PP EIR**

Policy MOB-16 Support transit operator efforts to maximize return for short- and long-range transit needs. **PP EIR**

Action Item MOB-16a Actively participate in the development of short and long-range transit plans, including the Fresno County Long Range Transit Plan and transit plans prepared by the Fresno County Rural Transit Agency (FCRTA). **EIR**

The City may provide support through identifying funding mechanisms, including federal and state grants, partnering on grant applications, or supporting state enabling legislation.

Policy MOB-17 Incorporate the potential for public transit service expansion throughout the City. **PP EIR**

Action Item MOB-17a Review and revise, as needed, public works standards to incorporate design features to accommodate future public transit stops. **PP EIR**

Policy MOB-18 Improve route options and access for public transit City-wide, specifically west of State Route 99. **EIR**

Action Item MOB-18a Coordinate with Fresno County Rural Transit Agency (FCRTA) and other public transit agencies to facilitate additional transit stops. **EIR**

Action Item MOB-18b Ensure that pedestrian and bicycle facilities are provided along and/or near transit routes, whenever feasible, to improve access and connectivity. **PP EIR**

Pedestrian and bicycle facilities may include items such as adequate sidewalks, bike racks, shade structures, and route maps.

Goods Movement and Truck Routes

Goods movement and truck route policies focus on the movement of goods, ensuring local roadways and developments provide appropriately-located, well-designed truck routes and loading areas. The following policies also designate truck routes throughout the City.

Policy MOB-19 Designated truck routes for use by heavy commercial and industrial traffic shall include Golden State Boulevard, Manning Avenue, and Temperance Avenue, as shown in **Figure 9-2: Goods Movement**. **PP EIR**

Policy MOB-20 Encourage the efficient movement of goods. **PP EIR**

Goods movement refers to the large-scale distribution of goods and not the last mile movement required to deliver goods directly to consumers.

Action Item MOB-20a Identify economically feasible street and highway improvement and maintenance projects that will improve goods movement. **PP EIR**

Action Item MOB-20b Identify opportunities to support commercial and industrial access to existing rail facilities within the planning area. **EIR**

Policy MOB-21 Facilitate goods movement and delivery through internal site design of commercial and industrial areas. **PP EIR**

Policy MOB-22 Ensure truck access points and loading facilities are designed to reduce conflict with sensitive land uses. **PP EIR**

Sensitive land uses include homes, schools, day care centers, playgrounds, and medical facilities.

Regional Coordination

Policy MOB-23 Coordinate with Caltrans in the design of capital improvement projects near State Route 99. **PP EIR**

Policy MOB-24 Continue to support Golden State Boulevard as a secondary route connecting the Kingsburg-Selma-Fowler corridor and providing access to the City of Fresno, Calwa, and Malaga. **PP EIR**

Policy MOB-25 Coordinate local transportation planning with the Fresno Council of Governments (COG) Regional Transportation Plan (RTP), Fresno County Rural Transit Agency (FCRTA), and other agencies on relevant transportation plans to ensure eligibility for state and federal funding. **PP EIR**

Policy MOB-26 Collaborate with Fresno County to integrate right-of-way and improvement standards for roads that cross jurisdictional boundaries. For development outside the City's boundaries, but within the Sphere of Influence (SOI), City and County staff will cooperate and agree on reasonable design standards and negotiate logical transitions from City to County Standards. In general, for such development under County jurisdiction but within the SOI, City Standards should apply if annexation would logically occur in the short to intermediate range. **PP EIR**

Financing

Policy MOB-27 Provide for the logical, timely, and economically efficient extension of road infrastructure improvements. **PP EIR**

Action Item MOB-27a Annually review and revise the Capital Improvement Program (CIP) to ensure roadway improvements are prioritized and scheduled for construction over at least a 5-year period. **PP EIR**

Policy MOB-28 Seek all available means to finance improvements, including State and Federal grants. **PP EIR**

Policy MOB-29 Use appropriate entitlement processes and financial tools to ensure new development contributes a fair share of the transportation improvements and/or costs to provide necessary improvements. **PP EIR**

Action Item MOB-29a Participate in the establishment of regional transportation mitigation fees and/or benefit districts to be assessed on new development. The fees shall cover a reasonable share of the costs of providing local and subregional transportation improvements needed for serving new development. **PP EIR**

Entitlement processes, such as annexations, the use of development agreements, and the CEQA process, may all be valuable tools in determining impacts, associated costs, and potential improvements needed to develop and maintain the transportation system relative to the construction of new development. Additional tools to ensure new development contributes appropriately to the circulation network could include revenue sharing and tax allocation agreements.

Standards for Roadway Development and Access

Policy MOB-30 Existing points of ingress and egress shall be consolidated whenever possible. Driveway consolidation for new development shall be consistent with City standards and implemented through access agreements along arterials. **PP EIR**

Action Item MOB-30a Review and revise, as necessary, City standards to establish criteria for site ingress and egress and driveway locations. **EIR**

Policy MOB-31 Ingress and egress to shopping centers shall minimize left-turn movements into and out of parking or loading areas. **PP EIR**

Policy MOB-32 Review standards for traffic signalization and revise to reflect alternative ways, beyond the current warrant study, for the installation of traffic lights, stop signs, and alternative signalization methods. **EIR**

Policy MOB-33 Require residential developments along arterials to back-on to such streets with ornamental fencing, landscaping, and waiver of access, or to provide frontage roads with limited points of access to the street. “Open ended cul-de-sacs” to major streets are also required for pedestrian access. **PP EIR**

An open-ended cul-de-sac is designed to allow pedestrians, bicyclists, or other non-automotive traffic pass through connecting paths at the end of the cul-de-sac, typically linking to the larger transportation network or open space system.

Policy MOB-34 Limit access points and intersections of streets and highways based on the road’s General Plan classification and function. Access points must be located a sufficient distance away from major intersections to allow for safe, efficient operation. **PP EIR**

Action Item MOB-34a The distance between commercial driveways on arterial streets should be not less than 400 feet. Where practical and desirable, commercial driveways should be located on adjacent collector streets rather than on arterial streets. **PP EIR**

Action Item MOB-34b Driveway access to major activity centers, including multifamily development, should be located no closer than 200 feet to the intersection of a collector or arterial street. **PP EIR**

Diagrams

Figure 9-1: Circulation Diagram

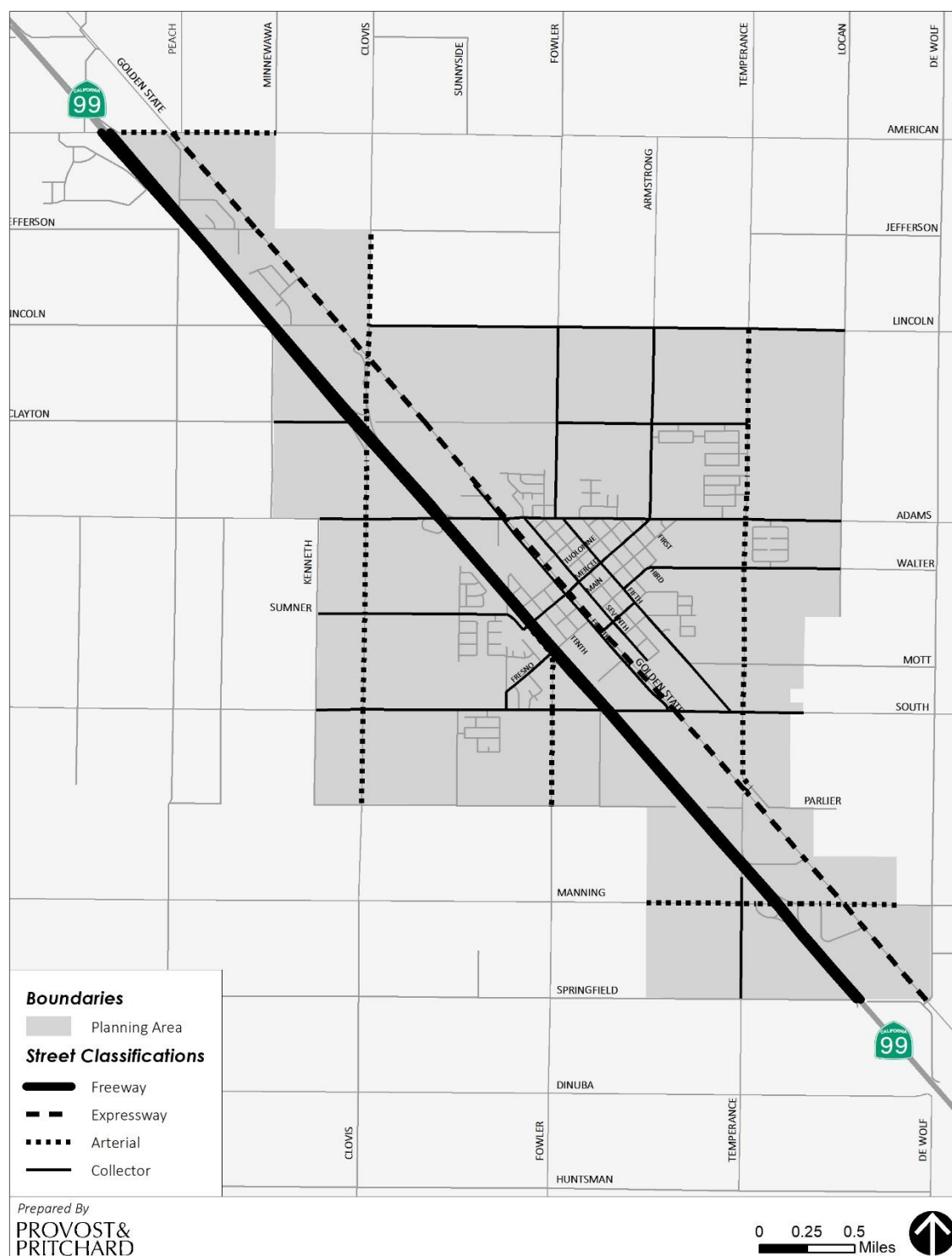
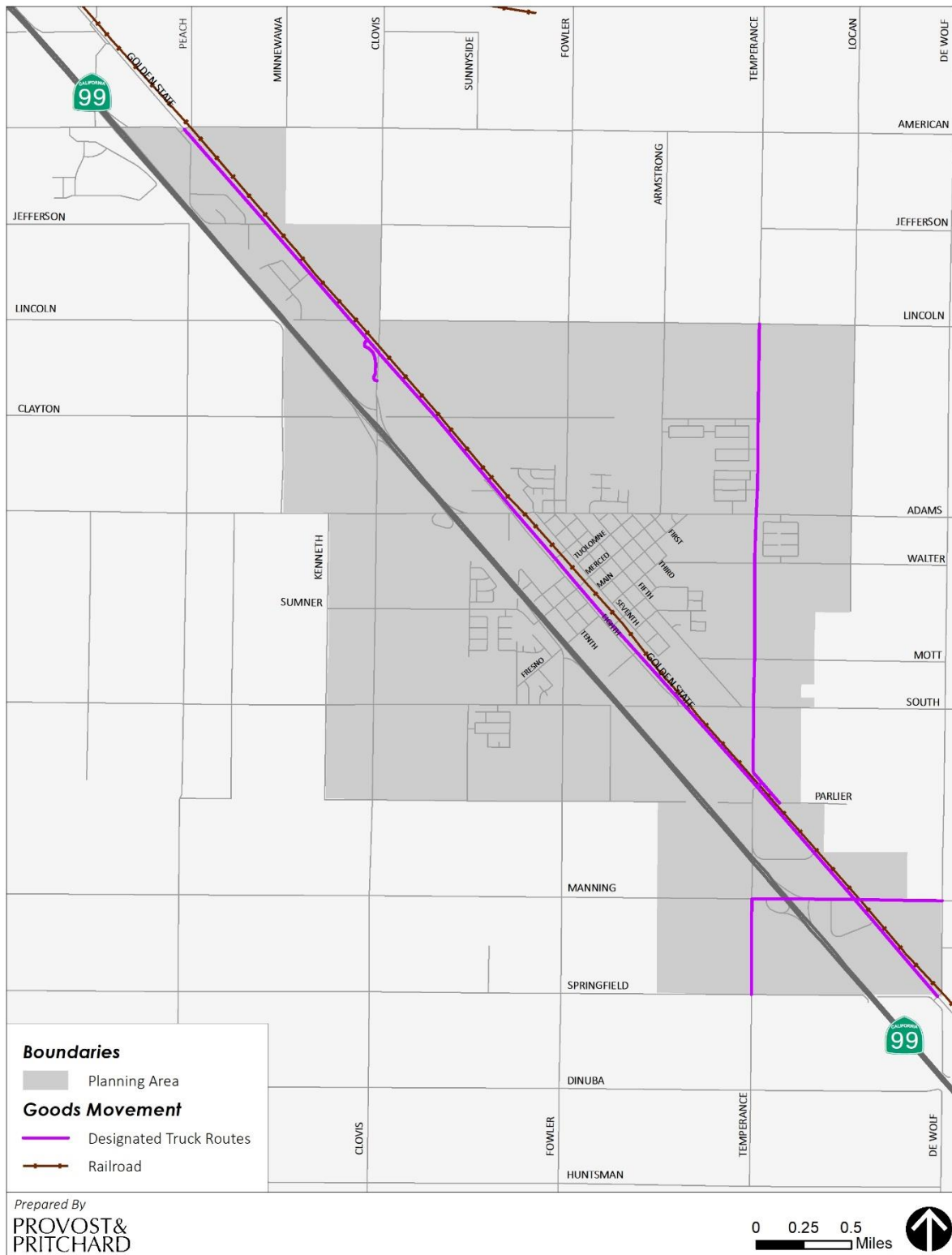


Figure 9-2: Goods Movement



Chapter 10: Economic Development

Overview

Although State law does not require a general plan to include an economic development element, such goals and policies can be vital to support and sustain the other elements' goals and policies. This economic development element directs the preparation of an economic development strategy for Fowler and is geared towards promoting the City of Fowler's existing businesses, attracting new businesses, and seeing them thrive.

This element includes policies to retain both businesses and the workforce in the City as well as identify opportunities for new industries that are appropriate to the City and grow the City's tax base. It also includes policies for strategies to market the City's businesses within and without the City. These policies are intended to bolster the City's economy, but also to directly better the lives of the City's residents. Supporting local business means supporting options for residents and visitors to find goods and services and support the sustainability of the City's downtown and other commercial centers.

Economic Development Policy Topics

Policies contained in this element are organized into the following policy topic areas:

Economic Development Strategies	73
Marketing, Outreach, and Communication.....	75
Workforce Development and Retention	75
Business Attraction and Retention	76

Goals

- Goal ED-1** Fowler's economic development goals are clearly communicated to the City's current and future residents and businesses.
- Goal ED-2** Fowler's businesses improve the quality of life by providing retail, personal, and business service amenities locally.
- Goal ED-3** Fowler invests in necessary infrastructure, resources, and beautification to ensure the success of economic development strategies. **PP**
- Goal ED-4** Fowler maintains a supportive business climate that helps attract and retain new and existing businesses. **PP**

Policies and Action Items

Economic Development Strategies

- Policy ED-1** Promote economic development through preparation and implementation of an Economic Development Strategy. **PP**

Action Item ED-1a Prepare an economic development strategy that:

- Identifies target industries appropriate for Fowler. **PP**
- Identifies the needs of existing businesses.
- Identifies specific goals for business retention and development over the next 20 years with shorter term goals identified.
- Identifies marketing strategies to attract target industries.
- Establishes implementation measures to help achieve identified goals.

It is anticipated that Fowler's target industries will focus on agriculture and distribution businesses, including those focusing on vertical integration and processing secondary products.

Policy ED-2 Establish a process to work with landowners and business owners to encourage their participation in implementing the City's economic development goals and policies. **PP**

Action Item ED-2a The City shall create a property database and contact program identifying the status of sites in critical commercial and industrial locations and clarifying the willingness and ability of owners to participate in development plans. **PP**

Policy ED-3 Pursue a program of tax base expansion to include both industrial and market area commercial uses, particularly within the identified Economic Development Focus Area (EDFA) as shown in **Figure 10-1**. **PP**

Action Item ED-3a One year following adoption of the General Plan, consider alternative land uses within the EDFA that would be compatible with and facilitate current market trends, contribute to Fowler's tax base, and support Fowler's Economic Development Strategy. Additional areas may be considered based on conditions at the time of evaluation.

Action Item ED-3b Prioritize capital improvement projects that also support economic development goals.

Policy ED-4 Promote rehabilitation of commercial sites and investigate funding opportunities for rehabilitation/remodeling of small businesses. **PP**

Action Item ED-4a The City shall establish incentive programs and seek resources for physical improvements of existing buildings, roads, and other infrastructure. These programs may include fast track processing, deferral or waiver of fees, reimbursement of costs for improvements, and loans and grants for improvements. **PP**

Action Item ED-4b Review and revise, as needed, the review procedures for minor improvements to existing development and streamline the review and approval process to the extent feasible.

Rehabilitation may include façade improvements; site improvements such as enhanced pedestrian connections, landscaping, or bicycle accommodations; or other similar improvements in the aesthetic quality of the site and/or buildings.

Policy ED-5 Discourage passive land uses, underutilization of land, and vacant structures on available commercial sites.

Action Item ED-5a Establish a vacant properties ordinance which clarifies code enforcement responsibilities related to the maintenance of vacant land and structures.

Policy ED-6 Encourage activities that attract participants to Fowler and promote economic development.

Such activities may be temporary or semi-regular events hosted by the City or local business and may include but not necessarily be limited to art hops, food truck festival, arts and crafts markets, seasonal events (i.e., fall festival, spring fling), farmer's markets.

Marketing, Outreach, and Communication

Policy ED-7 The City shall develop and implement a marketing approach to support the objectives identified in the Economic Development Strategy. **PP**

Action Item ED-7a Designate one key staff person to be the primary contact person for all economic development activities. **PP**

Action Item ED-7b Develop key messaging to effectively communicate the goals and intent of the Economic Development Strategy to a broad audience and members of the identified target industries.

Action Item ED-7c Identify financial resources to carry out the marketing plan. **PP**

Action Item ED-7d Consider the establishment of a Property and Business Improvement District or similar group.

Policy ED-8 The City shall engage other cities in the area, the Five Cities Joint Powers Authority, the Fresno County Economic Development Corporation, and other agencies in a unified effort to attract employment generating industry and commercial uses to the region. **PP**

Workforce Development and Retention

*For additional policies related to housing availability and affordability, please see **Chapter 6: Housing** (under separate cover).*

Policy ED-9 The City shall work to cultivate a well-trained workforce by facilitating increased educational attainment and training programs that meet local employment needs.

Action Item ED-9a Partner with the local businesses, identified target industries, Fowler Unified School District, universities, community colleges, and vocational programs to inform education programs to facilitate job readiness and employment opportunities for residents.

Such programs may include additional education, training, or certification opportunities; job fairs; or business development programs.

Policy ED-10 Support incentive program for new businesses that commit to hiring a minimum number of Fowler residents.

Action Item ED-10a Coordinate with Fresno Economic Development Corporation and similar organizations to identify available incentives for companies employing Fowler residents.

Policy ED-11 Work with housing providers and the development industry to ensure local housing opportunities support the needs of the local workforce.

Action Item ED-11a Review and revise, as needed, the Zoning Ordinance and other City policies to encourage the development of a range of housing that can support the diverse housing needs of the local workforce.

Policy ED-12 Support the development of civic amenities, including community entertainment venues, community events, and other opportunities that increase quality of life, visitation, and position Fowler as a center for recreation and entertainment in Fresno County. [PP](#)

Business Attraction and Retention

*For additional policies related to commercial and industrial land use, please see **Chapter 4: Land Use**.*

Policy ED-13 Promote the retention and/or the expansion of existing businesses that contribute to Fowler's Economic Development Goals established through the General Plan or the Economic Development Strategy. [PP](#)

Action Item ED-13a Develop a business retention program that identifies and addresses issues for existing businesses.

Policy ED-14 Facilitate the development of businesses that contribute to Fowler's Economic Development Goals established through the General Plan or the Economic Development Strategy, which, along with the provision of affordable housing, creates a pleasing place to live and work. [PP](#)

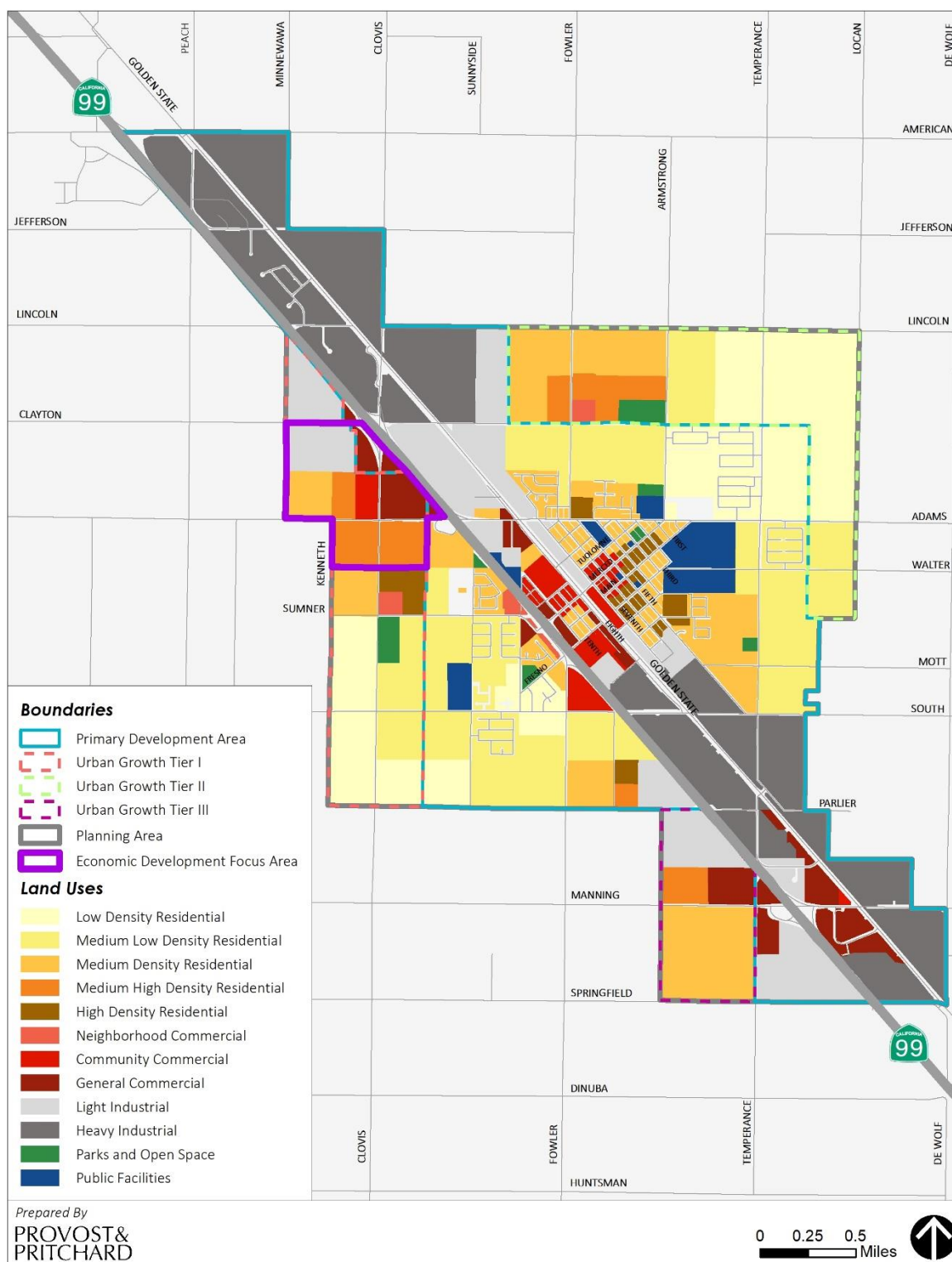
Action Item ED-14a Conduct an inventory of vacant and underutilized land designated for commercial and industrial uses and identify opportunities for predevelopment studies to help facilitate development of key sites.

Action Item ED-14b Identify and resolve barriers in the City's Zoning Ordinance and administrative and regulatory processes to reduce inefficiencies and time delays associated with the development approvals.

Policy ED-15 Seek innovative ways to reduce the cost burden of infrastructure provision on new industrial and commercial development, including facilitating grant opportunities.

Diagrams

Figure 10-1: Economic Development Focus Area



Chapter 11: Community Resiliency and Safety

Overview

The community resiliency and safety element is designed to minimize the risks to health and safety from hazardous materials, flooding, seismic hazards, fire hazards, as well as economic disruption resulting from such hazards. This element was prepared with consultation with two important documents. The first was the Fresno County Local Hazard Mitigation Plan. The second was a City-conducted vulnerability assessment, which evaluated anticipated future risks to the City due to climate change. The vulnerability assessment is included as **Appendix B** to this General Plan.

Along with policies to minimize risk, the community resiliency and safety element also provides policies to respond to emergencies and ensure continuity of government operation during emergencies and maintain critical facilities. Critical facilities are those that provide vital services to people in the event of an emergency, such as hospitals, fire stations, police stations, and emergency service facilities. Utility facilities including water, electricity, and gas supplies, sewage disposal, and communication and transportation facilities are also considered critical facilities.

This element also includes policies to discourage the premature conversion of productive agricultural lands, protect agricultural lands that border the City's planning area, and encourage more urban agriculture uses throughout the City.

Resiliency Policy Topics

Policies contained in this element are organized into the following policy topic areas:

Community Resiliency and Emergency Management	79
Hazardous Materials	80
Water Quality and Conservation.....	81
Flooding	82
Seismic Hazards	83
Fire Hazards	84
Agricultural Resources	84

Goals

- GOAL SAF-1** The community is resilient to the effects of a changing climate.
- GOAL SAF-2** Emergency management efforts are coordinated and planned.
- GOAL SAF-3** Local watersheds, water bodies, and groundwater resources are responsibly managed. **PP**
- GOAL SAF-4** Minimize risk from hazardous materials, flooding, seismic, and fire hazards.
- GOAL SAF-5** Protect local farmland through the promotion of sustainable agricultural practices and growth management practices. **PP**

Policies and Action Items

Community Resiliency & Emergency Management

*For additional policies related to conservation and resiliency, see **Open Space: Open Space**, policy topic **Trees and Urban Forestry**.*

Policy SAF-1 Promote the use of innovative site planning to avoid on-site hazards and minimize risk levels. **PP**

Action Item SAF-1a Review and update the Zoning Ordinance, as necessary, to reflect changes in site planning practices.

New site planning practices, such as cluster development and density transfers, can be used to avoid hazards on site, and should be permitted through the Zoning Ordinance.

Policy SAF-2 Continue to implement the Fresno County Multi-Hazard Mitigation Plan to address disasters such as earthquakes, drought, flooding, hazardous material spills, water contamination, epidemics, fires, extreme weather, major transportation accidents, and terrorism. **PP EIR**

Action Item SAF-2a Review and revise, as necessary, the Municipal Code to ensure effective organization, responsiveness, and continuity of government during declared emergencies. **EIR**

Action Item SAF-2b Procure generators, or another suitable alternative, for back-up power at City Hall, the Police Department, the Fire Department, and all domestic water distribution infrastructure. **PP EIR**

Action Item SAF-2c The City, in conjunction with other local, State, and Federal agencies, shall ensure operational readiness of the Emergency Operations Center (EOC), conduct annual training for staff, and maintain, test, and update equipment to meet current standards. **PP EIR**

The emergency operations center functions as the centralized location of emergency response and recovery support during disasters.

Action Item SAF-2d Monitor potential risk from seismic and geologic hazards and implement actions identified by the Multi-Hazard Mitigation Plan to reduce these risks. **EIR**

Action Item SAF-2e Sponsor and support educational programs regarding emergency response, disaster preparedness protocols and procedures, and disaster risk reduction. **EIR**

Action Item SAF-2f Sponsor and support cooling centers during extreme heat days. **EIR**

*The City hosts cooling centers on days when the projected heat reaches 105 degrees Fahrenheit or higher. Cooling centers provide useful strategy to respond to extreme heat days for many residents that have inadequate or no cooling systems. **Policy SAF-7** encourages the installation and upgrade of HVAC systems at residences, providing a greater ability for residents to not rely on cooling centers during extreme heat days.*

- Policy SAF-3** Continue to coordinate with Fresno County and other jurisdictions to prepare and implement Emergency Preparedness Plans and to conduct emergency and disaster preparedness exercises to test these plans. **PP EIR**
- Policy SAF-4** Provide a street network with safe and efficient routes for emergency vehicles, meeting necessary street widths, turn around radius, and other factors as determined in coordination with emergency service providers. **PP EIR**
- Policy SAF-5** Explore opportunities to diversify the City’s electricity provision, through an energy purchasing or similar program, and consider ways to utilize sustainable energy strategies.
- Policy SAF-6** Annually review City Information Technology (IT) systems and security protocols and update as necessary to protect against cyber threats.
- Policy SAF-7** Consider opportunities and programs that encourage the installation and upgrading of HVAC systems.

Such opportunities may include providing permit streamlining for the installation of HVAC systems or collecting and providing information on HVAC grant programs, among others.

Hazardous Materials

Hazardous materials are substances that poses a greater risk of explosion, fire, or release of toxic chemicals, among other threats to public health, as defined and regulated by federal, State, and/or local law. Hazardous waste is considered a hazardous material.

- Policy SAF-8** Protect soils, surface water, and groundwater from contamination from hazardous materials. **PP EIR**
- Action Item SAF-8a** Continue to provide household hazardous waste collection programs to encourage proper disposal of products containing hazardous materials or hazardous wastes. **PP EIR**
- Action Item SAF-8b** Should a site be contaminated by hazardous waste, work with the Fresno County Environmental Health Division, related agencies, and landowners to enable the clean-up of these sites. **PP EIR**
- Policy SAF-9** Cooperate with State agencies and the Fresno County Environmental Health Division efforts to identify hazardous materials users, implement hazardous materials plans, and minimize risks associated with hazardous cargoes, agricultural spraying, and electromagnetic fields. **PP EIR**

Action Item SAF-9a Revise Zoning Ordinance to require industries which store and process hazardous materials to provide a buffer between the facilities and the property boundary. **EIR**

Action Item SAF-9b Ensure that industrial facilities are constructed and operated within the standards of the most up-to-date safety and environmental protocols. **EIR**

Policy SAF-10 Reference State hazardous waste site lists in the City development review process and address risk, as needed, with site development requirements. **PP EIR**

As of December 2021, there are no hazardous waste sites located within the City of Fowler identified on the Cortese List or the Envirostor database, both of which are maintained by the State.

Action Item SAF-10a Prepare and maintain a map of hazardous waste sites identified through regional, State, and federal resources. **PP EIR**

Action Item SAF-10b Ensure that the proponents of new developments address hazardous materials concerns through preparation of Phase I and Phase II studies, as necessary, as part of the design phase. **PP EIR**

Action Item SAF-10c Require buildings used for operations requiring a hazardous materials business plan to be investigated for the presence of hazardous materials and waste as part of the re-use, rehabilitation, or demolition process. **PP EIR**

Policy SAF-11 Locate new critical facilities at least 100 feet from the railroad mainline and Highway 99 to minimize risks in the event of a hazardous cargo accident. **PP EIR**

Policy SAF-12 Promote improvements, such as the construction of grade-separated crossings, to increase overall safety and reduce potential risk from hazardous cargo. **PP EIR**

The United States Department of Transportation Federal Railroad Administration conducts and compiles research on the latest methods for preventing incidents at at-grade crossings.

Water Quality and Conservation

*For additional policies related to water resources, see **Chapter 12: Public Facilities**.*

Policy SAF-13 Conserve and, where feasible, create or restore areas providing water quality benefits such as undeveloped open space areas, basins, and drainage canals. **PP EIR**

Policy SAF-14 Maintain the domestic water system in accordance with applicable water quality standards.

Action Item SAF-14a Monitor funding sources for improvements, if necessary, to maintain the domestic water system in accordance with applicable water quality standards.

Policy SAF-15 Require new development to protect water quality through site design, pollution prevention, storm water treatment, runoff reduction measures, best management practices (BMPs), and Low Impact Development (LID) strategies. **PP EIR**

Best Management Practices (BMPs) are methods that have been determined to be the most effective and practical means to prevent pollution and measures to mitigate pollution to help achieve water quality goals. Low Impact Development (LID) is a design approach to managing stormwater runoff. LID emphasizes conservation and use of on-site natural features to protect water quality, such as swales, vegetated areas, or dry wells.

Action Item SAF-15a Review and revise, as appropriate, City standards to allow for LID strategies. Periodically review City standards to ensure innovative or new site design strategies which protect water quality are permitted, as appropriate. **EIR**

Policy SAF-16 Require the use of native, drought tolerant, or low water use landscaping in both public and private development to reduce or eliminate the need for landscape irrigation. **EIR**

Action Item SAF-16a Review and revise, as necessary, the adopted water efficient landscape standards for consistency with the State Model Water Efficient Landscape Ordinance, as amended. As required, submit reports on the City's implementation of its landscape standards to the California Department of Water Resources and/or other agencies. **EIR**

Action Item SAF-16b Update City design standards to require residential developers to provide a no-turf landscape option that is priced the same as the standard landscape option. **EIR**

Policy SAF-17 Promote programs to improve water efficiency in new and existing buildings. **EIR**

The City may require an efficiency certification or provide opportunities and incentives for water efficiency such as providing efficient faucets or streamlining permits for updating water systems and fixtures.

Policy SAF-18 Explore the use of recycled water to irrigate landscape areas. **EIR**

Action Item SAF-18a Coordinate with Selma-Kingsburg-Fowler (SKF) County Sanitation District on what options are available to reuse recycled water. **EIR**

Flooding

*Floods occur naturally and can happen almost anywhere. Heavy rains, poor drainage, and even nearby construction projects can put some properties at risk for flood damage. Flood zone maps are one tool that communities use to know which areas have the highest risk of flooding. Using these maps, communities can analyze potential flood risks and determine appropriate locations for housing, schools, and critical infrastructure. Fowler's flood zones for a 100-year flooding event is shown in **Figure 11-1**. There are no 200-year flood zones within the planning area.*

*See additional policies related to stormwater management in **Chapter 12: Public Facilities**, policy topic **Storm Drainage**.*

- Policy SAF-19** Require that new critical facilities are located outside of 100- and 200-year flood zones, or, where such location is not feasible, design the facilities to mitigate potential flood risk to ensure functional operation during a flood event. **PP**
- Policy SAF-20** Require that new developments within 100- and 200-year flood zones are designed and constructed in a manner that does not divert floodwaters onto adjacent property or increase flood hazards elsewhere. **PP**
- Policy SAF-21** Support a one-in-100-year level of flood protection for small communities, corresponding to the national Federal Emergency Management Agency (FEMA) standard of flood protection. **PP**
- Policy SAF-22** Require evaluation of potential flood hazards prior to approval of development projects to determine whether the proposed development is reasonably safe from flooding and consistent with the national Federal Emergency Management Agency (FEMA) standard of flood protection for 100-year areas and the Central Valley Flood Protection Plan for 200-year areas. **PP**
- Policy SAF-23** Work with the Consolidated Irrigation District (CID) and other responsible parties to ensure flood management facilities and structures (e.g., pump stations, canals) are properly maintained and/or improved. **PP**
- Policy SAF-24** Continue to implement a public outreach campaign to notify landowners and tenants of their flood status, options for flood insurance, and other related information. **PP**
- Policy SAF-25** Encourage low-impact development by allowing for alternative stormwater management techniques including the provision of vegetated areas, infiltration trenches, and dry wells. **PP EIR**

Action Item SAF-25a Review and revise, as necessary, the Zoning Ordinance and other City standards to allow for low-impact stormwater management site design features. **EIR**

Low-impact stormwater management strategies, which includes low-impact development, are development practices that directly use or recreate natural stormwater processes. Low-impact development results in increased infiltration, evaporation, and use of stormwater. Such strategies may include features such as swales, among others.

Seismic Hazards

- Policy SAF-26** Regularly review and enforce all seismic and geologic safety standards and require the use of best practices in site design and building construction methods. **PP EIR**
- Policy SAF-27** Promote the upgrading, retrofitting, and/or relocation of all existing critical facilities and other important public facilities that do not meet current building code standards and are susceptible to seismic or geologic hazards. **PP EIR**

Action Item SAF-27a Evaluate critical facilities for risk from seismic and geologic hazards. Prioritize improvements based on level of expected risk. **EIR**

Policy SAF-28 Continue to use building codes as the primary tool for reducing seismic risk in structures. **PP EIR**

Fire Hazards

State law requires the California Department of Forestry and Fire Protection (CAL Fire) to map areas of significant fire hazards based on environmental and other conditions. These areas are known as fire hazard severity zones. Fowler is designated as a Local Responsibility Area (LRA), which is considered an area with a moderate risk for fire hazards and is not located within a high-risk area for fire hazards. Additional information and mapping on fire hazards is available in the Fowler General Plan Update Background Report.

*See additional policies related to fire safety services in **Chapter 12: Public Facilities**.*

Policy SAF-29 Promote education programs related to fire safety, fire prevention, and emergency preparedness. **PP**

Policy SAF-30 Consult the Fire Department during the review of development proposals to ensure projects adequately address safe design and comply with applicable fire and building codes. **PP**

Policy SAF-31 Require property owners to remove excessive and/or overgrown vegetation to prevent and minimize fire risks to surrounding property.

Agricultural Resources

*The California Department of Conservation's Farmland Mapping and Monitoring Program (FMMP) produces maps and statistical data used for analyzing impacts on California's agricultural resources. As part of this process agricultural land is categorized according to soil quality and irrigation status. These agricultural categories include Prime Farmland, Farmland of Statewide Importance, Unique Farmland, Farmland of Local Importance, and Urban and Built-Up Land. Most of the planning area is designated as Prime Farmland or Urban and Built-Up Land, as shown in **Figure 11-2: Agricultural Resources**.*

*For additional policies related to land use and growth management, please **see Chapter 4: Land Use**.*

Policy SAF-32 Facilitate urban agriculture by supporting community gardens and recognize their value in providing fresh food in urban areas in addition to their recreational, community building, landscaping, and educational value. **PP**

*Urban agriculture includes the cultivation, processing, and distribution of agricultural products in urban and suburban areas. Community gardens, rooftop farms, hydroponic, aeroponic, and aquaponic facilities, and vertical production are all examples of urban agriculture. Additional policies in the **Access to Healthy Food** policy topic of **Chapter 7: Community Health and Equity** also support community gardens.*

Action Item SAF-32a Review and revise, as needed, zoning regulations to allow community gardens and similar urban agriculture uses.

Action Item SAF-32b Review and revise local policies, including plant lists, to ensure local landscaping attracts butterfly and other pollinating species.

Policy SAF-33 Promote the preservation and economic viability of agricultural land adjacent to the Fowler planning area. **PP EIR**

Action Item SAF-33a Amend local ordinances to require open space or other buffers for new development abutting agricultural areas planned for long-term use. **PP EIR**

Policy SAF-34 Discourage the premature conversion of productive agricultural lands. **EIR**

Action Item SAF-34a Utilize master plans and the Capital Improvement Program (CIP) to implement the extension of urban services efficiently and responsibly. **EIR**

Action Item SAF-34b Support the use of Williamson Act contracts to prevent the premature conversion of farmland and review and revise, as needed, the Fowler Municipal Code to facilitate the continuation of Williamson Act Contracted parcels, as appropriate, following annexation. **EIR**

The Williamson Act is a program that enables local governments to enter into contracts with private landowners for the purpose of restricting specific parcels of land to agricultural or related open space use. In return, landowners receive property tax assessments which are much lower than normal because they are based upon farming and open space uses as opposed to full market value.

