



**PLANNING COMMISSION OF THE CITY OF FOWLER
MEETING AGENDA
THURSDAY, NOVEMBER 7, 2024
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 October 3, 2024 Planning Commission Meeting.
5. Approve Resolution No. 708:
 - i. RECOMMENDING that the City Council FIND that Zoning Text Amendment No. 24-34 is exempt from further environmental analysis pursuant to CEQA Guidelines section 15183, subdivision (a), and;
 - ii. RECOMMENDING that the City Council APPROVE Zoning Text Amendment No. 24-34 amending the Fowler Zoning Ordinance to add and modify regulations with regards to housing to comply with the 2023-2031 Housing Element adopted on October 1, 2024.
6. Staff Communications
7. Commissioner Reports and Comments
8. Adjourn
9. *Next Resolution No. 709*

CERTIFICATION: I hereby certify that the foregoing agenda was posted for public review on Wednesday October 30, 2024.

Maria Aguilar

Maria Aguilar
Planning Commission Secretary

MINUTES OF THE PLANNING COMMISSION OF THE CITY OF FOWLER

Thursday October 3, 2024

Chair Mellon called the meeting to order at 7:00 PM. Roll call was taken.

Commissioners Present: Chair Mellon, Vice Chair Kandarian, Rodriguez

Commissioners Absent: Hammer, Prado

City Staff Present: Interim City Manager Gaffery, City Planner Marple, Deputy City Attorney Lear, Associate Planner Czesinski and Planning Commission Secretary Aguilar

3. Public Comment

None

4. Approve minutes of September 5, 2024 Planning Commission Meeting

Motion made by Vice Chair Kandarian to approve minutes of September 5, 2024 Planning Commission Meeting

Seconded by Commissioner Rodriguez

Ayes: Mellon, Kandarian, Rodriguez

Motion approved 3-0.

5. Actions pertaining to Site Plan Review No. 23-40:

- i. Finding that Site Plan Review 23-40 is exempt from further environmental analysis pursuant to California Environmental Quality Act Guidelines Section 15332, and;**
- ii. MODIFYING the Community & Economic Development Director's approval of SPR 23-40**

Associate Planner Czesinski presented the item.

City Staff answered Commissioner questions.

Chair Mellon opened the public hearing at 7:14 PM

A representative of the applicant spoke.

Chair Mellon closed public comment at 7:21 PM

Motion made by Chair Mellon to approve Resolution No 702 with Conditions of Approval as presented in agenda packet.

Seconded by Vice Chair Kandarian

Ayes: Mellon, Kandarian, Rodriquez

Motion approved 3-0.

6. Approve Resolution No. 706:

- i. RECOMMENDING that the City Council FIND that Zoning Text Amendment No. 24-30 is exempt from further environmental analysis pursuant to CEQA Guidelines section 15061, subdivision (b)(3), and;**
- ii. RECOMMENDING that the City Council APPROVE Zoning Text Amendment No. 24-30 amending the Fowler Zoning Ordinance to include regulations relating to the operation of Food Trucks within the City.**

Associate Planner Czeshinski presented the item.

City Staff answered Commissioner questions.

Chair Mellon opened the public hearing at 7:40 PM

No members of the public spoke.

Chair Mellon closed the public hearing at 7:40 PM

Motion made by Vice Chair Kandarian to approve Resolution No 706.

Seconded by Commissioner Rodriguez

Ayes: Mellon, Kandarian, Rodriquez

Motion approved 3-0.

7. Approve Resolution No. 707:

- i. RECOMMENDING that the City Council ADOPT Guidelines for the qualification of Community Identifiers within the City and to establish a local inventory of Community Identifiers.**

Associate Planner Czeshinski presented the item.

City Staff answered Commissioner questions.

Chair Mellon opened the public hearing at 7:45 PM.

No members of the public spoke.

Chair Mellon closed the public hearing at 7:45 PM

Motion made by Chair Mellon to approve Resolution No. 707
Seconded by Vice Chair Kandarian
Ayes: Mellon, Kandarian, Rodriquez
Motion approved 3-0.

8. Staff Communications

No action was taken.

9. Commissioner Reports and Comments

No action was taken.

10. Adjournment

Meeting adjourned at 7:55 PM by Chair Mellon.



