



**PLANNING COMMISSION OF THE CITY OF FOWLER
MEETING AGENDA
THURSDAY, AUGUST 3, 2023
6:30 P.M.
CITY COUNCIL CHAMBER
128 SOUTH 5TH STREET FOWLER, CA 93625**

In compliance with the Americans with Disabilities Act, if you need assistance or accommodations to access the City Council Chambers or participate in this meeting, please contact the Planning Secretary at (559) 834-3113 x118. Notification at least 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility.

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

En cumplimiento con la Acta de Americanos con Discapacidades si necesita asistencia o adaptaciones para acceder a las Cámaras del Concejo de la Ciudad o participar en esta reunión, comuníquese con el secretario de la ciudad al (559) 834-3113 x102. También puede ponerse en contacto con el secretario si necesita servicios de traducción. La notificación al menos 48 horas antes de la reunión permitirá a la Ciudad hacer arreglos razonables para garantizar la accesibilidad.

The telephone number and Zoom link listed below will provide access to the meeting via teleconference or video conference.

<https://us06web.zoom.us/j/88323215753?pwd=eFpXUIRXTXJvR05PSE1sZm02a1BsZz09>

Telephone Number: (253) 215-8782

Meeting ID: 883 2321 5753

Passcode: 418006

Persons accessing the meeting will have an opportunity to provide comments at appropriate times during the meeting. To speak during a public comment period, press *9 on your phone to raise your hand or click “raise hand” in the webinar. At the 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 Planning Commission 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 Commissioner 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 Planning Commission.

1. Meeting Called to Order

2. Roll Call

3. Public Comment

This portion of the meeting is reserved for persons desiring to address the Commission on any matter not described on this agenda. Presentations are limited to 5 minutes per person and no more than 15 minutes per topic.

4. Approve minutes of June 1, 2023 Planning Commission Meeting

5. APPROVE Resolution No. 693, regarding Planning Project 23-13: a 10-unit multi-family development on the northwest corner of North 4th and East Merced Streets to:

- i) Find that the project qualifies as an infill project and is therefore exempt from further environmental review pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15183.3, and Public Resources Code Section 21094.5.
- ii) Approve a Lot Line Adjustment (LLA) merging two (2) parcels into one (1).
- iii) Approve a Conditional Use Permit (CUP), subject to the findings and conditions of approval.
- iv) Recommend the Fowler City Council approve a Rezone of the project from R-1-7 to Form Based Code (FBC).

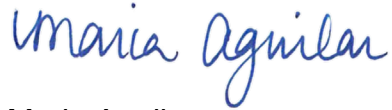
6. Staff Communications

7. Commissioner Reports and Comments

8. Adjourn

Next Resolution No. 694

CERTIFICATION: I, Maria Aguilar, Planning Secretary for the City of Fowler, California, hereby certify that the foregoing agenda was posted for public review on Monday, July 31, 2023.



Maria Aguilar
Planning Secretary

MINUTES OF THE PLANNING COMMISSION OF THE CITY OF FOWLER

Thursday June 1, 2023

Chair Mellon called the meeting to order at 6:31 PM. Roll call was taken.

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

Commissioners Absent: None

City Staff Present: Community & Economic Development Director Gaffery, City Planner Marple, Deputy City Attorney Lear, Planning Secretary Aguilar, City Engineer Park, Associate Planner Wyatt Czesinski

3. Public Comment

None

4. Consent Calendar

- a. Approve minutes of March 2, 2023 Planning Commission Meeting**
- b. Approve minutes of March 28, 2023 Planning Commission Special Meeting**
- c. Approve minutes of April 19, 2023 Planning Commission Meeting**

Motion made by Kandarian, seconded by Prado

Ayes: Mellon, Kandarian, Hammer, Prado, Rodriguez

5. Contested Consent Calendar

No items were pulled from the consent calendar

6. Actions Pertaining Street Vacation 22-18, a request to summarily vacate a portion of the East Sumner Avenue right-of-way that abuts Assessor's Parcel Numbers (APNs) 343-110-12 and 343-340-01.

- a. ADOPT Resolution No. 689, determining that the proposed vacation is in conformity with the City of Fowler 2040 General Plan and that proposed vacation does not meet the definition of a "project" pursuant to CEQA guidelines Section 15378.**

Motion made by Hammer, seconded by Rodriguez

Ayes: Mellon Kandarian, Hammer, Prado, Rodriguez

7. Actions Pertaining to Tentative Parcel Map (TPM) 23-01.

- a. **ADOPT Resolution No. 690, approving TPM 23-01, resulting in the land division of Assessor's Parcel Number (APN) 345-180-30 into ten (10) resulting parcels.**

City Planner Marple provided copies of the amended resolution and read into the record.

The applicant's engineer spoke and answered questions.

Motion to Adopt Resolution 690 consistent with amendments, as read into the record by City Planner Marple was made by Kandarian, seconded by Hammer

Ayes: Mellon, Kandarian, Hammer, Prado, Rodriguez

8. Actions pertaining to applications by the Fowler Baptist Church at the southeast corner of East Merced and South 3rd Streets to:

- a. **ADOPT Class 1 and Class 5 categorical exemptions from further environmental review pursuant to CEQA Guidelines sections 15301 and 15305.**

Motion made by Mellon, seconded by Hammer

Ayes: Mellon, Kandarian, Hammer, Prado, Rodriguez

- b. **APPROVE Lot Line Adjustment ("LLA") 23-09, to merge Assessor Parcel Numbers (APN) 343-182-12 and 343-182-16.**

- c. **APPROVE Conditional Use Permit ("CUP") 23-11, an approximately 1,440 (sqft) expansion of the Fowler Baptist Church.**

Associate Planner Czesinski presented the item.

Development Review Committee member Tomas Carrasco spoke and answered questions.

Representatives from the project spoke and answered questions.

Motion to Approve with removal of conditions of approval 19-25, and 53 made by Mellon, seconded by Kandarian

Ayes: Mellon, Kandarian

Nays: Hammer, Prado, Rodriguez

Motion failed.

Motion to Approve with removal of condition of approval 53 made by Mellon, seconded by Rodriguez

Ayes: Mellon, Kandarian, Prado, Rodriguez

Nays: Hammer

9. Public Hearing to CONSIDER the Revocation of Conditional Use Permit (CUP) 15-04 at

2396 South Golden State Boulevard (APN: 345-110-90)

Representatives from the business located at 2396 S Golden State Blvd spoke and answered questions.

Motion made by Prado, seconded by Kandarian

Ayes: Mellon, Kandarian, Hammer, Prado, Rodriguez

10. Staff Communications

No action taken.

11. Commissioner Reports and Comments

No action taken.

12. Adjournment

Meeting adjourned at 8:36 PM by Chair Mellon



PLANNING COMMISSION OF THE CITY OF FOWLER

ITEM NO: 5

REPORT TO THE PLANNING COMMISSION

August 3, 2023

FROM DAWN E. MARPLE, City Planner

SUBJECT

APPROVE Resolution No. 693, regarding Planning Project 23-13: a 10-unit multi-family development on the northwest corner of North 4th and East Merced Streets to:

- i) Find that the project qualifies as an infill project and is therefore exempt from further environmental review pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15183.3, and Public Resources Code Section 21094.5.
- ii) Approve a Lot Line Adjustment (LLA) merging two (2) parcels into one (1).
- iii) Approve a Conditional Use Permit (CUP), subject to the findings and conditions of approval.
- iv) Recommend the Fowler City Council approve a Rezone of the project from R-1-7 to Form Based Code (FBC).

EXECUTIVE SUMMARY

This action will allow for the construction of a high-quality infill multi-family housing development on a currently vacant parcel. The project is consistent with General Plan goals and policies.

BACKGROUND

Susan Gladding, on behalf of G3 Development, proposes to construct a 10-unit multi-family housing development on an approximately 0.52-acre site located at the northwest corner of North 4th and East Merced Streets. The project site is zoned R-1-7 (One-family Residential, 7,000 square foot lot minimum) with a High Density Residential (HDR) General Plan land use designation. The project proposes to rezone the project site to the Form Based Code (FBC)

zone district in order to construct the multi-family buildings consistent with the development standards of this zone district. Multi-family residential uses within the FBC zone district require the approval of a CUP. Additionally, in order to ensure development does not occur over parcel lines, a LLA is required to merge the subject parcels.

Lot Line Adjustment

Pursuant to Fowler Subdivision Ordinance Section 107, subdivision (2)(H), the Planning Commission shall consider a lot line adjustment between two (2) or more existing adjacent parcels, where the land taken from one parcel is added to an adjacent parcel, and where a greater number of parcels than originally existed is not thereby created. The LLA would result in the merger of APNs 343-143-10 (approx. 0.17 acre) and 343-143-11 (approx. 0.34 acre) into one contiguous parcel. The two parcels were previously developed and contained a single-family residence and associated structures, all of which have been since demolished and removed from the site. The LLA would result in the merger the two parcels into a single parcel of approximately 0.52 acres.

Conditional Use Permit

The proposed rezone would result in the project site being zoned FBC. Multi-family residential land uses are conditionally permitted within the FBC zone district subject to the development standards of the RM-3 (Multi-family Residential) zone district. Where the development standards of the FBC and the RM-3 zone district conflict, those prescribed by the FBC zone district prevail. Accordingly, the project requires the approval of a CUP. Among the conditions of approval attached to the CUP is the requirement that the LLA and CUP approvals are contingent upon the City Council approving the rezone, and no construction is permitted until the site is rezoned to FBC or a revised proposal is received and considered by the City.

