

**CITY OF SELMA  
WORKSHOP/PRE-COUNCIL MEETING  
November 16, 2015**

The Workshop/ pre-Council meeting of the Selma City Council was called to order at 5:00 p.m. in the Council Chambers. Council members answering roll call were: Derr, Montijo, Mayor Pro Tem Avalos and Mayor Robertson. Council member Rodriguez arrived at 5:02 p.m.

Also present were City Manager Grey, City Attorney Costanzo, Financial Consultant Yribarren, and interested citizens.

The agenda for this meeting was duly posted in a location visible at all times by the general public seventy-two hours prior to this meeting.

**POTENTIAL CONFLICTS OF INTEREST:** City Attorney Costanzo discussed that Mayor Robertson had reported a potential conflict during the Special November 5, 2015 Council meeting with DSJ. He further discussed that he has reviewed the conflict and explained that there is not foreseeable financial interest for Mayor Robertson to abstain himself from voting on the matter, and disclose interest on record. Council member Rodriguez inquired on voting on a matter when campaign donations were received. City Attorney Costanzo explained the difference with campaign donations and financial interest conflicts.

**EXECUTIVE SESSION:** Mayor Robertson recessed the meeting into Executive Session at 5:06 p.m. to discuss the following: Public Employment pursuant to Government Code Section 54957 regarding the consideration of proposals from (1) Retail Recruitment Consultants, and (2) Architectural Firms for Police Facility; as well as Conference with Real Property Negotiator on Existing property and/or New Hyundai Dealership with Agency Negotiator City Manager Grey and the Negotiating Parties being the City and Hyundai Dealership, Under Negotiation Council to Negotiate Sales Tax Agreement for Sales Originating at Dealership;

The meeting reconvened at 6:07 p.m., with City Attorney Costanzo stating that Council unanimously approved the Retail Recruitment Consultant agreement with Kosmont, and further stated regarding the architectural firm for the police facility, that Council had voted 4-1(Robertson) in favor of DSJ Architectural Firm.

**ADJOURNMENT:** There being no further business, the meeting was adjourned at 6:08 p.m.

Respectfully submitted,

Reyna Rivera  
City Clerk

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Scott Robertson  
Mayor of the City of Selma

**CITY OF SELMA  
REGULAR COUNCIL MEETING  
November 16, 2015**

The regular meeting of the Selma City Council was called to order at 6:12 p.m. in the Council Chambers. Council members answering roll call were: Derr, Montijo, Rodriguez, Mayor Pro Tem Avalos, and Mayor Robertson.

Also present were City Manager Grey, City Attorney Costanzo, Community Services Director Kirchner, Financial Consultant Yribarren, Fire Chief Kain, Police Chief Garner, Public Works Director Shiplee, and interested citizens.

The agenda for this meeting was duly posted in a location visible at all times by the general public seventy-two hours prior to this meeting.

**INVOCATION:** Pastor Seth Pankrantz, Selma First Baptist Church led the invocation.

**GRANTS/ECONOMIC DEVELOPMENT PRESENTATION:** Administrative Analyst Roseann Galvan stepped forward to provide a power point presentation on recent Economic Development and Grants activity that was performed in the previous month.

**ELECTION UPDATE:** Fresno County Clerk/ Registrar of Voters, Brandi Orth stepped forward to discuss voter turnout, recent legislature changes affecting polling locations and automatically registering voters at the DMV. After discussion, Ms. Orth was thanked for her presentation.

**CONSENT CALENDAR:** Mayor Pro Tem Avalos requested that agenda item 1.d. be pulled for discussion, and Council member Montijo requested that agenda item 1.e. also be pulled for separate discussion. Motion to approve the remainder of the Consent Calendar was made by Council member Rodriguez and seconded by Council member Derr. Motion carried with the following vote:

AYES:	Rodriguez, Derr, Montijo, Avalos, Robertson
NOES:	None
ABSTAIN:	None
ABSENT:	None

- a. Minutes of the November 2, 2015 Workshop/Pre-Council meeting approved as read.
- b. Minutes of the November 2, 2015 Regular meeting approved as read.
- c. Minutes of the November 5, 2015 Special meeting approved as read.
- d. Pulled for separate consideration.
- e. Pulled for separate consideration.



**AGENDA ITEM 1.d. CONSIDERATION AND NECESSARY ACTION ON LITTLE LEAGUE CONCESSION AGREEMENT:** Community Services Director Kirchner and Little League President Josh Forney stepped forward to answer various inquiries from Council. After discussion, motion to approve the Little League Concession Agreement was made by Mayor Pro Tem Avalos and seconded by Council member Rodriguez. Motion carried by the following vote:

AYES: Avalos, Rodriguez, Derr, Montijo, Robertson  
NOES: None  
ABSTAIN: None  
ABSENT: None

**AGENDA ITEM 1.E. CONSIDERATION AND NECESSARY ACTION ON CHECK REGISTER DATED NOVEMBER 9, 2015:** After much discussion, motion to approve Check Register dated November 9, 2015 was made by Council member Montijo and seconded by Council member Derr. Motion carried by the following vote:

AYES: Montijo, Derr, Rodriguez, Avalos, Robertson  
NOES: None  
ABSTAIN: None  
ABSENT: None

**CONSIDERATION AND NECESSARY ACTION ON TRUSTEE APPOINTMENT TO CONSOLIDATED MOSQUITO ABATEMENT DISTRICT BOARD OF TRUSTEES:** City Manager Grey reported that the current term will expire at the end of December, and that the Mosquito District is requesting Council action. He further stated that Mr. Esraelian has expressed an interest in continuing his service as Trustee.

Mr. Pete Esraelian, stepped forward and stated that he is willing to continue to serve on behalf of the City of Selma.

After discussion, motion to approve the appointment of Mr. Pete Esraelian to the Consolidated Mosquito Abatement District Board of Trustees for a four year term was made by Council member Rodriguez and seconded by Council member Montijo. Motion carried by the following vote:

AYES: Rodriguez, Montijo, Derr, Avalos, Robertson  
NOES: None  
ABSTAIN: None  
ABSENT: None

**CONSIDERATION AND NECESSARY ACTION ON ORDINANCE AMENDING THE 2035 GENERAL PLAN LAND USE DESIGNATION AND ZONING ON 1541 EVERGREEN STREET APN: 389-229-08 & 389-229-09) second reading and adoption:** City Attorney Costanzo discussed the current land use designation and zoning on the property, as well as the previous zoning.

Ms. Joyce Proper, 1541 Evergreen, stepped forward in support of the amendment and inquired on the timeline.

City Attorney Costanzo explained the process and timeline of the Ordinance amendment.

After Council discussion, motion to approve second reading and adoption of ORDINANCE AMENDING THE GENERAL PLAN 2035 LAND USE DESIGNATION, AND ZONING ON 1541 EVERGREEN STREET, SELMA, CA. (APN NO. 389-229-08 & 389-229-09) was made by Council member Rodriguez and seconded by Council member Derr. Motion carried with the following vote:

AYES:	Rodriguez, Derr, Montijo, Avalos, Robertson
NOES:	None
ABSTAIN:	None
ABSENT:	None

**CONSIDERATION AND NECESSARY ACTION ON ORDINANCE AMENDING THE VARIOUS SECTION AND CHAPTERS OF THE ZONING ORDINANCE (TITLE XI OF THE SELMA MUNICIPAL CODE SMC)) RELATING TO REQUIRED PROVISIONS FOR EMERGENCY HOUSING, SUPPORTIVE HOUSING, AND TRANSITIONAL HOUSING** *introduction and first reading:*

City Attorney Costanzo reported that the State mandates the City of Selma to update its General Plan and the Housing Element portion of the General Plan is now requiring mandated updates. With the amendments to the Zoning Ordinance, the City of Selma will be in compliance with newly enacted law.

After discussion, motion to waive first reading and introduce an ORDINANCE AMENDING THE VARIOUS SECTION AND CHAPTERS OF THE ZONING ORDINANCE (TITLE XI OF THE SELMA MUNICIPAL CODE SMC)) RELATING TO REQUIRED PROVISIONS FOR EMERGENCY HOUSING, SUPPORTIVE HOUSING, AND TRANSITIONAL HOUSING was made by Mayor Pro Tem Avalos and seconded by Council member Rodriguez. Motion carried with the following vote:

AYES:	Avalos, Rodriguez, Derr, Montijo, Robertson
NOES:	None
ABSTAIN:	None
ABSENT:	None

**DEPARTMENTAL REPORTS:** City Manager Grey discussed the Cemetery District's need for land; he further stated that any suggestions would be passed to the Cemetery District Office.

Community Services Director Kirchner distributed and discussed a brochure created establishing corporate sponsorship for the Arts Center and current activities.

Police Chief Garner provided a PowerPoint presentation on a recent multi-agency task force in the City of Selma and the current crime trends.

Fire Chief Kain reported on receiving a grant from the Selma Health Care District for emergency safety kits.

Public Works Director Shiplee reported on current projects including holiday decorations.

**COUNCIL REPORTS:** Council member Derr reported on attending the recent play at the Arts Center, as well as assisting with building the sets, Mural Dedication, Arts Foundation meeting, and participated in the Fresno Veterans Day Sounds of Freedom event.

Council member Montijo reported on attending the Mural Dedication, SKF Board meeting, Selma Catholic Women's Fashion Show, and the Fresno County Credit Union Ribbon Cutting. She thanked Alves Electric for donating the electrical services for the air conditioning units at the Second Chance Animal Shelter.

Mayor Pro Tem Avalos reported on attending the Fresno County Credit Union Ribbon Cutting, and thanked all employees for their service.

Mayor Robertson reported on attending the following: Latino Water Coalition Event, Mural Dedication, recent Arts Center play, Fresno County Credit Union Ribbon Cutting, where he participated in the Cash Grab and donated the proceeds to Pastor Ming to purchase supplies. He reported that the Second Chance Animal Shelter received funding for the purchase of an animal control vehicle from the Selma Health Care District, and invited to the Fire Department Training Center for a Burn Day on December 12<sup>th</sup>.

**ORAL COMMUNICATIONS:** Pastor Schwamb invited everyone to the upcoming Selma Alliance Administration event at the Church of the Redeemers.

Dr. Fisher, Selma Unified Superintendent stepped forward and stated that the recent election have been finalized and that the new members would be sworn in.

**ADJOURNMENT:** There being no further business, the meeting was adjourned at 8:09 p.m.

Respectfully submitted,

Reyna Rivera  
City Clerk

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Scott Robertson  
Mayor of the City of Selma

**CITY MANAGER'S/STAFF REPORT****COUNCIL MEETING DATE:****December 7, 2015****ITEM NO:****SUBJECT:** 1.c.  
Consideration and Necessary Action on Resolution of Successor Agency Board Authorizing Execution of Quitclaim Deed to City of Selma.**DISCUSSION:**

A recent title search of the real property 2155 E. Front Street in the City of Selma reveals that this property, known as the old City Corporation Yard which was purchased by the City in 1996 was conveyed to the Redevelopment Agency of the City of Selma on February 6, 1997, for purposes of convenience with respect to dealing with that real property. Since Redevelopment Agencies are now dissolved, it is appropriate that the property be reconveyed, by the Successor Agency of the Redevelopment Agency to the City.

<b><u>COST</u></b>		<b><u>BUDGET IMPACT</u></b>
None.		None.
<b><u>FUNDING</u></b>		<b><u>ON-GOING COST</u></b>
Not applicable.		Not applicable.

**RECOMMENDATION:**

Adopt Resolution Authorizing Execution of Deed from Successor Agency to City property at 2155 E. Front Street, commonly known as the Old Corporation Yard.

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*/s/ Neal E. Costanzo**12/03/15*

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Neal E. Costanzo, City Attorney

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Date

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Ken Grey, City Manager*12/3/2015*

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Date

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We \_\_\_\_\_ and \_\_\_\_\_  
Ken Grey, City Manager Steve Yribarren, Financial Consultant

*do hereby agree that the funding for the above is correct and that enough funds exist to cover the expenditure.*

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**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF  
THE SUCCESSOR AGENCY TO THE DISSOLVED  
REDEVELOPMENT AGENCY (SUCCESSOR AGENCY)  
AUTHORIZING EXECUTION OF QUITCLAIM DEED**

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**WHEREAS**, Redevelopment Agencies were dissolved in the State of California effective February 1, 2012 and the property of the dissolved Redevelopment Agency of the City of Selma is now owned by operation of law by the Successor Agency; and

**WHEREAS**, in 1996, the City of Selma purchased specific real property at 2155 Front Street, Selma, California, commonly known as the “Old Corporation Yard”; and

**WHEREAS**, because the City is required to observe numerous legal regulations concerning the conveyance or use of real property, the City, in 1997, after purchasing the aforementioned property and obtaining the deed of the Owner, deeded the property to the Redevelopment Agency without consideration and for the purpose of allowing the City more flexibility in dealing with use of the aforementioned real property; and

**WHEREAS**, the Redevelopment Agency holds title for purposes of the convenience of the City of Selma only; and

**WHEREAS**, the City desires to correct the record title to the aforementioned real property by recording a Quitclaim Deed from the Successor Agency to the City.

**NOW, THEREFORE, BE IT RESOLVED** as follows:

1. The foregoing recitals are true and correct.
2. The Chairman of the Board of Directors of the Successor Agency is authorized to execute and cause to be recorded the Quitclaim Deed attached to this Resolution as Exhibit A and incorporated by reference and any other documents necessary to effectuate the conveyance.

\* \* \* \* \*

The foregoing Resolution was duly adopted by the Successor Agency of the Dissolved Redevelopment Agency of the City of Selma at a regular meeting held on the 7<sup>th</sup> day of December 2015, by the following vote to wit:

AYES: BOARD MEMBERS:

NOES: BOARD MEMBERS:

ABSENT: BOARD MEMBERS:

ABSTAIN: BOARD MEMBERS:

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SCOTT ROBERTSON

Chairman of the Board of Directors of the  
Successor Agency to the Dissolved Redevelopment  
Agency of the City of Selma

ATTEST:

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REYNA RIVERA, Clerk of the Successor  
Agency to the Dissolved Redevelopment  
Agency of the City of Selma

**Recording requested by  
and for benefit of:**  
CITY OF SELMA

**When recorded return to:**  
CITY OF SELMA  
1710 Tucker Street  
Selma, CA 93662  
Attn: Reyna Rivera  
City Clerk

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## QUITCLAIM DEED

THIS QUITCLAIM DEED, executed this 8th day of December, 2015, by first party, Successor Agency of the dissolved Redevelopment Agency of City of Selma, whose address is 1710 Tucker Street, Selma, California, 93662 to second party, City of Selma whose address is 1710 Tucker Street, Selma, California 93662.

WITNESSETH, that the said first party, for good consideration, the receipt whereof is acknowledged, does hereby remise, release and quitclaim unto the said second party forever, all the right, title, interest and claim which the said first party has in and to the following described parcel of land, and improvements and appurtenances thereto in the County of Fresno, State of California, to wit:

That portion of the Northwest quarter of Section 8, Township 16 South, Range 22 East, Mount Diablo Base and Meridian, described as follows:

PARCEL 1: Portion of Lot 53 of Walker Addition to Selma, as per map recorded September 16, 1887 in Plat Book 3 page 22, Fresno County Records, and re-recorded June 1, 1888 in Plat Book 3 page 38, Fresno County Records, described as follows:

Beginning at a point on the Southwesterly line of Lot 53 of Walker's Addition to the Town of Selma, distant thereon 40 feet Southeasterly from the most Westerly corner of said Lot, and running thence Northeasterly (and parallel to the Northwesterly line of said Lot) to the Southwesterly line of Front Street produced; as described and established in a deed dated July 14, 1905 to the Town of Selma, recorded March 9, 1914, in Book 551, page 221 of Deeds; thence Southeasterly along said Southwesterly line of Front Street produced to the Easterly boundary of said Lot 53; thence Southerly along said Easterly boundary of said Lot 53 to the Southerly corner of said Lot, and thence Northwesterly along the Southwesterly line of said Lot 53 to the point of beginning.

Also that other parcel of land beginning at a point on the Southwesterly line of said Lot 53, 40 feet Southeasterly from the most Westerly corner of said lot and running thence Southeasterly along said southwesterly boundary line of said Lot to the most Southerly corner thereof; thence Southerly, along the Southerly prolongation of the Easterly line of said Lot 53 to its intersection with the Northeasterly right-of-way line of the Southern Pacific Transportation Company; thence Northwesterly, along said right-of-way line to a point at right angles Southwesterly of the place of beginning; thence Northeasterly to the point of beginning.

**PARCEL 2:** Lot 7 of Block 6 of Arrant's Addition to the Town of Selma, as per supplemental map recorded January 17, 1917 in Book 8 page 18 of Record of Surveys, Fresno County Records.

**IN WITNESS WHEREOF**, the said party has signed and sealed these presents the day and year first above written.

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Scott Robertson  
Chairman, Board of Directors  
Successor Agency to the Dissolved  
Redevelopment Agency of the City of Selma



RECORDING REQUESTED BY AND  
WHEN RECORDED MAIL TO:

City of Selma  
1710 Tucker Street  
Selma, CA 93662

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### **CERTIFICATE OF ACCEPTANCE**

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I, the undersigned, do hereby certify and declare that I am the City Manager, duly qualified and acting as such, as of the date hereof, of the City of Selma, and I am authorized to execute this Certificate of Acceptance pursuant to authority duly conferred by the City Council of the City of Selma on December 7, 2015.

The City of Selma hereby accepts transfer by Quitclaim Deed of the real property situated in the County of Fresno, State of California from the Successor Agency of the Dissolved Redevelopment Agency of the City of Selma, more particularly described as follows:

PARCEL 1: Portion of Lot 53 of Walker Addition to Selma, as per map recorded September 16, 1887 in Plat Book 3 page 22, Fresno County Records, and re-recorded June 1, 1888 in Plat Book 3 page 38, Fresno County Records, described as follows:

Beginning at a point on the Southwesterly line of Lot 53 of Walker's Addition to the Town of Selma, distant thereon 40 feet Southeasterly from the most Westerly corner of said Lot, and running thence Northeasterly (and parallel to the Northwesterly line of said Lot) to the Southwesterly line of Front Street produced; as described and established in a deed dated July 14, 1905 to the Town of Selma, recorded March 9, 1914, in Book 551, page 221 of Deeds; thence Southeasterly along said Southwesterly line of Front Street produced to the Easterly boundary of said Lot 53; thence Southerly along said Easterly boundary of said Lot 53 to the Southerly corner of said Lot, and thence Northwesterly along the Southwesterly line of said Lot 53 to the point of beginning.

Also that other parcel of land beginning at a point on the Southwesterly line of said Lot 53, 40 feet Southeasterly from the most Westerly corner of said lot and running thence Southeasterly along said southwesterly boundary line of said Lot to the most Southerly corner thereof; thence Southerly, along the Southerly prolongation of the Easterly line of said Lot 53 to its intersection with the Northeasterly right-of-way line of the Southern Pacific Transportation Company;

thence Northwesterly, along said right-of-way line to a point at right angles Southwesterly of the place of beginning; thence Northeasterly to the point of beginning.

PARCEL 2: Lot 7 of Block 6 of Arrant's Addition to the Town of Selma, as per supplemental map recorded January 17, 1917 in Book 8 page 18 of Record of Surveys, Fresno County Records.

Dated: \_\_\_\_\_

CITY OF SELMA

By: \_\_\_\_\_  
Kenneth Grey, City Manager

**CITY MANAGER'S/STAFF REPORT**

**COUNCIL MEETING DATE:**

**December 7, 2015**

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**ITEM NO:** 1.d.

**SUBJECT:** Consideration and Necessary Action on Agreement Between the City of Selma and Land Use Associates.

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**DISCUSSION:** Land Use Associates is the sole proprietorship that prepared the Environmental Impact Report (EIR) for the Rockwell Pond Commercial Project. That EIR was certified by this Council in 2010. The developer is now ready to proceed with the first phase of the development. However, because of the lapse of time between the developer's acting on the entitlements granted in connection with certification of the EIR for this project, the California Environmental Quality Act (CEQA) requires that a supplemental environmental document be prepared and issued to reflect whether there are any substantial changes in circumstances relating to the project that require any further environmental evaluation.

Land Use Associates has agreed to perform the work necessary for generating the necessary supplemental environmental documentation at an estimated cost of \$6,000. The developer will deposit that \$6,000, and pay for any charges in excess of that amount for services performed pursuant to the contract. CEQA requires that the person preparing environmental documentation for any project be a person hired by the City, as opposed to the developer, but the City is allowed to require the developer to pay the costs incurred in generating the environmental documentation. The Agreement for Professional Services between the City of Selma and Land Use Associates will enable the contractor to prepare the appropriate environmental documentation and will allow the City to proceed with approval or obtaining approval from LAFCO for annexation of the project property and to implement the land use entitlements previously granted for this project.

<b><u>COST:</u></b> <i>(Enter cost of item to be purchased)</i>		<b><u>BUDGET IMPACT:</u></b> <i>(Enter amount this non-budgeted item will impact this years' budget – if budgeted, enter NONE).</i>
N/A		N/A
<b><u>FUNDING:</u></b> <i>(Enter the funding source for this item – if fund exists, enter the balance in the fund).</i>		<b><u>ON-GOING COST:</u></b> <i>(Enter the amount that will need to be budgeted each year – if one-time cost, enter NONE).</i>
Funding Source: N/A  Fund Balance:		N/A

**RECOMMENDATION:** Approve Resolution Authorizing Execution of Agreement for Professional Services with Land Use Associates.

/s/ Neal E. Costanzo

12/03/15

Neal E. Costanzo, City Attorney

Date

  
Ken Grey, City Manager

12/3/2015  
Date

We \_\_\_\_\_ and \_\_\_\_\_  
Ken Grey, City Manager Steve Yribarren, Financial Consultant

do hereby agree that the funding for the above is correct and that enough funds exist to cover the expenditure.

RESOLUTION NO. \_\_\_\_\_

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**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELMA  
APPROVING AND AUTHORIZING EXECUTION OF AGREEMENT  
FOR PROFESSIONAL SERVICES WITH LAND USE ASSOCIATES**

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**WHEREAS**, Land Use Associates, a sole proprietorship, was the contractor that prepared the Environmental Impact Report for the Rockwell Pond Commercial Project, which was certified by this Council in 2010; and

**WHEREAS**, given the lapse of time between certification of the prior EIR and the developer's implementation of the land use entitlements granted in connection with the certification of that EIR, to satisfy the California Environmental Quality Act it is necessary to supplement the EIR with an appropriate environmental document addressing any change in circumstances, or the lack thereof, relating to the project following certification of the original EIR; and

**WHEREAS**, CEQA requires that the environmental documentation for every project be prepared by a qualified person acting for and on behalf of the City, as opposed to the developer so that the City adheres to a practice of contracting directly with the person or entity that will prepare the environmental documentation for a project and having the developer fund the payments called for by the contract to the person or entity preparing those documents by making an appropriate, advance deposit with the City; and

**WHEREAS**, the attached Agreement for Professional Services provides for Land Use Associates to prepare the appropriate environmental documentation for this project and the developer has committed to making the appropriate deposit and otherwise paying for the services provided for under this Agreement.

**NOW, THEREFORE**, be it resolved as follows:

1. The foregoing recitals are true and correct.
2. The City Council approves the attached Agreement for Professional Services between the City of Selma and Land Use Associates and authorizes the City Manager to execute the contract.

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The foregoing Resolution was duly approved this \_\_\_\_ day of \_\_\_\_\_, 2015  
by the following vote, to wit:

AYES: COUNCIL MEMBERS

NOES: COUNCIL MEMBERS

ABSTAIN: COUNCIL MEMBERS

ABSENT: COUNCIL MEMBERS

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Scott Robertson, Mayor of the City of Selma

ATTEST:

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Reyna Rivera, City Clerk

**AGREEMENT FOR PROFESSIONAL SERVICES  
BETWEEN THE CITY OF SELMA AND  
LAND USE ASSOCIATES**

THIS AGREEMENT (the "Agreement") is made and entered into this \_\_\_\_ day of \_\_\_\_\_ 2015, by and between the City of Selma, a general law city (hereinafter "City") and Land Use Associates, a sole proprietorship (hereinafter "Contractor").

**RECITALS**

WHEREAS, City desires to engage Contractor to conduct an initial study/mitigated negative declaration and/or negative declaration, preparation of a municipal service plan, and application to LAFCO for annexation and related activities, related to the annexation of approximately nine (9) acres consisting of the Rockwell Pond Commercial Project and execution of the first phase of the project construction of an approximately forty-eight thousand six hundred (48,600) square foot auto sales building ("the Project"); and

WHEREAS, Contractor is qualified to and desires to prepare aforementioned materials and provide the aforementioned services related to the Project.

NOW, THEREFORE, in consideration of the mutual covenants set forth herein and for such good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, the parties hereto agree as follows:

**AGREEMENT**

1. Scope of Services. Contractor shall do, perform, and carry out, in a satisfactory and proper manner, as determined by the City, the following services:

**Task 1           Preparation of Initial Study and Consult with the City**

Contractor shall prepare an initial study of the Project in conformance with the California Environmental Quality Act ("CEQA") (§21000 et seq of the Public Resources Code) and the CEQA Guidelines (California Code of Regulations, Title 14, Division 6, Chapter 3, Sections 15000 et seq). Contractor will coordinate activities with the City and/or the Developer or Property Owner of the Project ("Developer") and any other persons or agencies as necessary to prepare the initial study.

**Task 2           Preparation of a Negative Declaration/Mitigated Negative Declaration**

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Following the preparation of the initial study, Contractor and City will determine whether the Project requires a negative declaration or a mitigated negative declaration or other environmental review. If City and Contractor determine that a negative declaration is necessary, Contractor shall prepare a negative declaration in conformance with the requirements of CEQA.

### **Task 3 Preparation of Application to LAFCO for Annexation and Related Activities**

Contractor will prepare a municipal service plan and applications to LAFCO for annexations of the property where the Project is being developed, and provide related services incidental to the making of that application.

1. Compensation. Contractor shall bill City monthly for services provided pursuant to this Agreement on a time and materials basis. City agrees to pay all invoices for services rendered pursuant to this Agreement within sixty (60) days after receipt of each invoice up to a maximum total compensation for all services provided of Six Thousand Dollars (\$6,000.00). Under no circumstances shall Contractor bill or City pay any amount greater than the maximum Six Thousand Dollars (\$6,000.00) without a written agreement or amendment to this Agreement increasing the maximum amount of compensation prior to Contractor incurring such expenses.

2. Independent Contractor. Contractor is and shall perform said services under this Agreement as an independent contractor. Contractor shall follow the highest standards of practices of the land use planning profession to make findings, provide opinions, and comments as set forth in the Agreement consistent with said standards and practices. Contractor is engaged to render the services described herein to City and any payments made by City are compensation solely for the services rendered. Neither Contractor nor its officers, employees, agents, contractors, or representatives shall obtain any right to retirement or any other benefits that accrue to City employees.