Action Item SAF-34c Review and revise, as appropriate, zoning regulations allowing for continued agriculture uses in the City limits where no development is proposed in the near-term. **EIR**

*Additional policies in the **Growth Management** policy topic of **Chapter 4: Land Use** also address premature conversion of agricultural land.*

Policy SAF-35 Require new development occurring in proximity to existing agricultural uses to acknowledge the potential effects of agricultural operations. **EIR**

Action Item SAF-35a Adopt a Right-to-Farm Ordinance. **EIR**

Action Item SAF-35b Prior to adoption of a Right-to-Farm Ordinance, continue to require that purchasers of homes located in the vicinity of agricultural operations be provided a Right-to-Farm notification of such activities by way of deeds and/or escrow documentation. **PP EIR**

Diagrams

Figure 11-1: Flood Zones (100-Year and 200-Year)

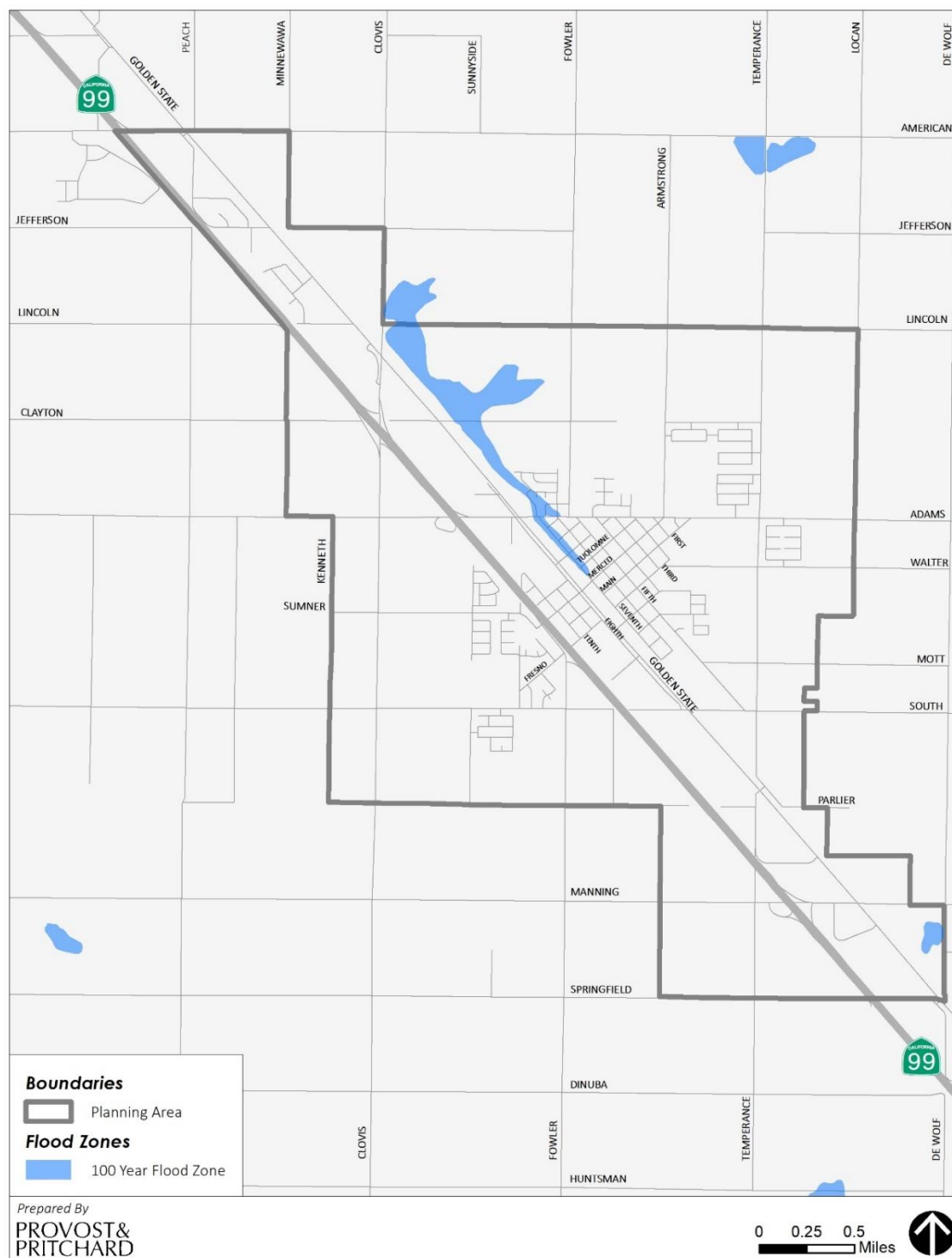
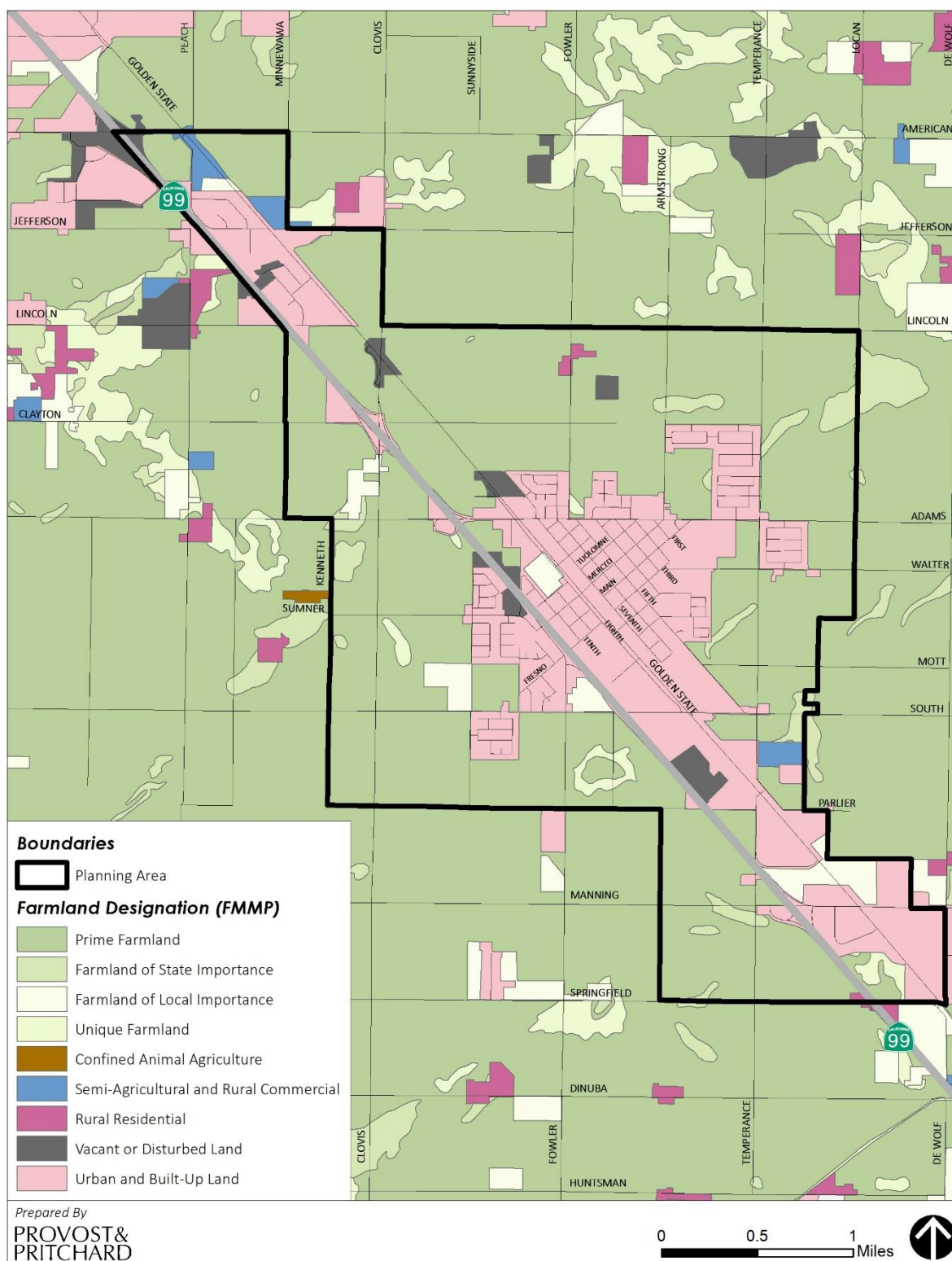


Figure 11-2: Agricultural Resources



Chapter 12: Public Facilities

Overview

The public facilities element addresses three categories of public facilities. The first category is utilities, which include public necessities, such as water, electricity, waste management, and telecommunications. The second category is services, which includes the City's emergency response, including police, fire, and emergency medical response. The third category is community facilities, which include recreation centers, schools, libraries, and other government buildings.

This element includes policies for the provision and maintenance of these public facilities. Provision and maintenance mean not only identifying what level of service is required for the City, but also how that level of service will be maintained. This element includes policies to improve and expand public facilities where necessary.

Public Facility Policy Topics

Policies contained in this element are organized into the following policy topic areas:

Provision of Public Facilities	88
City Facilities and Public Safety	89
Water Supply and Distribution	90
Wastewater	91
Storm Drainage.....	91
Groundwater Management.....	92
Solid Waste	92
Dry Utilities	92
Schools.....	93
Libraries	93

Goals

- Goal PF-1** Fowler provides reliable public facilities, utilities, and community services that meet the needs of the existing community and planned growth. **PP**
- Goal PF-2** Fowler maintains and manages the orderly and efficient expansion of public facilities, utilities, and community services.

Policies and Action Items

Provision of Public Facilities

- Policy PF-1** Require private and public land developments to provide all on-site and off-site facility improvements or pay in-lieu fees necessary to mitigate any development-generated public facility impacts. **PP**

Action Item PF-1a Require the developer to be responsible for the improvement and/or provision of adequate public facilities and services to maintain existing service levels for existing residents and businesses. This may include the installation of additional public facilities, water, or road infrastructure or the provision of fees for emergency, public safety, and City services. **PP**

- Policy PF-2** Consider providing public cost sharing of public services under certain circumstances to encourage desirable and innovative development within the city. [PP](#)
- Policy PF-3** Ensure that land divisions and developments are approved only when a project's improvements, dedications, and fees fully cover incremental costs to the City and other agencies. Such improvements and infrastructure include parks, major streets, traffic signals, streetlights, drainage systems, sewer, water, fire, police, schools, and other related facilities. [PP](#)
- Policy PF-4** Regularly evaluate and update, as necessary, development impact fees and other applicable City fees.
- Policy PF-5** Require dedication of necessary rights-of-way as part of the land division and land use review processes. [PP](#)
- Policy PF-6** Prepare and maintain resources and mechanisms to adequately plan for, develop, and maintain public facilities.
- Action Item PF-6a** Prepare, adopt, and periodically update a Capital Improvement Program (CIP) which outlines and prioritizes necessary updates and additions to public facilities for a minimum 5-year period. Review and update the CIP on an annual basis [PP](#)
- Policy PF-7** Use special districts as appropriate to provide broad neighborhood improvements such as drainage, open space, and other public works projects. [PP](#)

City Facilities and Public Safety

- Policy PF-8** Provide City departments with adequate office and building space for employee workspace and equipment storage.
- Action Item PF-8a** Develop a City Hall Site Master Plan to ensure continued supply of adequate office and building space for employee workspace and equipment storage.
- Action Item PF-8b** Prepare a Fire Station Master Plan to ensure adequate facilities to support Fire Department staffing and equipment.
- Action Item PF-8c** Prepare a Public Works / Corporation Yard Master Plan.
- Action Item PF-8d** Prepare a facilities report that tracks all City-owned facilities and update annually.
- Policy PF-9** Consult the Police Department during the review of development proposals to ensure projects integrate design strategies intended to prevent crime to the extent feasible and to address impacts on police protection services. [PP](#)
- Policy PF-10** Form proactive community partnerships that develop responsible ownership for public safety in Fowler, inform the public in how they can improve their personal safety; use a preventative approach that is issue-oriented; support innovative approaches to problem-solving; establish mutual trust and communication among Police Services staff and the

community; and provide positive role models and values through activities in the neighborhoods and community as a whole.

Action Item PF-10a Continue to implement existing community programs and consider new programs that encourage opportunities for the police force to connect with the community.

Policy PF-11 In cooperation with the Fresno County Fire Protection District, provide firefighting equipment, facilities, and staffing sufficient to assure adequate response and fire flow at all times. **PP EIR**

Policy PF-12 Ensure adequate water supplies are available for fire suppression throughout the City and require development to construct all necessary fire suppression infrastructure and equipment. **PP EIR**

Policy PF-13 Maintain mutual aid agreements with other fire and emergency service departments in Fresno County to ensure adequate service throughout the City of Fowler and its planning area. **PP EIR**

Policy PF-14 Maintain staffing levels of City emergency service departments, including fire and police. **EIR**

Action Item PF-14a Prepare a staffing plan for the Police Department to establish target staffing levels and update the plan periodically. The following staffing targets shall be used until the staffing plan is prepared and adopted:

- Target an average staffing level of 1.5 police officers per 1,000 persons when the City population is less than 10,000.
- Target an average staffing level of 1.25 police officer per 1,000 persons once the City reaches a population of 10,000 or more. **EIR**

Action Item PF-14b Explore options to staff full-time or part-time fire fighter and support staff. **EIR**

Policy PF-15 Incorporate new technologies and analytical tools into policing strategies to ensure efficiency of labor force.

Action Item PF-15a Require security camera systems to be installed in commercial and industrial areas with interoperability into City policing systems.

Water Supply and Distribution

*For additional policies related to water supply and distribution, see **Chapter 11: Community Resiliency and Safety**, policy topic area **Water Quality and Conservation**.*

Policy PF-16 Design and construct water system infrastructure as needed to meet current and future water demands and system requirements. **PP EIR**

Action Item PF-16a Prepare and maintain a Water Systems Master Plan to estimate future water demands, identify an adequate supply of water to meet future demands, and identify potential new water supplies. **PP EIR**

Policy PF-17 Continue to establish development fees and user rates that are sufficient to operate, maintain, and upgrade (for current and future regulatory requirements) the City's water, wastewater, and stormwater infrastructure. **PP EIR**

Wastewater

Selma-Kingsburg-Fowler County Sanitation District (District) provides sewer service and wastewater treatment to its three member cities through a mutual agreement. The District owns, operates, and maintains a regional wastewater treatment plant that collects wastewater originating from its member cities and portions of unincorporated territory in Fresno County. Each city owns the section of the wastewater collection system within their respective city limits, and the District manages operations and performs maintenance, refurbishment, and replacement service on the entire system.

Policy PF-18 Continue to cooperate with the Selma-Kingsburg-Fowler (SKF) County Sanitation District to design and construct wastewater system infrastructure as needed to safely convey, treat and recycle, and dispose of current and future wastewater flows and achieve future regulatory and system requirements. **PP EIR**

Policy PF-19 Actively participate in the Selma-Kingsburg-Fowler (SKF) County Sanitation District wastewater master plan update proves to ensure it aligns with planned land uses and projected demands for the City of Fowler. **EIR**

Storm Drainage

*For more policies related to stormwater management practices, see **Chapter 11: Community Resiliency and Safety**, policy topic area **Water Quality and Conservation**.*

Policy PF-20 Design and construct stormwater system infrastructure as needed to safely convey, detain, and dispose of current and future stormwater flows, protect water quality, and meet regulatory requirements. **PP EIR**

Action Item PF-20a Develop a Storm Drainage Master Plan which outlines necessary infrastructure improvements to the storm drainage system.

Action Item PF-20b Require all new development to contribute no net increase in stormwater runoff peak flows over existing conditions associated with a 100-year storm event. **PP EIR**

Action Item PF-20c Require new development to include grading and erosion control plans prepared by a registered engineer or land surveyor. **PP EIR**

Action Item PF-20d Implement measures to protect areas from erosion and sediment loss and continue to require construction contractors to comply with the City's grading ordinance and stormwater management and discharge control requirements. **PP EIR**

Groundwater Management

The Sustainable Groundwater Management Act (SGMA) was passed in 2014 requiring local agencies to form groundwater sustainability agencies (GSAs) for high and medium priority basins. GSAs are tasked with developing and implementing groundwater sustainability plans (GSPs), which are 20-year plans to ensure that groundwater is management sustainability within the groundwater basin.

*For more policies related to groundwater management and water quality, see **Chapter 11: Community Resiliency and Safety**, policy topic area **Water Quality and Conservation**.*

- Policy PF-21** Protect groundwater resources within the planning area. This includes protecting the occurrence of groundwater recharge, as well as the quality and quantity of available groundwater resources. **EIR**
- Policy PF-22** Support local efforts to implement the Sustainable Groundwater Management Act (SGMA). Coordinate with applicable Groundwater Sustainability Agencies (GSAs) to implement appropriate policies and programs identified in adopted Groundwater Sustainability Plans (GSPs). **EIR**
- Policy PF-23** Where appropriate, integrate identified actions and projects from the Groundwater Sustainability Plans (GSPs) into the City's Capital Improvement Program (CIP). **EIR**
- Policy PF-24** Where feasible, require on-site systems that facilitate groundwater recharge and/or retention and reuse of water on-site.

Solid Waste

*For additional policies related to the siting of on-site solid waste facilities, see **Chapter 5: Community Design**.*

- Policy PF-25** Facilitate activities that reduce waste production and/or encourage recycling or reuse of waste when possible to reduce the amount of solid waste sent to landfill in order to meet State targets. **EIR**
- Policy PF-26** Ensure solid waste pick-up and disposal facilities are sufficient to meet new development needs. **EIR**

Dry Utilities

Dry utilities are utility provision such as electricity, gas, telephone, internet, and cable services.

- Policy PF-27** Consolidate roadway utilities into one trench whenever possible.
- Policy PF-28** Require that new telecommunications service infrastructure be located appropriately and in a visually unobtrusive way. Telecommunications infrastructure should be located in the right-of-way (ROW) or in an existing easement whenever possible. Larger infrastructure elements, such as cell towers, are not appropriate in the ROW.

- Policy PF-29** All utilities shall be underground, and each residential unit or multifamily project shall be equipped for remote electronic utility meter reading. [PP](#)

Schools

- Policy PF-30** The City shall coordinate with the Fowler Unified School District in the location of new schools. [PP](#)

When determining school sites, the location's features and its connectivity to the rest of the City should be taken into account.

- Policy PF-31** Engage with Fowler Unified School District to develop comprehensive master plans as a means of providing details on specific school sites and educational facilities [PP](#)

- Policy PF-32** Engage in the process with Fowler Unified School District in the location and development of new school facilities to ensure adequate facilities, circulation, access for students, and recreation opportunities. [PP](#)

- Policy PF-33** Work with Fowler Unified School District to monitor the projected enrollment of school children. Request annual reports from the District for discussion with staff about facilities and capacity. [PP](#)

- Policy PF-34** Support necessary and reasonable efforts by the school district to obtain funding for capital improvements required to meet school facility needs, including adoption and implementation of local financing mechanisms such as community facility districts, and the assessment of school impact fees. [PP](#)

Libraries

- Policy PF-35** The City, in conjunction with the Fresno County Library, shall explore methods of financing new library facilities and expanding and upgrading existing facilities. [PP](#)

- Policy PF-36** The City shall encourage joint use of library facilities with public and private agencies at locations such as schools and community centers. [PP](#)

- Policy PF-37** Work with the Fresno County Library and Fowler Unified School District to explore including a joint use library as part of any new school facility. A joint-use library should be designed for flexible community and school use that complements school operations. [PP](#)

Chapter 13: Implementation Strategy

The General Plan is a living document that serves as the City’s blueprint for achieving the community vision. It is intended to guide decision-making in Fowler across a wide range of policy areas. Action items have been included in all elements of the General Plan to guide implementation of the policies of the Plan.¹ The City’s ability to achieve the vision expressed in the General Plan depends on its success in implementing the action items identified in the Plan. These actions include new initiatives that will require a one-time dedication of time and resources to complete as well as ongoing City programs and activities. This implementation strategy outlines a work plan to facilitate Citywide efforts in carrying out the actions necessary for implementation of this General Plan, including a mechanism for monitoring and reporting progress.

Implementation Work Plan

The General Plan is the primary policy document that guides decision-making in the City; however, the Plan relies on other local documents, such as the Municipal Code, infrastructure plans, and public works standards to implement its goals and policies. Implementation of the General Plan also relies on the creation of new plans, programs, and other administrative actions.

The implementation work plan organizes each of the action items included in the Plan into the following categories as described further in the ***Action Items by Category*** section. These categories represent the primary types of subsequent planning efforts, regulatory mechanisms, and administrative procedures required to implement the General Plan.

- Plans and Studies
- Regulatory Documents
- Design Standards
- Resource Documents
- Public Works Improvement Standards
- Program Establishment
- Capital Improvement Program (CIP)
- Inventories and Evaluations
- Review Procedures
- Ongoing

¹ **Chapter 6: Housing Element** was updated separately from the General Plan to comply with the timeline for certification through the California Department of Housing and Community Development (HCD) and includes its own implementation plan and quantified objectives, which are not included in this General Plan implementation strategy. The Housing Element is contained under separate cover.

This organizational structure allows the City to facilitate updates to specific implementing documents, such as the Zoning Ordinance, by grouping the action items related to this regulatory document together. It also allows the City to consider how to more effectively combine implementation of similar action items under one subsequent effort when appropriate. An example would be identifying gaps in the pedestrian and bicycle network (*Action Item CH-1a*) and evaluating the physical conditions of those networks (*Action Item CH-3a*) at the same time.

Timeframe for Implementation

Many of these actions will require both staff and financial resources to implement, making them difficult to definitively schedule given the annual nature of the budgetary process and changing priorities over the years. Action items should generally be targeted for implementation within a reasonable timeframe based on priorities of the City and other factors such as funding availability, unless a timeframe is specifically stated within the language of the action item. However, those action items listed in the *Ongoing* category require continuing implementation and have no discrete timeframe for completion.

Responsibility and Coordination

While the City will take the lead role in implementation, it will also require coordination between the City and outside agencies, such as the California Department of Transportation (Caltrans), the Fresno Council of Governments (COG), the Fresno County Rural Transit Agency (FCRTA), SKF County Sanitation District, Consolidated Irrigation District (CID), Fowler Unified School District (FUSD), the County of Fresno, and various other regional and state agencies.

Monitoring and Reporting Progress

Once work gets under way to implement the General Plan, it will be important for the City to track and monitor progress on the implementation work plan. State law requires that a local jurisdiction prepare an annual progress report on the implementation of its general plan to its legislative body, the Governor's Office of Planning and Research (OPR), and the California Department of Housing and Community Development (HCD). The annual report addresses progress made towards implementation of the General Plan during the previous calendar year (January 1 through December 31) and is due to the State by April 1st of each year.

City staff prepares the *Annual General Plan Progress Report* during the first quarter of each year and presents it to the City Council as Fowler's legislative body at a public hearing, which allows an opportunity for public review and comment. The annual report informs City staff in multiple departments, decision-makers, and community members about the status of the General Plan and progress toward implementing its goals and policies. It can also be used to help identify implementation work plan priorities and budget needs for the upcoming year.

Action Items by Category

Plans and Reports

The action items summarized in **Table 13-1** are those that call for the preparation of planning level documents. These documents would provide an opportunity for the City to conduct topic-specific outreach and development of additional, more specific, policies, standards, or regulations by topic. The types of plans generally include:

- *strategic plans*, such as the economic development strategy or the police staffing plan,
- *infrastructure master plans* focused on identifying long-term capacity and improvement needs, such as the water system master plan or roadways master plan, or
- various *transportation plans* to facilitate mobility within Fowler.

Prior to initiating these plan efforts, the City should consider other related action items that may be appropriate to integrate into the plan development process. Specifically, those action items included in the **Resource Documents** or **Programs** categories.

Table 13-1: Action Items – Plans and Reports

Action Item No.	Action Item
CH-1d	Develop and implement an Active Transportation Plan .
CH-1e	Pursue funding for the adoption of a Safe Routes to School Master Plan to assist in the planning and funding of bicycle and pedestrian infrastructure improvements along school routes.
OS-2a	Develop and implement a Parks and Trails Master Plan . The master plan shall consider the following: <ul style="list-style-type: none"> • The recreational needs of the community, including special user groups, such as young families, the disabled, and seniors, and address these in the design and development of park and trail facilities. • Service area coverage and connectivity gaps in the open space network to identify underserved portions of the community. • The state of existing parks to determine current condition, ongoing level of maintenance, and safety.
OS-21a	Pursue funding opportunities for the development of an Urban Forestry Management Plan .
MOB-1a	Establish and implement a Roadways Master Plan that addresses the following: <ul style="list-style-type: none"> • Identification of design standards, and exceptions to those standards where deviations are appropriate, for the roadway network. Design standards should include pedestrian, bicycle, public transit, and vehicular accommodations to ensure the circulation network is designed for complete streets. • Identification of Transportation System Management (TSM) and Transportation Demand Management (TDM) strategies for improving efficiencies in the circulation system for all modes of travel.

Action Item No.	Action Item
	<ul style="list-style-type: none"> Integration of a Vision Zero goal of reducing traffic fatalities and sever injuries to zero and adopting strategies to achieve this goal.
ED-1a	Prepare an economic development strategy that: <ul style="list-style-type: none"> Identifies target industries appropriate for Fowler. Identifies the needs of existing businesses. Identifies specific goals for business retention and development over the next 20 years with shorter term goals identified. Identifies marketing strategies to attract target industries. Establishes implementation measures to help achieve identified goals.
PF-8a	Develop a City Hall Site Master Plan to ensure continued supply of adequate office and building space for employee workspace and equipment storage.
PF-8b	Prepare a Fire Station Master Plan to ensure adequate facilities to support Fire Department staffing and equipment.
PF-8c	Prepare a Public Works / Corporation Yard Master Plan .
PF-8d	Prepare a facilities report that tracks all City-owned facilities and update annually.
PF-14a	Prepare a staffing plan for the Police Department to establish target staffing levels and update the plan periodically. The following staffing targets shall be used until the staffing plan is prepared and adopted: <ul style="list-style-type: none"> Target an average staffing level of 1.5 police officers per 1,000 persons when the City population is less than 10,000. Target an average staffing level of 1.25 police officer per 1,000 persons once the City reaches a population of 10,000 or more.
PF-16a	Prepare and maintain a Water Systems Master Plan to estimate future water demands, identify an adequate supply of water to meet future demands, and identify potential new water supplies.
PF-20a	Develop a Storm Drainage Master Plan which outlines necessary infrastructure improvements to the storm drainage system.

Regulatory Documents

The primary regulatory document for implementing the General Plan is Title 9 (Planning and Zoning) contained within the Fowler Municipal Code. While many of the action items listed in **Table 13-2** are focused on specific revisions to the Zoning Ordinance, some action items may require amendments to the broader Municipal Code. Therefore, the action items listed have been organized into amendments that will impact the Zoning Ordinance specifically as well as amendments that should be considered for other Titles of the Municipal Code.

Table 13-2: Action Items – Regulatory Documents

Action Item No.	Action Item
Zoning Ordinance	
LU-13a	Review and revise the Zoning Ordinance, as necessary, to reflect increased density allowances for planned unit developments at the City's discretion. Granting of additional

Action Item No.	Action Item
	density (not to exceed 25%) will depend on the developer's demonstration of the quality of design in such areas as access, circulation, building placement, parking, provision of open space, and architectural design and compatibility with the surrounding area.
LU-18a	Review and revise the Zoning Ordinance, as needed, to allow residential uses in the Community Commercial Designation.
LU-19a	Review and revise the Zoning Ordinance, as needed, to permit neighborhood-serving commercial uses, such as food markets, in residential zones through the Conditional Use Permit process.
LU-20a	Develop policies and regulations to protect industrial areas from incompatible uses.
CDES-3a	Review and revise, as needed, zoning and other City regulations to adopt design, setback, and landscaping standards for development of the State Route 99 corridor through the City of Fowler.
CDES-4a	Review and revise, as needed, sign standards within the Zoning Ordinance to minimize visual obtrusions from signage and identify appropriate size requirements for signs based on context, while ensuring adequate opportunities for commercial messaging.
CDES-5a	Review and revise, as needed, the sign ordinance within the Zoning Ordinance to prohibit new billboards.
CDES-14a	Review and revise zoning and other City regulations, as needed, to ensure nonresidential development allows for small plazas, civic spaces, and other gathering places available to the public to help meet recreational demands.
CDES-19a	Review and revise, as needed, the Zoning Ordinance to integrate compatibility standards for commercial development adjacent to residential and other sensitive users. Such compatibility standards shall address, at a minimum, increased building setbacks, enhanced landscaping, lighting standards, masonry wall requirements, and/or loading or operational limitations.
CDES-20a	Review and revise, as needed, landscaping standards for commercial developments.
CDES-21a	Review and amend, as needed, the zoning ordinance to establish minimum development standards for industrial development, including minimum landscape setbacks, sign standards, lighting standards, and screening standards, as appropriate.
CDES-23b	Require industrial projects to provide transitions when new or expanded industrial development is proposed adjacent to planned or zoned residential areas. Review and revise the Zoning Ordinance, as needed, to integrate compatibility standards for industrial development adjacent to residential and other sensitive users. Such compatibility standards shall address increased building setbacks, enhanced landscaping, lighting standards, masonry wall requirements, and/or loading or operational limitations.
CDES-25a	Review and revise the Zoning Ordinance, as needed, to address potential compatibility issues in consideration of the following design principles: <ul style="list-style-type: none"> • When present, outdoor recreational areas, game courts, and pools on multi-family properties shall be oriented away from adjacent properties. • Solid waste collection areas shall be screened and not visible from public streets. • Parking and access drives should be separated from adjacent properties with a landscaped setback containing deciduous and evergreen trees. A 10-foot minimum transition is preferred but may be reduced at the City's discretion depending on site conditions. The transition may include such provisions as building setbacks, landscaping, and masonry wall requirements.

Action Item No.	Action Item
	<ul style="list-style-type: none"> Exterior light sources should not be directly visible and should be shielded to reflect down onto the ground and not into streets or neighboring property. Multi-story buildings abutting property planned low, medium low, or medium density or developed with existing single-family residences shall employ design techniques, such as second story step backs, to limit the view shed into neighboring single-family property.
CDES-29a	Review and revise, as needed, the parking requirements for specific uses and/or areas, such as the downtown area, which may have different parking objectives when compared to other areas of the city. Parking requirements will facilitate shared parking and other strategies to reduce, to the extent appropriate, the area dedicated to off-street parking.
CDES-29b	Review and revise, as needed, off-street parking requirements for residential projects that allow for flexibility in meeting such requirements and minimize the impact of off-street parking on site design. Off-street parking requirements may differ depending on location within the City and type and size of the project.
CH-2a	Review and revise the Zoning Ordinance, as needed, to include complementary land uses within zoning districts.
CH-7a	Create standards for vegetative barriers that increase vegetation density and height, reduce gaps, and facilitate maximum pollution dispersion.
CH-9a	Review and revise zoning regulations, as needed, to increase opportunities for access to grocery stores and healthy foods wherever possible.
CH-11a	Review and revise the Zoning Ordinance and other City regulations, as needed, to allow licensed farmers' markets as a permitted use in public parks, plazas, and other appropriate locations.
CH-12b	Review and revise zoning and other City regulations, as needed, to allow community gardens as a permitted use in appropriate locations, including parks, commercial, public facility, and residential districts.
CH-12c	Create standards for community gardens which identify appropriate use of land, necessary water service considerations, site design, fencing and screening, and requirements for oversight.
CH-14a	Review and revise the Zoning Ordinance and other City regulations, as needed, to allow for multi-generational homes, accessory dwelling units, and other housing types that may accommodate larger households and potentially reduce overcrowding.
CH-25d	Review and revise, as necessary, the Municipal Code to reflect the noise standards contained in this chapter.
OS-3a	Adopt standards that establish minimum requirements for open space areas to qualify as usable for purposes of meeting the 5% usable open space requirement. Such standards shall require a minimum of a one-half acre park site. The remaining acreage needed to satisfy the 5% usable open space requirement may be made up of neighborhood trails or other usable open space areas meeting the minimum established requirements. In instances where 5% of a project site's acreage, exclusive of rights of way, results in less than one-half acre, the park site for that project site may be constructed equal to the minimum acreage required to comply with 5% standard.
OS-3b	Review and revise, as needed, the Zoning Ordinances for consistency with the 5% open space requirement for single family residential projects.
OS-20a	Ensure adopted design standards require shading requirements for industrial, commercial, and residential development to minimize the urban heat island effect.

Action Item No.	Action Item
OS-22a	Review and revise the standards in the Highway Beautification Overlay Zoning District.
OS-25a	Adopt a parking lot shading standard to achieve compliance with the minimum shading requirement. Some exceptions may apply, such as for certain types of industrial developments. Such exceptions shall be specified in the shading policy.
MOB-10a	Review and revise, as needed, the Zoning Ordinance to include provisions for short-term and long-term bicycle parking and storage facilities.
ED-4b	Review and revise, as needed, the review procedures for minor improvements to existing development and streamline the review and approval process to the extent feasible.
ED-11a	Review and revise, as needed, the Zoning Ordinance and other City policies to encourage the development of a range of housing that can support the diverse housing needs of the local workforce.
ED-14b	Identify and resolve barriers in the City's Zoning Ordinance and administrative and regulatory processes to reduce inefficiencies and time delays associated with the development approvals.
SAF-1a	Review and update the Zoning Ordinance, as necessary, to reflect changes in site planning practices.
SAF-9a	Revise Zoning Ordinance to require industries which store and process hazardous materials to provide a buffer between the facilities and the property boundary.
SAF-16b	Update City design standards to require residential developers to provide a no-turf landscape option that is priced the same as the standard landscape option.
SAF-25a	Review and revise, as necessary, the Zoning Ordinance and other City standards to allow for low-impact stormwater management site design features.
SAF-32a	Review and revise, as needed, zoning regulations to allow community gardens and similar urban agriculture uses.
SAF-33a	Amend local ordinances to require open space or other buffers for new development abutting agricultural areas planned for long-term use.
SAF-34c	Review and revise, as appropriate, zoning regulations allowing for continued agriculture uses in the City limits where no development is proposed in the near-term.
Municipal Code	
CDES-9a	Review the adequacy of code enforcement and administrative citation procedures and revise and/or expand the program where necessary
CH-8d	Adopt local ordinances which ban smoking in outdoor dining areas, within 30 feet of unenclosed waiting areas, within 30 feet of enclosed areas where smoking is prohibited, in hotel rooms, in retail stores dealing exclusively in the sale of tobacco and smoking paraphernalia, and in unenclosed places of employment.
OS-24a	Develop and implement a Tree Preservation Ordinance for the preservation of the City's urban forest, including heritage trees, on public and private property.
ED-5a	Establish a vacant properties ordinance which clarifies code enforcement responsibilities related to the maintenance of vacant land and structures.
SAF-2a	Review and revise, as necessary, the Municipal Code to ensure effective organization, responsiveness, and continuity of government during declared emergencies.
SAF-16a	Review and revise, as necessary, the adopted water efficient landscape standards for consistency with the State Model Water Efficient Landscape Ordinance, as amended. As required, submit reports on the City's implementation of its landscape standards to the California Department of Water Resources and/or other agencies.

Action Item No.	Action Item
SAF-34b	Support the use of Williamson Act contracts to prevent the premature conversion of farmland and review and revise, as needed, the Fowler Municipal Code to facilitate the continuation of Williamson Act Contracted parcels, as appropriate, following annexation.
SAF-35a	Adopt a Right-to-Farm Ordinance.

Design Standards

Preparation and adoption of design standards may be accomplished by establishing design guidelines, which are generally adopted by resolution, or through the establishment of department policy. However, design standards including those listed in **Table 13-3**, may be integrated into the Zoning Ordinance or other regulatory document, which is adopted by ordinance. The mechanism for implementing these design standard action items should be considered based on the level of flexibility the City deems appropriate during implementation. Where it may be appropriate or desired to create objective design standards, the following action items should be considered along with those identified in the *Regulatory Documents* category.

Table 13-3: Action Items – Design Standards

Action Item No.	Action Item
CDES-10a	Establish standards for downtown commercial building façade enhancements and restorations.
CDES-11a	Establish design guidelines and standards for public realm enhancements specific to the downtown area through a Downtown Specific Plan, or other appropriate mechanism. Distinctions should be made between upgrading existing development and new development.
CDES-18a	Adopt commercial standards in consideration of the following design principles: <ul style="list-style-type: none"> • Commercial sites are designed with human scale and pedestrian amenities. • Landscaping is used to unify and improve the visual quality of commercial sites. • Where appropriate, commercial development should be oriented along the street edges of new commercial sites, at street corners, or along main roadways internal to larger developments. • Encourage the use of shared parking amongst various commercial and office uses where possible. Minimize required off-street parking. • Ensure that commercial buildings incorporate ground floor transparency when appropriate. • Encourage architectural elements that contribute to the visual quality and existing context of new commercial development, such as varied massing and roof types, articulating building façades, and a variety of cohesive building materials and color schemes.
CDES-23a	Adopt industrial standards in consideration of the following design principles: <ul style="list-style-type: none"> • Exterior lighting should be integrated within the architectural design for industrial buildings. Light sources should not be visible and should be shielded to reflect down onto the ground and not into streets or neighboring property. Utility

Action Item No.	Action Item
	<p>connections should be coordinated with architectural elements of the site and/or building so as not to be a visual nuisance. Utilities should be underground or screened from view from the street.</p> <ul style="list-style-type: none"> • Storage facilities should be screened and constructed to prevent visual clutter. • Permanent outdoor storage should be screened by landscaping or materials compatible with the surrounding buildings' architecture. • Varied architectural details should be applied to all façades exposed to public view. Blank end walls and long, monotonous façades shall be avoided. Treatments shall include architectural features, landscaping, or art elements that tie into the overall design theme.
CDES-24a	<p>Adopt multifamily residential standards in consideration of the following design principles:</p> <ul style="list-style-type: none"> • Building elevations and massing should be modulated to convey the characteristics of separate units. Long, unbroken building façades are discouraged. Building massing that incorporates a combination of one story and two-story elements with varied floor setbacks is encouraged. • Reduce the visual impact of parking. • Multifamily structures should be clustered to provide for maximum open space, when possible. • Within multifamily projects, including mobile home parks, a minimum of 10% of the project site shall be developed with usable open space which could include swimming pools, green space, recreation trails, or parks.
CDES-26a	<p>Adopt single family residential standards in consideration of the following design principles:</p> <ul style="list-style-type: none"> • Avoid box-like structures through the articulation and modulation of building elevations, variation of rooflines, and features to create visual interest. • Require architectural elements, such as entries, porches, and windows along all street facing façades. • Encourage a blend of compatible architectural styles that contain varied façade detailing, rooflines, materials, and color schemes. • Use varied front yard setbacks within single family residential projects, wherever possible, to provide visual interest to the street scene and provide an effective transition from the home to the street. Buildings should be arranged in a staggered and variable setback fashion to provide visual interest and to avoid a repetitive appearance. • Require design transitions when new residential development is proposed adjoining existing residential development of a lower density.
OS-20b	Establish tree shading implementation standards, including identification of preferred tree species.
OS-22b	Develop design standards in support of the Golden State Boulevard Corridor Plan.
SAF-31b	Review and revise local policies, including plant lists, to ensure local landscaping attracts butterfly and other pollinating species.

Resource Documents

Resource documents are generally those that do not fit into one of the previous categories (i.e., *Plans and Reports*, *Regulatory Documents*, *Design Standards*). The action items listed in **Table 13-4** are generally related to branding or messaging for the City of Fowler, which may include a combination of plans, regulations, or informational brochures. The City should consider whether implementation of these action items may be coordinated or combined with implementation action items in a related category, such as *Plans and Reports*. For instance, Action Item ED-7b, listed below, may be developed in coordination with or as part of the economic development strategy required by Action Item ED-1a, listed in **Table 13-1: Action Items – Plans and Reports**.

Table 13-4: Action Items – Resource Documents

Action Item No.	Action Item
CDES-1a	Develop a branding package for the City of Fowler, including the development of gateway signage standards and a series of print and web graphics that create a cohesive design for the City.
CDES-2a	Prepare a cohesive and locally branded wayfinding program for the downtown, local parks, historic sites of interest, and community trails. Wayfinding signs shall be consistent with City branding standards. Interpretive signage shall be developed to enhance locally important places.
CDES-7b	Establish a design resource for property owners, developers, and City staff to ensure awareness of the community identifiers inventory and considerations for making improvements to such landmarks or adjacent properties.
ED-7b	Develop key messaging to effectively communicate the goals and intent of the Economic Development Strategy to a broad audience and members of the identified target industries.

Public Works Improvements Standards

Like the Zoning Ordinance, public works improvement standards play a significant role in the implementation of the General Plan. The action items listed in **Table 13-5** may modify existing public works improvement standards or require new standards be implemented. Most of the action items are related to the design of roadways, access, or other transportation infrastructure such as trails. However, additional standards may be required once the infrastructure master plans, as called for in **Table 13-1: Action Items – Plans and Reports** are completed.

Table 13-5: Action Items – Public Works Improvement Standards

Action Item No.	Action Item
CDES-21b	Review and revised, as needed, public works standards to require sidewalks and street trees, as appropriate, within the public right-of-way. Additional standards addressing driveway consolidations may also be addressed, as appropriate.
CDES-27a	Establish direct access standards for single-family residential onto collector streets.

Action Item No.	Action Item
CH-1c	Amend road design standards, as necessary, to include complete street design principles.
CH-3b	Require street lighting within the rights-of-way of all public streets.
CH-4a	Establish street design standards for each land use zone and require street trees of “medium” size or larger in commercial, residential, and mixed-use zones.
OS-10a	Develop and adopt community trail and community trail connector design standards as shown in Figure 8-2: Trail Facilities .
OS-21b	Review and revise public works standards as needed to accommodate street trees.
MOB-11a	Review and revise, as needed, public works standards to include pedestrian and bicycle safety features where appropriate.
MOB-11b	Establish design standards to ensure the bikeway network is easily identifiable and consistent with standard signs and markings, as designated by the State of California Traffic Control Devices Committee and the State Bikeway Committee.
MOB-17a	Review and revise, as needed, public works standards to incorporate design features to accommodate future public transit stops.
MOB-30a	Review and revise, as necessary, City standards to establish criteria for site ingress and egress and driveway locations.
MOB-34a	The distance between commercial driveways on arterial streets should be not less than 400 feet. Where practical and desirable, commercial driveways should be located on adjacent collector streets rather than on arterial streets.
MOB-34b	Driveway access to major activity centers, including multifamily development, should be located no closer than 200 feet to the intersection of a collector or arterial street.
SAF-15a	Review and revise, as appropriate, City standards to allow for Low Impact Development (LID) strategies. Periodically review City standards to ensure innovative or new site design strategies which protect water quality are permitted, as appropriate.

Programs

The action items listed in **Table 13-6** generally call for the establishment of a new program by the City, such as an incentive program for private entities to make improvements or a business retention program, or they may involve pursuing the feasibility of a new program or designation, such as consideration of a Property and Business Improvement District. Like the **Resource Documents** action items, these programs and other activities may be coordinated with action items in other categories, as appropriate.

Table 13-6: Action Items - Programs

Action Item No.	Action Item
LU-16a	Develop an ongoing improvement program for the downtown which maintains its unique character and provides an opportunity for a variety of services, retail uses, offices, and housing.
OS-19a	Pursue the establishment of the City of Fowler as a Tree City USA community.
ED-4a	The City shall establish incentive programs and seek resources for physical improvements of existing buildings, roads, and other infrastructure. These programs

Action Item No.	Action Item
	may include fast track processing, deferral or waiver of fees, reimbursement of costs for improvements, and loans and grants for improvements.
ED-7a	Designate one key staff person to be the primary contact person for all economic development activities.
ED-7d	Consider the establishment of a Property and Business Improvement District or similar group.
ED-13a	Develop a business retention program that identifies and addresses issues for existing businesses.

