



City of Fowler **VESTING TENTATIVE SUBDIVISION MAP 6409**

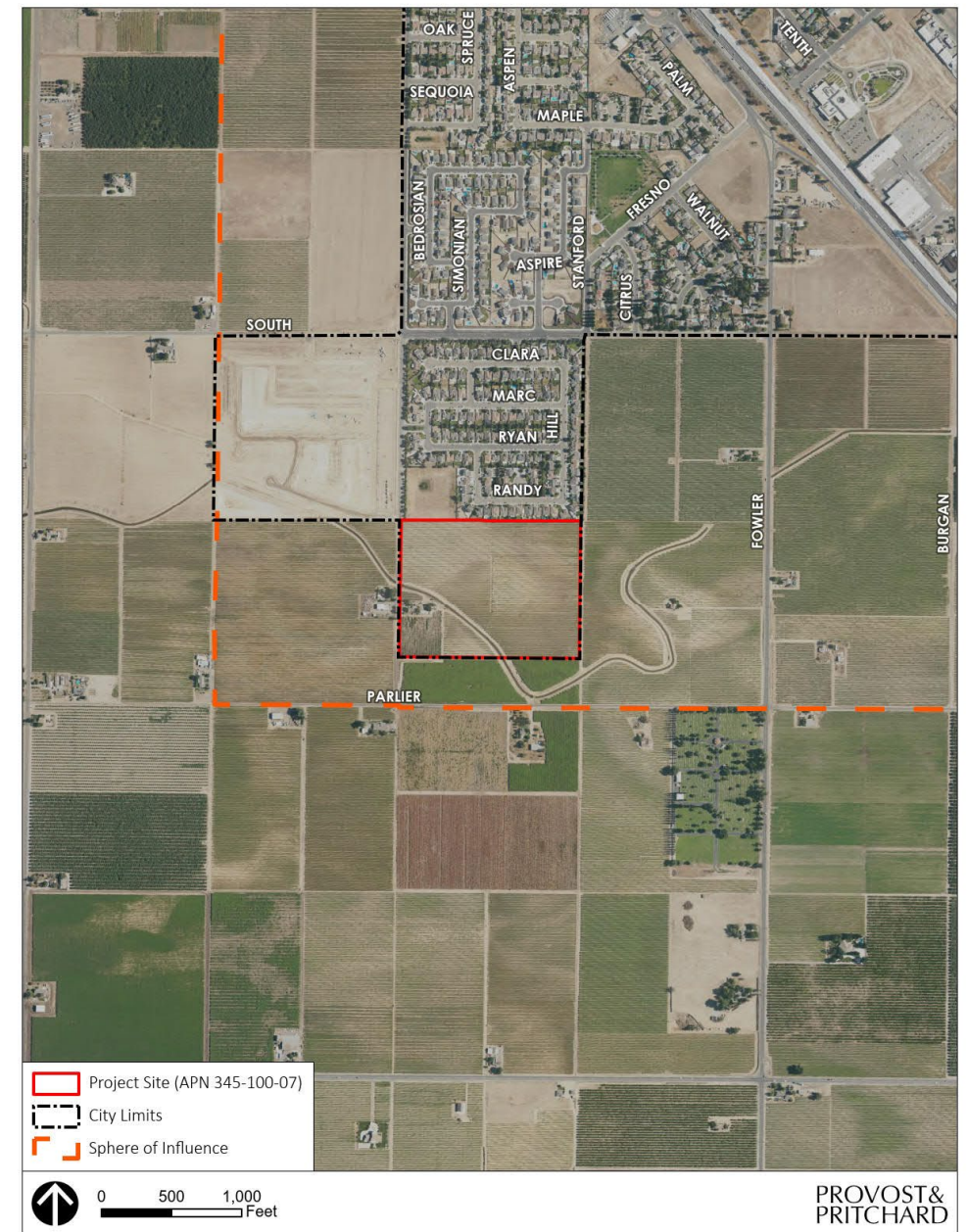
Planning Commission

October 5, 2023



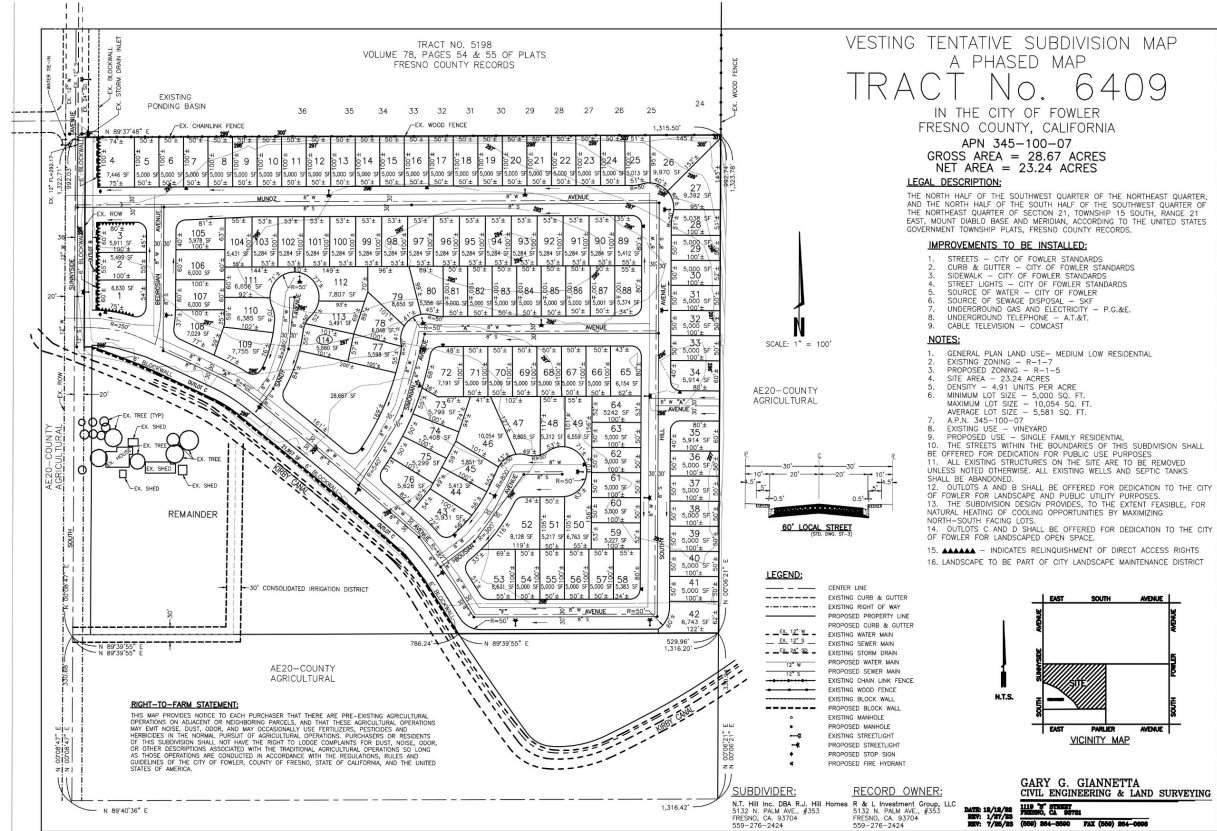
SUBJECT PROPERTY & PROPOSAL

- Project Site: 28.67 acres (APN 345-100-07)
- Located northeast of the intersection of South Sunnyside Avenue and East Parlier Avenue
- Site contains one rural single-family residence, surrounded by agricultural land
- TSM: 114 single-family residential lots, one neighborhood park, and a remainder of 5.43 acres in size
- Zoning: R-1-7 (One Family Residential, Minimum 7,000 square foot lots)
- General Plan: Medium Low Density Residential (3.7-5.5 dwelling units/acre)
- CEQA: NOD to be filed utilizing General Plan EIR