3. Data to Be Furnished by City. All existing available information, reports and maps in the possession or control of City which may assist Contractor in performance of the services set forth herein shall be furnished to Contractor without charge by City. City agrees to cooperate with Contractor as necessary for Contractor to perform the services.

4. Possession of Materials Prepared Under This Agreement. It is agreed that all finished or unfinished documents, data, studies, surveys, drawings, maps, models, photographs, and reports prepared by Contractor under this Agreement including electronically stored finished or unfinished documents, data, studies, surveys, drawings, maps, models, photographs or reports prepared by Contractor, on or upon termination of this Agreement for any reason, be turned over to City provided that Contractor may, at no additional expense to City, make and retain such copies thereof as desired.

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5. Communications/Notices. All communications and notices permitted or required by this Agreement shall be as follows:

To City: City of Selma  
1710 Tucker Street  
Selma, CA 93662  
Attention: City Manager  
Telephone: (559) 891-2200  
Facsimile: (559) 896-1068

To Contractor: Land Use Associates, Inc.  
286 W. Cromwell  
Fresno, CA 93711  
Attention: Bruce O'Neal  
Telephone: (559) 256-450  
Facsimile: (559) 449-2719

6. Entire Agreement. This Agreement contains the entire understanding and agreement between the parties hereto with respect to the subject matter hereof and supersedes all previous communications, negotiations, and agreements, whether oral or written, between the parties with respect to the subject matter hereof. No change, addition, or modification or waiver of any of the provisions of this Agreement shall be binding on either party unless made in writing and executed by Contractor and a duly authorized agent of City.

7. Hold Harmless/Indemnity. Except to the extent of City's gross negligence or willful misconduct, and to the fullest extent permitted by law, Contractor agrees to indemnify, hold harmless, protect and defend the City and City's employees, City Council, agents, representatives and contractors from any and all claims, causes of action, liability, losses, costs and damages, for the foreseeable or unforeseeable, arising out of or relating to any act, omission, or negligence of Contractor or Contractor's agents, employees, representatives, contractors, or arising from or related to Contractor's use of or activities on or about the property owned or controlled by City, including, without limitation to, any claims related to the services provided by Contractor under this Agreement. The provisions of this section shall survive the termination, cancellation or expiration of this Agreement.

8. Assignability. Neither this Agreement nor any other rights or obligations hereunder may be assigned or otherwise transferred by either party, nor shall this Agreement inure to the benefit of a trustee in bankruptcy, receiver or creditor of either party, whether by operation of law or otherwise, without the prior written consent of the other party. Any attempt to so assign or transfer this Agreement or any rights or obligations hereunder without such prior written consent shall be null and void and of no force and effect and shall constitute a material breach of this Agreement.

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9. Termination. Either party may terminate this Agreement by giving the other party ninety (90) days written notice of intent to terminate the Agreement.

10. Governing Law. This Agreement shall be governed by the laws of the State of California and jurisdiction for any action related to this Agreement shall be in the Superior Court of California, County of Fresno.

11. Attorney's Fees. In the event that either party hereto shall commence any legal action or proceeding against the other party to enforce any right or obligation under this Agreement, the prevailing party shall be entitled to and recover, in addition to its costs, reasonable attorney's fees to be fixed by the court, and such recovery shall include costs and attorney's fees on appeal, if any.

13. Waiver. The waiver by either party of any breach or other violation of any provision of this Agreement shall not be deemed to be a waiver of any breach or violation of any other provision nor any subsequent breach or violation of the same or any other provision. The acceptance of any monies that become due hereunder shall not be deemed to be a waiver of any pre-existing or concurrent breach or violation by either party of any provision of this Agreement.

14. Severability. If any of the provisions contained in this Agreement shall, for any reason, be held invalid, illegal, or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provision of this Agreement and this Agreement shall be construed as if such invalid, illegal, or unenforceable provision had not been contained in this Agreement.

**[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]**

{00013897.DOCX;1}

IN WITNESS WHEREOF, the parties have entered into this Agreement as of the day and year first written above.

CITY OF SELMA

LAND USE ASSOCIATES, INC.

By: \_\_\_\_\_  
Kenneth Grey, City Manager

By: \_\_\_\_\_  
Bruce O'Neal

Name: \_\_\_\_\_, Principal

Date: \_\_\_\_\_

Date: \_\_\_\_\_

APPROVED AS TO FORM:

\_\_\_\_\_  
Neal E. Costanzo, City Attorney

{00013897.DOCX;1}

## Check Register Report

l . e .

Date: 12/02/2015

Time: 9:36 am

Page: 1

City of Selma

BANK: UNION BANK

Check Number	Check Date	Status	Void/Stop Date	Vendor Number	Vendor Name	Check Description	Amount
<b>UNION BANK Checks</b>							
66200	11/12/2015	Printed		10100.410	A&S PUMP SERVICE	STORM PUMP INSPECTION	3,353.97
66201	11/12/2015	Printed		10180.850	ALVES ELECTRIC	INSTALL PG&E PULL BOX	3,589.47
66202	11/12/2015	Printed		10190.063	AMERICAN AMBULANCE	CPR CARDS	196.00
66203	11/12/2015	Printed		10100.510	AT&T	TELEPHONE SERVICE	18.82
66204	11/12/2015	Printed		10100.515	AT&T	T-1 CONNECTION	357.32
66205	11/12/2015	Printed		10210.255	BANNER PEST CONTROL INC	PV SQUIRREL CONTROL	650.00
66206	11/12/2015	Printed		10225.023	ERIC BEASLEY	ARSON INVESTIGATOR CLASS REIMB	400.00
66207	11/12/2015	Printed		10230.256	BEST TOURS & TRAVEL INC.	SENIOR TRIP 10/12 FRESNO FAIR	625.00
66208	11/12/2015	Printed		10310.455	CALIFORNIA WATER SERVICE	WATER SERVICE	7,782.67
66209	11/12/2015	Printed		10300.334	CDCE INCORPORATED	MDT MONTHLY LEASE-FD	840.00
66210	11/12/2015	Printed		10330.287	CENTRAL VALLEY GUNS	POLICE REVOLVING ACCT	500.00
66211	11/12/2015	Printed		10370.375	COMCAST	INTERNET SERVICE	1,060.00
66212	11/12/2015	Printed		10370.969	CORELOGIC SOLUTIONS LLC	REALQUEST SERVICE	481.25
66213	11/12/2015	Void	11/12/2015			Void Check	0.00
66214	11/12/2015	Printed		10371.000	COSTANZO & ASSOCIATES	LEGAL FEES	23,033.45
66215	11/12/2015	Printed		10430.020	DEPARTMENT OF CONSERVATION	SMIP & SEISMIC MAPPING FEES	3,529.53
66216	11/12/2015	Printed		10430.071	DEPARTMENT OF JUSTICE	FINGERPRINTS	526.00
66217	11/12/2015	Printed		10430.123	DMV RENEWAL	LIC#SE441572 VIN#21014 EQ#2105	25.00
66218	11/12/2015	Printed		10430.123	DMV RENEWAL	LIC#SE453584 VIN#CA720030	25.00
66219	11/12/2015	Printed		10430.123	DMV RENEWAL	LIC#SE453586 VIN#CA720026	25.00
66220	11/12/2015	Printed		10430.123	DMV RENEWAL	LIC#SE441571 EQ#2107	25.00
66221	11/12/2015	Printed		10430.123	DMV RENEWAL	LIC#SE453585 VIN#CA720028	25.00
66222	11/12/2015	Printed		10430.123	DMV RENEWAL	LIC#SE587797 VIN#27627 EQ#2202	25.00
66223	11/12/2015	Printed		10560.250	EMPLOYMENT DEVELOPMENT DEPT.	SUI QTRLY PMT 7/1-9/30/15	1,008.00
66224	11/12/2015	Printed		10610.605	FAMILY HEALING CENTER	MDIC INTERVIEW 15-5006	200.00
66225	11/12/2015	Printed		10630.289	FMPCPA	MEMBERSHIP RENEWAL	100.00
66226	11/12/2015	Printed		10670.150	FRESNO CITY COLLEGE	TRAFFIC COLLISION COURSE	110.00
66227	11/12/2015	Printed		10670.292	FRESNO COUNTY AUDITOR'S OFFICE	COUNTY PARKING	75.00
66228	11/12/2015	Printed		10670.520	FRESNO-MADERA AAA	SENIOR MEALS	139.02
66229	11/12/2015	Printed		10670.583	FRUSA EMS	AMBULANCE BILLING	5,054.65
66230	11/12/2015	Void	11/12/2015			Void Check	0.00
66231	11/12/2015	Printed		10700.080	G&K SERVICES	LINEN/UNIFORM SERVICE	278.29
66232	11/12/2015	Printed		10820.020	HEALTHEDGE ADMINISTRATORS INC.	DENTAL 10/28/15	556.93
66233	11/12/2015	Printed		10820.020	HEALTHEDGE ADMINISTRATORS INC.	DENTAL, CHIRO 11/4/15	1,539.00
66234	11/12/2015	Printed		10820.034	HEALTHWISE SERVICES	KIOSK MEDICAL WASTE SERVICES	150.00
66235	11/12/2015	Printed		10820.634	DARRELL HERZOG	BUSINESS LIC OVERPAYMENT REIMB	76.00
66236	11/12/2015	Printed		10820.702	HEWLETT-PACKARD FINANCIAL	LEASES	12,504.05
66237	11/12/2015	Printed		11000.150	J'S COMMUNICATION INC.	SERVICE AGREEMENT	1,338.00
66238	11/12/2015	Printed		11610.295	JAMES G. PALMER APPRAISALS INC	APPRAISAL FOR CDBG 15651	2,950.00
66239	11/12/2015	Printed		11040.710	JORGENSEN & COMPANY	FIRE INSP.-SEN.CENTER KITCHEN	116.31
66240	11/12/2015	Printed		11140.465	KINGSBURG CHAMBER OF COMMERCE	FRUIT TRAIL RENEWAL	500.00
66241	11/12/2015	Printed		11220.027	LEE CENTRAL CALIFORNIA	1541 EVERGREEN SUB 2015-0063	1,059.97
66242	11/12/2015	Printed		11310.820	MARTIN JEWELERS	RETIREMENT WATCH-CAPTAIN ALLEN	212.01
66243	11/12/2015	Printed		11340.272	ROBERT MENDOZA	PROMO VIDEOS AND PHOTOS	300.00
66244	11/12/2015	Printed		11340.800	METRO UNIFORM	POLICE REVOLVING ACCT	3,067.52
66245	11/12/2015	Printed		11410.188	NATIONAL ASSOCIATION OF SCHOOL	MEMBERSHIP	40.00
66246	11/12/2015	Printed		11530.100	OFFICE DEPOT	OFFICE SUPPLIES	174.38
66247	11/12/2015	Printed		11620.716	ROBERT PETERSEN	FIRE BOOTS REIMBURSEMENT	200.00

# Check Register Report

Date: 12/02/2015

Time: 9:36 am

Page: 2

City of Selma

BANK: UNION BANK

Check Number	Check Date	Status	Void/Stop Date	Vendor Number	Vendor Name	Check Description	Amount
<b>UNION BANK Checks</b>							
66248	11/12/2015	Printed		11630.500	PHYSIO-CONTROL, INC	QTRLY BILLING LIFE PACK MAINT	1,576.71
66249	11/12/2015	Printed		11810.361	RAY MORGAN COMPANY	MAINT/COPY AGREEMENT	452.59
66250	11/12/2015	Printed		11840.010	ROBINA WRIGHT ARCHITECT &	INSPECTIONS	775.00
66251	11/12/2015	Printed		11840.255	DARRICK ROSSOTTI	EMS CERT REIMBURSEMENT	80.00
66252	11/12/2015	Printed		11840.273	ROTARY CLUB OF SELMA	MEMBERSHIP DUES	109.00
66253	11/12/2015	Printed		11910.433	SAMPSON, SAMPSON, AND PATTERSON	ACCOUNTING SERVICES	15,200.00
66254	11/12/2015	Printed		11945.298	SELMA DISPOSAL	GARBAGE & CITY CLEAN UP	112,892.56
66255	11/12/2015	Printed		11945.824	SELMA USED CARS LOT#2	BUSINESS LIC OVERPAYMENT REIMB	21.00
66256	11/12/2015	Printed		11960.254	SIGN RANCH	ALADDIN JR BANNER	102.58
66257	11/12/2015	Printed		11965.110	SOUTH COUNTY VETERINARY	FREEZER USE	350.00
66258	11/12/2015	Printed		11900.389	SPARKLETT'S	WATER SERVICE	115.09
66259	11/12/2015	Printed		11975.624	STERICYCLE, INC.	SERI-SAFE OSHA COMPLIANCE	93.43
66260	11/12/2015	Printed		12010.235	RUBEN TAMAYO	REIM OF SAFETY GLASSES PER MOU	333.21
66261	11/12/2015	Printed		12070.120	TULARE CO JAIL INDUSTRIES	STICKERS FOR VEHICLES	270.00
66262	11/12/2015	Printed		12270.190	VERIZON WIRELESS	AIRCARDS	399.19
66263	11/12/2015	Printed		10670.280	VICKI CROW, C.P.A.	PROPERTY TAX/SEWER 1ST INSTALL	2,361.52
66264	11/12/2015	Printed		12350.455	WILLEMS COMMERCIAL PRINTING	MUSIC MAN PROGRAMS	514.76
66265	11/12/2015	Printed		12252.630	YRIBARREN GROUP	PREP & FILING OF STATE REPORTS	13,300.00
66266	11/25/2015	Printed		10180.850	ALVES ELECTRIC	INSTALL PLUGS-PD ROOM	225.00
66267	11/25/2015	Printed		10190.063	AMERICAN AMBULANCE	AMBULANCE OVERPAYMENT REIMB	435.82
66268	11/25/2015	Printed		10100.510	AT&T	TELEPHONE SERVICE	18.82
66269	11/25/2015	Printed		10100.515	AT&T	FAX CHARGES	2,709.52
66270	11/25/2015	Printed		10340.385	AT&T MOBILITY	TELEPHONE-MDT'S	1,635.03
66271	11/25/2015	Printed		10210.255	BANNER PEST CONTROL INC	PEST CONTROL	441.00
66272	11/25/2015	Printed		10310.312	CALIFORNIA CONFERENCE ARSON	TRAINING SEMINAR	375.00
66273	11/25/2015	Printed		10300.334	CDCE INCORPORATED	MDT MONTHLY LEASE-FD	1,925.00
66274	11/25/2015	Printed		10300.253	CENTRAL FLOOR SUPPLY	FLOORING FOR PD DISPATCH	1,655.00
66275	11/25/2015	Printed		10330.279	CENTRAL VALLEY LOCK & SAFE	REPLACED SAFE LOCK	620.71
66276	11/25/2015	Printed		10330.283	CENTRAL VALLEY TOXICOLOGY INC.	DRUG TESTING CS# 15-4533	99.00
66277	11/25/2015	Printed		10340.360	CHIEF SUPPLY	ENTRY 1 BALLISTIC ENTRY SHIELD	1,822.33
66278	11/25/2015	Printed		11620.722	CITY OF SANGER	CONSULTING FEE	270.00
66279	11/25/2015	Printed		10370.392	COMMUNITY MEDICAL CENTER	BLOOD DRAW-PD	175.00
66280	11/25/2015	Printed		10370.953	COOL AIR SPECIALTY	SERVICE CH SERVER ROOM AC	127.00
66281	11/25/2015	Printed		10400.102	D & G FENCE COMPANY	REPAIR SKATE PARK FENCE	1,200.00
66282	11/25/2015	Printed		10430.071	DEPARTMENT OF JUSTICE	BLOOD ALCOHOL ANALYSIS	105.00
66283	11/25/2015	Printed		10740.632	DUNCAN CERAMIC & CRAFT SUPPLY	SUPPLIES FOR SENIOR CERAMICS	182.74
66284	11/25/2015	Printed		10610.500	CASSY FAIN	TAINING PER DIEM	30.00
66285	11/25/2015	Printed		10670.050	FRESNO BEE	ADS FOR ARTS CENTER	1,325.00
66286	11/25/2015	Printed		10670.270	FRESNO CO	RMS/JMS/CAD ACCESS FEES	478.24
66287	11/25/2015	Printed		10670.255	TREASURER-SHERIFF FRESNO COUNTY IT SERVICE DEPT	GIS TELECOMMUNICATION CHARGES	2,579.51
66288	11/25/2015	Void	11/25/2015			Void Check	0.00
66289	11/25/2015	Printed		10700.080	G&K SERVICES	LINEN/UNIFORM SERVICE	313.64
66290	11/25/2015	Printed		11040.176	MAGNOLIA S. JIMENEZ GALLARDO	PHLEBOTOMY SERVICE 15-5492	50.00
66291	11/25/2015	Printed		10720.010	GATEWAY ENGINEERING, INC.	ARRANTS SINK HOLE SURVEYING	12,235.00
66292	11/25/2015	Printed		10820.020	HEALTHEDGE ADMINISTRATORS INC.	DENTAL 11/11/15	757.10
66293	11/25/2015	Printed		10820.020	HEALTHEDGE ADMINISTRATORS INC.	ADMINISTRATIVE FEES	764.05

# Check Register Report

Date: 12/02/2015

Time: 9:36 am

Page: 3

City of Selma

BANK: UNION BANK

Check Number	Check Date	Status	Void/Stop Date	Vendor Number	Vendor Name	Check Description	Amount
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66294	11/25/2015	Printed		11010.213	LAUREL JACOBSEN	SET MATERIAL REIMBURSEMENT	1,234.87
66295	11/25/2015	Printed		11000.014	JAS PACIFIC	PLAN CHECKS	13,750.06
66296	11/25/2015	Printed		11040.385	JOSHUA JOHNSON	PRISONER MEALS REIMB	5.56
66297	11/25/2015	Printed		11120.510	JEFF KESTLY	MEDICAL PREMIUM REIMB DEC 15	148.78
66298	11/25/2015	Printed		11180.230	KRAZAN & ASSOCIATES	TRENCH COMPACTION FOR ARRRANTS	2,025.00
66299	11/25/2015	Printed		11190.400	KULOW BROTHERS	5150 FORMS	189.40
66300	11/25/2015	Printed		11220.787	LEXIPOL LLC	LE IMPLEMENTATION SERVICE	3,387.00
66301	11/25/2015	Printed		11330.050	STEVEN MCINTIRE	MEDICAL PREMIUM REIMB DEC 15	1,373.43
66302	11/25/2015	Printed		11340.800	METRO UNIFORM	POLICE REVOLVING ACCT	167.53
66303	11/25/2015	Printed		11400.032	NGLIC CO SUPERIOR VISION	VISION INSURANCE PREMIUM	1,730.30
66304	11/25/2015	Printed		11530.100	OFFICE DEPOT	OFFICE SUPPLIES	562.84
66305	11/25/2015	Printed		11610.155	PACIFIC GAS & ELECTRIC CO.	UTILITIES	38,078.82
66306	11/25/2015	Printed		11640.800	PITNEY BOWES INC.	RENTAL CHARGE -CH	336.50
66307	11/25/2015	Printed		11640.810	PITNEY BOWES PURCHASE POWER	POSTAGE REFILL	916.15
66308	11/25/2015	Printed		11670.265	PUBLIC SAFETY TRAINING	DISPATCHER TRAINING 12/8/15	330.00
66309	11/25/2015	Printed		11670.265	PUBLIC SAFETY TRAINING	DISPATCHER TRAINING 12/9/15	330.00
66310	11/25/2015	Printed		11750.515	QUINN COMPANY	TAX SHARING AGREEMENT	73,067.00
66311	11/25/2015	Printed		11840.010	ROBINA WRIGHT ARCHITECT &	INSPECTION -CREDIT UNION BLDG	1,050.00
66312	11/25/2015	Printed		11945.275	SELMA CHAMBER OF COMMERCE	2ND QTR DUES FY 2015/2016	3,800.00
66313	11/25/2015	Printed		11945.455	SELMA GIRLS SOFTBALL LEAGUE	HALL OF FAME SUPPORT	75.00
66314	11/25/2015	Printed		11946.230	SEQUOIA SAFETY COUNCIL, INC.	AMBULANCE OVERPAYMENT REIMB	200.00
66315	11/25/2015	Printed		11985.138	SUN LIFE	EMPLOYEE INSURANCE	2,156.30
66316	11/25/2015	Printed		11989.500	SWRCB	ANNUAL PERMIT FEE	6,869.00
66317	11/25/2015	Printed		12030.109	THE CRISCOM COMPANY	CONSULTING SERVICES-PD	4,500.00
66318	11/25/2015	Printed		11530.115	U.S. BANCORP EQUIPMENT FINANCE	LEASE PAYMENT	1,007.89

Total Checks: 119

Checks Total (excluding void checks):

417,635.19

Total Payments: 119

Bank Total (excluding void checks):

417,635.19

Total Payments: 119

Grand Total (excluding void checks):

417,635.19

**CITY MANAGER'S/STAFF'S REPORT**  
**REGULAR CITY COUNCIL MEETING DATE:**

December 7, 2015

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**ITEM NO:**

2.

**SUBJECT:**

Reconsideration by the City Council to consider the entitlements to allow a multifamily development on a vacant parcel located on the North West corner of McCall Avenue and Nelson Boulevard to the Selma City Council.

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**DISCUSSION:** The applicant, Harbhajan S. Nagra, wants to develop an apartment complex on vacant lots located on the northwest corner of Nelson Boulevard and McCall Avenue. For this to be accomplished four entitlements must be granted: the parcel must be rezoned from R-1-7 (7,000 square foot residential lot size) to R-3 High Density residential, the McCall Specific Plan Land Use Designation must be changed from Elementary to High Density, a Zone Variance to allow one structure to encroach into the front set back area and approval of the Site Plan.

This item was first heard by the Planning Commission on November 14, 2014. After this meeting the applicant made several revisions to his project including eliminating one unit and completely redesigning the proposed structures as to not have any windows facing the existing homes in the area. The Planning Commission denied their recommendation for the project to the City Council at their April 27, 2015 meeting.

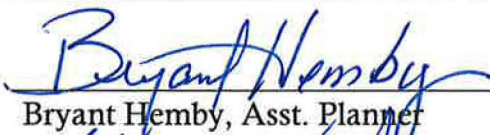
The applicant appealed the Planning Commission denial of his project to the Selma City Council which heard the appeal on July 6, 2015. Following the public hearing, evidence and testimony the City Council referred this item back to the Planning Commission for further evaluation and consideration.

The Planning Commission reheard this item at their October 26, 2015 meeting and recommended approval of the entitlements to the City Council.

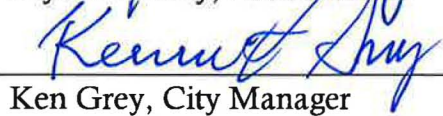


<b><u>COST:</u></b> (Enter cost of item to be purchased in box below)		<b><u>BUDGET IMPACT:</u></b> (Enter amount this non-budgeted item will impact this years' budget in box below – if budgeted, enter NONE).
None		None
<b><u>FUNDING:</u></b> (Enter the funding source for this item in box below – if fund exists, enter the balance in the fund).		<b><u>ON-GOING COST:</u></b> (Enter the amount that will need to be budgeted each year in box below – if one-time cost, enter NONE).
Funding Source: N/A  Fund Balance: N/A		None

**RECOMMENDATION:** Approval the following resolutions: a resolution changing the existing Zoning from R-1-7 to R-3, a resolution changing the McCall Specific Plan Land Use Designation from Elementary to High Density, a resolution approving a Zone Variance allowing one structure to encroach into the front set back area and approve the proposed Site Plan.

  
Bryant Hemby, Asst. Planner

12-3-2015  
Date

  
Ken Grey, City Manager

12/3/2015  
Date



**RESOLUTION NO. 2015-\_\_ R**

**A RESOLUTION OF THE SELMA CITY COUNCIL  
APPROVAL OF MCCALL SPECIFIC PLAN AMENDMENT  
FOR THE NAGRA APARTMENTS**

**WHEREAS**, on December 7, 2015, the Selma City Council, at a regularly scheduled public hearing, considered a McCall Specific Plan Amendment submitted by Harbhajan S. Nagra. The proposal is to amend the McCall Specific Plan Map Land Use Designation of (APN: 358-070-78 & 79) from Elementary to High Density; and

**WHEREAS**, the Planning Commission heard this item and recommended approval to the City Council at their October 26, 2015 meeting.

**WHEREAS**, the City Council conducted a public hearing, noticed in accordance with all State and local laws, and considered the Planning Division Staff Report, and all public testimony presented for the project prior to finalizing their approval; and

**WHEREAS**, the City Council examined and considered Environmental Assessment, and finds that the project is consistent with the objectives and policies of the General Plan of the City of Selma. The City Council finds that the project is exempt under CEQA pursuant to Section 15061(b)(3) General Rule of the California Environmental Quality Act; and

**WHEREAS**, the City Council deliberated and determined that the following findings can be made for approval of the proposed McCall Specific Plan Amendment:

**FINDINGS:**

1. The City Council finds that this McCall Specific Plan Amendment will provide a stable and diverse community, and is consistent with orderly physical development of the community and is not detrimental to the health, safety, and general welfare of the City.
2. The City Council finds that the proposed McCall Specific Plan Amendment does meet the requirements and standards of development as set forth in both the Land Use Element and Circulation Element of the Selma General Plan and Selma Municipal Code.
3. The City Council finds that this action does advance the public interests, protects life and property with which the City of Selma is charged to protect and will not have a negative impact on life in the community. The McCall Specific Plan Amendment will have no significant environmental impacts.

**NOW, THEREFORE, BE IT RESOLVED**, that the City of City Council hereby finds and takes the following actions:

1. The above facts are true and correct.
2. The above findings are supported by the record and presentation to the Planning Commission and City Council.
3. The City Council approves this McCall Specific Plan Amendment, changing the Specific Plan Map Designation for APN No. 388-017-78 and 79 from Elementary to High Density subject to the Findings for Approval made part of this Resolution.

The foregoing Resolution was duly approved by the Selma City Council at a regular meeting held on the 7<sup>th</sup> day of, December 2015, by the following vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

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SCOTT ROBERTSON  
Mayor of the City of Selma

ATTEST:

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Reyna Rivera  
City of Clerk of the City of Selma

**RESOLUTION NO. 2015-\_\_R**

**A RESOLUTION OF THE SELMA CITY COUNCIL APPROVING  
A ZONE CHANGE, FOR THE NAGRA APARTMENTS**

**WHEREAS**, on December 7, 2015, the Selma City Council, at a regularly scheduled public hearing, considered a Zone Change submitted by Harbhajan S. Nagra. The proposal is to rezone for (APN358-070-78 & 79) from R-1-7 (7,000 square foot lot) Medium Low Density to R-3 High Density Residential; and

**WHEREAS**, the Planning Commission heard this item and recommended approval to the City Council at their October 26, 2015 meeting.