PLANNING COMMISSION MEETING

ITEM NO 5

REPORT TO THE PLANNING COMMISSION

DATE: November 7, 2024

FROM: DAWN E. MARPLE, City Planner

SUBJECT: Approve Resolution No. 708:

**Zoning Text
Amendment
No. 24-34**

- i. RECOMMENDING that the City Council FIND that Zoning Text Amendment No. 24-34 is exempt from further environmental analysis pursuant to CEQA Guidelines section 15183, subdivision (a) and;
- ii. RECOMMENDING that the City Council APPROVE Zoning Text Amendment No. 24-34 amending the Fowler Zoning Ordinance to add and modify regulations with regards to housing to comply with the 2023-2031 Housing Element adopted on October 1, 2024.

EXECUTIVE SUMMARY

City staff is presenting an ordinance amendment that will amend and append the new Citywide Zoning Code to comply with the recently-adopted Housing Element. The Planning Commission's action will be a recommendation to the City Council on the Zoning Ordinance changes.

BACKGROUND

The City adopted its comprehensive zoning code in July of this year. The Code update was focused on streamlining the development process, adding clarity to established procedures, and ensuring compliance with recent legislative updates as well as the City's Housing Element. After the adoption of the zoning code the City completed the final version of the Housing Element. This has resulted in some necessary amendments to the recently adopted zoning code.

Table 1 below provides a summary of the proposed restructure to the Code, as well as notable changes.

Table 1. Summary of the Proposed Zoning Code Amendments by Section

#	Title	Summary of Change
9.120.030	Allowed Uses in Residential Zones	Group Residential Facilities are required to be allowed in zones where residential uses are allowed. Farmworker and employee housing is

#	Title	Summary of Change
		required to be allowed where agricultural uses are allowed.
9.125.030	Allowed Uses in Commercial Zones	Emergency Shelters to be allowed in C-2, previously in C-3. Low Barrier Navigation Centers, a type of Emergency Shelter, are by-right in mixed use zones (C-1 and C-2). A minimum amount of residential density is required on sites identified in the Housing Element.
9.140.030	Allowed Uses in Form-Based Code Zone	Low Barrier Navigation Centers, a type of Emergency Shelter, are by-right in mixed use zones (FBC)
9.160.080	Density Bonus	Changes are made to comply with the recent enactment of SB 713.
9.175.040	Parking Requirements	Established parking standards for emergency shelters and Low Barrier Navigation Centers.
9.217	Emergency Shelters (new)	Establishes development standards for Emergency Shelters.
9.240	Definitions	Establishes definitions for Low Barrier Navigation Centers. Differentiates farmworker housing from employee housing. Expands definition of Emergency Shelter.

Zoning Text Amendment Findings (FMC § 9.110.070):

Prior to approving an application for a Zoning Code Amendment, the approving authority is required to make all of the following findings:

1. *The Zoning Code or Zoning Map Amendment is consistent with the intent of the goals and policies of the General Plan.*

Zoning Text Amendment No. 24-34 is consistent with the City's General Plan and will align with its goals and policies, including those of the recently-adopted 2023-2031 Housing Element.

2. *The Zoning Code or Zoning Map Amendment prescribes reasonable controls and standards to ensure compatibility with other established uses.*

Zoning Text Amendment No. 24-34 would result in increased regulations for emergency shelters in the City, within the boundaries of what is allowed by State law.

3. *The Zoning Code or Zoning Map Amendment provides reasonable property development rights while protecting environmentally sensitive land uses and species.*

Zoning Text Amendment No. 24-34 would not infringe on property development rights beyond what is already required by State law. Zoning Text Amendment No. 24-34 would also not have an impact on sensitive land uses and species.

4. The Zoning Code or Zoning Map Amendment ensures protection of the general health, safety, and welfare of the community.

Zoning Text Amendment No. 24-34 would serve to better regulate emergency shelters within the City, a use that may occur in the future. Zoning Text Amendment No. 24-34 would not conflict with protection of the general health, safety, and welfare of the community.

PUBLIC NOTICE

A Notice of Public Hearing was published in *The Business Journal* on October 25, 2024, which is at least ten (10) days prior to the public hearing.

