



**PLANNING COMMISSION OF THE CITY OF FOWLER  
MEETING AGENDA  
THURSDAY, OCTOBER 5, 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](mailto: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](http://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 August 3, 2023 Planning Commission Meeting
5. APPROVE Resolution No. 694, pertaining to Vesting Tentative Subdivision Map No. 6409:
  - i. FIND that Vesting Tentative Subdivision Map No. 6409 is consistent with the City of Fowler General Plan and General Plan Environmental Impact Report pursuant to California Environmental Guidelines (CEQA) Section 15183, absolving it of further environmental analysis.
  - ii. APPROVE the Vesting Tentative Subdivision Map No. 6409.
6. APPROVE Resolution No. 695 regarding Zoning Text Amendment 23-31 recommending approval of an amendment to Section 9-5.1403, of Chapter 5, of Title 9 of the Fowler Municipal Code to allow for sales of heavy duty trucks and long trailers and farm machinery rental facilities as a permitted use within the M-1 Light Industrial District.

7. APPROVE RESOLUTION No. 696 approving CUP 22-48 and allow the construction of a new neighborhood park on Assessor's Parcel Number (APN) 343-300-66T; and adopt a categorical exemption pursuant to CEQA Guidelines section 15304.

8. Staff Communications

i. League of California Cities Planning Commissioners Academy

9. Commissioner Reports and Comments

10. Adjourn

*11. Next Resolution No. 697*

CERTIFICATION: I hereby certify that the foregoing agenda was posted for public review on Monday, October 2, 2023.

Thomas W. Gaffery IV  
Assistant City Manager

***MINUTES OF THE PLANNING COMMISSION OF THE CITY OF FOWLER***

***Thursday August 3, 2023***

Chair Mellon called the meeting to order at 6:30 PM. Roll call was taken.

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

Commissioners Absent: Rodriguez

City Staff Present: Community & Economic Development Director Gaffery, City Planner Marple, Deputy City Attorney Lear, Associate Planner, Wyatt Czesinski

**3. Public Presentation**

None

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

Item removed from Agenda due to needed modifications.

**5. APPROVE Resolution 693, regarding Planning Project 23-13: a 10-unit multi-family development on the northwest corner of North 4<sup>th</sup> 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)**

Associate Planner Czesinski presented the item.

Representatives from the project spoke and answered questions.

A member of the public spoke in opposition to the project.

Associate Planner Czesinski provided copies of the amended conditions of approval and read into the record.

Motion to Adopt Resolution 693 consistent with amendments as reads into the record by Associate Planner Czesinski made by Kandarian, seconded by Hammer.

Ayes: Mellon, Kandarian, Hammer, Prado

**6. Staff Communications**

None

**7. Commissioner Reports and Comments**

No action taken.

**8. Adjournment**

Meeting adjourned at 7:07 PM by Chair Mellon



## PLANNING COMMISSION OF THE CITY OF FOWLER

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

**DATE:** October 5, 2023

**FROM:** DAWN E. MARPLE, City Planner

**SUBJECT:** APPROVE Resolution No. 694, pertaining to Vesting Tentative Subdivision

Map No. 6409:

- i. FIND that Vesting Tentative Subdivision Map No. 6409 is consistent with the City of Fowler General Plan and General Plan Environmental Impact Report pursuant to California Environmental Guidelines (CEQA) Section 15183, absolving it of further environmental analysis.
  - ii. APPROVE the Vesting Tentative Subdivision Map No. 6409.
- 

### **EXECUTIVE SUMMARY**

Approval of the Resolution would allow for the construction of 114 new single-family homes on the west side of Fowler, providing for increased diversity in the housing options within the City. The project is consistent with the goals and policies of the City's General Plan.

### **BACKGROUND**

Vesting Tentative Subdivision Map No. 6409 is a tentative subdivision map which proposes a new single-family residential subdivision located on a property northeast of the intersection of South Sunnyside Avenue and East Parlier Avenue (Assessor's Parcel Number [APN] 345-100-07) (the "Project"). The Project site is approximately 28.67 acres in size bounded by Sunnyside Avenue to the west, an existing residential subdivision to the north, and farmland to the east and south. The site is designated Medium Low Density Residential under the City of Fowler's General Plan and is zoned R-1-7 (One-Family Residential - minimum lot area of 7,000 square feet) on the City's official zoning map. The Project proposes to develop approximately 23.24 acres of the site into residential lots, while the additional 5.43 acres would be designated as a remainder on the southwest portion of the site. Design and layout of the lots contained on the map are reflective of this. In total, the proposed Project would result in 114 single-family home lots, with a lot reserved within the interior of the subdivision for a neighborhood park to be developed. The eventual development of homes on the newly created lots would be required to meet the objective standards of the R-1-7 zone district, including setbacks.

## Prior Action

A subdivision under common ownership (Vesting Tentative Subdivision Map No. 5952) with that of Vesting Tentative Subdivision Map No. 6409 was approved in 2019. At that time, the Project site was located outside of the City. Under the approvals associated with Vesting Tentative Subdivision Map No. 5952, the Project site was approved by the City for annexation. The site was also discussed within a CEQA document written for Vesting Tentative Subdivision Map No. 5952 at that time. In addition to the approval for annexation in 2019, the Project site was rezoned by the City to the R-1-7 (One-Family Residential – minimum 7,000 square foot lots) zone district at the request of the applicant.

## General Plan Conformity

As discussed above, the Project site has a Medium Low Density Residential land use designation, which is consistent with the site's R-1-7 zone designation. The proposed Project would result in the development of single-family homes on lot sizes starting at 5,000 square feet (sqft) in size, with lots also being provided at larger sizes. The R-1-7 zone district requires that minimum lot sizes be 7,000 sqft, creating a conflict with the City's zoning code.

This project seeks to increase the density of the proposed subdivision by using smaller lots than what is allowed in the R-1-7 zone district. Due to the applicant's request to increase the density of this housing development project, California's Housing Accountability Act ("HAA") is triggered. In accordance with the HAA, should the Planning Commission decide to deny or condition the project to reduce its density, specific findings must be made:

"When a proposed housing development project complies with applicable, objective general plan, zoning, and subdivision standards and criteria, including design review standards, in effect at the time that the application was deemed complete, but the local agency proposes to disapprove the project or to impose a condition that the project be developed at a lower density, the local agency shall base its decision regarding the proposed housing development project upon written findings supported by a preponderance of the evidence on the record that both of the following conditions exist:

- A. The housing development project would have a specific, adverse impact upon the public health or safety unless the project is disapproved or approved upon the condition that the project be developed at a lower density...
- B. There is no feasible method to satisfactorily mitigate or avoid the adverse impact... other than the disapproval of the housing development project or the approval of the project upon the condition that it be developed at a lower density." (Gov. Code § 65589.5, subd. (j)(1).)

A "specific, adverse impact" means a significant, quantifiable, direct, and unavoidable impact, based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date the application was deemed complete. (Gov. Code § 65589.5, subd. (j)(1)(A).) Staff found no evidence of any significant, quantifiable, direct, and/or unavoidable impacts based on objective, identified written public health or safety standards, policies, or conditions as they existed on the date this application was deemed complete. Furthermore, the HAA provides that a housing development project that is consistent with objective general plan

standards and criteria, is not considered to be inconsistent with the zoning for the project site. (Gov. Code § 65589.5, subd. (j)(4).)

#### Public Infrastructure

The proposed Project would tie into both existing water and sewer lines previously constructed and existing within South Sunnyside Avenue and the northwest corner of the Project. Storm drainage from the proposed subdivision would be directed to the existing ponding basin abutting the site to the north. The Project includes landscaped areas, including a neighborhood park internal to the subdivision, which would be dedicated to the City.

#### Fowler Unified School District

Students from the Project would attend Marshall Elementary (K-2), Fremont Elementary (3-5), Sutter Middle School (6-8), and Fowler High School (9-12). The student generation factor within Fowler Unified has ranged between 0.5 and 0.6 students per household, indicating that the proposed Project would generate approximately 57 to 68 students.