**WHEREAS**, the City Council conducted a public hearing, noticed in accordance with all State and local laws, and considered the Planning Division Staff Report, and all public testimony presented for the project prior to finalizing their approval; and

**WHEREAS**, the City Council examined and considered Environmental Assessment, and finds that the project is consistent with the objectives and policies of the General Plan of the City of Selma. The City Council finds that the project is exempt under CEQA pursuant to Section 15061(b)(3) General Rule of the California Environmental Quality Act; and

**WHEREAS**, the City Council deliberated and determined that the following findings can be made for approval of the proposed Zone Change:

1. The City Council finds that the proposed Zone Change will provide a stable and diverse community, and is consistent with orderly physical development of the community and is detrimental to the health, safety, and general welfare of the City.
2. The City Council finds that the proposed Zone Change does meet the requirements and standards of development as set forth in both the Land Use Element and Circulation Element of the Selma General Plan and Selma Municipal Code. There are no physical constraints that would prohibit development.
3. The City Council finds that this action advances the public interests, protects life and property with which the City of Selma is charged to protect and will not have a negative impact on life in the community. The Zone Change will have no significant environmental impacts.

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council finds and takes the following actions:

1. The above facts are true and correct.

2. The above findings are supported by the record and presentation to the Planning Commission and City Council.
3. The Planning City Council approves this Zone Change of APN No.388-070-78 and 79 from R-1-7, Medium Low Density to R-3, High Density Residential.

The foregoing Resolution was duly approved by the Selma City Council at a regular meeting held on the 7<sup>th</sup> day of, December 2015, by the following vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

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SCOTT ROBERTSON  
Mayor of the City of Selma

ATTEST:

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Reyna Rivera  
City of Clerk of the City of Selma

**RESOLUTION NO. 2015-\_\_R**

**A RESOLUTION OF THE SELMA CITY COUNCIL APPROVE  
ZONE VARIANCE, ALLOWING ENCROACHMENT  
INTO THE FRONT SETBACK FOR THE NAGRA APARTMENTS**

**WHEREAS**, on December 7, 2015, the Selma City Council, at a regularly scheduled public hearing, considered a Zone Variance submitted by Harbhajan S. Nagra. The proposal zone variance will allow one structure to encroach into the front yard setback area at (APN358-070-78 & 79); and

**WHEREAS**, the Planning Commission heard this item and recommended approval to the City Council at their October 26, 2015 meeting.

**WHEREAS**, the City Council conducted a public hearing, noticed in accordance with all State and local laws, and considered the Planning Division Staff Report, and all public testimony presented for the project prior to finalizing their approval; and

**WHEREAS**, the City Council examined and considered Environmental Assessment, and finds that the project is consistent with the objectives and policies of the General Plan of the City of Selma. The City Council finds that the project is exempt under CEQA pursuant to Section 15061(b)(3) General Rule of the California Environmental Quality Act; and

**WHEREAS**, the City Council deliberated and determined that the following findings can be made for approves the proposed Zone Variance:

1. The City Council finds that the proposed Zone Variance will provide a stable and diverse community, and is consistent with orderly physical development of the community and is not detrimental to the health, safety, and general welfare of the City.
2. The City Council finds that the proposed Zone Variance does meets the requirements and standards of development as set forth in both the Land Use Element and Circulation Element of the Selma General Plan and Selma Municipal Code.
2. The City Council finds that this action does advance the public interests, protects life and property with which the City of Selma is charged to protect and will not have a negative impact on life in the community.

**NOW, THEREFORE, BE IT RESOLVED**, that the City of City Council hereby finds and takes the following actions:

1. The above facts are true and correct.
2. The above findings are supported by the record and presentation to the City Council.

3. The City Council approves this Zone Variance as proposed and as stated in the recitals of this Resolution.

The foregoing Resolution was duly approved by the Selma City Council at a regular meeting held on the 7<sup>th</sup> day of, December 2015, by the following vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

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SCOTT ROBERTSON  
Mayor of the City of Selma

ATTEST:

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Reyna Rivera  
City of Clerk of the City of Selma

**RESOLUTION NO. 2015- R**

**A RESOLUTION OF THE SELMA CITY COUNCIL  
APPROVING SITE PLAN 2013-0054,  
HARBHAJAN S. NAGRA APARTMENTS (APN 358-070-78& 79)**

**WHEREAS**, on December 7, 2015, the Selma City Council, at a regularly scheduled public hearing, considered a Site Plan submitted by Harbhajan S. Nagra. The proposal is to construct a five unit apartment complex on two vacant parcels (APN358-070-78 & 79) on the north west corner of McCall Avenue and Nelson Boulevard; and

**WHEREAS**, the Planning Commission heard this item and recommended approval to the City Council at their October 26, 2015 meeting.

**WHEREAS**, the City Council conducted a public hearing, noticed in accordance with all State and local laws, and considered the Planning Division Staff Report, and all public testimony presented for the project prior to finalizing their approval; and

**WHEREAS**, the City Council examined and considered Environmental Assessment, and finds that the project is consistent with the objectives and policies of the General Plan of the City of Selma. The City Council finds that the project is exempt under CEQA pursuant to Section 15061(b)(3) General Rule of the California Environmental Quality Act; and

**WHEREAS**, the City Council deliberated and determined that the following findings can be made for approves the proposed Zone Change:

**FINDINGS:**

1. The Site Plan will provide a stable and diverse community, and is consistent with orderly physical development of the community and is not detrimental to the health, safety, and general welfare of the City. It significantly supports the character and quality of life in the community. There are no physical constraints that would prohibit development.
2. The City Council finds that the proposed Site Plan meets the requirements and standards of development as set forth in Selma's Development Standards.
3. The City Council finds that the City of Selma is committed to insure the peace, tranquility, health, safety, and general welfare of all of its citizens while meeting the needs of all citizens in Selma in a suitable environment.

**WHEREAS**, the City Council, having made the above Findings, is of the opinion that Site Plan No. 2013-0054 should be approved subject to the following conditions listed and made a part of this Resolutions

## CONDITIONS:

Site Plan Review No. 2013-0054 shall be initiated within one (1) years of the approval from the date of approval. The site plan shall be considered initiated when building permits and/or engineering/public work permits are issued and 25% of the above ground construction and/or improvements have been completed. *Other conditions may be applied upon submittal of building.*

## ***PLANNING DIVISION***

1. The site will be developed in accordance with the Site Plan dated April 7, 2015, subject to the revisions and Conditions of Approval listed herein. Design and construction of the project will be designated on the approved site plan and shall conform to the architectural elevations except as modified by these conditions and final review by Community Development Department.
2. All conditions of approval listed herein by the City of Selma shall be contained in the building plans submitted for building permits.
3. No occupancy of any building and/or structure shall be permitted, which is not in substantial compliance with approved plans except upon specific review and approval of any "as built" modifications by the authorizing City body (City Council, Planning Commission, Community Development Department, or other appropriate city departments).
4. No expansion of use beyond the scope and nature described in this master site plan review, which would tend to increase the projected scale of operations, shall be permitted.
5. No phased occupancy of the project is permitted. A timetable for completion of the work must also be submitted with any request for temporary occupancy.
6. The Developer or successor in interest shall be responsible for all actions of his contractors and subcontractors during the course of any work occurring on the site.

## Architecture:

7. All architectural elements shall be detailed on the building plans and must be finished in a style and in materials in harmony with the approved exterior of the building. The site plan and enhanced architectural features of the proposed buildings shall include the following:
  - a) The primary presence along the street frontage shall be rich landscape and on-site amenities. Driveway approaches and McCall Avenue frontage shall be improved per Selma Engineering Department.



- b) Color pallet is be approved by the Planning Division prior to the issuance of building permits. Color Elevations shall be provided on 8½” x11” or larger rendering. Samples are encouraged.
- 8. The Developer or successor in interest shall maintain in good repair all building exterior walls, lighting, trash enclosure, drainage facilities, driveways and parking areas. The premises shall be kept clean and any graffiti painted on the property shall be reported to the Police Department and removed within 24 hours of occurrence per Selma City Ordinances.
- 9. Outside storage and/or equipment enclosures are not permitted.

Lighting:

- 10. An on-site exterior lighting plan shall be reviewed and approved by the Selma Police Department and Community Development Department.
- 11. Light fixtures should be compatible with building design and unobtrusive. Lighting elements shall be recessed into their fixtures to prevent glare. Exterior lighting shall be treated so as to have a sharp cut-off feature near property lines and not to illuminate adjacent properties. On-site light standards shall not exceed twenty feet (20') in height.

Screening:

- 12. All mechanical equipment (air conditioners or dual pact) will be located in the attic or on the ground on foundations. All mechanical equipment and any satellite dish shall be placed and oriented at the rear of the buildings so that the equipment is not overtly visible.
- 13. The Developer or successor in interest shall construct a inch wrought iron/wrought-iron type fence with decorative masonry pillars on property lines along McCall Avenue and a solid masonry wall on the other three sides of the project
- 14. Proposed downspouts shall not be visible. All pipes, gutters, and chases attached to the building wall shall be painted a similar or complementary color to the existing wall that the item is attached to.
- 15. All-new electrical transformers are either underground and/or also screened. No above-ground transformer is permitted on the required sidewalk with the public right-of-way.
- 16. The backflow device and/or electrical transformers must be screened with landscaping pursuant to Document No. 063422 Landscape Screen for Pad-Mounted Transformer (PG & E Electric and Gas Service Requirements – Green Book). The proposed screening shall be submitted and approved by the Community Development Department prior to the issuance of building permits.

Enclosures:

17. The proposed development shall participate in the City's recycling program.
18. Nothing other than the City refuse/recycling bins shall be stored or kept in said enclosures. The solid metal refuse gates must be kept closed and remain closed unless in use.
19. The enclosures are to be architecturally compatible with the building elevations and screened with walls and landscaping. Enclosures will be approved by the Planning Department before issuance of the building permits.

Landscaping:

20. On- and off-site Landscape and Irrigation plans prepared by a landscape designer or a licensed Landscape Architect must be submitted and approved by the Community Development Department prior to building permits being issued.
21. All landscaping and Irrigation systems must be installed and completed according to the approved plan prior to the issuance of the final certificate of occupancy permit.
24. Installation of weather and tamper proof exterior electrical outlets shall be installed in landscape areas to promote the use of electric powered landscape maintenance equipment. The owners and operators of the project shall encourage the use of electric landscape maintenance equipment and encourage minimal use of 'leaf blowers'.
22. Beautification measures shall be incorporated in the project to enhance and soften the streetscape; to provide a buffer between vehicular and pedestrian traffic.
23. All trees shall be of a twenty-five-gallon container size or larger and not less than two inches in diameter, measured four and one half feet from the root ball.
24. Large canopy trees shall be carefully selected and located to protect the buildings from energy consuming environmental conditions and to shade 25% of paved areas within 10 years.
25. All planting shall be drought tolerant and details including type, size and quantity of plant materials shall be clearly shown on the submitted plans. Species of street trees to be planted shall be approved by the Community Development Department.
26. Irrigation plans shall contain all construction details for an automatic system, including, but not limited to, the following:
  - a. Location, type and size of lines;
  - b. Location, type and output of heads;
  - c. Location and sizes of valves;
  - d. Location and type of controller;

- e. Installation details/enclosure – cover details;
  - f. Location and type of backflow prevention device;
  - g. Available water pressure and water meter outlet size;
  - h. Irrigation application schedule and flow rates. (All irrigation systems shall be operated by an electric timer. No battery-operated timers shall be permitted).
27. Landscaping shall be maintained in a healthy, weed-free condition at all times and shall be designed with efficient irrigation practices to reduce runoff, promote surface filtration, and minimize the use of fertilizers and pesticides, which can contribute to runoff pollution. The Developer's or successor in interest representative shall inspect the landscaping on a monthly basis and any dead or dying plants and trees shall be replaced within ten days of the inspection.

Off-Street Parking:

28. Vehicular circulation areas shall be signed as a fire lane and posted for no parking except within designated parking stalls and parking garages as determined by the Selma Fire Department.

Noise:

29. Construction equipment must be muffled and construction activities must be limited to the hours between dawn to dusk unless the construction is within the enclosed structure or approved by the Community Development Department.
30. Noise from fixed mechanical equipment shall meet the noise standards of the manufacturers, and when measured at the property line must meet residential standards.
31. All on-site construction/mechanical equipment shall meet the noise standards of the manufacturers.

***BUILDING DIVISION***

32. The Developer or successor in interest shall comply with all applicable requirements and sections of the most recent State adopted California Uniform Codes and regulations as required.
33. The Developer or successor in interest shall provide all necessary construction and building plans for review and approval by the Building Official. All required building permits and inspections shall be obtained prior to the issuance of a Certificate of Occupancy and commencement of operations.
34. Specific measures shall be incorporated into the building design to reduce energy consumption and indirect area source emissions. These measures shall include use of solar or low-emission water heaters and central water heating systems, building

orientation to take advantage of solar heating and natural cooling, and increasing wall and attic insulation beyond Title 24 (State Building Code) requirements, to meet LEED requirements.

35. No building or structure shall be used or occupied, and no change in the existing occupancy classification of building or structure or portion thereof shall be made until the Building Official has issued a Certificate of Occupancy or Temporary Certificate of Occupancy.
36. All building plans, site plans and elevations must be submitted to the Building Department in digital form (PDF).

### ***ENGINEERING DIVISION***

37. Drainage, grading, on-site and utility improvements shall be in accordance with plans reviewed and approved by the Engineer. The Developer or successor in interest shall be responsible for the preparation of plans and compaction tests. A copy of the current soils report and compaction test results shall be provided to the City Engineer. Storm drainage facilities be constructed as deemed necessary by the City Engineer to service the project.
38. The drainage/site improvement plan for the development shall be prepared by a registered civil engineer for review and approval by the City Engineer prior to the issuance of building permits. All drainage improvements shall be certified by a registered civil engineer as being constructed to the approved plan.
39. The Developer or successor in interest shall submit to the City Engineer, a set of construction plans on 24" x 36" sheets with City standard title block for all required improvements (Improvement Plans) to the City Engineer for review and approval. The Improvement Plans shall include a site grading and drainage plan and an overall site utility plan showing locations and sizes of sewer, water, irrigation, and storm drain mains, laterals, Manholes, meters, valves, hydrants, other facilities, etc. Plan check and inspection fees per City of Selma shall be paid with the first submittal of said Improvement Plans. All Improvement Plans shall be approved by the City and all other involved agencies prior to the release of any development permits.
40. Upon approval of Improvement Plans, the Developer or successor in interest shall provide the City with the appropriate number of improvement plan copies and a digital copy (PDF, CAD).
41. The design and construction of all off-site improvements shall be in accordance with City standards and construction specifications. The Developer or successor in interest shall furnish to the City acceptable security bond to guarantee the construction of the off-site street improvements pursuant to determination by the City Engineer.

42. No above-ground transformer is permitted on the required sidewalk within the public right-of-way.
43. All existing overhead and new utility facilities located on-site, or within the street rights-of-way adjacent to this project site shall be undergrounded.
44. All underground utilities installed, backfilled, compacted, tested and approved by the Engineer prior to placement of any aggregate base or asphalt concrete surfacing. Easements for utilities, including water, gas, telephone, electricity, sewage, pedestrian access, fire access, storm drainage, and irrigation facilities shall be provided, as required.
45. The Developer or successor in interest shall comply with the requirements of the Pacific, Gas and Electric Company (P. G. & E.), SBC. The City shall not accept first submittals without proof that the applicant has the appropriate utility approval.
46. The Developer or successor in interest shall provide a dedication for a ten foot (10') or what is determined by the City Engineer for a public utility easement along all frontages of the lot as deemed necessary by the Engineer and the public utilities companies.
47. All new easements for public utilities shall be recorded as necessary prior to the issuance of the building permits for the proposed buildings. No portion of the buildings shall be located in a public utility easement. All easements of record shall be accurately shown on the property improvement plans clearly depicting the relationship of easements to property improvements.
48. All public and private improvements consisting of sanitary sewers, storm water systems, water mains, street medians, concrete curbs, gutters, sidewalks, planting landscape strips, wheelchair ramps, street lights, traffic signals, site grading, transitions and marking, signage, and so on, and pavement surfacing and all other improvements shall be installed in accordance with City of Selma construction standards and specifications currently in effect and as approved by the City Engineer.
49. All circulation use areas of on- and off-site shall be paved to current City standards per City Engineer review and approval.
50. The Developer or successor shall construct a wrought iron/wrought-iron type fence with decorative masonry pillars on property lines along McCall Avenue frontage and a decorative masonry wall adjacent to the single family resident to the south and the property line adjacent to the school to the west subject to review and approval by the City Engineer.
51. The Developer or successor in interest shall install street lights in accordance with City standards at the locations designated by the Engineer. Street light locations shall be shown on the utility plans submitted for approval indicating conveyance of the street lights to the City of Selma. The design and type poles shall be reviewed and approved by the City Engineer.

52. The Developer or successor in interest shall furnish and install new water service and cross connection/ backflow preventer assemblies, including water meter and meter boxes for domestic uses, landscape uses and fire service lines.
53. During the site construction, any public streets fronting the project shall be kept clear of any fences, construction or landscaping debris and shall not be used as a storage area for equipment, materials, or other items. All construction debris must be removed from the site and adjacent properties prior to issuance of a Certificate of Occupancy or Temporary Certificate of Occupancy.
54. The Developer or successor in interest shall comply with, and be responsible for obtaining encroachment permits from the City of Selma for all work performed within the City's right-of-way. Acceptable security shall be furnished to the City to guarantee the construction of the off-site street improvements in accordance with local and State regulations.
55. Monuments shall be set as required by City standards and by the City Engineer.
56. Prior to beginning any construction, or within twenty (20) calendar days after the approved plans are released by the City, the Developer or successor in interest shall submit to the City of Selma Engineering Division one (1) reproducible and four (4) copies of the approved set of construction plans, and two (2) bound sets of the approved construction specifications, if any.
56. Upon approval of the "AS-BUILTS" by the City, the Developer or successor in interest shall provide (1) reproducible and (1) copy of the "AS-BUILTS" to the City, and one (1) copy on diskette, CD or similar digital storage media in pdf or tif format.

***FIRE DEPARTMENT (SFD)***

57. The Developer or successor in interest shall comply with all applicable requirements and sections of the most recent California Uniform Fire Codes and local fire ordinances.

***POLICE DEPARTMENT (SPD)***

58. In addition to the review of the on-site exterior lighting plan, potential access to the roof, anti-graffiti measures and required on-site enforcement signage shall be reviewed and approved by the SPD and Community Development Department.
59. The Developer or successor in interest shall work with the Selma Police Department to install security cameras to the specs and location determined by the Selma Police Department.

***CITY ATTORNEY – Defense and Indemnification Provisions***

60. The City shall not be liable to the Developer/Successor in Interest or to any other person, firm, or corporation whatsoever, for any injury or damage that may result to any person or property by or from any cause whatsoever in, on, or about the subdivision of said land covered by this Agreement, or any part thereof. The preceding sentence shall not apply to any liability, loss, cost of damages caused solely by the negligence (active or passive) or willful misconduct of the City or its agents.
61. The Developer/Successor in Interest hereby releases and agrees to indemnify and hold the City, and its officers, agents, employees and volunteers harmless from and against any and all injuries to and deaths of persons or injuries to property, and all claims, demands, costs, loss, damage and liability, howsoever the same may be caused and whensoever the same may appear, resulting directly or indirectly from the performance or nonperformance of any or all work to be done in said subdivision including but not limited to the street lights of way in said Subdivision and upon the premises adjacent thereto pursuant to this Agreement, and also from any and all injuries to and deaths of persons and injuries to property or other interests, and all claims, demands, costs, loss, damage, and liability, howsoever same may be caused and whensoever same may appear, either directly or indirectly made or suffered by the Developer/Successor in Interest, the Developer's agents, employees, and subcontractors, while engaged in the performance of said work. The preceding sentence shall not apply to any liability, loss, cost, damage and liability caused solely by the negligence (active or passive) or willful misconduct of the City or its agents.

***SELMA-KINGSBURG-FOWLER COUNTY SANITATION DISTRICT (S-K-F)***

62. The District can and will serve this project's sewer needs. Sewer connection will be in accordance with District standards. The Developer or successor in interest shall comply with all applicable improvements and upgrades as per the rules and regulations of the District.

***CALIFORNIA WATER SERVICE COMPANY (CAL WATER)***

63. The Developer or successor in interest shall connect and comply with all regulations, standards and specifications of the Company, ordinances, and the rules of the California Public Utilities Commission.
64. Whether one master water meter or individual water services for each unit, the Developer or successor in interest shall contact Cal Water to ensure that the services are properly sized.



65. If a fire protection service is required, the Developer or successor in interest shall submit a plan to Cal Water, stamped with the appropriate fire service size and location as approved by the SFD.

***SELMA UNIFIED SCHOOL DISTRICT (SCHOOL DISTRICT)***

66. Developer or successor in interest must contact School District and pay all applicable fees at the time of building permit issuance.

***CONSOLIDATED MOSQUITO ABATEMENT DISTRICT (CMAD)***

67. The Developer or successor in interest shall refer to the CMAD suggested rules and mitigation measures to reduce pollutants.

***SAN JOAQUIN VALLEY UNIFIED AIR POLLUTION CONTROL DISTRICT (SJVAPCD)***

68. The Developer or successor in interest shall comply with all District rules and mitigation measures to reduce pollutants.

***CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD (BOARD)***

69. The Developer or successor in interest is required to comply with the Board requirements specifically related to the National Pollution Elimination System permit process.
70. The Developer or successor in interest shall contact the Board and comply with all requirements, prior to the release of any development permits.

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council hereby finds and takes the following actions:

1. The above facts are true and correct.
2. The above findings are supported by the record and presentation to the City Council.
3. The City Council approve Site Plan 2013-0054 subject to the Findings and conditions listed and made incorporated by this reference as part of this Resolution.



The foregoing Resolution was duly approved by the Selma City Council at a regular meeting held on the 7<sup>th</sup> day of, December 2015, by the following vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

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SCOTT ROBERTSON  
Mayor of the City of Selma

ATTEST:

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Reyna Rivera  
City of Clerk of the City of Selma

**PLANNING COMMISSION  
STAFF'S REPORT**

**DATE:**       **October 26, 2015**

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**ITEM NO:**       2

**SUBJECT:**       Reconsideration by the Planning Commission to recommend a multifamily development on a vacant parcel located on the North West corner of McCall Avenue and Nelson Boulevard to the Selma City Council.

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**DISCUSSION:**

This item was heard at the Planning Commission at their September 22, 2014 and April 27, 2015 meetings. The applicant made several revisions to his project including eliminating one unit and completely redesigning the proposed structures as to not have any windows facing the existing homes in the area. The reduction in the number of units also lessens the traffic impact caused by the project. Following a public hearing on April 27, 2015, the Planning Commission considered the revised project, and denied their recommendation of the project to the City Council.

The City Council heard the appeal of the Planning Commission decision at their July 6, 2015 meeting. Following the public hearing, evidence and testimony the City Council referred this item back to the Planning Commission for further evaluation and consideration.

After the City Council's decision, the Selma Engineering Department reevaluated the intersection at Nelson & McCall Avenue. Selma currently has eleven (11) four way controlled intersections, that operate at satisfactory levels of service at this time.

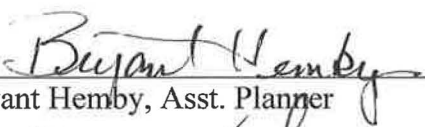
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|----------------------------------|--|
| 1. Rose & Dockery Avenues        | 7. Floral and Orange Avenues           |
| 2. Rose Avenue and Country Club  | 8. West Front Street and Thompson Ave. |
| 3. Thompson and Huntsman Avenues | 9. McCall Avenue and Whitson Boulevard |
| 4. Dinuba and McCall Avenues     | 10. Nelson Boulevard and Orange Avenue |
| 5. Thompson and Nebraska Avenues | 11. Nebraska and Dockery Avenues       |
| 6. Nebraska and Mitchell Avenues |  |

The traffic report did state the project would impact the intersection but did not warrant a signal at this time. The applicant will be required to pay their fair share for the intersection signalization and other offsite improvements recommended by the City Engineer. This intersection will be signalized in the future with the development of the adjacent vacant parcels.

Approval of the following entitlements is required in order to facilitate the infill project: McCall Specific Plan land use designation from Elementary to High Density; A Zone Change changing the current Zoning from R-1-7 to R-3; and a Zone Variance, to allow one structure to encroach 10' into the front set back area.

<b><u>COST:</u></b> (Enter cost of item to be purchased in box below)		<b><u>BUDGET IMPACT:</u></b> (Enter amount this non-budgeted item will impact this years' budget in box below – if budgeted, enter NONE).
None		None
<b><u>FUNDING:</u></b> (Enter the funding source for this item in box below – if fund exists, enter the balance in the fund).		<b><u>ON-GOING COST:</u></b> (Enter the amount that will need to be budgeted each year in box below – if one-time cost, enter NONE).
Funding Source: N/A  Fund Balance: N/A		None

**RECOMMENDATION:** Planning Commission recommends approval of the Zone Change, McCall Specific Plan Amendment to the City Council and approve a Zone Variance for this project.