Rezone

The project proposes to rezone the approximately 0.52-acre site from R-1-7 (One-Family Residential, 7,000 square foot lot minimum) to FBC zone district. The FBC zone district is consistent with the site's HDR General Plan land use designation. The project is located within "Downtown Fowler" as defined by the City's General Plan. The intent of the FBC zone district is to provide aesthetically pleasing projects that promote walkability within the downtown area. The FBC zone district encourages the location of buildings nearer to street frontages to improve the urban interface of the area. Inclusive of the conditions of approval, the project complies with the development standards and intent of the FBC zone district.

Site Plan

In order for the project's CUP to be considered for approval, a site plan is required to be submitted for review and approval by staff. A site plan, accompanied by a floor plan and elevations, were submitted, depicting the proposed layout of the project within the limits of the

subject property. As shown on the site plan, the project would result in a 10-unit multi-family development that would include a 4-plex and a 6-plex, a central courtyard, and alley-loaded gated parking. The 4-plex would have a total floor area of 6,080 square feet and would contain three 3-bedroom units and one 2-bedroom unit. The 6-plex would have a total floor area of 7,447 square feet and would contain two 3-bedroom units and four 2-bedroom units. After review by staff, conditions have been placed on the site plan, including the construction of improvements to conform with City standards.

Parking

The site plan proposes the construction of 18 on-site parking stalls, two (2) of which would be ADA compliant. There are also 18 existing on-street parking stalls adjacent to the subject property. Pursuant to Fowler Municipal Code Section 9-5.1702, subdivision (D), the project is required to provide 15 parking spaces, 10 of which must be covered. Within the FBC zone district, on-street parking stalls within 350 feet of the project site may be counted towards the project's total parking spaces. The project provides ample parking to serve the project. The project will be conditioned to provide at least 10 covered parking stalls.

Landscaping

The applicant will be required to submit a landscaping plan to ensure compliance with State water efficient landscaping requirements. Review and approval of the submitted landscape plan and related irrigation plans are required prior to building permit issuance.

Elevations

The construction of buildings proposed under Planning Project 23-13 will be conditioned to conform to the elevation drawings submitted for the project, including color, materials, and finishes.

Public Infrastructure

The project will be required to construct or make improvements to existing public infrastructure, such as curb and gutter, to meet current City standards. Additionally, the project will require the project proponent to re-construct the alley adjacent to the project site to current City standards along its frontage. Any sewer connections would be subject to the requirements of the Selma-Kingsburg-Fowler County Sanitation District requirements. Adequate site drainage will be required to be shown on project improvement plans.

CONDITIONAL USE PERMIT FINDINGS

Findings are required to be made, whether the Planning Commission's action is to approve or deny the CUP. As all findings must be made in order to approve a Conditional Use Permit, a denial must make at least one of the findings in the negative (and must provide findings for all).

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

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

After review of the site plan, staff determined the proposed project would be located on a site that is of sufficient size and shape to accommodate the proposed use, including in relation to all yards, spaces, walls and fences, parking, loading, landscaping, and other features required by the Zoning Ordinance.

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

The property's North 4th Street and East Merced Street frontages are adequate in width to accommodate the proposed project. The project will be required to meet conditions ensuring that there are no substantial parking or roadway conflicts created as a result of implementation of the project.

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

With the implementation of the attached conditions of approval, the project will have no substantial adverse effects upon abutting properties or the uses thereof.

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

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

PUBLIC NOTICE

A Notice of Public Hearing was published in *The Business Journal* on July 21, 2023, which is at least 10 days prior to the public hearing. It was also sent via US Mail to property owners within 300 feet of the proposed project and residents occupying property within 100 feet of the proposed project.

ENVIRONMENTAL REVIEW

A Notice of Determination for the project will be filed pursuant to Public Resources Code Section 21094.5 and California Environmental Quality Act (CEQA) Guidelines Section 15183.3. The project qualifies as an infill project that is consistent with both the General Plan and the General Plan Environmental Impact Report. An Infill Checklist is attached hereto as Attachment 10, in accordance with CEQA Guidelines Section 15183.3, subdivision (d)(1).

GENERAL PLAN CONSISTENCY

The proposed project is consistent with the following General Plan goals and policies:

General Plan Goal LU-1

Growth occurs logically and efficiently.

General Plan Goal LU-2

A wide range of housing types are available to accommodate all housing needs in the community.

General Plan Policy LU-1

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

General Plan Goal CDES-1

Through community design, Fowler fosters and reinforces the City's unique sense of place.

General Plan Goal CDES-1

Downtown Fowler is preserved and enhanced as the primary cultural and civic core of the community.

General Plan 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.

General Plan Policy CDES-24

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

General Plan Policy CH-4

Require street trees or other shade coverage along key pedestrian and bicycle routes and near transit stops.

General Plan 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.

General Plan Policy ED-5

Discourage passive land uses, underutilization of land, and vacant structures on available commercial sites.

FISCAL IMPACT

The project would result in the collection of development impact fees for multi-family residential projects in accordance with the most current development impact fee schedule at the time that the project application was received by the City. Development of the site would also increase the assessed value of the property and therefore generate additional ongoing property tax revenue to the City.

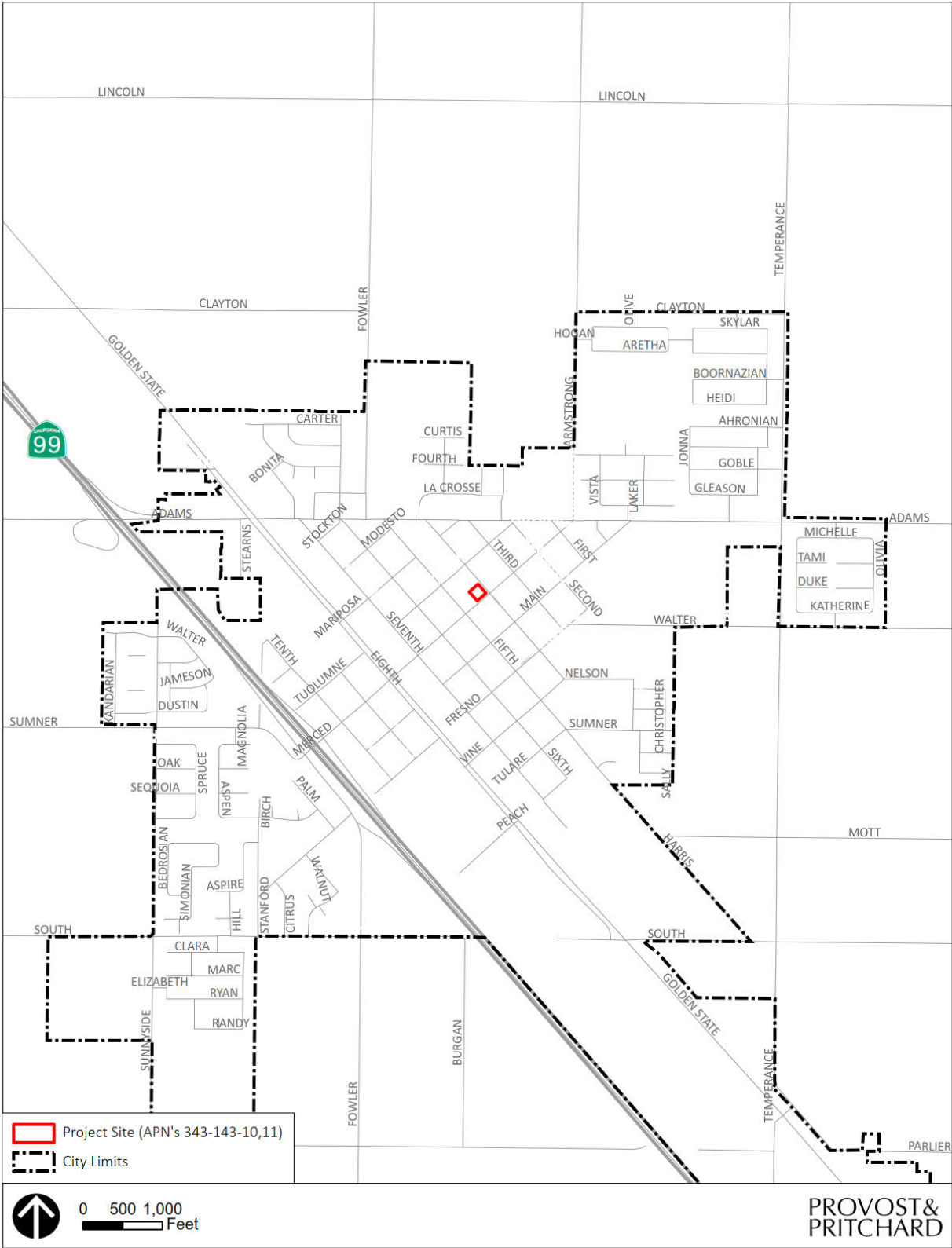
CONFLICT OF INTEREST

Staff is not aware of any conflicts of interest.