Capital Improvement Program (CIP)

The Capital Improvement Program (CIP) is a planning level document that allows for the City to prioritize infrastructure improvements and other capital expenditures on a rolling 5-year time period. The following action items are for consideration during the annual review of the CIP.

Table 13-7: Capital Improvement Program (CIP) Action Items

Action Item No.	Action Item
CH-32a	Consider City vehicles and equipment as part of the Capital Improvement Program (CIP) process.
MOB-27a	Annually review and revise the Capital Improvement Program (CIP) to ensure roadway improvements are prioritized and scheduled for construction over at least a 5-year period.
ED-3b	Prioritize capital improvement projects that also support economic development goals.
SAF-2b	Procure generators, or another suitable alternative, for back-up power at City Hall, the Police Department, the Fire Department, and all domestic water distribution infrastructure.

Inventories and Evaluations

The General Plan includes many action items requiring the City to inventory a wide range of properties or evaluate the condition of existing improvements. These action items are intended to build a database of information that can support economic development efforts, inform prioritization of public improvements, or document properties of interest. Several of these action items require some level of data mapping and may be coordinated with one another. Completion of these action items may also help to inform, or be combined with, some of the action items listed in *Table 13-1: Action Items – Plans and Reports*.

Table 13-8: Action Items – Inventories and Evaluations

Action Item No.	Action Item
CDES-7a	Prepare a local inventory of community identifiers.

Action Item No.	Action Item
CDES-23c	Map existing industrial and residential interface locations.
CH-1a	Identify gaps in the existing pedestrian and bicycle network to inform capital improvements programming and grant funding opportunities.
CH-3a	Conduct a visual quality assessment of bicycle and pedestrian facilities to determine the efficacy of existing active transportation improvements and to help prioritize future improvements.
CH-12a	Identify existing and potential community garden sites on public property, including parks, recreation and senior centers, public easements and rights-of-way, and surplus property.
ED-2a	The City shall create a property database and contact program identifying the status of sites in critical commercial and industrial locations and clarifying the willingness and ability of owners to participate in development plans.
ED-3a	One year following adoption of the General Plan, consider alternative land uses within the EDFA that would be compatible with and facilitate current market trends, contribute to Fowler's tax base, and support Fowler's Economic Development Strategy. Additional areas may be considered based on conditions at the time of evaluation.
ED-14a	Conduct an inventory of vacant and underutilized land designated for commercial and industrial uses and identify opportunities for predevelopment studies to help facilitate development of key sites.
SAF-10a	Prepare and maintain a map of hazardous waste sites identified through regional, State, and federal resources.
SAF-27a	Evaluate critical facilities for risk from seismic and geologic hazards. Prioritize improvements based on level of expected risk.

Review Procedures

The following action items are related to the review of development requests. In some cases, they require the City to establish or update fees that would be collected during the review process. In other cases, they require the preparation of guidelines or review requirements to be implemented or coordinated during the development review process. These action items should generally be implemented in the near-term, as appropriate, to support the ongoing review processes that are regularly implemented by City staff.

Table 13-9: Action Items – Review Procedures

Action Item No.	Action Item
Fees	
CH-8b	Establish licensing and advertising fees related to tobacco sales and advertising.
OS-10b	Update the Development Impact Fee Study for the park development impact fee to include the community trail network.
MOB-29a	Participate in the establishment of regional transportation mitigation fees and/or benefit districts to be assessed on new development. The fees shall cover a reasonable share of the costs of providing local and subregional transportation improvements needed for serving new development.

Action Item No.	Action Item
Traffic Impact Guidelines	
MOB-4a	Prepare guidelines for the evaluation of vehicle miles traveled. The guidelines should include significance criteria for evaluating impacts, thresholds of applicability for discretionary projects, and guidance on analyzing transportation impacts.
MOB-4b	Identify a range of actions available for developments to mitigate transportation impacts, specifically targeted at reducing vehicle miles traveled.
Memorandum of Understanding	
LU-7a	Review the Memorandum of Understanding (MOU) with the County of Fresno and initiate negotiations to amend the MOU, if necessary, to ensure City review of development applications with the City's Sphere of Influence.

Ongoing

The following action items are expected to be ongoing on either a periodic (e.g., annual) basis or on a perpetual basis, such as during the development review process. Additional ongoing tasks direct continual monitoring of grant and other funding opportunities that would support implementation of other action items.

Table 13-10: Action Items – Ongoing

Action Item No.	Action Item
LU-9a	The City shall compile a report outlining the building permits issued for all residential units by growth tier and planned land use on an annual basis for reporting to City Council.
CDES-1b	As part of roadway and other public improvement projects, integrate gateway features at primary entrances to the City, including Merced Street, Golden State Boulevard, and Manning Avenue.
CDES-8a	Monitor grant funding and low- or no-interest loan programs and advertise the available opportunities.
CH-1b	Prioritize pedestrian and bicycle improvement projects that close gaps in the mobility network and those which link the east and west sides of the city.
CH-8a	Initiate and enforce tobacco control laws that aim to address underage tobacco sales and smoke-free home and workplace laws.
CH-8c	Continue to enforce smoking bans on public property, government buildings, and public parks.
CH-11b	Increase support for farmers' markets through partnerships with other public agencies and private institutions.
CH-13a	Distribute informational materials on the warning signs of toxic substances through the Building Department.
CH-15a	Coordinate with Fresno County Housing Authority and Department of Public Health to distribute informational materials on affordable housing programs and other, similar opportunities.

Action Item No.	Action Item
CH-16a	Coordinate with Fresno County Department of Public Health to distribute informational materials on the dangers of secondhand smoke exposure and methods to limit exposure.
CH-20a	Upon request, provide translation services for in-person and virtual public meetings to ensure information is provided in a way that supports broad community participation. Translation services should be made available in a variety of languages most applicable to the community, which may change over time.
CH-22a	Consider alternative schedules, venues, and formats for public meetings to facilitate maximum participation.
CH-25a	Require an acoustical analysis as part of the environmental review process when uses are proposed within the contour lines as shown on <i>Figure 7-1</i> that exceed the exterior noise levels identified in <i>Table 7-1</i> .
CH-25b	Require an acoustical analysis as part of the environmental review process when a proposed use is likely to exceed the permitted exterior noise levels identified in <i>Table 7-1</i> .
CH-25c	Temporary uses such as live music events, festivals, or markets that are considered short-term or intermittent may exceed maximum noise levels but shall incorporate noise reduction measures to the extent feasible.
MOB-16a	Actively participate in the development of short and long-range transit plans, including the Fresno County Long Range Transit Plan and transit plans prepared by the Fresno County Rural Transit Agency (FCRTA).
MOB-18a	Coordinate with Fresno County Rural Transit Agency (FCRTA) and other public transit agencies to facilitate additional transit stops.
MOB-18b	Ensure that pedestrian and bicycle facilities are provided along and/or near transit routes, whenever feasible, to improve access and connectivity.
MOB-20a	Identify economically feasible street and highway improvement and maintenance projects that will improve goods movement.
MOB-20b	Identify opportunities to support commercial and industrial access to existing rail facilities within the planning area.
ED-7c	Identify financial resources to carry out the marketing plan.
ED-9a	Partner with the local businesses, identified target industries, Fowler Unified School District, universities, community colleges, and vocational programs to inform education programs to facilitate job readiness and employment opportunities for residents.
ED-10a	Coordinate with Fresno Economic Development Corporation and similar organizations to identify available incentives for companies employing Fowler residents.
SAF-2c	The City, in conjunction with other local, State, and Federal agencies, shall ensure operational readiness of the Emergency Operations Center (EOC), conduct annual training for staff, and maintain, test, and update equipment to meet current standards.
SAF-2d	Monitor potential risk from seismic and geologic hazards and implement actions identified by the Multi-Hazard Mitigation Plan to reduce these risks.
SAF-2e	Sponsor and support educational programs regarding emergency response, disaster preparedness protocols and procedures, and disaster risk reduction.
SAF-2f	Sponsor and support cooling centers during extreme heat days.
SAF-8a	Continue to provide household hazardous waste collection programs to encourage proper disposal of products containing hazardous materials or hazardous wastes

Action Item No.	Action Item
SAF-8b	Should a site be contaminated by hazardous waste, work with the Fresno County Environmental Health Division, related agencies, and landowners to enable the clean-up of these sites.
SAF-9b	Ensure that industrial facilities are constructed and operated within the standards of the most up-to-date safety and environmental protocols.
SAF-10b	Ensure that the proponents of new developments address hazardous materials concerns through preparation of Phase I and Phase II studies, as necessary, as part of the design phase.
SAF-10c	Require buildings used for operations requiring a hazardous materials business plan to be investigated for the presence of hazardous materials and waste as part of the re-use, rehabilitation, or demolition process.
SAF-14a	Monitor funding sources for improvements, if necessary, to maintain the domestic water system in accordance with applicable water quality standards.
SAF-18a	Coordinate with Selma-Kingsburg-Fowler (SKF) County Sanitation District on what options are available to reuse recycled water.
SAF-34a	Utilize master plans and the Capital Improvement Program (CIP) to implement the extension of urban services efficiently and responsibly.
SAF-35b	Prior to adoption of a Right-to-Farm Ordinance, continue to require that purchasers of homes located in the vicinity of agricultural operations be provided a Right-to-Farm notification of such activities by way of deeds and/or escrow documentation.
PF-1a	Require the developer to be responsible for the improvement and/or provision of adequate public facilities and services to maintain existing service levels for existing residents and businesses. This may include the installation of additional public facilities, water, or road infrastructure or the provision of fees for emergency, public safety, and City services.
PF-6a	Prepare, adopt, and periodically update a Capital Improvement Program (CIP) which outlines and prioritizes necessary updates and additions to public facilities for a minimum 5-year period. Review and update the CIP on an annual basis.
PF-10a	Continue to implement existing community programs and consider new programs that encourage opportunities for the police force to connect with the community.
PF-14b	Explore options to staff full-time or part-time fire fighter and support staff.
PF-15a	Require security camera systems to be installed in commercial and industrial areas with interoperability into City policing systems.
PF-20b	Require all new development to contribute no net increase in stormwater runoff peak flows over existing conditions associated with a 100-year storm event.
PF-20c	Require new development to include grading and erosion control plans prepared by a registered engineer or land surveyor.
PF-20d	Implement measures to protect areas from erosion and sediment loss and continue to require construction contractors to comply with the City's grading ordinance and stormwater management and discharge control requirements.

Errata to the Public Review Draft City of Fowler 2040 General Plan

This errata documents the revisions to the Public Review Draft City of Fowler 2040 General Plan, dated December 2022. The revisions are based upon (1) additional or revised information in response to comments received during the public review and comment period, (2) corrections to clarify intent, and/or (3) typographical and clerical errors.

Comments Received

The Public Review Draft City of Fowler 2040 General Plan was released for a 58-day public review and comment period starting on December 22, 2022 and closing on February 15, 2023. During the review and comment period, two comment letters were received specifically related to the General Plan. One additional comment letter was submitted following the close of the comment period as noted below. Copies of each comment letter received are included as Attachments A-1 through A-3. Additional comments received pertaining to the City of Fowler 2040 General Plan Environmental Impact Report (EIR) have been addressed in the Final EIR, under separate cover.

Letter	Commenter	Date Received	Summary of Comment	Response/Revision
A-1	Parm Pannu	December 28, 2022	Requested that APN 348-041-01 (9148 South Temperance Avenue) be included in the General Plan Sphere of Influence.	No revision made. The commenter is requesting that APN 348-041-01 be included in the General Plan Sphere of Influence (SOI). The APN is located at the southeast corner of East Manning Avenue and South Temperance Avenue and is included in the General Plan Planning Area boundary, which is a prerequisite for being included in the SOI. Adoption of the General Plan does not change the SOI. Amendment of the SOI boundary would be a subsequent action by the City of Fowler involving an application to be filed by the City of Fowler to the Fresno County Local Agency Formation Commission, which has authority over amending the SOI boundary. Inclusion of APN 348-041-01 in the General Plan Planning Area boundary does make the property eligible for inclusion in the SOI Amendment application once that process is initiated by the City of Fowler.

Letter	Commenter	Date Received	Summary of Comment	Response/Revision
A-2	California Department of Transportation (Caltrans)	February 6, 2023	Recommended language change to Policy MOB-6 guidance text to correct the use of an acronym.	Revisions made. The recommended language change has been made. See <i>Revision No. 4</i> below.
A-3	Fresno County Department of Public Health	March 2, 2023 (late submittal)	Recommend language change to Action CH-8b related to tobacco sales and advertising.	Revisions made. The recommended language change has been made. See <i>Revision No. 3</i> below.

Revisions

The following documents revisions to the Public Review Draft City of Fowler 2040 General Plan. Revisions are identified here in ~~strikeout text~~ to indicate deletions and in underlined text to signify additions.

Revision No. 1 – Table 4-1: Land Use Designations and Consistency Matrix, Neighborhood Commercial (Page 18)

The following revision is made to the description for the NC-Neighborhood Commercial land use designation to clarify the uses allowed within the designation. This revision is consistent with and reflects policy language contained in the General Plan document.

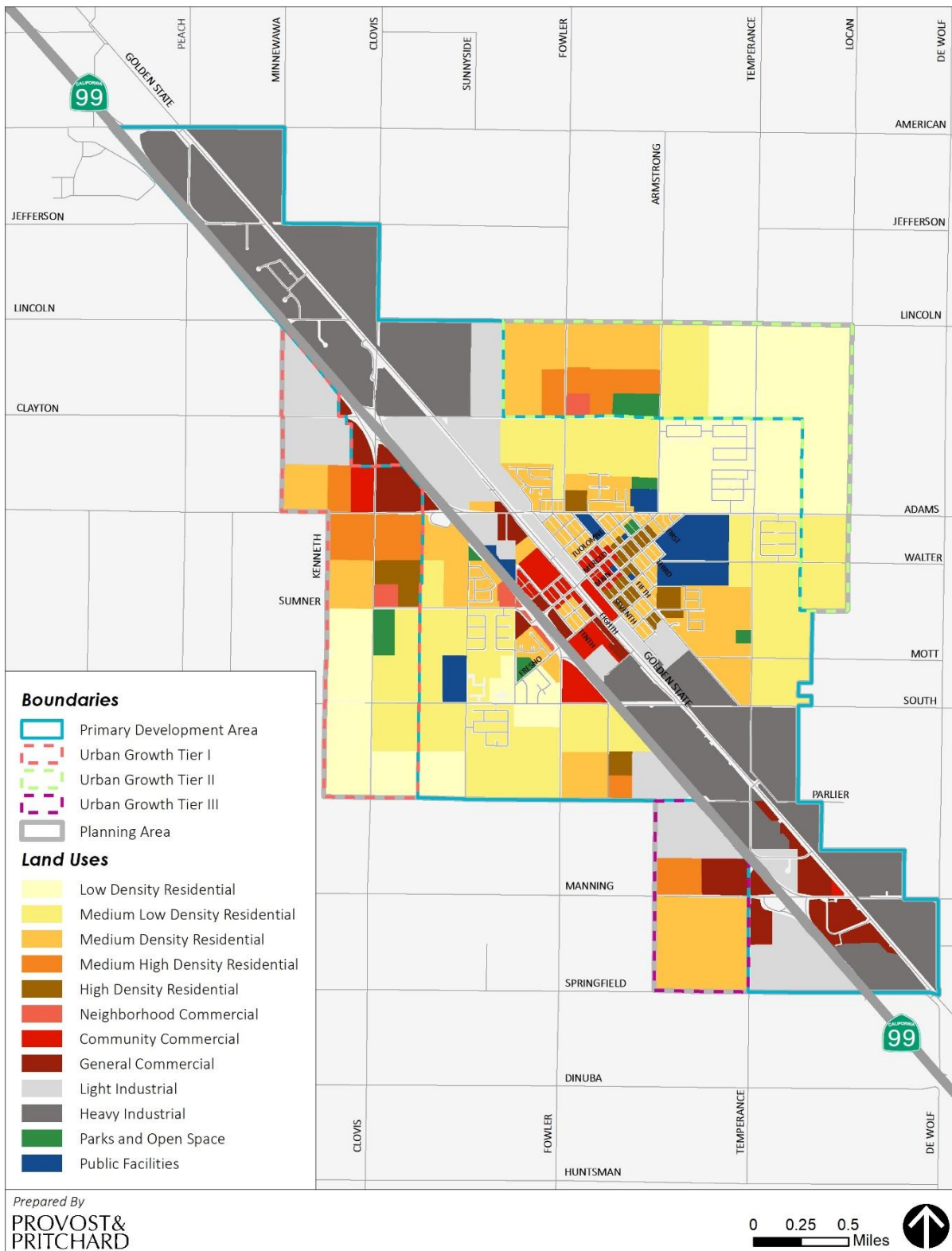
Neighborhood commercial provides for commercial uses serving convenience and commercial needs, but also offers general merchandise, variety, and specialty items and are intended to serve the smaller market area surrounding the site. Limited residential uses are also allowed in Neighborhood Commercial locations where appropriate.

This designation is typically programmed near activity centers, homes, and the downtown. Neighborhood Commercial uses are most appropriate on sites of 10 acres or smaller.

Revision No. 2 – Figure 4-1: Land Use Diagram (Page 26)

Figure 4-1: Land Use Diagram depicts the land use designations within the City of Fowler Planning Area boundary. Portions of two parcels planned for Medium Density Residential on this figure did not print correctly and were therefore inadvertently omitted from Figure 4-1. The figure has been replaced with the corrected land use diagram, as shown below.

Figure 4-1: Land Use Diagram



Revision No. 3 – Action Item CH-8b (Page 44)

The following revisions to Action Item CH-8b acknowledge that Fowler already has a tobacco retail licensing (TRL) program in place that has not been fully implemented and enforced. The revision provides the City with flexibility in improving the existing TRL program as appropriate.

Action Item CH-8b ~~Establish~~ Enhance licensing and ~~advertising fees~~ protections related to tobacco sales and advertising.

Revision No. 4 – Policy MOB-6 Guidance Text (Page 66)

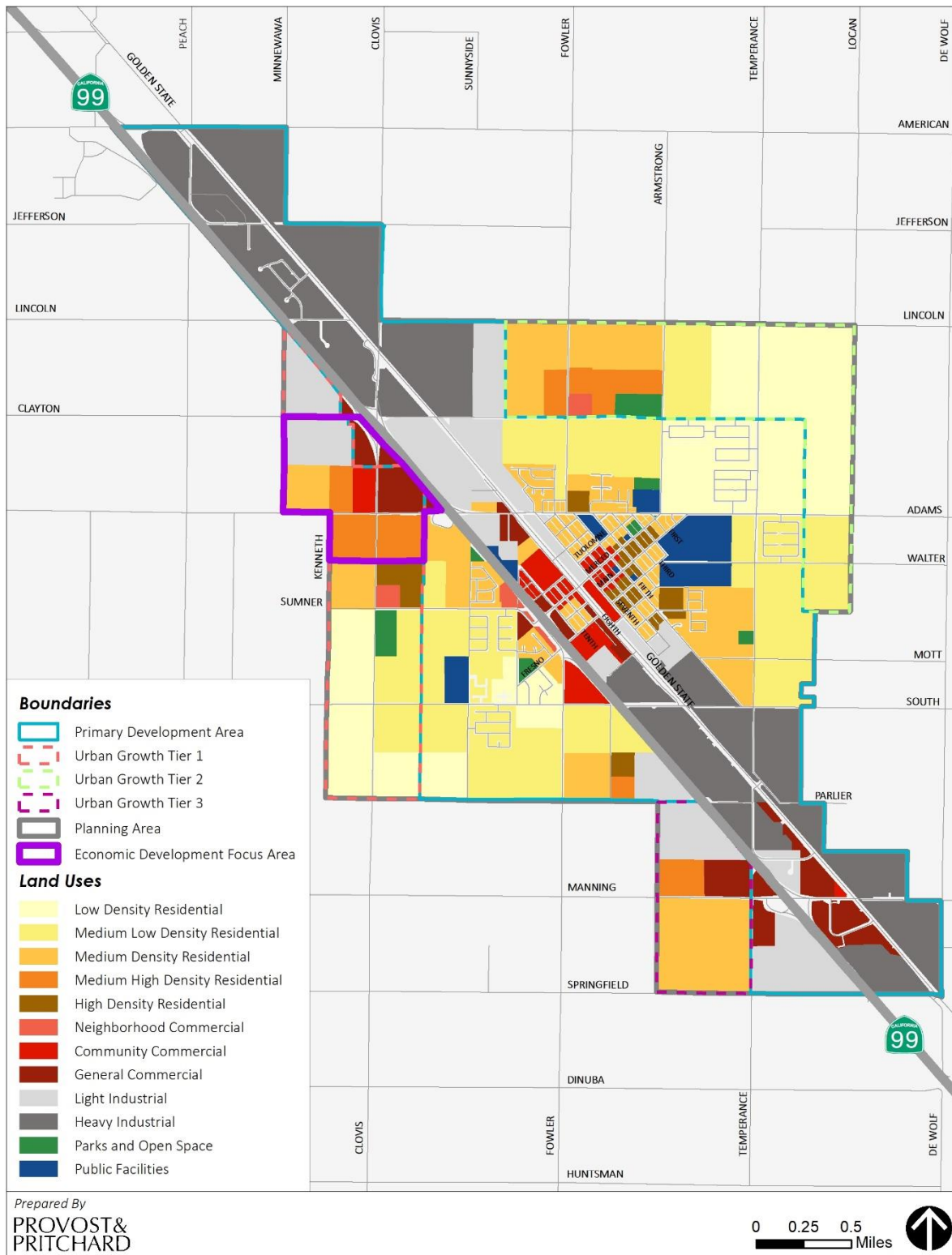
The following revision is a technical correction to the acronym referenced in the guidance text directly following Policy MOB-6.

Intelligent Transportation Systems (~~ITS~~ITS) are advanced information and telecommunications networks which aim to provide innovative services relating to different modes of transport and traffic management and enable users to be better informed and make safer decisions.

Revision No. 5 – Figure 10-1: Economic Development Focus Area (Page 77)

Figure 10-1: Economic Development Focus Area identifies the Economic Development Focus Area (EDFA) as referenced in Policy ED-3. The EDFA is shown as a boundary with the land use diagram as a base map. The omissions on the land use diagram, as noted in Revision No. 2 above, also occurred on Figure 10-1. Therefore, Figure 10-1 has been replaced with the corrected land use diagram, as shown below. No changes to the EDFA boundary were made.

Figure 10-1: Economic Development Focus Area



Attachment A-1

Parm Pannu, dated December 28, 2022

From: Parmpreet Pannu <parmpreetpannu@outlook.com>

Sent: Wednesday, December 21, 2022 5:53 PM

To: Thomas Gaffery <tgaffery@ci.fowler.ca.us>

Subject: Fowler 2040 General Plan Issue

Hello Thomas,

Hope all is well. After reviewing the general plan, I have an issue with one of the parcels not being included into the sphere of influence. We would like to add parcel 34804101 (9148 S. Temperance Fowler, CA 93625) to be included in the GP sphere of influence. If we could bypass the sphere of influence and get it annexed into the city that would be even better. We have been waiting a long time for this parcel to be included in Fowler zoning ordinance as we are eager to develop the property to what would be C3 zoning.

Please let me know the steps or processes needed to be done to the draft of the GP to make this happen. I have reviewed some phone calls of the previous general plan meetings and I know this question was brought up for discussion. The Bedrosian family apparently requested something similar, and after looking at the area they had interest, it is indeed in the sphere of influence as it was not initially. Luckily this is still a draft and changes are able to be made.

Looking forward to hearing from you.

- Parm Pannu

Attachment A-2

California Department of Transportation (Caltrans), dated
February 6, 2023

California Department of Transportation

DISTRICT 6 OFFICE
1352 WEST OLIVE AVENUE | P.O. BOX 12616 | FRESNO, CA 93778-2616
(559) 908-7064 | FAX (559) 488-4195 | TTY 711
www.dot.ca.gov



Governor's Office of Planning & Research

February 6, 2023

FEB 6 2023

STATE CLEARING HOUSE

FRE-GEN

GPU – Draft General Plan Update
City of Fowler 2040 General Plan and DEIR

SCH # 2021110053

<https://ld-igr-gts.dot.ca.gov/district/6/report/28605>

SENT VIA EMAIL

Thomas W. Gaffery IV, Community and Economic Development Director
Community and Economic Development Department
City of Fowler
128 S. 5th Street
Fowler, CA 93625

Dear Mx. Gaffery:

Thank you for the opportunity to review the Draft Fowler 2040 General Plan (GP) and the associated Draft Environmental Impact Report (DEIR). The Draft GP is a planning document that establishes policies and land uses that guide the growth and development for the City of Fowler specifically looking toward the planning horizon of 2040. The DEIR is a document that analyzes and discloses the potentially significant environmental impacts associated with the adoption of the Draft GP.

Caltrans provides the following comments consistent with the State's smart mobility goals that support a vibrant economy and sustainable communities:

1. It is understood that the City has adopted transportation impact criteria based on the Vehicle Miles Traveled (VMT) as presented in the Fresno Council of Governments' *Fresno County SB 743 Implementation Regional Guidelines*, as noted in the DEIR Appendix I, Traffic Study for the Draft GP. Caltrans encourages the City and project proponents of future developments coordinate with Caltrans in regard to projects that have the potential to impact the State Highway System (SHS), such as State Route (SR) 99 facilities.

2. Appendix I – Traffic Study, Page 10, intersections identified for potential control improvements include SR 99 northbound and southbound ramps at Clovis Avenue as well as the SR 99 southbound on-ramp at Fowler Avenue. It is recommended that when these identified improvements are warranted for implementation that they be coordinated with Caltrans. Further analysis on these improvements will be required and includes processes such as Caltrans' Intersection Control Evaluation (ICE) process.
3. Please note that future further studies such as transportation impact studies, queueing analyses, or safety analyses may be needed for the land uses near the SR 99 interchanges within the City of Fowler.
4. Chapter 9, Page 66, Policy MOB-6, shows Intelligent Transportation Systems abbreviated as "(ITA)". This intended abbreviation might be referring to "(ITS)" instead of what is currently showed on this page.
5. Caltrans encourages local agencies consider creating a VMT Mitigation Impact Fee to help reduce impacts to the SHS.
6. Local agencies are also encouraged to consider implementing policies that support multimodal transportation systems (such as bicycle and pedestrian facilities and public transportation services) to provide connectivity of modes within communities which also help reduce VMT.
7. Active Transportation Plans and Smart Growth efforts support the state's 2050 Climate goals. Caltrans supports reducing VMT and GHG emissions in ways that increase the likelihood people will use and benefit from a multimodal transportation network.

If you have any other questions, please call or email Christopher Xiong at (559) 908-7064 or Christopher.Xiong@dot.ca.gov.

Sincerely,



DAVID PADILLA, Branch Chief
Transportation Planning – North

C: State Clearinghouse

Attachment A-3

Fresno County Department of Public Health, dated March 2, 2023

From: Gholamrezaei, Leila <lgholamrezaei@fresnocountyca.gov>
Sent: Thursday, March 2, 2023 12:02 PM
To: Thomas Gaffery <tgaftery@ci.fowler.ca.us>; Dawn Marple <dmarple@ci.fowler.ca.us>
Cc: Gonzalez, Raul <raugonzalez@fresnocountyca.gov>
Subject: General plan consideration

Good Morning Thomas and Dawn,

Congratulations on the release of the Fowler General Plan! We are excited about Fowler's commitment to reducing tobacco use and protecting the community from secondhand smoke. However, we suggest a minor revision to Action Item CH-8b to make it more legally sound since Fowler already has a tobacco retail licensing (TRL) program that has not been fully implemented and enforced. Please see the suggested revision below. This revision will provide the city with the flexibility to improve upon the existing TRL policy.

Recommended change: Action Item CH-8b ~~Establish~~Enhance licensing and ~~advertising fees~~protections related to tobacco sales and advertising.

Thank you for all of your work on this. We look forward to continuing to partner in the future.

Sincerely,

Leila Gholamrezaei-Eha, MPH | Health Educator

Fresno County Department of Public Health

1221 Fulton Street, Fresno, CA 93721

Phone (559) 600-6440

lgholamrezaei@fresnocountyca.gov

Pronouns: she/hers

The County of Fresno is an Equal Employment Opportunity Employer.



CITY OF FOWLER 2040 GENERAL PLAN

FINAL ENVIRONMENTAL IMPACT REPORT

MARCH 2023

SCH NO. 2021110053

Prepared For:

The City of Fowler
Community and Economic Development Department
128 S. 5th Street
Fowler, CA 93625

Prepared By:
PROVOST & PRITCHARD CONSULTING GROUP
455 W. FIR AVENUE
CLOVIS, CA 93611

EST 1968
**PROVOST &
PRITCHARD**
CONSULTING GROUP
An Employee Owned Company

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1. Introduction

1.1 INTRODUCTION

This Final Environmental Impact Report (FEIR) has been prepared in accordance with the California Environmental Quality Act (CEQA) as amended (Public Resources Code Section 21000, et seq.) and the State CEQA Guidelines (California Code of Regulations, Title 14, Chapter 3, Section 15000, et seq.). It represents the independent judgement of the City of Fowler, the Lead Agency.

According to CEQA Guidelines Section 15132, the FEIR shall consist of:

- (a) The Draft Environmental Impact Report (DEIR) or a revision of the Draft;
- (b) Comments and recommendations received on the DEIR either verbatim or in summary;
- (c) A list of persons, organizations, and public agencies commenting on the DEIR;
- (d) The responses of the Lead Agency to significant environmental points raised in the review and consultation process; and
- (e) Any other information added by the Lead Agency.

This document contains responses to comments received on the DEIR for the City of Fowler General Plan Update during the public review period, which began December 21, 2022, and closed February 15, 2023. In accordance with CEQA Guidelines Section 15132, the FEIR comprises this document and the circulated DEIR as revised .

1.2 FORMAT OF THE FEIR

This document is organized as follows:

Section 1, Introduction. This section describes CEQA requirements and content of this FEIR.

Section 2, Response to Comments. This section provides a list of agencies and interested persons commenting on the DEIR; copies of comment letters received during the public review period, and individual responses to written comments. To facilitate review of the responses, each comment letter has been reproduced and assigned a number for each commentor received from agencies and organizations and then assigned an alphabetical letter to identify each individual comment within each comment document. No letters were received from individuals/property owners regarding content of the DEIR. Three members of the public and the Fresno County Department of Public Health provided comment to the City via email. Emails were received from Kevin Johnston, on December 23, 2022, and Kenneth Hampian, on February 21, 2023, both requesting access portions of the DEIR. The third email was from Parmpreet Pannu on December 21, 2022, requesting that a parcel be included in the Fowler 2040 General Plan Sphere of Influence. Staff directed the requester to the appropriate information and determined that the parcel was already included in the planning area. Finally, an email received from Leila Gholamrezaei-Eha of the Fresno County Department of Public Health was received on March 2, 2023. The email requested a revision to the wording of one of the General Plan Policies. These emails

were informational requests or comments of the General Plan itself and are not considered formal comments as part of the public comment period for the DEIR. Therefore, these emails have not been included as a part of the FEIR.

Section 3. Revisions to the Draft EIR. This section contains revisions to the DEIR text and figures as a result of the comments received by agencies and interested persons as described in Section 2, and/or errors and omissions discovered subsequent to release of the DEIR for public review.

The responses to comments contain material and revisions that will be added to the text of the DEIR. City of Fowler staff reviewed this material and determined that none of the comments constitutes new significant information that would change the findings of the circulated DEIR and therefore, does not require recirculation per CEQA Guidelines Section 15088.5. None of this new material indicates that the Project would result in new significant environmental impacts that have not been previously disclosed in the DEIR. Additionally, none of the comments indicate a substantial increase in the severity of a previously identified environmental impact that will not be mitigated, or that there would be any of the other circumstances requiring recirculation described in Section 15088.5.

1.3 REVIEW AND CERTIFICATION OF THE FINAL EIR

Consistent with Public Resources Code 21092.5, responses to agency comments will be forwarded to each commenting agency at least 10 days prior to the public hearing. At the same time, responses will be distributed to all commenters who provided an address. The Final EIR is available for public review on the City of Fowlers website <http://www.fowlercitiy.org>. For additional information please contact Thomas W. Gaffery IV, Community & Economic Development Director by email at tgaffery@ci.fowler.ca.us or by phone at (559) 834-3113.

1.4 CEQA REQUIREMENTS REGARDING COMMENTS AND RESPONSES

CEQA Guidelines Section 15204(a) outlines parameters for submitting comments and reminds persons and public agencies that the focus of review and comment of DEIRs should:

“focus on the sufficiency of the document in identifying and analyzing possible impacts on the environment and ways in which significant effects of the project might be avoided or mitigated.”

Comments are most helpful when they suggest additional specific alternatives or mitigation measures that would provide better ways to avoid or mitigate the significant environmental effects. At the same time, reviewers should be aware that the adequacy of the DEIR is determined in terms of what is reasonably feasible. CEQA does not require a lead agency to conduct every test or perform all research, study, and experimentation recommended or demanded by commenters. When responding to comments, lead agencies need only respond to significant environmental issues and do not need to provide all information requested by reviewers, as long as a good faith effort of full disclosure is made in the DEIR.”

CEQA Guidelines Section 15204(c) further advises:

“Reviewers should explain the basis for their comments, and should submit data or references offering facts, reasonable assumptions based on facts, or expert opinion supported by facts in support of the comments. Pursuant to Section 15064, an effect shall not be considered significant

in the absence of substantial evidence.”

Section 15204(d) also states,

“Each responsible agency and trustee agency shall focus its comments on environmental information germane to that agency’s statutory responsibility.”

Section 15204 (e) states:

“This section shall not be used to restrict the ability of reviewers to comment on the general adequacy of a document or of the lead agency to reject comments not focused as recommended by this section.”

The responses will be forwarded with copies of this FEIR, as permitted by CEQA, and will conform to the legal standards established for response to comments on DEIRs.

2. Response to Comments

CEQA Guidelines Section 15088 requires the Lead Agency to evaluate comments on environmental issues received from public agencies and interested parties who reviewed the DEIR and prepare written responses.

This section provides all written comments received on the DEIR and the responses from the Lead Agency to each comment. Comment letters and specific comments are given letters and numbers for reference purposes. Where sections of the DEIR are excerpted in this document, the sections are shown indented. Changes to the DEIR text are shown in underlined text for additions and ~~strikeout~~ for deletions.

The following is a list of agencies that submitted comments on the DEIR during the public review period.

Number Reference	Commenting Person/Agency	Date of Comment
1	Fresno Irrigation District	February 3, 2023
2	California Department of Transportation	February 6, 2023
3	California Department of Fish and Wildlife	February 15, 2023
4	San Joaquin Valley Air Pollution Control District	February 16, 2023

LETTER 1 – Fresno Irrigation District (16 pages)



2907 S. Maple Avenue
Fresno, California 93725-2208
Telephone: (559) 233-7161
Fax: (559) 233-8227

CONVEYANCE. COMMITMENT. CUSTOMER SERVICE.

February 3, 2023

Thomas W. Gaffery IV
Community & Economic Development Director
City of Fowler
128 S. 5th Street
Fowler, CA 93625

RE: Draft City of Fowler 2040 General Plan and DEIR
Impacted Facility: FID's Briggs No. 7

Dear Mr. Gaffery:

The Fresno Irrigation District (FID) has reviewed the Draft City of Fowler 2040 General Plan and DEIR for which the City looks to establish policies and land uses to guide growth and development as it looks ahead to the year 2040, and analyze and disclose the potential significant environmental impacts associated with implementation of the Draft General Plan.

The subject areas or portion thereof which are currently located within the boundaries of FID, are shown on the attached FID exhibit map. FID Board Policy 140-539 requires these areas be detached from FID and removed from the FID service area upon annexation to the City of Fowler. Although the area will no longer be within the boundaries of FID, FID retains its authority over any of its facilities which traverse the focus area. Upon annexation and development, the subject parcel(s) should be included under the agreement with the Consolidated Irrigation District (CID) to receive a surface water allocation through the South Kings GSA (SKGSA). FID is willing to serve agricultural areas under agreement until the parcel(s) is no longer used for agricultural production. FID has the following comments and conditions on future development within the annexation area:

Summary of Requirements:

- Review and Approve all Development Plans/Maps
- Grant of Easements, as necessary
- Drive Approaches per FID Detail No. 1-02
- Canal/Bank Improvements, as necessary
- Concrete Canal Lining, as necessary
- Pipeline Substitution for Open Canal w/ Tracer Wire , as necessary
- Pipeline Replacement and/or relocation w/ Tracer Wire, as necessary
- Execute Agreements, as necessary
- Project Fees
- No Encroachments (i.e. trees, monuments, fences, PUE, etc.).

Canal Sections to Remain Open

1. FID requires that, within the limits of proposed projects [and their remainder], landowners grant an exclusive easement for the land underlying the canal and associated area along the canal required for maintenance pursuant to Water Code Section 22425 and FID policy. FID's District Canal Right-of-Way Requirements sheet is enclosed for your reference. The proposed easement (width) will depend on several factors including: 1) Width and flowrate of canal, 2) height of canal banks, 3) final alignment of canal, 4) additional space needed where roads/avenues intersect canal, etc.

FID requires that the Engineer/Land Surveyor use the inside top hinge of the canal to define the edge of FID's right-of-way such that FID has a minimum of 20-feet wide right-of-way along the top of bank to be built out full width, clear of obstructions, structures, vegetation, etc. to provide clear passage and full width at all points along the canal bank. There are no minimum or suggested numbers of survey shots to take, but there must be enough survey points such that the top inside hinge of the canal bank is properly identified. Before finalizing plans, the Engineer/Land Surveyor will need to stake both the inside top hinge and the right-of-way/property for FID Staff to field evaluate an adequate width. FID staff must field verify the right-of-way/property boundary and the hinge line edge before signing plans to ensure that there are enough survey points to properly define the canal. The canal right-of-way line should be consistent with adjacent properties so long as the 20 feet minimum width and right-of-way requirements are met.

1A

2. FID's Briggs No. 7 runs westerly and traverses the northern portion of the focus area, as shown on the attached FID exhibit map. Typically, for any type of development that impacts a large open canal or is adjacent to one such as the Briggs Canal, FID requires developers to improve the canal with either concrete lining, encasing the canal in a box culvert, or other approved means to protect the canal's integrity for an urban setting. FID does not have sufficient information to determine what kind of improvements will ultimately be required as part of development. The engineers working on the project and FID's engineering staff must meet to discuss specific requirements as discussed below. In order to meet the "urban" standards for canals, FID will require the following minimum conditions:

- a. Channel Stabilization: If proposed plans do not indicate any improvements to the Canal and the Developer is not willing to concrete line the Canal per FID Standard Detail 2-01 or place it underground within a box culvert, they must come up with another means acceptable to and approved by FID to protect the Canal's integrity. On similar projects, Developers typically propose the following:

- i. Surrounding Development – All proposed building pad elevations must be a minimum of 12-inches above the canal's high water.
- ii. Freeboard – FID typically requires between 1.0 to 1.5 feet of freeboard. Because the Canal is used to route stormwaters, and is one of the larger canals used to convey the stormwater, FID will require a minimum of 1.5

1B

feet of freeboard and a maximum of 2.0 feet. The Developer will be required to either import or export material to match FID's standards.

- iii. Maintenance – Canals do have a history of high loads of sediment deposits which requires periodic dredging. FID will typically dredge the Canal and deposit the spoils on top of the banks to dry out. Once the spoil has dried, FID will flatten the spoil as time permits. The hauling off of this material may occur several weeks after the it has been placed on the side of the canal, and the material may be considered a nuisance (sight and smell). If the Developer and/or City require a different level of maintenance effort, they will need to enter into an agreement for that purpose. The City and/or Developer will be responsible to fund the "higher level" of maintenance.

1B
Cont .

b. Drive banks/maintenance roads and encroachments (both banks):

- i. Both banks must be of full-width 20-feet wide cross section to the outside limits of the canal easement.
- ii. Drive banks shall be built out to the required freeboard and elevation for the full width of the required Canal right-of-way width.
- iii. One or both of the drive banks must be sloped a minimum of 2% away from the canal, 4% maximum, with provisions made for rainfall. Drainage will not be accepted into the Canal and must be routed away from FID property/drive banks. Runoff must be conveyed to nearby public streets or drainage system by drainage swales or other FID acceptable alternatives.
- iv. Runoff must be conveyed to nearby public streets or drainage system by drainage swales or other FID acceptable alternatives.
- v. Any drainage systems or swales proposed must be located outside FID's property/easement
- vi. One or both of the drive banks shall be overlaid with 3 inches of native/virgin Class II crushed aggregate base for all-weather access and for dust suppression.
- vii. Encroachments - All existing trees, bushes, debris, fencing, and other structures must be removed within FID's property/easement.

- 3. If a fence will be installed between a development and open canal, a block/masonry wall shall be required. Chain-link and wood fencing will no longer be accepted for urban developments.