  
Bryant Hemby, Asst. Planner

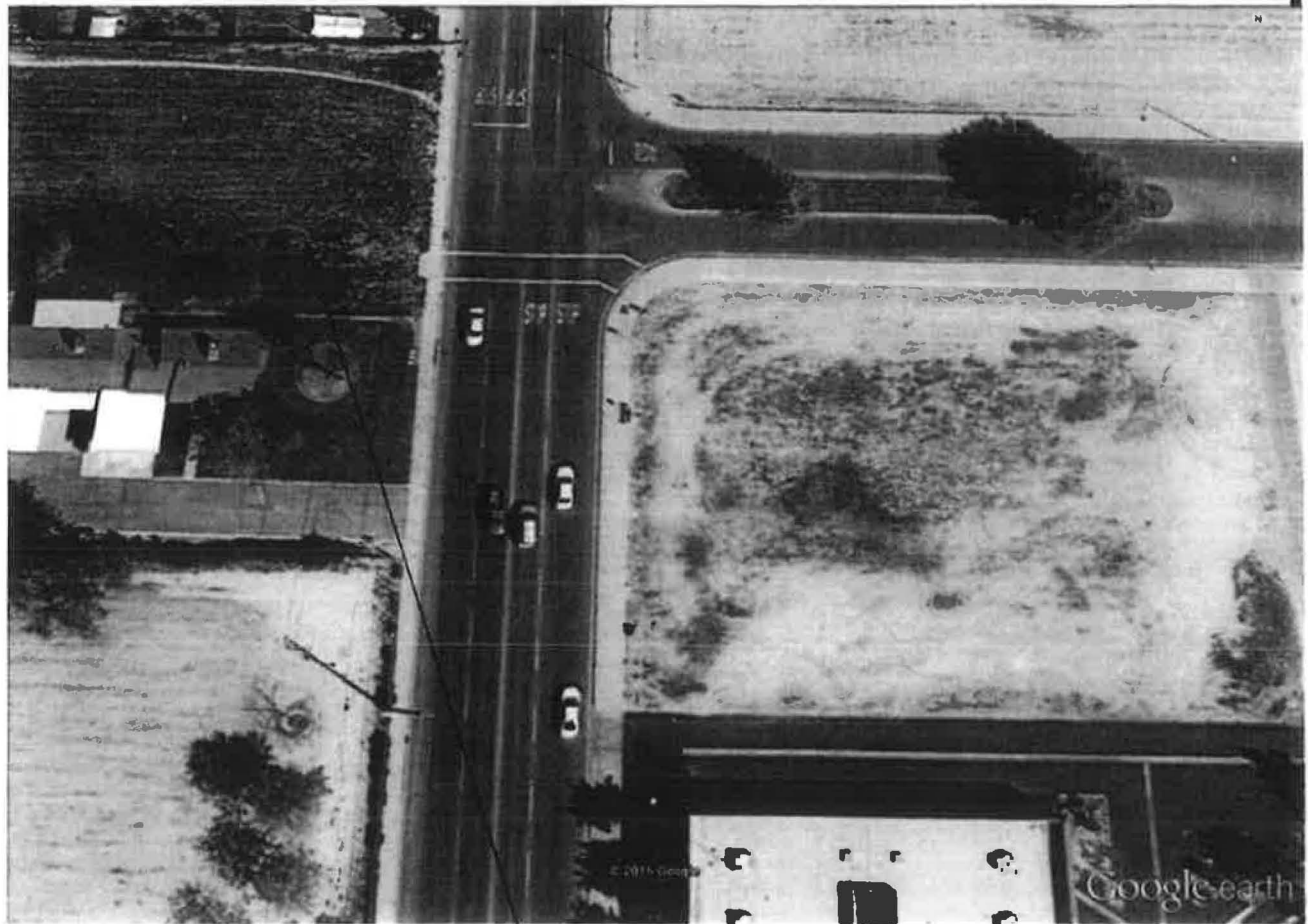
  
Ken Grey, City Manager

10/23/2015  
Date

10/23/2015  
Date

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Resolution recommending approval of a McCall Specific Plan Amendment from Elementary to High Density to the City Council.....	10-11

	Resolution recommending approval of a Zone Variance to allow one building to encroach into the front yard setback to the City Council .....	12-13
	Resolution recommending approval of Site Plan 2013-0054 to the City Council.....	14-24
4.	City Council minutes, July 6, 2015 .....	25-26
5.	City Council Report, July 6, 2015 .....	27-29
6.	Planning Commission Resolutions Denying the Project to the City Council .....	30-35
7.	Planning Commission minutes, April 27, 2015 .....	36-38
8.	Planning Commission Report, April 27, 2015 .....	39-40
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12.	Herron's Traffic Report .....	77-90



**SUBJECT PROPERTY**

**West side of McCall  
Nelson Blvd & McCall**



**CITY OF SELMA  
COMMUNITY DEVELOPMENT  
DEPARTMENT**

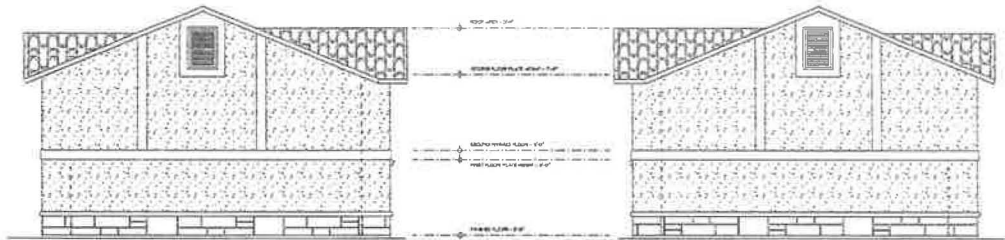








FRONT ELEVATION



LEFT SIDE ELEVATION

RIGHT SIDE ELEVATION



REAR ELEVATION





**PLANNING COMMISSION  
STAFF'S REPORT**

**DATE:**       **October 26, 2015**

---

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**ITEM NO:**       2

**SUBJECT:**       Reconsideration by the Planning Commission to recommend a multifamily development on a vacant parcel located on the North West corner of McCall Avenue and Nelson Boulevard to the Selma City Council.

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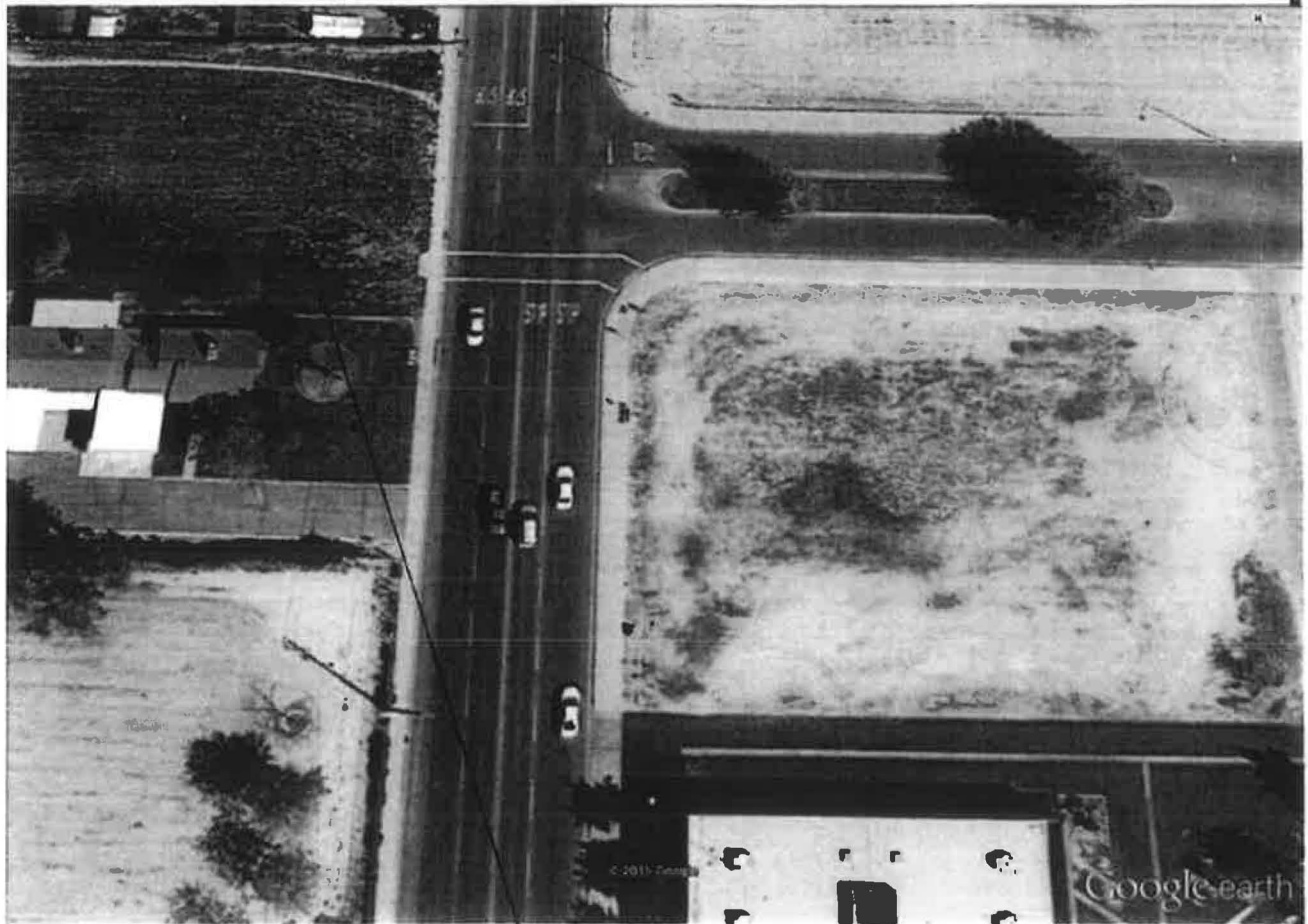
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	Resolution recommending approval of a Zone Variance to allow one building to encroach into the front yard setback to the City Council .....	12-13
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**SUBJECT PROPERTY**

**West side of McCall  
Nelson Blvd & McCall**

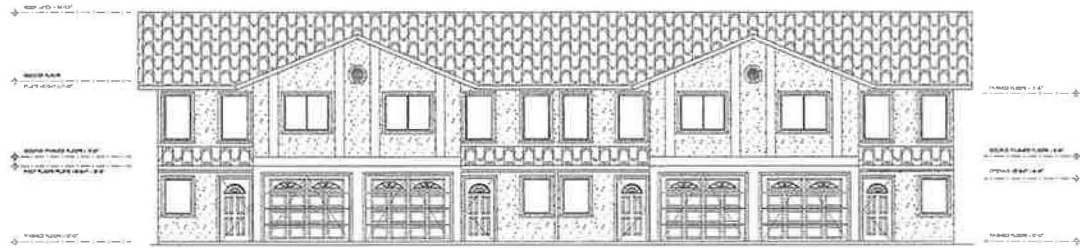


**CITY OF SELMA  
COMMUNITY DEVELOPMENT  
DEPARTMENT**



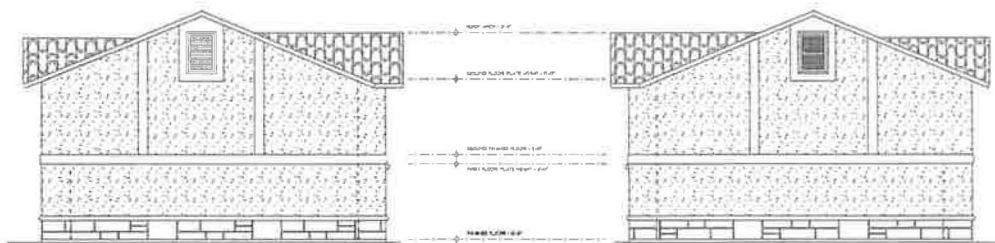






**FRONT ELEVATION**

Sheet 010 of 010



**LEFT SIDE ELEVATION**

Sheet 010 of 010

**RIGHT SIDE ELEVATION**

Sheet 010 of 010



**REAR ELEVATION**

Sheet 010 of 010



**RESOLUTION NO. 2015-0015**

**A RESOLUTION OF THE SELMA PLANNING COMMISSION  
RECOMMENDING APPROVAL OF A ZONE CHANGE,  
FOR THE NAGRA APARTMENTS  
TO THE SELMA CITY COUNCIL**

**WHEREAS**, on October 26, 2015, the Selma Planning Commission, at a regularly scheduled public hearing, considered a Zone Change request by Harbhaja S. Nagra. This Zone Change will rezone (APN: 358-070-78 & 79) from R-1-7 (Medium Low Density) to R-3 (High Density Residential); and

**WHEREAS**, the Planning Commission conducted a public hearing, noticed in accordance with all State and local laws, and considered the Planning Division Staff Report, and all public testimony presented for the project prior to finalizing their recommendations to the City Council; and

**WHEREAS**, the Planning Commission examined and considered Environmental Assessment, and finds that the project is consistent with the objectives and policies of the General Plan of the City of Selma. The Planning Commission finds that the project is exempt under CEQA pursuant to Section 15061(b)(3) General Rule of the California Environmental Quality Act; and

**WHEREAS**, based on substantial evidence provided in the Initial Study and the whole record before the Planning Commission for Environmental Assessment and public comments related to the project, it has been determined that there is no possibility this project may have any significant effects on the environment. The Planning Commission recommends that the City Council certifies the adequacy of the environmental document; and

**WHEREAS**, the Planning Commission deliberated and determined that the following findings can be made for recommending approval of the proposed Zone Change to the Selma City Council. This recommendation is based on the reports, evidence and verbal presentations to support the actions taken at this meeting:

1. The Planning Commission finds that the proposed Zone Change will provide a stable and diverse community, and is consistent with orderly physical development of the community and is detrimental to the health, safety, and general welfare of the City.
2. The Planning Commission finds that the proposed Zone Change does meet the requirements and standards of development as set forth in both the Land Use Element and Circulation Element of the Selma General Plan and Selma Municipal Code. There are no physical constraints that would prohibit development.
3. The Planning Commission finds that this action advances the public interests, protects life and property with which the City of Selma is charged to protect and will not have a

negative impact on life in the community. The Zone Change will have no significant environmental impacts.

**NOW, THEREFORE, BE IT RESOLVED**, that the City of Selma Planning Commission hereby finds and takes the following actions:

1. The above facts are true and correct.
2. The above findings are supported by the record and presentation to the Planning Commission.
3. The Planning Commission recommends the City Council approve this Zone Change.

The foregoing Resolution was duly approved by the Selma Planning Commission at a regular meeting held on the 26<sup>th</sup> day of October 2015, by the following vote, to wit:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

ABSENT: COMMISSIONERS:

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JIM IVORY CHAIRMAN OF THE  
PLANNING COMMISSION

ASTEST:

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Bryant Hemby, Assistant Planner  
Secretary, Selma City Planning Commission

**RESOLUTION NO. 2015-0016**

**A RESOLUTION OF THE SELMA PLANNING COMMISSION  
RECOMMENDING APPROVAL OF MCCALL SPECIFIC PLAN AMENDMENT  
FOR THE NAGRA APARTMENTS  
TO THE SELMA CITY COUNCIL**

**WHEREAS**, on October 26, 2015, the Selma Planning Commission, at a regularly scheduled public hearing, considered a McCall Specific Plan Amendment submitted by Harbhajan S. Nagra. The proposal is to amend the McCall Specific Plan Map Land Use Designation of (APN: 358-070-78 & 79) from Elementary to High Density; and

**WHEREAS**, the Planning Commission conducted a public hearing, noticed in accordance with all State and local laws, and considered the Planning Division Staff Report, and all public testimony presented for the project prior to finalizing their recommendations to the City Council; and

**WHEREAS**, the Planning Commission examined and considered Environmental Assessment, and finds that the project is consistent with the objectives and policies of the General Plan of the City of Selma. The Planning Commission finds that the project is exempt under CEQA pursuant to Section 15061(b)(3) General Rule of the California Environmental Quality Act; and

**WHEREAS**, based on substantial evidence provided in the Initial Study and the whole record before the Planning Commission for Environmental Assessment and public comments related to the project, it has been determined that there is no possibility this project may have any significant effects on the environment. The Planning Commission recommends that the City Council certifies the adequacy of the environmental document; and

**WHEREAS**, the Planning Commission deliberated and determined that the following findings can be made for recommending approval of the proposed McCall Specific Plan Amendment to the Selma City Council. This recommendation is based on the reports, evidence and verbal presentations to support the actions taken at this meeting:

1. The Planning Commission finds that this McCall Specific Plan Amendment will provide a stable and diverse community, and is consistent with orderly physical development of the community and is not detrimental to the health, safety, and general welfare of the City.
2. The Planning Commission finds that the proposed McCall Specific Plan Amendment does meet the requirements and standards of development as set forth in both the Land Use Element and Circulation Element of the Selma General Plan and Selma Municipal Code.

3. The Planning Commission finds that this action does advance the public interests, protects life and property with which the City of Selma is charged to protect and will not have a negative impact on life in the community. The McCall Specific Plan Amendment will have no significant environmental impacts.

**NOW, THEREFORE, BE IT RESOLVED**, that the City of Selma Planning Commission hereby finds and takes the following actions:

1. The above facts are true and correct.
2. The above findings are supported by the record and presentation to the Planning Commission.
3. The Planning Commission recommends the City Council approve this McCall Specific Plan Amendment, subject to the Findings for Approval made part of this Resolution.

The foregoing Resolution was duly approved by the Selma Planning Commission at a regular meeting held on the 26<sup>th</sup> day of, October 2015, by the following vote, to wit:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

ABSENT: COMMISSIONERS:

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JIM IVORY, CHAIRMAN OF  
THE PLANNING COMMISSION

ATTEST:

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Bryant Hemby, Assistant Planner  
Secretary, Selma City Planning Commission

**RESOLUTION NO. 2015-00017**

**A RESOLUTION OF THE SELMA PLANNING COMMISSION  
RECOMMENDING APPROVAL OF A ZONE VARIANCE, ALLOWING  
ENCROACHMENT INTO THE FRONT SETBACK FOR THE NAGRA APARTMENTS  
TO THE SELMA CITY COUNCIL**

**WHEREAS**, on October 26, 2015, the Selma Planning Commission, at a regularly scheduled public hearing, considered a Zone Variance request by Harbhajan S. Nagra. This Zone Variance will allow one structure to encroach 10' into the 30" McCall Specific Plan front setback area at (APN: 358-070-78 & 79); and

**WHEREAS**, the Planning Commission conducted a public hearing, noticed in accordance with all State and local laws, and considered the Planning Division Staff Report, and all public testimony presented for the project prior to finalizing their recommendations to the City Council; and

**WHEREAS**, the Planning Commission examined and considered Environmental Assessment, and finds that the project is consistent with the objectives and policies of the General Plan of the City of Selma. The Planning Commission finds that the project is exempt under CEQA pursuant to Section 15061(b)(3) General Rule of the California Environmental Quality Act; and

**WHEREAS**, based on substantial evidence provided in the Initial Study and the whole record before the Planning Commission for Environmental Assessment and public comments related to the project, it has been determined that there is no possibility this project may have any significant effects on the environment. The Planning Commission recommends that the City Council certifies the adequacy of the environmental document; and

**WHEREAS**, the Planning Commission deliberated and determined that the following findings can be made for recommending approval of the proposed Zone Variance to the Selma City Council. This recommendation is based on the reports, evidence and verbal presentations to support the actions taken at this meeting:

1. The Planning Commission finds that the proposed Zone Variance will provide a stable and diverse community, and is consistent with orderly physical development of the community and is not detrimental to the health, safety, and general welfare of the City.
2. The Planning Commission finds that the proposed Zone Variance does meet the requirements and standards of development as set forth in both the Land Use Element and Circulation Element of the Selma General Plan and Selma Municipal Code.
3. The Planning Commission finds that this action does advance the public interests, protects life and property with which the City of Selma is charged to protect and will not have a negative impact on life in the community.

**NOW, THEREFORE, BE IT RESOLVED**, that the City of Selma Planning Commission hereby finds and takes the following actions:

1. The above facts are true and correct.
2. The above findings are supported by the record and presentation to the Planning Commission.
3. The Planning Commission recommends the City Council approve this Zone Variance.

The foregoing Resolution was duly approved by the Selma Planning Commission at a regular meeting held on the 26<sup>th</sup> day of October 2015, by the following vote, to wit:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

ABSENT: COMMISSIONERS:

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JIM IVORY, CHAIRMAN OF  
THE PLANNING COMMISSION

ATTEST:

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Bryant Hemby, Assistant Planner  
Secretary, Selma City Planning Commission

**RESOLUTION NO. 2015-0018**

**A RESOLUTION OF THE SELMA PLANNING COMMISSION  
RECOMMENDING APPROVAL OF SITE PLAN 2013-0054,  
TO THE SELMA CITY COUNCIL  
HARBHAJAN S. NAGRA APARTMENTS MCCALL AND NELSON**

**WHEREAS**, on October 26, 2015, the Selma Planning Commission, at a regularly scheduled public hearing, considered Site Plan 2013-0054 submitted by Harbhajan S. Nagra to build a five (5) unit apartment complex on Parcel Numbers 358-070-78 & 358-070-79, located on the intersection of McCall Avenue and Nelson Boulevard; and

**WHEREAS**, the Planning Commission conducted a public hearing, noticed in accordance with all State and local laws, and considered the Planning Division Staff Report, and all public testimony presented for the project prior to finalizing their recommendations to the City Council; and

**WHEREAS**, the Planning Commission examined and considered Environmental Assessment, and finds that the project is consistent with the objectives and policies of the General Plan of the City of Selma. The Planning Commission finds that the project is exempt under CEQA pursuant to Section 15061(b)(3) General Rule of the California Environmental Quality Act; and

**WHEREAS**, based on substantial evidence provided in the Initial Study and the whole record before the Planning Commission for Environmental Assessment and public comments related to the project, it has been determined that there is no possibility this project may have any significant effects on the environment. The Planning Commission recommends that the City Council certifies the adequacy of the environmental document; and

**WHEREAS**, the Planning Commission deliberated and determined that the following findings can be made for recommending approval of the proposed Site Plan to the Selma City Council. This recommendation is based on the reports, evidence and verbal presentations to support the actions taken at this meeting:

**FINDINGS:**

1. The Site Plan will provide a stable and diverse community, and is consistent with orderly physical development of the community and is not detrimental to the health, safety, and general welfare of the City. It significantly supports the character and quality of life in the community. There are no physical constraints that would prohibit development.
2. The Planning Commission finds that the proposed Site Plan meets the requirements and standards of development as set forth in Selma's Development Standards.

3. The Planning Commission finds that the City of Selma is committed to insure the peace, tranquility, health, safety, and general welfare of all of its citizens while meeting the needs of all citizens in Selma in a suitable environment.

**WHEREAS**, the Planning Commission, having made its Findings for Approval, was of the opinion that Site Plan No. 2013-0054 should be recommended to the City Council subject to the following conditions listed and made a part of this Resolutions

**CONDITIONS:**

Site Plan Review No. 2013-0054 shall be initiated within one (1) years of the approval from the date of approval. The site plan shall be considered initiated when building permits and/or engineering/public work permits are issued and 25% of the above ground construction and/or improvements have been completed. *Other conditions may be applied upon submittal of building.*

***PLANNING DIVISION***

1. The site will be developed in accordance with the Site Plan dated April 7, 2015, subject to the revisions and Conditions of Approval listed herein. Design and construction of the project will be designated on the approved site plan and shall conform to the architectural elevations except as modified by these conditions and final review by Community Development Department.
2. All conditions of approval listed herein by the City of Selma shall be contained in the building plans submitted for building permits.
3. No occupancy of any building and/or structure shall be permitted, which is not in substantial compliance with approved plans except upon specific review and approval of any "as built" modifications by the authorizing City body (City Council, Planning Commission, Community Development Department, or other appropriate city departments).
4. No expansion of use beyond the scope and nature described in this master site plan review, which would tend to increase the projected scale of operations, shall be permitted.
5. No phased occupancy of the project is permitted. A timetable for completion of the work must also be submitted with any request for temporary occupancy.
6. The Developer or successor in interest shall be responsible for all actions of his contractors and subcontractors during the course of any work occurring on the site.



#### Architecture:

7. All architectural elements shall be detailed on the building plans and must be finished in a style and in materials in harmony with the approved exterior of the building. The site plan and enhanced architectural features of the proposed buildings shall include the following:
  - a) The primary presence along the street frontage shall be rich landscape and on-site amenities. Driveway approaches and McCall Avenue frontage shall be improved per Selma Engineering Department.
  - b) Color pallet is be approved by the Planning Division prior to the issuance of building permits. Color Elevations shall be provided on 8½" x11" or larger rendering. Samples are encouraged.
8. The Developer or successor in interest shall maintain in good repair all building exterior walls, lighting, trash enclosure, drainage facilities, driveways and parking areas. The premises shall be kept clean and any graffiti painted on the property shall be reported to the Police Department and removed within 24 hours of occurrence per Selma City Ordinances.
9. Outside storage and/or equipment enclosures are not permitted.

#### Lighting:

10. An on-site exterior lighting plan shall be reviewed and approved by the Selma Police Department and Community Development Department.
11. Light fixtures should be compatible with building design and unobtrusive. Lighting elements shall be recessed into their fixtures to prevent glare. Exterior lighting shall be treated so as to have a sharp cut-off feature near property lines and not to illuminate adjacent properties. On-site light standards shall not exceed twenty feet (20') in height.

#### Screening:

12. All mechanical equipment (air conditioners or dual pact) will be located in the attic or on the ground on foundations. All mechanical equipment and any satellite dish shall be placed and oriented at the rear of the buildings so that the equipment is not overtly visible.
13. The Developer or successor in interest shall construct a inch wrought iron/wrought-iron type fence with decorative masonry pillars on property lines along McCall Avenue and a solid masonry wall on the other three sides of the project

14. Proposed downspouts shall not be visible. All pipes, gutters, and chases attached to the building wall shall be painted a similar or complementary color to the existing wall that the item is attached to.
15. All-new electrical transformers are either underground and/or also screened. No above-ground transformer is permitted on the required sidewalk with the public right-of-way.
16. The backflow device and/or electrical transformers must be screened with landscaping pursuant to Document No. 063422 Landscape Screen for Pad-Mounted Transformer (PG & E Electric and Gas Service Requirements – Green Book). The proposed screening shall be submitted and approved by the Community Development Department prior to the issuance of building permits.

Enclosures:

17. The proposed development shall participate in the City's recycling program.
18. Nothing other than the City refuse/recycling bins shall be stored or kept in said enclosures. The solid metal refuse gates must be kept closed and remain closed unless in use.
19. The enclosures are to be architecturally compatible with the building elevations and screened with walls and landscaping. Enclosures will be approved by the Planning Department before issuance of the building permits.

Landscaping:

20. On- and off-site Landscape and Irrigation plans prepared by a landscape designer or a licensed Landscape Architect must be submitted and approved by the Community Development Department prior to building permits being issued.
21. All landscaping and Irrigation systems must be installed and completed according to the approved plan prior to the issuance of the final certificate of occupancy permit.
24. Installation of weather and tamper proof exterior electrical outlets shall be installed in landscape areas to promote the use of electric powered landscape maintenance equipment. The owners and operators of the project shall encourage the use of electric landscape maintenance equipment and encourage minimal use of 'leaf blowers'.
22. Beautification measures shall be incorporated in the project to enhance and soften the streetscape; to provide a buffer between vehicular and pedestrian traffic.
23. All trees shall be of a twenty-five-gallon container size or larger and not less than two inches in diameter, measured four and one half feet from the root ball.

24. Large canopy trees shall be carefully selected and located to protect the buildings from energy consuming environmental conditions and to shade 25% of paved areas within 10 years.
25. All planting shall be drought tolerant and details including type, size and quantity of plant materials shall be clearly shown on the submitted plans. Species of street trees to be planted shall be approved by the Community Development Department.
26. Irrigation plans shall contain all construction details for an automatic system, including, but not limited to, the following:
  - a. Location, type and size of lines;
  - b. Location, type and output of heads;
  - c. Location and sizes of valves;
  - d. Location and type of controller;
  - e. Installation details/enclosure – cover details;
  - f. Location and type of backflow prevention device;
  - g. Available water pressure and water meter outlet size;
  - h. Irrigation application schedule and flow rates. (All irrigation systems shall be operated by an electric timer. No battery-operated timers shall be permitted).
27. Landscaping shall be maintained in a healthy, weed-free condition at all times and shall be designed with efficient irrigation practices to reduce runoff, promote surface filtration, and minimize the use of fertilizers and pesticides, which can contribute to runoff pollution. The Developer's or successor in interest representative shall inspect the landscaping on a monthly basis and any dead or dying plants and trees shall be replaced within ten days of the inspection.

Off-Street Parking:

28. Vehicular circulation areas shall be signed as a fire lane and posted for no parking except within designated parking stalls and parking garages as determined by the Selma Fire Department.