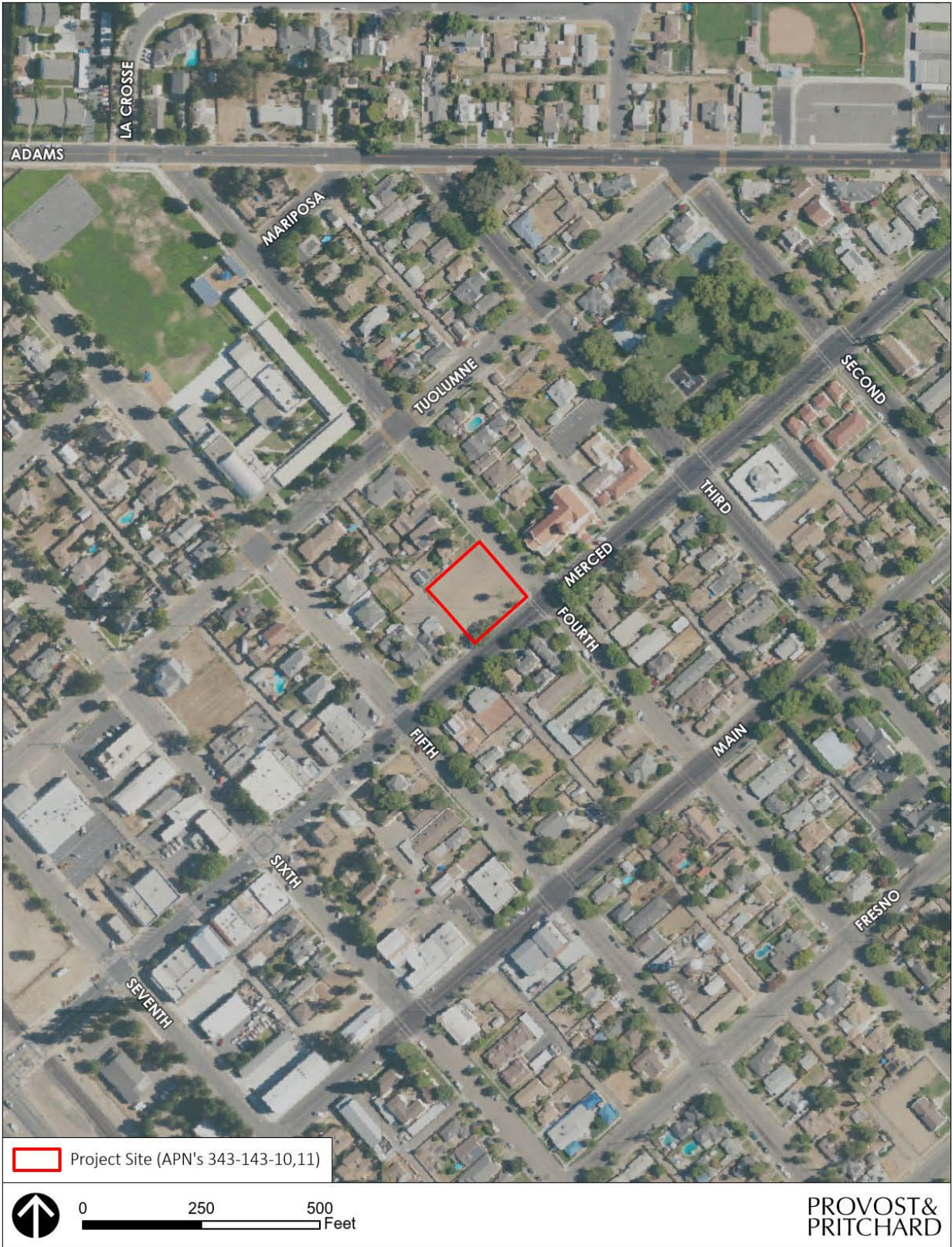
Attachments

- Attachment 1: Regional Vicinity Map
- Attachment 2: Aerial Map
- Attachment 3: Zoning Map (Current)
- Attachment 4: Zoning Map (Proposed)
- Attachment 5: General Plan Land Use Map
- Attachment 6: Lot Merger
- Attachment 7: Redlined Site Plan
- Attachment 8: Floor Plan
- Attachment 9: Elevations
- Attachment 10: CEQA Guidelines Infill Checklist
- Resolution No. 693, and Exhibit A (Conditions of Approval)