1C

4. Should a trail or walkway be placed adjacent to the canal, FID will require a minimum 4 feet tall pedestrian barrier for this development, located outside of its right-of-way, on both sides of the canal, for the length of the development. As with most developments with trails proposed along the canals, FID will require the following:
 - a. FID will not allow the trail easement to be in common use with FID-owned property or easements.
 - b. FID requires all trail improvements be placed outside of FID-owned properties and easements.
 - c. FID will not allow any portion of a tree canopy to encroach within its properties or easements.
 - d. FID's canals will not accept any drainage from the trail or the canal bank.
 - e. FID may require improvements be made to the canal depending on the existing canal condition, the proposed trail, and the adjacent development.
 - f. FID requires the canal right-of-way to be graded to provide a smooth uniform drive surface and cleared of all encroachments including, but not limited to, trees, bushes, brush, pipes, stand pipes, wells, miscellaneous debris, etc.
5. The Developer/Applicant shall be responsible for disconnecting from, removing and/or abandoning any existing facilities that currently provide or have previously provided water services to the subject property, including but not limited to any connection(s) to municipal water system within the boundaries of FID and any existing wells located on the subject property. The Developer/Applicant shall verify with FID that any existing facilities on the property have been appropriately disconnected, removed and/or abandoned before the future service is provided. FID shall retain the right to inspect such facilities to confirm the same.
6. Canal Access – In order to access the maintenance road with our larger equipment, FID requires a drive approach at all road crossings, wide enough to accommodate the equipment. FID requires a 50-foot wide drive approach narrowing to a 20 feet wide drive bank (See attached "Drive Approach in Urban Areas" Detail No. 1-02). The 50-foot width is defined as starting from the end portion of the bridge/railing outward (away from the bridge). Every road and canal intersection is different and therefore each access will be different and will be considered on a case by case basis. The major factors affecting the proposed width will be the angle of the road intersecting the Canal, grade of canal bank vs. City road, median vs. no median, etc.

Open Canal Sections to be Substituted for Pipeline or Non-conforming/Old pipelines

1. FID's existing facilities were developed for an agricultural setting. With the proposed land actions changing the land use from an agricultural to an urban setting, the Briggs Canal will be directly impacted once development begins to occur. Any open channel

that can be contained within a 54-inch pipe or smaller shall be piped and any non-conforming or existing pipe past its useful life shall be piped to meet FID's current standards for urban development. In many cases, developers have found it economical to pipe canals even when larger pipe sizes are required because certain uses of that land are allowed. Therefore, a condition of land development in this area will be that the Briggs Canal shall be piped or improved to meet FID's current urban standards as part of the development. The improvements are necessary to provide public safety for urban areas.

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 Cont.

2. Additional easements and pipeline will be required for the area within the annexation, as the area continues to develop. Generally, easements dedicated to FID may be as wide as 40-feet wide for the new pipe alignment. However, the size and geometry of easements are subject to change based on pipe diameter and other factors. All existing turnouts and other necessary structures appurtenant to the canal shall be removed and/or replaced in order to continue providing the required maximum canal capacity and the same level of irrigation service to FID customers that currently exists.

1H

3. The Developer/Applicant shall be responsible for disconnecting from, removing and/or abandoning any existing facilities that currently provide or have previously provided water services to the subject property, including but not limited to any connection(s) to municipal water system within the boundaries of the FID and any existing wells located on the subject property. The Developer/Applicant shall verify with FID that any existing facilities on the property have been appropriately disconnected, removed and/or abandoned before the future service is provided. FID shall retain the right to inspect such facilities to confirm the same.

1I

4. FID requires Applicants/Developers replace existing pipelines and pipe applicable canal sections across the subject property with new ASTM C-361 Rubber Gasket Reinforced Concrete Pipe (RGRCP) in accordance with FID standards and that the applicant enter into an agreement with FID for that purpose.

1J

5. Easement Requirements – The applicant shall grant to FID an exclusive pipeline easement. The width of the easement depends on several factors including pipe size, alignment, depth, etc. The applicant can expect the easement to be a minimum of 20 to 40 feet wide.

1K

6. In recent years, the most significant issue with pipelines has been caused by tree root intrusion into pipe joints. The roots enter through the rubber gasketed joint, thus creating a non-water tight joint causing leaks. If the roots continue to grow, the roots will eventually clog the pipe and reduce the flow capacity of the pipeline. This problem causes disruption to FID's customers and increases the risk of flooding in upstream open channel sections. Subsequent pipeline repairs can be very disruptive to public infrastructure, as well as to FID's operations. The leaking pipelines and pipeline repairs also increase the liability of all parties involved. FID may require external wrap be installed at all pipeline joints within the subject property or any areas where root intrusion may be a future concern based on the proposed improvement at the time of review. This

1L

method involves using mastic material that can be externally applied to pipe joints to provide a permanent seal against root intrusion. The product that has been approved is known as MacWrap from Mar Mac. FID is open to other products, but they would need to be reviewed and approved by FID.

7. FID requires the applicant and/or the applicant's engineer meet with FID at their earliest convenience to discuss specific requirements, e.g. easement width and alignment, right-of-way width and alignment, pipeline alignment, depth and size, fees, etc.
8. FID pipelines will not be allowed to be placed in backyards of lots due to difficulties with future access and repair.
9. All existing trees, bushes, debris, old canal structures, pumps, canal gates, and other non- or in-active FID and private structures must be removed within FID's property/easement and the development project limits.
10. No large earthmoving equipment (paddle wheel scrapers, graders, excavators, etc.) will be allowed within FID's easement and the grading contractor will be responsible for the repair of all damage to the pipeline caused by contractors grading activities.

General Comments

1. FID requires applicants and/or the applicant's engineer contact FID at their earliest convenience to discuss specific requirements.
2. FID requires its easements be shown on all maps/plans with proper recording information, and that FID be made a party to signing the final map.
3. FID does not allow FID owned property or easements to be in common use with public utility easements but will in certain instances allow for its property to be in common use with landscape easements and trails if the City of Fowler enters into the appropriate agreement.
4. FID requires applicants to submit for FID's approval a grading and drainage plan which shows that the proposed development will not endanger the structural integrity of the Canal/Pipeline, or result in drainage patterns that could adversely affect FID.
5. FID requires its review and approval of all improvement plans which affect its property/easements and canal/pipeline facilities including but not limited to Sewer, Water, Storm Water, Street, Landscaping, Dry Utilities, and all other utilities.
6. Footings of retaining walls shall not encroach onto FID property/easement areas.
7. FID requires its review and approval of all Private and Public facilities that encroach into FID's property/easement. If FID allows the encroachment, the Public or Private party will be required to enter into the appropriate agreement which will be determined by FID.

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Cont.

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8. The above comments are not to be construed as the only requests FID will have regarding projects within the annexation area. FID will make additional comments and requests as necessary as projects progress.

1X

GSA Comments

1. FID recommends the City of Fowler work with CID and the SKGSA to ensure that the proposed development balance anticipated groundwater use with sufficient recharge of imported surface water in order to preclude increasing the area's existing groundwater overdraft problem. FID is concerned that proposed development may negatively impact local groundwater supplies. The area was historically agricultural land and a significant portion of its water supply was imported surface water, supplemented by groundwater pumping. Under current circumstances the focus area is experiencing a modest but continuing groundwater overdraft. Should the proposed development result in a conversion from imported surface water to groundwater, this deficit will increase.

1Y

2. California enacted landmark legislation in 2014 known as the Sustainable Groundwater Management Act (SGMA). The act requires the formation of local groundwater sustainability agencies (GSAs) that must assess conditions in their local water basins and adopt locally-based management plans. The City of Fowler, through the South Kings Groundwater Sustainability Agency (SKGSA), has an arrangement to obtain surface water from CID in order to balance and manage the groundwater basin within the SKGSA as well as the CID service area. This area will be completely reliant on groundwater pumping and SGMA will impact all users of groundwater and those who rely on it. The City of Fowler should consider the impacts of development on the City's ability to comply with requirements of SGMA.

1Z

3. It should be noted that without the use of surface water, continued dependence on solely a groundwater supply will do nothing to reverse or correct the existing overdraft of the groundwater supply beneath the City of Fowler and CID service area. As this project will "harden" or make firmer the need for water, the long-term correction of the groundwater overdraft should be considered as a requirement of the project.

1AA

4. The City of Fowler and CID have been working to address water supplies issues for development within the City of Fowler. We encourage the City to continue towards finding solutions to minimize the impacts of changes in land uses and to mitigate any existing adverse water supply impacts within development areas.

1AB

Mr. Thomas W. Gaffery IV
Re:City of Fowler 2040 DGP/DEIR
February 3, 2023
Page 8 of 8

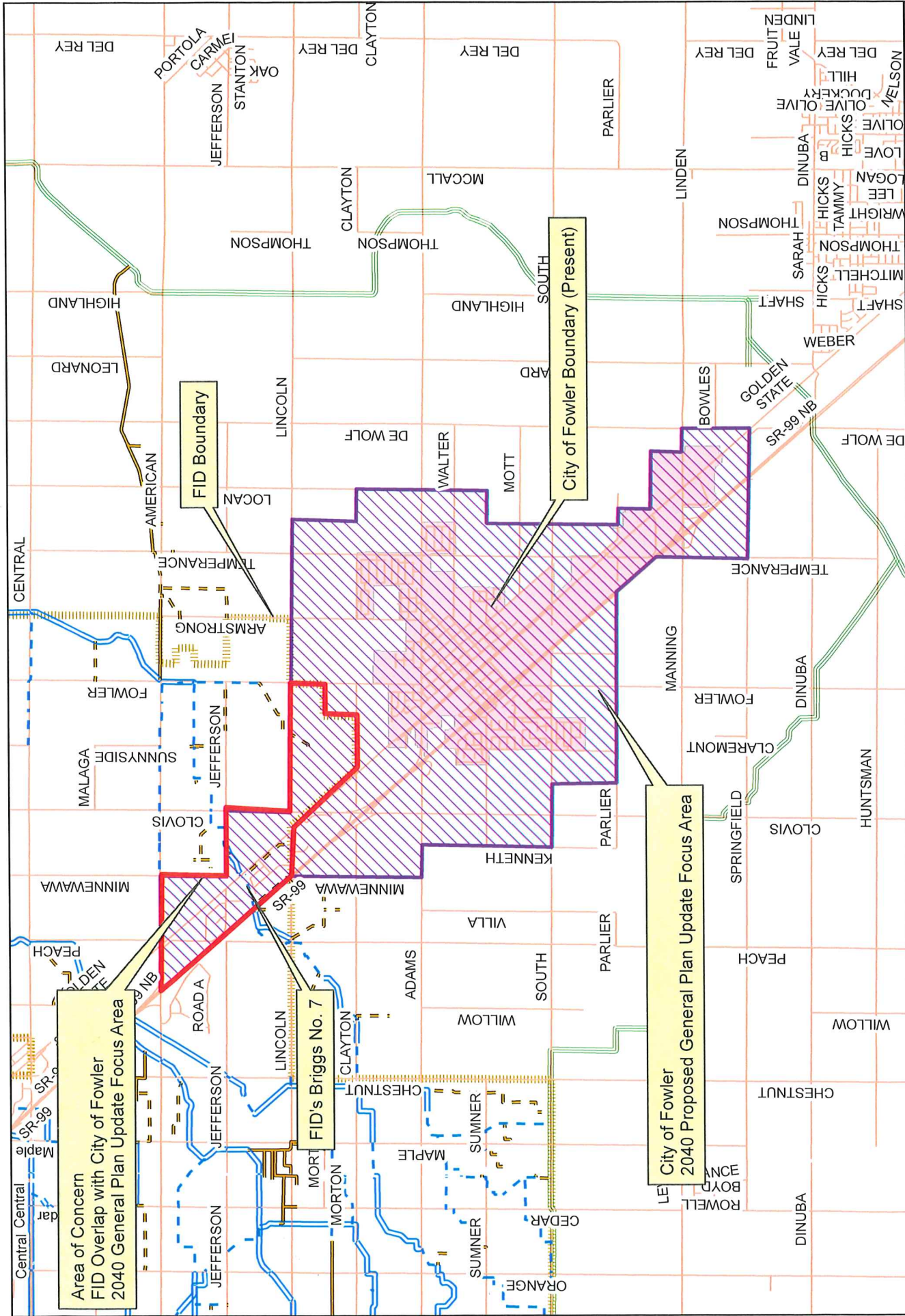
Thank you for submitting this for our review. We appreciate the opportunity to review and comment on the subject documents for the proposed annexation. If you have any questions, please feel free to contact Chris Lundeen at (559) 233-7161 extension 7410 or clundeen@fresnoirrigation.com.


Sincerely,

A handwritten signature in blue ink, appearing to read "Laurence Kimura".

Laurence Kimura, P.E.
Chief Engineer

Attachment





FRESNO IRRIGATION DISTRICT

Legend

FID Pipeline	Stream Group	FID Boundary	Parcel
FID Canal	Other-Creek/River	Railroad	FIMFCD Acquired Basins
Private Canal	Other-Pipeline	Streets & Hwys	FIMFCD Proposed Basins
Abandoned Canal			

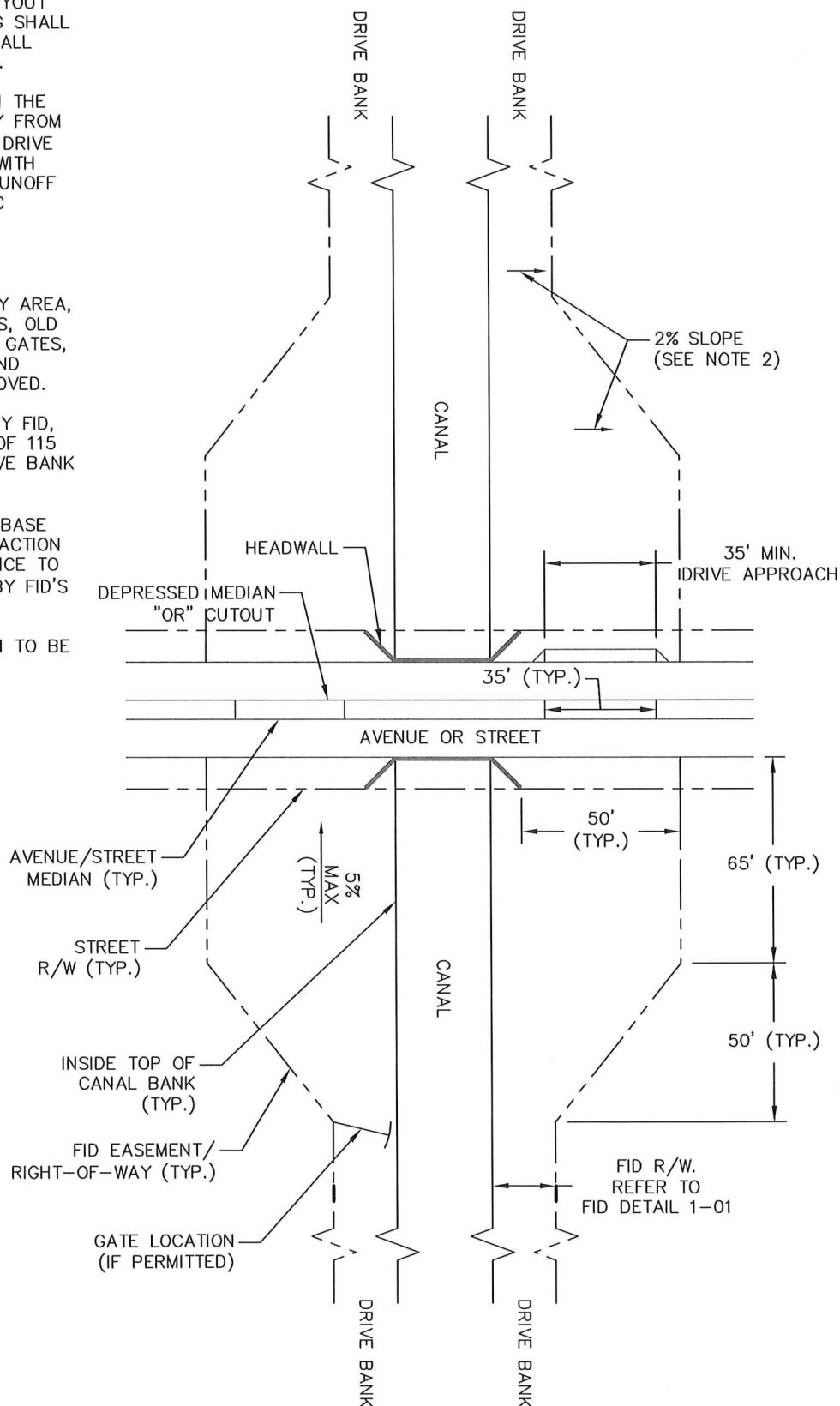
This map was produced by the Fresno Irrigation District and is provided for reference and informational purposes only and is not intended to show map scale accuracy or all inclusive map features, nor for legal purposes. FID makes no statements regarding the accuracy of this map as the features shown are in their approximate location. Please contact the FID Engineering Dept. at (559) 233-7161 for further information on FID facilities.

Path: G:\Agencies\Fowler\General Plan Update\2040 General Plan - Draft DEIR\2022\1215 City of Fowler 2040 GPU FID Boundary Map.mxd
Spatial Reference
Name: NAD 1983 StatePlane California IV FIPS 5404

0 2,500 5,000
Feet
1 inch = 5,131.4 feet

NOTES:

1. DIMENSIONS AND NOTES ARE FOR LAYOUT PURPOSES ONLY. A SCALED DRAWING SHALL BE PREPARED AND SUBMITTED WITH ALL PLAN SETS PRIOR TO CONSTRUCTION.
2. DRAINAGE WILL NOT BE ACCEPTED IN THE CANAL AND SHALL BE ROUTED AWAY FROM FID PROPERTY/DRIVE BANKS. SLOPE DRIVE BANKS 2% AWAY FROM THE CANAL WITH PROVISIONS MADE FOR RAINFALL. RUNOFF TO BE CONVEYED TO NEARBY PUBLIC STREETS OR DRAINAGE SYSTEM BY DRAINAGE SWALES OR OTHER FID ACCEPTABLE ALTERNATIVES.
3. WITHIN FID EASEMENT/RIGHT-OF-WAY AREA, ALL EXISTING TREES, BUSHES, DEBRIS, OLD CANAL STRUCTURES, PUMPS, CANAL GATES, AND OTHER NON OR INACTIVE FID AND PRIVATE STRUCTURES MUST BE REMOVED.
4. IF AN ACCESS GATE IS PERMITTED BY FID, GATE MUST BE PLACED A MINIMUM OF 115 FEET AWAY FROM ROAD, WHERE DRIVE BANK NARROWS TO 20 FEET.
5. THREE INCH (3") THICK AGGREGATE BASE COMPACTED TO 93% RELATIVE COMPACTION SHALL BE REQUIRED AT THE ENTRANCE TO EACH DRIVE BANK AS DETERMINED BY FID'S ENGINEER. NO REGRIND ASPHALT.
6. DRIVEWAY APPROACH MINIMUM WIDTH TO BE 35 FEET.



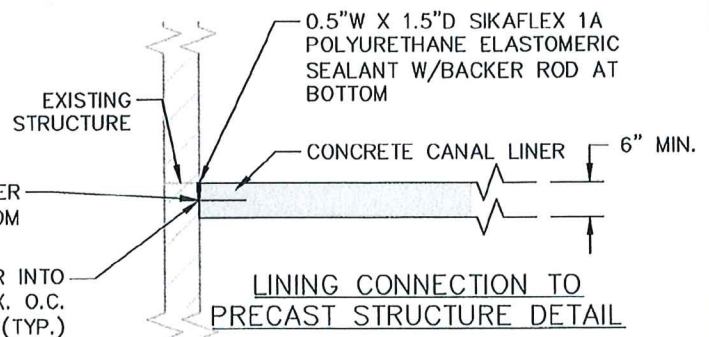
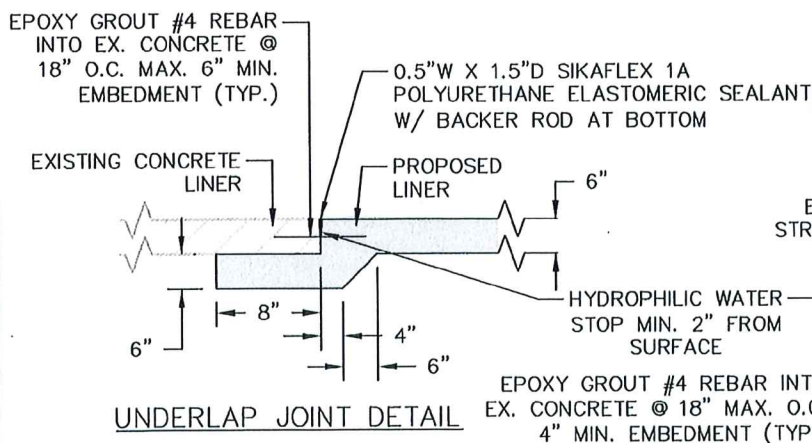
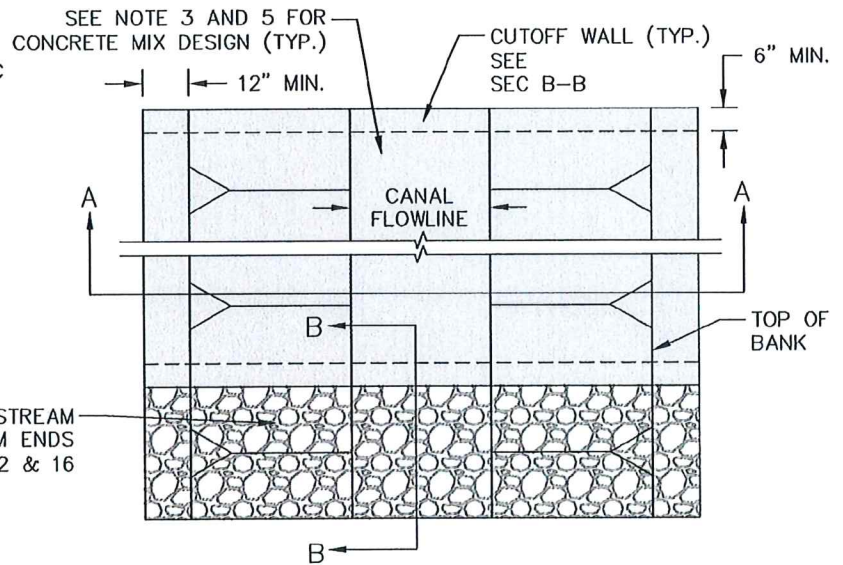
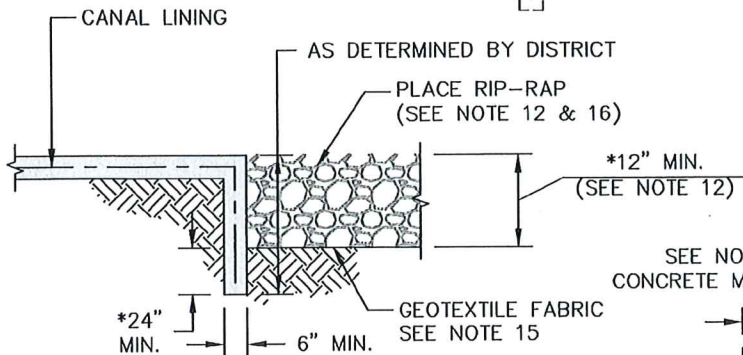
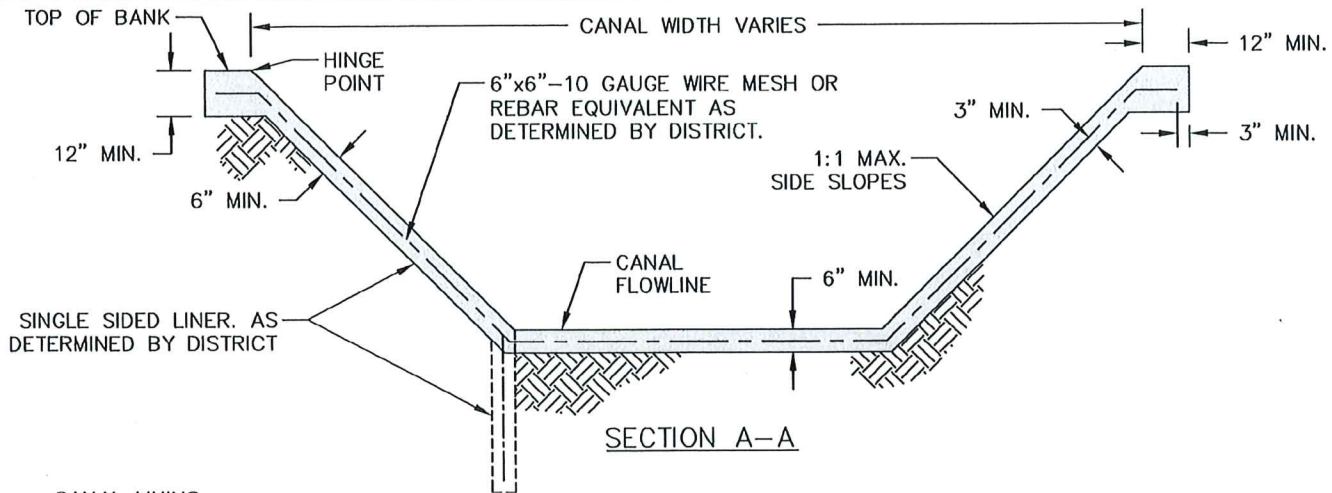
FRESNO IRRIGATION DISTRICT

DRIVE APPROACH – URBAN AREAS

"Your Most Valuable Resource – Water"

SCALE: NOT TO SCALE
DATE: JANUARY 2018

STANDARD DETAIL
1-02
SHEET 1 OF 1



FRESNO IRRIGATION DISTRICT

"Your Most Valuable Resource - Water"

CANAL LINING

SCALE: NOT TO SCALE

DATE: JANUARY 2018

STANDARD DETAIL

2-01

SHEET 1 OF 2

CANAL LINING NOTES:

1. LINING SHALL BE PLACED ON FIRM COMPETENT MATERIAL. IF THE UNDERLYING SOILS ARE NOT SUITABLE FOR CONCRETE PLACEMENT, CONTRACTOR SHALL OVER-EXCAVATE AND REPLACE WITH COMPACTED ENGINEERED FILL.
2. ALL DISTURBED SOILS TO HAVE MINIMUM OF 93% RELATIVE COMPACTION PER ASTM D-1557 IN FILL AREAS FOR A DISTANCE 5 FEET MINIMUM AROUND CONCRETE LINER.
3. CONCRETE LINING SHALL BE A MINIMUM OF 6-1/2 SACK WITH A MINIMUM 28-DAY COMPRESSIVE STRENGTH OF 3,500 PSI.
4. CONTRACTOR SHALL SUBMIT CONCRETE MIX DESIGN TO FID FOR APPROVAL PRIOR TO CONSTRUCTION.
5. FIBERCAST 500 OR EQUIVALENT CONCRETE FIBER REINFORCEMENT WITH FIBER LENGTHS BETWEEN 1.5 INCH TO 2 INCH. APPLICATION RATE SHALL BE AT A MINIMUM OF 1.5 POUNDS. PER CUBIC YARD AND BE INCLUDED IN THE CONCRETE MIX.
6. 6" X 6" - 10" X 10" GAUGE WIRE MESH MAY BE UNCOATED OR GALVANIZED.
7. INSTALL ACCESS/SAFETY LADDERS ON ALTERNATE SIDES OF CANAL 18 INCH ON CENTER AT 100 FEET INTERVALS PER CAL OSHA STANDARDS OR AS DETERMINED BY DISTRICT.
8. LINING CUTOFF WALLS TO BE CONSTRUCTED UPSTREAM AND DOWNSTREAM OF CONCRETE LINING. LINING CUTOFF DEPTH TO BE DETERMINED BY DISTRICT.
9. AS DIRECTED BY FID'S INSPECTOR OR ENGINEER, CONTRACTOR SHALL MAKE AVAILABLE 7 DAY AND 28 DAY COMPRESSIVE STRENGTH TEST RESULTS.
10. CONTROL JOINTS REQUIRED EVERY 10 FEET IN TRANSVERSE DIRECTIONS WITH CONCRETE JOINT SEAL AND BACKER ROD.
11. CONCRETE LINER REQUIRED FOR A MINIMUM OF 5 FEET IN LENGTH OR LIMITS OF DISTURBED SOIL, WHICHEVER IS GREATER.

RIP-RAP NOTES:

12. RIP-RAP REQUIREMENT AS DETERMINED BY FID ENGINEER AND/OR INSPECTOR.
13. CLASS 2 RIP-RAP WITH METHOD B PLACEMENT FOR A MINIMUM OF 5 FEET PER 2010 CALTRANS STANDARDS AROUND CHANNEL FLOOR AND SIDE SLOPES OR AS DETERMINED BY FID'S ENGINEER. PLACE WOVEN GEOTEXTILE FABRIC BENEATH RIP-RAP.
14. CUTOFF WALLS SHALL BE EXCAVATED TO A MINIMUM OF 3 FEET BELOW NATIVE GRADE AND 24 INCHES BELOW RIP-RAP SUBGRADE UNLESS OTHERWISE DETERMINED BY FID'S ENGINEER.
15. WOVEN GEOTEXTILE FABRIC SHALL BE MIRAFI FW500 OR APPROVED EQUIVALENT.
16. RIP-RAP REQUIRED FOR A MINIMUM OF 5 FEET ON UPSTREAM AND DOWNSTREAM ENDS OF CONCRETE LINING.



FRESNO IRRIGATION DISTRICT

"Your Most Valuable Resource - Water"

CANAL LINING NOTES

SCALE: NOT TO SCALE

DATE: JANUARY 2018

STANDARD DETAIL

2-01

SHEET 2 OF 2



City of Fowler
128 S. 5th Street
Fowler, CA 93625

**CITY OF FOWLER
NOTICE OF AVAILABILITY of the
DRAFT FOWLER 2040 GENERAL PLAN and
DRAFT ENVIRONMENTAL IMPACT REPORT, SCH # 2021110053**

Copies of the Draft Fowler 2040 General Plan (Draft GP) and associated Draft Environmental Impact Report (DEIR) are now available for public review. The review and comment period starts on Wednesday, December 21, 2022 and ends on Wednesday, February 15, 2023. More information on how to access the documents and submit comments is located below.

The California Government Code requires all California cities and counties to adopt a general plan. A general plan is a comprehensive, long-range planning document that envisions how a community will grow and forms the basis of land use decisions. The City of Fowler last updated its General Plan in 2004. The current update to the General Plan was initiated in 2018 with multiple opportunities for engagement and direction provided from the City of Fowler City Council.

Draft Fowler 2040 General Plan

The Draft Fowler 2040 General Plan (Draft GP) looks ahead to the year 2040, establishing policies and land uses to guide growth and development in Fowler over that planning horizon. Not all the General Plan's policies and action items may be implemented and completed by 2040; however, looking forward and identifying growth trends better enables the community to envision and identify goals for the City.

The Draft GP addresses all lands located within the City limits and areas beyond the City that, in the City's judgment, bear relation to its planning efforts (see Figure 2-3 in DEIR). This entire area is referred to as the General Plan planning area and encompasses approximately 5,690 acres, or roughly nine square miles, inclusive of public rights-of-way. Fowler has an interest in guiding land use and circulation decisions within the planning area because of the impacts that decisions made for these lands may have on the City. The General Plan sets policy for the City's planning area in case of future annexation and to help coordinate long-term development policy with adjacent jurisdictions.

Draft Environmental Impact Report

A Draft Environmental Impact Report (DEIR) has been prepared to analyze and disclose the potentially significant environmental impacts associated with implementation of the Draft GP. The DEIR evaluates the full buildout potential of the land uses identified for the planning area in the Draft GP. Buildout potential assumes a reasonable amount of development within a given land use designation range, rather than assuming land uses would build out to the maximum allowed density or intensity. The full buildout potential or capacity of the Draft GP includes

approximately 14,764 units and 25,616,946 square feet of commercial and industrial space, resulting in a population of 48,131 and 30,667 jobs. These numbers assume that development, or redevelopment, would occur consistent with the buildout assumptions for each land use designation on all parcels within the planning area.

Potentially Significant Environmental Impacts Identified

Analysis in the DEIR has identified potentially significant environmental impacts in the following areas: Aesthetics, Agriculture, Air Quality, Cultural Resources, Energy, Geology and Soils, Greenhouse Gas, Hazards and Hazardous, Hydrology and Water Quality, Noise, Public Services, Recreation, Transportation, Tribal Cultural Resources, and Utilities and Service Systems.

Known Hazardous Waste Sites

Pursuant to CEQA Guidelines Section 15807(c)(6) and 65962.5 of the Government Code the hazardous sites have been identified in the planning area and can be found summarized in Table 4-24 in the DEIR.

Availability of Documents for Review

Copies of the Draft GP and DEIR are available for review on the City of Fowler website at:

<http://www.fowlercity.org>

Hard copies of the Draft GP and DEIR are also located for review at the following locations:

City of Fowler
128 S. 5th Street
Fowler, CA 93625
(559) 834-3113

Fresno County Library – Fowler Branch
306 S 7th Street,
Fowler, CA 93625

To Submit Comments on the Draft GP or the DEIR

The Draft GP and the DEIR have a review period of **57 days**, starting on **December 21, 2022** and ending **February 15, 2023**. Any written comments on the Draft GP or the DEIR should be sent to the attention of:

City of Fowler

Attn: Thomas W. Gaffery IV,
Community & Economic Development Director
128 S. 5th Street
Fowler, CA 93625
or
Email: tgaffery@ci.fowler.ca.us

If applicable, responses should include the name of a contact person at your agency or organization.

Tentative Public Hearing Dates

The Draft GP and the DEIR are tentatively scheduled to be heard before the City of Fowler Planning Commission on March 28, 2023 and the City of Fowler City Council on April 18, 2023.

The City of Fowler Planning Commission meetings are generally held at 6:30 p.m. and the City Council meetings are generally held at 7:00 p.m. at the following address:

City of Fowler – City Council Chambers
128 S. 5th Street
Fowler, CA 93625

Please take notice that -- pursuant to Public Resource Code Section 21177, Government Code Section 65009, and other applicable law -- if you challenge the proposed action described above in court, then you may be limited to raising only those issues or objections you or someone else raised during the public comment period or the public hearing, or in written correspondence delivered to the City of Fowler within the review period, or to the Planning Commission or City Council during the public hearings.

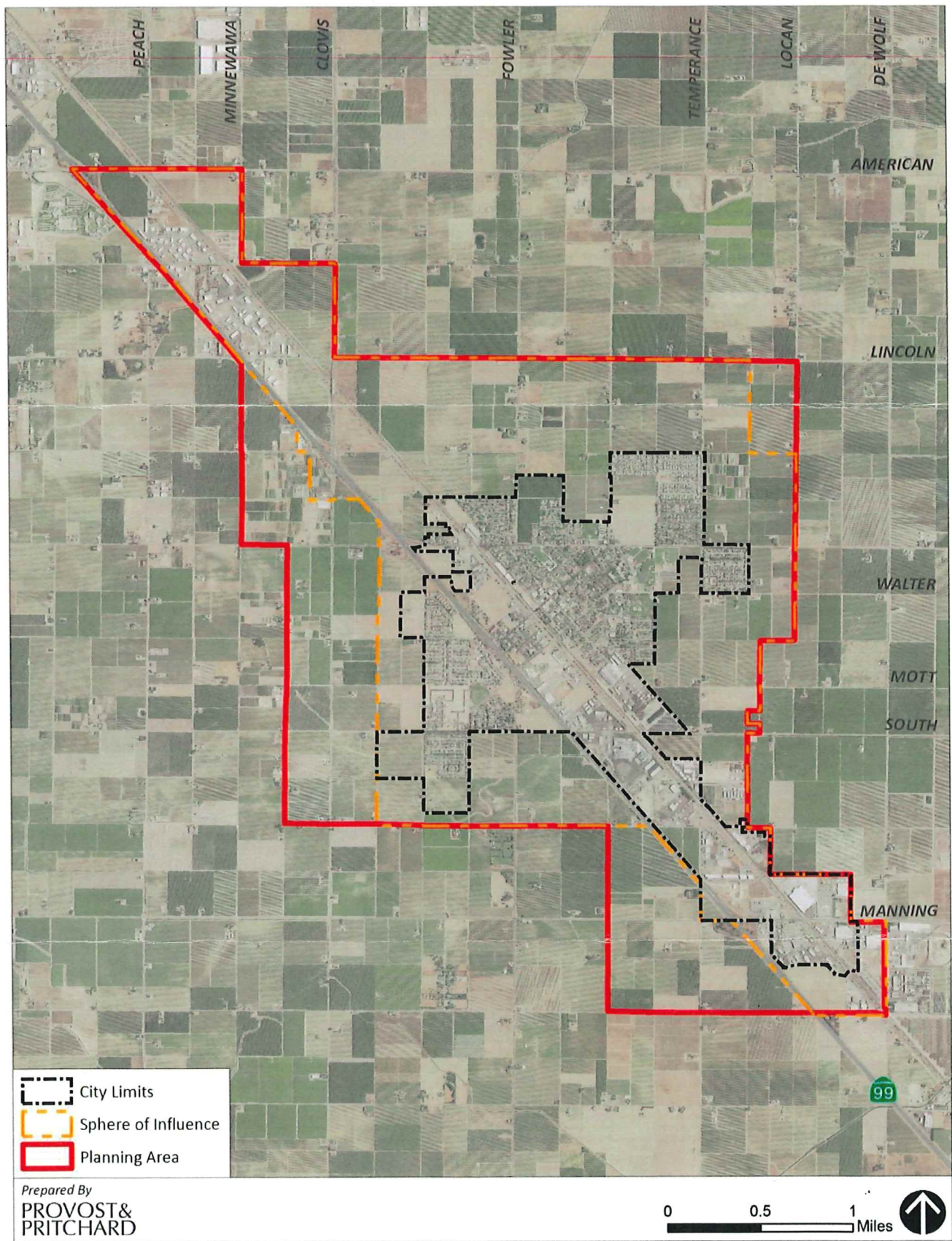


Figure 2-3 – Planning Area Boundary

1. Response to comments from Fresno Irrigation District dated February 3, 2023.

- 1A Individual projects within the City will continue to be routed to agencies and departments whose facilities may be affected, including FID. During this process, FID will have the opportunity to comment on projects and suggest conditions of approval or requirements for the City to implement. Project applicants whose project may affect FID facilities will be made aware that they may be subject to FID requirements in addition to those of other City departments. Any conditions of approval returned to the City from FID during the project routing process will be taken under consideration by the City Planner and the City Engineer, with recommendations made to the decision-making body accordingly. Future projects are required to comply with local, State, and federal laws governing water storage and use within the City. During the project review process, FID staff may correspond and meet with the City in person to go over any of FID's recommendations, requests, or concerns.
- 1B See Response 1A.
- 1C See Response 1A.
- 1D See Response 1A.
- 1E See Response 1A.
- 1F See Response 1A.
- 1G See Response 1A.
- 1H See Response 1A.
- 1I See Response 1A.
- 1J See Response 1A.
- 1K See Response 1A.
- 1L See Response 1A.
- 1M See Response 1A.
- 1N See Response 1A.
- 1O See Response 1A.
- 1P See Response 1A.
- 1Q See Response 1A.
- 1R See Response 1A.

- 1S See Response 1A.
- 1T See Response 1A.
- 1U See Response 1A.
- 1V See Response 1A.
- 1W See Response 1A.
- 1X See Response 1A.
- 1Y Future projects would be required to follow General Plan Policies and may undergo their own individual environmental analyses that would include a look into the project's effect on local groundwater supplies. Development is dependent on available water supplies and cannot occur without showing that increased water demand resulting from the project can be met. The City will continue to work with Consolidated Irrigation District and the South Kings Groundwater Sustainability Agency as necessary, routing projects to agencies whose facilities may affect or be affected by a project.
- 1Z Comment noted. The City will continue to monitor its water supply and its sources for long term sustainability.
- 1AA Comment noted. The availability of water supplies will determine the rate of development within the City. The City will continue to monitor its water supply and its sources for long term sustainability.
- 1AB The City will continue to work with FID in order to plan for long term sustainability of water supply within the City in order to serve future development.

LETTER 2 – California Department of Transportation (2 pages)

California Department of Transportation

DISTRICT 6 OFFICE
1352 WEST OLIVE AVENUE | P.O. BOX 12616 | FRESNO, CA 93778-2616
(559) 908-7064 | FAX (559) 488-4195 | TTY 711
www.dot.ca.gov



Governor's Office of Planning & Research

February 6, 2023

FEB 6 2023

STATE CLEARING HOUSE

FRE-GEN

GPU – Draft General Plan Update
City of Fowler 2040 General Plan and DEIR

SCH # 2021110053

<https://ld-igr-gts.dot.ca.gov/district/6/report/28605>

SENT VIA EMAIL

Thomas W. Gaffery IV, Community and Economic Development Director
Community and Economic Development Department
City of Fowler
128 S. 5th Street
Fowler, CA 93625

Dear Mx. Gaffery:

Thank you for the opportunity to review the Draft Fowler 2040 General Plan (GP) and the associated Draft Environmental Impact Report (DEIR). The Draft GP is a planning document that establishes policies and land uses that guide the growth and development for the City of Fowler specifically looking toward the planning horizon of 2040. The DEIR is a document that analyzes and discloses the potentially significant environmental impacts associated with the adoption of the Draft GP.

Caltrans provides the following comments consistent with the State's smart mobility goals that support a vibrant economy and sustainable communities:

1. It is understood that the City has adopted transportation impact criteria based on the Vehicle Miles Traveled (VMT) as presented in the Fresno Council of Governments' *Fresno County SB 743 Implementation Regional Guidelines*, as noted in the DEIR Appendix I, Traffic Study for the Draft GP. Caltrans encourages the City and project proponents of future developments coordinate with Caltrans in regard to projects that have the potential to impact the State Highway System (SHS), such as State Route (SR) 99 facilities.