Noise:

29. Construction equipment must be muffled and construction activities must be limited to the hours between dawn to dusk unless the construction is within the enclosed structure or approved by the Community Development Department.
30. Noise from fixed mechanical equipment shall meet the noise standards of the manufacturers, and when measured at the property line must meet residential standards.
31. All on-site construction/mechanical equipment shall meet the noise standards of the manufacturers.

## ***BUILDING DIVISION***

32. The Developer or successor in interest shall comply with all applicable requirements and sections of the most recent State adopted California Uniform Codes and regulations as required.
33. The Developer or successor in interest shall provide all necessary construction and building plans for review and approval by the Building Official. All required building permits and inspections shall be obtained prior to the issuance of a Certificate of Occupancy and commencement of operations.
34. Specific measures shall be incorporated into the building design to reduce energy consumption and indirect area source emissions. These measures shall include use of solar or low-emission water heaters and central water heating systems, building orientation to take advantage of solar heating and natural cooling, and increasing wall and attic insulation beyond Title 24 (State Building Code) requirements, to meet LEED requirements.
35. No building or structure shall be used or occupied, and no change in the existing occupancy classification of building or structure or portion thereof shall be made until the Building Official has issued a Certificate of Occupancy or Temporary Certificate of Occupancy.
36. All building plans, site plans and elevations must be submitted to the Building Department in digital form (PDF).

## ***ENGINEERING DIVISION***

37. Drainage, grading, on-site and utility improvements shall be in accordance with plans reviewed and approved by the Engineer. The Developer or successor in interest shall be responsible for the preparation of plans and compaction tests. A copy of the current soils report and compaction test results shall be provided to the City Engineer. Storm drainage facilities be constructed as deemed necessary by the City Engineer to service the project.
38. The drainage/site improvement plan for the development shall be prepared by a registered civil engineer for review and approval by the City Engineer prior to the issuance of building permits. All drainage improvements shall be certified by a registered civil engineer as being constructed to the approved plan.
39. The Developer or successor in interest shall submit to the City Engineer, a set of construction plans on 24" x 36" sheets with City standard title block for all required improvements (Improvement Plans) to the City Engineer for review and approval. The Improvement Plans shall include a site grading and drainage plan and an overall site utility plan showing locations and sizes of sewer, water, irrigation, and storm drain

mains, laterals, Manholes, meters, valves, hydrants, other facilities, etc. Plan check and inspection fees per City of Selma shall be paid with the first submittal of said Improvement Plans. All Improvement Plans shall be approved by the City and all other involved agencies prior to the release of any development permits.

40. Upon approval of Improvement Plans, the Developer or successor in interest shall provide the City with the appropriate number of improvement plan copies and a digital copy (PDF, CAD).
41. The design and construction of all off-site improvements shall be in accordance with City standards and construction specifications. The Developer or successor in interest shall furnish to the City acceptable security bond to guarantee the construction of the off-site street improvements pursuant to determination by the City Engineer.
42. No above-ground transformer is permitted on the required sidewalk within the public right-of-way.
43. All existing overhead and new utility facilities located on-site, or within the street rights-of-way adjacent to this project site shall be undergrounded.
44. All underground utilities installed, backfilled, compacted, tested and approved by the Engineer prior to placement of any aggregate base or asphalt concrete surfacing. Easements for utilities, including water, gas, telephone, electricity, sewage, pedestrian access, fire access, storm drainage, and irrigation facilities shall be provided, as required.
45. The Developer or successor in interest shall comply with the requirements of the Pacific, Gas and Electric Company (P. G. & E.), SBC. The City shall not accept first submittals without proof that the applicant has the appropriate utility approval.
46. The Developer or successor in interest shall provide a dedication for a ten foot (10') or what is determined by the City Engineer for a public utility easement along all frontages of the lot as deemed necessary by the Engineer and the public utilities companies.
47. All new easements for public utilities shall be recorded as necessary prior to the issuance of the building permits for the proposed buildings. No portion of the buildings shall be located in a public utility easement. All easements of record shall be accurately shown on the property improvement plans clearly depicting the relationship of easements to property improvements.
48. All public and private improvements consisting of sanitary sewers, storm water systems, water mains, street medians, concrete curbs, gutters, sidewalks, planting landscape strips, wheelchair ramps, street lights, traffic signals, site grading, transitions and marking, signage, and so on, and pavement surfacing and all other improvements shall be installed in accordance with City of Selma construction standards and specifications currently in effect and as approved by the City Engineer.

49. All circulation use areas of on- and off-site shall be paved to current City standards per City Engineer review and approval.
50. The Developer or successor shall construct a wrought iron/wrought-iron type fence with decorative masonry pillars on property lines along McCall Avenue frontage and a decorative masonry wall adjacent to the single family resident to the south and the property line adjacent to the school to the west subject to review and approval by the City Engineer.
51. The Developer or successor in interest shall install street lights in accordance with City standards at the locations designated by the Engineer. Street light locations shall be shown on the utility plans submitted for approval indicating conveyance of the street lights to the City of Selma. The design and type poles shall be reviewed and approved by the City Engineer.
52. The Developer or successor in interest shall furnish and install new water service and cross connection/ backflow preventer assemblies, including water meter and meter boxes for domestic uses, landscape uses and fire service lines.
53. During the site construction, any public streets fronting the project shall be kept clear of any fences, construction or landscaping debris and shall not be used as a storage area for equipment, materials, or other items. All construction debris must be removed from the site and adjacent properties prior to issuance of a Certificate of Occupancy or Temporary Certificate of Occupancy.
54. The Developer or successor in interest shall comply with, and be responsible for obtaining encroachment permits from the City of Selma for all work performed within the City's right-of-way. Acceptable security shall be furnished to the City to guarantee the construction of the off-site street improvements in accordance with local and State regulations.
55. Monuments shall be set as required by City standards and by the City Engineer.
56. Prior to beginning any construction, or within twenty (20) calendar days after the approved plans are released by the City, the Developer or successor in interest shall submit to the City of Selma Engineering Division one (1) reproducible and four (4) copies of the approved set of construction plans, and two (2) bound sets of the approved construction specifications, if any.
56. Upon approval of the "AS-BUILTS" by the City, the Developer or successor in interest shall provide (1) reproducible and (1) copy of the "AS-BUILTS" to the City, and one (1) copy on diskette, CD or similar digital storage media in pdf or tif format.

***FIRE DEPARTMENT (SFD)***

57. The Developer or successor in interest shall comply with all applicable requirements and sections of the most recent California Uniform Fire Codes and local fire ordinances.

***POLICE DEPARTMENT (SPD)***

58. In addition to the review of the on-site exterior lighting plan, potential access to the roof, anti-graffiti measures and required on-site enforcement signage shall be reviewed and approved by the SPD and Community Development Department.
59. The Developer or successor in interest shall work with the Selma Police Department to install security cameras to the specs and location determined by the Selma Police Department.

***CITY ATTORNEY – Defense and Indemnification Provisions***

60. The City shall not be liable to the Developer/Successor in Interest or to any other person, firm, or corporation whatsoever, for any injury or damage that may result to any person or property by or from any cause whatsoever in, on, or about the subdivision of said land covered by this Agreement, or any part thereof. The preceding sentence shall not apply to any liability, loss, cost of damages caused solely by the negligence (active or passive) or willful misconduct of the City or its agents.
61. The Developer/Successor in Interest hereby releases and agrees to indemnify and hold the City, and its officers, agents, employees and volunteers harmless from and against any and all injuries to and deaths of persons or injuries to property, and all claims, demands, costs, loss, damage and liability, howsoever the same may be caused and whensoever the same may appear, resulting directly or indirectly from the performance or nonperformance of any or all work to be done in said subdivision including but not limited to the street lights of way in said Subdivision and upon the premises adjacent thereto pursuant to this Agreement, and also from any and all injuries to and deaths of persons and injuries to property or other interests, and all claims, demands, costs, loss, damage, and liability, howsoever same may be caused and whensoever same may appear, either directly or indirectly made or suffered by the Developer/Successor in Interest, the Developer's agents, employees, and subcontractors, while engaged in the performance of said work. The preceding sentence shall not apply to any liability, loss, cost, damage and liability caused solely by the negligence (active or passive) or willful misconduct of the City or its agents.



***SELMA-KINGSBURG-FOWLER COUNTY SANITATION DISTRICT (S-K-F)***

62. The District can and will serve this project's sewer needs. Sewer connection will be in accordance with District standards. The Developer or successor in interest shall comply with all applicable improvements and upgrades as per the rules and regulations of the District.

***CALIFORNIA WATER SERVICE COMPANY (CAL WATER)***

63. The Developer or successor in interest shall connect and comply with all regulations, standards and specifications of the Company, ordinances, and the rules of the California Public Utilities Commission.
64. Whether one master water meter or individual water services for each unit, the Developer or successor in interest shall contact Cal Water to ensure that the services are properly sized.
65. If a fire protection service is required, the Developer or successor in interest shall submit a plan to Cal Water, stamped with the appropriate fire service size and location as approved by the SFD.

***SELMA UNIFIED SCHOOL DISTRICT (SCHOOL DISTRICT)***

66. Developer or successor in interest must contact School District and pay all applicable fees at the time of building permit issuance.

***CONSOLIDATED MOSQUITO ABATEMENT DISTRICT (CMAD)***

67. The Developer or successor in interest shall refer to the CMAD suggested rules and mitigation measures to reduce pollutants.

***SAN JOAQUIN VALLEY UNIFIED AIR POLLUTION CONTROL DISTRICT (SJVAPCD)***

68. The Developer or successor in interest shall comply with all District rules and mitigation measures to reduce pollutants.

***CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD (BOARD)***

69. The Developer or successor in interest is required to comply with the Board requirements specifically related to the National Pollution Elimination System permit process.



70. The Developer or successor in interest shall contact the Board and comply with all requirements, prior to the release of any development permits.

**NOW, THEREFORE, BE IT RESOLVED**, that the City of Selma Planning Commission hereby finds and takes the following actions:

1. The above facts are true and correct.
2. The above findings are supported by the record and presentation to the Planning Commission.
3. The Planning Commission recommends the City Council approve Site Plan 2013-0054 subject to the Findings and conditions listed and made incorporated by this reference as part of this Resolution.

The foregoing Resolution was duly approved by the Selma Planning commission at a regular meeting held on the 26<sup>th</sup> day of October 2015 by the following vote, to wit:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

ABSENT: COMMISSIONERS:

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JIM IVORY CHAIRMAN OF THE  
PLANNING COMMISSION

ATEST:

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Bryant Hemby, Assistant Planner  
Secretary, Selma City Planning Commission

- h. RESOLUTION NO. 2015 – 45R, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELMA APPROVING A MEMORANDUM OF UNDERSTANDING (MOU) BY AND BETWEEN THE CITY OF SELMA AND THE SECRETARIAL CLERICAL TECHNICAL ASSOCIATION (STCA) AND DIRECTING ITS EXECUTION. Resolution approved by standard motion.
- i. RESOLUTION NO. 2015 – 46R, A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SELMA APPROVING A MEMORANDUM OF UNDERSTANDING (MOU) BY AND BETWEEN THE CITY OF SELMA AND THE MISCELLANEOUS MID-MANAGEMENT EMPLOYEE UNIT AND DIRECTING ITS EXECUTION. Resolution approved by standard motion.

**AGENDA ITEM 1.f. CONSIDERATION AND NECESSARY ACTION ON CHECK REGISTER DATED JUNE 30, 2015:** After discussion, motion to approve Check Register dated June 30, 2015 was made by Council member Montijo. Mayor Pro Tem Avalos seconded the motion, and it carried by the following vote:

AYES: Montijo, Avalos, Derr, Rodriguez, Robertson  
NOES: None  
ABSTAIN: None  
ABSENT: None

**CONSIDERATION AND NECESSARY ACTION ON APPEAL OF PLANNING COMMISSION DECISION TO DENY SEVERAL ENTITLEMENTS WHICH WOULD ALLOW A MULTI-FAMILY DEVELOPMENT ON A VACANT PARCEL LOCATED ON THE NORTHWEST CORNER OF MCCALL AVENUE AND NELSON BOULEVARD** *public hearing*: City Manager Grey reviewed for Council the project being proposed on the northwest corner of McCall avenue and Nelson Boulevard. He stated that the Planning Commission had denied the project, and that the developer requested an appeal to the City Council.

Mayor Robertson opened the public hearing at 7:07 p.m.

Mr. Nick Sahota, Project Engineer and Mr. Nagra, Owner/Developer both stepped forward in favor of the project, and asked Council to allow the project to move forward.

Ms. Ramsa Coury and Mr. Mandeep Singh stepped forward in favor of the project.

Mr. Joel Fedor, Mrs. Debbie Fedor, Ms. Donna Murrey, Mr. Marty Alvarado stepped forward in opposition of the project.

Mr. John Everett, Traffic Engineer Consultant for the project stepped forward to discuss the traffic study that was submitted, and answered various questions from Council.

Assistant Planner Hemby stepped forward to answer questions from Council, and to clarify what was provided to the Planning Commission.

There being no further testimony, Mayor Robertson closed the public hearing at 7:22 p.m.

After much discussion concerning parking, signal installation costs, and traffic impacts, motion to direct the Planning Commission to review the project was made by Mayor Pro Tem Avalos, and seconded by Council member Montijo. Motion carried with the following vote:

AYES: Avalos, Montijo, Robertson

NOES: Derr, Rodriguez

ABSTAIN: None

ABSENT: None

**CONSIDERATION AND NECESSARY ACTION ON ORDINANCE ADDING SECTION 6-4 TO CHAPTER 28 OF TITLE XI OF THE SELMA MUNICIPAL CODE LIMITING RETAIL STOREFRONT OR WINDOW SIGNAGE – *public hearing and adoption***: City Attorney Costanzo discussed the proposed Ordinance for Council, which reduces the area of storefront window or wall signage at commercial establishments such as retail stores to 15%.

Mayor Robertson opened the public hearing at 7:43 p.m.

Ms. Jennifer Acidera, Fresno County Department of Public Health Tobacco Prevention Program Health Specialist, stepped forward to let Council know that the County can assist with education training.

Mr. Mark Falcon stepped forward on behalf of a local restaurant to inquire if their current signage meets the proposed 15% criteria.

City Manager Grey replied that the particular restaurant in question, meets the requirements.

There being no further testimony, Mayor Robertson closed the public hearing at 7:51 p.m.

After further discussion, motion to waive second reading and adopt ORDINANCE NO. 2015-5, AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SELMA ADDING SECTION 6-4 TO CHAPTER 28 OF TITLE XI OF THE SELMA

July 6, 2015

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**ITEM NO:**

2

**SUBJECT:**

Appeal of Planning Commission Decision to deny several entitlements which would allow a multifamily development on a vacant parcel located on the North West corner of McCall Avenue and Nelson Boulevard.

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**DISCUSSION:**

The applicant, Harbhajan S. Nagra, is appealing the Planning Commission decision to not recommend approval of the following entitlements: a General Plan Amendment to change the current Medium Low Density land use designation to High Density land use designation; a McCall Specific Plan land use designation from Elementary to High Density; A Zone Change changing the current Zoning from R-I-7 to R-3; and a Zone Variance, to allow one structure to encroach 10' into the front set back area. Applications for these entitlements were filed so that Mr. Nagra would be able to build a 5 unit apartment multi-unit development on a lot that has been vacant for years.

This item was first heard at the Planning Commission's September 22, 2014 meeting. At that meeting Staff was directed by the Commission to bring this item back to them with additional information regarding possible impacts the project might have. The Commission wanted clarification on the traffic impacts the project might cause to the intersection of McCall Avenue and Nelson Boulevard.

The applicant had a Traffic Signal Warrant Study done by John Everett, from Central Valley engineering and Surveying. The report did reflect high traffic volume westbound on Nelson Blvd for a short duration around 8:00 -8:30 AM and 2:00 -2:30 PM, attributed to large numbers of students being dropped and picked up. The consultant made recommendations he felt would decrease the queue and delay time at this intersection, which included stripping and a dedicated left turn pocket on Nelson Blvd. Along with the proposed engineer's recommendations, the applicant will be required to pay his fair share toward the new signal at the intersection which will be warranted at the time of development of nearby vacant lots.

The applicant made several revisions to his project including eliminating one limit and completely redesigning the proposed structures to eliminate any windows facing the existing homes in the area. The reduction in the number of units also lessens the traffic impact caused by the project. At a public hearing on April 27, 2015, the Planning Commission heard testimony from the applicant's traffic engineer, project engineer, the public and the staff report. After the public hearing the Planning Commission considered the project and testimony and the Planning Commission declined to recommend approval of Mr. Nagra's project.

On April 30, 2015, Mr. Nick Sahota, the applicant's project engineer filed an appeal of the Planning Commission decision on behalf of Mr. Nagra. After receiving the appeal from the applicant, staff reviewed the application and determined that a general plan amendment will not be required because the applicant reduced the number of units from 6 in the original application to 5 in the current application which is within the density limit of the current medium low density land use designation.

Following the public hearing, and after considering the evidence and testimony provided including the fact that a General Plan Amendment will not be required, the City Council may either affirm the Planning Commission's decision or reverse the decision of the Planning Commission. If the City Council reverses the decision, Council must adopt a Resolution approving a Site Plan for the project and a Zone Variance. It must also ultimately adopt an Ordinance amending the land use designations, Zoning and a Specific Plan. The proposed Resolution that reverses the Planning Commission provides for the simultaneous adoption of two Resolutions and waving the first reading and introduction of the necessary Ordinance

<b><u>COST:</u></b> (Enter cost of item to be purchased in box below)		<b><u>BUDGET IMPACT:</u></b> (Enter amount this non-budgeted item will impact this years' budget in box below – if budgeted, enter <i>NONE</i> ).
None		None
<b><u>FUNDING:</u></b> (Enter the funding source for this item in box below – if fund exists, enter the balance in the fund).		<b><u>ON-GOING COST:</u></b> (Enter the amount that will need to be budgeted each year in box below – if one-time cost, enter <i>NONE</i> ).
Funding Source: N/A  Fund Balance:		None

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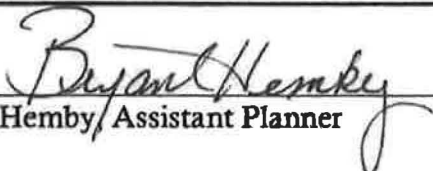
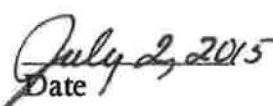
**RECOMMENDATION:**

The Council can take one of the following actions:

Resolution affirming the Planning Commission's decision for denial.

Resolution(s) overturning the Planning Commission's decision and adopting Resolutions approving Site Plan and Zoning Variance and waving the first reading and introduction of and Ordinance making associated Amendments to a specific plan and zoning for the proposed Project.

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 Bryant Hemby, Assistant Planner	 Date
/s/ Ken Grey	07/02/2015
Ken Grey, City Manager	Date

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**RESOLUTION NO. 2015-0007**

**A RESOLUTION OF THE SELMA PLANNING COMMISSION  
RECOMMENDING DENIAL OF A ZONE CHANGE,  
FOR THE NAGRA APARTMENTS  
TO THE SELMA CITY COUNCIL**

**WHEREAS**, on April 27, 2015, the Selma Planning Commission, at a regularly scheduled public hearing, considered a Zone Change request by Harbhajan S. Nagra. This Zone Change the Zoning Map and rezoning +/- 0.50 of an acre from Medium Low Density Residential(R-1-7) to High Density Residential (R-3) in the 3400 block of McCall Avenue (APN: 358-070-78 & 79); and

**WHEREAS**, the Planning Commission conducted a public hearing, noticed in accordance with all State and local laws, and considered the Planning Division Staff Report, and all public testimony presented for the project prior to finalizing their recommendations to the City Council; and

**WHEREAS**, the Planning Commission examined and considered Environmental Assessment, and finds that the project is not consistent with the objectives and policies of the General Plan of the City of Selma; and

**WHEREAS**, based on substantial evidence provided in the Initial Study and the whole record before the Planning Commission for Environmental Assessment and public comments related to the project, it has been determined that this Zone Change may have significant effects on the environment; and

**WHEREAS**, the Planning Commission deliberated and determined that the following findings can be made for recommending denial of the proposed Zone Change to the Selma City Council. This recommendation is based on the, evidence and verbal presentations to support the actions taken at this meeting:

**FINDINGS:**

1. The Planning Commission finds that the proposed Zone Change will not provide a stable and diverse community, and is consistent with orderly physical development of the community and is not detrimental to the health, safety, and general welfare of the City. It significantly supports the character and quality of life in the community.
2. The Planning Commission finds that the proposed Zone Change does not meet the requirements and standards of development as set forth in both the Land Use Element and Circulation Element of the Selma General Plan and Selma Municipal Code. There are no physical constraints that would prohibit development.

**NOW, THEREFORE, BE IT RESOLVED**, that the City of Selma Planning Commission hereby finds and takes the following actions:

1. The above findings and recitals are true and correct and incorporated by this reference as though fully set forth at this point.
2. The above findings are supported by the record and presentation to the Planning Commission.
3. The Planning Commission recommends denial of this Zone Change, subject to the Findings made part of this Resolution to the City Council.

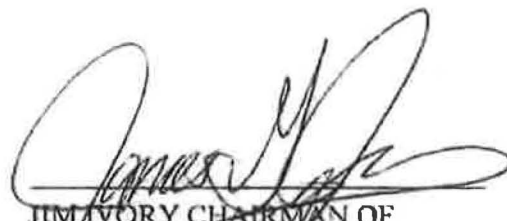
The foregoing Resolution was duly approved by the Selma Planning Commission at a regular meeting held on the 27<sup>th</sup> day of April 2015, by the following vote, to wit:

AYES: COMMISSIONERS: NISWANDER, GONZALES, MONTIJO, EDWARDS,  
SERIMIAN

NOES: COMMISSIONERS: IVORY


ABSTAIN: COMMISSIONERS:

ABSENT: COMMISSIONERS: SINDHER



JIM IVORY CHAIRMAN OF  
THE PLANNING COMMISSION

ATTEST:



Bryant Hemby, Assistant Planner  
Secretary, Selma City Planning Commission



**RESOLUTION NO. 2015-0008**

**A RESOLUTION OF THE SELMA PLANNING COMMISSION  
RECOMMENDING DENIAL OF A ZONE VARIANCE,  
ALLOWING ENCROACHMENT INTO THE FRONT SETBACK  
FOR THE NAGRA APARTMENTS  
TO THE SELMA CITY COUNCIL**

**WHEREAS**, on April 27, 2015, the Selma Planning Commission, at a regularly scheduled public hearing, considered a Zone Variance request by Harbhajan S. Nagra. This Zone Variance will allow one structure to encroach into the McCall Specific Plan front setback located in the 3400 block of McCall on (APN: 358-070-78 & 79); and

**WHEREAS**, the Planning Commission conducted a public hearing, noticed in accordance with all State and local laws, and considered the Planning Division Staff Report, and all public testimony presented for the project prior to finalizing their recommendations to the City Council; and

**WHEREAS**, the Planning Commission examined and considered Environmental Assessment, and finds that the project is not consistent with the objectives and policies of the General Plan of the City of Selma; and

**WHEREAS**, based on substantial evidence provided in the Initial Study and the whole record before the Planning Commission for Environmental Assessment and public comments related to the project, it has been determined that this Zone Variance may have significant effects on the environment; and

**WHEREAS**, the Planning Commission deliberated and determined that the following findings can be made for denial of this Zone Variance. This recommendation is based on the reports, evidence and verbal presentations to support the actions taken at this meeting:

**FINDINGS:**

1. The Planning Commission finds that the proposed Zone Variance will not provide a stable and diverse community, and is consistent with orderly physical development of the community and is not detrimental to the health, safety, and general welfare of the City. It significantly supports the character and quality of life in the community.
2. The Planning Commission finds that the proposed Zone Variance does not meet the requirements and standards of development as set forth in both the Land Use Element and Circulation Element of the Selma General Plan and Selma Municipal Code. There are no physical constraints that would prohibit development.

**NOW, THEREFORE, BE IT RESOLVED**, that the City of Selma Planning Commission hereby finds and takes the following actions:

1. The above findings and recitals are true and correct and incorporated by this reference as though fully set forth at this point.
2. The above findings are supported by the record and presentation to the Planning Commission.
3. The Planning Commission recommends denial of this Zone Variance, subject to the Findings made part of this Resolution to the City Council.

The foregoing Resolution was duly approved by the Selma Planning Commission at a regular meeting held on the 27<sup>th</sup> day of April 2015, by the following vote, to wit:

AYES: COMMISSIONERS: NISWANDER, GONZALES, MONTIJO, EDWARDS, SERIMIAN

NOES: COMMISSIONERS: IVORY

ABSTAIN: COMMISSIONERS:

ABSENT: COMMISSIONERS: SINDHER



JIM IVORY CHAIRMAN OF  
THE PLANNING COMMISSION

ATTEST:



Bryan Hemby, Assistant Planner  
Secretary, Selma City Planning Commission

**RESOLUTION NO. 2015-0006**

**A RESOLUTION OF THE SELMA PLANNING COMMISSION RECOMMENDING  
DENIAL OF MCCALL SPECIFIC PLAN AMENDMENT  
FOR THE NAGRA APARTMENTS  
TO THE SELMA CITY COUNCIL**

**WHEREAS**, on April 27, 2015, the Selma Planning Commission, at a regularly scheduled public hearing, considered a McCall Specific Plan Amendment submitted Harbhajan S. Nagra. The McCall Specific Plan Map will be amended as followed: Re-designate +/- 0.50 of an acre from Elementary to High Density Residential in the 3400 block of McCall Avenue (APN: 358-070-78 & 79); and

**WHEREAS**, the Planning Commission conducted a public hearing, noticed in accordance with all State and local laws, and considered the Planning Division Staff Report, and all public testimony presented for the project prior to finalizing their recommendations to the City Council; and

**WHEREAS**, the Planning Commission examined and considered Environmental Assessment, and finds that the project is not consistent with the objectives and policies of the General Plan of the City of Selma; and

**WHEREAS**, based on substantial evidence provided in the Initial Study and the whole record before the Planning Commission for Environmental Assessment and public comments related to the project, it has been determined that this McCall Specific Plan Amendment may have significant effects on the environment; and

**WHEREAS**, the Planning Commission deliberated and determined that the following findings can be made for denying the proposed McCall Specific Plan Amendment to the Selma City Council. This recommendation is based on the, evidence and verbal presentations to support the actions taken at this meeting:

**FINDINGS:**

1. The Planning Commission finds that this McCall Specific Plan Amendment will not provide a stable and diverse community, and is consistent with orderly physical development of the community and is not detrimental to the health, safety, and general welfare of the City.
2. The Planning Commission finds that the proposed McCall Specific Plan Amendment does not meet the requirements and standards of development as set forth in both the Land Use Element and Circulation Element of the Selma General Plan and Selma Municipal Code. There are physical constraints that would prohibit development.