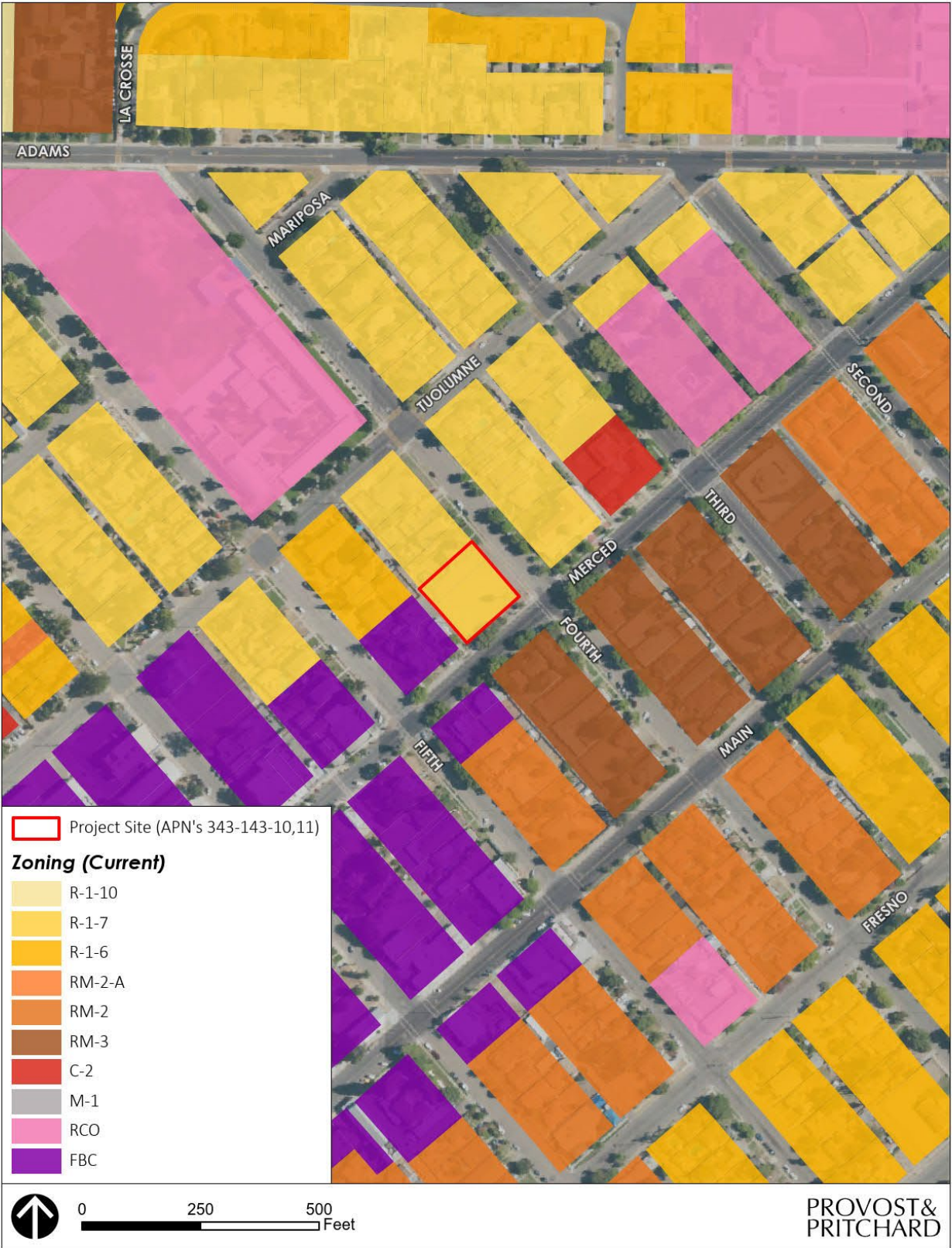
Attachment 1: Regional Vicinity Map



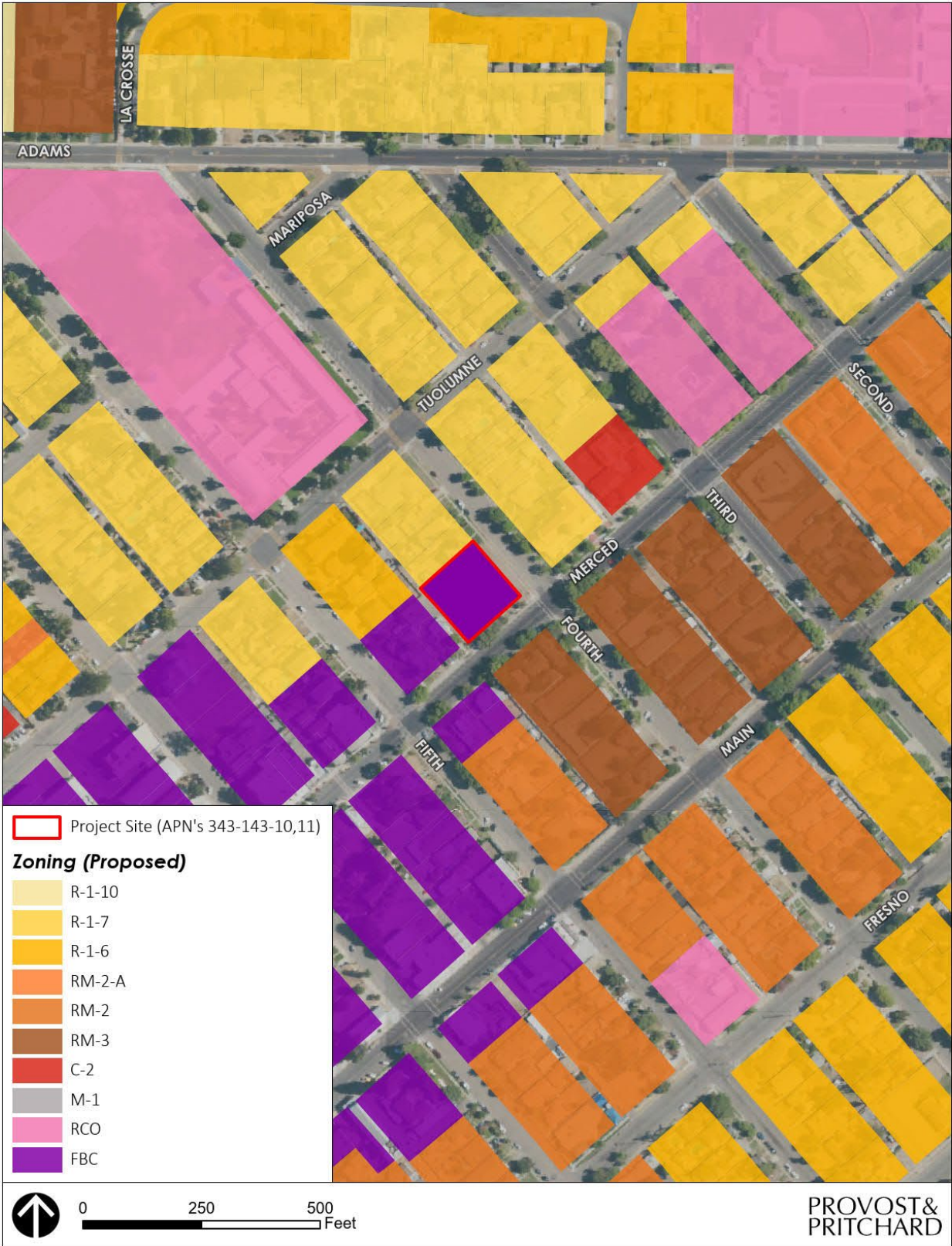
Attachment 2: Aerial Map



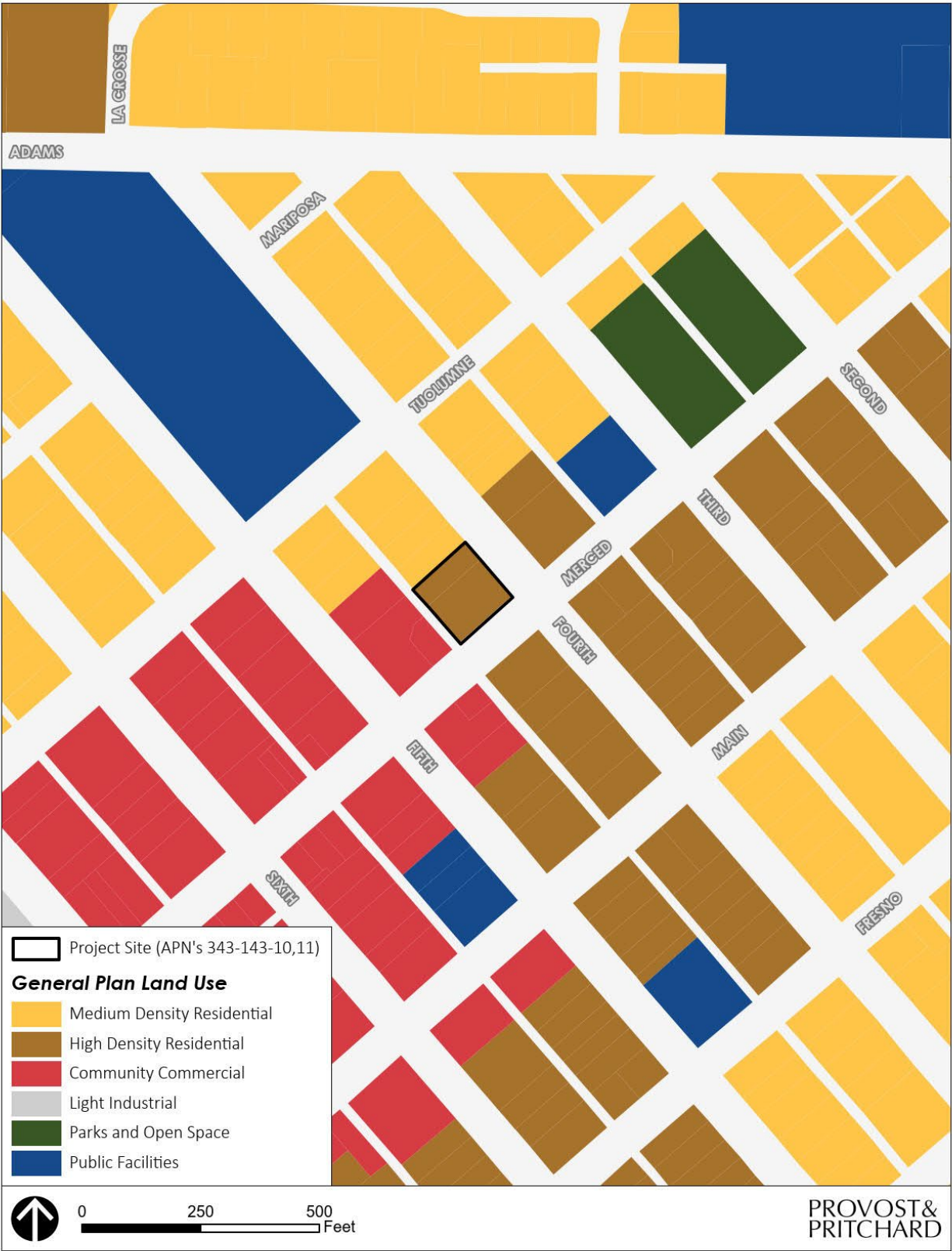
Attachment 3: Zoning Map (Current)



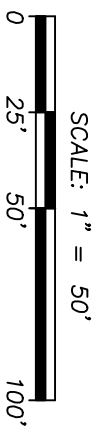
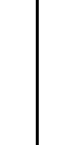
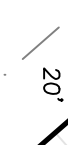
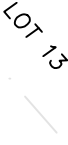
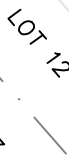
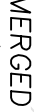
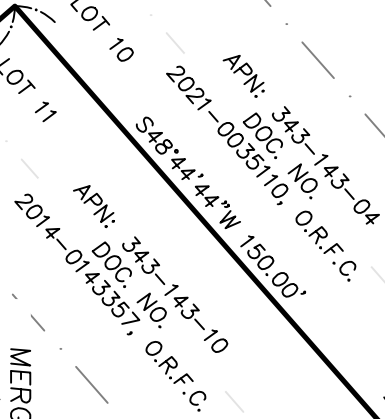
Attachment 4: Zoning Map (Proposed)



Attachment 5: General Plan Land Use Map



BLOCK 22
MAP OF THE TOWN
OF FOWLER
VOL. 4, PG. 15, F.C.R.



	SUBJECT PROPERTY BOUNDARY
_____	EXISTING RIGHT-OF-WAY/PROPERTY LINE
_____	RECORD PROPERTY LINE
F.C.R.	FRESNO COUNTY RECORDS
O.R.F.C.	OFFICIAL RECORDS FRESNO COUNTY

THE GEODETIC OBSERVATION OF THE EAST LINE OF BLOCK 22 OF THE MAP OF THE TOWN ON FOWLER, RECORDED IN VOLUME 4 OF MAPS, PAGE 15, FRESNO COUNTY RECORDS.

VOLUNTARY PARCEL MERGER
No. 2023-__

SHEET
DESCRIPTION

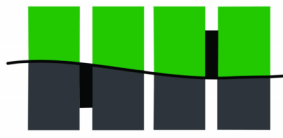
Date: 04/28/2023
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 Sheet No. 1
 of 1 Sheets



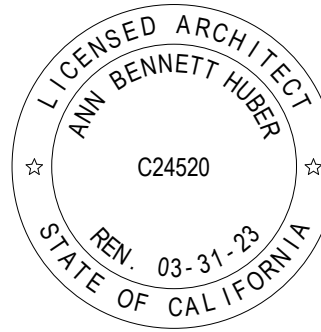
Yamabe & Horn
Engineering, Inc.
CIVIL ENGINEERS • LAND SURVEYORS
2985 N. BURL AVENUE SUITE 101 FRESNO, CA 93727
TEL: (559) 244-3123 WEBSITE: YANDHENGRCOM

CASA BLANCA
APARTMENTS
FOWLER, CA

HUBER & HUBER Architects



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Jacob Kourafas
Logan Huber



Project Number: 1001028

ISSUE:					
No.	Issued	Date	No.	Issued	Date

Key Plan:

Agency Approval:

CITY OF FOWLER #:

Project Address:
MERCED STREET AND 4TH STREET
FOWLER, CA

Project:
CASA BLANCA APARTMENTS

Sheet Title:
4 PLEX - FIRST FLOOR PLAN

SCHEMATIC DESIGN

Fac No: # Bldg No: #
Date: 5/5/2023 Client Project No: #

Sheet:

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4-PLEX

1ST FLOOR PLAN



MERCED STREET

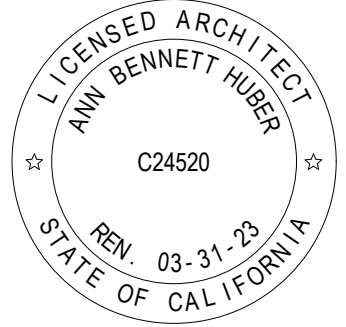
4TH STREET

CASA BLANCA
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Agency Approval:

Project Address: CITY OF FOWLER #:

MERCED STREET AND 4TH STREET
FOWLER, CA

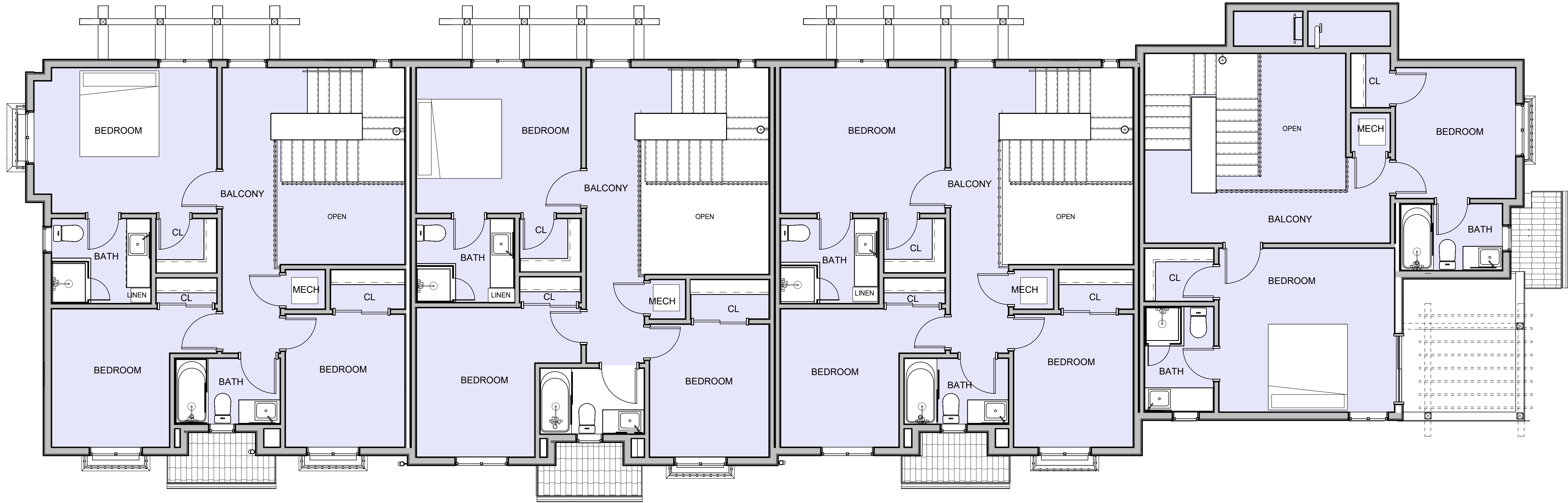
Project: CASA BLANCA APARTMENTS

Sheet Title: 4 PLEX - SECOND FLOOR

SCHEMATIC DESIGN

Fac No: Bidg No:
Date: 5/5/2023 Client Project No:

Sheet:



4-PLEX
2ND FLOOR PLAN

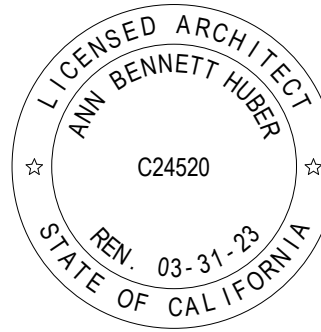
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CASA BLANCA
APARTMENTS
FOWLER, CA

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Project Number: 1001028

ISSUE:					
No.	Issued	Date	No.	Issued	Date

Key Plan:

Agency Approval:

Project Address: CITY OF FOWLER #:
MERCED STREET AND 4TH STREET
FOWLER, CA

Project: CASA BLANCA APARTMENTS

Sheet Title: 6 PLEX - SECOND FLOOR - PLAN

SCHEMATIC DESIGN

Fac No: Bidg No:
Date: 5/5/2023 Client Project No:

Sheet:

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2 BED / 2 BATH
TOTAL 965 SF



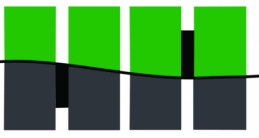
2 BED / 2 BATH
TOTAL 965 SF

6-PLEX
2ND FLOOR PLAN

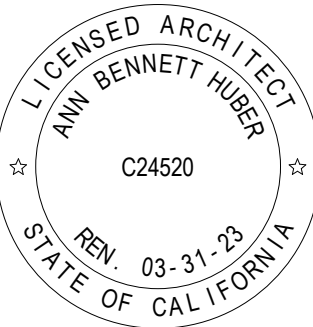
CASA BLANCA
APARTMENTS

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Project Number: 1001028

ISSUE:					
No.	Issued	Date	No.	Issued	Date

Key Plan:

Agency Approval:

CITY OF FOWLER #:

Project Address:
MERCED STREET AND 4TH STREET
FOWLER, CA

Project:
CASA BLANCA APARTMENTS

Sheet Title:
6-PLEX - FIRST FLOOR PLAN

SCHEMATIC DESIGN

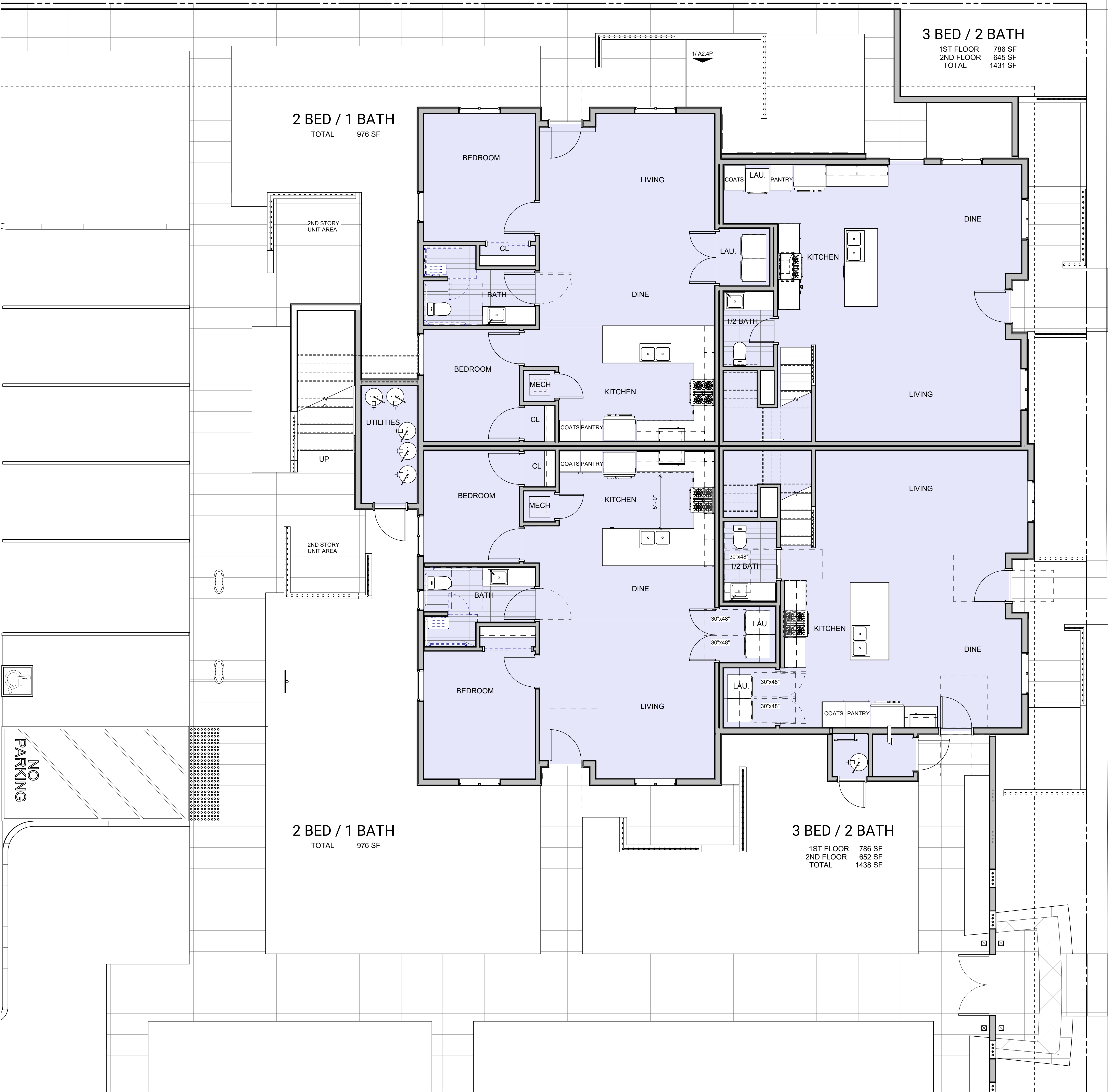
Fac No: Bldg No:
Date: 5/5/2023 Client Project No:

Sheet:

6-PLEX-9

1ST FLOOR PLAN

4TH STREET

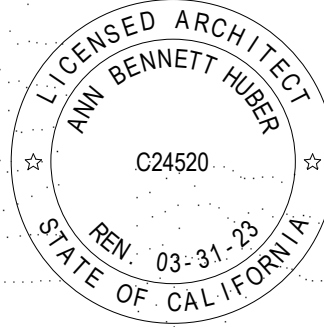


CASA BLANCA
APARTMENTS
FOWLER, CA

HUBER & HUBER Architects



10796 N. TEA PARTY LN
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Project Number: 1001028

ISSUE:					
No.	Issued	Date	No.	Issued	Date

PASEO



4TH STREET



COMPOSITE WOOD
ENTRY DOORS

ROD IRON AND CEMENT
PLASTER SITE WALLS

WOOD SITE GATE &
STRUCTURE

CONCRETE TILE WALLS VENTS
CEMENT PLASTER
CEMENT PLASTER FOAM APPLIQUE
SPANISH CONCRETE ROOF TILE

4-PLEX EXTERIORS



ROD IRON JULIET
BALCONIES
ROD IRON AND
CEMENT PLASTER
SITE WALLS

ALUMINUM TRELLIS

MERCED STREET

Agency Approval: _____

CITY OF FOWLER #:

Project Address: MERCED STREET AND 4TH STREET
FOWLER, CA

Project: CASA BLANCA APARTMENTS

Sheet Title: BUILDING A - 4-PLEX EXTERIORS

SCHEMATIC DESIGN

Fac No: Bldg No: Date: 5/5/2023 Client Project No: Sheet:

A2.1P

4-PLEX EXTERIORS

ALLEYWAY

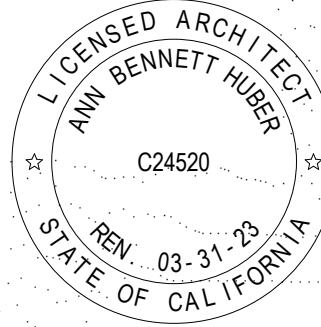


CASA BLANCA
APARTMENTS
FOWLER, CA

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Project Number: 1001028

ISSUE:					
No.	Issued	Date	No.	Issued	Date

Key Plan:

Agency Approval:

Project Address: CITY OF FOWLER #:
MERCED STREET AND 4TH STREET
FOWLER, CA

Project: CASA BLANCA APARTMENTS

Sheet Title: BUILDING A - 4-PLEX EXTERIORS

SCHEMATIC DESIGN

Fac No: Bidg No:
Date: 5/5/2023 Client Project No:

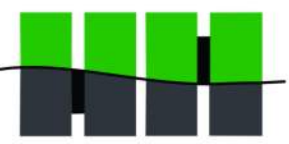
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A2.2P

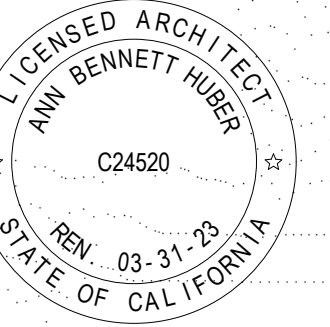
CASA BLANCA APARTMENTS

FOWLER, CA

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Project Number: **1001028**

ISSUE:					
No.	Issued	Date	No.	Issued	Date

Key Plan: _____

Agency Approval: _____

CITY OF FOWLER #:

Project Address: **MERCED STREET AND 4TH STREET
FOWLER, CA**

Project: **CASA BLANCA APARTMENTS**

Sheet Title: **BUILDING B - 6-PLEX EXTERIORS**

SCHEMATIC DESIGN

Fac No: Bldg No: **==**
Date: 5/5/2023 Client Project No: **==**
Sheet:

A2.3P

6-PLEX EXTERIORS

PASEO



ALLEYWAY



4TH STREET

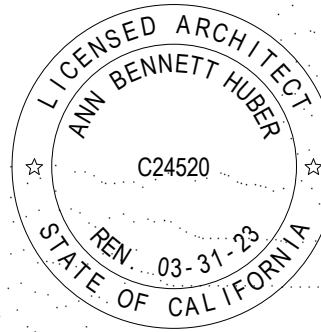


CASA BLANCA
APARTMENTS
FOWLER, CA

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Logan Huber



Project Number: 1001028

ISSUE:		
No.	Issued	Date

Agency Approval:

CITY OF FOWLER #:

Project Address: MERCED STREET AND 4TH STREET
FOWLER, CA

Project: CASA BLANCA APARTMENTS

Sheet Title: BUILDING B - 6-PLEX EXTERIORS

SCHEMATIC DESIGN

Fac No: Date: 5/5/2023

Bldg No: Client Project No:

Sheet:

A2.4P

6-PLEX EXTERIORS

NORTH





CEQA Guidelines Appendix N Infill Streamlining Checklist

Pursuant to Public Resources Code Section 21094.5 and CEQA Guidelines Section 15183.3, project which meet the qualifications to be considered an infill project and which are consistent with a previously certified EIR may be streamlined during the environmental analysis portion of the project. Projects under the Infill Streamlining provisions of the Publics Resources Code and CEQA Guidelines may be determined to fall within three categories, described below.

No Further Review

No additional environmental review is required if the infill project would not cause any new specific effects or more significant effects, or if uniformly applicable development policies or standards would substantially mitigate such effects. Where the lead agency determines that no additional environmental review of the effects of the infill project is required, the lead agency shall file a Notice of Determination as provided in Section 15094. Where the lead agency finds that uniformly applicable development policies substantially mitigate a significant effect of an infill project, the lead agency shall make the finding described in subdivision (d)(2)(D).

Negative Declaration, Mitigated Negative Declaration or Sustainable Communities Environmental Assessment

If the infill project would result in new specific effects or more significant effects, and uniformly applicable development policies or standards would not substantially mitigate such effects, those effects shall be subject to CEQA. If a new specific effect is less than significant, the lead agency may prepare a negative declaration. If new specific effects or more significant effects can be mitigated to a less than significant level through project changes agreed to prior to circulation of the written checklist, the lead agency may prepare a mitigated negative declaration. In these circumstances, the lead agency shall follow the procedure set forth in Sections 15072 to 15075. Alternatively, if the infill project is a transit priority project, the lead agency may follow the procedures in Section 21155.2 of the Public Resources Code. In either instance, the written checklist should clearly state which effects are new or more significant, and are subject to CEQA, and which effects have been previously analyzed and are not subject to further environmental review. Where the lead agency finds that uniformly applicable development policies or standards substantially mitigate a significant effect of an infill project, the lead agency shall make the finding described in subdivision (d)(2)(D).

Infill EIR

If the infill project would result in new specific effects or more significant effects, and uniformly applicable development policies or standards would not substantially mitigate such effects, those effects are subject to CEQA. With respect to those effects that are subject to CEQA, the lead agency shall prepare an infill EIR if the written checklist shows that the effects of the infill project would be potentially significant. In this circumstance, the lead agency shall prepare an infill EIR as provided in subdivision (e) and, except as otherwise provided in this section, shall follow the procedures in Article 7. Where the lead agency finds that uniformly applicable development policies or standards substantially mitigate a significant effect of an infill project, the lead agency shall make the finding described in subdivision (d)(2)(D).



The Findings discussed in each of the three categories and contained in subdivision (d)(2)(D) are discussed below.

Findings

Any findings or statement of overriding considerations required by Sections 15091 or 15093 shall be limited to those effects analyzed in an infill EIR. Findings for such effects should incorporate by reference any such findings made in connection with a planning level decision. Where uniformly applicable development policies or standards substantially mitigate the significant effects of an infill project, the lead agency shall also make a written finding, supported with substantial evidence, providing a brief explanation of the rationale for the finding.

Project Determination

In order to determine whether or not an individual project that meets the infill criteria prescribed in Public Resources Code Section 21094.5 and CEQA Guidelines Section 15183.3 would have an individual significant impact on the environment, which is not consistent with the certified EIR, the following checklist shall be completed.

Name of Project: Casa Blanca Apartments (Planning Project 23-13)

Project Location: Northwest corner of North 4th Street and East Merced Street (APN 343-143-10 & 11)

General Plan Land Use Designation: High Density Residential

Zoning Designation: Existing R-1-7 (One-Family Residential) (Form Based Code (FBC) proposed)

Prior Environmental Document(s) Analyzing the Effects of the Infill Project (Include SCH#):

City of Fowler General Plan Environmental Impact Report – SCH 2021110053

Location of Prior Environmental Document(s) Analyzing the Effects of the Infill Project:

City of Fowler Planning Area

Description of Project (Describe the Whole of the Action):



Construction of a 10-unit multi-family residential development on a 0.52 piece of property. The Project would include a 4-plex of 6,080 sqft of total floor area and a 6-plex of 7,447 sqft of total floor area. The project would result in a rezone to zone the property FBC from R-1-7. A CUP would allow the operation of a multi-family residential development in the FBC zone district. A LLA would merge APN 343-143-10 and 11 into one contiguous parcel (0.17 and 0.34 acres, respectively) of 0.52 acres

Surrounding Land Uses (Must Have urban Uses Surrounding 75% of the Site):

NW, SW, SE = Existing Residential land uses. NE = Presbyterian Church of Fowler

Other Public Agencies Whose Approval may be Required:

SKFCSD

Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code Section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?:

The Project would be consistent with the City of Fowler General Plan Environmental Impact Report which analyzed Tribal Cultural Resources under that prior certified document.



Satisfaction of Appendix M Performance Standards

Provide the information demonstrating that the infill project satisfies the performance standards in Appendix M of the CEQA Guidelines below. For mixed-use projects, the predominant use will determine which performance standards apply to the entire project.

Does the non-residential infill project include a renewable energy feature? If so, describe below. If not, explain why it is infeasible.