2A

2. Appendix I – Traffic Study, Page 10, intersections identified for potential control improvements include SR 99 northbound and southbound ramps at Clovis Avenue as well as the SR 99 southbound on-ramp at Fowler Avenue. It is recommended that when these identified improvements are warranted for implementation that they be coordinated with Caltrans. Further analysis on these improvements will be required and includes processes such as Caltrans' Intersection Control Evaluation (ICE) process. 2B
3. Please note that future further studies such as transportation impact studies, queueing analyses, or safety analyses may be needed for the land uses near the SR 99 interchanges within the City of Fowler. 2C
4. Chapter 9, Page 66, Policy MOB-6, shows Intelligent Transportation Systems abbreviated as "(ITA)". This intended abbreviation might be referring to "(ITS)" instead of what is currently showed on this page. 2D
5. Caltrans encourages local agencies consider creating a VMT Mitigation Impact Fee to help reduce impacts to the SHS. 2E
6. Local agencies are also encouraged to consider implementing policies that support multimodal transportation systems (such as bicycle and pedestrian facilities and public transportation services) to provide connectivity of modes within communities which also help reduce VMT. 2F
7. Active Transportation Plans and Smart Growth efforts support the state's 2050 Climate goals. Caltrans supports reducing VMT and GHG emissions in ways that increase the likelihood people will use and benefit from a multimodal transportation network. 2G

If you have any other questions, please call or email Christopher Xiong at (559) 908-7064 or Christopher.Xiong@dot.ca.gov.

Sincerely,



DAVID PADILLA, Branch Chief
Transportation Planning – North

C: State Clearinghouse

2. Response to comments from California Department of Transportation dated February 6, 2023.

- 2A The City will continue to route individual projects to Caltrans when the project would be within the vicinity of Caltrans facilities, allowing Caltrans the ability to comment on each project and identify concerns and information needed to address Caltrans requirements.
- 2B See Response 2A.
- 2C See Response 2A. Caltrans, within its review of individual projects that have the possibility of affecting its facilities, may request that further traffic analysis be completed.
- 2D Comment noted.
- 2E The City will continue to consider updating its fee schedule as a whole, including the incorporation of a VMT Mitigation Impact Fee.
- 2F Comment noted. The proposed Fowler 2040 General Plan includes policies that would encourage active living and the expansion of both pedestrian and bicycle facilities within the City.
- 2G Comment noted.

LETTER 3 – California Department of Fish and Wildlife (16 pages)



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
Central Region
1234 East Shaw Avenue
Fresno, California 93710
(559) 243-4005
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



February 15, 2023

Thomas Gaffery, Community and Economic Development Director
City of Fowler Planning and Community Development Department
128 South 5th Street
Fowler, California 93625
(559) 834-3113
tgaffery@ci.fowler.ca.us

Subject: City of Fowler 2040 General Plan Project (Project)
Draft Environmental Impact Report (DEIR)
SCH No.: 2021110053

Dear Thomas Gaffery:

The California Department of Fish and Wildlife (CDFW) received a DEIR from the City of Fowler for the above-referenced Project pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines.¹ A Notice of Preparation (NOP) comment letter was written for this Project by CDFW in December 2021. Per a December 2022 memorandum from the City of Fowler, Figure 2-4 (Land Use Diagram) in the previous NOP document was incorrect in the information that was submitted to the State Clearinghouse (SCH), and a revised Figure 2-4 is included for reference.

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, CDFW appreciates the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under Fish and Game Code.

CDFW ROLE

CDFW is California's **Trustee Agency** for fish and wildlife resources and holds those resources in trust by statute for all the people of the State (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; CEQA Guidelines § 15386, subd. (a)). CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species (*Id.*, § 1802). Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on

¹ CEQA is codified in the California Public Resources Code in section 21000 et seq. The "CEQA Guidelines" are found in Title 14 of the California Code of Regulations, commencing with section 15000.

Thomas Gaffery, Community and Economic Development Director
City of Fowler
February 15, 2023
Page 2

projects and related activities that have the potential to adversely affect fish and wildlife resources.

CDFW is also submitting comments as a **Responsible Agency** under CEQA (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381). CDFW expects that it may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to CDFW's lake and streambed alteration regulatory authority (Fish & G. Code, § 1600 et seq.). Likewise, to the extent implementation of the Project as proposed may result in "take" as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), related authorization as provided by the Fish and Game Code may be required.

Nesting Birds: CDFW has jurisdiction over actions with potential to result in the disturbance or destruction of active nest sites or the unauthorized take of birds. Fish and Game Code sections that protect birds, their eggs and nests include sections 3503 (regarding unlawful take, possession or needless destruction of the nest or eggs of any bird), 3503.5 (regarding the take, possession or destruction of any birds-of-prey or their nests or eggs), and 3513 (regarding unlawful take of any migratory nongame bird).

PROJECT DESCRIPTION SUMMARY

Proponent: City of Fowler

Objective: The 2040 General Plan (GP) would encompass the entire City of Fowler and the GP planning area, which is approximately 5,690 acres. The 2040 GP presents a framework of goals and policies that respond to issues of relevance to the community, strive to meet its imagined future, and maintain a high quality of life for its residents in the face of ever-changing environmental, economic, and social circumstances.

Location: Fowler is a part of Fresno County and is positioned 11 miles southeast of downtown Fresno. The Project area is located west of the Sierra Nevada Mountains, and Fresno County lies within the San Joaquin Valley. Fowler is part of the San Joaquin Valley Air Basin. There are several cities that are near Fowler in addition to Fresno. This includes Selma 5 miles to the southeast, Kingsburg 10 miles to the southeast, Reedley 13 miles to the southeast, Parlier 8 miles to the southeast, Sanger 8 miles to the northeast, and Kerman 22 miles to the northwest. Highway 99 bisects the City of Fowler into eastern and western portions. The City of Fowler shares a sphere of influence with the City of Selma to the southeast.

COMMENTS AND RECOMMENDATIONS

CDFW offers the following comments and recommendations to assist the City of Fowler in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources.

Thomas Gaffery, Community and Economic Development Director
 City of Fowler
 February 15, 2023
 Page 3

Editorial comments or other suggestions may also be included to improve the CEQA document prepared for this Project.

There are several special-status species that have been documented in the Project vicinity and may be present at individual Project sites in the Project area. These resources may need to be evaluated and addressed prior to any approvals that would allow ground-disturbing activities or land use changes.

CDFW special-status species that are present or could potentially be present within Project limits and/or adjacent areas include but are not limited to: the State and federally threatened (ST/FT) California tiger salamander (*Ambystoma californiense*); the State threatened Swainson's hawk (*Buteo swainsoni*); and the State species of special concern burrowing owl (*Athene cunicularia*), pallid bat (*Antrozous pallidus*), western mastiff bat (*Eumops perotis californicus*), and coast horned lizard (*Phrynosoma blainvillii*).

Per 2023 Google aerial photography, the City of Fowler is bordered primarily by agriculture. Project mapping for Urban Growth Management Tiers shows that the planned expansion would include: Tier 1 to the west, which would add 697 acres, Tier 2 to the northeast would add 744 acres, and Tier 3 to the south would add an additional 287 acres.

In order to adequately assess any potential impact to biological resources, focused biological surveys should be conducted by a qualified biologist/botanist during the appropriate survey period(s) in order to determine whether any special-status species may be present at specific Project sites. Properly conducted biological surveys, and the information assembled from them, are essential to identify any mitigation, minimization, and avoidance measures and/or the need for additional or protocol-level surveys, especially in the areas not in irrigated agriculture, and to identify any Project-related impacts under CESA and other species of concern.

I. Environmental Setting and Related Impact

Would the Project 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 CDFW or the United States Fish and Wildlife Service (USFWS)?

COMMENT 1: California Tiger Salamander (CTS)

Issue: Review of aerial imagery (Google 2023) indicates that the Project area is bordered by and contains some patches of annual grassland. CTS may use these

Thomas Gaffery, Community and Economic Development Director
City of Fowler
February 15, 2023
Page 4

areas as upland refugia if small mammals and/or burrows are present, or they may disperse across them while moving to or from potential breeding sites.

Specific Impacts: The potential for ground- and vegetation-disturbing activities associated with the approval of the forthcoming EIR document could potentially result in the collapse of small mammal burrows, inadvertent entrapment, loss of upland refugia, water quality impacts to potential breeding sites, reduced reproductive success, reduction in health and vigor of eggs and/or young, increased habitat fragmentation and edge effects, and direct mortality of individuals.

Evidence impact would be significant: Up to 75% of historic CTS habitat has been lost to urban and agricultural development (Searcy et al. 2013). Loss, degradation, and fragmentation of habitat are the primary threats to CTS in both the Central and San Joaquin valleys. Contaminants and vehicle strikes are also sources of mortality for the species (CDFW 2015, USFWS 2017a). The Project area is within the range of CTS and has suitable habitat (i.e., upland habitat). CTS have been determined to be physiologically capable of dispersing up to approximately 1.5 miles from seasonally flooded wetlands (Searcy and Shaffer 2011) and have been documented to occur near the Project area (CDFW 2023).

3A
Cont.

Recommended Mitigation Measure 1: Focused CTS Protocol-level Surveys

CDFW recommends that a qualified biologist conduct a habitat assessment and protocol-level surveys for CTS as part of the biological technical studies conducted in support of the CEQA document for subsequent projects approved under this General Plan update. Surveys should be conducted in accordance with the USFWS "Interim Guidance on Site Assessment and Field Surveys for Determining Presence or a Negative Finding of the California Tiger Salamander" (USFWS 2003) at the appropriate time of year to determine the existence and extent of CTS breeding and refugia habitat. The protocol-level surveys for CTS require more than one survey season and are dependent upon sufficient rainfall to complete. As a result, consultation with CDFW and the USFWS is recommended well in advance of beginning the surveys and prior to any planned vegetation- or ground-disturbing activities. CDFW advises that the protocol-level survey include a 100-foot buffer around the Project area in all areas of wetland and upland habitat that could support CTS. Please be advised that protocol-level survey results are viable for two years after the results are reviewed by CDFW.

Recommended Mitigation Measure 2: CTS Avoidance

If CTS protocol-level surveys as described above are not conducted, CDFW advises that a minimum 50-foot no-disturbance buffer be delineated around all small mammal burrows in suitable upland refugia habitat within and/or adjacent to the Project site.

Further, CDFW recommends potential or known breeding habitat within and/or adjacent to the Project site be delineated with a minimum 250-foot no-disturbance buffer. Both upland burrow and wetland/pond breeding no-disturbance buffers are intended to

Thomas Gaffery, Community and Economic Development Director
City of Fowler
February 15, 2023
Page 5

minimize impacts to CTS habitat and avoid take of individuals. Alternatively, the applicant can assume presence of CTS within the Project site and obtain from CDFW an Incidental Take Permit (ITP) in accordance with Fish and Game Code section 2081 subdivision (b).

Recommended Mitigation Measure 3: CTS Take Authorization

If through surveys, or other observations, it is determined that CTS are occupying or have the potential to occupy an individual Project site, consultation with CDFW is warranted to determine if the Project can avoid take. If take cannot be avoided, acquisition of take authorization would be warranted prior to initiating ground-disturbing activities to comply with CESA. Take authorization would occur through issuance of an ITP by CDFW, pursuant to Fish and Game Code section 2081 subdivision (b). As stated above, in the absence of protocol surveys, the applicant can assume presence of CTS within the Project site and obtain an ITP from CDFW.

3A
Cont.

COMMENT 2: Swainson's Hawk (SWHA)

Issue: CNDDDB (2023) information shows that Swainson's hawks utilize the agricultural fields surrounding the City of Fowler. SWHA have the potential to nest in areas with large, mature trees which are present both in the City of Fowler and in the surrounding area per Google aerials and Google Streetview (2023). SWHA foraging habitat exists within the Project area in the form of dryland pastures, grassy ruderal lots, alfalfa, and some irrigated crops due to a higher accessibility and relative abundance of prey. CDFW recommends that a qualified biologist conduct a habitat assessment and protocol-level surveys for SWHA as part of the biological technical studies conducted in support of any project approved under this General Plan update.

Specific impacts: SWHA exhibit high nest-site fidelity year after year in the San Joaquin Valley (CDFW 2016). The Project as proposed may involve noise, groundwork, and movement of workers that could affect nests and has the potential to result in nest abandonment, significantly impacting local nesting SWHA. Without appropriate avoidance and minimization measures for SWHA, potential significant impacts that may result from Project activities include nest abandonment, and reduced nesting success (loss or reduced health or vigor of eggs or young) from loss of foraging habitat, and direct mortality. Any take of SWHA without appropriate incidental take authorization would be a violation of Fish and Game Code.

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Evidence impact is potentially significant: Approval of the upcoming EIR may lead to subsequent ground-disturbing activities that involve noise, groundwork, and movement of workers that could affect nests and has the potential to result in nest abandonment and loss of foraging habitat, significantly impacting local nesting SWHA.

Recommended Mitigation Measure 4: SWHA Surveys

SWHA are known to travel for miles to forage. Therefore, CDFW recommends surveys be conducted as part of the biological technical studies conducted for most projects that

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would result under this General Plan by a qualified biologist with knowledge of SWHA natural history and behaviors, following the survey methods developed by the Swainson's Hawk Technical Advisory Committee (SWHA TAC 2000). Regardless of the initial survey effort, CDFW recommends that the survey be conducted by a qualified wildlife biologist again within the survey season immediately prior to project implementation. In addition, CDFW recommends that a qualified biologist determine if SWHA foraging habitat occurs on any individual Project site and/or if suitable nesting habitat is present within 0.5-mile of the site. If suitable SWHA nesting habitat is present within 0.5-mile of an individual Project-site, CDFW recommends consultation with CDFW to determine if SWHA nest surveys are warranted.

The survey protocol includes early season surveys to assist the project proponent in implementing necessary avoidance and minimization measures, and in identifying active nest sites prior to initiating ground-disturbing activities. If suitable nesting habitat is within 0.5-mile of an individual Project site, SHWA nest surveys were warranted, and ground-disturbing activities will take place during the normal bird breeding season (March 1 through September 15), CDFW recommends that additional pre-activity surveys for active nests be conducted by a qualified biologist no more than 10 days prior to the start of Project implementation to ensure that SHWA have not begun nesting immediately before Project activities begin.

Recommended Mitigation Measure 5: No-disturbance Buffer

CDFW recommends a minimum no-disturbance buffer of 0.5-mile be delineated around active nests until the breeding season has ended or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or parental care for survival. If a 0.5-mile no disturbance buffer from an active nest is not feasible, consultation with CDFW is warranted to discuss how to implement the Project and avoid take.

Recommended Mitigation Measure 6: SWHA Take Authorization

If take cannot be avoided, take authorization through the acquisition of an ITP, pursuant to Fish and Game Code section 2081 subdivision (b) is necessary to comply with CESA.

Recommended Mitigation Measure 7: Loss of SWHA Foraging Habitat

If SWHA foraging habitat occurs on any individual Project site and will be impacted by the proposed project, CDFW recommends compensating for the loss of SWHA foraging habitat as described in CDFW's "Staff Report Regarding Mitigation for Impacts to Swainson's Hawks" (CDFG 1994) to reduce impacts to foraging habitat to less than significant. The Staff Report recommends that mitigation for habitat loss occur within a minimum distance of 10 miles from known nest sites. CDFW has the following recommendations based on the Staff Report:

- For projects within 1 mile of an active nest tree, a minimum of 1 acre of habitat management (HM) land for each acre of development is advised.

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- For projects within 5 miles of an active nest but greater than 1 mile, a minimum of 0.75 acre of HM land for each acre of development is advised.
- For projects within 10 miles of an active nest tree but greater than 5 miles from an active nest tree, a minimum of 0.5 acre of HM land for each acre of development is advised.

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Recommended Mitigation Measure 8: SWHA Nest Trees

CDFW recommends that the removal of known raptor nest trees, even outside of the nesting season, be replaced with an appropriate native tree species planting at a ratio of 3:1 at or near the Project area or in another area that will be protected in perpetuity to reduce impacts resulting from the loss of nesting habitat.

COMMENT 3: Burrowing Owl (BUOW)

Issue: BUOW may occur within and/or adjacent to the Project area. BUOW typically inhabit open grassland containing small mammal burrows, but are also known to occupy canal banks, ROWs, vacant lots, etc. containing small mammal burrows, a requisite habitat feature used by BUOW for nesting and cover. BUOW may also attempt to use “man-made burrows” such as the pipes or culverts. Patches of annual or ruderal grassland within and adjacent to the City of Fowler as well as the surrounding agricultural fields may support suitable habitat for BUOW. In addition, the Fowler area contains numerous canals including but not limited to: the dirt-lined Kirby Canal, Kirby Ditch, Norris Canal, and Wristen Canal. The ditches throughout the Project area could also provide BUOW with suitable burrow habitat present along the banks.

Specific impact: Potentially significant direct impacts associated with subsequent activities include burrow collapse, inadvertent entrapment, nest abandonment, reduced reproductive success, reduction in health and vigor of eggs and/or young, and direct mortality of individuals.

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Evidence impact is potentially significant: BUOW rely on burrow habitat year-round for their survival and reproduction. Habitat loss and degradation are considered the greatest threats to BUOW in California’s Central Valley (Gervais et al. 2008). The Project site is bordered by some areas that could potentially provide nesting habitat, the remainder of the area is otherwise intensively managed for agriculture. Therefore, subsequent ground-disturbing activities associated with the Project have the potential to significantly impact local BUOW populations. In addition, and as described in CDFW’s “Staff Report on Burrowing Owl Mitigation” (CDFG 2012), excluding and/or evicting BUOW from their burrows is considered a potentially significant impact under CEQA.

Recommended Mitigation Measure 9: BUOW Surveys

CDFW recommends assessing presence/absence of BUOW at each Project site and its immediate vicinity by having a qualified biologist conduct surveys following the California Burrowing Owl Consortium’s “Burrowing Owl Survey Protocol and Mitigation Guidelines” (CBOC 1993) and CDFW’s Staff Report on Burrowing Owl Mitigation”

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(CDFG 2012). Specifically, CBOC and CDFW's Staff Report suggest three or more surveillance surveys conducted during daylight with each visit occurring at least three weeks apart during the peak breeding season (April 15 to July 15), when BUOW are most detectable.

Recommended Mitigation Measure 10: BUOW Avoidance

CDFW recommends no-disturbance buffers, as outlined in the "Staff Report on Burrowing Owl Mitigation" (CDFG 2012), be implemented prior to and during any ground-disturbing activities. Specifically, CDFW's Staff Report recommends that impacts to occupied burrows be avoided in accordance with the following table unless a qualified biologist approved by CDFW verifies through non-invasive methods that either: 1) the birds have not begun egg laying and incubation; or 2) that juveniles from the occupied burrows are foraging independently and are capable of independent survival.

Location	Time of Year	Level of Disturbance		
		Low	Med	High
Nesting sites	April 1-Aug 15	200 m*	500 m	500 m
Nesting sites	Aug 16-Oct 15	200 m	200 m	500 m
Nesting sites	Oct 16-Mar 31	50 m	100 m	500 m

* meters (m)

Recommended Mitigation Measure 11: BUOW Passive Relocation and Mitigation

If BUOW are found within these recommended buffers and avoidance is not possible, it is important to note that according to the Staff Report (CDFG 2012), exclusion is not a take avoidance, minimization, or mitigation method and is considered a potentially significant impact under CEQA. However, if necessary, CDFW recommends that burrow exclusion be conducted by qualified biologists and only during the non-breeding season, before breeding behavior is exhibited and after the burrow is confirmed empty through non-invasive methods, such as surveillance. CDFW recommends replacement of occupied burrows with artificial burrows at a ratio of 1 burrow collapsed to 1 artificial burrow constructed (1:1) as mitigation for the potentially significant impact of evicting BUOW. BUOW may attempt to colonize or re-colonize an area that will be impacted; thus, CDFW recommends ongoing surveillance, at a rate that is sufficient to detect BUOW if they return.

COMMENT 4: Special-Status Bat Species

Issue: Pallid bats and western mastiff bats have been documented to occur in the vicinity of the Project area (CDFW 2023). In addition, habitat features that have the potential to support species, including open areas, semi-arid conditions, suitable food sources, and water nearby, are present within/adjacent to the Project area.

Specific impact: Without appropriate avoidance and minimization measures for special-status bat species, potential significant impacts resulting from ground- and

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vegetation-disturbing activities associated with Project construction include habitat loss, inadvertent entrapment, roost abandonment, reduced reproductive success, reduction in health and vigor of young, and direct mortality of individuals.

Evidence impact is potentially significant: Pallid bat and other bats are known to roost under bridges (Lewis 1994). Project activities on or around bridges have the potential to affect habitat upon which special-status bat species depend on for successful breeding, and the potential to impact individuals and local populations.

Recommended Mitigation Measure 12: Habitat Assessment

CDFW recommends that a qualified biologist conduct a habitat assessment as part of the biological technical studies conducted in support of any project approved under this General Plan to determine if an individual Project site or its immediate vicinity contains suitable habitat for special-status bat species.

Recommended Mitigation Measure 13: Focused Surveys

If suitable habitat is present, CDFW recommends assessing presence/absence of special-status bats by conducting protocol-level surveys during the appropriate seasonal period of bat activity.

Recommended Mitigation Measure 14: Consultation

Detection of special-status bat species warrants consultation with CDFW prior to any activity that may disturb bats. CDFW recommends submitting a Bat Eviction Plan to CDFW for written approval prior to project implementation, and that the Eviction Plan include details for excluding bats from the roost site, and a monitoring plan to ensure that all bats have exited the roost prior to the start of activity and will be unable to re-enter the roost until activity is completed. CDFW also recommends that Project or bat eviction activities be timed to avoid lactation and young-rearing.

COMMENT 5: Coast Horned Lizard (CHL)

Issue: Coast horned lizards have been known to occur in the vicinity of the Project area (CDFW 2023). Coast horned lizards occur in a wide variety of habitat types but require loose, fine soils for burrowing, open areas for thermoregulation, and shrub cover for refugia (Thomson et al. 2016). Review of aerial imagery and soil characteristics indicates that portions of the Project area could provide these requisite habitat features (CDFW 2023). CDFW recommends that a qualified biologist conduct a habitat assessment and surveys for CHL as part of the biological technical studies conducted in support of the CEQA document for Project's approved under this General Plan.

Specific impact: Without appropriate avoidance and minimization measures for coast horned lizards, potentially significant impacts associated with ground disturbance include burrow abandonment, which may result in reduced health or vigor of eggs and/or young, and direct mortality.

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Evidence impact is potentially significant: Habitat loss and fragmentation resulting from development is the primary threat to coast horned lizard (Thomson et al. 2016). The Project area is within the range of coast horned lizard and portions of it are comprised of and bordered by suitable habitat as mentioned previously. As a result, ground-disturbing activities associated with development of the Project area have the potential to significantly impact local populations of this species.

Recommended Mitigation Measure 15: Habitat Assessment

CDFW recommends that a qualified biologist conduct a habitat assessment in advance of project implementation, to determine if the Project area or its immediate vicinity contain suitable habitat for coast horned lizard.

Recommended Mitigation Measure 16: Focused Surveys

If suitable habitat is present, CDFW recommends that a qualified biologist conduct focused surveys for coast horned lizard and their requisite habitat features to evaluate potential impacts resulting from ground- and vegetation-disturbance.

Recommended Mitigation Measure 17: Avoidance

Avoidance whenever possible is encouraged via delineation and observance of a 50-foot no-disturbance buffer around burrows.

COMMENT 6: Light Impact Analysis

Recommended Mitigation Measure 18: Light Output Analysis

Due to the addition of three new tiers for this Project that total 1,725 acres on the west, northeast, and south sides of the City of Fowler, the lead agency should submit information as part of the final EIR that note current light levels present during Pre-Project conditions and the predicted Project light levels that will be created upon completion of all Project's envisioned under this General Plan. If an increase in light output from current levels to the projected future levels is evident, additional avoidance, minimization or mitigation should be developed in coordination with the natural resource agencies to offset indirect impacts to State listed species such as California tiger salamander. For Projects approved under this General Plan that introduce new light sources or change the lumens or color of existing light sources, those project should include a light output and analysis. Within 60 days of Project completion the lead agency should conduct a ground survey that compares projected future light levels with actual light levels achieved upon completion of the Project. If an increase from the projected levels is discovered, additional avoidance, minimization or mitigation measures, and further coordination with the natural resource agencies may be warranted.

Recommended Mitigation Measure 19: Light Output Limits

All LED's or bulbs installed as a result of any Project shall be rated to emit or produce light at or under 2700 kelvin that results in the output of a warm white color spectrum.

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II. Editorial Comments and/or Suggestions

Lake and Streambed Alteration: The Project contains features that may result in Project activities at individual Project sites being subject to CDFW's regulatory authority pursuant Fish and Game Code section 1600 et seq. Fish and Game Code section 1602 requires an entity to notify CDFW prior to commencing any activity that may (a) substantially divert or obstruct the natural flow of any river, stream, or lake; (b) substantially change or use any material from the bed, bank, or channel of any river, stream, or lake; or (c) deposit debris, waste or other materials that could pass into any river, stream, or lake. "Any river, stream, or lake" includes those that are ephemeral or intermittent, such as the unnamed stream within the Project site, as well as those that are perennial in nature.

For additional information on notification requirements, please contact our staff in the Lake and Streambed Alteration Program at (559) 243-4593. It is important to note, CDFW is required to comply with CEQA, as a Responsible Agency, when issuing a Lake or Streambed Alteration Agreement (LSAA). If inadequate, or no environmental review, has occurred, for the Project activities that are subject to notification under Fish and Game Code section 1602, CDFW will not be able to issue the Final LSAA until CEQA analysis for the project is complete. This may lead to considerable Project delays.

Federally Listed Species: CDFW recommends consulting with the USFWS on potential impacts to federally listed species including, but not limited to, CTS. Take under FESA is more broadly defined than CESA; take under FESA also includes significant habitat modification or degradation that could result in death or injury to a listed species by interfering with essential behavioral patterns such as breeding, foraging, or nesting. Consultation with the USFWS in order to comply with FESA is advised well in advance of any ground-disturbing activities.

Nesting birds: CDFW encourages that Project ground-disturbing activities occur during the bird non-nesting season; however, if ground-disturbing or vegetation-disturbing activities must occur during the nesting season (February 1st through September 15th), the Project applicant is responsible for ensuring that implementation of the Project does not result in violation of the Migratory Bird Treaty Act or relevant Fish and Game Codes as referenced above.

To evaluate Project-related impacts on nesting birds, CDFW recommends that a general habitat assessment for nesting birds be conducted as part of the biological technical studies conducted in support of the CEQA document. Depending on the results of that assessment, CDFW further recommends that the CEQA document for this Project include that a qualified wildlife biologist conduct a pre-construction survey for active nests no more than 10 days prior to the start of ground or vegetation disturbance to maximize the probability that nests that could potentially be impacted are detected. CDFW also recommends that surveys cover a sufficient area around the

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Project site to identify nests and determine their status. A sufficient area means any area potentially affected, either directly or indirectly, by the Project. In addition to direct impacts (i.e. nest destruction), noise, vibration, and movement of workers or equipment could also affect nests. CDFW recommends that a qualified biologist establish a behavioral baseline of all identified nests. Once Project activities begin, CDFW recommends having a qualified biologist continuously monitor nests to detect behavioral changes resulting from the Project. If behavioral changes occur, CDFW recommends halting the work causing that change and consulting with CDFW for additional avoidance and minimization measures.

If continuous monitoring of identified nests by a qualified wildlife biologist is not feasible, CDFW recommends a minimum no-disturbance buffer of 250 feet around active nests of non-listed bird species and a 500-foot no-disturbance buffer around active nests of non-listed raptors. These buffers are advised to remain in place until the breeding season has ended or until a qualified biologist has determined that the birds have fledged and are no longer reliant upon the nest or on-site parental care for survival. Variance from these no-disturbance buffers is possible when there is a compelling biological or ecological reason to do so, such as when the Project area would be concealed from a nest site by topography. CDFW recommends that a qualified wildlife biologist advise and support any variance from these buffers and notify CDFW in advance of implementing a variance.

Project Alternatives Analysis: CDFW recommends that the information and results obtained from the biological technical surveys, studies, and analysis conducted in support of the project's CEQA documents be used to develop and modify the project's alternatives to avoid and minimize impacts to biological resources to the maximum extent possible. When efforts to avoid and minimize have been exhausted, remaining impacts to sensitive biological resources should be mitigated to reduce impacts to a less than significant level, if feasible.

Cumulative Impacts: CDFW recommends that a cumulative impact analysis be conducted for all biological resources that will either be significantly or potentially significantly impacted by implementation of the Project, including those whose impacts are determined to be less than significant with mitigation incorporated or for those resources that are rare or in poor or declining health and will be impacted by the project, even if those impacts are relatively small (i.e. less than significant). CDFW recommends cumulative impacts be analyzed using an acceptable methodology to evaluate the impacts of past, present, and reasonably foreseeable future projects on resources and be focused specifically on the resource, not the Project. An appropriate resource study area identified and utilized for this analysis is advised. CDFW staff is available for consultation in support of cumulative impacts analyses as a trustee and responsible agency under CEQA.

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ENVIRONMENTAL DATA

CEQA requires that information developed in environmental impact reports and negative declarations be incorporated into a database which may be used to make subsequent or supplemental environmental determinations (Pub. Resources Code, § 21003, subd. (e)). Accordingly, please report any special-status species and natural communities detected during Project surveys to the California Natural Diversity Database (CNDDDB). The CNDDDB field survey form can be found at the following link: <https://www.wildlife.ca.gov/Data/CNDDDB/Submitting-Data>. The completed form can be mailed electronically to CNDDDB at the following email address: CNDDDB@wildlife.ca.gov. The types of information reported to CNDDDB can be found at the following link: <https://www.wildlife.ca.gov/Data/CNDDDB/Plants-and-Animals>.

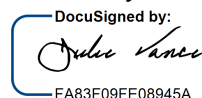
FILING FEES

If it is determined that the Project has the potential to impact biological resources, an assessment of filing fees will be necessary. Fees are payable upon filing of the Notice of Determination by the Lead Agency and serve to help defray the cost of environmental review by CDFW. Payment of the fee is required in order for the underlying project approval to be operative, vested, and final (Cal. Code Regs, tit. 14, § 753.5; Fish & G. Code, § 711.4; Pub. Resources Code, § 21089).

CDFW appreciates the opportunity to comment on the Project to assist the City of Fowler in identifying and mitigating the Project's impacts on biological resources.

More information on survey and monitoring protocols for sensitive species can be found at CDFW's website (<https://www.wildlife.ca.gov/Conservation/Survey-Protocols>). If you have any questions, please contact Kelley Nelson, Environmental Scientist, at the address provided on this letterhead, by telephone at (559) 580-3194, or by electronic mail at Kelley.Nelson@wildlife.ca.gov.

Sincerely,

DocuSigned by:

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Julie A. Vance
Regional Manager

Attachment

cc: Patricia Cole (patricia_cole@fws.gov)
United States Fish and Wildlife Service

Linda Connolly
California Department of Fish and Wildlife

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Attachment 1

**CALIFORNIA DEPARTMENT OF FISH AND WILDLIFE
RECOMMENDED MITIGATION MONITORING AND REPORTING
PROGRAM (MMRP)**

**PROJECT: Draft Environmental Impact Report (EIR) 2021-0492–City
of Fowler General Plan Update Project**

SCH No.: 2021110053

RECOMMENDED MITIGATION MEASURE	STATUS/DATE/INITIALS
<i>Before Disturbing Soil or Vegetation</i>	
Mitigation Measure 1: Focused CTS Protocol-level Surveys	
Mitigation Measure 2: CTS Avoidance	
Mitigation Measure 4: SWHA Surveys	
Mitigation Measure 5: SWHA No-Disturbance Buffer	
Mitigation Measure 7: Loss of SWHA Foraging Habitat	
Mitigation Measure 9: BUOW Surveys	
Mitigation Measure 11: BUOW Passive Relocation and Mitigation	
Mitigation Measure 12: Special-Status Bat Species Habitat Assessment	
Mitigation Measure 13: Focused Special-Status Bat Species Surveys	
Mitigation Measure 14: Consultation for Special-Status Bat Species	
Mitigation Measure 15: Coast Horned Lizard Habitat Assessment	
Mitigation Measure 16: Coast Horned Lizard Focused Surveys	
Mitigation Measure 18: Light Output Analysis	
Mitigation Measure 19: Light Output Limits	
<i>During Construction</i>	
Mitigation Measure 3: CTS Take Authorization	
Mitigation Measure 6: SWHA Take Authorization	
Mitigation Measure 8: SWHA Nest Trees	
Mitigation Measure 10: BUOW Avoidance	
Mitigation Measure 17: Coast Horned Lizard Avoidance	

3. Response to comments from California Department of Fish and Wildlife dated February 15, 2023.

- 3A Future development within the City of Fowler and individual project impacts to biological resources within the City would be considered on a case-by-case basis at the time an application is received by the City. Any applicable future environmental analysis would consider potential impacts not already discussed within the DEIR. A project must comply with the mitigation measures outlined in the DEIR and if warranted provide a project-specific biological evaluation for potentially-affected species. At that time a qualified biologist would provide the City additional specific mitigation measures (such as the mitigation measures outlined in the comment letter) prior to the approval of a project. The City is required to meet all local, State, and federal laws and regulations governing the protection and conservation of biological resources within its jurisdiction. When applicable, the City will continue to route individual projects to CDFW and USFWS for comment.
- 3B See Response 3A.
- 3C See Response 3A.
- 3D See Response 3A.
- 3E See Response 3A.
- 3F See Response 3A.
- 3G See Response 3A.

LETTER 4 – San Joaquin Valley Air Pollution Control District (17 pages)

February 16, 2023

Wilma Tucker
City of Fowler
128 South 5th Street
Fowler, CA, 93625

Project: Draft Environmental Impact Report for the City of Fowler 2040 General Plan Update

District CEQA Reference No: 20221690

Dear Ms. Tucker:

The San Joaquin Valley Air Pollution Control District (District) has reviewed the Draft Environmental Impact Report (DEIR) from the City of Fowler (City) for the City of Fowler 2040 General Plan Update. Per the DEIR, the project consists of an outline the City goals, policies, and action items intended to guide the future development of Fowler to full buildout through the year 2040 (General Plan). At full buildout, the City of Fowler General Plan accommodates 15,530 dwelling units and 25,822,662 square feet of non-residential development (i.e. commercial, industrial, etc...). The General Plan is for the City of Fowler which covers the northern expansion between Minnewawa and Kenneth Avenues, southern expansion between Temperance Avenue and Manning Avenue south to Springfield Avenue and State Route 99.

The District offers the following comments regarding the General Plan:

1) Land Use Planning

Nearly all development projects within the San Joaquin Valley Air Basin, from the General Plan to individual projects have the potential to generate air pollutants, making it more difficult to attain state and federal ambient air quality standards. Land use decisions are critical to improving air quality within the San Joaquin Valley Air Basin because land use patterns greatly influence transportation needs, and motor vehicle emissions are the largest source of air pollution in the Valley. Land use decisions and project design elements such as preventing urban sprawl, encouraging mix-use development, and project design elements that reduce vehicle miles traveled (VMT) have proven to be beneficial for air quality. The District recommends that the General Plan incorporate strategies that reduce VMTs and require the cleanest available Heavy Heavy-Duty (HHD) trucks and vehicles, including zero and near-zero technologies. VMTs can be reduced through

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Executive Director/Air Pollution Control Officer

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encouragement of mix-use development, walkable communities, etc. Additional design element options can be found at:

<https://ww2.valleyair.org/media/ob0pweru/clean-air-measures.pdf>

In addition, the District recommends that the General Plan incorporate strategies that will advance implementation of the best practices listed in Tables 5 and 6 of California Air Resource Board's (CARB's) Freight Handbook Concept Paper, to the extent feasible. This document compiles best practices designed to address air pollution impacts as "practices" which may apply to the siting, design, construction, and operation of freight facilities to minimize health impacts on nearby communities. The concept paper is available at:

https://ww2.arb.ca.gov/sites/default/files/2020-03/2019.12.12%20-%20Concept%20Paper%20for%20the%20Freight%20Handbook_1.pdf

2) **Assembly Bill 617**

Assembly Bill 617 requires CARB and air districts to develop and implement Community Emission Reduction Programs (CERPs) in an effort to reduce air pollution exposure in impacted disadvantage communities. The boundary of the area the General Plan lies near the South Central Fresno AB 617 community which was selected by the California Air Resources Board (CARB) under the Assembly Bill (AB) 617 (2017, Garcia) and has the potential to expose sensitive receptors to increased air pollution within the nearby impacted community. The South Central Fresno CERP was adopted by the District's Governing Board in September of 2019 and identifies a wide range of measures designed to reduce air pollution exposure. Therefore, in an effort to reduce air pollution exposure to the impacted disadvantaged community, the District recommends the City incorporate mitigation measures outlined in the South Central Fresno CERP for the areas of the General Plan that located near the South Central Fresno AB617 community. For more information regarding the CERP approved for South Central Fresno, please visit the District's website at:

<http://community.valleyair.org/selected-communities/south-central-fresno>

3) **Project Related Emissions**

At the federal level under the National Ambient Air Quality Standards (NAAQS), the District is designated as extreme nonattainment for the 8-hour ozone standards and serious nonattainment for the particulate matter less than 2.5 microns in size (PM_{2.5}) standards. At the state level under California Ambient Air Quality Standards (CAAQS), the District is designated as nonattainment for the 8-hour ozone, PM₁₀, PM_{2.5} standards.

The District understands that the General Plan is a program-level project where future individual project-specific data may not be available at this time. As such, the DEIR and the General Plan should include a discussion of policies, which when

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implemented, will require assessment and characterization of project-level emissions, and subsequently require mitigation of air quality impacts to the extent feasible at the individual project-specific level.

Environmental reviews of potential impacts on air quality should incorporate the following items:

3a) Construction Emissions

The District recommends, to reduce impacts from construction-related diesel exhaust emissions, future development projects should utilize the cleanest available off-road construction equipment, including the latest tier equipment.

3b) Operational Emissions

For future development projects, operational (ongoing) air emissions from mobile sources and stationary sources should be analyzed separately. For reference, the District's significance thresholds are identified in the District's Guidance for Assessing and Mitigating Air Quality Impacts:

<https://www.valleyair.org/transportation/GAMAQI.pdf>.

Recommended Mitigation Measure: At a minimum, project related impacts on air quality should be reduced to levels of significance through incorporation of design elements such as the use of cleaner Heavy Heavy-Duty (HHD) trucks and vehicles, measures that reduce Vehicle Miles Traveled (VMTs), and measures that increase energy efficiency. More information on transportation mitigation measures can be found at:

<http://www.valleyair.org/transportation/Mitigation-Measures.pdf>.

3c) Recommended Model for Quantifying Air Emissions

Project-related criteria pollutant emissions from construction and operational sources should be identified and quantified. Emissions analysis should be performed using the California Emission Estimator Model (CalEEMod), which uses the most recent CARB-approved version of relevant emissions models and emission factors. CalEEMod is available to the public and can be downloaded from the CalEEMod website at: www.caleemod.com.

4) Health Risk Screening/Assessment

Based on the DEIR, the potential health risk impacts are potentially significant. However, per the DEIR Toxic Air Contaminants (TACs) could not be quantified for individual projects at this time. The District recommend the City evaluate the risk associated with the future development projects for sensitive receptors (residences, businesses, hospitals, day-care facilities, health care facilities, etc.) in the area and

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mitigate any potentially significant risk to help limit exposure of sensitive receptors to emissions.

To determine potential health impacts on surrounding receptors (residences, businesses, hospitals, day-care facilities, health care facilities, etc.) a Prioritization and/or a Health Risk Assessment (HRA) should be performed for future development projects. These health risk determinations should quantify and characterize potential TACs identified by the Office of Environmental Health Hazard Assessment/California Air Resources Board (OEHHA/CARB) that pose a present or potential hazard to human health.

Health risk analyses should include all potential air emissions from the project, which include emissions from construction of the project, including multi-year construction, as well as ongoing operational activities of the project. Note, two common sources of TACs can be attributed to diesel exhaust emitted from heavy-duty off-road earth moving equipment during construction, and from ongoing operation of heavy-duty on-road trucks.

Prioritization (Screening Health Risk Assessment):

A "Prioritization" is the recommended method for a conservative screening-level health risk assessment. The Prioritization should be performed using the California Air Pollution Control Officers Association's (CAPCOA) methodology.

The District recommends that a more refined analysis, in the form of an HRA, be performed for any project resulting in a Prioritization score of 10 or greater. This is because the prioritization results are a conservative health risk representation, while the detailed HRA provides a more accurate health risk evaluation.

To assist land use agencies and project proponents with Prioritization analyses, the District has created a prioritization calculator based on the aforementioned CAPCOA guidelines, which can be found here:

http://www.valleyair.org/busind/pto/emission_factors/Criteria/Toxics/Utilities/PRIORITIZATION-CALCULATOR.xls

Health Risk Assessment:

Prior to performing an HRA, it is strongly recommended that land use agencies/ project proponents develop and submit for District review a health risk modeling protocol that outlines the sources and methodologies that will be used to perform the HRA. This step will ensure all components are addressed when performing the HRA.

A development project would be considered to have a potentially significant health risk if the HRA demonstrates that the project-related health impacts would exceed the District's significance threshold of 20 in a million for carcinogenic risk, or 1.0 for either the Acute or Chronic Hazard Indices.

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A project with a significant health risk would trigger all feasible mitigation measures. The District strongly recommends that development projects that result in a significant health risk not be approved by the land use agency.

The District is available to review HRA protocols and analyses. For HRA submittals please provide the following information electronically to the District for review:

- HRA (AERMOD) modeling files
- HARP2 files
- Summary of emissions source locations, emissions rates, and emission factor calculations and methodologies.