**NOW, THEREFORE, BE IT RESOLVED**, that the City of Selma Planning Commission hereby finds and takes the following actions:

1. The above findings and recitals are true and correct and incorporated by this reference as though fully set forth at this point.
2. The above findings are supported by the record and presentation to the Planning Commission.
3. The Planning Commission recommends denial of this McCall Specific Plan Amendment, subject to the Findings made a part of this resolution to the City Council.

The foregoing Resolution was duly approved by the Selma Planning Commission at a regular meeting held on the 27<sup>th</sup> day of April 2015, by the following vote, to wit:

AYES: COMMISSIONERS: NISWANDER, GONZALES, MONTIJO, EDWARDS,  
SERIMIAN


NOES: COMMISSIONERS: IVORY

ABSTAIN: COMMISSIONERS:

ABSENT: COMMISSIONERS: SINDHER

  
JIM IVORY CHAIRMAN OF  
THE PLANNING COMMISSION

ATTEST:

  
Bryant Hemby, Assistant Planner  
Secretary, Selma City Planning Commission

**CITY OF SELMA**  
**MINUTES OF PLANNING COMMISSION MEETING**  
**April 27, 2015**

The meeting of the Selma Planning Commission was called to order at 6:03 p.m. in the Council chambers by Chairman Ivory. Commission members answering roll call were: Gonzalez, Edwards, Montijo, Niswander, Serimian, and Chairman Ivory. Commissioner Sindher was absent.

Also present were: City Attorney Slater and Assistant Planner Hemby.

The agenda for this meeting was duly posted in a location visible at all times by the general public seventy-two hours prior to this meeting.

**CONSENT CALENDAR:**

Commissioner Niswander recommended the minutes of March 23, 2015 be approved as written. Motion was seconded by Commissioner Edwards. Minutes were approved unanimously.

**TRAFFIC/STREET ITEMS:** No items to report

**PLANNING COMMISSION ITEMS:**

**CONTINUATION OF THE PUBLIC HEARING ON THE NECESSARY ACTION FOR A GENERAL PLAN AMENDMENT, AND OTHER ENTITLEMENTS FOR THE NAGRA APARTMENTS** *public hearing and approval:* Staff gave a background report on the proposed apartment complex which was continued from the November 24, 2014 Planning Commission meeting. At that meeting the Planning Commission requested additional information on the project's traffic impact. Staff went over the traffic report which the applicant had provided. Staff also advised the Commission that the project had been redesigned and was now only five units not six.

Chairman Ivory opened the public hearing portion of the meeting at 6:15 p.m.

Mr. Nick Sahota, 2132 Arrant Street, Selma, CA, the project engineer, discussed the changes that the applicant had made in redesigning the buildings and eliminating one of the apartments.

Ms. Varina Rosenfeld, Ms. Ran Vacor, Ms. Amit Nagra, all stepped forward in support of the project.

Mr. Harbhajan Nagra, 11160 S. Chestnut Ave., Fresno, CA, the property owner asked the Commission for their support of his project. He feels the project will benefit the community and assist the City with its apartments needs.

Mr. Joel Fedor and Ms. Donna Murray stepped to the podium in opposition of the project. Both were concerned with the rezoning, additional traffic, and the placement of apartments at this location.

Ms. Marty Averano, 2048 Hillcrest Street, Selma, CA, stepped forward to inquire about the traffic analysis, and requested clarification as to the amount of dwellings. Staff explained the project began as a six apartment complex but the latest proposal is for five apartments.

There being no further testimony, Chairman Ivory closed the public hearing at 6:22 p.m.

Commissioner Gonzalez expressed concerns about the rezoning as well as the traffic analysis that was submitted.

After discussion Chairman Ivory reopened the public portion of the meeting at 6:24 pm to allow further public comments.

Mr. John Everett, 1028 S Street, Fresno, CA, Traffic Engineer Consultant, stepped forward to provide information on the project's traffic study.

The Commission heard further comments in support and opposition of the project.

There being no further discussion, Chairman Ivory closed the public portion at 6:55 p.m.

After further discussion, Commissioner Edwards motioned to deny Resolution 2015-0005 General Plan Amendment 2015-0001. The motion was seconded by Commissioner Montijo, and carried with the following vote:

AYES:	Edwards, Montijo, Gonzalez, Serimian, Niswander
NOES:	Ivory
ABSTAIN:	None
ABSENT:	None

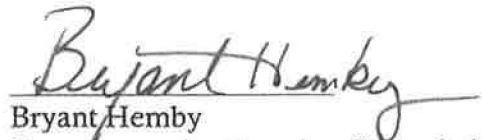
City Attorney Slater advised the Commission that the remaining resolutions could be voted on as one or separately.

Commissioner Niswander motioned to deny resolutions Nos. 2015-0006, 2015-0007, 2015-0008. The motion was seconded by Commissioner Gonzales, and carried with the following vote:

AYES:	Niswander, Gonzales, Montijo, Edwards, Serimian
NOES:	Ivory
ABSTAIN:	None
ABSENT:	None

**ADJOURNMENT:** There being no further business, the meeting was adjourned at 7:18 p.m.

Respectfully submitted,



Bryant Hemby  
Secretary to the Planning Commission



Jim Ivory, Chairman of the  
Planning Commission

**STAFF REPORT**

**REGULAR PLANNING COMMISSION MEETING DATE:**

**April 27, 2015**

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**ITEM NO:** 2.

**SUBJECT:** The purpose of this agenda item is to continue the public hearing to consider the entitlements needed for the proposed Nagra Apartment Complex near McCall Avenue and Nelson Boulevard.

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**BACKGROUND:** The applicant Harbhajan S. Nagra, would like to develop his property on the corner of McCall Avenue and Nelson Boulevard. The parcel is vacant at this time and Mr. Nagra has submitted a conceptual site plan for an apartment complex. Before the site plan can be approved the following entitlements are needed:

- A General Plan Land Use Amendment changing the current Medium Low Density Residential Designation to High Density Designation.
- A McCall Specific Plan Amendment changing the land designation from Elementary to High Density.
- A Zone Change changing the zoning from Residential Single Family (7,000) square foot (R-1-7) to Medium High Density Residential Zoning.
- A Zone Variance to allow one structure to encroach 10' into the front setback.

The Planning Commission heard this item at their September 22, 2014 regular meeting. During the public hearing, several citizens voiced concerns regarding traffic, onsite improvements, and building design. After the Staff Report and public comments, the Commission continued the public hearing and directed staff to provide additional information on traffic and a redesign of the project, for further consideration.

**DISCUSSION:** A Traffic Warrant Analysis was performed by Central Valley Engineering and Surveying, to provide information on the traffic impact for McCall Avenue and Nelson Boulevard, to determine if a traffic signal at the project's entrance would be warranted.

The consultant determined that the project does impact the intersection and recommends the following mitigations:

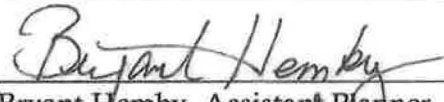
- Formalize the sneaker westbound right-turn on Nelson Boulevard and restricting on-street parking along the westbound approach near the intersection.
- The project should pay its fair share for the installation of a traffic signal and other offsite improvements.

The applicant has reconfigured the site plan and decreased the number of residential units from six to five. By removing one of the structures, the applicant anticipates that the concerns regarding the two story structures impacting the surrounding properties and the aesthetics of the community are mitigated. Selma's Municipal Code allows two story residential structures in all residential zoning. The project site is suitable for the proposed residential use. The project will assist Selma in meeting the Regional Housing numbers as required by State Law. Staff has placed conditions on the Site Plan to mitigate the impacts of the project.

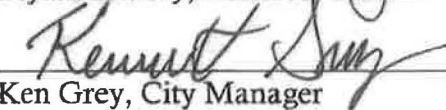


<b><u>COST:</u></b> (Enter cost of item to be purchased in box below)		<b><u>BUDGET IMPACT:</u></b> (Enter amount this non-budgeted item will impact this years' budget in box below – if budgeted, enter NONE).
None		None
<b><u>FUNDING:</u></b> (Enter the funding source for this item in box below – if fund exists, enter the balance in the fund).		<b><u>ON-GOING COST:</u></b> (Enter the amount that will need to be budgeted each year in box below – if one-time cost, enter NONE).
Funding Source: N/A  Fund Balance: N/A		None

**RECOMMENDATION:** Staff recommends approval of the project with conditions.

  
Bryant Hemby, Assistant Planner

4/23/2015  
Date

  
Ken Grey, City Manager

4/23/2015  
Date

<b><i>Attachments</i></b>	<b><i>Page</i></b>
1. Location Map.....	3
2. Site Plan & Elevations .....	4-5
3. Resolutions	
Resolution No. 2015-0005 recommending approval of General Plan Amendment No. 2013-0054 to the City Council.....	6-7
Resolution No. 2015-0006 recommending McCall Specific Plan No. 2013-0054 to the Selma City Council .....	8-9
Resolution No. 2015-0007 recommending approval of Zone Change from 2013-0054 to the Selma City Council .....	10-11
Resolution No. 2015-0008 approving Zone Variance No. 2013-0054 .....	12-13
4. Central Valley Traffic Analysis .....	14-24

**CITY OF SELMA  
MINUTES OF PLANNING COMMISSION MEETING  
September 22, 2014**

The meeting of the Selma Planning Commission was called to order at 6:06 p.m. in the Council chambers by Commissioner Serimian. Commission members answering roll call were: Gonzalez, Kessler, Sindher, Ivory and Serimian. Commissioner Edwards was absent.

Also present were: City Attorney Slater and Assistant Planner Hemby.

The agenda for this meeting was duly posted in a location visible at all times by the general public seventy-two hours prior to this meeting.

**CONSENT CALENDAR:** The minutes of the August 28, 2014, regular meeting were approved unanimously as written.

Staff advised the Commission that because of a noticing error the third site seeking a General Plan Amendment and Zone Change for 1261 & 1265 Rose Avenue was being pulled from the agenda and will be set for a new Planning Commission Meeting.

**CONSIDERATION AND NECESSARY ACTION FOR A GENERAL PLAN AMENDMENT, ZONE CHANGE, MCCALL SPECIFIC PLAN AMENDMENT, LOT MERGER, ZONE VARIANCE AT 2828 MCCALL AVENUE, SELMA, CA 93662. public hearing and approval:** The City of Selma is seeking a General Plan Amendment to re-designation the parcels from single family residential to multifamily residential. Along with this General Plan Amendment the parcel must be rezoned from R-1-7 to R3. The lots are also located in the McCall Specific Plan Area with a Vacant/Undeveloped land use designation. This designation will be changed to High Density Residential to comply with the General Plan Map. The two parcels will be merged into one which will allow a larger footprint for the project. A Zone Variance is needed to allow two of the buildings to encroach 10 feet into the 30' front setback area.

Commissioner Serimian opened the public hearing portion of the meeting at 6:15 p.m.

Lydia Mendez, 2004 Gaither Street, Selma, CA 93662, stepped forward and stated some concerns regarding the tenants that the apartment might bring.

Michael Rosenfeld, 2481 Silverbooke, Kingsburg, CA 93631, the builder of the apartment complex stepped forward to speak in favor of the project and to give a better description of his project.

Commissioner Sindher asks if the traffic access would be on McCall or the Alley. Staff explained the current design shows the traffic access will be in the alley.

Joey Valdez, 2835 A Street, Selma, CA. 93662, stepped forward and asked voiced her concerns about the new tenants.

Varina Rosenfeld, 2481 Silverbooke, Kingsburg, CA 903631 stepped forward and reinforced her husband's comment on the upscale and quality of the development.

Commissioners Serimian asked for clarification from the developer on the size of the project and some design features. Mr. Michael Rosenfeld stepped forward and answered Commissioners Serimian inquiries.

Jesse Mendez, 2004 Gaither Street, Selma, CA 93662, stepped forward and had concerns about graffiti, parking and other security problems that are associated with apartments.

Commissioner Gonzalez made a comment regarding traffic, water and sewer and stated that he could not support the General Plan Amendment exemption from CEQA.

After discussion Commissioner Serimian motioned to recommend approval of Resolution No. 2014-0009, a General Plan Amendment re-designating two parcels from Medium Low Density Residential to High Density Residential, the motion was seconded by Commissioner Ivory. The motion carried by the following vote:

AYES:	Serimian, Ivory Kessler, Sindher
NOES:	Gonzalez
ABSTAIN:	None
ABSENT:	Edwards

Staff explained the project had several entitlements that were being approved for both sites and it may be confusing to approve each resolution separately. Commissioner Serimian motioned to approve and recommend the following resolutions to the City Council: Resolution No. 2014-0010 a McCall Specific Plan Amendment re-designating two parcels from Vacant/Undeveloped to High Density; Resolution No. 2014-0011 rezoning two parcels from R-1-7 to R-3; Resolution No. 2014-0012 for a Lot Merger; and Resolution No. 2014-0013 for a Zone Variance to allow two new buildings to encroach 10' into the 30' front yard setback. The motion was seconded by Commissioner Ivory. The motion carried by the following vote:

AYES:	Serimian, Ivory, Kessler, Sindher
NOES:	Gonzalez
ABSTAIN:	None
ABSENT:	Edwards

**CONSIDERATION AND NECESSARY ACTION FOR A GENERAL PLAN AMENDMENT, ZONE CHANGE, MCCALL SPECIFIC PLAN, AND A ZONE VARIANCE FOR ASSESSORS PARCELS NUMBER: 358-070-78 & 358-070-79, LOCATED IN THE 3400 BLOCK OF MCCALL AVENUE, SELMA, CA 93662 – public hearing and approval:** Staff reported that the City of Selma is seeking a General Plan Amendment to re-designate a vacant parcel from Single Family Residential to Multifamily Residential. Along with this General Plan Amendment the parcel must be rezoned from R-1-7 to R-3. The lots are in the McCall Specific Plan Area and the designation will be changed from Elementary to High Density Residential. A Zone Variance is needed to allow two of the buildings to encroach 10' into the 30' front set back area in the McCall Specific Plan standards.

Commissioner Serimian opened the public hearing portion of the meeting at 7:20 p.m.

Nick Sahota, 2132 High Street, the designer for the project stepped forward and asked the Commission for their support of the project.

Harbhajan S. Nagra, from 11160 S. Chestnut, Fresno, CA 93725, the owner of the property gave a brief description of the project to the Commission.

Donna Murry, 2051 Hillcrest Street; Marty Alvarado, 2048 Hillcrest Street; Connie Lujan, 2053 Hillcrest Street; Frank Whitlock, 2005 Hillcrest Street; Joel Fedor, 2021 Hillcrest Street; Phyllis English, 2039 Hillcrest Street, all stepped forward and spoke in opposition of the project because of issues with traffic, noise, and other concerns associated with apartments.

Commissioner Gonzalez discussed the safety issue with traffic, and stated that he could not support this General Plan Amendment.

Commissioner Serimian reopened the public portion of the meeting.

Varina Rosenfeld, 2481 Silverbooke, Kingsburg, CA 903631 reinforced her husband's comment on the upscale housing development.

Commissioner Serimian closed the public portion again and referred the item to the Commission for consideration.

Commissioner Ivory discussed the traffic issued and aesthetics of the project.

City Attorney Slater recommended the previously approved resolutions 2014-0009, 2014-0010 and 2014-0012 be amended to remove the second project 3400 McCall project Assessor's Parcel Number 358-070-78 and 358-070-79 prior to being recommended to the City Council.

Commissioner Serimian recommended Resolution No. 2014-0009, a General Plan Amendment re-designating two parcels from Medium Low Density Residential to High Density Residential with amendments to the City Council. The motion was seconded by Commissioner Sindher. The motions carried by the following vote:

AYES:	Serimian, Sindher, Kessler, Ivory,
NOES:	Gonzalez
ABSTAIN:	None
ABSENT:	Edwards

Commissioner Serimian recommended Resolution No. 2014-0010, a McCall Specific Plan Amendment re-designating two parcels from Vacant/Undeveloped to High Density Residential with amendments to the City Council. The motion was seconded by Commissioner Kessler. The motions carried by the following vote:

AYES:	Serimian, Kessler, Ivory, Sindher
NOES:	Gonzalez
ABSTAIN:	None
ABSENT:	Edwards

Commissioner Serimian recommended Resolution No. 2014-0011, a Zone Change of two parcels at 2828 McCall Avenue from R-1-7 to R-3 with amendments to the Selma City Council. The motion was seconded by Commissioner Ivory. The motions carried by the following vote:

AYES: Serimian, Ivory, Kessler, Sindher,  
NOES: Gonzalez  
ABSTAIN: None  
ABSENT: Edwards

Commissioner Serimian approved Resolution No. 2014-0013, a Zone Variance for 2828 McCall Avenue with amendments excluding Assessor's Parcel Numbers: 358-070-78 and 358-070-79. The motion was seconded by Commissioner Ivory. The motion carried by the following vote:

AYES: Serimian, Ivory, Kessler, Sindher,  
NOES: Gonzalez  
ABSTAIN: None  
ABSENT: Edwards

At this time staff explained to the applicants and the audience, that 2828 McCall Avenue will move forward to the City Council on the 6<sup>th</sup> of October, for approval of the General Plan Amendment. The 3400 McCall project would be continued to the October 27, 2014 Planning Commission for further consideration.

**DIRECTOR'S REPORTS:**

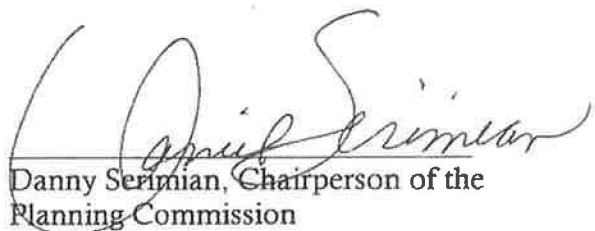
None

**ADJOURNMENT:** There being no further business, the meeting was adjourned at 8:35 p.m.

Respectfully submitted,



Bryant Hemby  
Secretary to the Planning Commission



Danny Serimian, Chairperson of the  
Planning Commission

**SELMA PLANNING COMMISSION  
STAFF REPORT**

Meeting Date: September 22, 2014

**TO: Selma Planning Commission**  
**FROM: Community Development Department**  
**SUBJECT: AGENDA ITEM NO.**

General Plan Amendment  
McCall Specific Plan Amendment  
Zone Change  
Zone Variance  
Lot Merger  
Environmental Assessment

**Summary and Purpose**

The purpose of this agenda item is to conduct a public hearing to consider several entitlements which includes: 1) General Plan Amendment of six parcels; 2) Zone Change for six parcels; 3) Specific Plan Amendment for four parcels; 4) Lot Merger of two parcels into one; 5) Zone Variance for four parcels and an Environmental Assessment.

**First Project Site Application Information**

Applicant: Harry Stepanian & Pam Stepanian Family Trust Est., 16766 McCall Avenue, Selma, CA. 93662.

Project Locations: 2828 McCall Avenue, (APN: 358-061-15 &-16).

Land Use; General Plan; Zoning: Vacant, Medium Low Density, R-1-7.

Applicant's Proposal: The property owner wants to build a new apartment complex on these two vacant parcels. This project will require the following entitlements.

General Plan Amendment: Re-designate the General Plan Land Use Designation from Medium Low Density Residential to High Density Residential.

McCall Specific Plan Amendment: Re-designate the McCall Specific Plan Land Use Designation from Vacant/Undeveloped to High Density Residential.

Zone Change: A Zone Change to change the current zoning from R-1-7 to R-3.

Zone Variance: A Zone Variance to allow two of the new buildings to encroach 10' into the front setback.

Lot Merger: The Lot Merger will merge the existing two parcels into one.

**First Project Discussion and Analysis**

Mr. Stephanian the owner of 2828 McCall Avenue purchased two parcels with the idea of placing apartments on them. Currently the parcels are zoned R-1-7 residential with a Medium Low Density General Plan Land Use Designation. The Land Use Designation must be changed from Medium Low Density Residential to High Density Residential in order for the project to move forward. The two parcels are also located in the McCall Specific Plan area with a Vacant/Undeveloped Land Use. To be consistent with the General Plan Map and the new zoning, the McCall Specific Plan Map must be changed from Vacant/Undeveloped to High Density Residential. The Zone Change will change the current zoning from R-1-7 to R-3. The Zone Variance is to allow two of the new apartments to encroach 10' into the front 30' yard setback required by the McCall Specific Plan. This encroachment will allow the new structures to align with the existing buildings to the north and south. The lot merger will combine the two existing parcels into one.

**Second Project Site Application Information**

Applicant: Harbhajan S. Nagra, 11160 S. Chestnut Ave., Fresno, CA 93725.

Project Locations: Vacant parcels at (APN: 358-070-79 & 78).

Land Use; General Plan; Zoning: Vacant, Medium Low Density Residential, R-1-7.

Applicant's Proposal: The property owner wants to build a new apartment complex on these two vacant parcels. This project will require the following entitlements.

General Plan Amendment: Re-designate the General Plan Land Use Designation from Medium Low Density to High Density Residential.

McCall Specific Plan Amendment: Re-designate the McCall Specific Plan Land Use Designation from Elementary to High Density Residential.

Zone Change: A Zone Change to change the current zoning from R-1-7 to R-3.

Zone Variance: A Zone Variance to allow two of the new buildings to encroach 10' into the front setback.

**Second Project Site Discussion and Analysis**

Mr. Nagra purchased two parcels to build apartments on them. On July 28, 2014 these two parcels were merged, however this lot merger has not been recorded as of yet. Currently the parcels are zoned R-1-7 Residential and have a Medium Low Density General Plan Land Use Designation. The Land Use Designation must be changed from Medium Low Density Residential to High Density Residential. The two parcels are also located in the McCall Specific Plan area with an Elementary Land Use Designation. To be consistent with the General Plan Map and the new zoning, the McCall Specific Plan Map must be changed from Elementary to High Density Residential. The Zone Change will change the current zoning of these parcels from R-1-7 to R-3. The Zone Variance is to allow two of the new apartments to encroach 10' into the front 30' yard setback. This encroachment will allow the new structures to align with the existing buildings to the north and south.

**Third Project Site Application Information**

<u>Applicant:</u>	Kristie Serimian, 2414 Chaparral, Selma, CA. 93662.
<u>Project Locations:</u>	1265 & 1261 Rose Avenue, Selma, CA (APN: 389-261-18 & 19).
<u>Land Use; General Plan; Zoning:</u>	Residential, Medium Low Density, R-1-7.
<u>Applicant's Proposal:</u>	The property owners wants the ability to have an office in the existing residential structure. To accomplish this change the following entitlements are required.
<u>General Plan Amendment:</u>	This General Plan Amendment will change the current Land Use Designation from Medium Low Density to Community Office.
<u>Zone Change:</u>	A Zone Change to change the current zoning from R-1-7 Residential to C-O Commercial Office.

**Third Project Site Discussion and Analysis**

Ms. Serimian the owner wants the ability to have an office in an existing single family resident. The Residential Land Use does not allow an office that generates pedestrian traffic; however the Commercial Office Land Use does allow a low impact office in a single family resident. The property will be changed from Medium Low Density Residential to Commercial Office and be rezoned from R-1-7 to C-O.



**Environmental (CEQA)**


These projects are consistent with the CEQA Guidelines for a Categorical Exemption (Section 15061(b) (3) as a General Rule project and (Section 15195.(a)(3) as a Residential Infill Project. These entitlements will make the General Plan Map, the McCall Specific Plan Map and the Zoning Map consistent per state law.

**Notice of Public Hearing**


The Notice of Public hearing has been published one time in The Selma Enterprise on September 10, 2014, as well as the notification to adjacent property owners within a 300-foot radius of the site.

**Recommendation**

Staff recommends the Planning Commission adopt Resolutions No's; 2014-0009, 2014-0010, 2014-0011, 2014-0012, 2014-0013, 2014-0014, 2014-0015.