In accordance with State Law, any new development will be subject to school development fees as a condition of building permit issuance to offset potential impacts to schools. The homes proposed on the 114 lots would be subject to school development fees on a per-square foot basis. These funds, in combination with bond financing authorized by District voters and State assistance, will provide facilities and reduce overcrowding in the long-term.

#### Grounds for Approval

The Subdivision Map Act (Government Code Section 66474) requires a City to make the following findings prior to approval of a tentative map:

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

Development must provide between 3.7 and 5.5 du/ac in order to maintain consistency with the General Plan; the subdivision map proposes a density of approximately 4.9 du/ac and thus meets the density provisions of the General Plan. The proposed Project is consistent with the 2040 Fowler General Plan because it proposes development consistent with its designation and because it does not conflict the goals and policies of the General Plan.

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

The City is empowered to regulate the design and improvement of subdivisions by the Subdivision Map Act and the City's Subdivision Ordinance. The Project meets the City's design requirements. Conditions of approval will ensure consistency with General Plan standards and policies.

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

The Project site is generally flat and level and is capable of supporting single-family development.



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

Infrastructure needed to serve the development is located within adjacent public rights-of-way, or its installation will be required as conditions of approval. The flat, level nature of the site in conjunction with the proximity of infrastructure and Project conditions ensure that the site is physically suitable for the proposed density of development density of the project.

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

The Project is consistent with the previously certified City of Fowler General Plan Environmental Impact Report (“EIR”). The EIR considered impacts to fish and wildlife resources within the City’s Planning Area. Buildout of the land uses analyzed under the General Plan EIR was found to not have a significant environmental effect on biological resources. As such, the proposed Project, which is being developed in accordance to the City’s General Plan, would not result in substantial environmental damage or substantially and avoidably injure a fish or wildlife habitat.

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

There is no evidence in the record that the Project is likely to cause any serious public health problems.

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

The Project will not conflict with easements.

**PUBLIC NOTICE**

A Notice of Public Hearing was published in *The Business Journal* on September 22, 2023, which is at least ten (10) days prior to the public hearing. It was also sent via US Mail to all property owners within 300 feet of the proposed Project.

**ENVIRONMENTAL REVIEW**

The proposed Project would be developed consistent with the City’s General Plan. The General Plan EIR contemplates the development of the Project site and considered the potential impacts that could result from such development. Pursuant to CEQA Guidelines Section 15183, projects which are consistent with the City’s General Plan and General Plan EIR are absolved from further environmental analysis. Instead, the Project, if approved, will file a Notice of Determination with Fresno County under the previously certified General Plan EIR.

**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 Policy LU-23

Ensure that the location and design of all parks, recreation, and community centers are compatible with existing adjacent uses.

General Plan Policy CDES-26

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

General Plan Policy CDES-27

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

General Plan Goal CH-1

Opportunities for physical activity, such as walking and biking, are integrated into the built environment.

General Plan 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.

General Plan 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.

General Plan 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.

General Plan 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.

General Plan 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.

#### General Plan 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.

#### General Plan 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.

#### General Plan Goal MOB-2

The circulation system is safe, connected, and well-integrated with public transit and neighboring jurisdictions.

### **FISCAL IMPACT**

The Project would result in the collection of development impact fees for single-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**

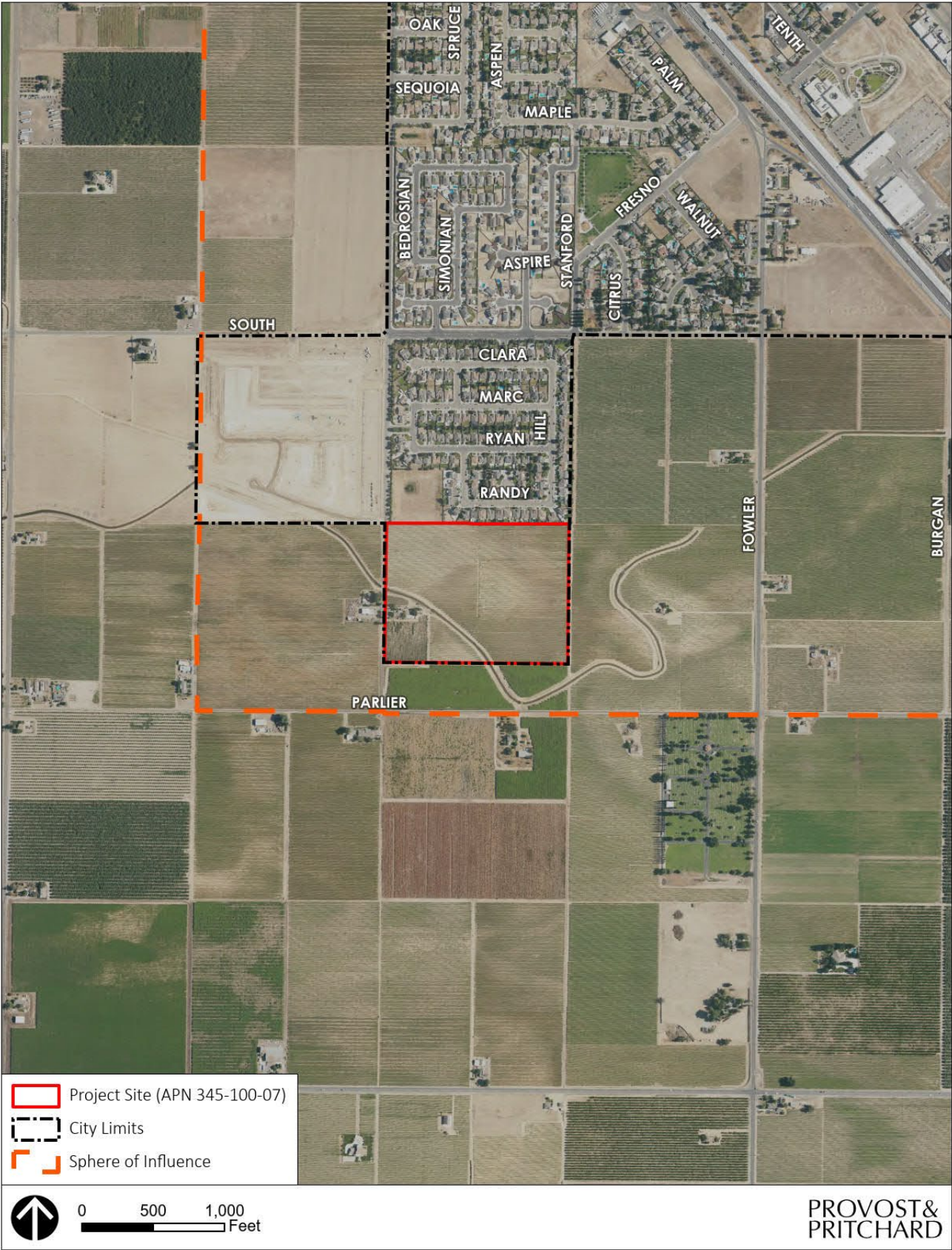
Staff is not aware of any conflicts of interest.