ENVIRONMENTAL REVIEW

The first step in complying with the California Environmental Quality Act (CEQA) is to determine whether the activity in question constitutes a “project” as defined by CEQA (Pub. Res. Code § 21000, et seq.; Cal. Code Regs. Tit. 14, § 15000, et seq. [“CEQA Guidelines”].) Zoning Text Amendment No. 24-34 qualifies as a “project” under CEQA because it involves the “enactment and amendment of zoning ordinances,” as described in CEQA Guidelines section 15378, subdivision (a)(1).

The second step is to determine whether the Project is exempt from further environmental review by a statutory or categorical exemption. While the Project meets the qualifications to be considered a “project” under CEQA, this amendment to the City’s Zoning Ordinance is consistent with the 2040 General Plan EIR (SCH No. 2021110053) and therefore is exempt from further environmental review under CEQA. (Cal. Code Regs., Tit. 14, § 15183, subd. (a) and (i).) Further, there is no new information or substantial changes that would require further environmental review pursuant to CEQA Guidelines section 15162. If the Project is approved, a Notice of Exemption for Zoning Text Amendment No. 24-34 will be filed with the County Clerk and the State Clearinghouse.

GENERAL PLAN CONSISTENCY

As described above, the Citywide Zoning Code was prepared to specifically align with the goals and policies of the General Plan. The following table is an excerpt of the General Plan action items that this Citywide Zoning Code is intended to satisfy.

Action Item No.	Action Item
ED-14b	Identify and resolve barriers in the City’s Zoning Ordinance and administrative and regulatory processes to reduce inefficiencies and time delays associated with the development approvals.
ED-11a	Review and revise, as needed, the Zoning Ordinance and other City policies to encourage the development of a range of housing that can support the diverse housing needs of the local workforce.

Action Item No.	Action Item
ED-4b	Review and revise, as needed, the review procedures for minor improvements to existing development and streamline the review and approval process to the extent feasible.
CH-14a	Review and revise the Zoning Ordinance and other City regulations, as needed, to allow for multi-generational homes, accessory dwelling units, and other housing types that may accommodate larger households and potentially reduce overcrowding.
LU-13a	Review and revise the Zoning Ordinance, as necessary, to reflect increased density allowances for planned unit developments at the City's discretion. Granting of additional density (not to exceed 25%) will depend on the developer's demonstration of the quality of design in such areas as access, circulation, building placement, parking, provision of open space, and architectural design and compatibility with the surrounding area.

FISCAL IMPACT AND PROCUREMENT PROCESS

The zoning text amendment would result in the collection of development impact fees in accordance with the City's most current development impact fee schedule at the time that the Code Update application was received by the City. Citywide development in accordance with the Code Update would also increase the assessed value of property and therefore generate additional ongoing property tax revenue to the City. Additionally, compliance with the programs in the Housing Element would allow the City to be found in compliance with its Housing Element, which would allow the City to be eligible for housing-related grants.

No procurement is associated with this action.

CONFLICT OF INTEREST

There is no perceived conflict of interest. Although approval of zoning text amendment would have an effect on each of the Planning Commissioners as citizens of Fowler, but because the proposed amendments are being applied Citywide, any financial effect on the Planning Commission would be indistinguishable from the general public. (Cal. Code Regs., Tit.8, § 18703.)

Attachments

- Attachment 1: Resolution No. 708

RESOLUTION NO. 708

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF FOWLER, COUNTY OF FRESNO, STATE OF CALIFORNIA RECOMMENDING THAT THE CITY COUNCIL FIND THAT APPROVAL OF ZONING TEXT AMENDMENT NO. 24-34 IS EXEMPT FROM FURTHER ENVIRONMENTAL REVIEW PURSUANT TO CEQA GUIDELINES SECTION 15183, SUBDIVISION (a); AND RECOMMENDING THE CITY COUNCIL APPROVE ZONING TEXT AMENDMENT NO. 24-34 TO AMEND THE CITY'S ZONING ORDINANCE TO ADD AND AMEND REGULATIONS RELATING TO HOUSING.