N/A

If the project site is included on any list compiled pursuant to Section 65962.5 of the Government Code, either provide documentation of remediation or describe the recommendations provided in a preliminary endangerment assessment or comparable document that will be implemented as a part of the project:

The Project would not be located on a hazardous waste site.

If the infill project includes residential units located within 500 feet, or such a distance that the local agency or local air district has determined is appropriate based on local conditions, a high volume roadway or other significant source of air pollution, as defined in Appendix M, describe the measures that the project will implement to protect public health. Such measures may include policies and standards identified in the local General Plan, specific plans, zoning code, or community risk reduction plan, or measures recommended in a health risk assessment, to promote the protection of public health. Identify the policies or standards, or refer to the site specific analysis, below (Attach additional sheets if necessary):

N/A

For residential projects, which of the following been satisfied?

☐ Located within a low vehicle travel area, as defined in Appendix M. (Attach VMT map)



- ☐ Located within 0.5 miles of an existing major transit stop or an existing stop along a high quality transit corridor. (Attach map showing proximity to transit)
- ☐ Consists of 300 or fewer units that are each affordable to low income households. (Attach evidence per Appendix M)

For commercial projects with a single building floor-plate below 50,000 square feet, the project satisfies which of the following?

- ☐ Located within a low vehicle travel area, as defined in Appendix M. (Attach VMT map)
- ☐ The project is within 0.5 miles of 1800 dwelling units. (Attach map showing proximity to households)

For office building projects, the project satisfies which of the following?

- ☐ Located within a low vehicle travel area, as defined in Appendix M. (Attach VMT map)
- ☐ The project is within 0.5 miles of an existing major transit stop or within 0.25 miles of a stop along a high quality transit corridor. (Attach map showing proximity to transit)

For school projects, the project does all of the following:

- ☐ The project complies with the requirements in Sections 17213, 17213.1, and 17213.2 of the California Education Code.
- ☐ The project is an elementary school and is within one mile of 50% of the student population, or is a middle school and is within two miles of 50% of the student population. Alternatively, the school is within 0.5 miles of an existing major transit stop or an existing stop along a high quality transit corridor. (Attach map and methodology)
- ☐ The project provides parking and storage for bicycles and scooters.

For small walkable community projects, the project must be a residential project that has a density of at least eight units to the acre or a commercial project with a floor area ratio of at least 0.5, or both. Does the project meet these requirements?

The Project meets the definition of a walkable community project and would result in a density of

19.23 du/ac.

Environmental Factors Potentially Affected:

The infill project could potentially result in one or more of the following environmental effects.



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

Determination

On the basis of the initial evaluation:

- ☒ I find that the proposed infill project WOULD NOT have any significant effects on the environment that either have not already been analyzed in a prior EIR or that are more significant than previously analyzed, or that uniformly applicable development policies would not substantially mitigate. Pursuant to Public Resources Code Section 21094.5, CEQA does not apply to such effects. A Notice of Determination (Section 15094) will be filed.
- ☐ I find that the proposed infill project will have effects that either have not been analyzed in a prior EIR, or a more significant than described in the prior EIR, and that no uniformly applicable development policies would substantially mitigate such effects. With respect to those effects that are subject to CEQA, I find that such effects WOULD NOT be significant and a NEGATIVE DECLARATION, or if that project is a Transit Priority Project a SUSTAINABLE COMMUNITIES ENVIRONMENTAL ASSESSMENT, will be prepared.
- ☐ I find that the proposed infill project will have effects that either have not been analyzed in a prior EIR, or are more significant than described in the prior EIR, and that no uniformly applicable development policies would substantially mitigate such effects. I find that although these effects could be significant, there will not be a significant effect in this case because revisions in the infill project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION, or if the project is a Transit Priority Project a SUSTAINABLE COMMUNITIES ENVIRONMENTAL ASSESSMENT, will be prepared.
- ☐ I find that the proposed infill project would have effects that either have not been analyzed in a prior EIR or are more significant than described in the prior EIR, and that no uniformly applicable development policies would substantially mitigate such effects. I find that those effects WOULD be significant, and an infill ENVIRONMENTAL IMPACT REPORT is required to analyze those effects that are subject to CEQA.

Signature: _____

Date: _____

RESOLUTION NO. 693

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF FOWLER, COUNTY OF FRESNO, STATE OF CALIFORNIA TO DETERMINE THAT THE PROJECT IS EXEMPT FROM FURTHER ENVIRONMENTAL REVIEW PURSUANT TO CEQA GUIDELINES SECTION 15183.3 AND PUBLIC RESOURCES CODE SECTION 21094.5; APPROVE A LOT LINE ADJUSTMENT TO MERGE TWO PARCELS INTO ONE; APPROVE A CONDITIONAL USE PERMIT; AND RECOMMENDING CITY COUNCIL APPROVAL OF THE REZONE OF THE PROJECT SITE FROM R-1-7 TO FBC ZONE DISTRICT PROPOSED UNDER PLANNING PROJECT 23-13.

WHEREAS, Susan Gladding (applicant), on behalf of G3 Development, has proposed the construction of a 10-unit multi-family housing development on Assessor's Parcel Numbers (APNs) 343-143-10 and 343-143-11 (project site), a site approximately 0.52 acres in size and located at the northwest corner of North 4th Street and East Merced Street; and

WHEREAS, the project site is located within the R-1-7 (One-Family Residential, 7,000 square foot minimum) zone district and is designated for High Density Residential (HDR) land uses by the City's General Plan; and

WHEREAS, multi-family residential uses are not permitted within the R-1-7 zone district; and

WHEREAS, the applicant has applied for a rezone to change the project site's zoning designation to Form Based Code (FBC) zone district, which is consistent with the site's HDR planned land use; and

WHEREAS, the FBC zone district and the project site are generally located within the City's downtown area, as defined by the City's General Plan; and

WHEREAS, multi-family residential projects are conditionally allowed within the FBC zone district; and

WHEREAS, the applicant has applied for a Conditional Use Permit (CUP) under Planning Project 23-13; and

WHEREAS, the applicant has submitted a site plan, floor plans, and elevations in association with the CUP application, for review by staff; and

WHEREAS, the applicant has also applied for a lot merger via a Lot Line Adjustment (LLA) under Planning Project 23-13 to ensure that construction of the proposed residential buildings does not occur over parcel lines; and

WHEREAS, the LLA would merge APN 343-143-10 (0.17 acres in size) and APN 343-143-11 (0.34 acres in size) into one contiguous parcel of approximately 0.52 acres in size; and

WHEREAS, the City, after filling out the infill checklist contained within Appendix N of the California Environmental Quality Act (CEQA) Guidelines, has determined that the project is an infill project that is consistent with the City's General Plan Environmental Impact Report. Due to the project's consistency with the General Plan Environmental Impact Report and uniformly applicable development policies and standards, no additional review under CEQA is required pursuant to Public Resources Code Section 21094.5 and CEQA Guidelines Section 15183.3. A Notice of Determination will be filed for the project, citing consistency with the City's General Plan Environmental Impact Report; and

WHEREAS, at a regular meeting on August 3, 2023, at 6:30pm, the Fowler Planning Commission conducted a public hearing to consider Planning Project 23-13, including the rezone, LLA, and CUP; and

WHEREAS, notice of said public hearing was published in the July 21, 2023, edition of *The Business Journal*, mailed to property owners, posted at City Hall and the City's website, and sent to interested parties via email; and

WHEREAS, the Planning Commission, after reviewing and considering the staff report, and all evidence presented at the Planning Commission's regular meeting on August 3, 2023, including oral and written public testimony on the project, and which is herein incorporated by this reference, did make the following findings with regard to the CUP for the project:

1. The site for the proposed use is adequate in size and shape to accommodate the use and all yards, spaces, walls and fences, parking, loading, landscaping and other features required by the Zoning Ordinance.
2. The site for the proposed use relates to streets and highways adequate in width and pavement type to carry the quantity and kind of traffic generated by the proposed use. No significant effects on the surrounding street system are anticipated.
3. The proposed use will have no adverse effect upon abutting property or the use thereof.
4. The conditions established by the Planning Commission and attached hereto as Exhibit "A" to this Resolution for Planning Project 23-13 are deemed necessary to protect the public health, safety and general welfare.

NOW THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Fowler:

1. Finds that the project qualifies as an infill project and is therefore exempt from further environmental review pursuant to CEQA Guidelines Section 15183.3, and Public Resources Code Section 21094.5.

2. Approves the LLA proposed under Planning Project 23-13, subject to the conditions of approval contained in Exhibit “A”, attached hereto and incorporated by reference herein.
3. Approves the CUP proposed under Planning Project 23-13, subject to the conditions contained in Exhibit “A”.
4. Recommends that the Fowler City Council approve the rezone proposed under Planning Project 23-13.