#### Attachments

- Attachment 1: Regional Vicinity Map
- Attachment 2: Aerial Map
- Attachment 3: Zoning Map
- Attachment 4: General Plan Land Use Map
- Attachment 5: Vesting Tentative Subdivision Map No. 6409
- Resolution No. 694, and Exhibit A (Conditions of Approval)

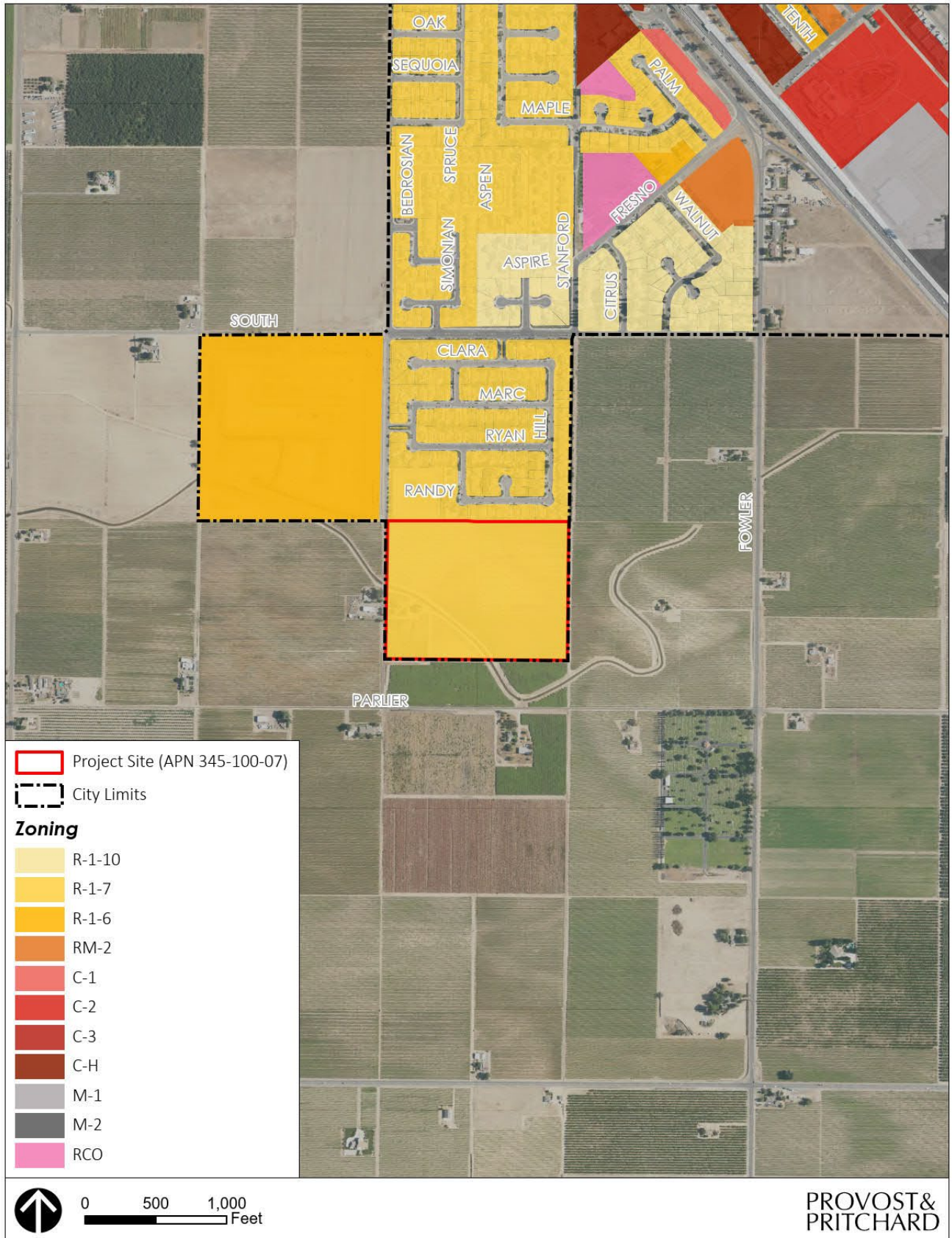
Map of the Project Site (APN 345-100-07) in Clovis, California. The map shows the project site highlighted in red, surrounded by city limits indicated by a dashed line. The map includes street names such as Adams, Clovis, Kenneth, Sumner, South, Manning, Springfield, Claremont, Fowler, Burman, and Golden State. The project site is located near the intersection of Sunnyside and Parlier. A legend in the bottom left corner identifies the Project Site (APN 345-100-07) and City Limits. A scale bar and north arrow are also present. The map is titled 'PROVOST & PRITCHARD' in the bottom right corner.