WHEREAS, on July 16, 2024, the City Council of the City of Fowler adopted Ordinance No. 2024-03, adopting a new comprehensive Zoning Ordinance; and

WHEREAS, on October 1, 2024, the City Council of the City of Fowler adopted the 2023-2031 Housing Element; and

WHEREAS, within the new Housing Element, amendments to the zoning ordinance were required; and

WHEREAS, the City has now proposed Zoning Text Amendment No. 24-34 (attached hereto as **Exhibit "A"**) to amend Article 5 of Title 9 of the Fowler Municipal Code (Zoning Ordinance) by adding Chapter 9.217 and amending Section 9.175.040, to establish development standards for emergency shelters within the City; and

WHEREAS, Fowler Municipal Code Sections 9.120.030 and 9.125.030 would also be amended in order to reflect where Low Barrier Navigation Centers, Farmworker Housing, Employee Housing, and Large Residential Care Facilities can locate; and

WHEREAS, Fowler Municipal Code Section 9.125.030 would also be amended in order to mandate a minimum amount of residential density on specific sites identified in the Housing Element; and

WHEREAS, Fowler Municipal Code Section 9.160.080 would be amended in order to reflect current State Density Bonus Law requirements; and

WHEREAS, Fowler Municipal Code sections 9.240.060, 9.240.070, and 9.240.130 would be amended in order to add definitions for "Low Barrier Navigation Center", and modify definitions of "Employee Housing" and "Farmworker Housing"; and

WHEREAS, notice of said public hearing was published in the Friday, October 25, 2024, edition of *The Business Journal*, posted at City Hall and the City's website; and

WHEREAS, at a regular meeting on Thursday, November 7, 2024, at 6:30pm, the Fowler Planning Commission conducted a public hearing to consider Zoning Text Amendment No. 24-34; and

WHEREAS, the Planning Commission, has reviewed and considered the staff report, and all evidence presented at the Planning Commission’s regular meeting on November 7, 2024, including oral and written public testimony on the project, and which is herein incorporated by this reference, regarding recommending approval of Zoning Text Amendment No. 24-34 as described in **Exhibit A**, attached hereto (“Administrative Record”).

NOW THEREFORE, BE IT RESOLVED the Planning Commission of the City of Fowler, based upon the entire Administrative Record of proceedings, hereby resolves and recommends as follows:

1. That the City Council find that Zoning Text Amendment No. 24-34 is consistent with the Fowler General Plan and General Plan Environmental Impact Report (EIR), and further find that Zoning Text Amendment No. 24-34 is exempt from further environmental review under the California Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines Sections 15162 and 15183.
2. That the City Council make the following findings pursuant to Fowler Municipal Code section 9.110.070:
 - a. Zoning Text Amendment No. 24-34 is consistent with the intent of the goals and policies of the General Plan.
 - b. Zoning Text Amendment No. 24-34 prescribes reasonable controls and standards to ensure compatibility with other established uses.
 - c. Zoning Text Amendment No. 24-34 provides reasonable property development rights while protecting environmentally sensitive land uses and species.
 - d. Zoning Text Amendment No. 24-34 ensures protection of the general health, safety, and welfare of the community.
3. That the City Council approve Zoning Text Amendment No. 24-34, as described in **Exhibit “A”** attached hereto.

PASSED, APPROVED AND ADOPTED this 7th day of November 2024, 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

EXHIBIT “A”

ZONING TEXT AMENDMENT NO. 24-34 [DRAFT ORDINANCE]

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FOWLER FINDING THAT THIS ORDINANCE IS CONSISTENT WITH THE CITY’S GENERAL PLAN EIR AND THEREFORE IS EXEMPT FROM FURTHER ENVIRONMENTAL REVIEW PURSUANT TO CEQA GUIDELINES SECTION 15183; AND TO ADD CHAPTER 9.216 TO ARTICLE 5 OF TITLE 9 OF THE FOWLER MUNICIPAL CODE AND TO AMEND FOWLER MUNICIPAL CODE SECTIONS 9.120.030, 9.125.030, 9.160.080, 9.175.040, 9.240.060, 9.240.070, AND 9.240.130 REGARDING THE REGULATION OF HOUSING IN THE CITY OF FOWLER

THE CITY COUNCIL OF THE CITY OF FOWLER DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1. The City Council finds that this Ordinance is consistent with the Fowler General Plan and General Plan Environmental Impact Report (EIR), and further find that this Ordinance is exempt from further environmental review under the California Environmental Quality Act (“CEQA”) pursuant to CEQA Guidelines section 15183, subdivision (a).