For assistance, please contact the District's Technical Services Department by:

- E-Mailing inquiries to: hramodeler@valleyair.org
- Calling (559) 230-5900

Recommended Measure: Development projects resulting in TAC emissions should be located an adequate distance from residential areas and other sensitive receptors in accordance to CARB's Air Quality and Land Use Handbook: A Community Health Perspective located at <https://ww3.arb.ca.gov/ch/handbook.pdf>.

5) **Ambient Air Quality Analysis**

An Ambient Air Quality Analysis (AAQA) uses air dispersion modeling to determine if emissions increases from a project will cause or contribute to a violation of State or National Ambient Air Quality Standards. The District recommends an AAQA be performed for any future development projects with emissions that exceed 100 pounds per day of any pollutant.

An acceptable analysis would include emissions from both project-specific permitted and non-permitted equipment and activities. The District recommends consultation with District staff to determine the appropriate model and input data to use in the analysis.

Specific information for assessing significance, including screening tools and modeling guidance, is available online at the District's website: www.valleyair.org/ceqa.

6) **Allowed Uses Not Requiring Project-Specific Discretionary Approval**

In some cases, for future development projects, the City may determine that a project be approved as an allowed use not requiring a project-specific discretionary

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approval from the City. The District recommends the DEIR include language supported by policy requiring such projects to prepare a technical assessment in consultation with the District, and recommending that a VERA be considered for development projects determined to result in a significant impact on air quality. For example, this requirement would apply to large development projects (e.g., large residential project, large distribution center, large warehouse, etc.) that would have the potential to significantly impact air quality and is determined by the City to be allowed by use, not requiring a project specific discretionary approval from the City.

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7) Recommended Emission Reduction Strategies to Reduce Emissions from Future Development Projects

7a) Industrial/Warehouse Emission Reduction Strategies

The District recommends the City consider the feasibility of incorporating emission reduction strategies that can reduce potential harmful health impacts, such as those listed below:

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- Ensure solid screen buffering trees, solid decorative walls, and/or other natural ground landscaping techniques are implemented along the property line of adjacent sensitive receptors
- Ensure all landscaping be drought tolerant
- Orient loading docks away from sensitive receptors unless physically impossible
- Locate loading docks a minimum of 300 feet away from the property line of sensitive receptor unless dock is exclusively used for electric trucks
- Incorporate signage and “pavement markings” to clearly identify on-site circulation patterns to minimize unnecessary on-site vehicle travel
- Locate truck entries on streets of a higher commercial classification
- Ensure all building roofs are solar-ready
- Ensure all portions of roof tops that are not covered with solar panels are constructed to have light colored roofing material with a solar reflective index of greater than 78
- Ensure rooftop solar panels are installed and operated to supply 100% of the power needed to operate all non-refrigerated portions of the development project
- Ensure power sources at loading docks for all refrigerated trucks have “plugin” capacity, which will eliminate prolonged idling while loading and unloading goods
- Incorporate bicycle racks and electric bike plug-ins
- Require the use of low volatile organic compounds (VOC) architectural and industrial maintenance coatings
- Designate an area during construction to charge electric powered construction vehicles and equipment, if temporary power is available

- Prohibit the use of non-emergency diesel-powered generators during construction
- Inform the project proponent of the incentive programs (e.g., Carl Moyer Program and Voucher Incentive Program) offered to reduce air emissions from the Project

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7b) Voluntary Emission Reduction Agreement

Future development projects within the General Plan could have a significant impact on air quality. The District recommends the DEIR include a feasibility discussion on implementing a Voluntary Emission Reduction Agreement (VERA) as a mitigation measure for future development projects that are determined to exceed the District's CEQA significance thresholds.

A VERA is a mitigation measure by which the project proponent provides pound-for-pound mitigation of emissions increases through a process that develops, funds, and implements emission reduction projects, with the District serving a role of administrator of the emissions reduction projects and verifier of the successful mitigation effort. To implement a VERA, the project proponent and the District enter into a contractual agreement in which the project proponent agrees to mitigate project specific emissions by providing funds for the District's incentives programs. The funds are disbursed by the District in the form of grants for projects that achieve emission reductions. Thus, project-related impacts on air quality can be mitigated. Types of emission reduction projects that have been funded in the past include electrification of stationary internal combustion engines (such as agricultural irrigation pumps), replacing old heavy-duty trucks with new, cleaner, more efficient heavy-duty trucks, and replacement of old farm tractors.

In implementing a VERA, the District verifies the actual emission reductions that have been achieved as a result of completed grant contracts, monitors the emission reduction projects, and ensures the enforceability of achieved reductions. After the project is mitigated, the District certifies to the Lead Agency that the mitigation is completed, providing the Lead Agency with an enforceable mitigation measure demonstrating that project-related emissions have been mitigated. To assist the Lead Agency and project proponent in ensuring that the environmental document is compliant with CEQA, the District recommends the environmental document includes an assessment of the feasibility of implementing a VERA.

7c) On-Site Solar Deployment

It is the policy of the State of California that renewable energy resources and zero-carbon resources supply 100% of retail sales of electricity to California

end-use customers by December 31, 2045. While various emission control techniques and programs exist to reduce air quality emissions from mobile and stationary sources, the production of solar energy is contributing to improving air quality and public health. The District suggests that the City consider incorporating solar power systems as an emission reduction strategy for future development projects.

7d) Electric Vehicle Chargers

To support and accelerate the installation of electric vehicle charging equipment and development of required infrastructure, the District offers incentives to public agencies, businesses, and property owners of multi-unit dwellings to install electric charging infrastructure (Level 2 and 3 chargers). The purpose of the District's Charge Up! Incentive program is to promote clean air alternative-fuel technologies and the use of low or zero-emission vehicles. The District recommends that the City and project proponents install electric vehicle chargers at project sites, and at strategic locations.

Please visit www.valleyair.org/grants/chargeup.htm for more information.

7e) Truck Routing

Truck routing involves the assessment of which roads Heavy Heavy-Duty (HHD) trucks take to and from their destination, and the emissions impact that the HHD trucks may have on residential communities and sensitive receptors. Future development within the General Plan has the potential for industrial uses that would result in an increase in HHD truck trips.

The District recommends the City evaluate HHD truck routing patterns for future development projects, with the aim of limiting exposure of residential communities and sensitive receptors to emissions. This evaluation would consider the current truck routes, the quantity and type of each truck (e.g., Medium Heavy-Duty, HHD, etc.), the destination and origin of each trip, traffic volume correlation with the time of day or the day of the week, overall Vehicle Miles Traveled (VMT), and associated exhaust emissions. The truck routing evaluation would also identify alternative truck routes and their impacts on VMT and air quality.

7f) Cleanest Available Heavy-Duty Trucks

The San Joaquin Valley will not be able to attain stringent health-based federal air quality standards without significant reductions in emissions from HHD trucks, the single largest source of NO_x emissions in the San Joaquin Valley. The District's CARB-approved 2018 PM_{2.5} Plan includes significant new reductions from HHD trucks, including emissions reductions by 2023 through

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the implementation of CARB's Statewide Truck and Bus Regulation, which requires truck fleets operating in California to meet the 2010 standard of 0.2 g-NOx/bhp-hr by 2023. Additionally, to meet federal air quality attainment standards, the District's Plan relies on a significant and immediate transition of HHD fleets to zero or near-zero emissions technologies, including the near-zero truck standard of 0.02 g/bhp-hr NOx established by CARB.

Since the General Plan could include industrial/warehouse type of development which could generate a high volume of HHD truck traffic, there is the potential of HHD trucks traveling to-and-from the project location at longer distribution trip length distances. The District recommends for future development projects, that the following measures be considered by the City to reduce Project-related operational emissions:

- *Recommended Measure:* Fleets associated with operational activities utilize the cleanest available HHD trucks, including zero and near-zero (0.02 g/bhp-hr NOx) technologies.
- *Recommended Measure:* All on-site service equipment (cargo handling, yard hostlers, forklifts, pallet jacks, etc.) utilize zero-emissions technologies.

7g) Reduce Idling of Heavy-Duty Trucks

The goal of this strategy is to limit the potential for localized PM_{2.5} and toxic air contaminant impacts associated with the idling of Heavy-Duty trucks. The diesel exhaust from idling has the potential to impose significant adverse health and environmental impacts.

Since future development projects are expected to result in HHD truck trips, the District recommends the DEIR include measures to ensure compliance of the state anti-idling regulation (13 CCR § 2485 and 13 CCR § 2480) and discuss the importance of limiting the amount of idling, especially near sensitive receptors. In addition, the District recommends the City consider the feasibility of implementing a more stringent 3-minute idling restriction and requiring appropriate signage and enforcement of idling restrictions.

8) Electric On-Site Off-Road and On-Road Equipment

Future development projects may have the potential to result in increased use of off-road equipment (e.g., forklifts) and on-road equipment (e.g., mobile yard trucks with the ability to move materials). The District recommends that the City include requirements for project proponents to utilize electric or zero emission off-road and on-road equipment.

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9) Under-fired Charbroilers

Future development projects have the potential to occupy restaurants with under-fired charbroilers. Such charbroilers may pose the potential for immediate health risk, particularly when located in densely populated areas or near sensitive receptors.

Since the cooking of meat can release carcinogenic PM_{2.5} species, such as polycyclic aromatic hydrocarbons, controlling emissions from new under-fired charbroilers will have a substantial positive impact on public health. The air quality impacts on neighborhoods near restaurants with under-fired charbroilers can be significant on days when meteorological conditions are stable, when dispersion is limited and emissions are trapped near the surface within the surrounding neighborhoods. This potential for neighborhood-level concentration of emissions during evening or multi-day stagnation events raises air quality concerns.

Furthermore, reducing commercial charbroiling emissions is essential to achieving attainment of multiple federal PM_{2.5} standards. Therefore, the District recommends that the DEIR be revised to include a measure requiring the assessment and potential installation, as technologically feasible, of particulate matter emission control systems for new large restaurants operating under-fired charbroilers.

The District is available to assist the City and project proponents with this assessment. Additionally, the District is currently offering substantial incentive funding that covers the full cost of purchasing, installing, and maintaining the system during a demonstration period covering two years of operation. Please contact the District at (559) 230-5800 or technology@valleyair.org for more information, or visit: <http://valleyair.org/grants/rctp.htm>

10) Vegetative Barriers and Urban Greening

For future development projects within the Project area, and at strategic locations throughout the Project area in general, the District suggests the City consider incorporating vegetative barriers and urban greening as a measure to further reduce air pollution exposure on sensitive receptors (e.g., residences, schools, healthcare facilities).

While various emission control techniques and programs exist to reduce air quality emissions from mobile and stationary sources, vegetative barriers have been shown to be an additional measure to potentially reduce a population's exposure to air pollution through the interception of airborne particles and the uptake of gaseous pollutants. Examples of vegetative barriers include, but are not limited to the following: trees, bushes, shrubs, or a mix of these. Generally, a higher and thicker vegetative barrier with full coverage will result in greater reductions in downwind pollutant concentrations. In the same manner, urban greening is also a way to help

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improve air quality and public health in addition to enhancing the overall beautification of a community with drought tolerant, low-maintenance greenery.

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11)Clean Lawn and Garden Equipment in the Community

Future development projects may consists of residential and commercial development, gas-powered residential and commercial lawn and garden equipment have the potential to result in an increase of NOx and PM2.5 emissions. Utilizing electric lawn care equipment can provide residents with immediate economic, environmental, and health benefits. The District recommends the Project proponent consider the District's Clean Green Yard Machines (CGYM) program which provides incentive funding for replacement of existing gas powered lawn and garden equipment. More information on the District CGYM program and funding can be found at: <http://www.valleyair.org/grants/cgym.htm> and <http://valleyair.org/grants/cgym-commercial.htm>.

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12)District's Bikeway Incentive Program

Incorporating design elements (e.g., installing bikeways) within the General Plan that enhance walkability and connectivity can result in an overall reduction of vehicles miles traveled (VMT) and improve air quality within the area. Future development projects are expected to result in an overall reduction in VMT by installing bikeways, and may be eligible for funding through the District's Bikeway Incentive Program. The Bikeway Incentive Program provides funding for eligible Class 1 (Bicycle Path Construction), Class II (Bicycle Lane Striping), or Class III (Bicycle Route) projects. These incentives are designed to support the construction of new bikeway projects to promote clean air through the development of a widespread, interconnected network of bike paths, lanes, or routes and improving the general safety conditions for commuter bicyclists. Only municipalities, government agencies, or public educational institutions are eligible to apply. More information on the grant program can be found at: <http://valleyair.org/grants/bikepaths.htm>

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Guidelines and Project Eligibility for the grant program can be found at: [http://valleyair.org/grants/documents/bikepaths/2015 Bikeway Guidelines.pdf](http://valleyair.org/grants/documents/bikepaths/2015_Bikeway_Guidelines.pdf)

13)Nuisance Odors

While offensive odors rarely cause any physical harm, they can be unpleasant, leading to considerable distress among the public and often resulting in citizen complaints.

The City should consider all available pertinent information to determine if future development projects could have a significant impact related to nuisance odors. Nuisance odors may be assessed qualitatively taking into consideration the

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proposed business or industry type and its potential to create odors, as well as proximity to off-site receptors that potentially would be exposed to objectionable odors. The intensity of an odor source's operations and its proximity to receptors influences the potential significance of malodorous emissions. Any project with the potential to frequently expose members of the public to objectionable odors should be deemed to have a significant impact.

According to the District Guidance for Assessing and Mitigating air Quality Impacts (GAMAQI), a significant odor impact is defined as more than one confirmed complaint per year averaged over a three-year period, or three unconfirmed complaints per year averaged over a three-year period. An unconfirmed complaint means that either the odor or air contaminant release could not be detected, or the source of the odor could not be determined.

As the future development projects that will fall within the General Plan do not yet exist the City should and stipulate odor mitigation measures in the DEIR as conditions of approval for those business and industry types. An example would be for a project proponent whose project is determined to have a potentially significant odor impact to draft and implement an odor management plan as a mitigation measure in the DEIR.

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14) District Rules and Regulations

The District issues permits for many types of air pollution sources, and regulates some activities that do not require permits. A project subject to District rules and regulations would reduce its impacts on air quality through compliance with the District's regulatory framework. In general, a regulation is a collection of individual rules, each of which deals with a specific topic. As an example, Regulation II (Permits) includes District Rule 2010 (Permits Required), Rule 2201 (New and Modified Stationary Source Review), Rule 2520 (Federally Mandated Operating Permits), and several other rules pertaining to District permitting requirements and processes.

The list of rules below is neither exhaustive nor exclusive. Current District rules can be found online at: www.valleyair.org/rules/1ruleslist.htm. To identify other District rules or regulations that apply to future projects, or to obtain information about District permit requirements, the project proponents are strongly encouraged to contact the District's Small Business Assistance (SBA) Office at (559) 230-5888.

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14a) District Rules 2010 and 2201 - Air Quality Permitting for Stationary Sources

Stationary Source emissions include any building, structure, facility, or installation which emits or may emit any affected pollutant directly or as a fugitive emission. District Rule 2010 (Permits Required) requires operators of

emission sources to obtain an Authority to Construct (ATC) and Permit to Operate (PTO) from the District. District Rule 2201 (New and Modified Stationary Source Review) requires that new and modified stationary sources of emissions mitigate their emissions using Best Available Control Technology (BACT).

Future development projects may be subject to District Rule 2010 (Permits Required) and Rule 2201 (New and Modified Stationary Source Review) and may require District permits. Prior to construction, the project proponents should submit to the District an application for an ATC.

Recommended Mitigation Measure: For projects subject to permitting by the San Joaquin Valley Air Pollution Control District, demonstration of compliance with District Rule 2201 shall be provided to the City before issuance of the first building permit.

For further information or assistance, project proponents may contact the District's SBA Office at (559) 230-5888.

14b) District Rule 9510 - Indirect Source Review (ISR)

Accordingly, future development projects within the General Plan may be subject to District Rule 9510 if upon full buildout, the project would equal or exceed any of the following applicability thresholds, depending on the type of development and public agency approval mechanism:

Table 1: ISR Applicability Thresholds

Development Type	Discretionary Approval Threshold	Ministerial Approval / Allowed Use / By Right Thresholds
Residential	50 dwelling units	250 dwelling units
Commercial	2,000 square feet	10,000 square feet
Light Industrial	25,000 square feet	125,000 square feet
Heavy Industrial	100,000 square feet	500,000 square feet
Medical Office	20,000 square feet	100,000 square feet
General Office	39,000 square feet	195,000 square feet
Educational Office	9,000 square feet	45,000 square feet
Government	10,00 square feet	50,000 square feet
Recreational	20,000 square feet	100,000 square feet
Other	9,000 square feet	45,000 square feet

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District Rule 9510 also applies to any transportation or transit development projects where construction exhaust emissions equal or exceed two tons of NO_x or two tons of PM.

The purpose of District Rule 9510 is to reduce the growth in both NO_x and PM emissions associated with development and transportation projects from mobile and area sources; specifically, the emissions associated with the construction and subsequent operation of development projects. The Rule requires developers to mitigate their NO_x and PM emissions by incorporating clean air design elements into their projects. Should the proposed development project clean air design elements be insufficient to meet the required emission reductions, developers must pay a fee that ultimately funds incentive projects to achieve off-site emissions reductions.

In the case the individual development project is subject to District Rule 9510, per Section 5.0 of the rule, an Air Impact Assessment (AIA) application is required to be submitted no later than applying for project-level approval from a public agency. It is preferable for the applicant to submit an AIA application as early as possible in the public agency's approval process so that proper mitigation and clean air design under ISR can be incorporated into the public agency's analysis.

Information about how to comply with District Rule 9510 can be found online at: <http://www.valleyair.org/ISR/ISRHome.htm>.

The AIA application form can be found online at: <http://www.valleyair.org/ISR/ISRFormsAndApplications.htm>.

District staff is available to provide assistance with determining if future development projects will be subject to Rule 9510, and can be reached by phone at (559) 230-5900 or by email at ISR@valleyair.org.

14c) District Rule 9410 (Employer Based Trip Reduction)

Future development projects may be subject to District Rule 9410 (Employer Based Trip Reduction) if the project would result in employment of 100 or more "eligible" employees. District Rule 9410 requires employers with 100 or more "eligible" employees at a worksite to establish an Employer Trip Reduction Implementation Plan (eTRIP) that encourages employees to reduce single-occupancy vehicle trips, thus reducing pollutant emissions associated with work commutes. Under an eTRIP plan, employers have the flexibility to select the options that work best for their worksites and their employees.

Information about District Rule 9410 can be found online at: www.valleyair.org/tripreduction.htm.

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For additional information, you can contact the District by phone at 559-230-6000 or by e-mail at etrip@valleyair.org

14d) District Rule 4002 (National Emissions Standards for Hazardous Air Pollutants)

Future development projects will be subject to District Rule 4002 since the Project will include demolition, renovation, and removal of existing structures. To protect the public from uncontrolled emissions of asbestos, this rule requires a thorough inspection for asbestos to be conducted before any regulated facility is demolished or renovated. Any asbestos present must be handled in accordance with established work practice standards and disposal requirements.

Information on how to comply with District Rule 4002 can be found online at: <http://www.valleyair.org/busind/comply/asbestosbultn.htm>.

Future development projects may be subject to District Rule 4002. This rule requires a thorough inspection for asbestos to be conducted before any regulated facility is demolished or renovated. Information on how to comply with District Rule 4002 can be found online at: <http://www.valleyair.org/busind/comply/asbestosbultn.htm>.

14e) District Rule 4601 (Architectural Coatings)

Future development projects may be subject to District Rule 4601 since it may utilize architectural coatings. Architectural coatings are paints, varnishes, sealers, or stains that are applied to structures, portable buildings, pavements or curbs. The purpose of this rule is to limit VOC emissions from architectural coatings. In addition, this rule specifies architectural coatings storage, cleanup and labeling requirements. Additional information on how to comply with District Rule 4601 requirements can be found online at: <http://www.valleyair.org/rules/currnrules/r4601.pdf>

14f) District Regulation VIII (Fugitive PM10 Prohibitions)

The project proponent may be required to submit a Construction Notification Form or submit and receive approval of a Dust Control Plan prior to commencing any earthmoving activities as described in Regulation VIII, specifically Rule 8021 – *Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities*.

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Should the project result in at least 1-acre in size, the project proponent shall provide written notification to the District at least 48 hours prior to the project proponents intent to commence any earthmoving activities pursuant to District Rule 8021 (Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities). Also, should the project result in the disturbance of 5-acres or more, or will include moving, depositing, or relocating more than 2,500 cubic yards per day of bulk materials, the project proponent shall submit to the District a Dust Control Plan pursuant to District Rule 8021 (Construction, Demolition, Excavation, Extraction, and Other Earthmoving Activities). For additional information regarding the written notification or Dust Control Plan requirements, please contact District Compliance staff at (559) 230-5950.

The application for both the Construction Notification and Dust Control Plan can be found online at:

<https://www.valleyair.org/busind/comply/PM10/forms/DCP-Form.docx>

Information about District Regulation VIII can be found online at:

http://www.valleyair.org/busind/comply/pm10/compliance_pm10.htm

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14g) District Rule 4901 - Wood Burning Fireplaces and Heaters

The purpose of this rule is to limit emissions of carbon monoxide and particulate matter from wood burning fireplaces, wood burning heaters, and outdoor wood burning devices. This rule establishes limitations on the installation of new wood burning fireplaces and wood burning heaters. Specifically, at elevations below 3,000 feet in areas with natural gas service, no person shall install a wood burning fireplace, low mass fireplace, masonry heater, or wood burning heater.

Information about District Rule 4901 can be found online at:

<http://valleyair.org/rule4901/>

14h) Other District Rules and Regulations

Future development projects may also be subject to the following District rules: Rule 4102 (Nuisance) and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations).

The following rules are specific to confined animal operations:

- Rule 4102 (Nuisance) – This rule applies to any source operation that emits or may emit air contaminants or other materials. In the event that the project or construction of the project creates a public nuisance, it could be in violation and be subject to District enforcement action.

- Rule 4550 (Conservation Management Practices) – The purpose of this rule is to limit fugitive dust emissions from agricultural operation sites. These sites include areas of crop production, animal feeding operations and unpaved roads/equipment areas. The District's CMP handbook can be found online at the District's website at: http://www.valleyair.org/farmpermits/updates/cmp_handbook.pdf.
- Rule 4570 (Confined Animal Facilities) – District Rule 4570 was adopted by the District's Governing Board on June 15, 2006. Dairies with greater than or equal to 500 milk cows are subject to the requirements of District Rule 4570. Therefore, a Rule 4570 application shall also be submitted to the District.

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15)Future Projects / Land Use Agency Referral Documents

Future development projects may require an environmental review and air emissions mitigation. A project's referral documents and environmental review documents provided to the District for review should include a project summary, the land use designation, project size, air emissions quantifications and impacts, and proximity to sensitive receptors and existing emission sources, and air emissions mitigation measures. For reference and guidance, more information can be found in the District's Guidance for Assessing and Mitigating Air Quality Impacts at: <https://www.valleyair.org/transportation/GAMAQI.pdf>

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If you have any questions or require further information, please contact Eric McLaughlin by e-mail at eric.mclaughlin@valleyair.org or by phone at (559) 230-5808.

Sincerely,

Brian Clements
Director of Permit Services



For: Mark Montelongo
Program Manager

4. Response to comments from San Joaquin Valley Air Pollution Control District dated February 16, 2023.

- 4A The proposed Fowler 2040 General Plan includes policies that would encourage active living and the expansion of both pedestrian and bicycle facilities within the City. The City encourages the use of clean construction equipment and the implementation of project design that would limit impacts to the air basin. When future individual projects do not meet the thresholds applicable to the San Joaquin Valley Air Control District, the City would work with project proponents to lower projected emission totals in a variety of ways, including equipment use and project design.
- 4B Comment noted.
- 4C In the future, individual development projects would be analyzed under the appropriate level of environmental analysis required by the scope of a project. When applicable, analysis would include emissions modeling for construction- and operation-related emissions.
- 4D See Response 4C. When a proposed project may affect sensitive receptors, air quality modeling could include the completion of a Health Risk Assessment (HRA). In the event that an HRA is necessary, the completed HRA would be submitted to the District for review.
- 4E Comment noted. The City will work with project proponents whose project exceeds any applicable District threshold. In the event that a project's estimated emissions can't be reduced below a threshold, additional modeling and analysis may be used in order to better analyze the impacts that would result from implementation of a project.
- 4F Projects requiring only ministerial approval from the City should not be of such a scale that they would result in a significant impact to air quality resources and are likely to fall under the Districts Small Project Analysis Level (SPAL) program. For ministerial projects not meeting the SPAL requirements, the City will determine whether additional air quality analysis is needed despite the proposed use not being subject to discretionary action.
- 4G See Response 4A.
- 4H See Response 4A.
- 4I See Response 4A.
- 4J See Response 4A.
- 4K See Response 4A.
- 4L See Response 4A.
- 4M Comment noted. The City will take odor into consideration during the environmental analysis of future development projects. This consideration is addressed within the DEIR.
- 4N The City and future development projects are subject to all local, State, and federal laws and

regulations governing air quality resources and conservation. This includes District Rules and Regulations.

- 40 When applicable, the City will continue to route individual development projects to the District for its review and comment. During this process, the District may recommend mitigation measures or requirements for the City to impose on a project.

3. Revisions to the Draft EIR

3.1 INTRODUCTION

This section contains revisions to the DEIR based upon (1) additional or revised information required to prepare a response to a specific comment; (2) applicable updated information that was not available at the time of DEIR publication; and/or (3) typographical errors. Changes made to the DEIR are identified here in ~~strikeout text~~ to indicate deletions and in underlined text to signify additions.

3.2 DEIR REVISIONS IN RESPONSE TO TECHNICAL AND TYPOGRAPHICAL ERRORS

The following has been revised in response to a technical error in the DEIR.

Page 2-13, Figure 2-4, *Land Use Diagram*, is hereby modified as follows:

Figure 2-4: Land Use Diagram depicts the land use designations within the City of Fowler. Within the DEIR, a Medium Density Residential area on this figure did not populate and therefore is not shown. The map has been revised to show this area on the map, and the revised map has been inserted to replace the one with the error. The land use acreage used throughout the DEIR was correct, but the map omitted this Medium Density Residential Area. The revision to this map to show the reader an accurate depiction of the General Plan land use designations within the City does not change any of the analysis contained within the DEIR. The revision simply serves to better visually support the reader. As a result, recirculation of the DEIR is not necessary.

The following text corrections were made in the DEIR.

Page 4-250, Section 4.21.3, *Methodology and Thresholds of Significance*, is hereby modified as follows:

“According to the CEQA Guidelines Appendix G, the proposed Fowler 2040 GP would have a significant impact related to ~~utilities and service systems~~ wildfire if it would.”

RESOLUTION NO. 2634

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FOWLER ADOPTING THE STATEMENT OF OVERRIDING CONSIDERATIONS AND CERTIFYING THE CITY OF FOWLER 2040 GENERAL PLAN ENVIRONMENTAL IMPACT REPORT (SCH# 2021110053)

WHEREAS, the Fowler City Council determined that the existing General Plan was in need of revision to bring the document into conformance with State law and to provide current information and internal consistency within its elements; and

WHEREAS, in 2018 the Fowler City Council thence directed staff to undertake the development of the City of Fowler 2040 General Plan (Project); and

WHEREAS, the Planning Commission and City Council encouraged public input and comments on the Project; and

WHEREAS, in 2019, 2020, 2021, and 2023 the City of Fowler conducted several public workshops and scoping sessions, offering landowners, the general public, the Planning Commission, and the City Council the opportunity to provide input and direction as to the development of the Project; and

WHEREAS, City staff provided status reports on the development of the Project to the Planning Commission and the City Council during regularly scheduled meetings of both bodies throughout the Project process; and

WHEREAS, the City has determined that pursuant to the California Environmental Quality Act (CEQA; Public Resources Code Section 21000, et seq.) and the State CEQA Guidelines (Code of Regulations Title 14, Chapter 3, Section 15000, et seq.) that preparation of an environmental impact report in conjunction with the Project was necessary to evaluate the potential of the Project to impact the environment; and

WHEREAS, the Draft Environmental Impact Report (DEIR) was submitted to the State Clearinghouse of the Governor's Office of Planning and Research, and circulated for public review and comment for 58 days, commencing on December 21, 2022, and ending on February 15, 2023; and

WHEREAS, the DEIR, including a Summary of Environmental Impacts, Mitigation Measures and Residual Impacts, has been prepared, circulated, and made available for public comment pursuant to CEQA, Public Resources Code, sections 21000, et seq., and the Guidelines for implementation of CEQA, Title 14 California Code of Regulations, Chapter 3 sections 15000, et seq.; and

WHEREAS, the City received three comments from members of the public and five comments from public agencies; and

WHEREAS, the City considered responses received and incorporated them as necessary into the Final Environmental Impact Report (FEIR); and

WHEREAS, even with the implementation of feasible mitigation measures contained within the City of Fowler 2040 General Plan Environmental Impact Report (EIR), impacts to Agriculture and Forestry Resources, Air Quality, and Greenhouse Gas Emissions would remain significant and unavoidable; and

WHEREAS, at a special meeting on March 28, 2023, the Fowler Planning Commission conducted a public hearing to consider the FEIR; and

WHEREAS, notice of said public hearing was published in the March 17, 2023 edition of *The Business Journal*, posted at City Hall and the City's website, and sent to interested parties via email; and

WHEREAS, the FEIR is required to make the findings contained in CEQA Guidelines Section 15091; and

WHEREAS, based on the evidence of the record, the findings contained in CEQA Guidelines Section 15091 have been met; and

WHEREAS, pursuant to CEQA Guidelines Section 15093, lead agencies may approve projects which have significant and unavoidable impacts if a State of Overriding Considerations is prepared; and

WHEREAS, a Finding of Fact and Statement of Overriding Considerations has been prepared in regard to the resource sections of the FEIR which have been found to result in significant and unavoidable impacts, despite the implementation of feasible mitigation; and

WHEREAS, the Planning Commission is responsible for reviewing updates to the General Plan and Map and forwarding a recommendation to the City Council on the adoption of, or adoption with modifications to, the General Plan and Map; and

WHEREAS, via adoption of Resolution of Resolution No. 687, the Planning Commission has recommended that the City Council makes the requisite findings of fact, adopt a statement of overriding consideration, and certify the Final Environmental Impact Report; and

WHEREAS, the City Council is responsible for the adoption of, or adoption with modifications to, the General Plan and Map; and

WHEREAS, at a special meeting on April 18, 2023, at 6:00pm, the Fowler City Council conducted a public hearing to consider the Project and City of Fowler 2040 General Plan Environmental Impact Report; and

WHEREAS, notice of said public hearing was published in the April 7, 2023 edition of *The Business Journal*, posted at City Hall and the City’s website, and sent to interested parties via email; and

WHEREAS, the City Council has independently reviewed and considered the Project, and has evaluated and considered all comments, written and oral, received from persons who reviewed the Project, or otherwise commented on the Project.

NOW THEREFORE, BASED UPON THE ENTIRE RECORD OF THE PROCEEDINGS, THE CITY COUNCIL RESOLVES AS FOLLOWS:

1. That it has reviewed the recommendation of the staff.
2. That the FEIR, including a Summary of Environmental Impacts, Mitigation Measures and Residual Impacts as set forth in Exhibit “A” for the Project are adequate and have been completed in compliance with CEQA and the State CEQA Guidelines.
3. That it has independently reviewed and considered the information contained in the FEIR, including the Summary of Environmental Impacts, Mitigation Measures and Residual Impacts (Exhibit “A”), prior to approving the Project.
4. That it finds on the basis of the whole record before it, including the FEIR, Summary of Environmental Impacts, Mitigation Measures and Residual Impacts, any oral or written comments received, and Findings of Fact (contained in Exhibit “B”), that there is no substantial evidence in the record that the Project will have a significant effect on the environment with the exception of those to Agricultural and Forestry Resources, Air Quality, and Greenhouse Gas Emissions.
5. Finds on the basis of the whole record before it, including the FEIR, Summary of Environmental Impacts, Mitigation Measures and Residual Impacts, any oral or written comments received, and Findings of Fact (contained in Exhibit “B”), that the Project’s Significant and Unavoidable impacts to Agriculture and Forestry Resources, Air Quality, and Greenhouse Gas Emissions cannot be reasonably or feasibly mitigated to less than significant and will remain significant and unavoidable for the foreseeable future and therefore require, pursuant to CEQA, adoption of the Statement of Overriding Considerations contained in Exhibit “B”.

BE IT FURTHER RESOLVED that the City Council of the City of Fowler hereby adopts the Statement of Overriding Considerations contained as “Exhibit B” herein, and certifies the FEIR (SCH# 2021110053).

PASSED, APPROVED AND ADOPTED this 18th day of April 2023, at a special meeting of the Fowler City Council by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED:

Daniel T. Parra, Mayor

ATTEST:

Angela Vasquez, City Clerk

Exhibit “A”

Summary of Environmental Impacts, Mitigation Measures and Residual Impacts

Impact	Level of Significance Before Policies, Action Items, and Mitigation Measures	Policies, Action Items, and Mitigation Measures	Level of Significance After Policies, Action Items, and Mitigation Measures
Aesthetics			
Threshold 1: Have substantial adverse effect on a scenic vista?	No Impact	Mitigation measures are not warranted.	No Impact
Threshold 2: Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	No Impact	Mitigation measures are not warranted.	No Impact
Threshold 3: In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	Less than Significant Impact	Mitigation measures are not warranted.	Less than Significant Impact
Threshold 4: Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	Potentially Significant Impact	<p>Policy CH-5: Establish lighting standards that limit public lighting to produce a warm color temperature that protects circadian rhythms.</p> <p>Policy CDES-19: Establish lighting standards that limit public lighting to produce a warm color temperature that protects circadian rhythms.</p> <p>Action Item CDES-19a: Review and revise, as needed, the Zoning Ordinance to integrate compatibility standards for commercial development adjacent to residential and other sensitive users. Such compatibility standards shall address, at a minimum, increased building setbacks, enhanced landscaping, lighting standards, masonry wall requirements, and/or loading or operational limitations.</p> <p>Action Item CDES-23a: Adopt industrial standards in consideration of the following design principles:</p> <p>Exterior lighting should be integrated within the architectural design for industrial buildings. Light sources should not be visible and should be shielded to reflect down onto the ground and not into streets or neighboring property. Utility connections should be coordinated with architectural elements of the site and/or building so as not to be a visual nuisance. Utilities should be underground or screened from view from the street.</p> <p>Storage facilities should be screened and constructed to prevent visual clutter.</p>	Less than Significant Impact

Impact	Level of Significance Before Policies, Action Items, and Mitigation Measures	Policies, Action Items, and Mitigation Measures	Level of Significance After Policies, Action Items, and Mitigation Measures
		<p>Permanent outdoor storage should be screened by landscaping or materials compatible with the surrounding buildings' architecture.</p> <p>Varied architectural details should be applied to all façades exposed to public view. Blank end walls and long, monotonous façades shall be avoided. Treatments shall include architectural features, landscaping, or art elements that tie into the overall design theme.</p>	
Agricultural and Forestry Resources			
<p>Threshold 1: Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?</p>	Potentially Significant Impact	<p>Policy LU-8: Annex land into the City in accordance with adopted growth management thresholds and reject proposals for annexation that do not comply with requirements of General Plan policies relating to orderly and contiguous development and provision of public services and facilities.</p> <p>Policy LU-9: Allow annexation of residential land uses in the Tier I, Tier II, and Tier III development boundaries, as shown in Figure 4 3: Growth Management Tiers, according to the following thresholds:</p> <p><u>Tier I:</u></p> <p>Annexation of property designated Medium High Density Residential or High Density Residential may occur within Tier I once:</p> <ul style="list-style-type: none"> ○ 112 building permits for new dwelling units located on property designated either Medium High Density Residential or High Density Residential in the Primary Development Area (PDA) have been issued after December 31, 2021. • Annexation of property designated Low Density Residential, Medium Low Density Residential, or Medium Density Residential may occur within Tier I once both of the following have occurred: <ul style="list-style-type: none"> ○ 1,512 building permits for new dwelling units located on property designated Low Density Residential, Medium Low Density Residential, or Medium Density Residential in the PDA have been issued after December 31, 2021. ○ 155 building permits for new dwelling units located on property designated Medium High Density Residential or High Density Residential in the PDA have been issued after December 31, 2021. <p><u>Tier II:</u></p> <ul style="list-style-type: none"> • Annexation of property designated Medium High Density Residential or High Density Residential may occur within Tier II once: 	Significant and Unavoidable Impact

Impact	Level of Significance Before Policies, Action Items, and Mitigation Measures	Policies, Action Items, and Mitigation Measures	Level of Significance After Policies, Action Items, and Mitigation Measures
		<ul style="list-style-type: none"> ○ 789 building permits for new dwelling units located on property designated either Medium High Density Residential or High Density Residential in the PDA or Tier I have been issued. • Annexation of property designated Low Density Residential, Medium Low Density Residential, or Medium Density Residential may advance to Tier II once: <ul style="list-style-type: none"> ○ 3,005 building permits for new dwelling units located on property designated Low Density Residential, Medium Low Density Residential, or Medium Density Residential in the PDA or Tier I have been issued after December 31, 2021. ○ 1,068 building permits for new dwelling units on property designated Medium High Density Residential and High Density Residential in the PDA or Tier I have been issued after December 31, 2021. Building permits counted towards the higher density residential threshold may also be counted towards this threshold. <p><u>Tier III:</u></p> <ul style="list-style-type: none"> • Annexation of property designated Medium High Density Residential and High Density Residential may advance to Tier III once: <ul style="list-style-type: none"> ○ 1,492 building permits for new dwelling units on property designated Medium High Density Residential or High Density Residential in the PDA, Tier I, or Tier II have been issued after December 31, 2021. • Annexation of property designated Low Density Residential, Medium Low Density Residential, and Medium Density Residential may advance to Tier III once: <ul style="list-style-type: none"> ○ 5,245 building permits for new dwelling units on property designated Low Density Residential, Medium Low Density Residential, and Medium Density Residential in the PDA, Tier I, or Tier II have been issued after December 31, 2021. ○ 2,053 building permits for new dwelling units on property designated Medium High Density Residential or High Density Residential in the PDA, Tier I, or Tier II have been issued after December 31, 2021. Building permits counted towards the higher density residential threshold may also be counted towards this threshold. <p><u>Exceptions:</u></p>	

Impact	Level of Significance Before Policies, Action Items, and Mitigation Measures	Policies, Action Items, and Mitigation Measures	Level of Significance After Policies, Action Items, and Mitigation Measures
		<p>The following exceptions apply to the growth thresholds for each growth tier:</p> <ul style="list-style-type: none"> • The development of deed restricted affordable housing may occur in the next growth tier, regardless of whether the building permit issuance threshold in the previous tier has been met. • The City may provide an exception to the growth tier thresholds for master planned properties that include properties within two growth tiers. <p>Policy SAF-33: Promote the preservation and economic viability of agricultural land adjacent to the Fowler Planning Area.</p> <p>Action Item SAF-33a: Amend local ordinances to require open space or other buffers for new development abutting agricultural areas planned for long-term use.</p> <p>Policy SAF-34: Discourage the premature conversion of productive agricultural lands.</p> <p>Action Item SAF-34a: Utilize master plans and the Capital Improvement Program (CIP) to implement the extension of urban services efficiently and responsibly.</p> <p>Action Item SAF-34b: Support the use of Williamson Act contracts to prevent the premature conversion of farmland and review and revise, as needed, the Fowler Municipal Code to facilitate the continuation of Williamson Act Contracted parcels, as appropriate, following annexation.</p> <p>Action Item SAF-34c: Review and revise, as appropriate, zoning regulations allowing for continued agriculture uses in the City limits where no development is proposed in the near-term.</p> <p>Policy SAF-35: Require new development occurring in proximity to existing agricultural uses to acknowledge the potential effects of agricultural operations.</p> <p>Action Item SAF-35a: Adopt a Right-to-Farm Ordinance.</p> <p>Action Item SAF-35b: Prior to adoption of a Right-to-Farm Ordinance, continue to require that purchasers of homes located in the vicinity of agricultural operations be provided a Right-to-Farm notification of such activities by way of deeds and/or escrow documentation.</p>	

Impact	Level of Significance Before Policies, Action Items, and Mitigation Measures	Policies, Action Items, and Mitigation Measures	Level of Significance After Policies, Action Items, and Mitigation Measures
Threshold 2: Conflict with existing zoning for agricultural use, or a Williamson Act contract?	Potentially Significant Impact	Compliance with Fowler 2040 GP policies LU-8, LU-9, SAF-33, SAF-34, SAF-35 and action items SAF-33a, SAF-34a, SAF-34b, SAF-34c, SAF-35a, and SAF-35b, as discussed above, would help reduce the level of impact the Project would have on agricultural resources.	Significant and Unavoidable Impact
Threshold 3: Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?	No Impact	Mitigation measures are not warranted.	No Impact
Threshold 4: Result in the loss of forest land or conversion of forest land to non-forest use?	No Impact	Mitigation measures are not warranted.	No Impact
Threshold 5: Involve other changes in the existing environment which, due to the DEIR location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	Potentially Significant Impact	Compliance with Fowler 2040 GP policies LU-8, LU-9, SAF-33, SAF-34, SAF-35 and action items SAF-33a, SAF-34a, SAF-34b, SAF-34c, SAF-35a, and SAF-35b, as discussed above, would help reduce the level of impact the Project would have on agricultural resources.	Significant and Unavoidable Impact
Air Quality			
Threshold 1: Would the project conflict with or obstruct implementation of the applicable air quality plan?	Potentially Significant Impact	<p>Policy LU-13: Planned unit developments may include any combination of single family and multifamily dwellings. Planned unit developments larger than 10 acres in size may also include related office and commercial uses.</p> <p>Action Item LU-13a: Review and revise the Zoning Ordinance, as necessary, to reflect increased density allowances for planned unit developments at the City's discretion. Granting of additional density (not to exceed 25%) will depend on the developer's demonstration of the quality of design in such areas as access, circulation, building placement, parking, provision of open space, and architectural design and compatibility with the surrounding area.</p> <p>Policy LU-18: Residential uses shall be permitted in the Community Commercial designation in support of mixed-use development.</p> <p>Action Item LU-18a: Review and revise the Zoning Ordinance, as needed, to allow residential uses in the Community Commercial Designation.</p> <p>Policy LU-19: Support neighborhood-serving commercial uses located near residential development with strong connectivity through walkable infrastructure.</p> <p>Action Item LU-19a: Review and revise the Zoning Ordinance, as needed, to permit neighborhood-serving commercial uses, such as food markets, in residential zones through the Conditional Use Permit process.</p>	Significant and Unavoidable Impacts