Attachment 2: Aerial Map

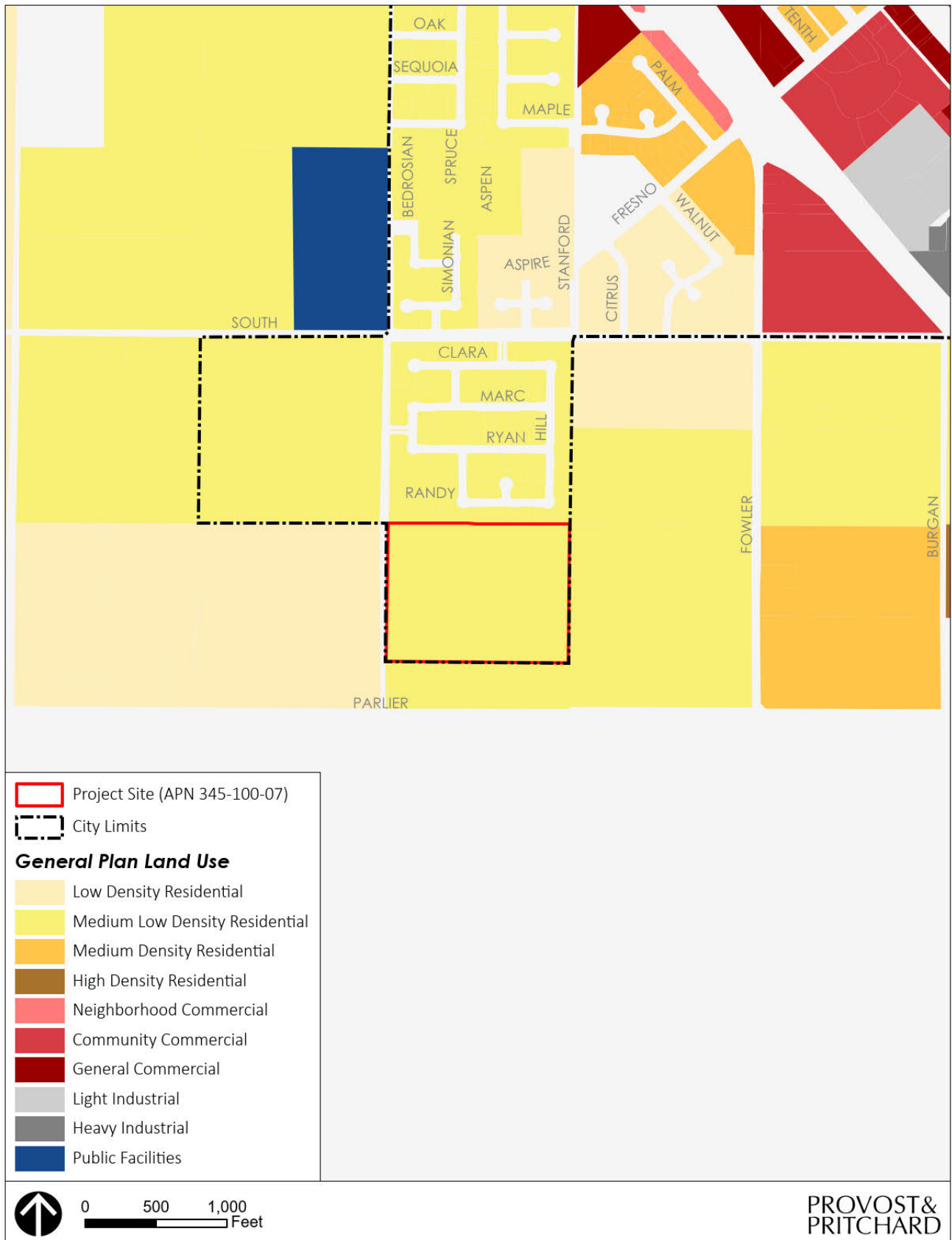




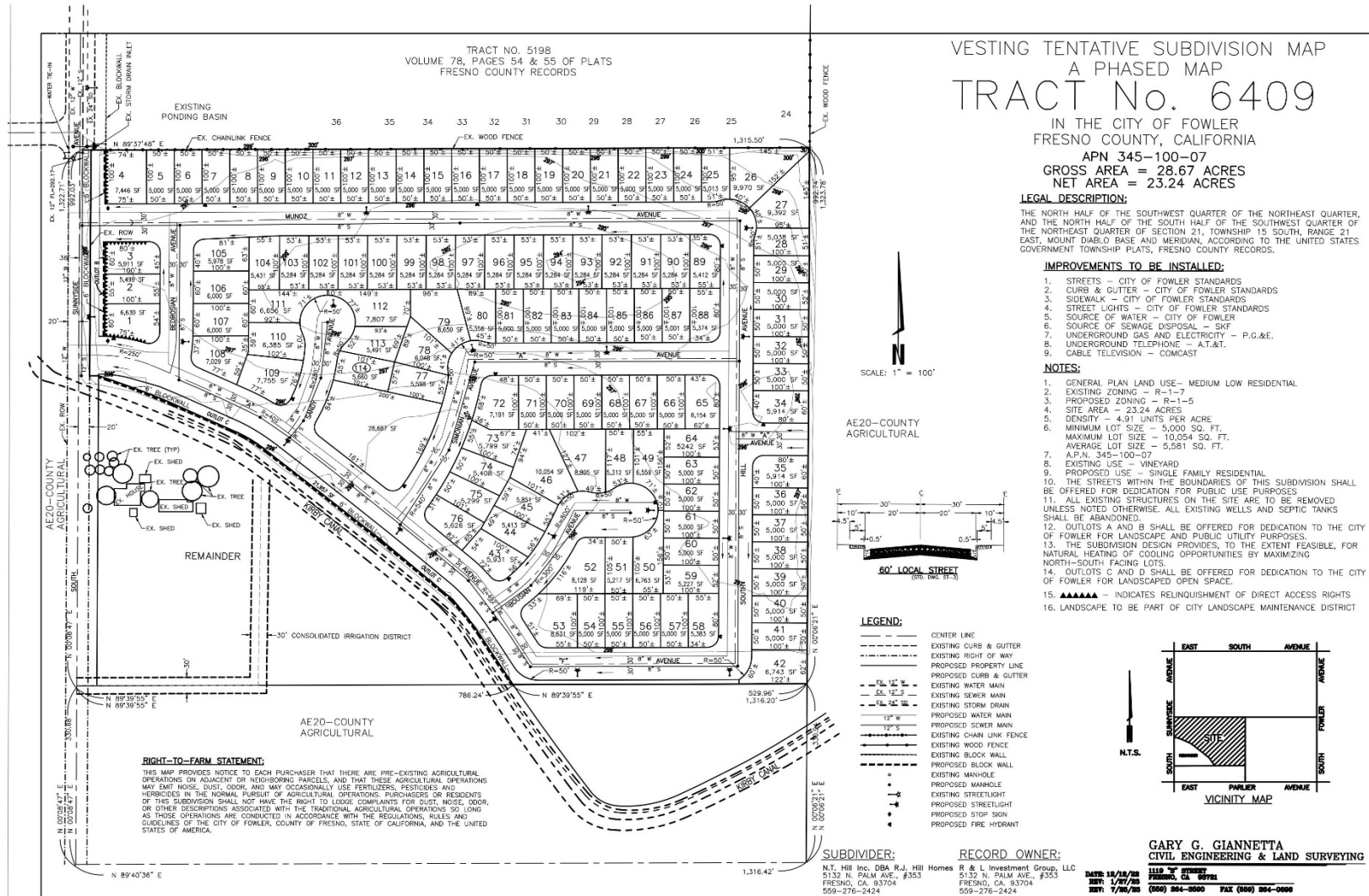
# Attachment 3: Zoning Map



## Attachment 4: General Plan Land Use Map



# Attachment 5: Vesting Tentative Subdivision Map No. 6409





## **RESOLUTION NO. 694**

### **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; AND TO APPROVE VESTING TENTATIVE SUBDIVISION MAP NO. 6409.**

**WHEREAS**, R.J. Hill Homes has submitted an application for Vesting Tentative Subdivision Map No. 6409, a 114-unit single-family residential subdivision, generally located northeast of the intersection of South Sunnyside Avenue and East Parlier Avenue, on an approximately 28.67-acre parcel (Assessor's Parcel Number 345-100-07) (the "Project"); 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 Medium Low Density Residential (MLDR) land uses by the City's General Plan; and

**WHEREAS**, development of the Project is proposed on the 23.24 acres of the subject parcel north of the Kirby Canal; and

**WHEREAS**, the proposed Project would result in a density of 4.9 dwelling units per acre which is consistent with the Project site's MLDR land use designation under the General Plan; and

**WHEREAS**, the proposed Project would result in single-family residential lots that would be less than the minimum requirement of the R-1-7 zone district;

**WHEREAS**, under the Housing Accountability Act, local agencies shall not disapprove or impose conditions on a Project to be developed at a lower density unless there is a specific adverse impact to the public health and safety of the residents of the City; and

**WHEREAS**, the Project would not result in any specific adverse impacts; and

**WHEREAS**, local agencies may only apply objective and quantifiable standards, policies, and conditions to housing development projects under the Housing Accountability Act; and

**WHEREAS**, the project, as conditioned, will meet the findings set forth under Section 66474 of the Subdivision Map Act to approve of tentative subdivision maps, contained below:

1. The proposed map is consistent with applicable general and specific plans as specified in Government Code section 65451.
2. The design or improvement of the proposed subdivision is consistent with applicable general and specific plans.
3. The site is physically suitable for the type of development proposed.
4. The site is physically suitable for the proposed density of development.
5. The design of the subdivision or the proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure a fish or wildlife habitat.
6. The design of the subdivision or type of improvements is not likely to cause serious public health problems.
7. The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision; and

**WHEREAS**, the development of the proposed Project is consistent with what was contemplated under the City's General Plan and General Plan Environmental Impact Report, absolving it from further environmental analysis pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15183; and

**WHEREAS**, at a regular meeting on October 5, 2023, at 6:30pm, the Fowler Planning Commission conducted a public hearing to consider Vesting Tentative Subdivision Map No. 6409; and

**WHEREAS**, notice of said public hearing was published in the September 22, 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 October 5, 2023, including oral and written public testimony on the project, and which is herein incorporated by this reference, did make the findings described above for the for the approval of the Project.

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

1. Finds that the Project is consistent with the City of Fowler General Plan and General Plan Environmental Impact Report, absolving it of further environmental analysis pursuant to CEQA Guidelines Section 15183.
2. Approves Vesting Tentative Subdivision Map No. 6409.

**PASSED, APPROVED AND ADOPTED** this 5th day of October 2023, at a Regular Meeting of the Planning Commission of the City of Fowler by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

**APPROVED:**

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Craig Mellon  
Chair

**ATTEST:**

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Maria Aguilar  
Secretary to the Planning Commission

**ATTACHMENT “A”**

**CONDITIONS OF APPROVAL**

**VESTING TENTATIVE SUBDIVISION MAP NO. 6409**

**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 Vesting Tentative Subdivision Map No. 6409.
3. Vesting Tentative Subdivision Map No. 6409 shall be valid for a period of 24 months from the date of its approval. Prior to expiration of the approved tentative map an extension or extensions to this period may be requested pursuant to Section 66453.3 of the Subdivision Map Act.
4. Approval of Vesting Tentative Subdivision Map No. 6409 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 subdivision map.
5. 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.
6. 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.
7. The operator shall keep the exterior premises free of trash and debris. Graffiti shall be removed or covered within 48 hours of its discovery.
8. Approval of Vesting Tentative Subdivision Map No. 6409 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.
9. 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.

10. Minor modifications to the approved tentative subdivision may be made subject to the approval of the City Planner and/or the City Engineer. Modifications deemed by either to be more than minor in nature shall require an amendment to the approval of Vesting Tentative Subdivision Map No. 6409.