  
Bryant Hemby, Assistant Planner  
Community Development Department

Approved by:

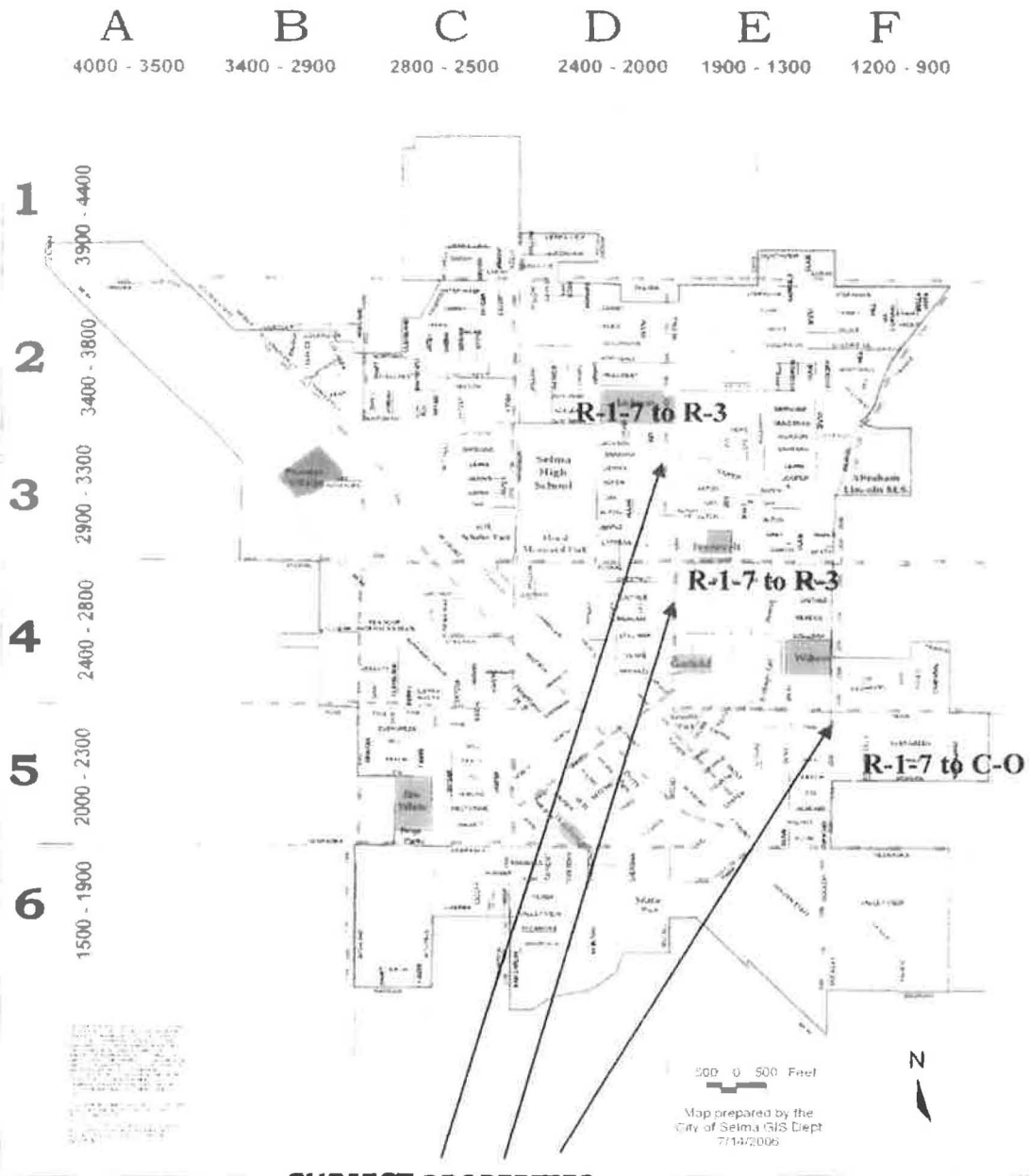
  
Kenneth Grey, City Manager  
Interim Community Development Director

**Attachments**

1. Maps:	
Location Map .....	6
General Plan Map .....	7
Zoning Map .....	8
McCall Specific Plan Map .....	9
2. Site Plan & Elevations:	
Site & Elevations for the 3400 block of McCall .....	10 – 11
Site & Elevations for 2828 McCall .....	12 – 14

3. Resolutions:	
Resolution No. 2014-0009 recommending approval of General Plan Amendment and Environmental Assessment No. 2014-0001 to the Selma City Council.....	15-16
Resolution No. 2014-0010 recommending approval of McCall Specific Plan Amendment No. 2014-0001 to the Selma City Council .....	17-18
Resolution No. 2014-0011 recommending approval of Zone Change To the Selma City Council .....	19-20
Resolution No. 2014-0012 approving Lot Merger No. 2014-0020 .....	21-22
Resolution No. 2014-0013 approving Zone Variance No. 2014-0020 ...	23-24
Resolution No. 2014-0014 recommending approval of General Plan Amendment No. 2014-0001 to the Selma City Council .....	25-26
Resolution No. 2014-0015 recommending approval of Zone Change No. 2014-0001 to the City Council.....	27 -28
3. Zone Ordinance .....	29 - 31

# City of Selma



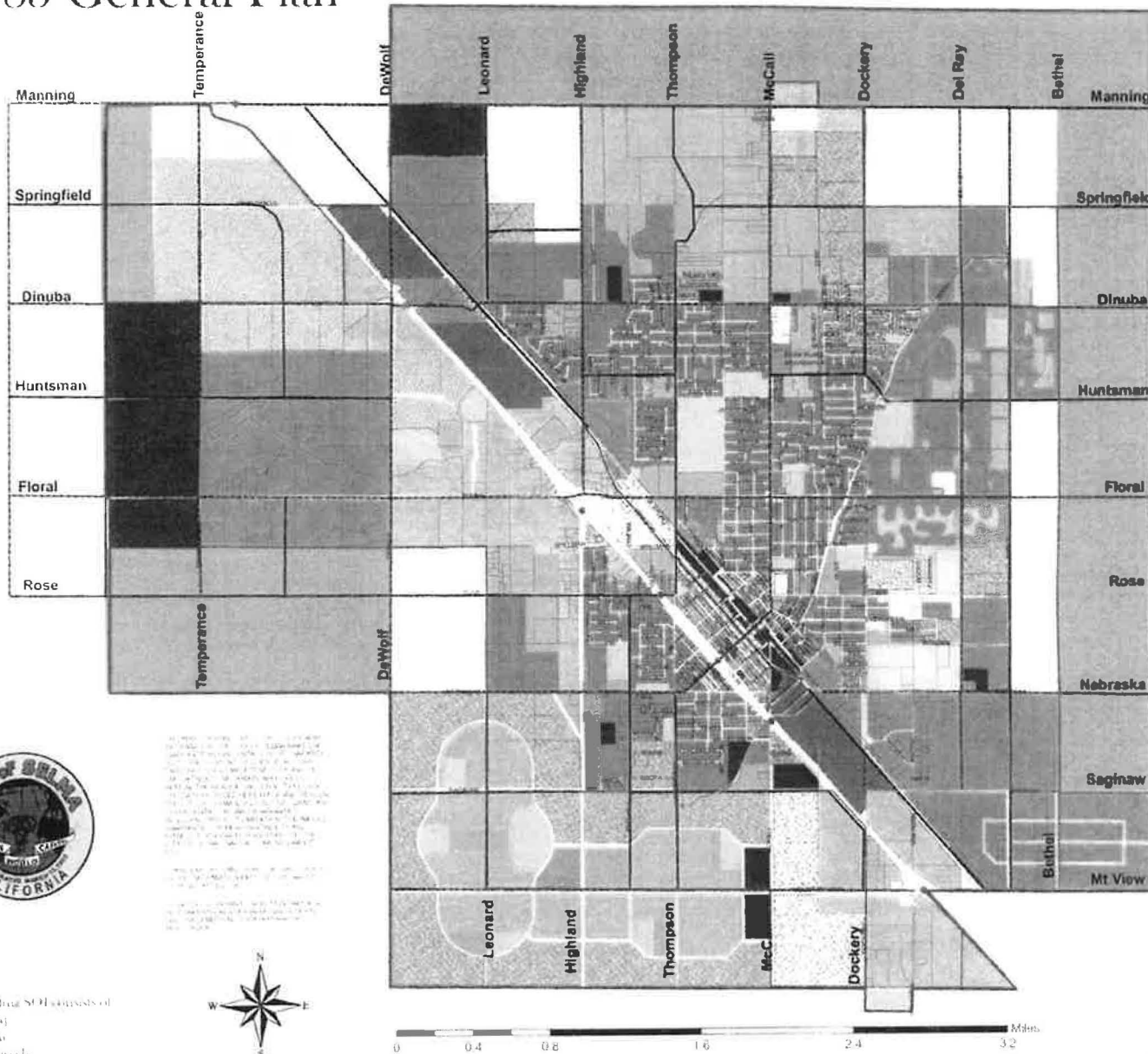
**SUBJECT PROPERTIES**

**APN 358-070-78 & 79  
2828 McCall  
1261 & 1265 Rose**

**CITY OF SELMA  
COMMUNITY DEVELOPMENT  
DEPARTMENT**



# City of Selma 2035 General Plan



- Legend**
- 2009 selma city limits
  - Current Selma SOI
  - Sphere of Influence Proposed
  - 2035 Planning Area
  - Interchange
  - Undercrossing
  - Proposed Interchange
  - Arterial
  - Major Arterial
  - Collector
  - Expressway
  - Current Selma SOI Parcels
- 2035 General Plan**
- Pref\_Alt**
- Very Low Density
  - Low Density
  - Medium Density
  - Medium Low Density
  - Medium High Density
  - High Density
  - Residential Reserve
  - Regional Commercial
  - Central Business District
  - Neighborhood Commercial
  - Commercial Office
  - Community Commercial
  - Highway Commercial
  - Service Commercial
  - Commercial Reserve
  - Business Park Reserve
  - Mixed Use
  - Light Industrial
  - Heavy Industrial
  - Light Industrial Reserve
  - Agriculture
  - Park/Open Space
  - Planned Medical Development
  - Public Facilities
  - Right-of-Way
  - Selma Aerodrome



The Selma SOI consists of  
12,892 Sq  
8,282 Ac  
67,076 Parcels

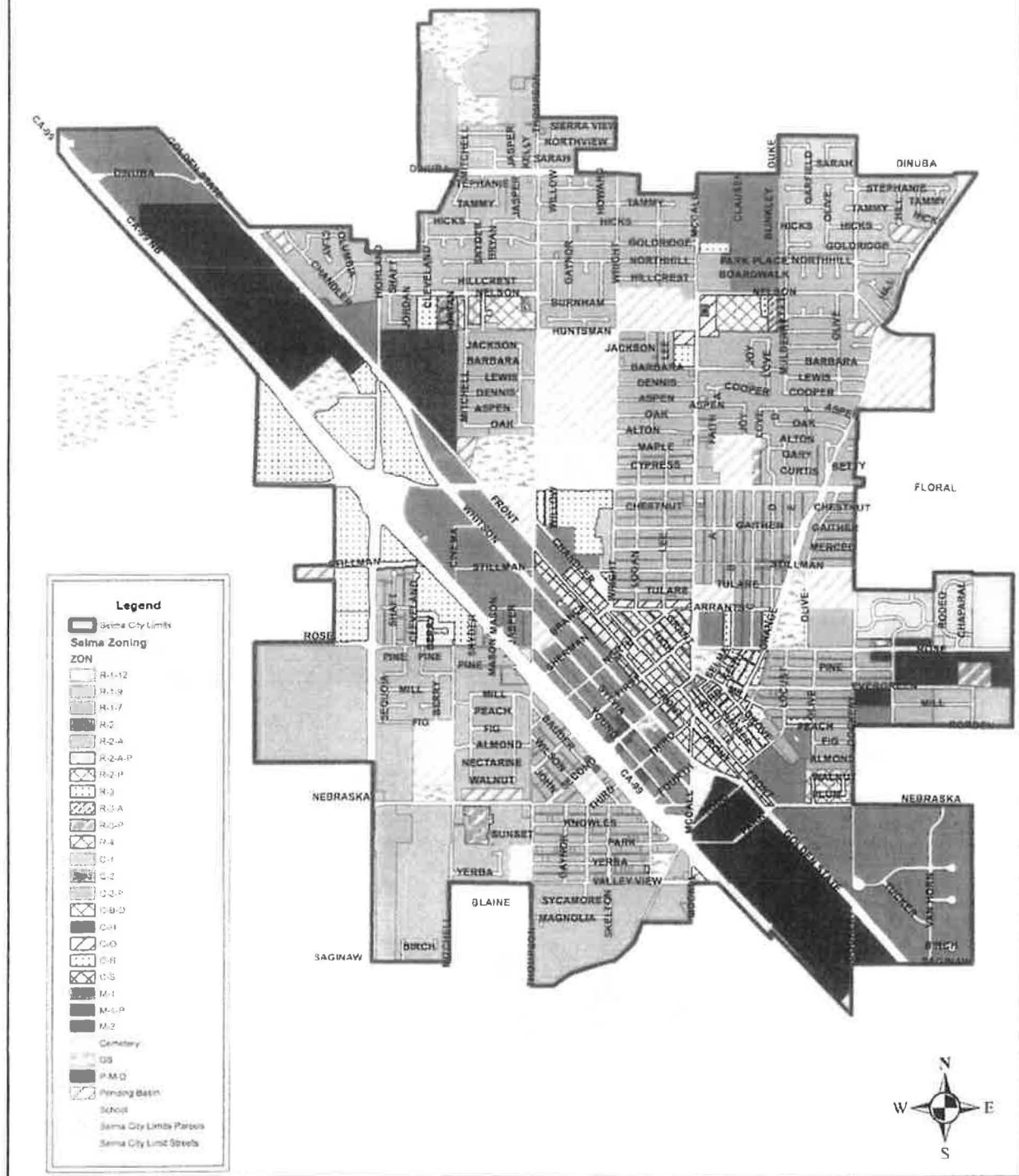


0 0.4 0.8 1.6 2.4 3.2 Miles

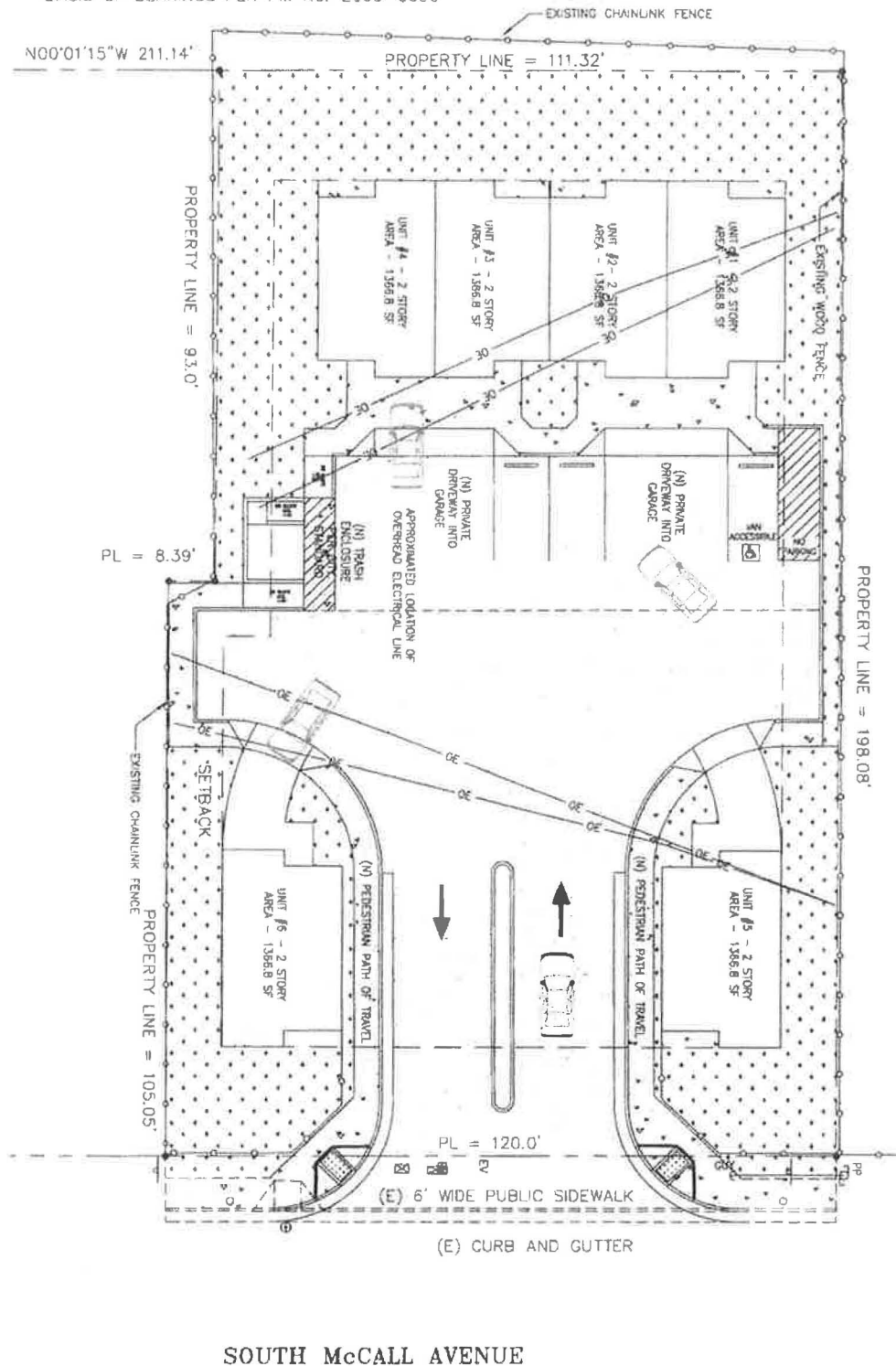


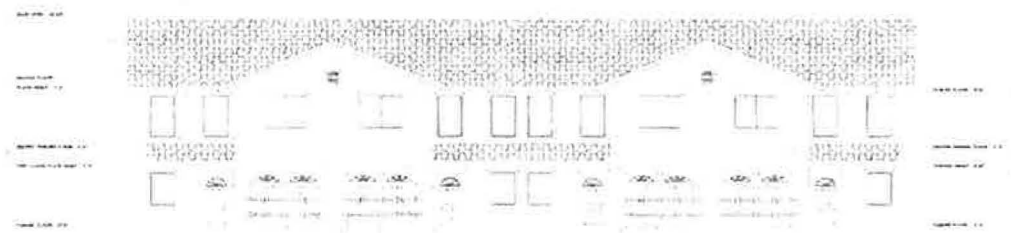
The Map was prepared by the  
City of Selma Planning  
Department

# City of Selma Zoning

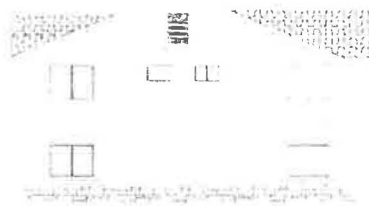








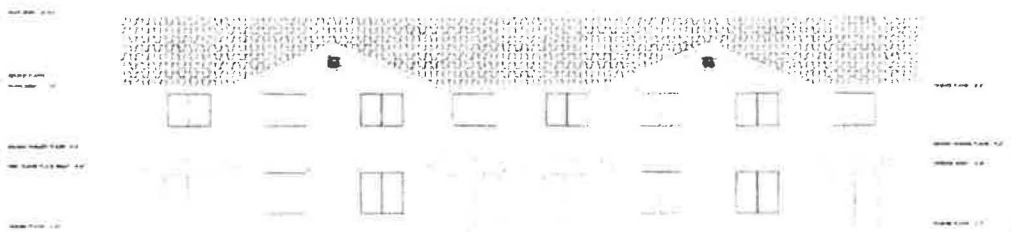
FRONT ELEVATION  
SCALE: 1/8" = 1'-0"



LEFT SIDE ELEVATION  
SCALE: 1/8" = 1'-0"



RIGHT SIDE ELEVATION  
SCALE: 1/8" = 1'-0"



REAR ELEVATION  
SCALE: 1/8" = 1'-0"



## **Attachment No. 11**

# **Central Valley Traffic Reports 2015**

2/26/15

John Everett PE, TE  
Central Valley Engineering and Surveying Inc.  
2132 High Street  
Selma CA 93662

Bryant Hembly  
Assistant Planner  
City of Selma  
1710 Tucker Avenue  
Selma CA 93662

RE: Traffic Analysis for the Nagra Apartment Project at the intersection of McCall Avenue and Nelson Boulevard

Dear Mr. Hembly

As a follow up to my initial traffic signal warrant analysis, I would like to submit the results of a level of service analysis of the above referenced intersection during both AM and PM peak hours, and showing the intersection's state of operation when the project's projected traffic is included and not. Traffic volume data was taken at the above referenced intersection on Tuesday, January 13, 2015 during AM and PM peak hours of 7 AM-9 AM and 3 PM- 5 PM. The projected peak hour traffic volume for the apartment complex is estimated as 10% of the daily traffic generated by the development which was supplied by the city as a total of 54 vehicle trips per day. Therefore, six vehicle trips were estimated to occur during peak AM or PM peak hours. These six trips were then evenly distributed amongst the possible routes leaving from and returning to the apartment complex. Level of Service for the intersection, individual approaches, and individual turning movements at McCall Avenue and Nelson Avenue were then determined due to calculated delay and the results are as follows:

**Level of Service of the intersection**

AM Peak Hour - Existing	C
PM Peak Hour - Existing	B
AM Peak Hour - Existing + Project	D
PM Peak Hour - Existing + Project	B

**Level of Service for individual approaches**

	EB	WB	NB	SB
AM Peak Hour - Existing	-	D	B	B
PM Peak Hour - Existing	-	B	B	B
AM Peak Hour - Existing + Project	A	E	B	C
PM Peak Hour - Existing + Project	A	B	B	B

~ 1 ~



The Level of Service calculations for the individual turning movements are as follows:

	Level of Service for individual turning movements											
	ELT	ETH	ERT	WLT	WTH	WRT	NLT	NTH	NRT	SLT	STH	SRT
AM Peak Hour - Existing	-	-	-	E	-	B	-	B	B	B	B	-
PM Peak Hour - Existing	-	-	-	B	-	B	-	B	B	B	B	-
AM Peak Hour - Existing + Project	B	A	A	F	F	C	B	B	C	C	C	B
PM Peak Hour - Existing + Project	A	A	A	B	B	B	B	B	C	C	B	B

As the data shows, all individual turning movements of the intersection operate at satisfactory levels of service with the exception of the westbound Nelson Avenue left turn movement/pocket which operated at unsatisfactory levels of delay during the 6:45-7:45 AM peak hour in both the existing and existing plus project models. With a calculated peak hour factor of .57, the increase in traffic volume along this westbound approach is quite sudden and extreme from 7:00 AM to 7:30 AM.

The Traffic Circulation Element found in Appendix J of the City of Selma 2035 General Plan Update strives to maintain a minimum Level of Service of D at all unsignalized intersections with the city of Selma. The addition of a fourth leg to the intersection with the anticipated traffic from the proposed development changes the level of service for the intersection from a "C" to a "D". While a level of service of a "D" is still acceptable, the need for upgrades to traffic controls at this location should occur in the near future with continued area development or regional growth.

In order to mitigate any traffic impacts for which the Nagra Development is responsible, there are a few improvements that should improve the operation of the intersection. First, I would formalize the sneaker westbound right-turn lane, and the separation of right-turning and left-turning westbound traffic by restricting on-street parking along the westbound approach near the intersection and creating two distinct lanes with the application of pavement markings if possible. A second mitigation measure would be the installation of a traffic signal at this location. Any development adjacent to this intersection would need to anticipate a future traffic signal installation.

As the proposed development is responsible for some traffic impacts to the intersection, the developer would be responsible to pay for an equitable share of the costs of installing a traffic signal at the subject intersection. Using Caltran's *Guide for the Preparation of Traffic Impact Studies* (December 2002) Appendix B; *Methodology for Calculating Equitable Mitigation Measures*, I calculated the equitable share for the proposed project's traffic impact as .82% of the traffic signal installation.

If I can be of any further assistance, please do not hesitate to call me at (559) 891-8811 between 8 AM and 5 PM, Monday through Friday, or by email at [jeverett@cveas.com](mailto:jeverett@cveas.com).

Sincerely,

John Everett PE, TE  
Traffic Engineer Reg. No. TR2015

1/21/15

• • •

John Everett PE  
Central Valley Engineering and Surveying Inc.  
2132 High Street  
Selma CA 93662

RECEIVED  
JAN 21 2015  
City of Selma  
Community Development Department

Review 1/26/2015

Bryant Hembly  
Assistant Planner  
City of Selma  
1710 Tucker Avenue  
Selma CA 93662

RE: Traffic Signal Warrant Analysis for the Nagra Apartment Project at the intersection of  
McCall Avenue and Nelson Boulevard

Dear Mr. Hembly

In accordance with the request made at the September 22<sup>nd</sup> Planning commission meeting, Central valley engineering and Surveying Inc. was tasked with performing the above referenced analysis. Traffic data was collected beginning Tuesday, January 6<sup>th</sup> 2015. As the planning department requested we show traffic volume when school was in session, data collection was extended into the following week. Once AM and PM Peak Hour patterns were established by the machine counters, staff manually collected vehicle turning movement counts and pedestrian counts during these hours These were performed on Tuesday, January 13<sup>th</sup> 2015. Using the data collected and observations made on-site I performed a traffic signal warrant analysis using the worksheets provided in the 2014 California Manual of Traffic Control Devices.

First, I noted that there were significant reductions in traffic volume at this intersection in the northbound and southbound McCall Avenue approaches, when comparing the 2015 data with data from the 2007 study. I am unable to account for this reduction in traffic volumes except to wonder if McCall Avenue may see some additional traffic during certain seasons. Traffic Volume Tube Counts were begun 1/6/2015 and were completed by 1/15/2015. Extremely high traffic volume was observed and recorded travelling westbound on Nelson Blvd. for short durations around 8:00-8:30 AM in the morning and 2:00-2:30 PM in the afternoon. This spike in traffic volumes were attributed to large numbers students being dropped off or dismissed around these times and the resulting traffic that was generated. As a result of this early morning school traffic, warrant No. 3, for Peak Hour Delay of traffic on this minor street was triggered for the 7:30 to 8:30 AM Peak Hour.

I should point out that this particular traffic signal warrant (third of nine) would not have been triggered if this approach was shown as a two lane approach; a separate left turn lane and right turn lane, **as it currently functions**, instead of a single lane serving both movements. The

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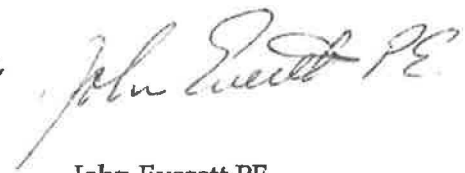
Nelson Boulevard westbound approach is 20 foot wide, and right turning traffic is separating itself from the left turn queue and forming its own queue to make right turns.

However, because on-street parking is permitted on the north side of this approach, in effect negating the right turning sneaker lane, and there is no lane markings formalizing this right turn lane, Nelson Avenue falls into the single lane approach category on the worksheet and the peak hour delay warrant is triggered. The current unofficial right turn sneaker lane greatly enhances the operation of this intersection and keeps the westbound approach from backing up more than it already does. As a result, the rather lengthy queues that develop when these spikes in westbound traffic volumes take place are reduced relatively quickly.

This does not mean that this intersection isn't close to reaching capacity for all-way stop control. In order to provide an additional gage of the current state of operation of this intersection, I calculated the amount of delay and level of service for each approach and individual turning movement **as the intersection currently functions on a daily basis**. The Westbound left turn movement is the only movement that indicates significant delay of 47.4 seconds and a Level of Service of E. As a result the entire westbound approach shows an approach delay of 34.4 seconds and an approach Level of Service of D which is the minimum acceptable level of service in the 2035 General Plan. The Northbound, Southbound approaches and turning movements and the westbound right turn movement maintained Level of services of B and operate quite satisfactorily.

The installation of a traffic signal would not necessarily guarantee that the westbound approach would not continue to experience excessive queue lengths and delay at this location. As requested, I am attaching copies of the machine counts, peak hour turning movement diagrams, the traffic signal warrant worksheets, and a current proposed project site plan (eastbound approach layout). If there are any additional questions, or I can be of further assistance please contact me at our office at (559)891-8811 or by email at [jeverett@cveas.com](mailto:jeverett@cveas.com).

Sincerely,



John Everett PE  
Traffic Engineer

Attachments  
Traffic Signal Warrant Analysis Worksheets  
Traffic Tube Counts  
Site Plan  
AM/PM Peak Hour Volumes  
Vicinity map

John Everett PE • 2

## CHAPTER 4C. TRAFFIC CONTROL SIGNAL NEEDS STUDIES

### Section 4C.01 Studies and Factors for Justifying Traffic Control Signals

#### Standard:

01 An engineering study of traffic conditions, pedestrian characteristics, and physical characteristics of the location shall be performed to determine whether installation of a traffic control signal is justified at a particular location.

01a On State highways, the engineering study shall include consideration of a roundabout (yield control). If a roundabout is determined to provide a viable and practical solution, it shall be studied in lieu of, or in addition to a traffic control signal.

#### Guidance:

01b On local streets and highways, the engineering study should include consideration of a roundabout (yield control). If a roundabout is determined to provide a viable and practical solution, it should be studied in lieu of, or in addition to a traffic control signal.

#### Support:

01c Refer to Caltrans' website (<http://www.dot.ca.gov/hq/traffops/liaisons/ice.html>) for more information on the Traffic Operations Policy Directive 13-02, Intersection Control Evaluation (ICE), and other resources for the evaluation of intersection traffic control strategies.

02 The investigation of the need for a traffic control signal shall include an analysis of factors related to the existing operation and safety at the study location and the potential to improve these conditions, and the applicable factors contained in the following traffic signal warrants:

Warrant 1, Eight-Hour Vehicular Volume

Warrant 2, Four-Hour Vehicular Volume

Warrant 3, Peak Hour

Warrant 4, Pedestrian Volume

Warrant 5, School Crossing

Warrant 6, Coordinated Signal System

Warrant 7, Crash Experience

Warrant 8, Roadway Network

Warrant 9, Intersection Near a Grade Crossing

03 The satisfaction of a traffic signal warrant or warrants shall not in itself require the installation of a traffic control signal.