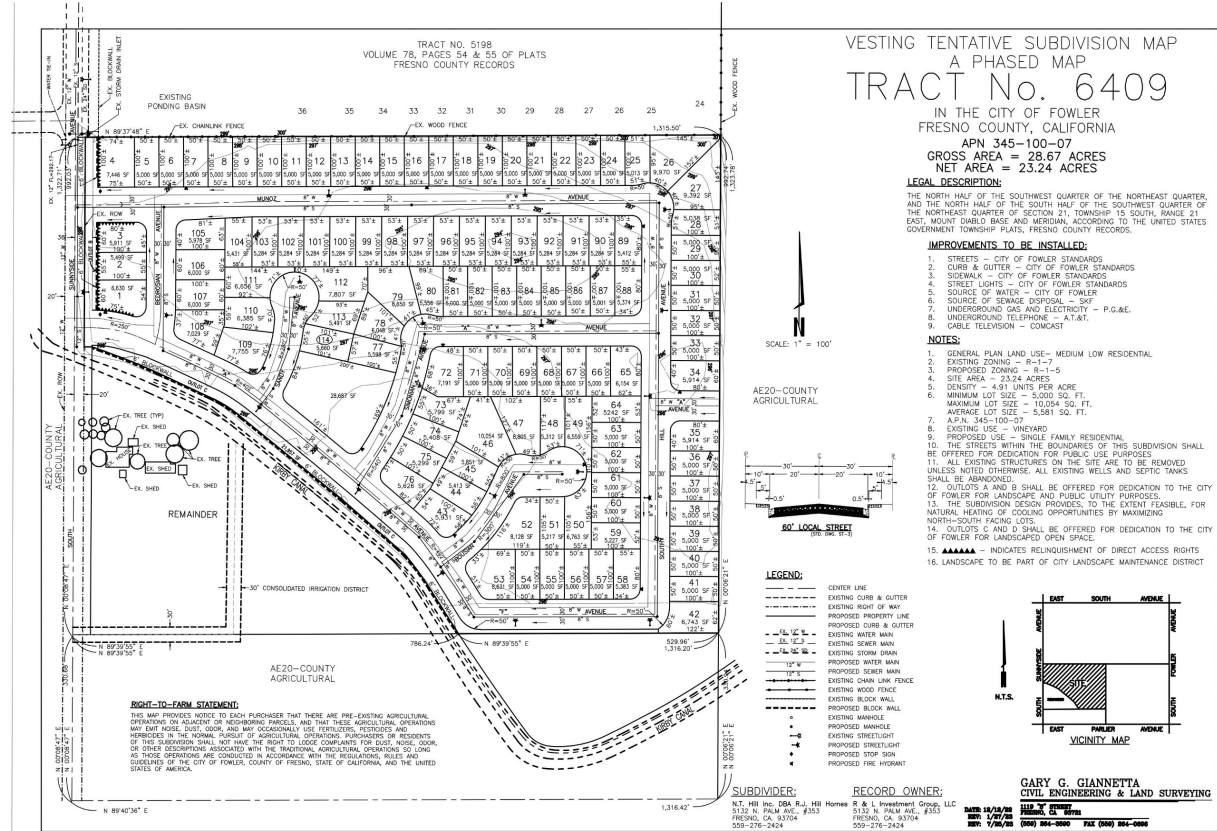
VESTING TENTATIVE SUBDIVISION MAP

- 114 single-family residential lots
- 28,687 sqft neighborhood park
- 5.43-acre remainder, south of Kirby Canal
- Block wall along South Sunnyside Avenue and along the Kirby Canal
- Storm drainage to flow to existing basin abutting the project site to the north
- Objective zoning standards, including setbacks, must conform to the R-1-7 zone district