### **Fire Department**

11. All homes in the subdivision shall be equipped with automatic fire sprinkler system as required by the California Fire Code and California Residential Code.
12. Fire hydrants shall be installed at 300-foot intervals at locations specified by the Fire Chief and City Engineer. Placement shall comply with the City of Fowler Standards as well Appendices B & C of the California Fire Code.
13. Roads shall comply with the California Fire Code Appendix D. It is unclear in the cul-de-sac areas if the 50-foot radius is inside or outside the paved area. Prior to recordation of the final map, the minimum standards shall be proven to the satisfaction of the Fire Department or City Engineer.

### **Engineering Conditions**

#### ***General:***

14. All conditions of the applicant shall be conditions of approval, except as further modified below, and subject to modifications to conform to applicable City Standards.
15. The design and improvement of the subdivision shall conform to Titles 1 through 15 of the City of Fowler Subdivision Ordinance and to the City of Fowler Standard Specifications ("Standard Specifications"), unless otherwise specified in these conditions.
16. The applicant shall enter into a subdivision agreement with the City if the final map is recorded prior to completion of the off-site improvements.
17. The applicant shall pay all fees as required by existing ordinances and schedules.
18. All water wells and septic systems that served the property shall be abandoned pursuant to City, County, and State standards.
19. The applicant shall relinquish all rights and privileges associated with all previously approved tentative tract maps on the subject properties.
20. Applicant shall consent to and facilitate annexation of the subject project into the City's Landscape and Storm Drainage Maintenance District or a Community Facilities District.

#### ***Final Map:***

21. A Right to Farm covenant shall be recorded prior to recordation of the final map.
22. The lots adjacent to Sunnyside Avenue shall have no direct access to said street.
23. Street right of way and pedestrian/utility easements shall be dedicated to the City of Fowler as indicated on the tentative map.
24. Street names shall be verified by City staff prior to finalizing the final map. Street names shall be consistent with streets along similar alignments throughout the City, pursuant to Fowler Municipal Code Section 7-5.04.

### ***Circulation:***

25. Developer shall construct frontage improvements along Sunnyside Avenue including curb, gutter, 5-foot sidewalk, LED street lighting and landscaping. A pavement overlay may be required beyond the centerline to provide for a smooth transition. Transition grade greater than 4 percent will not be allowed. The street section shall be striped for two-way traffic and approved by the City of Fowler.
26. Additional street right-of-way shall be dedicated such that an 80-foot right of way is provided along Sunnyside Avenue.
27. Local street pavement section shall be a minimum of 2.5 inches of hot mix asphalt over 5 inches of Class II aggregate and verified by a project soils report.
28. Traffic and street signs shall be installed by the developer per City standards.
29. Verify a minimum of 200 feet of stopping sight distance at intersections. Particular attention should be paid at the intersections of:
  - a. Munoz Avenue between Sunnyside Avenue and Bedrosian Avenue
  - b. "A" Avenue between Sunnyside Avenue and Bedrosian Avenue
  - c. "A" Avenue" between Bousian Avenue and "F" Avenue

### ***Grading and Drainage:***

30. A grading and drainage plan shall be submitted for review and approval by the City Engineer. The developer shall obtain a grading permit for all on-site grading work.
31. The developer's engineer shall provide drainage calculations for the subdivision. A temporary basin located in the southeast portion of the tract is proposed. The proposed drainage basin area shall be capable of retaining drainage associated with the tract during a 100-year storm event and shall be graded to become contiguous with the basin directly south of the proposed tract. Additionally, perimeter chain link fencing between the two properties shall be modified to accommodate and surround the ultimate basin configuration. Basin fencing abutting lots shall include privacy slats (tan color).
32. The developer's engineer shall submit a storm drain plan and hydraulic calculations showing location of inlets, manholes, and pipelines (including sizing) to City Engineer for review and approval prior to preparation of improvement plans.
33. The developer shall obtain a Construction Stormwater General Permit from the Regional Water Quality Control Board. The plan shall provide for the mitigation of soil erosion from the project site during the construction and warranty periods and be submitted to the City prior to the start of construction. Developer shall supply City with the approved SWPPP and WDID number.
34. As a part of the mitigation measures for soil erosion, the developer shall be responsible for street sweeping during the one-year warranty period.

### ***Water:***

35. A looped water system shall be developed within the subdivision and be tested and accepted by the City of Fowler Public Works Department. Each parcel shall be equipped with a water meter/box approved by the Public Works Director.

36. All interior water mains shall be an 8-inch water main and loop within each phase of development. The completed interior water system shall be connected to 12-inch water mains in at each entrance on South Sunnyside Avenue.
37. Two water sample stations shall be installed within the subdivision at the locations specified by the Public Works Director.

***Sewer:***

38. The developer shall comply with the conditions set forth by Selma-Kingsburg-Fowler Sanitation District and pay all associated fees.
39. If not already located within the Selma-Kingsburg-Fowler County Sanitation District, the site shall be annexed to the District.
40. The developer shall complete and submit the attached subdivision connection application.
41. The developer shall complete a pre-design meeting for sanitary sewer improvements with the Selma-Kingsburg-Fowler County Sanitation District
42. The developer shall submit a full set of subdivision plans for this project for plan check (including landscaping, fencing etc.) to the Selma-Kingsburg-Fowler County Sanitation District.

***Aesthetics/Open Space:***

43. Fencing around lots shall be submitted to the Planning Department for approval. Block walls shall be treated with an approved anti-graffiti coating as approved by the City Engineer.
44. Developer shall coordinate with existing property owners where new lots abut existing residences to repair or replace fences between the two properties.
45. A minimum of 5% of the total project site shall be reserved and developed as open space. Proposed improvements shall include benches, play structure w/ shade, concrete flatwork and landscaping as approved by the City Engineer.

***Utilities:***

46. All existing overhead utilities along the frontage of the subdivision shall be undergrounded, as confirmed by the City Engineer.
47. The developer shall provide a street light plan for review and approval by the City Engineer prior to approval of the improvement plans and prior to the start of construction. Streetlights shall be provided by the developer and maintained by the City pursuant to PG&E rate schedule LS2C.
48. Developer shall work with PG&E for the preparation of a utility plan, subject to the review and approval by the City Engineer prior to approval of the improvement plans and prior to the start of construction. All work shall be completed such that no street surface need be reopened for service.

***Irrigation:***

49. A landscape and irrigation plan shall be submitted for review and approval by the City Engineer for landscape areas in the public right of way.

50. Any irrigation pipelines maintained by Consolidated Irrigation District shall be relocated outside of the street right of way, except at street crossings. Any irrigation lines that must remain in service shall be reconstructed with rubber gasket reinforced concrete pipe.
51. All abandoned irrigation lines serving the property shall be removed.

#### **Fowler Unified School District**

52. The developer shall pay all required school impact fees to the Fowler Unified School District prior to obtaining building permits.

#### **San Joaquin Valley Air Pollution Control District**

53. The developer shall comply with all rules and regulations of the San Joaquin Valley Air Pollution Control District, including obtaining all necessary permits and paying all applicable fees.

#### **Other**

54. 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: \_\_\_\_\_





## PLANNING COMMISSION OF THE CITY OF FOWLER

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

**DATE:** October 5, 2023

**FROM:** DAWN E. MARPLE, City Planner

**SUBJECT:** APPROVE Resolution No. 695 regarding Zoning Text Amendment 23-31 recommending approval of an amendment to Section 9-5.1403, of Chapter 5, of Title 9 of the Fowler Municipal Code to allow for sales of heavy duty trucks and long trailers and farm machinery rental facilities as a permitted use within the M-1 Light Industrial District.

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### **EXECUTIVE SUMMARY**

This action would allow for the operation of sale facilities for heavy duty trucks and long trailers and farm machinery rental facilities within the M-1 Light Industrial District.

### **BACKGROUND**

The City has recently received requests for development within the Three Crowns Industrial Park, an industrial park that was previously subdivided into ten (10) smaller parcels under Tentative Tract Map 6027, recorded in 2015.