SECTION 2. The City Council makes the following findings pursuant to Fowler Municipal Code section 9.110.070:

- a. This Ordinance is consistent with the intent of the goals and policies of the General Plan.
- b. This Ordinance prescribes reasonable controls and standards to ensure compatibility with other established uses.
- c. This Ordinance provides reasonable property development rights while protecting environmentally sensitive land uses and species.
- d. This Ordinance ensures protection of the general health, safety, and welfare of the community.

SECTION 3. Chapter 9.216 is hereby added to Article 5 of Title 9 of the Fowler Municipal Code, to read as follows:

CHAPTER 9.216 EMERGENCY SHELTERS

9.216.010 Purpose

The purpose of this Chapter is to establish regulations for emergency shelters.

9.216.020 Applicability

The requirements contained in this Chapter apply to all emergency shelters.

9.216.030 Development Standards for Emergency Shelters

The following development standards apply to all emergency shelters:

- A. **Waiting and Client Intake Areas.** Outdoor waiting areas may not be located in the public right-of-way, must be physically separated from the public right-of-way, and must be large enough to accommodate the expected number of clients. An indoor waiting area must be provided.
- B. **Separation Requirements.** Emergency shelters shall be located no closer than 300 feet from another emergency shelter.
- C. **On-Site Management.** Continuous on-site supervision during hours of operation shall be provided. Specifically, there shall be a minimum of one staff person per eight clients during daytime hours, 7:00 a.m. to 9:00 p.m., and a minimum of two (2) staff people at the facility during nighttime hours, 9:00 p.m. to 7:00 a.m.
- D. **Maximum Length of Stay.** Occupancy for an individual in an emergency shelter is limited to no more than six (6) months. The operator of the emergency shelter shall maintain adequate documentation to demonstrate compliance with this provision.
- E. **Security.** The facility shall have on-site security personnel during all hours when the shelter is in operation, and at all times when shelter clients are present on site.

SECTION 4. Table 9.120.030-1 of Fowler Municipal Code section 9.120.030 is hereby amended to amend and add the following rows, according to the service type and by alphabetical order:

Allowed Use	R	R-MP	RM	Additional Requirements
Agricultural				
Farmworker Housing	P	P	P	
Service				
Group Residential Facilities (Licensed), Large	Major C-	Major C	Major C	
Group Residential	Minor C-	Minor C	Minor C	

Facilities (Unlicensed), Large				
Residential Care Facilities, Large	<u>Major C--</u>	<u>Major C</u>	<u>Major C</u>	
Residential				
Employee Housing	<u>ZC</u>	<u>--</u>	<u>--</u>	

SECTION 5. Table 9.125.030-1 of Fowler Municipal Code section 9.125.030 is hereby amended to add the following row, according to the service type and by alphabetical order:

Allowed Use	C1	C2	C3	Additional Requirements
Service				
Emergency Shelter	<u>--</u>	<u>--M</u>	<u>M--</u>	<u>Chapter 9.217 (Emergency Shelters)</u>
<u>Low Barrier Navigation Center</u>	<u>M</u>	<u>M</u>	<u>--</u>	
Residential				
Dwelling, Mixed-Use Residential Component	<u>P/Major C^{3,4}</u>	<u>P/Major C^{3,4}</u>	<u>--</u>	<u>Section 9.120.070 (Multifamily Residential Design Standards)</u>
<small>⁴ Minimum residential density applies to the Sites as identified and described in the current Housing Element. This requirement shall not apply if the City demonstrates that a sufficient number of dwelling units in the City have been constructed to satisfy the dwelling unit requirements applicable to these areas.</small>				

SECTION 6. Fowler Municipal Code section 9.160.080 is hereby amended to read as follows:

- B. **Number of Incentives or Concessions.** The following number of incentives or concessions may be granted, based on the number and income level of affordable housing units of the housing development.
1. One (1) incentive for qualified housing development projects that include at least five percent (5%) of the total units for very low-income households, at least ten percent (10%) for low-income households, at least twenty percent (20%) for lower income students in a student housing development, or at least ten percent (10%) for persons and families of moderate-income households in a common interest development.
 2. Two (2) incentives for qualified housing development projects that include at least ten percent (10%) of the total units for very low-income households, at least seventeen percent (17%) for low-income households, or at least twenty percent (20%) for persons and families of moderate-income households in a common interest development.
 3. Three (3) incentives for qualified housing development projects that include at least fifteen percent (15%) of the total units for very low-income households, at least twenty-four percent (254%) for low-income households, or at least thirty percent (30%) for persons and families of moderate-income households in a common interest development.
 4. Four (4) incentives for projects that include at least sixteen percent (16%) of the units for very low-income households or at least 45 percent (45%) for persons and families of moderate income in a development in which the units are for sale.