PASSED, APPROVED AND ADOPTED this 3rd day of August 2023, at a Regular Meeting of the Planning Commission of the City of Fowler by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

APPROVED:

Craig Mellon, Chair

ATTEST:

Maria Aguilar, Secretary of the Planning Commission

ATTACHMENT “A”
CONDITIONS OF APPROVAL
PLANNING PROJECT 23-13

General Conditions

1. All conditions of approval shall be the sole financial responsibility of the Applicant/owner, except where specified in the conditions of approval listed herein or mandated by statutes.
2. The Applicant shall submit to the City of Fowler Community and Economic Development Department a check in the amount necessary to file a Notice of Determination at the Fresno County Clerk. This amount shall equal the Fresno County filing fee in effect at the time of filing. Such check shall be made payable to the Fresno County Clerk and submitted no later than three (3) days following action on Planning Project 23-11.
3. Recordation of the Lot Line Adjustment (LLA) proposed under Planning Project 23-13 shall be completed within one year of the date of approval. Failure to complete the recording process within one year of approval will render the approval null and void. There is no extension.
4. Approval of the Conditional Use Permit (CUP) proposed under Planning Project 23-13 and the associated site plan shall be valid for a period not to exceed one year from the date of approval unless a building permit for the facility described herein has been issued by the City and construction is being diligently pursued. The owner may request an extension of up to one additional year via written request to the Community and Economic Development Department submitted not less than thirty days prior to expiration of this approval.
5. Approval of the LLA and CUP and its associated site plan proposed under Planning Project 23-13 shall be considered null and void in the event of failure by the Applicant and/or the authorized representative, engineer, or surveyor to disclose and delineate all facts and information relating to the subject property, the proposed use, and the proposed lot line adjustment.
6. The CUP proposed under Planning Project 23-13 and its associated site plan shall be subject to the recordation of the LLA proposed under Planning Project 23-13.
7. Approval of the LLA and CUP proposed under Planning Application 23-13 is contingent upon the Rezone proposed as a part of the project. Conditions contained herein assume buildout in association with an approval to rezone the project site to the Form Based Code (FBC) zone district. No construction on the site is permitted until the site is rezoned to FBC or a revised proposal is received and considered by the City.
8. Development of the site shall be in substantial conformance with the plans approved by the Planning Commission and the subject conditions contained herein. Minor modifications to the approved plans necessary to meet regulatory, engineering, or similar constraints may be made at the discretion of the City Planner without amendment to the CUP.
9. Any proposed signs are subject to review and approval consistent with the City’s Sign Ordinance.

10. It shall be the responsibility of the property owner, operator, and/or management to ensure that any required permits, inspections, and approvals from any regulatory agency be obtained from the applicable agency prior to issuance of a building permit and/or the issuance of a certificate of completion, as determined appropriate by the City of Fowler Community and Economic Development Department.
11. All conditions shall be satisfied prior to occupancy approval for any portion of the project. Failure to comply with all conditions of approval shall be grounds for the imposition of penalties, suspension of the permit, modification of the permit, or revocation of the permit.
12. The operator shall keep the exterior premises free of trash and debris. Graffiti shall be removed or covered within 48 hours of its discovery by the Applicant, manager, or any employee.
13. Approval of the LLA and CUP propose under Planning Project 23-13 is not an authorization to commence construction. On and off-site improvements, building construction, sign erection or occupancy shall not be permitted without prior approval of the City through issuance of any required grading or building permits.
14. A copy of these conditions must be kept on the premises and be shown to any requesting City official. Failure to comply with all conditions of approval shall be grounds for the imposition of penalties, modification of the permit, or revocation of the permit.
15. All business and processes shall be conducted within a completely enclosed structure, except for off-street parking and loading areas, service stations, outdoor dining areas, nurseries, garden shops, signs, Christmas tree sales lots, bus depots, and transit stations, public utility stations and car sales.
16. No use shall be permitted, and no process, equipment or materials shall be used that are found by the City to be objectionable to persons living or working in the vicinity by reasons of odor, fumes, dust, smoke, cinders, dirt, refuse, water-carried waste, noise, vibration, illumination, glare, or unsightliness or to involve any hazard of fire or explosion.
17. The project shall conform to the development standards of the FBC zone district. Any deviation from these standards shall result in the requirement for a variance.
18. Any comments provided by staff on the submitted site plan shall be resolved prior to building permit acquisition. A revised site plan show be submitted to the City Planner for review and approval prior to building permit acquisition.
19. The Applicant shall pay all applicable Fees to Fowler Unified School District prior to the issuance of a Building Permit.

Lighting and Aesthetics

20. All lighting shall be hooded and directed to not shine towards adjacent properties and public streets.
21. Mechanical and electrical equipment shall not be viewable from a public street.
22. Lighting shall be provided such that the alleyway along the project frontage is illuminated, but in a manner that does not cause glare for adjacent lots.

23. Street lights, consistent with City standards, shall be installed on both sides of streets along the street tree alignment line at intervals of not more than seventy-five (75) feet measured parallel to the street. Street lights consistent with the City standards and approved by the City Engineer shall be installed along 4th Street and Merced Street at the interval described above.

Development Review Committee

24. Soften the courtyard wall along 4th Street to achieve a more open feel. This could be accomplished by constructing a low stucco retaining wall with decorative wrought iron on top, replacing the wood gate with a wrought iron gate, or softening the stucco wall with landscaping and providing larger breaks in the stucco wall with wrought iron elements.

Off-Street Parking

25. The project shall provide 15 parking stalls. On street parking stalls may be counted within 350 feet of the project site. A minimum of 10 parking stalls must be covered.
26. All on-site parking stalls shall be striped to current City standards.
27. All parking areas shall have adequate ingress and egress to and from a street or alley. Sufficient room for turning and maneuvering vehicles shall be provided on the site, pursuant to current City standards.
28. Each dwelling unit shall have one assigned parking stall.
29. Entrances and exits to parking facilities shall be provided only at locations approved by the City.
30. Construction of new parking stalls shall be approved by the City Engineer prior to the issuance of a building permit.

Landscaping Standards

31. Landscaping shall be provided in accordance with Fowler Zoning Ordinance Section 9-5.21.12.
32. Landscaping shall be kept free from weeds and litter.
33. Parking Lot Shading. Fifty (50) percent of paved parking lot surfaces shall be shaded by tree canopies within fifteen (15) years of planting.
34. A landscape and irrigation plan shall be prepared by a licensed Landscape Architect and submitted as part of the submittals for a building permit. Landscape and irrigation plans shall be approved by the Community and Economic Development Department prior to issuance of building permits. Such plans shall indicate the location and type of vegetation existing and proposed on-site.
35. The property owner shall maintain all landscaping in a healthy and well-manicured appearance to achieve and maintain the landscaping design that was approved by the City. This includes, but is not limited to, ensuring properly operating irrigation equipment at all times, trimming and pruning of trees and shrubs, and replacing dead or unhealthy vegetation with drought-tolerant plantings.
36. Where not already existing, street trees shall be planted along the project's street frontages. Street trees shall be located three feet from the back of the curb and shall occur at an average

spacing of 30 feet on center. The species of tree planted shall be consistent with those used as street trees in Fowler, as approved by the Community & Economic Development Director.

37. The project shall comply with the streetscape standards contained within Fowler Zoning Ordinance Section 9-5.1708.

Fire Department

38. A Knox box shall be required in accordance with the 2022 California Building Code and California Fire Code.
39. 2A10BC rated fire extinguishers shall be required in accordance with the 2022 California Building Code and California Fire Code.
40. Fire sprinklers and a fire alarm system shall be provided in accordance with the 2022 California Building Code and California Fire Code.
41. A current flow test of the existing City water supply system is required at the nearest point of connection to ensure adequate fire flow.

Engineering Conditions

General:

42. All proposals of the Applicant shall be conditions of approval, except as further modified below, and subject to modifications to conform to applicable City Standards.
43. The Applicant shall pay all fees as required by existing ordinances and schedules. The fees to be paid shall be those in effect at the time of payment.
44. Indicate existing and proposed fencing on site plan by line type.
45. Indicate all pavement surfaces by hatch or note.
46. Provide dimensions on trash enclosures, parking stalls, and aisle width.
47. Indicated ADA path of travel (blue dotted line) throughout the site. Provide ADA path of travel from the accessible parking stalls, intersection of North 4th and East Merced Streets, and from the alley approach.

Circulation:

48. The Applicant shall pay the Regional Traffic Mitigation Fee to the Fresno Council of Governments prior to the issuance of a Certificate of Occupancy.
49. Parking lot shall be paved with asphalt or concrete, shall be properly lit and landscaped and shall comply with the Fowler Improvement Standards.
50. Drive aisles shall be kept unobstructed at all times. Vehicles shall not block driveways.
51. The alley shall be reconstructed to City standards along the project's frontage. Indicate alley limits on site plan.
52. Revise circulation through the gated parking area to be counterclockwise (entrance at the south; exit at the north).

Grading and Drainage:

53. A Grading and Site Improvement Plan for the proposed on-site improvements shall be submitted for review and approval by the City Engineer. The Applicant shall obtain a Grading and Site Improvement Permit once plans are approved. Improvement plans shall indicate the site, along with the merged parcel, can adequately drain to a City storm drain facility.

Water/Sewer:

54. A site plan clearly depicting all existing water and sewer connections and valves shall be submitted to the Community and Economic Development Department.
55. Any new sewer connections shall be subject to and meet the requirements of the Selma-Kingsburg-Fowler Sanitation District (SKF).
56. Install a 6-inch minimum SS lateral with cleanout and box at the property line.
57. Abandon existing sewer service to the parcel (APN 343-143-11) as per district standards.
58. Submit a site, floor plan, and plumbing plans of the building(s) to the SKF for a sewer evaluation and fees.
59. Complete a "Multi-family sewer connection application" and submit the application to the SKF.
60. The Applicant shall obtain a sewer connection permit from, and pay any applicable fees to, SKF prior to issuance of a building permit by the City.

Other

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

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

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

the Applicant shall not be required to pay or perform any settlement arising from any such Claim unless the Applicant approves the settlement.

Signature of Applicant: _____

Date: _____