Impact	Level of Significance Before Policies, Action Items, and Mitigation Measures	Policies, Action Items, and Mitigation Measures	Level of Significance After Policies, Action Items, and Mitigation Measures
		<p>Policy LU-21: Encourage large, employment-generating developments to provide services such as cafeterias, childcare, and business support services that reduce the need for vehicle trips.</p> <p>Policy CDES-16: Locate parking areas within commercial projects in a manner that promotes pedestrian activity.</p> <p>Policy CDES-18: New commercial projects are designed in such a way that they enhance Fowler’s character.</p> <p>Action Item CDES-18a: Adopt commercial standards in consideration of the following design principles:</p> <ul style="list-style-type: none"> • Commercial sites are designed with human scale and pedestrian amenities. • Landscaping is used to unify and improve the visual quality of commercial sites. • Where appropriate, commercial development should be oriented along the street edges of new commercial sites, at street corners, or along main roadways internal to larger developments. • Encourage the use of shared parking amongst various commercial and office uses where possible. Minimize required off-street parking. • Ensure that commercial buildings incorporate ground floor transparency when appropriate. • Encourage architectural elements that contribute to the visual quality and existing context of new commercial development, such as varied massing and roof types, articulating building façades, and a variety of cohesive building materials and color schemes. <p>Policy CDES-31: Electric vehicle charging facilities shall be permitted in accordance with the most recent state regulations.</p> <p>Policy CH-1: Implement an active transportation network that links residential uses with schools, shopping, entertainment, recreation, and employment centers.</p>	

Impact	Level of Significance Before Policies, Action Items, and Mitigation Measures	Policies, Action Items, and Mitigation Measures	Level of Significance After Policies, Action Items, and Mitigation Measures
		<p>Action Item CH-1a: Identify gaps in the existing pedestrian and bicycle network to inform capital improvements programming and grant funding opportunities.</p> <p>Action Item CH-1b: Prioritize pedestrian and bicycle improvement projects that close gaps in the mobility network and those which link the east and west sides of the city.</p> <p>Action Item CH-1c: Amend road design standards, as necessary, to include complete street design principles.</p> <p>Action Item CH-1d: Develop and implement an Active Transportation Plan.</p> <p>Action Item CH-1e: Pursue funding for the adoption of a Safe Routes to School Master Plan to assist in the planning and funding of bicycle and pedestrian infrastructure improvements along school routes.</p> <p>Policy CH-2: Promote walking and bicycling and reduce vehicle miles traveled by allowing complementary land uses in close proximity to one another.</p> <p>Policy CH-3: Consider pedestrian and bicyclist safety and comfort in the design and development of streets, parks, and public spaces.</p> <p>Action Item CH-3a: Conduct a visual quality assessment of bicycle and pedestrian facilities to determine the efficacy of existing active transportation improvements and to help prioritize future improvements.</p> <p>Action Item CH-3b: Require street lighting within the rights-of-way of all public streets.</p> <p>Policy CH-4: Require Street trees or other shade coverage along key pedestrian and bicycle routes and near transit stops.</p> <p>Action Item CH-4a: Establish street design standards for each land use zone and require street trees of “medium” size or larger in commercial, residential, and mixed-use zones.</p> <p>Policy CH-6: Evaluate land use decisions for consistency with siting recommendations as outlined in California Air Resources Board’s (CARB’s) Land Use Compatibility Handbook.</p> <p>Policy CH-7: Consider the use of solid and vegetative barriers as a means for reducing near-roadway air pollution concentrations along SR 99 and local expressways.</p>	

Impact	Level of Significance Before Policies, Action Items, and Mitigation Measures	Policies, Action Items, and Mitigation Measures	Level of Significance After Policies, Action Items, and Mitigation Measures
		<p>Policy OS-10: The City shall implement the community trail network as shown <i>Figure 8-2: Trail Facilities</i>.</p> <p>Policy OS-11: Neighborhood trails should be planned as part of a connected, City-wide open space network which connects neighborhoods, parks, community trails, and other destinations including the downtown and shopping districts.</p> <p>Policy OS-12: Placement of neighborhood trails should be constructed along the most direct alignment possible to close network gaps in the trail system. Neighborhood trails may be required to be constructed as part a new development in order to accommodate that connection.</p> <p>Policy MOB-4: Support the creation of a transportation network that provides for efficient movement of people and goods while accounting for environmental effects.</p> <p>Action Item MOB-4a: Prepare guidelines for the evaluation of vehicle miles travelled. The guidelines should include significance criteria for evaluating impacts, thresholds of applicability for discretionary projects, and guidance on analyzing transportation impacts.</p> <p>Action Item MOB-4b: Identify a range of actions available for developments to mitigate transportation impacts, specifically targeted at reducing vehicle miles travelled.</p> <p>Policy MOB-5: Encourage a Level of Service (LOS) "C" throughout the local circulation network. LOS "D" may be allowed during peak hours at intersections of major streets, at SR 99 interchanges, and along street segments where additional improvements are not feasible. LOS "D" may also be allowed along streets with the potential for a high level of pedestrian and bicyclist activity. LOS "E" may be permitted during peak hour use of certain road intersections and segments where pedestrian and bicycle activity is prioritized.</p> <p>Policy MOB-6: Use Intelligent Transportation Systems (ITS) to improve the safety and performance of the circulation network, consistent with the Fresno County ITS Strategic Plan.</p> <p>Policy MOB-9: New development may be required to provide off-site pedestrian and/or bicycle facilities to address gaps in the active transportation network.</p>	

Impact	Level of Significance Before Policies, Action Items, and Mitigation Measures	Policies, Action Items, and Mitigation Measures	Level of Significance After Policies, Action Items, and Mitigation Measures
		<p>Policy MOB-10: Develop a multi-purpose recreational bikeway network and support facilities.</p> <p>Policy MOB-11: Ensure street and road projects are adequately designed to accommodate safe and convenient pedestrian and bicyclist access.</p> <p>Action Item MOB-11a: Review and revise, as needed, public works standards to include pedestrian and bicycle safety features where appropriate.</p> <p>Action Item MOB-11b: Establish design standards to ensure the bikeway network is easily identifiable and consistent with standard signs and markings, as designated by the State of California Traffic Control Devices Committee and the State Bikeway Committee.</p> <p>Policy MOB-12: Require traffic calming techniques in the design of new local streets where such techniques will manage traffic flow and improve safety for pedestrian and bicyclist users.</p> <p>Policy MOB-13: Coordinate with Caltrans, FCOG, Fresno County Rural Transit Agency (FCRTA), and other responsible agencies to identify the need for additional mobility infrastructure and/or services along major commuter travel corridors.</p> <p>Policy MOB-14: Identify opportunities for a multi-modal transit hub within the City.</p> <p>Policy MOB-15: Support the development of paratransit service programs.</p> <p>Policy MOB-16: Support transit operator efforts to maximize return for short- and long-range transit needs.</p> <p>Action Item MOB-16a: Actively participate in the development of short and long-range transit plans, including the Fresno County Long Range Transit Plan and transit plans prepared by the Fresno County Rural Transit Agency (FCRTA).</p> <p>Policy MOB-17: Incorporate the potential for public transit service expansion throughout the City.</p> <p>Action Item MOB-17a: Review and revise, as needed, public works standards to incorporate design features to accommodate future public transit stops.</p>	

Impact	Level of Significance Before Policies, Action Items, and Mitigation Measures	Policies, Action Items, and Mitigation Measures	Level of Significance After Policies, Action Items, and Mitigation Measures
		<p>Policy MOB-18: Improve route options and access for public transit City-wide, specifically west of SR 99.</p> <p>Action Item MOB-18a: Coordinate with Fresno County Rural Transit Agency (FCRTA) and other public transit agencies to facilitate additional transit stops.</p> <p>Action Item MOB-18b: Ensure that pedestrian and bicycle facilities are provided along and/or near transit routes, whenever feasible, to improve access and connectivity.</p> <p>MM AQ-1: Consider impacts on regional air quality when reviewing proposals for new development. Short-term construction and long-term operational quality impacts shall be evaluated in accordance with SJVAPCD-recommended guidance.</p>	
Threshold 2: Would the project 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?	Potentially Significant Impact	Implementation of Policies LU-21, CDES-31, CH-1, CH-6, MOB-4, MOB-9, MOB-10, MOB-11, MOB-12, MOB-13, MOB-14, MOB-15, MOB-16, MOB-17, MOB-18, and MOB-19 of the 2040 Fowler GP would help to reduce increases in criteria pollutants. Greenhouse Gas Mitigation Measures GHG-1 and GHG-2, and Air Quality Mitigation Measure AQ-1 shall be implemented to reduce project-generated emissions of air pollutants.	Significant and Unavoidable Impacts
Threshold 3: Would the project expose sensitive receptors to substantial pollutant concentrations?	Potentially Significant Impact	<p>MM AQ-2a: Consider the localized air quality impacts on surrounding land uses, including emissions of toxic air contaminants and odors, when reviewing proposals for new development.</p> <p>MM AQ-2b: The City shall require new development projects to demonstrate LOS reductions for any project-associated intersection to an LOS E or F, or worsen an existing LOS F. If this requirement is not met, a project-specific CO Hotspot analysis shall be conducted. If the CO analysis shows levels above current applicable ambient air quality standards, the project proponent shall be required to make intersection improvements to reduce CO emissions at the intersection, alter the project to reduce the impact, or implement other measures sufficient to demonstrate a reduction in predicted localized CO concentrations to below applicable ambient air quality standards.</p>	Less than Significant Impact to Potentially Significant Impact
Threshold 4: Would the General Plan result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	Potentially Significant Impact	MM AQ-2a: Consider the localized air quality impacts on surrounding land uses, including emissions of toxic air contaminants and odors, when reviewing proposals for new development.	Significant and Unavoidable Impacts
Biological Resources			
Threshold 1: Would the project 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	Less than Significant Impact	Mitigation measures are not warranted.	Less than Significant Impact

Impact	Level of Significance Before Policies, Action Items, and Mitigation Measures	Policies, Action Items, and Mitigation Measures	Level of Significance After Policies, Action Items, and Mitigation Measures
California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?			
Threshold 2: Would the project 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 California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	No Impact	Mitigation measures are not warranted.	No Impact
Threshold 3: Would the project have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	Less than Significant Impact	Mitigation measures are not warranted.	Less than Significant Impact
Threshold 4: Would the Project 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?	Less than Significant Impact	Mitigation measures are not warranted.	Less than Significant Impact
Threshold 5: Would the Project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	Less than Significant Impact	<p>Policy OS-24: Require the retention of trees of significance (such as heritage trees) by promoting stewardship of such trees and ensuring that the design of development projects provides for the retention of these trees wherever possible. Where tree removal cannot be avoided, the City shall require tree replacement or suitable mitigation.</p> <p>Action Item OS-24a: Develop and implement a Tree Preservation Ordinance for the preservation of the City's urban forest, including heritage trees, on public and private property.</p>	Less than Significant Impact
Threshold 6: Would the Project conflict with provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	No Impact	Mitigation measures are not warranted.	No Impact
Cultural Resources			
Threshold 1: Would the project cause a substantial adverse change in the significance of a historical resource pursuant to in Section 15064.5?	Potentially Significant Impact	<p>Policy CDES-10: Improvements to older buildings in the downtown area and throughout the City should enhance rather than weaken the original character of such buildings.</p> <p>Policy CDES-12: All construction shall cease, and the Community Development Director and City Engineer shall be notified immediately if any prehistoric, archaeological, or fossil artifact or resource is uncovered during construction. All construction shall immediately stop and an archaeologist that meets the Secretary of the Interior's Professional Qualifications Standards in prehistoric or historical archaeology shall be</p>	Less than Significant Impact

Impact	Level of Significance Before Policies, Action Items, and Mitigation Measures	Policies, Action Items, and Mitigation Measures	Level of Significance After Policies, Action Items, and Mitigation Measures
		<p>retained, at the applicant's and/or successors-in-interest's expense, to evaluate the find(s) and recommend appropriate action according to Section 15064.5 of CEQA Guidelines. If avoidance is infeasible, other appropriate measures would be instituted. Work may proceed on other parts of the project subject to direction of the archaeologist while assessment of historic resources or unique archaeological resources is being carried out.</p> <p>Policy CDES-13: All construction shall cease if any human remains are uncovered, and the Community Development Director, City Engineer and Fresno County Medical Examiner and Coroner shall be notified in accordance to Section 7050.5 of the California Health and Safety Code. If human remains are determined to be those of a Native American or has reason to believe that they are those of a Native American, the Native American Heritage Commission shall be contacted, and the procedures outlined in CEQA Section 15064.5(e) shall be followed.</p>	
Threshold 2: Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	Potentially Significant Impact	Policies CDES-12 and CDES-13 of the Fowler 2040 GP, as outlined above, would ensure that potential impacts to unknown archaeological resources are less than significant.	Less than Significant Impact
Threshold 3: Would the project disturb any human remains, including those interred outside of dedicated cemeteries?	Potentially Significant Impact	All development facilitated by the Fowler 2040 GP would be required to adhere to existing regulations regarding the treatment of human remains. Further, policies CDES-12 and CDES-13 of the Fowler 2040 GP, as outlined above, would ensure that potential impacts to unknown human remains are less than significant.	Less than Significant Impact
Energy			
Threshold 1: Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	Potentially Significant Impact	<p>Policy LU-21: Encourage large, employment-generating developments to provide services such as cafeterias, childcare, and business support services that reduce the need for vehicle trips.</p> <p>Policy CH-6: Evaluate land use decisions for consistency with siting recommendations as outlined in California Air Resources Board's (CARB's) Land Use Compatibility Handbook.</p> <p>Policy MOB-4: Support the creation of a transportation network that provides for efficient movement of people and goods while accounting for environmental effects.</p> <p>Policy MOB-9: New development may be required to provide off-site pedestrian and/or bicycle facilities to address gaps in the active transportation network.</p> <p>Policy MOB-10: Develop a multi-purpose recreational bikeway network and support facilities.</p>	Less than Significant Impact

Impact	Level of Significance Before Policies, Action Items, and Mitigation Measures	Policies, Action Items, and Mitigation Measures	Level of Significance After Policies, Action Items, and Mitigation Measures
		<p>Policy MOB-11: Ensure street and road projects are adequately designed to accommodate safe and convenient pedestrian and bicyclist access.</p> <p>Policy MOB-12: Require traffic calming techniques in the design of new local streets where such techniques will manage traffic flow and improve safety for pedestrian and bicyclist users.</p> <p>Policy MOB-13: Coordinate with Caltrans, FCOG, FCRTA, and other responsible agencies to identify the need for additional mobility infrastructure and/or services along major commuter travel corridors.</p> <p>Policy MOB-14: Identify opportunities for a multi-modal transit hub within the City.</p> <p>Policy MOB-15: Support the development of paratransit service programs.</p> <p>Policy MOB-16: Support transit operator efforts to maximize return for short- and long-range transit needs.</p> <p>Policy MOB-17: Incorporate the potential for public transit service expansion throughout the City.</p> <p>Policy MOB-18: Improve route options and access for public transit City-wide, specifically west of SR 99.</p>	
Threshold 2: Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	Less than Significant Impact	Mitigation measures are not warranted.	Less than Significant Impact
Geology and Soils			
Threshold 1: Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving 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 Division of Mines and Geology Special Publication 42.	Less than Significant Impact	Mitigation measures are not warranted.	Less than Significant Impact
Threshold 2: Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking?	Less than Significant Impact	<p>Policy SAF-26: Regularly review and enforce all seismic and geologic safety standards and require the use of best practices in site design and building construction methods.</p> <p>Policy SAF-27: Promote the upgrading, retrofitting, and/or relocation of all existing critical facilities and other important public facilities that do not</p>	Less than Significant Impact

Impact	Level of Significance Before Policies, Action Items, and Mitigation Measures	Policies, Action Items, and Mitigation Measures	Level of Significance After Policies, Action Items, and Mitigation Measures
		<p>meet current building code standards and are susceptible to seismic or geologic hazards.</p> <p>Action Item SAF-27a: Evaluate critical facilities for risk from seismic and geologic hazards. Prioritize improvements based on level of expected risk.</p> <p>Policy SAF-28: Continue to use building codes as the primary tool for reducing seismic risk in structures.</p>	
Threshold 3: Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction?	Less than Significant Impact	Policies SAF-26 through SAF-28 outlined above.	Less than Significant Impact
Threshold 4: Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving landslides?	No Impact	Mitigation measures are not warranted.	No Impact
Threshold 5: Would the project result in substantial soil erosion or the loss of topsoil?	Less than Significant Impact	Mitigation measures are not warranted.	Less than Significant Impact
Threshold 6: Would the project 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?	Less than Significant Impact	Policies SAF-26 and SAF-27 outlined above.	Less than Significant Impact
Threshold 7: Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	No Impact	Mitigation measures are not warranted.	No Impact
Threshold 8: Would the project have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	No Impact	Mitigation measures are not warranted.	No Impact
Threshold 9: Would the project directly or indirectly destroy a unique paleontological resource or site or unique geological feature?	Potentially Significant Impact	Policy CDES-12 outlined above.	Less than Significant Impact
Greenhouse Gas Emissions			
Threshold 1: Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	Potentially Significant Impact	<p>Policy LU-1: Development shall occur in accordance with the planned land uses as shown on <i>Figure 4-1: Land Use Diagram</i>.</p> <p>Policy LU-2: Density and intensity standards for each land use designation are shown in <i>Table 4-1: Land Use Designations and Consistency Matrix</i>. Consistent zoning districts determined to be compatible with the identified land use designation are also included in <i>Table 4-1</i>. Other zoning districts</p>	Significant and Unavoidable Impact

Impact	Level of Significance Before Policies, Action Items, and Mitigation Measures	Policies, Action Items, and Mitigation Measures	Level of Significance After Policies, Action Items, and Mitigation Measures
		<p>may be determined to be consistent with a land use designation based on compatibility with the intent of the designation and its specified density or intensity range. Such density or intensity range shall be calculated based on gross acres.</p> <p>Policy LU-3: For a plan amendment and/or rezoning request, the City may require submittal of supplemental information to determine the need for the plan amendment or rezoning</p> <p>Policy LU-13: Planned unit developments may include any combination of single family and multifamily dwellings. Planned unit developments larger than 10 acres in size may also include related office and commercial uses.</p> <p>Policy LU-18: Residential uses shall be permitted in the Community Commercial designation in support of mixed-use development.</p> <p>Policy LU-19: Support neighborhood-serving commercial uses located near residential development with strong connectivity through walkable infrastructure.</p> <p>Policy LU-21: Encourage large, employment-generating developments to provide services such as cafeterias, childcare, and business support services that reduce the need for vehicle trips.</p> <p>Policy CDES-16: Locate parking areas within commercial projects in a manner that promotes pedestrian activity.</p> <p>Policy CDES-18: New commercial projects are designed in such a way that they enhance Fowler’s character.</p> <p>Policy CDES-31: Electric vehicle charging facilities shall be permitted in accordance with the most recent state regulations.</p> <p>Policy CH-1: Implement an active transportation network that links residential uses with schools, shopping, entertainment, recreation, and employment centers.</p> <p>Policy CH-2: Promote walking and bicycling and reduce vehicle miles traveled by allowing complementary land uses in close proximity to one another.</p> <p>Policy CH-3: Consider pedestrian and bicyclist safety and comfort in the design and development of streets, parks, and public spaces.</p>	

Impact	Level of Significance Before Policies, Action Items, and Mitigation Measures	Policies, Action Items, and Mitigation Measures	Level of Significance After Policies, Action Items, and Mitigation Measures
		<p>Policy CH-4: Require street trees or other shade coverage along key pedestrian and bicycle routes and near transit stops.</p> <p>Policy CH-6: Evaluate land use decisions for consistency with siting recommendations as outlined in California Air Resources Board's (CARB's) Land Use Compatibility Handbook.</p> <p>Policy MOB-1: Design and construct a multimodal circulation system as shown on <i>Figure 9-1: Circulation Diagram</i>.</p> <p>Policy MOB-2: Streets are designated and planned according to the functional classifications listed in <i>Table 9-2</i>.</p> <p>Policy MOB-3: The right of way for arterials and collectors may be reduced to avoid disrupting existing development if the travel way generally meets the street classification design requirements listed in <i>Table 9-2</i>.</p> <p>Policy MOB-4: Support the creation of a transportation network that provides for efficient movement of people and goods while accounting for environmental effects.</p> <p>Policy MOB-5: Encourage a Level of Service (LOS) "C" throughout the local circulation network. LOS "D" may be allowed during peak hours at intersections of major streets, at SR 99 interchanges, and along street segments where additional improvements are not feasible. LOS "D" may also be allowed along streets with the potential for a high level of pedestrian and bicyclist activity. LOS "E" may be permitted during peak hour use of certain road intersections and segments where pedestrian and bicycle activity is prioritized.</p> <p>Policy MOB-9: New development may be required to provide off-site pedestrian and/or bicycle facilities to address gaps in the active transportation network.</p> <p>Policy MOB-10: Develop a multi-purpose recreational bikeway network and support facilities.</p> <p>Policy MOB-11: Ensure street and road projects are adequately designed to accommodate safe and convenient pedestrian and bicyclist access.</p> <p>Policy MOB-12: Require traffic calming techniques in the design of new local streets where such techniques will manage traffic flow and improve safety for pedestrian and bicyclist users.</p>	

Impact	Level of Significance Before Policies, Action Items, and Mitigation Measures	Policies, Action Items, and Mitigation Measures	Level of Significance After Policies, Action Items, and Mitigation Measures
		<p>Policy MOB-13: Coordinate with Caltrans, Fresno COG, FCRTA, and other responsible agencies to identify the need for additional mobility infrastructure and/or services along major commuter travel corridors.</p> <p>Policy MOB-14: Identify opportunities for a multi-modal transit hub within the City.</p> <p>Policy MOB-15: Support the development of paratransit service programs.</p> <p>Policy MOB-16: Support transit operator efforts to maximize return for short- and long-range transit needs.</p> <p>Policy MOB-17: Incorporate the potential for public transit service expansion throughout the City.</p> <p>Policy MOB-18: Improve route options and access for public transit City-wide, specifically west of SR 99.</p> <p>Policy OS-10: The City shall implement the community trail network as shown in <i>Figure 8-2: Trail Facilities</i>.</p> <p>Policy OS-11: Neighborhood trails should be planned as part of a connected, City-wide open space network which connects neighborhoods, parks, community trails, and other destinations including the downtown and shopping districts.</p> <p>Policy OS-12: Placement of neighborhood trails should be constructed along the most direct alignment possible to close network gaps in the trail system. Neighborhood trails may be required to be constructed as part a new development in order to accommodate that connection.</p>	
<p>Threshold 2: Would the project conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?</p>	<p>Potentially Significant Impact</p>	<p>Mitigation Measures AQ-1 and AQ-2 outlined above.</p> <p>MM GHG-1: The City shall develop a Climate Action Plan to identify ways to reduce GHG emissions and limit climate change impacts on the residents of the city of Fowler. The Climate Action Plan shall integrate the state's future GHG-reduction goals, including the State's goal of attaining carbon neutrality by 2045.</p> <p>MM GHG-2: Until the City adopts a qualified Climate Action Plan consistent with Mitigation Measure GHG-1 the following measures shall be applied to new land use development projects: Land use development projects shall be constructed with electrically powered appliances and building mechanical equipment in place of natural-gas fueled equipment.</p>	<p>Significant and Unavoidable Impact</p>

Impact	Level of Significance Before Policies, Action Items, and Mitigation Measures	Policies, Action Items, and Mitigation Measures	Level of Significance After Policies, Action Items, and Mitigation Measures
		Land use development projects shall, to the maximum extent possible, exceed the California Green Building Standard Code Tier 2 requirements for electric vehicle charging infrastructure.	
Hazards and Hazardous Materials			
Threshold 1: Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	Potentially Significant Impact	<p>Policy SAF-8: Protect soils, surface water, and groundwater from contamination from hazardous materials.</p> <p>Action Item SAF-8a: Continue to provide household hazardous waste collection programs to encourage proper disposal of products containing hazardous materials or hazardous wastes.</p> <p>Action Item SAF-8b: Should a site be contaminated by hazardous waste, work with the Fresno County Environmental Health Division, related agencies, and landowners to enable the clean-up of these sites.</p> <p>Policy SAF-9: Cooperate with State agencies and the Fresno County Environmental Health Division efforts to identify hazardous materials users, implement hazardous materials plans, and minimize risks associated with hazardous cargoes, agricultural spraying, and electromagnetic fields.</p> <p>Action Item SAF-9a: Revise Zoning Ordinance to require industries which store and process hazardous materials to provide a buffer between the facilities and the property boundary.</p> <p>Action Item SAF-9b: Ensure that industrial facilities are constructed and operated within the standards of the most up-to-date safety and environmental protocols.</p>	Less than Significant Impact
Threshold 2: Would the project 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?	Potentially Significant Impact	<p>Policies SAF-8 and SAF-9 as well as action items SAF-8a, SAF-8b, SAF-9a, and SAF-9b outlined above.</p> <p>Policy SAF-11: Locate new critical facilities at least 100 feet from the railroad mainline and Highway 99 to minimize risks in the event of a hazardous cargo accident.</p> <p>Policy SAF-12: Promote improvements, such as the construction of grade-separated crossings, to increase overall safety and reduce potential risk from hazardous cargo.</p>	Less than Significant Impact
Threshold 3: Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	Potentially Significant Impact	Mitigation Measures are not warranted.	Less than Significant Impact
Threshold 4: Would the project be located on a site which is included on a list of hazardous materials sites	Less than Significant Impact	Policy SAF-10: Reference State hazardous waste site lists in the City development review process and address risk, as needed, with site development requirements.	Less than Significant Impact

Impact	Level of Significance Before Policies, Action Items, and Mitigation Measures	Policies, Action Items, and Mitigation Measures	Level of Significance After Policies, Action Items, and Mitigation Measures
compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?		<p>Action Item SAF-10a: Prepare and maintain a map of hazardous waste sites identified through regional, State, and federal resources.</p> <p>Action Item SAF-10b: Ensure that the proponents of new developments address hazardous materials concerns through preparation of Phase I and Phase II studies, as necessary, as part of the design phase.</p> <p>Action Item SAF-10c: Require buildings used for operations requiring a hazardous materials business plan to be investigated for the presence of hazardous materials and waste as part of the re-use, rehabilitation, or demolition process.</p> <p>Policy CH-13: Increase awareness of warning signs for the presence of toxic substances related to aging housing stock.</p> <p>Action Item CH-13a: Distribute informational materials on the warning signs of toxic substances through the Building Department.</p>	
Threshold 5: 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 or excessive noise for people residing or working in the project area?	Less than Significant Impact	Mitigation measures are not warranted.	Less than Significant Impact
Threshold 6: Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	Less than Significant Impact	<p>Policy SAF-2: Continue to implement the Fresno County Multi-Hazard Mitigation Plan to address disasters such as earthquakes, drought, flooding, hazardous material spills, water contamination, epidemics, fires, extreme weather, major transportation accidents, and terrorism.</p> <p>Action Item SAF-2a: Review and revise, as necessary, the Municipal Code to ensure effective organization, responsiveness, and continuity of government during declared emergencies.</p> <p>Action Item SAF-2b: Procure generators, or another suitable alternative, for back-up power at City Hall, the Police Department, the Fire Department, and all domestic water distribution infrastructure.</p> <p>Action Item SAF-2c: The City, in conjunction with other local, State, and Federal agencies, shall ensure operational readiness of the Emergency Operations Center (EOC), conduct annual training for staff, and maintain, test, and update equipment to meet current standards.</p>	Less than Significant Impact

Impact	Level of Significance Before Policies, Action Items, and Mitigation Measures	Policies, Action Items, and Mitigation Measures	Level of Significance After Policies, Action Items, and Mitigation Measures
		<p>Action Item SAF-2d: Monitor potential risk from seismic and geologic hazards and implement actions identified by the Multi-Hazard Mitigation Plan to reduce these risks.</p> <p>Action Item SAF-2e: Sponsor and support educational programs regarding emergency response, disaster preparedness protocols and procedures, and disaster risk reduction.</p> <p>Action Item SAF-2f: Sponsor and support cooling centers during extreme heat days</p> <p>Policy SAF-3: Continue to coordinate with Fresno County and other jurisdictions to prepare and implement Emergency Preparedness Plans and to conduct emergency and disaster preparedness exercises to test these plans.</p> <p>Policy SAF-4: Provide a street network with safe and efficient routes for emergency vehicles, meeting necessary street widths, turn around radius, and other factors as determined in coordination with emergency service providers.</p>	
Threshold 7: Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	Less than Significant Impact	Mitigation measures are not warranted.	Less than Significant Impact
Hydrology and Water Quality			
Threshold 1: Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	Potentially Significant Impact	<p>Policy PF-17: Continue to establish development fees and user rates that are sufficient to operate, maintain, and upgrade (for current and future regulatory requirements) the City's water, wastewater, and stormwater infrastructure.</p> <p>Policy PF-18: Continue to cooperate with the Selma-Kingsburg-Fowler (SKF) County Sanitation District to design and construct wastewater system infrastructure as needed to safely convey, treat and recycle, and dispose of current and future wastewater flows and achieve future regulatory and system requirements.</p> <p>Policy PF-19: Actively participate in the Selma-Kingsburg-Fowler (SKF) County Sanitation District wastewater master plan update proves to ensure it aligns with planned land uses and projected demands for the City of Fowler.</p> <p>Policy PF-20: Design and construct stormwater system infrastructure as needed to safely convey, detain, and dispose of current and future stormwater flows, protect water quality, and meet regulatory requirements.</p>	Less than Significant Impact

Impact	Level of Significance Before Policies, Action Items, and Mitigation Measures	Policies, Action Items, and Mitigation Measures	Level of Significance After Policies, Action Items, and Mitigation Measures
		<p>Action Item PF-20a: Develop a storm drainage master plan which outlines necessary infrastructure improvements to the storm drainage system.</p>	
<p>Threshold 2: Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?</p>	Potentially Significant Impact	<p>Policy SAF-13: Conserve and, where feasible, create or restore areas providing water quality benefits such as undeveloped open space areas, basins, and drainage canals.</p> <p>Policy SAF-15: Require new development to protect water quality through site design, pollution prevention, storm water treatment, runoff reduction measures, BMPs, and LID strategies.</p> <p>Action Item SAF-15a: Review and revise, as appropriate, City standards to allow for LID strategies. Periodically review City standards to ensure innovative or new site design strategies which protect water quality are permitted, as appropriate.</p> <p>Policy SAF-16: Require the use of native, drought tolerant, or low water use landscaping in both public and private development to reduce or eliminate the need for landscape irrigation.</p> <p>Action Item SAF-16a: Review and revise, as necessary, the adopted water efficient landscape standards for consistency with the State Model Water Efficient Landscape Ordinance, as amended. As required, submit reports on the City's implementation of its landscape standards to the California Department of Water Resources and/or other agencies.</p> <p>Action Item SAF-16b: Update City design standards to require residential developers to provide a no-turf landscape option that is priced the same as the standard landscape option.</p> <p>Policy SAF-17: Promote programs to improve water efficiency in new and existing buildings.</p> <p>Policy SAF-18: Explore the use of recycled water to irrigate landscape areas.</p> <p>Action Item SAF-18a: Coordinate with Selma-Kingsburg-Fowler (SKF) County Sanitation District on what options are available to reuse recycled water.</p> <p>Policy SAF-25: Encourage low-impact development by allowing for alternative stormwater management techniques including the provision of vegetated areas, infiltration trenches, and dry wells.</p>	Less than Significant Impact

Impact	Level of Significance Before Policies, Action Items, and Mitigation Measures	Policies, Action Items, and Mitigation Measures	Level of Significance After Policies, Action Items, and Mitigation Measures
		<p>Action Item SAF-25a: Review and revise, as necessary, the Zoning Ordinance and other City standards to allow for low-impact stormwater management site design features.</p> <p>Action Item PF-20b: Require all new development to contribute no net increase in stormwater runoff peak flows over existing conditions associated with a 100-year storm event.</p> <p>Action Item PF-20c: Require new development to include grading and erosion control plans prepared by a registered engineer or land surveyor.</p> <p>Policy PF-21: Protect groundwater resources within the Planning Area. This includes protecting the occurrence of groundwater recharge, as well as the quality and quantity of available groundwater resources.</p>	
<p>Threshold 3: Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:</p> <ul style="list-style-type: none"> result in substantial erosion or siltation on- or off-site; substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site; 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; or impede or redirect flood flows? 	Potentially Significant Impact	Policies PF-20, PF-21, PF-22, PF-23, PF-24, SAF-13, and SAF-15 and action item SAF-15a, as outlined above.	Less than Significant Impact
Threshold 4: Would the project in flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundations?	Less than Significant Impact	See Policies SAF-19, SAF-20, SAF-21, SAF-22, SAF-23, SAF-24, SAF-25 and Action Item SAF-25a as outlined above.	No Impact
Threshold 5: Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	Less than Significant Impact	Mitigation measures are not warranted.	Less than Significant Impact
Land Use and Planning			
Threshold 1: Would the project physically divide an established community?	Less than Significant Impact	Mitigation measures are not warranted.	Less than Significant Impact
Threshold 2: Would the project cause a significant environmental conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	Less than Significant Impact	Mitigation measures are not warranted.	Less than Significant Impact

Impact	Level of Significance Before Policies, Action Items, and Mitigation Measures	Policies, Action Items, and Mitigation Measures	Level of Significance After Policies, Action Items, and Mitigation Measures
Mineral Resources			
Threshold 1: Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	Less than Significant Impact	Mitigation measures are not warranted.	Less than Significant Impact
Threshold 2: Would the project 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?	Less than Significant Impact	Mitigation measures are not warranted.	Less than Significant Impact
Noise			
Threshold 1: Would the project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	Potentially Significant Impact	<p>Policy CH-25: New development of the land uses listed in <i>Table 7-1</i> shall be located, designed, and operated in such a way that external noise levels from stationary noise sources do not exceed the maximum identified. Noise levels shall be measured immediately within the property line of the affected land use. Where two land uses meet, the more restrictive standard shall be used.</p> <p>Action Item CH-25a: Require an acoustical analysis as part of the environmental review process when uses are proposed within the contour lines as shown on <i>Figure 7-1</i> that exceed the exterior noise levels identified in <i>Table 7-1</i>.</p> <p>Action Item CH-25b: Require an acoustical analysis as part of the environmental review process when a proposed use is likely to exceed the permitted exterior noise levels identified in <i>Table 7-1</i>.</p> <p>Action Item CH-25c: Temporary uses such as live music events, festivals, or markets that are considered short-term or intermittent may exceed maximum noise levels but shall incorporate noise reduction measures to the extent feasible.</p> <p>Action Item CH-25d: Review and revise, as necessary, the Municipal Code to reflect the noise standards contained in this chapter.</p> <p>Policy CH-26: New development shall be designed and operated in such a way that interior noise levels from both stationary and mobile noise sources do not exceed 45 dBA L_{dn} for adjacent residential uses or other uses where people normally sleep and 45 dBA L_{eq} at peak hour for adjacent office, school, church, or similar use.</p> <p>Policy CH-27: New uses increasing stationary and/or mobile noise levels shall be subject to the following thresholds for CEQA significance:</p> <ul style="list-style-type: none"> Where existing ambient noise levels are less than 60 dB, an increase of 5 dB or more, measured at the outdoor activity area of a noise-sensitive use, shall be considered significant; 	Less than Significant Impact

Impact	Level of Significance Before Policies, Action Items, and Mitigation Measures	Policies, Action Items, and Mitigation Measures	Level of Significance After Policies, Action Items, and Mitigation Measures
		<ul style="list-style-type: none"> Where existing ambient noise levels are between 60 and 65 dB, an increase of 3 dB or more, measured at the outdoor activity area of a noise-sensitive use, shall be considered significant; Where existing ambient noise levels are greater than 65 dB, an increase of 1.5 dB or more, measured at the outdoor activity area of a noise-sensitive use, shall be considered significant. <p>Policy CH-28: Require noise generators to provide increased setbacks, walls, landscaped berms, other sound-absorbing barriers, or a combination thereof to prevent excessive noise exposure and reduce noise levels to acceptable levels, as needed.</p> <p>Policy CH-29: Require noise reduction methods along major roadways in order to protect adjacent, noise-sensitive land uses against excessive noise. Noise reduction methods shall include design strategies, including setbacks, landscaped berms, and other sound-absorbing barriers, when possible, in lieu of sound walls, to mitigate noise impacts and enhance aesthetics. Sound walls may also be appropriate noise-reduction strategies.</p> <p>CH-30: When sound walls are proposed, encourage a combination of berms and/or landscaping and walls to produce a more visually pleasing streetscape.</p> <p>CH-31: Require roof-mounted and detached mechanical equipment to be acoustically buffered when adjacent to residential uses to prevent equipment noise in excess of 55dBA as measured at the nearest residential property line.</p> <p>CH-32: Purchase City vehicles and equipment with low noise generation. Maintain City vehicles to minimize noise.</p> <p>Action Item CH-32a: Consider City vehicles and equipment as part of the Capital Improvement Program process.</p>	
Threshold 2: Would the project result in generation of excessive ground borne vibration or ground borne noise levels?	Potentially Significant Impact	<p>CH-33: Transportation and City infrastructure construction shall not be subject to typical noise standards so long as construction occurs between the hours of 7 AM and 7 PM, Monday through Friday, or between 8 AM and 5 PM on weekends and federal holidays. Construction may occur outside of these times if completing the work within these time frames is deemed infeasible.</p>	Less than Significant Impact

Impact	Level of Significance Before Policies, Action Items, and Mitigation Measures	Policies, Action Items, and Mitigation Measures	Level of Significance After Policies, Action Items, and Mitigation Measures
		<p>CH-34: The City shall require an assessment of construction noise impacts on nearby noise-sensitive land uses and associated activities to minimize those impacts as part of the discretionary review process.</p> <p>CH-35: Require construction projects anticipated to generate a significant amount of vibration to ensure acceptable interior vibration levels at nearby residential and commercial uses based on current City or FTA criteria.</p> <p>CH-36: The City may require a project-specific vibration impact assessment and associated impact reduction measures for projects involving the use of major vibration-generating equipment which could result in vibration levels in excess of 0.2 in/sec peak particle velocity (PPV).</p>	
Threshold 3: For a project located within the vicinity of a private airstrip or 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?	Less than Significant Impact	Policies and Action Items listed above.	Less than Significant Impact
Population and Housing			
Threshold 1: Would the project induce substantial unplanned population growth in an area, either directly (for Sample, by proposing new homes and businesses) or indirectly (for Sample, through extension of roads or other infrastructure)?	Less than Significant Impact	Mitigation measures are not warranted.	Less than Significant Impact
Threshold 2: Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	Less than Significant Impact	Mitigation measures are not warranted.	Less than Significant Impact
Public Services			
<p>Threshold 1: 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:</p> <ul style="list-style-type: none"> i. Fire protection? ii. Police protection? iii. Schools? iv. Parks? v. Other public facilities? 	Potentially Significant Impact	<p>Policy PF-11: In cooperation with the Fresno County Fire Protection District, provide firefighting equipment, facilities, and staffing sufficient to assure adequate response and fire flow at all times.</p> <p>Policy PF-12: Ensure adequate water supplies are available for fire suppression throughout the City and require development to construct all necessary fire suppression infrastructure and equipment.</p> <p>Policy PF-13: Maintain mutual aid agreements with other fire and emergency service departments in Fresno County to ensure adequate service throughout the City of Fowler and its Planning Area.</p> <p>Policy PF-14: Maintain staffing levels of City emergency service departments, including fire and police.</p>	Less than Significant Impact

Impact	Level of Significance Before Policies, Action Items, and Mitigation Measures	Policies, Action Items, and Mitigation Measures	Level of Significance After Policies, Action Items, and Mitigation Measures
		<p>Action Item PF-14a: Prepare a staffing plan for the Police Department to establish target staffing levels and update the plan periodically. The following staffing targets shall be used until the staffing plan is prepared and adopted:</p> <ul style="list-style-type: none"> Target an average staffing level of 1.5 police officers per 1,000 persons when the City population is less than 10,000. Target an average staffing level of 1.25 police officer per 1,000 persons once the City reaches a population of 10,000 or more. <p>Action Item PF-14b: Explore options to staff full-time or part-time fire fighter and support staff.</p> <p>Policy OS-1: Parks shall be developed according to the park classifications, access radii, and service level requirements outlined in <i>Table 8-1</i>.</p> <p>Policy OS-3: Within single family residential projects, whether attached or detached, a minimum of 5% of the project site, not inclusive of existing or future major road rights-of-way, shall be developed with usable open space. Such open space shall be maintained by an assessment district, landscape/lighting district, homeowners' association, or other appropriate maintenance entity.</p> <p>Action Item OS-3a: Adopt standards that establish minimum requirements for open space areas to qualify as usable for purposes of meeting the 5% usable open space requirement. Such standards shall require a minimum of a one-half acre park site. The remaining acreage needed to satisfy the 5% usable open space requirement may be made up of neighborhood trails or other usable open space areas meeting the minimum established requirements. In instances where 5% of a project site's acreage, exclusive of rights of way, results in less than one-half acre, the park site for that project site may be constructed equal to the minimum acreage required to comply with 5% standard.</p> <p>Policy OS-4: Usable open space areas, as required in, may fulfill the requirements for parkland dedication, per the City's Quimby Ordinance. To qualify, such land shall be dedicated to the City and meet the minimum established requirements for usable open space.</p>	
Recreation			
Threshold 1: 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?	Potentially Significant Impact	<p>Policy OS-1: Parks shall be developed according to the park classifications, access radii, and service level requirements outlined in <i>Table 8-1</i>.</p> <p>Policy OS-3: Within single family residential projects, whether attached or detached, a minimum of 5% of the project site, not inclusive of existing or future major road rights-of-way, shall be developed with usable open</p>	Less than Significant Impact