- 5. Five (5) incentives for qualified housing developments that include one hundred percent (100%) of total units, exclusive of a manager's unit or units, for lower income households, except that up to twenty percent (20%) of the total units in the development may be for moderate-income households.
- 6. Additional incentives or concessions. Projects meeting either of the following criteria shall receive incentives and concessions in addition to the number specified above.
 - a. If the project is within one-half (1/2) mile of a major transit stop, the project shall also receive a height increase of up to three (3) additional stories, or thirty-three (33) feet.
 - b. A qualified housing development proposal that includes a childcare facility shall be granted an additional incentive that contributes significantly to the economic feasibility of the construction of the childcare facility.

SECTION 7. Table 9.180.040-1 of Fowler Municipal Code section 9.175.040 is hereby amended to add the following row, according to the service type and by alphabetical order:

Use	Spaces Required ^{1,2}
Public Facilities and Utilities	
<u>Emergency Shelters and Low Barrier Navigation Centers</u>	<u>1 space for every 350 sq ft</u>

SECTION 8. Fowler Municipal Code section 9.240.060 is hereby amended to read as follows, and inserted according to alphabetical order:

Emergency Shelter. Housing, as defined in California Health and Safety Code section 50801, with minimal supportive services for families or individuals experiencing homelessness, where occupancy is limited to 180 days or less. Medical assistance, counseling, and meals may be provided. It includes other interim interventions, including, but not limited to, a navigation center, bridge housing, and respite or recuperative care.

Employee Housing. Living quarters for six or fewer employees including dwellings, railroad maintenance cars, trailer coaches, or other housing accommodations maintained in connection with any work or place where work is being performed and the site on which they are located, excepting farm employee housing as defined in this Section.

SECTION 9. Fowler Municipal Code section 9.240.070 is hereby amended to read as follows, and inserted according to alphabetical order:

Farmworker Housing. Living accommodations, up to 12 units or 36 beds, for employees and their immediate families employed for the exclusive purpose of agricultural pursuits either on the premises or off-site. It includes single- or multi-unit dwellings, including mobile homes.

SECTION 10. Fowler Municipal Code section 9.240.130 is hereby amended to read as follows, and inserted according to alphabetical order:

Low Barrier Navigation Center. A Housing First, low-barrier, service-enriched shelter focused on moving people into permanent housing that provides temporary living facilities while case managers connect individuals experiencing homelessness to income, public benefits, health services, shelter, and housing. "Low Barrier" means best practices to reduce barriers to entry, and may include, but is not limited to, the following:

- 1) The presence of partners if it is not a population-specific site, such as for survivors of domestic violence or sexual assault, women, or youth.

- 2) Pets.
- 3) The storage of possessions.
- 4) Privacy, such as partitions around beds in a dormitory setting or in larger rooms containing more than two beds, or private rooms.

SECTION 11. If any section, subsection, sentence, clause, phrase or portion of this Ordinance is held for any reason to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the Ordinance. The City Council of the City of Fowler hereby declares that it would have adopted this Ordinance and each section, subsection, sentence, clause, phrase, or portion thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses, phrases, or portions be declared invalid or unconstitutional.

SECTION 12. This Ordinance shall take effect thirty (30) days after its adoption.

SECTION 13. The City Clerk is further directed to cause this ordinance or a summary of this ordinance to be published once in a newspaper of general circulation published and circulated within the City of Fowler, within fifteen (15) days after its adoption. If a summary of the ordinance is published, then the City Clerk shall cause a certified copy of the full text of the proposed ordinance to be posted in the office of the City Clerk at least five (5) days prior to the City Council meeting at which the ordinance is adopted and again after the meeting at which the ordinance is adopted. The summary shall be approved by the City Attorney.

The foregoing ordinance was introduced at a regular meeting of the City Council held on the ____ day of _____ 2024, and was adopted at a regular meeting of said Council held on the ____ day of _____ 2024, by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

APPROVED:

Daniel T. Parra, Mayor

ATTEST:

Angela Vasquez, City Clerk