PROJECT CONDITIONS

- Lots adjacent to South Sunnyside Avenue will not have access to this street
- Must verify 200 feet of stopping sight distance at intersections
- Project to connect to the existing storm drain basin to the northwest
- Developer must construct looped water system in subdivision
- Existing utilities fronting project site must be underground
- Developer shall pay all required school impact fees to Fowler Unified



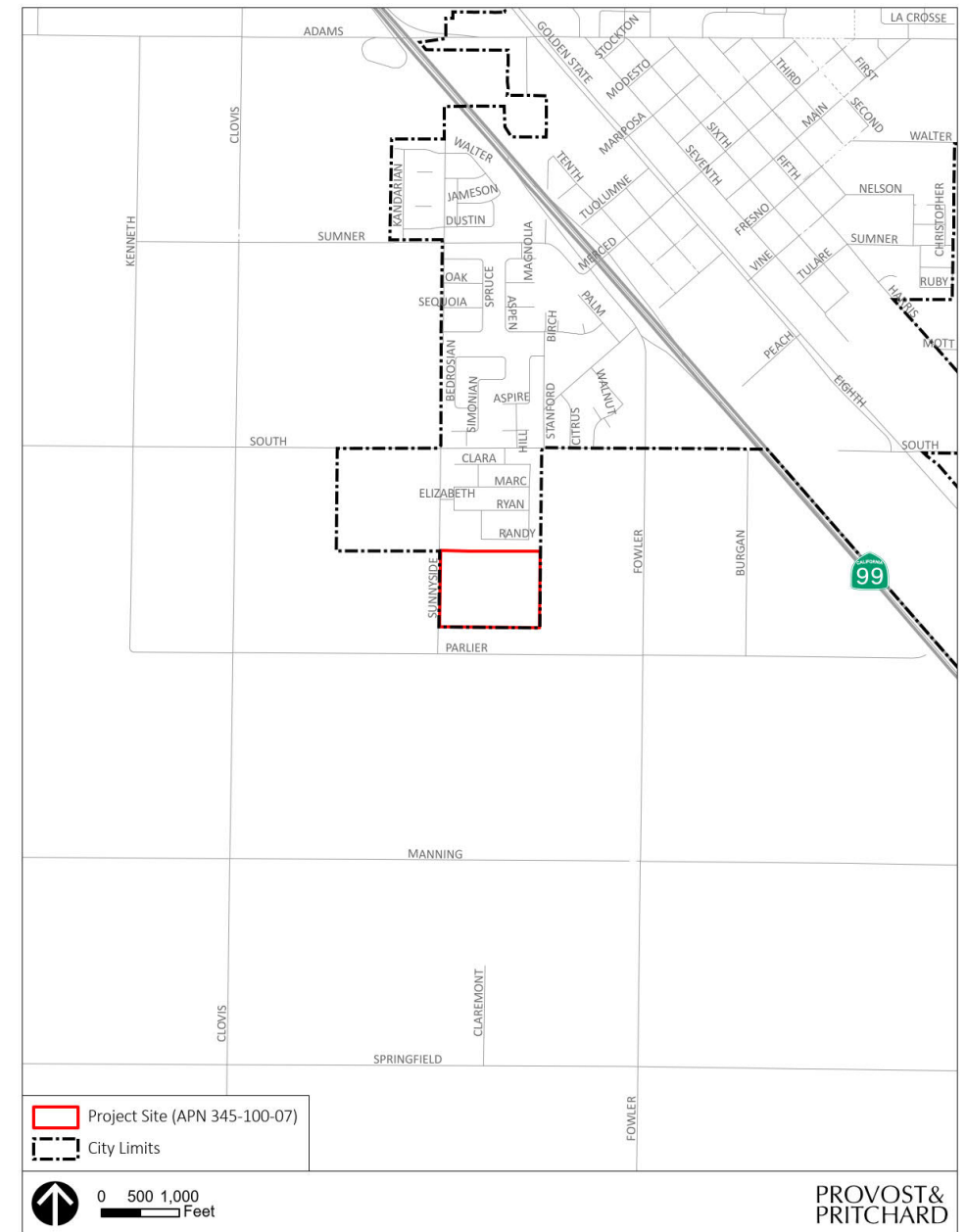
PROJECT CONDITIONS

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 project shall connect to the existing storm drainage basin abutting the site to the northwest. If the basin is found to not be the proposed drainage basin area shall be capable of retaining drainage directed towards it after construction of the full project associated with the tract during a 100-year storm event, the developer shall excavate the basin to a depth which would accommodate the additional drainage. If excavation of the existing basin would result in slopes deemed to be unsafe by the City Engineer, then the developer shall construct a new basin within the limits of the proposed subdivision. 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).~~