Impact	Level of Significance Before Policies, Action Items, and Mitigation Measures	Policies, Action Items, and Mitigation Measures	Level of Significance After Policies, Action Items, and Mitigation Measures
		<p>space. Such open space shall be maintained by an assessment district, landscape/lighting district, homeowners' association, or other appropriate maintenance entity.</p> <p>Action Item OS-3a: Adopt standards that establish minimum requirements for open space areas to qualify as usable for purposes of meeting the 5% usable open space requirement. Such standards shall require a minimum of a one-half acre park site. The remaining acreage needed to satisfy the 5% usable open space requirement may be made up of neighborhood trails or other usable open space areas meeting the minimum established requirements. In instances where 5% of a project site's acreage, exclusive of rights of way, results in less than one-half acre, the park site for that project site may be constructed equal to the minimum acreage required to comply with 5% standard.</p> <p>Policy OS-4: Usable open space areas, as required in Policy OS-3 in the General Plan, may fulfill the requirements for parkland dedication, per the City's Quimby Ordinance. To qualify, such land shall be dedicated to the City and meet the minimum established requirements for usable open space.</p> <p>Policy OS-17: The City shall use a broad range of funding and economic development tools to ensure high quality development, maintenance, and programming of the City parks, trails, and recreation system.</p> <p>Funding and economic development tools may include exploring grant opportunities or establishing sponsorship opportunities, such "adopt-a-park" programs.</p> <p>Policy OS-18: All residential projects shall be subject to the payment of park development impact fees, as adopted by resolution of the City Council. Payment of these development impact fees shall be in addition to any parkland dedication or in-lieu fee payment requirements in accordance with Fowler's adopted Quimby Act Ordinance, as applicable, except as provided for in <i>Policy OS-6</i>.</p>	
Threshold 2: 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?	Less than Significant Impact	Mitigation measures are not warranted.	Less than Significant Impact
Transportation			
Threshold 1: Would the project conflict with a plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	Less than Significant Impact	Mitigation measures are not warranted.	Less than Significant Impact

Impact	Level of Significance Before Policies, Action Items, and Mitigation Measures	Policies, Action Items, and Mitigation Measures	Level of Significance After Policies, Action Items, and Mitigation Measures
<p>Threshold 2: Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3 subdivision (b)?</p>	<p>Potentially Significant Impact</p>	<p>Policy CH-4: Require street trees or other shade coverage along key pedestrian and bicycle routes and near transit stops.</p> <p>Action Item CH-4a: Establish street design standards for each land use zone and require street trees of “medium” size or larger in commercial, residential, and mixed-use zones.</p> <p>Policy MOB-1: Design and construct a multimodal circulation system as shown on <i>Figure 9-1: Circulation Diagram</i>.</p> <p>Action Item MOB-1a: Establish and implement a Roadways Master Plan that addresses the following:</p> <ul style="list-style-type: none"> • Identification of design standards, and exceptions to those standards where deviations are appropriate, for the roadway network. Design standards should include pedestrian, bicycle, public transit, and vehicular accommodations to ensure the circulation network is designed for complete streets. • Identification of Transportation System Management (TSM) and Transportation Demand Management (TDM) strategies for improving efficiencies in the circulation system for all modes of travel. • Integration of a Vision Zero goal of reducing traffic fatalities and sever injuries to zero and adopting strategies to achieve this goal. <p>Policy MOB-14: Identify opportunities for a multi-modal transit hub within the City.</p> <p>Policy MOB-15: Support the development of paratransit service programs.</p> <p>Policy MOB-16: Support transit operator efforts to maximize return for short- and long-range transit needs.</p> <p>Action Item MOB-16a: Actively participate in the development of short and long-range transit plans, including the Fresno County Long Range Transit Plan and transit plans prepared by the Fresno County Rural Transit Agency (FCRTA).</p> <p>Policy MOB-17: Incorporate the potential for public transit service expansion throughout the City.</p> <p>Action Item MOB-17a: Review and revise, as needed, public works standards to incorporate design features to accommodate future public transit stops.</p>	<p>Less than Significant Impact</p>

Impact	Level of Significance Before Policies, Action Items, and Mitigation Measures	Policies, Action Items, and Mitigation Measures	Level of Significance After Policies, Action Items, and Mitigation Measures
		<p>Policy MOB-18: Improve route options and access for public transit City-wide, specifically west of SR 99.</p> <p>Action Item MOB-18a: Coordinate with Fresno County Rural Transit Agency (FCRTA) and other public transit agencies to facilitate additional transit stops.</p> <p>Action Item MOB-18b: Ensure that pedestrian and bicycle facilities are provided along and/or near transit routes, whenever feasible, to improve access and connectivity.</p>	
Threshold 3: Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	Less than Significant Impact	Mitigation measures are not warranted.	Less than Significant Impact
Threshold 4: Would the project result in inadequate emergency access?	Less than Significant Impact	<p>Policy MOB-1: Design and construct a multimodal circulation system as shown on <i>Figure 9-1: Circulation Diagram</i>.</p> <p>Action Item MOB-1a: Establish and implement a Roadways Master Plan that addresses the following:</p> <ul style="list-style-type: none"> • Identification of design standards, and exceptions to those standards where deviations are appropriate, for the roadway network. Design standards should include pedestrian, bicycle, public transit, and vehicular accommodations to ensure the circulation network is designed for complete streets. • Identification of Transportation System Management (TSM) and Transportation Demand Management (TDM) strategies for improving efficiencies in the circulation system for all modes of travel. • Integration of a Vision Zero goal of reducing traffic fatalities and sever injuries to zero and adopting strategies to achieve this goal. <p>Policy MOB-2: Streets are designated and planned according to the functional classifications listed in <i>Table 9-2</i>.</p> <p>Policy MOB-3: The right of way for arterials and collectors may be reduced to avoid disrupting existing development if the travel way generally meets the street classification design requirements listed in <i>Table 9-2</i>.</p> <p>Policy MOB-4: Support the creation of a transportation network that provides for efficient movement of people and goods while accounting for environmental effects.</p> <p>Action Item MOB-4a: Prepare guidelines for the evaluation of vehicle miles travelled. The guidelines should include significance criteria for evaluating</p>	Less than Significant Impact

Impact	Level of Significance Before Policies, Action Items, and Mitigation Measures	Policies, Action Items, and Mitigation Measures	Level of Significance After Policies, Action Items, and Mitigation Measures
		<p>impacts, thresholds of applicability for discretionary projects, and guidance on analyzing transportation impacts.</p> <p>Action Item MOB-4b: Identify a range of actions available for developments to mitigate transportation impacts, specifically targeted at reducing vehicle miles traveled.</p> <p>Policy MOB-5: Encourage a Level of Service (LOS) "C" throughout the local circulation network. LOS "D" may be allowed during peak hours at intersections of major streets, at SR 99 interchanges, and along street segments where additional improvements are not feasible. LOS "D" may also be allowed along streets with the potential for a high level of pedestrian and bicyclist activity. LOS "E" may be permitted during peak hour use of certain road intersections and segments where pedestrian and bicycle activity is prioritized.</p> <p>Policy MOB-6: Use Intelligent Transportation Systems (ITS) to improve the safety and performance of the circulation network, consistent with the Fresno County ITS Strategic Plan.</p> <p>Policy MOB-7: Prioritize operational solutions over major structural improvements to existing roadways where feasible.</p> <p>Policy MOB-8: Explore opportunities for management and maintenance of traffic control facilities to fall under the City's jurisdiction.</p> <p>Policy MOB-9: New development may be required to provide off-site pedestrian and/or bicycle facilities to address gaps in the active transportation network.</p> <p>Policy MOB-10: Develop a multi-purpose recreational bikeway network and support facilities.</p> <p>Action Item MOB-10a: Review and revise, as needed, the Zoning Ordinance to include provisions for short-term and long-term bicycle parking and storage facilities.</p> <p>Policy MOB-11: Ensure street and road projects are adequately designed to accommodate safe and convenient pedestrian and bicyclist access.</p> <p>Action Item MOB-11a: Review and revise, as needed, public works standards to include pedestrian and bicycle safety features where appropriate.</p>	

Impact	Level of Significance Before Policies, Action Items, and Mitigation Measures	Policies, Action Items, and Mitigation Measures	Level of Significance After Policies, Action Items, and Mitigation Measures
		<p>Action Item MOB-11b: Establish design standards to ensure the bikeway network is easily identifiable and consistent with standard signs and markings, as designated by the State of California Traffic Control Devices Committee and the State Bikeway Committee.</p> <p>Policy MOB-12: Require traffic calming techniques in the design of new local streets where such techniques will manage traffic flow and improve safety for pedestrian and bicyclist users.</p> <p>Policy MOB-13: Coordinate with Caltrans, Fresno COG, FCRTA, and other responsible agencies to identify the need for additional mobility infrastructure and/or services along major commuter travel corridors.</p> <p>Policy MOB-14: Identify opportunities for a multi-modal transit hub within the City.</p> <p>Policy MOB-15: Support the development of paratransit service programs.</p> <p>Policy MOB-16: Support transit operator efforts to maximize return for short- and long-range transit needs.</p> <p>Action Item MOB-16a: Actively participate in the development of short and long-range transit plans, including the Fresno County Long Range Transit Plan and transit plans prepared by the Fresno County Rural Transit Agency (FCRTA).</p> <p>Policy MOB-17: Incorporate the potential for public transit service expansion throughout the City.</p> <p>Action Item MOB-17a: Review and revise, as needed, public works standards to incorporate design features to accommodate future public transit stops.</p> <p>Policy MOB-18: Improve route options and access for public transit City-wide, specifically west of SR 99.</p> <p>Action Item MOB-18b: Ensure that pedestrian and bicycle facilities are provided along and/or near transit routes, whenever feasible, to improve access and connectivity.</p> <p>Policy MOB-19: Designated truck routes for use by heavy commercial and industrial traffic shall include Golden State Boulevard, Manning Avenue, and Temperance Avenue, as shown in <i>Figure 9-2</i>.</p> <p>Policy MOB-20: Encourage the efficient movement of goods.</p>	

Impact	Level of Significance Before Policies, Action Items, and Mitigation Measures	Policies, Action Items, and Mitigation Measures	Level of Significance After Policies, Action Items, and Mitigation Measures
		<p>Action Item MOB-20a: Identify economically feasible street and highway improvement and maintenance projects that will improve goods movement.</p> <p>Action Item MOB-20b: Identify opportunities to support commercial and industrial access to existing rail facilities within the Planning Area.</p> <p>Policy MOB-21: Facilitate goods movement and delivery through internal site design of commercial and industrial areas.</p> <p>Policy MOB-22: Ensure truck access points and loading facilities are designed to reduce conflict with sensitive land uses.</p> <p>Policy MOB-23: Coordinate with Caltrans in the design of capital improvement projects near SR 99.</p> <p>Policy MOB-24: Continue to support Golden State Boulevard as a secondary route connecting the Kingsburg Selma Fowler corridor and providing access to the City of Fresno, Calwa, and Malaga.</p> <p>Policy MOB-25: Coordinate local transportation planning with the Fresno COG Regional Transportation Plan (RTP), Fresno County Rural Transit Agency (FCRTA), and other agencies on relevant transportation plans to ensure eligibility for state and federal funding.</p> <p>Policy MOB-26: Collaborate with Fresno County to integrate right-of-way and improvement standards for roads that cross jurisdictional boundaries. For development outside the City's boundaries, but within the SOI, City and County staff will cooperate and agree on reasonable design standards and negotiate logical transitions from City to County Standards. In general, for such development under County jurisdiction but within the Sphere of Influence, City Standards should apply if annexation would logically occur in the short to intermediate range.</p> <p>Policy MOB-27: Provide for the logical, timely, and economically efficient extension of road infrastructure improvements.</p> <p>Action Item MOB-27a: Annually review and revise the CIP to ensure roadway improvements are prioritized and scheduled for construction over at least a 5-year period.</p> <p>Policy MOB-28: Seek all available means to finance improvements, including State and Federal grants.</p>	

Impact	Level of Significance Before Policies, Action Items, and Mitigation Measures	Policies, Action Items, and Mitigation Measures	Level of Significance After Policies, Action Items, and Mitigation Measures
		<p>Policy MOB-29: Use appropriate entitlement processes and financial tools to ensure new development contributes a fair share of the transportation improvements and/or costs to provide necessary improvements.</p> <p>Action Item MOB-29a: Participate in the establishment of regional transportation mitigation fees and/or benefit districts to be assessed on new development. The fees shall cover a reasonable share of the costs of providing local and subregional transportation improvements needed for serving new development.</p> <p>Policy MOB-30: Existing points of ingress and egress shall be consolidated whenever possible. Driveway consolidation for new development shall be consistent with City standards and implemented through access agreements along arterials.</p> <p>Action Item MOB-30a: Review and revise, as necessary, City standards to establish criteria for site ingress and egress and driveway locations.</p> <p>Policy MOB-31: Ingress and egress to shopping centers shall minimize left turn movements into and out of parking or loading areas.</p> <p>Policy MOB-32: Review standards for traffic signalization and revise to reflect alternative ways, beyond the current warrant study, for the installation of traffic lights, stop signs, and alternative signalization methods.</p> <p>Policy MOB-33: Require residential developments along arterials to back on to such streets with ornamental fencing, landscaping, and waiver of access, or to provide frontage roads with limited points of access to the street. "Open ended cul de sacs" to major streets are also required for pedestrian access.</p> <p>Policy MOB-34: Limit access points and intersections of streets and highways based on the road's General Plan classification and function. Access points must be located a sufficient distance away from major intersections to allow for safe, efficient operation.</p> <p>Action Item MOB-34a: The distance between commercial driveways on arterial streets should be not less than 400 feet. Where practical and desirable, commercial driveways should be located on adjacent collector streets rather than on arterial streets.</p> <p>Action Item MOB-34b: Driveway access to major activity centers, including multifamily development, should be located no closer than 200 feet to the intersection of a collector or arterial street.</p>	

Impact	Level of Significance Before Policies, Action Items, and Mitigation Measures	Policies, Action Items, and Mitigation Measures	Level of Significance After Policies, Action Items, and Mitigation Measures
		<p>Policy CH-1: Implement an active transportation network that links residential uses with schools, shopping, entertainment, recreation, and employment centers.</p> <p>Action Item CH-1a: Identify gaps in the existing pedestrian and bicycle network to inform capital improvements programming and grant funding opportunities.</p> <p>Action Item CH-1b: Prioritize pedestrian and bicycle improvement projects that close gaps in the mobility network and those which link the east and west sides of the city.</p> <p>Action Item CH-1c: Amend road design standards, as necessary, to include complete street design principles.</p> <p>Action Item CH-1d: Develop and implement an Active Transportation Plan.</p> <p>Action Item CH-1e: Pursue funding for the adoption of a Safe Routes to School Master Plan to assist in the planning and funding of bicycle and pedestrian infrastructure improvements along school routes.</p> <p>Policy CH-2: Promote walking and bicycling and reduce vehicle miles traveled by allowing complementary land uses in close proximity to one another.</p> <p>Action Item CH-2a: Review and revise the Zoning Ordinance, as needed, to include complementary land uses within zoning districts.</p> <p>Policy CH-3: Consider pedestrian and bicyclist safety and comfort in the design and development of streets, parks, and public spaces.</p> <p>Action Item CH-3a: Conduct a visual quality assessment of bicycle and pedestrian facilities to determine the efficacy of existing active transportation improvements and to help prioritize future improvements.</p> <p>Action Item CH-3b: Require street lighting within the rights-of-way of all public streets.</p>	
Tribal Cultural Resources			
Threshold 1: 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	Policies CDES-10, CDES-12, and CDES-13, outlined in the Cultural Resources Section.	Less than Significant Impact

Impact	Level of Significance Before Policies, Action Items, and Mitigation Measures	Policies, Action Items, and Mitigation Measures	Level of Significance After Policies, Action Items, and Mitigation Measures
<p>the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:</p> <p>Listed or eligible for listing in the California Register of Historical Resources, or in the local register of historical resources as defined in Public Resources Code section 5020.1(k), or</p> <p>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 Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.</p>			
Utilities and Service Systems			
Threshold 1: Would the project require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	Potentially Significant Impact	Mitigation measures are not warranted.	Less than Significant Impact
Threshold 2: Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	Potentially Significant Impact	<p>Policy PF-16: Design and construct water system infrastructure as needed to meet current and future water demands and system requirements.</p> <p>Action Item PF-16a: Prepare and maintain a water systems master plan to estimate future water demands, identify an adequate supply of water to meet future demands, and identify potential new water supplies.</p> <p>Policy PF-17: Continue to establish development fees and user rates that are sufficient to operate, maintain, and upgrade (for current and future regulatory requirements) the City's water, wastewater, and stormwater infrastructure.</p> <p>Policy PF-22: Support local efforts to implement SGMA. Coordinate with applicable GSAs to implement appropriate policies and programs identified in adopted GSPs.</p> <p>Policy PF-23: Where appropriate, integrate identified actions and projects from the GSP into the City's Capital Improvement Program.</p>	Less than Significant Impact

Impact	Level of Significance Before Policies, Action Items, and Mitigation Measures	Policies, Action Items, and Mitigation Measures	Level of Significance After Policies, Action Items, and Mitigation Measures
Threshold 3: Would the project 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?	Potentially Significant Impact	<p>Policy PF-17: Continue to establish development fees and user rates that are sufficient to operate, maintain, and upgrade (for current and future regulatory requirements) the City's water, wastewater, and stormwater infrastructure.</p> <p>Policy PF-18: Continue to cooperate with the Selma-Kingsburg-Fowler (SKF) County Sanitation District to design and construct wastewater system infrastructure as needed to safely convey, treat and recycle, and dispose of current and future wastewater flows and achieve future regulatory and system requirements.</p> <p>Policy PF-19: Actively participate in the Selma-Kingsburg-Fowler (SKF) County Sanitation District wastewater master plan update proves to ensure it aligns with planned land uses and projected demands for the City of Fowler.</p>	Less than Significant Impact
Threshold 4: Would the project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	Potentially Significant Impact	Policy PF-26: Ensure solid waste pick-up and disposal facilities are sufficient to meet new development needs.	Less than Significant Impact
Threshold 5: Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	Potentially Significant Impact	Policy PF-25: Facilitate activities that reduce waste production and/or encourage recycling or reuse of waste when possible to reduce the amount of solid waste sent to landfill in order to meet State targets.	Less than Significant Impact
Wildfire			
Threshold 1: Would the Project substantially impair an adopted emergency response plan or emergency evacuation plan?	Less than Significant Impact	Mitigation measures are not warranted.	Less than Significant Impact
Threshold 2: Would the Fowler 2040 GP, due to slope, prevailing winds, and other factors, exacerbate wildfire risks and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	Less than Significant Impact	Mitigation measures are not warranted.	Less than Significant Impact
Threshold 3: Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	Less than Significant Impact	Mitigation measures are not warranted.	Less than Significant Impact
Threshold 4: Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	Less than Significant Impact	Mitigation measures are not warranted.	Less than Significant Impact

Exhibit “B”

Part 1 – CEQA FINDINGS OF FACT and Part 2 – CEQA STATEMENT OF OVERRIDING CONSIDERATIONS

Part 1 – CEQA FINDINGS OF FACT

A. INTRODUCTION

The California Environmental Quality Act (CEQA Guidelines Section 15091) requires that no public agency shall approve or carry out a project for which an environmental impact report has been certified which identifies one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:

- (1) Changes or alterations have been required in or incorporated into the project that mitigate or avoid the significant effect on the environment.
- (2) Those changes or alterations are within the responsibility and jurisdiction of another public agency and have been, or can and should be, adopted by that other agency.
- (3) Specific economic, legal, social, technological, or other considerations, including considerations for the provision of employment opportunities for highly trained workers, make infeasible the mitigation measures or alternatives identified in the environmental impact report.

B. PROPOSED PROJECT

The Draft City of Fowler 2040 General Plan Environmental Impact Report (DEIR), included here in totality by reference, contains a thorough and detailed description of the City of Fowler 2040 General Plan Environmental Impact Report (EIR) and so is not repeated here.

The DEIR analyzes the potentially significant environmental effects that could result from the Project including Section 4.3 Agriculture and Forestry Resources, Section 4.4 Air Quality, and Section 4.9 Greenhouse Gas Emissions. Each of these sections describes in detail the nature of significant impacts that would result due to implementation of the Project and why the Project cannot mitigate them to a less than significant level the significant and unavoidable impacts to which it contributes.

C. RECORD OF PROCEEDINGS AND CUSTODIAN OF RECORD

The record, upon which all findings and determinations related to the approval City of Fowler 2040 General Plan (Project) and EIR are based, includes the following:

- (1) The EIR and all documents referenced in or relied upon by the EIR;
- (2) All information, including written evidence and testimony, provided by City staff and the environmental consultants to the City relating to the Project and the EIR;
- (3) All information, including written evidence and testimony, presented to the City from other public agencies related to the Project and the EIR;

- (4) All applications, letters, testimony, and presentations related to the Project and EIR.
- (5) All information, including written evidence and testimony, presented at any City scoping meeting, presentation, workshop, or hearing related to the Project and the EIR;
- (6) All City-adopted or City-prepared land use plans and ordinances, including without limitation, the General Plan, specific plans, and ordinances together with the attending environmental review documents, findings, mitigation monitoring programs, and other documents relevant to planned growth in the area;
- (7) The Summary of Environmental Impacts, Mitigation Measures and Residual Impacts for the Project;
- (8) All other documents composing the record pursuant to Public Resources Code §21167.6(e).

D. SIGNIFICANT ENVIRONMENTAL IMPACTS IDENTIFIED IN THE EIR

The DEIR contains thorough descriptions of each potentially significant impact that could result from the proposed Project and recommended mitigation measures shown above in Exhibit “A” Summary of Environmental Impacts, Mitigation Measures and Residual Impacts. With the exception of DEIR Impact 4.3.4 thresholds 1,2, and 5, 4.4.4 thresholds 1,2,4, and cumulative impacts, and 4.9.4 thresholds 1 and 2 regarding agriculture and forestry resources, air quality, and greenhouse gas emissions, the City of Fowler finds that by adoption of Exhibit “A” Summary of Environmental Impacts, Mitigation Measures and Residual Impacts, changes or alterations are thereby required in or incorporated into the Project which avoid or substantially lessen the significant environmental effects resulting from the Project.

Part 2 below provides the necessary Statement of Overriding Considerations regarding the impacts that were found by the DEIR to be significant and unavoidable even with the adoption of feasible mitigation measures.

Part 2 – CEQA STATEMENT OF OVERRIDING CONSIDERATIONS

The California Environmental Quality Act (CEQA Guidelines Section 15093) requires a decision-making agency to balance the economic, legal, social, technological, or other benefits of a proposed project against its unavoidable environmental risks when determining whether to approve a project. For any significant effects that cannot be avoided or reduced to a less-than-significant level by the project, the lead agency must describe the reasons why mitigation to less than significant is infeasible (PRC Section 21081(a)(3)). Approval of a project that would have significant adverse effects on the environment requires that the agency identify the project benefits that are evaluated as outweighing its significant effects on the environment (PRC Section 21081(b)). When an agency approves a project that will result in significant effects to the environment, the agency is required to state its rationale for support of the project based on the Final Environmental Impact Report and other information in the record.

The City Council of the City of Fowler approves the Project and therefore adopts and makes the following Statement of Overriding Considerations regarding the significant, unavoidable impacts to Agriculture and Forestry Resources, Air Quality, and Greenhouse Gas Emissions to which the Project will contribute, and which are outweighed by the below-identified anticipated benefits of the Project.

A. SIGNIFICANT UNAVOIDABLE IMPACTS

AGRICULTURE AND FORESTRY RESOURCES IMPACTS

Based on the analysis provided within Section 4.3.4 of the DEIR, no feasible mitigation measures are available that would reduce the loss of important agriculture land and the loss of Williamson Act contract land to a less than significant level. Although the City has incorporated policies and planning measures into the Project that recognizes agriculture as an important resource, this impact remains significant and

unavoidable. Implementation of the Project and the resulting increased urbanization in and surrounding the City of Fowler would contribute to the substantial conversion of agricultural resources to other uses. Impacts remaining significant and unavoidable are listed below:

- The Project could convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance to a non-agricultural use.
- The Project could conflict with existing zoning for agricultural use, or a Williamson Act contract.
- The Project could involve other changes in the existing environment which, due to location and nature of the Project, could result in conversion of farmland, to non-agricultural use.

Mitigation Deemed Infeasible

The California Council of Land Trusts has developed *Conserving California's Harvest – A Model Program and Ordinance for Local Governments*, a guidebook for the preservation of farmland within California.¹ The guidebook contains suggestions for the conservation of and mitigation for the loss of farmland. Mitigation proposed under this guidebook suggests conserving or restricting land use via easements, covenants, or deeds in order to preserve farming on a particular piece of land. In return, a project could develop another property and convert the land use from agricultural to a non-agricultural use. The preservation of land elsewhere could be done at various ratios, including 1:1 and 2:1. Additionally, the guidebook suggests that in the absence of an available agricultural easement at the time that a project proposes to develop an agricultural property, they could pay into a fee system or mitigation bank. The money collected would then be used in the future for the purchase of an agricultural easement or be used towards the preservation of agricultural lands.

Important farmland and other farmland resources located throughout the state are a valuable, finite resource. While the preservation of farmland outside of a project site does preserve farmland, it still results in the loss of the resource. No new important farmland is being created. The use of easements or land preservations would also be dependent upon landowners voluntarily restricting the use of their land. Some property owners may be more willing than others to sell land for easements or participate in land preservation practices, creating a scattering of land that could be used for conservation. This would result in patchwork development in the future, which would be detrimental to both agricultural and urban uses. The use of fees would require the City to set up a fee system to accommodate this type of mitigation. Under a fee structure, the amount being paid to mitigate for the loss of important farmland would be arbitrary and would not necessarily represent the level of mitigation required of the loss of farmland. The fees would pay for the preservation of farmland in areas outside of the City and would not benefit lands within the City. Additionally, to serve as mitigation, a fee would be collected and then the project applicant would be required to wait until the fee could be used towards the purchase of a land preservation or easement if one was unavailable at the time. This would require a project applicant to wait an unspecified period of time to complete their project and would be a detriment to the economic development and growth of the City. As a result, the use of mitigation measures that include the preservation of agricultural land elsewhere or the use of fees as mitigation has been deemed infeasible.

Effects of Impact

The Project planning area would include approximately 3,674 acres of Prime Farmland, Farmland of Statewide Importance, and Unique Farmland. Additionally, the planning area would include approximately 1,374 acres that are under a Williamson Act contract. The buildout of the Project would result in the conversion of these agricultural land to non-agricultural uses. Other changes that are unforeseen at this time could result in additional significant impacts to agricultural resources within the

¹ "Conserving California's Harvest." California Council of Land Trusts, 4 Dec. 2015, <https://www.calandtrusts.org/resources/conserving-californias-harvest/>.

planning area.

Overriding Considerations

As explained in greater detail in the Statement of Overriding Considerations, the economic, legal, social, technological, or other benefits of the Project outweigh the remaining significant adverse impacts of the Project related to agriculture and forestry resources.

AIR QUALITY IMPACTS

Based on the analysis provided within Section 4.4.4 of the DEIR, no feasible mitigation measures are available that would reduce the impacts to air quality to a less than significant level. Although the City has incorporated policies and planning measures into the Project that recognizes air quality as an important resource, this impact remains significant and unavoidable. Implementation of the Project and the resulting increased urbanization in the City of Fowler would contribute to the substantial increases air quality emissions. Impacts remaining significant and unavoidable are listed below:

- The Project could result in conflicts with the San Joaquin Valley Air Pollution Control District's (SJVAPCD) air quality management plan.
- The Project could 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.
- The Project could result in other emissions (such as those leading to odors) adversely affecting a substantial number of people.

Mitigation Deemed Infeasible

Other emission reducing measures are available, such as those recommended by the SJVAPCD. This includes the use of clean construction equipment, the use of increased vegetative barriers, etc. An overarching requirement for all developers wishing to construct projects within the City to comply with these requirements, some of which would be within the thresholds of the SJVAPCD standards, would be a detriment to the economic development of the City as it would serve as an increased cost to developers. Rather, these measures may be included on a project-by-project basis and as needed. The SJVAPCD will have the opportunity to recommend emission reducing measures on future projects as they occur. As a result, wide-scale emissions reduction measures have been deemed infeasible in favor of a project-by-project evaluation.

Effects of Impact

The full buildout of the Project would result in the substantial increase in the City's population, traffic, and number of development projects over the life of the Project. While each individual project would be required to meet the SJVAPCD's Rules and Regulations, the region is within non-attainment levels for several criteria air pollutants and increased urbanization and expansion of the City would result in significant and unavoidable impacts to air quality.

Overriding Considerations

As explained in greater detail in the Statement of Overriding Considerations, the economic, legal, social, technological, or other benefits of the Project outweigh the remaining significant adverse impacts of the Project related to air quality.

CUMULATIVE AIR QUALITY IMPACTS

Based on the analysis provided within Section 4.4.4 of the DEIR, no feasible mitigation measures are available that would reduce the impacts to air quality to a less than significant level. Although the City has incorporated policies and planning measures into the Project that recognizes air quality as an important

resource, this impact remains significant and unavoidable. Implementation of the Project and the resulting increased urbanization in the City of Fowler would contribute to the substantial increases air quality emissions. Impacts remaining significant and unavoidable are listed below:

- The Project could 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.

Mitigation Deemed Infeasible

Other emission reducing measures are available, such as those recommended by the SJVAPCD. This includes the use of clean construction equipment, the use of increased vegetative barriers, etc. An overarching requirement for all developers wishing to construct projects within the City to comply with these requirements, some of which would be within the thresholds of the SJVAPCD standards, would be a detriment to the economic development of the City as it would serve as an increased cost to developers. Rather, these measures may be included on a project-by-project basis and as needed. The SJVAPCD will have the opportunity to recommend emission reducing measures on future projects as they occur. As a result, wide-scale emissions reduction measures have been deemed infeasible in favor of a project-by-project evaluation.

Effects of Impact

The full buildout of the Project would result in the construction and operation of new development, which would result in increased area, mobile, and energy-related air emissions. The combination of these projects over the life of the Project is expected to result in a significant and unavoidable impact to air quality.

Overriding Considerations

As explained in greater detail in the Statement of Overriding Considerations, the economic, legal, social, technological, or other benefits of the Project outweigh the remaining significant adverse impacts of the Project related to air quality.

GREENHOUSE GAS EMISSIONS IMPACTS

Based on the analysis provided within Section 4.9.4 of the DEIR, no feasible mitigation measures are available that would reduce the impacts to greenhouse gas emissions to a less than significant level. Although the City has incorporated policies and planning measures into the Project that recognizes greenhouse gas emissions as an important resource, this impact remains significant and unavoidable. Implementation of the Project and the resulting increased urbanization in the City of Fowler would contribute to the substantial increases in greenhouse gas emissions. Impacts remaining significant and unavoidable are listed below:

- The Project could result in the generation of greenhouse gas emissions that would have a significant impact on the environment.
- The Project could conflict with the SJVAPCD's plans, policies, and regulations adopted for the purpose of reducing the emissions of greenhouse gases.

Mitigation Deemed Infeasible

Other emission reducing measures are available, such as those recommended by the SJVAPCD. This includes the use of clean construction equipment, the use of increased vegetative barriers, etc. An overarching requirement for all developers wishing to construct projects within the City to comply with these requirements, some of which would be within the thresholds of the SJVAPCD standards, would be a detriment to the economic development of the City as it would serve as an increased cost to developers. Rather, these measures may be included on a project-by-project basis and as needed. The SJVAPCD will

have the opportunity to recommend emission reducing measures on future projects as they occur. As a result, wide-scale emissions reduction measures have been deemed infeasible in favor of a project-by-project evaluation.

Effects of Impact

The full buildout of the Project would result in a substantial increase in the City's population and traffic. Buildout of the Project is expected to result in an increase in Vehicle Miles Traveled within the City by approximately 400 percent. The buildout would also exceed the thresholds for metric tons of carbon dioxide equivalent emissions due to increased mobile sources and operational activities resulting from development within the City.

Overriding Considerations

As explained in greater detail in the Statement of Overriding Considerations, the economic, legal, social, technological, or other benefits of the Project outweigh the remaining significant adverse impacts of the Project related to greenhouse gas emissions.

B. STATEMENT OF OVERRIDING CONSIDERATIONS

Pursuant to Public Resources Code Section 21081 and CEQA Guidelines Section 15093, the City of Fowler adopts and makes the following Statement of Overriding Considerations regarding the Significant and Unavoidable Impacts from:

- The loss of important farmlands (Prime Farmland, Farmland of Statewide Importance, and Unique Farmland) and the loss of lands under active Williamson Act contracts.
- Conflicts with the SJVAPCD's air quality management plan.
- The cumulative net increase of criteria air pollutants that would contribute to non-attainment levels.
- The possible increase of other emissions, including those that emit odors.
- The generation of greenhouse gas emissions that would have a significant impact on the environment.
- The generation of greenhouse gas emissions that would conflict with the plans, policies, and regulations of the SJVAPCD.

FINDINGS AND STATEMENT

The City of Fowler finds and determines that all but the aforementioned significant impacts of the Project will be reduced to an acceptable level by mitigation measures recommended in the DEIR. However, as set forth above, the City's approval of the Project will result in eight (including cumulative net increases in air quality emissions) significant and unavoidable impacts and one cumulatively considerable and significant impact that cannot be avoided even with incorporation of all feasible mitigation. The City chooses to approve Project because, in its view, the benefits resulting from the Project will render the significant effects acceptable.

The following statement identifies the reasons why, in the City's judgement, the benefits of the Project outweigh the nine significant and unavoidable impacts. The substantial evidence supporting the listed benefits of the Project can be found in these findings, in the Project itself and in the record of proceedings. Pursuant to CEQA Guidelines Section 15093, a decision-making agency may make a

decision that the economic, legal, social, technological, or other benefits outweigh the potentially significant and unavoidable impacts of a project. Each of the overriding considerations set forth below constitute a separate and independent ground for findings that the benefits of the Project outweigh its potential adverse environmental effects and is overriding consideration warranting approval.

The City of Fowler finds that the Project, as approved, would have the following benefits:

- The Project has resulted from a series of public meetings and reflects the desire of the population and the City for orderly, responsible growth.
- The Project will serve as the foundation for the City's future land use decisions based on goals and policies developed to serve the City's development into the future.
- The Project incorporates the most recent legislative requirements that must be addressed in a city's general plan.
- The Project incorporates policies related to smart growth, sustainability, and walkability that will serve to enhance social physical, mental, and economic well-being.
- The Project would better balance the jobs to housing ratio within the City, while providing a wide range of housing opportunities for all socioeconomic levels. Adequate housing availability for all income levels promotes social equity within the City.
- The Project would preserve Fowler's urban interface, downtown, and form-based code area.
- The Project would include policies that would preserve public health and promote public safety.
- The Project would include policies to preserve and develop open space and recreational facilities for the residents of the City.
- Increased population and development within the City would result in an array of new types of businesses within the City, decreasing the likelihood that residents of the City have to travel out of the City for services. This would provide for economic development growth within the City, boosting the local economy and reducing the negative effects associated with reliance on other jurisdictions to provide services for residents of the City.

C. ABSENCE OF NEW INFORMATION

In accordance with CEQA:

- The City Council Recognizes that the Final Environmental Impact Report (FEIR) incorporates information obtained and produced after the DEIR was, and that it contains additions, clarifications, and modifications.
- The City Council has reviewed and considered the FEIR and all of this information.
- The FEIR does not add significant new information to the DEIR that would require recirculation of the EIR under CEQA.
- The new information added to the FEIR does not involve a new significant environmental impact, a substantial increase in the severity of an environmental impact, of a feasible mitigation measure or alternative considerably different from others previously analyzed that the City declines to adopt and that would clearly lessen the significant environmental impacts of the Project.

- No Information indicates that the DEIR was inadequate or conclusory or that the public was deprived of meaningful opportunity to review and comment on the DEIR.

Therefore, the City Council finds that the changes and modifications made to the EIR after the DEIR was circulated for public review and comment do not individually or collectively constitute significant new information within the meaning of Public Resources Code §21092.1 or CEQA Guidelines §15088.5.

D. CERTIFICATION OF THE ENVIRONMENTAL IMPACT REPORT

For the reasons set forth herein:

- The City Council certifies that the EIR has been completed in compliance with CEQA.
- The City Council has independently reviewed the record and the EIR prior to certifying the EIR and approving the Project.
- By these findings, the City Council confirms, ratifies, and adopts the findings and conclusions of the EIR as supplemented and modified by these findings.
- The EIR and these findings represent the independent judgement and analysis of the City and the City Council.
- The City Council reviewed the entirety of the EIR and bases its determination on the substance of the information contained therein.
- The City Council certifies that the EIR is adequate to support approval of the action that is the subject of the staff report to which these CEQA findings are attached.

Therefore, the City Council certifies that the EIR is adequate to support approval of the Project and any minor modifications thereto.

RESOLUTION NO. 2635

A RESOLUTION BEFORE THE CITY COUNCIL OF THE CITY OF FOWLER ADOPTING THE CITY OF FOWLER 2040 GENERAL PLAN AND ERRATA

WHEREAS, Section 65300 of the Government Code of the State of California requires cities to prepare long-range comprehensive guides known as general plans; and

WHEREAS, the City of Fowler last updated its General Plan in 2004 and that the last comprehensive update of the Fowler General Plan occurred in 1976; and

WHEREAS, the Fowler City Council determined that the existing General Plan was in need of revision to bring the document into conformance with State law and to provide current information and internal consistency within its elements; and

WHEREAS, Section 65358 of the Government Code of the State of California limits the amendment of mandatory elements of general plans to four times during a calendar year; and

WHEREAS, this resolution is presented as the first amendment of 2023; and

WHEREAS, the City of Fowler 2040 General Plan (Project) will supersede the 2025 General Plan, which was adopted in 2004, in regard to text and maps in all regards, excepting therefrom, the 2015 Housing Element, which shall remain in full force and effect; and

WHEREAS, in 2019, 2020, 2021, and 2023 the City of Fowler conducted several public workshops and scoping sessions, offering staff, landowners, the general public, the Planning Commission, and the City Council the opportunity to provide input and direction as to the development of the Project; and

WHEREAS, Staff provided status reports on the development of the Project to the Planning Commission and the City Council during regularly scheduled meetings of both bodies throughout the Project process; and

WHEREAS, Staff determined that pursuant to the California Environmental Quality Act (CEQA), the preparation of an environmental impact report in conjunction with the Project was necessary to evaluate the potential of the Project to impact the environment; and

WHEREAS, via adoption of Resolution No. 687, the Planning Commission has recommended that the City Council makes the requisite findings of fact, adopts a statement of overriding consideration, and certifies the Final Environmental Impact Report; and

WHEREAS, via adoption of Resolution No. 688, the Planning Commission has recommended that the City Council adopt the Project and Errata; and

WHEREAS, the Planning Commission is responsible for reviewing updates to the General

Plan and Map and forwarding a recommendation to the City Council on the adoption of, or adoption with modifications to, the General Plan and Map; and

WHEREAS, at a special meeting on March 28, 2023, the Fowler Planning Commission conducted a public hearing to consider the Project, Errata and City of Fowler 2040 General Plan Final Environmental Impact Report; and

WHEREAS, notice of said public hearing was published in the March 17, 2023 edition of *The Business Journal*, posted at City Hall and the City's website, and sent to interested parties via email; and

WHEREAS, the City Council is responsible for the adoption of, or adoption with modifications to, the General Plan and Map; and

WHEREAS, at a special meeting on April 18, 2023, at 6:00 pm, the Fowler City Council conducted a public hearing to consider the Project, Errata, and City of Fowler 2040 General Plan Final Environmental Impact Report; and

WHEREAS, notice of said public hearing was published in the April 7, 2023 edition of *The Business Journal*, posted at City Hall and the City's website, and sent to interested parties via email; and

WHEREAS, via Resolution No. 2635, the City Council has passed a motion to make the requisite findings of fact, adopt a statement of overriding considerations, and certify the Final Environmental Impact Report; and

WHEREAS, the City Council has independently reviewed and considered the Project, and has evaluated and considered all comments, written and oral, received from persons who reviewed the Project, or otherwise commented on the Project.

NOW THEREFORE, BASED UPON THE ENTIRE RECORD OF THE PROCEEDINGS, THE CITY COUNCIL RESOLVES that the City Council of the City of Fowler hereby approves and adopts the City of Fowler 2040 General Plan.

PASSED, APPROVED AND ADOPTED this 18th day of April 2023, at a special meeting of the Fowler City Council by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED:

Daniel T. Parra, Mayor

ATTEST:

Angela Vasquez, City Clerk