In June 2023, the City of Fowler received Site Plan Review (SPR) application 23-47 which sought approval to establish and operate a sales facility for class 8 heavy duty trucks and long trailers. Similarly, in April 2023, the City received a zoning information request for an effort to establish an operation for the rental of farming machinery and equipment. Both of these proposed uses involve a sites within the Three Crowns Industrial Park which is zoned M-1(Light Industrial) and is planned for Light Industrial uses by the City of Fowler General Plan

The uses proposed are not explicit, permitted uses within the M-1 (Light Industrial) zone district. However, staff feels that the proposed uses are similar to the permitted use of "Farm Machinery and equipment manufacturing, sales, and service". Pursuant to Fowler Municipal Code Section 9-5.21.01, the Planning Commission may add a use that is not permitted or conditionally permitted in any zone district. This would result in the completion of a Zoning Text Amendment to add the proposed uses to the uses allowed under the M-1(Light Industrial) zone district.

Fowler Municipal Code Section 9-5.21.01 states:

*"When a use has been added to a list of permitted uses, uses permitted by administrative approval, or uses permitted subject to a conditional use permit, the Director shall compile a list of*

*such uses for reference and such uses shall be added to the text of this ordinance when it is next published.”*

## **PUBLIC NOTICE**

A Notice of Public Hearing was published in *The Business Journal* on September 22, 2023, which is at least 10 days prior to the public hearing.

## **ENVIRONMENTAL REVIEW**

The proposed zoning text amendment has been determined to be exempt from the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines Section 15061, subdivision (b)(3) (Common Sense Exception). The zoning text amendment relating to permitted uses in the M-1 (Light Industrial) zone district will not cause a significant effect to the environment, and therefore is not subject to CEQA.

## **GENERAL PLAN CONSISTENCY**

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

### General Plan Goal LU-4

There are continued opportunities for the expansion of industrial land uses.

### General Plan 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.

## **FISCAL IMPACT**

With the approval of the Zoning Text Amendment the allowed uses would be permitted to move through the planning and building process resulting in the collection of development impact fees.

## **CONFLICT OF INTEREST**

Staff is not aware of any conflicts of interest.

## **Attachments**

- Resolution No. 695

## **RESOLUTION NO. 695**

### **RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF FOWLER, COUNTY OF FRESNO, STATE OF CALIFORNIA RECOMMENDING APPROVAL OF PROPOSED ZONING TEXT AMENDMENT 23-31, A TEXT AMENDMENT AMENDING SECTION 9-5.1403, OF CHAPTER 5, OF TITLE 9 OF THE FOWLER MUNICIPAL CODE, TO AMEND THE CITY’S PERMITTED USES WITHIN THE M-1 ZONE DISTRICT**

**WHEREAS**, on February 3, 2009, the City Council of the City of Fowler adopted Ordinance No. 2009-01, amending Chapter 5, of Title 9 of the Fowler Municipal Code, which was a comprehensive update to the City’s Zoning Ordinance and is referred to as the “Zoning Ordinance”; and

**WHEREAS**, the City of Fowler’s M-1 (Light Industrial) Zone District does not allow for the operation of sale facilities for heavy duty trucks and long trailers or the operation of farm machinery rental facilities within the M-1 (Light Industrial) District; and

**WHEREAS**, General Plan Goal LU-4, directs the City to create “continued opportunities for the expansion of industrial land uses”; and

**WHEREAS**, General Plan Policy ED-14, directs the City to “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”; and

**WHEREAS**, Fowler Municipal Code Section 9-5.421 authorizes the Planning Commission to initiate a text amendment of the Zoning Ordinance by conducting a public hearing and making a recommendation by resolution to the City Council regarding the text amendment; and

**WHEREAS**, the proposed amendment would allow for sale facilities for heavy duty trucks and long trailers and the operation of farm machinery rental facilities within the M-1 (Light Industrial) Zone District; and

**WHEREAS**, at a regular meeting on October 5, 2023, at 6:30pm, the Fowler Planning Commission conducted a public hearing to consider Zoning Text Amendment 23-31; and

**WHEREAS**, notice of said public hearing was published in the September 22, 2023, edition of *The Business Journal*, posted at City Hall and the City’s website; and

**WHEREAS**, the Planning Commission, after reviewing and considering the staff report, and all evidence presented at the Planning Commission’s regular meeting on October 5, 2023, including oral and written public testimony on the project, and which is herein incorporated by this reference, did make the findings for the approval of the zoning text amendment.

**NOW THEREFORE, BE IT RESOLVED** the Planning Commission of the City of Fowler, based upon the entire record of proceedings, makes the following findings with regard to Planning Case Number 23-0031:

1. That the Proposed Text Amendment is consistent with the Fowler General Plan.
2. That adopting the Proposed Text Amendment is in the best interest of the City of Fowler.
3. Recommend that the Proposed Text Amendment should be adopted by the City Council.

**PASSED, APPROVED AND ADOPTED** this 5th day of October 2023, at a regular meeting of the Planning Commission of the City of Fowler by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

**APPROVED:**

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Craig Mellon  
Chair

**ATTEST:**

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Maria Aguilar  
Secretary to the Planning Commission



## PLANNING COMMISSION OF THE CITY OF FOWLER

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

**DATE:** October 5, 2023

**FROM:** DAWN E. MARPLE, City Planner

**SUBJECT:** APPROVE RESOLUTION No. 696 approving CUP 22-48 and allow the construction of a new neighborhood park on Assessor's Parcel Number (APN) 343-300-66T; and adopt a categorical exemption pursuant to CEQA Guidelines section 15304.

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### **EXECUTIVE SUMMARY**

This action would allow for the construction of a new 0.21-acre neighborhood park on the east side of Fowler. The project is consistent with the goals and policies of the General Plan.

### **BACKGROUND**

The State of California Parks and Water Bond Act of 2018, commonly referred to as Proposition 68 (Prop 68), was approved by voters on June 5, 2018. Prop 68 allocates funds to local governments on a per capita basis for local park rehabilitation, creation, and improvements. Recipients are encouraged to utilize awards to rehabilitate existing infrastructure and to address deficiencies in neighborhoods lacking access to the outdoors.

The City of Fowler applied for Prop 68 funding in December 2021. The application was approved and grant funding in the requested amount of \$127,000 was provided for the proposed construction of a new 0.21-acre neighborhood park to be located on the east side of 5<sup>th</sup> Street between East Summer Avenue and Harris Court on Assessor's Parcel Number (APN) 343-300-66T. The project site is zoned RM-3 (Multi-Family Residential – 2,000 square foot lot minimum) zone district and is planned for Medium Density Residential land uses by the City of Fowler General Plan. Parks are allowed in the RM-3 (Multi-Family Residential – 2,000 square foot lot minimum) zone district pursuant to a conditional use permit.

The proposed park would include picnic and gathering spaces, BBQ grill areas, a turf area for active and passive uses, and new landscaping such as low water use plantings and trees.

### **CONDITIONAL USE PERMIT FINDINGS**

- 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 has determined that the proposed park 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 use would generate a minimal amount of traffic. The property's South 5th Street frontage is adequate in width to accommodate the proposed use.

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

Operation of CUP 22-48, subject to the attached conditions of approval, will ensure that the proposed use has 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 September 22, 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.

## **ENVIRONMENTAL REVIEW**

Staff have performed a preliminary environmental assessment and have determined that the project is exempt from further environment review under the California Environmental Quality Act (CEQA) pursuant to CEQA Guidelines section 15304 (Class 4 categorical exemption) because the project would result in the minor alteration of land because the project proposes a park with landscaping and trees in a vacant, graded lot. The project would not result in any potential environmental impacts under CEQA. Further, none of the exceptions under Section 15300.2 of the CEQA Guidelines are applicable to this project.

## **GENERAL PLAN CONSISTENCY**

This action is consistent with:

General Plan Goal OS-3

Recreational programming and facilities meet the needs of community members of all ages and abilities.

General Plan Goal CH-1

Opportunities for physical activity, such as walking and biking, are integrated into the built environment.

General Plan Policy OS-2

The City shall develop and maintain an open space network that provides both passive and active recreation opportunities.