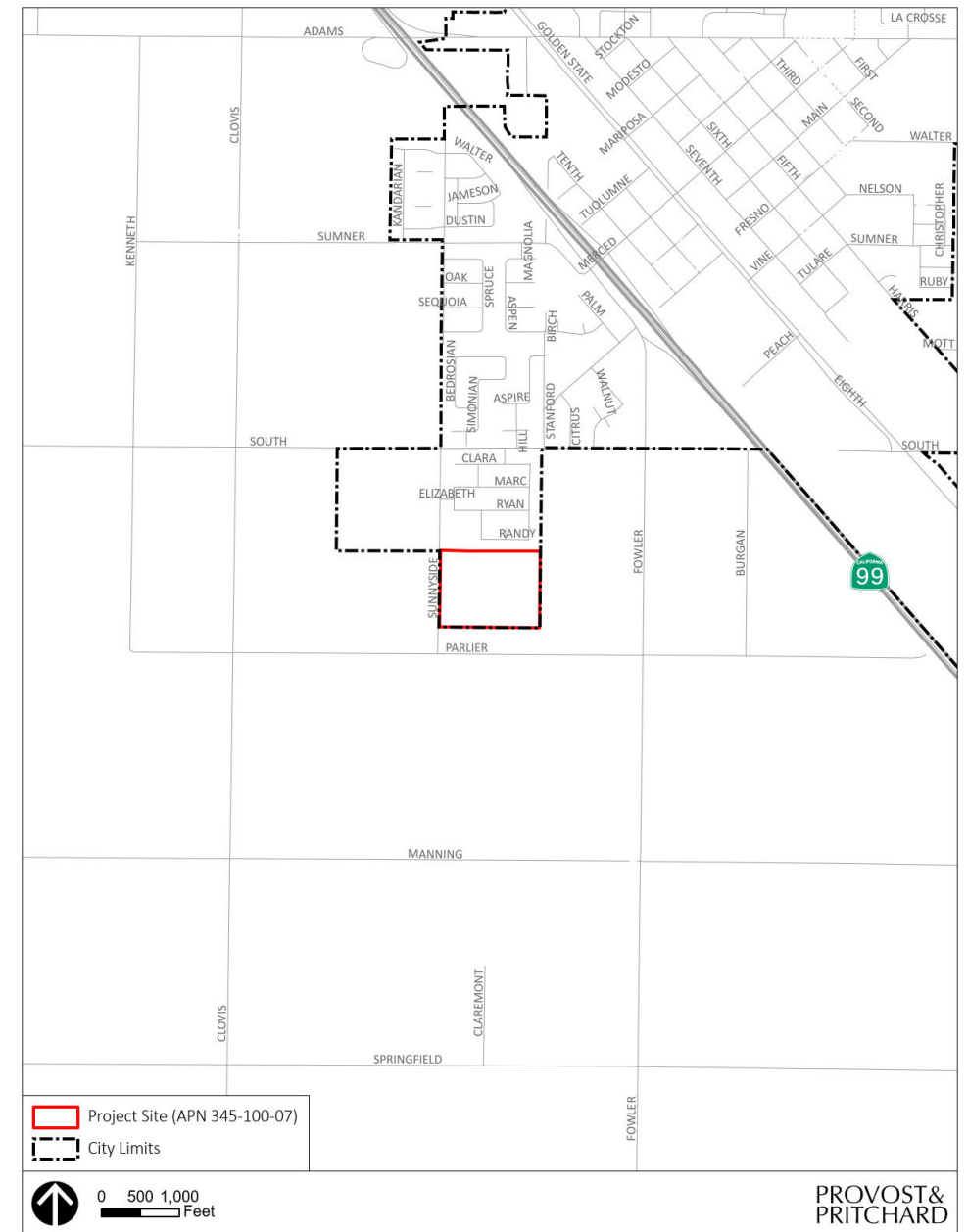
GENERAL PLAN CONFORMITY

- Project proposes lots starting at 5,000 sqft in size, conflicting with the R-1-7 zoning designation
- At 4.9 dwelling units per acre, the project is consistent with the site's MLDR General Plan designation
- Under the Housing Accountability Act, the Commission may only deny or condition the project to reduce its density based on specific findings. Both of the following must be met:
 - The housing development project would have a specific, adverse impact upon public health or safety unless the project is disapproved or approved upon the condition that the project be developed at a lower density...
 - 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."



GENERAL PLAN CONFORMITY

- 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.
- 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.
- 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.



CEQA

- Project is consistent with the newly adopted General Plan and General Plan EIR
- Pursuant to CEQA Guidelines Section 15183, projects consistent with a previously adopted EIR may file an NOD for the project
- The project would be developed consistent with the General Plan and an NOD would be filed subsequent to project approval



CITY OF FOWLER 2040 GENERAL PLAN

DRAFT ENVIRONMENTAL IMPACT REPORT

DECEMBER 2022

SCH NO. 2021110053

Prepared For:

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

Prepared By:

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455 W. FIR AVENUE
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**PROVOST &
PRITCHARD**
CONSULTING GROUP
An Employee Owned Company

STAFF RECOMMENDATION

Staff Recommends that the Commission move to adopt a resolution taking the following action:

- 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. Recommend approval of ~~Approve the~~ Vesting Tentative Subdivision Map No. 6409 to the City Council.



ALTERNATIVES FOR CONSIDERATION

Alternatively, the Commission may:

- i. Move to continue the public hearing to the November 2nd, 2023 Planning Commission meeting; OR
