



CITY OF FOWLER  
PLANNING COMMISSION MEETING  
December 3, 2009

**MINUTES**

Chairman Mukai called the meeting to order at 6:30 p.m.

**Commissioners Present:**

Gary Mukai, Craig Mellon, Henry Fernandez  
Sandie Monis and Mark Rodriquez

**City Staff Present:**

City Attorney, Scott Cross, Planning Consultant,  
Bruce O'Neal, Community Development Director,  
Randy Deaver, Police Chief, Darrell Jamgochian,  
Police Officer, Art Duron, Police Assistant, Derek  
Thomason and Planning Secretary, Corina Burrola

**Approval of Minutes:**

The Minutes for November 5, 2008 were not completed therefore will be reviewed at the next Planning Commission meeting.

**Public Presentation:**

Public presentation opened at 6:31 p.m., several fowler residents presented concerns and complaints regarding neighbors not following city ordinances. Public presentation closed at 6:42 p.m.

**Agenda Item No. 4:** Discussion preceded opening at 7:05 p.m., Closed at 8:11 p.m.

**Public Hearing to Consider Zoning Text Amendment No. 09-02 to Permit Homing Pigeons in the City of Fowler.**

Chairman, Mukai presented a brief summary of Zoning Text Amendment No. 09-02 regarding permitting homing pigeons in the City of Fowler.

September 3, 2009: The Commission considered Zoning Text Amendment No. 09-02 to permit homing pigeons in the R-1 Family Residential District. The Commission voted to recommend to City Council to deny Zoning Text Amendment 09-02.

October 6, 2009: City Council voted to deny the ordinance for Zoning Text Amendment No. 09-02; Council was not interested in allowing homing pigeons in residential zones in the City. As a result, Zoning Text Amendment No. 09-02 was drafted which would allow the keeping of homing pigeons without restrictions in the UR and RCO Districts. Council did not express an interest in expanding the issue to include a more comprehensive amendment.

November 5, 2009: The Commission considered and discussed the proposed amendment as well as potential alternatives to handle the raising of homing pigeons within the City limits, either ban them completely or come up with a new Zoning Text Amendment. It was the decision of the Planning Commission on a 3-1 vote that staff is directed to provide a new Zoning Amendment that would allow the keeping of homing pigeons within the city limits on a more restricted basis. Suggestions were made that the amendment would require a permitting process, size of the lots, distance between lofts and neighboring houses and to become a member of the pigeon organization, as well as several other restrictions. Staff was directed to

prepare a proposed Zoning Text Amendment that the Planning Commission will decide whether to recommend to the City Council.

Bruce O'Neal, City Planner, presented a proposed ordinance which would allow the keeping of pigeons in residential zone districts subject to several criteria. Staff has also conducted research as to what other communities are doing. The City of Selma's code was submitted by Mr. McManis and others as an example which prohibits the keeping of pigeons, which would be a good example of an ordinance should the city decide to do that. Mr. O'Neal concentrated more on the cities that do permit the keeping of pigeons in residential zone districts and provided a summary table for several other communities and what their requirements are and the difference of each community's requirements. Mr. O'Neal presented the proposed requirements and restrictions that would apply as an application and not a conditional use permit and would only be administered by City Manager and or the Community Development Director: 9-5.21.283 **General Conditions**; 9-5.21.284 **Loft Requirements**; 9-5.21.285 **Permit Required**; 9-56.21.286 **Right of Entry for Inspections**.

**Public Hearing:** opened at 7:05 p.m.

Mr. McManis, Fowler resident spoke against allowing pigeons in Fowler; he feels that pigeons should be raised in the country and not within city limits. Tomas Flores, Fowler resident, has had no problems recently with pigeons in the area but is still against an ordinance that would allow pigeons to be raised within the city limits. Rick Duran, Fowler resident, spoke against the ordinance and stated that a petition signed not only by the subdivision that is affected by the pigeons was also signed by city wide residents who are against the ordinance allowing pigeons to be raised within the city limits.

Scott Marshall, who raises pigeons in the city limits of Fowler, addressed the issue regarding wild pigeons flying around freely and perching on rooftops and how unfortunate the citizens of Fowler have had a bad experience dealing with Mr. Singh's pigeons and feels the city should work together to address the issue.

Public hearing closed at 8:11 p.m.

Chairman Mukai suggested to add "the maximum number of permits allowed at one time will be three (3)" to 9-5.21.285, Item F.

A motion was made by Commissioner Monis to recommend to City Council Zoning Text Amendment No. 09-02 adding 9-5.21.285, Item F there is no more than three (3) permits allowed at one time, this was seconded by Commissioner Fernandez and passed on a 3-2 roll-call vote. Commissioners Mukai, Fernandez, and Monis voted in favor, and Commissioners Rodriguez and Mellon voted against.

**Communications:**

Bruce O'Neal advised the Commissioners and staff that there are no current items to be presented for January's Planning Commission hearing.

The Employees Appreciation Dinner for December 4<sup>th</sup> has been re-scheduled to a later date.

No other business was discussed and the meeting was adjourned at 8:11 p.m.