General Plan 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.

**FISCAL IMPACT**

The total cost of the neighborhood park construction is paid for by Prop.68 Grant Funding for a total of \$127,000.00.

**CONFLICT OF INTEREST**

Staff is not aware of any conflicts of interest.

Attachments

- Attachment 1: Aerial Map
- Attachment 2: Zoning Map
- Attachment 3: General Plan Land Use Map
- Attachment 4: Site Plan
- Resolution No. 696

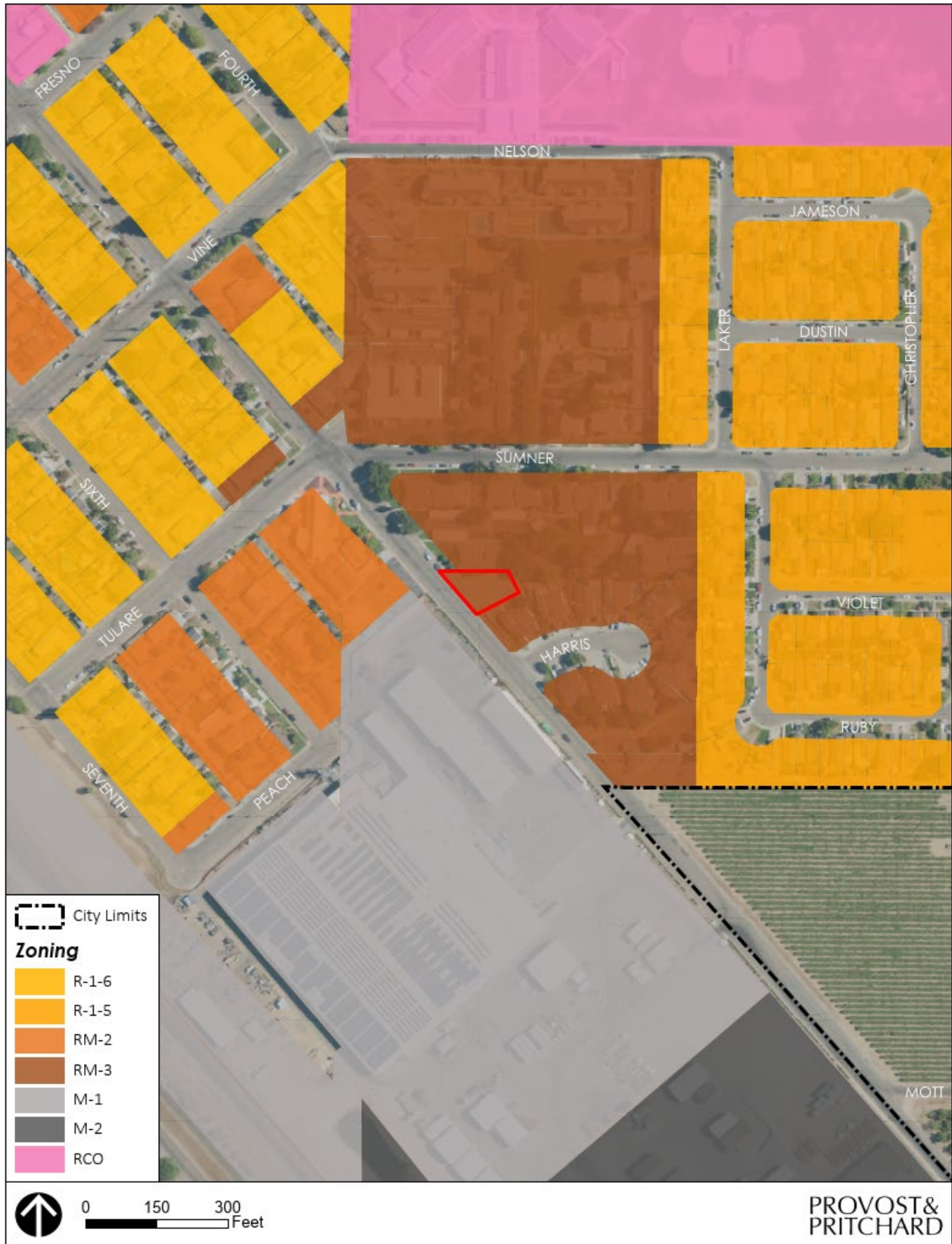


# Attachment 1: Aerial Map

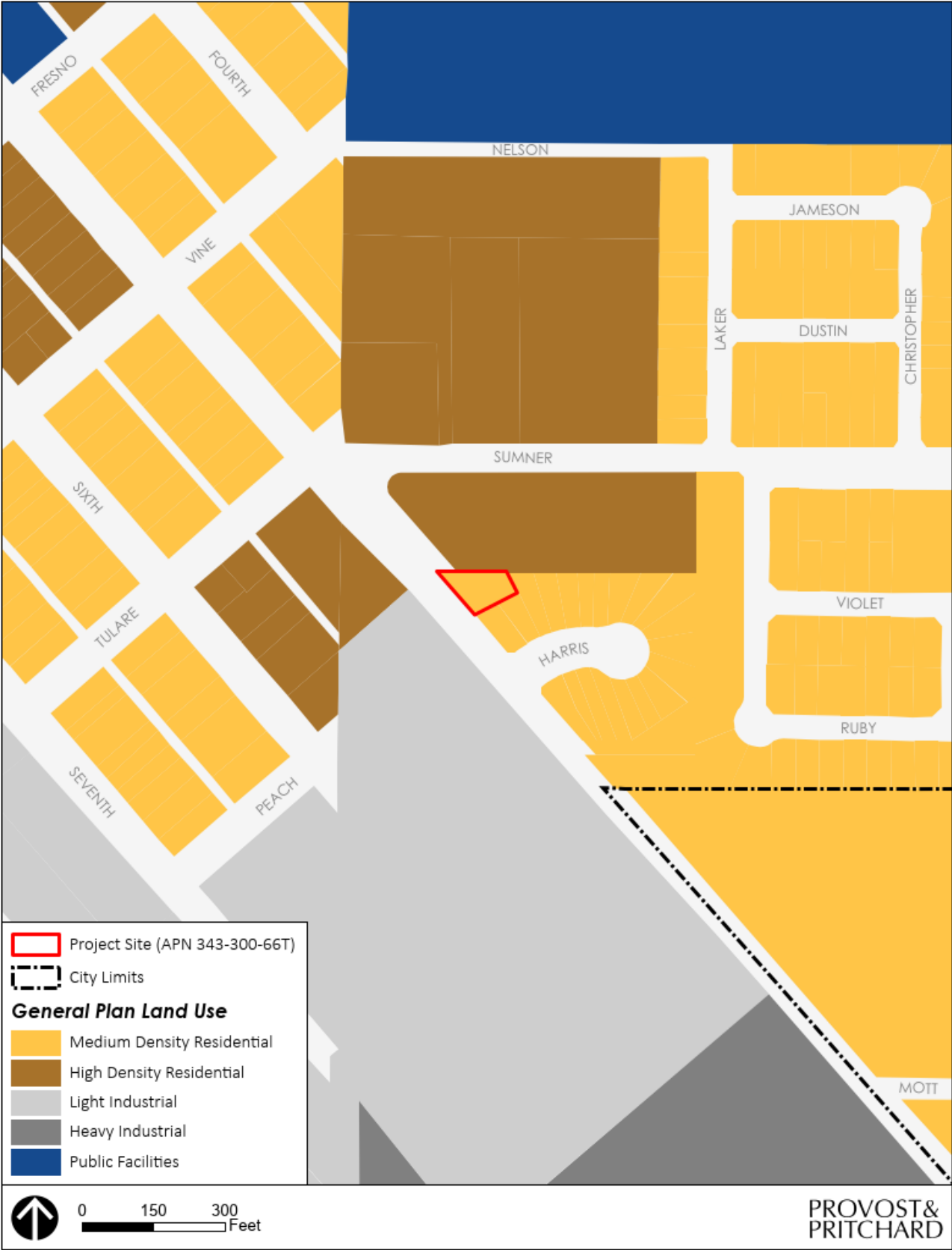




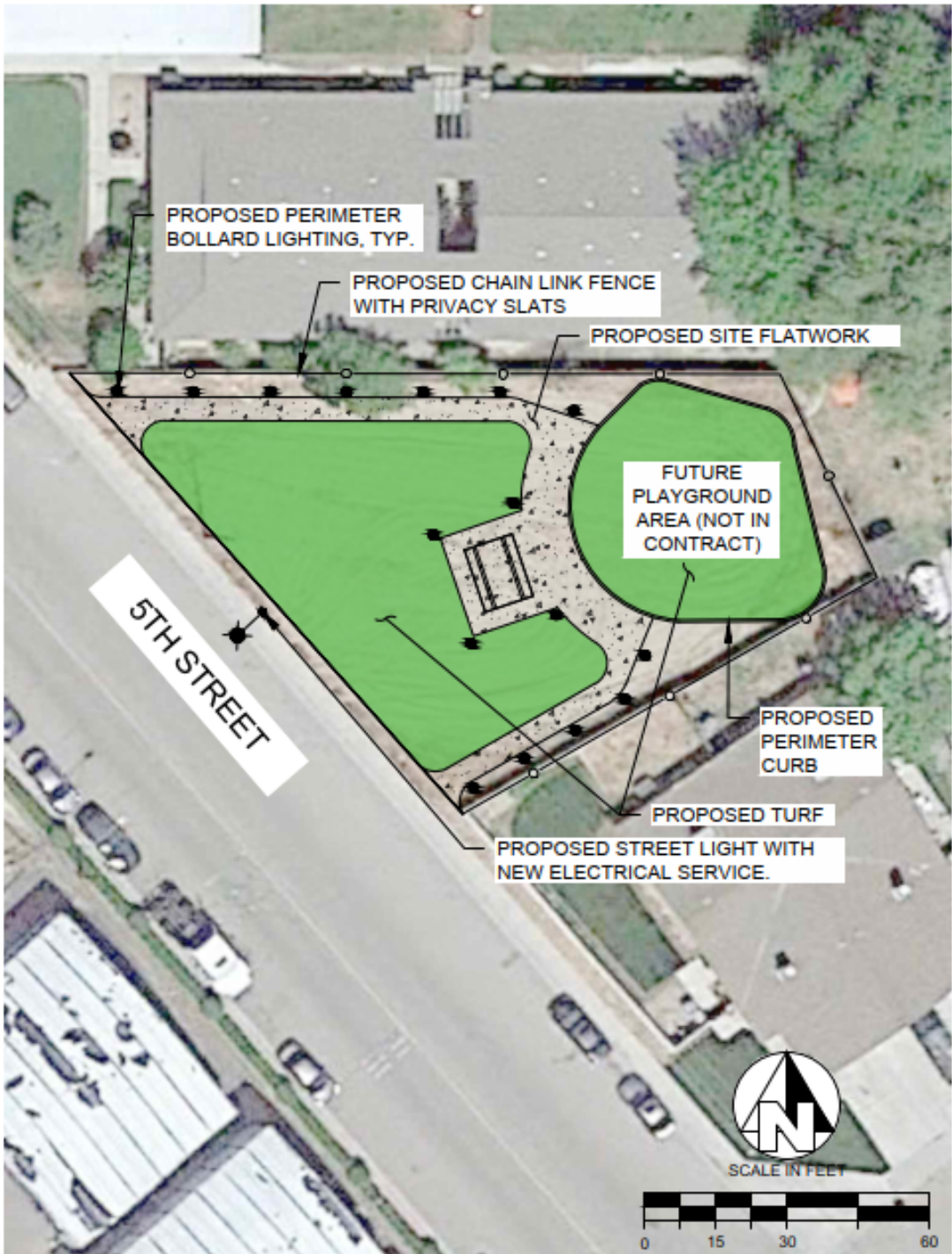
## Attachment 2: Zoning Map



Attachment 3: General Plan Land Use Map



Attachment 4: Site Plan



**PROVOST & PRITCHARD**  
An Englewood Company

SITE PLAN  
CITY OF FOWLER  
FRESNO COUNTY

NEIGHBORHOOD PARK SITE IMPROVEMENTS

DESIGN ENGINEER:  
SHP  
DATE: 09/07/2023  
JOB NO: 2619

1 OF 1

## **RESOLUTION NO. 696**

### **RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF FOWLER, COUNTY OF FRESNO, STATE OF CALIFORNIA APPROVING CONDITIONAL USE PERMIT 22-48, AND TO ADOPT A CATEGORICAL EXEMPTION PURSUANT TO CEQA GUIDELINES SECTION 15304.**

**WHEREAS**, the City of Fowler applied for Proposition 68 Grant Funding for the construction of a new neighborhood park; and

**WHEREAS**, the City of Fowler, was approved and received Proposition 68 Grant Funding in the amount of \$127,00.00 for the construction of the proposed park; and

**WHEREAS**, the City of Fowler selected Assessor's Parcel Number (APN) 343-300-66T as the site of the proposed park; and

**WHEREAS**, the subject property is located on the east side of South 5<sup>th</sup> Street between East Sumner Avenue and Harris Court and located on land that is zoned RM-3 (Multi-Family Residential – 2,000 square foot lot minimum) and planned for Medium Density Residential land uses by the City of Fowler General Plan; and

**WHEREAS**, pursuant to Fowler Municipal Code section 9-5.805, subdivision (C), parks are an allowable use in the RM-3 zone district (Multi-Family Residential – 2,000 square foot lot minimum) subject to the approval of a conditional use permit (CUP); and

**WHEREAS**, the City has determined that the Project is categorically exempt under the California Environmental Quality Act (CEQA) in accordance with CEQA Guidelines Section 15304, Minor Alterations to Land, and that no additional environmental analysis is required; and

**WHEREAS**, at a regular meeting on October 5, 2023, at 6:30pm, the Fowler Planning Commission conducted a public