- ii. Move to deny the request based on specified findings (Planning Commission to articulate reasons for denial)





PLANNING COMMISSION OF THE CITY OF FOWLER

REPORT TO THE PLANNING COMMISSION

DATE: October 5, 2023

FROM: DAWN E. MARPLE, City Planner

SUBJECT: Vesting Tentative Subdivision Map No. 6409

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. Recommend approval of ~~Approve the~~ Vesting Tentative Subdivision Map No. 6409 to the City Council.

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.

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 RECOMMEND THE CITY COUNCIL 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 ~~p~~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 ~~new subdivision~~Project is proposed on the 23.24 acres of the subject parcel north of the Kirby Canal; and

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

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

WHEREAS, under the Housing Accountability Act, local agencies shall not disapprove or impose conditions on a Project to be developed at a lower of a map for which a greater density is provided and which is in conflict with the local zoning ordinance unless there is a specific adverse impact to the public health and safety of the residents of the City; and

WHEREAS, the ~~p~~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 ~~S~~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 ~~project who develop the subject property~~ development of the proposed Project is consistent ~~to~~ with what was contemplated under the City's General Plan and General Plan Environmental Impact Report, absolving it from further environmental analysis ~~P~~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 ~~tentative subdivision map~~ the Project.

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

1. Finds that the ~~P~~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. Recommends that the City Council approve ~~Approves tentative subdivision map~~ Vesting Tentative Subdivision Map No. 6409, 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 of the Planning Commission