hearing to consider CUP 22-48; and

**WHEREAS**, notice of said public hearing was published in the September 22, 2023, edition of *The Business Journal*, posted at City Hall and the City's website, and sent to property owners within 300 feet; and

**WHEREAS**, the Planning Commission, after reviewing and considering the staff report, categorical exemption, and all evidence presented at the Planning Commission's regular meeting on October 5, 2023, including oral and written public testimony on the Project and the Categorical Exemption, and which is herein incorporated by this reference, did make the following findings with regard to the CUP 22-48:

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 to this Resolution for CUP 22-48 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. Adopts a Class 4 categorical exemption from further environmental review pursuant to CEQA Guidelines Section 15304.
2. Approves CUP 22-48, subject to the conditions contained in Attachment “A”.

**PASSED, APPROVED AND ADOPTED** this 5th day of October 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 to the Planning Commission



**ATTACHMENT “A”**  
**CONDITIONS OF APPROVAL**  
**CONDITIONAL USE PERMIT 22-48**

**General Conditions**

1. Approval of this Conditional Use Permit shall be valid for a period not to exceed one year from the date of approval unless a building permit for the facility described herein has been issued by the Building Department and construction is being diligently pursued. The owner may request an extension of up to one additional year via written request to the Planning Department submitted not less than thirty days prior to expiration of the site plan approval. Once in operation, the permit shall become void if the facility ceases operation for one (1) year following the date of any closure.
2. The use is located in the RM-3 (Multi-Family Residential – 2,000 square foot lot minimum) zone district and all provisions of that district shall apply.
3. All contractors or sub-contractors working in the City must obtain a business license from the Finance Department at Fowler City Hall. The applicant shall report applicable sales tax revenue to the State.
4. All lighting shall be hooded and directed as to not shine towards adjacent properties and public streets.
5. Drive aisles shall be kept unobstructed at all times to allow clear access by the Fire Department. Vehicles shall not block driveways.
6. No sign shall be permitted except as prescribed in Article 22 of the Fowler Municipal Code.