#### Support:

04 Sections 8C.09 and 8C.10 contain information regarding the use of traffic control signals instead of gates and/or flashing-light signals at highway-rail grade crossings and highway-light rail transit grade crossings, respectively.

#### Guidance:

05 A traffic control signal should not be installed unless one or more of the factors described in this Chapter are met.

06 A traffic control signal should not be installed unless an engineering study indicates that installing a traffic control signal will improve the overall safety and/or operation of the intersection.

07 A traffic control signal should not be installed if it will seriously disrupt progressive traffic flow.

08 The study should consider the effects of the right-turn vehicles from the minor-street approaches. Engineering judgment should be used to determine what, if any, portion of the right-turn traffic is subtracted from the minor-street traffic count when evaluating the count against the signal warrants listed in Paragraph 2.

09 Engineering judgment should also be used in applying various traffic signal warrants to cases where approaches consist of one lane plus one left-turn or right-turn lane. The site-specific traffic characteristics should dictate whether an approach is considered as one lane or two lanes. For example, for an approach with one lane for through and right-turning traffic plus a left-turn lane, if engineering judgment indicates that it should be considered a one-lane approach because the traffic using the left-turn lane is minor, the total traffic volume approaching the intersection should be applied against the signal warrants as a one-lane approach. The

pavement markings, roadway lighting, driveways, nearby railroad crossings, distance to nearest traffic control signals, utility poles and fixtures, and adjacent land use.

G. A collision diagram showing crash experience by type, location, direction of movement, severity, weather, time of day, date, and day of week for at least 1 year.

<sup>18</sup> The following data, which are desirable for a more precise understanding of the operation of the intersection, may be obtained during the periods described in Item B of Paragraph 17:

A. Vehicle-hours of stopped time delay determined separately for each approach.

B. The number and distribution of acceptable gaps in vehicular traffic on the major street for entrance from the minor street.

C. The posted or statutory speed limit or the 85<sup>th</sup>-percentile speed on controlled approaches at a point near to the intersection but unaffected by the control.

D. Pedestrian delay time for at least two 30-minute peak pedestrian delay periods of an average weekday or like periods of a Saturday or Sunday.

E. Queue length on stop-controlled approaches.

**Standard:**

<sup>19</sup> **Delay, congestion, approach conditions, driver confusion, future land use or other evidence of the need for right of way assignment beyond that which could be provided by stop sign shall be demonstrated.**

**Support:**

<sup>20</sup> Figure 4C-101(CA) and 4C-103(CA) are examples of warrant sheets.

**Guidance:**

<sup>21</sup> *Figure 4C-103(CA) should be used only for new intersections or other locations where it is not reasonable to count actual traffic volumes.*

## **Section 4C.02 Warrant 1, Eight-Hour Vehicular Volume**

**Support:**

<sup>01</sup> The Minimum Vehicular Volume, Condition A, is intended for application at locations where a large volume of intersecting traffic is the principal reason to consider installing a traffic control signal.

<sup>02</sup> The Interruption of Continuous Traffic, Condition B, is intended for application at locations where Condition A is not satisfied and where the traffic volume on a major street is so heavy that traffic on a minor intersecting street suffers excessive delay or conflict in entering or crossing the major street.

<sup>03</sup> It is intended that Warrant 1 be treated as a single warrant. If Condition A is satisfied, then Warrant 1 is satisfied and analyses of Condition B and the combination of Conditions A and B are not needed. Similarly, if Condition B is satisfied, then Warrant 1 is satisfied and an analysis of the combination of Conditions A and B is not needed.

**Standard:**

<sup>04</sup> **The need for a traffic control signal shall be considered if an engineering study finds that one of the following conditions exist for each of any 8 hours of an average day:**

**A. The vehicles per hour given in both of the 100 percent columns of Condition A in Table 4C-1 exist on the major-street and the higher-volume minor-street approaches, respectively, to the intersection; or**

**B. The vehicles per hour given in both of the 100 percent columns of Condition B in Table 4C-1 exist on the major-street and the higher-volume minor-street approaches, respectively, to the intersection.**

**In applying each condition the major-street and minor-street volumes shall be for the same 8 hours. On the minor street, the higher volume shall not be required to be on the same approach during each of these 8 hours.**

**Option:**

<sup>05</sup> If the posted or statutory speed limit or the 85<sup>th</sup>-percentile speed on the major street exceeds 40 mph, or if the intersection lies within the built-up area of an isolated community having a population of less than 10,000, the traffic volumes in the 70 percent columns in Table 4C-1 may be used in place of the 100 percent columns.

**Guidance:**

<sup>06</sup> *The combination of Conditions A and B is intended for application at locations where Condition A is not satisfied and Condition B is not satisfied and should be applied only after an adequate trial of other alternatives that could cause less delay and inconvenience to traffic has failed to solve the traffic problems.*



**3. The total entering volume serviced during the hour equals or exceeds 650 vehicles per hour for intersections with three approaches or 800 vehicles per hour for intersections with four or more approaches.**

**B. The plotted point representing the vehicles per hour on the major street (total of both approaches) and the corresponding vehicles per hour on the higher-volume minor-street approach (one direction only) for 1 hour (any four consecutive 15-minute periods) of an average day falls above the applicable curve in Figure 4C-3 for the existing combination of approach lanes.**

**Option:**

**04** If the posted or statutory speed limit or the 85th-percentile speed on the major street exceeds 40 mph, or if the intersection lies within the built-up area of an isolated community having a population of less than 10,000, Figure 4C-4 may be used in place of Figure 4C-3 to evaluate the criteria in the second category of the Standard.

**05** If this warrant is the only warrant met and a traffic control signal is justified by an engineering study, the traffic control signal may be operated in the flashing mode during the hours that the volume criteria of this warrant are not met.

**Guidance:**

**06** *If this warrant is the only warrant met and a traffic control signal is justified by an engineering study, the traffic control signal should be traffic-actuated.*

#### **Section 4C.05 Warrant 4, Pedestrian Volume**

**Support:**

**01** The Pedestrian Volume signal warrant is intended for application where the traffic volume on a major street is so heavy that pedestrians experience excessive delay in crossing the major street.

**Standard:**

**02** The need for a traffic control signal at an intersection or midblock crossing shall be considered if an engineering study finds that one of the following criteria is met:

**A. For each of any 4 hours of an average day, the plotted points representing the vehicles per hour on the major street (total of both approaches) and the corresponding pedestrians per hour crossing the major street (total of all crossings) all fall above the curve in Figure 4C-5; or**

**B. For 1 hour (any four consecutive 15-minute periods) of an average day, the plotted point representing the vehicles per hour on the major street (total of both approaches) and the corresponding pedestrians per hour crossing the major street (total of all crossings) falls above the curve in Figure 4C-7.**

**Option:**

**03** If the posted or statutory speed limit or the 85th-percentile speed on the major street exceeds 35 mph, or if the intersection lies within the built-up area of an isolated community having a population of less than 10,000, Figure 4C-6 may be used in place of Figure 4C-5 to evaluate Criterion A in Paragraph 2, and Figure 4C-8 may be used in place of Figure 4C-7 to evaluate Criterion B in Paragraph 2.

**Standard:**

**04** The Pedestrian Volume signal warrant shall not be applied at locations where the distance to the nearest traffic control signal or STOP sign controlling the street that pedestrians desire to cross is less than 300 feet, unless the proposed traffic control signal will not restrict the progressive movement of traffic.

**05** If this warrant is met and a traffic control signal is justified by an engineering study, the traffic control signal shall be equipped with pedestrian signal heads complying with the provisions set forth in Chapter 4E.

**Guidance:**

**06** *If this warrant is met and a traffic control signal is justified by an engineering study, then:*

**A. If it is installed at an intersection or major driveway location, the traffic control signal should also control the minor-street or driveway traffic, should be traffic-actuated, and should include pedestrian detection.**

**B. If it is installed at a non-intersection crossing, the traffic control signal should be installed at least 100 feet from side streets or driveways that are controlled by STOP or YIELD signs, and should be pedestrian-actuated. If the traffic control signal is installed at a non-intersection crossing, at least one of the signal faces should be over the traveled way for each approach, parking and other sight obstructions should be prohibited for at least 100 feet in advance of and at least 20 feet beyond the crosswalk or site**



*Guidance:*

*03 The Coordinated Signal System signal warrant should not be applied where the resultant spacing of traffic control signals would be less than 1,000 feet.*

**Section 4C.08 Warrant 7, Crash Experience**

**Support:**

01 The Crash Experience signal warrant conditions are intended for application where the severity and frequency of crashes are the principal reasons to consider installing a traffic control signal.

**Standard:**

02 The need for a traffic control signal shall be considered if an engineering study finds that all of the following criteria are met:

- A. Adequate trial of alternatives with satisfactory observance and enforcement has failed to reduce the crash frequency; and
- B. Five or more reported crashes, of types susceptible to correction by a traffic control signal, have occurred within a 12-month period, each crash involving personal injury or property damage apparently exceeding the applicable requirements for a reportable crash; and
- C. For each of any 8 hours of an average day, the vehicles per hour (vph) given in both of the 80 percent columns of Condition A in Table 4C-1 (see Section 4C.02), or the vph in both of the 80 percent columns of Condition B in Table 4C-1 exists on the major-street and the higher-volume minor-street approach, respectively, to the intersection, or the volume of pedestrian traffic is not less than 80 percent of the requirements specified in the Pedestrian Volume warrant. These major-street and minor-street volumes shall be for the same 8 hours. On the minor street, the higher volume shall not be required to be on the same approach during each of the 8 hours.

**Option:**

03 If the posted or statutory speed limit or the 85th-percentile speed on the major street exceeds 40 mph, or if the intersection lies within the built-up area of an isolated community having a population of less than 10,000, the traffic volumes in the 56 percent columns in Table 4C-1 may be used in place of the 80 percent columns.

**Section 4C.09 Warrant 8, Roadway Network**

**Support:**

01 Installing a traffic control signal at some intersections might be justified to encourage concentration and organization of traffic flow on a roadway network.

**Standard:**

02 The need for a traffic control signal shall be considered if an engineering study finds that the common intersection of two or more major routes meets one or both of the following criteria:

- A. The intersection has a total existing, or immediately projected, entering volume of at least 1,000 vehicles per hour during the peak hour of a typical weekday and has 5-year projected traffic volumes, based on an engineering study, that meet one or more of Warrants 1, 2, and 3 during an average weekday; or
- B. The intersection has a total existing or immediately projected entering volume of at least 1,000 vehicles per hour for each of any 5 hours of a non-normal business day (Saturday or Sunday).

03 A major route as used in this signal warrant shall have at least one of the following characteristics:

- A. It is part of the street or highway system that serves as the principal roadway network for through traffic flow.
- B. It includes rural or suburban highways outside, entering, or traversing a city.
- C. It appears as a major route on an official plan, such as a major street plan in an urban area traffic and transportation study.

**Section 4C.10 Warrant 9, Intersection Near a Grade Crossing**

**Support:**

01 The Intersection Near a Grade Crossing signal warrant is intended for use at a location where none of the conditions described in the other eight traffic signal warrants are met, but the proximity to the intersection of a

### **Section 4C.101(CA) Criterion for School Crossing Traffic Signals**

**01 Standard:**

- A. The signal shall be designed for full-time operation.**
- B. Pedestrian signal faces of the International Symbol type shall be installed at all marked crosswalks at signalized intersections along the "Suggested Route to School."**
- C. If an intersection is signalized under this guideline for school pedestrians, the entire intersection shall be signalized.**
- D. School area traffic signals shall be traffic actuated type with push buttons or other detectors for pedestrians.**

**Option:**

- 02 Non-intersection school pedestrian crosswalk locations may be signalized when justified.**

### **Section 4C.102(CA) Bicycle Signal Warrant**

**Guidance:**

*01 A bicycle signal should be considered for use only when the volume and collision or volume and geometric warrants have been met:*

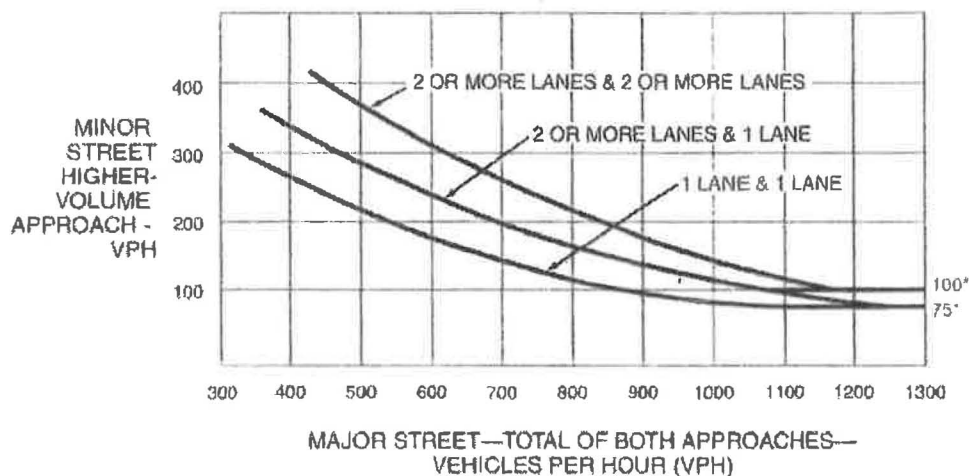
- 1. Volume; When  $W = B \times V$  and  $W \geq 50,000$  and  $B \geq 50$ .**  
*Where: W is the volume warrant. B is the number of bicycles at the peak hour entering the intersection. V is the number of vehicles at the peak hour entering the intersection. B and V shall use the same peak hour.*
- 2. Collision; When 2 or more bicycle/vehicle collisions of types susceptible to correction by a bicycle signal have occurred over a 12-month period and the responsible public works official determines that a bicycle signal will reduce the number of collisions.**
- 3. Geometric;**
  - (a) Where a separate bicycle/ multi use path intersects a roadway.*
  - (b) At other locations to facilitate a bicycle movement that is not permitted for a motor vehicle.*

**Figure 4C-3. Warrant 3, Peak Hour**



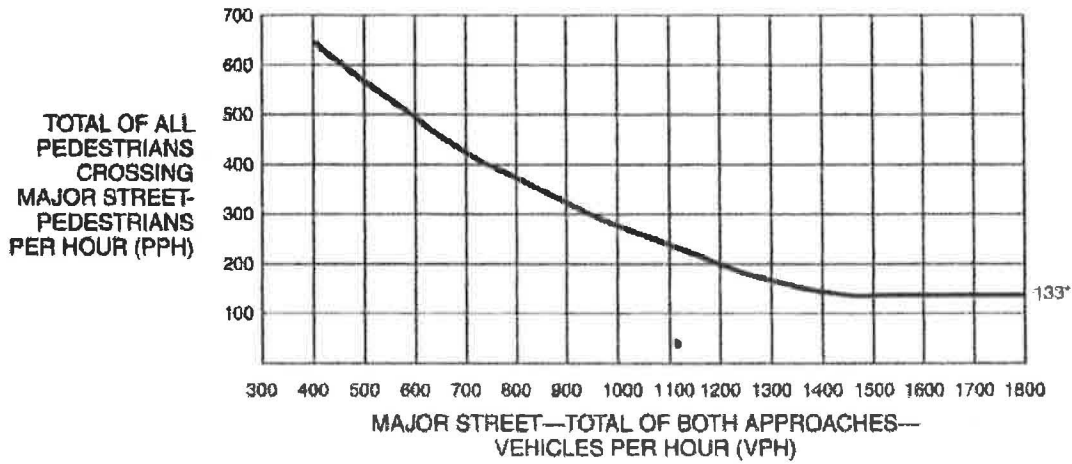
\*Note: 150 vph applies as the lower threshold volume for a minor-street approach with two or more lanes and 100 vph applies as the lower threshold volume for a minor-street approach with one lane.

**Figure 4C-4. Warrant 3, Peak Hour (70% Factor)**  
(COMMUNITY LESS THAN 10,000 POPULATION OR ABOVE 40 MPH ON MAJOR STREET)



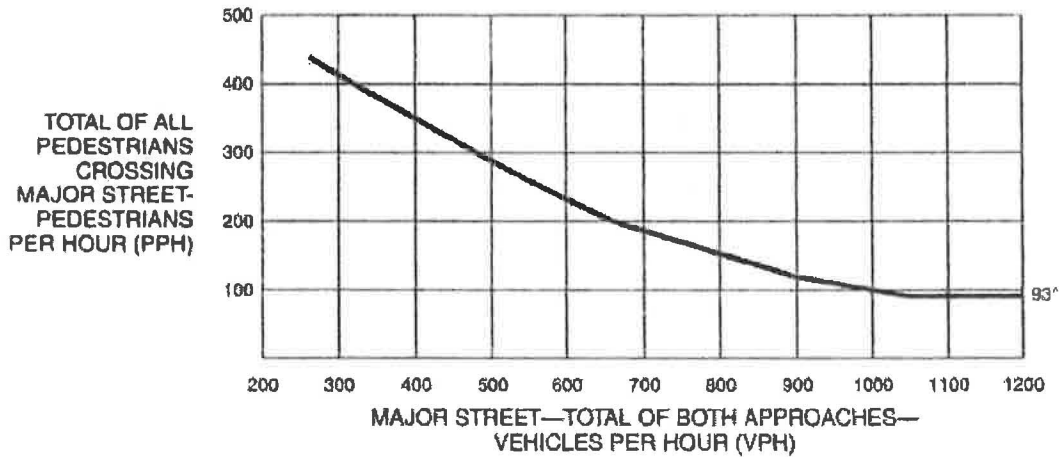
\*Note: 100 vph applies as the lower threshold volume for a minor-street approach with two or more lanes and 75 vph applies as the lower threshold volume for a minor-street approach with one lane.

**Figure 4C-7. Warrant 4, Pedestrian Peak Hour**



\*Note: 133 pph applies as the lower threshold volume.

**Figure 4C-8. Warrant 4, Pedestrian Peak Hour (70% Factor)**



\*Note: 93 pph applies as the lower threshold volume.

**Figure 4C-101 (CA). Traffic Signal Warrants Worksheet (Sheet 1 of 5)**

DIST N/A CO N/A RTE N/A PM N/A  
 Major St: McCall Avenue  
 Minor St: Nelson Boulevard  
 COUNT DATE 1-13-15  
 CALC JPE DATE 1-16-15  
 CHK \_\_\_\_\_ DATE \_\_\_\_\_  
 Critical Approach Speed 40 mph  
 Critical Approach Speed 25 mph  
 Speed limit or critical speed on major street traffic > 40 mph. ☐   
 In built up area of isolated community of < 10,000 population. ☐   
 } **RURAL (R)**  
 } ☒ **URBAN (U)**

**WARRANT 1 - Eight Hour Vehicular Volume** SATISFIED YES ☐ NO ☐  
(Condition A or Condition B or combination of A and B must be satisfied)

**Condition A - Minimum Vehicle Volume**

100% SATISFIED YES ☐ NO ☒  
80% SATISFIED YES ☐ NO ☒

APPROACH LANES	MINIMUM REQUIREMENTS (80% SHOWN IN BRACKETS)											
	U	R	U	R								
	1		2 or More									
Both Approaches Major Street	500 (400)	350 (280)	600 (480)	420 (336)	888	803	789	699	645	635	600	571
Highest Approach Minor Street	150 (120)	105 (84)	200 (160)	140 (112)	217	161	271	436	165	173	121	116

5-6 PM  
 4-5 PM  
 2-3 PM  
 7:00-8:30 AM  
 3-4 PM  
 6-7 PM  
 1-2 PM  
 12-1 PM Hour

**Condition B - Interruption of Continuous Traffic**

100% SATISFIED YES ☐ NO ☒  
80% SATISFIED YES ☐ NO ☒

APPROACH LANES	MINIMUM REQUIREMENTS (80% SHOWN IN BRACKETS)											
	U	R	U	R								
	1		2 or More									
Both Approaches Major Street	750 (600)	525 (420)	900 (720)	630 (504)	888	803	789	699	645	635	600	571
Highest Approach Minor Street	75 (60)	53 (42)	100 (80)	70 (56)	217	161	271	436	165	173	121	116

5-6 PM  
 4-5 PM  
 2-3 PM  
 7:00-8:30 AM  
 3-4 PM  
 6-7 PM  
 1-2 PM  
 12-1 PM Hour

**Combination of Conditions A & B**

SATISFIED YES ☐ NO ☒

REQUIREMENT	CONDITION	✓	FULFILLED
TWO CONDITIONS SATISFIED 80%	A. MINIMUM VEHICULAR VOLUME		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
	AND, B. INTERRUPTION OF CONTINUOUS TRAFFIC		
AND, AN ADEQUATE TRIAL OF OTHER ALTERNATIVES THAT COULD CAUSE LESS DELAY AND INCONVENIENCE TO TRAFFIC HAS FAILED TO SOLVE THE TRAFFIC PROBLEMS			Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

The satisfaction of a traffic signal warrant or warrants shall not in itself require the installation of a traffic control signal.

**Figure 4C-101 (CA). Traffic Signal Warrants Worksheet (Sheet 3 of 5)**

**WARRANT 4 - Pedestrian Volume  
(Parts 1 and 2 Must Be Satisfied)**

SATISFIED YES ☐ NO ☒

**Part 1 (Parts A or B must be satisfied)**  
Hours --->

A. Vehicles per hour for any 4 hours	699	789	803	
Pedestrians per hour for any 4 hours	20	20	2	2

Figure 4C-5 or Figure 4C-6  
SATISFIED YES ☐ NO ☒

**Part 1 (Parts A or B must be satisfied)**  
Hours --->

B. Vehicles per hour for any 1 hour	699	789	803	
Pedestrians per hour for any 1 hour	20	20	2	2

Figure 4C-7 or Figure 4C-8  
SATISFIED YES ☐ NO ☒

**Part 2**

SATISFIED YES ☒ NO ☐

AND, The distance to the nearest traffic signal along the major street is greater than 300 ft.	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
OR, The proposed traffic signal will not restrict progressive traffic flow along the major street.	Yes <input type="checkbox"/>	No <input type="checkbox"/>

**WARRANT 5 - School Crossing  
(Parts A and B Must Be Satisfied)**

SATISFIED YES ☐ NO ☒

**Part A**  
Gap/Minutes and # of Children

SATISFIED YES ☐ NO ☒

Gaps vs Minutes	Minutes Children Using Crossing	45
	Number of Adequate Gaps	60+
School Age Pedestrians Crossing Street / hr		22

Hour

Gaps < Minutes YES ☐ NO ☒  
AND Children > 20/hr YES ☒ NO ☐

AND, Consideration has been given to less restrictive remedial measures.	Yes <input type="checkbox"/>	No <input type="checkbox"/>
--	------------------------------	-----------------------------

**Part B**

SATISFIED YES ☒ NO ☐

The distance to the nearest traffic signal along the major street is greater than 300 ft.	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
OR, The proposed signal will not restrict the progressive movement of traffic.	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

The satisfaction of a traffic signal warrant or warrants shall not in itself require the installation of a traffic control signal.

**Figure 4C-101 (CA). Traffic Signal Warrants Worksheet (Sheet 4 of 5)**

**WARRANT 6 - Coordinated Signal System  
(All Parts Must Be Satisfied)**

**SATISFIED YES ☐ NO ☒**

MINIMUM REQUIREMENTS	DISTANCE TO NEAREST SIGNAL	
≥ 1000 ft	N _____ ft, S <u>1100</u> ft, E _____ ft, W _____ ft	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
On a one-way street or a street that has traffic predominantly in one direction, the adjacent traffic control signals are so far apart that they do not provide the necessary degree of vehicular platooning		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
OR, On a two-way street, adjacent traffic control signals do not provide the necessary degree of platooning and the proposed and adjacent traffic control signals will collectively provide a progressive operation.		

**WARRANT 7 - Crash Experience Warrant  
(All Parts Must Be Satisfied)**

**SATISFIED YES ☐ NO ☒**

Adequate trial of alternatives with satisfactory observance and enforcement has failed to reduce the crash frequency.		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
REQUIREMENTS	Number of crashes reported within a 12 month period susceptible to correction by a traffic signal, and involving injury or damage exceeding the requirements for a reportable crash.	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
5 OR MORE		
REQUIREMENTS	CONDITIONS	✓
ONE CONDITION SATISFIED 80%	Warrant 1, Condition A - Minimum Vehicular Volume	✓
	OR, Warrant 1, Condition B - Interruption of Continuous Traffic	
	OR, Warrant 4, Pedestrian Volume Condition Ped Vol ≥ 80% of Figure 4C-5 through Figure 4C-8	


**WARRANT 8 - Roadway Network  
(All Parts Must Be Satisfied)**

**SATISFIED YES ☐ NO ☒**

MINIMUM VOLUME REQUIREMENTS	ENTERING VOLUMES - ALL APPROACHES	✓	FULFILLED
1000 Veh/Hr	During Typical Weekday Peak Hour <u>1100</u> Veh/Hr and has 5-year projected traffic volumes that meet one or more of Warrants 1, 2, and 3 during an average weekday.	✓	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
	OR During Each of Any 5 Hrs. of a Sat. or Sun _____ Veh/Hr		
CHARACTERISTICS OF MAJOR ROUTES		MAJOR ROUTE A	MAJOR ROUTE B
Hwy. System Serving as Principal Network for Through Traffic			
Rural or Suburban Highway Outside Of, Entering, or Traversing a City			
Appears as Major Route on an Official Plan			
Any Major Route Characteristics Met, Both Streets			Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>

The satisfaction of a traffic signal warrant or warrants shall not in itself require the installation of a traffic control signal.

**Figure 4C-102 (CA). Traffic Count Worksheet**



Insert North Point

Number of Lanes

Pedestrians	
Total*	Peak
46	20

Number of Lanes 2

AM Peak	PM Peak	Total*
0	0	0
272	282	554
101	134	235
( )	( )	( )

**Not to Scale**

Number of Lanes

Pedestrians	
Total*	Peak
( )	( )
( )	( )
( )	( )

AM Peak PM Peak Total\*

180	73	
0	0	0
274	144	
( )	( )	( )

Number of Lanes 1

\*Entire Count Period

AM Peak PM Peak Total\*

0	0	0
207	350	557
119	122	241
( )	( )	( )

Number of Lanes 2

Pedestrians	
Total*	Peak

**DIRECTIONAL TRAFFIC COUNT**

Dist      Co      Rte      PM     

McCall @ Nelson

Intersection Give Name

Selma

City

1/13/15

Day Date

12:00

Hour to Hour

**Total Volume**

AM Peak 7:30 AM - 8:00

Hour Volume

PM Peak 5:00 PM - 6:00

Hour Volume



**Table 4C-1. Warrant 1, Eight-Hour Vehicular Volume**

**Condition A—Minimum Vehicular Volume**

Number of lanes for moving traffic on each approach		Vehicles per hour on major street (total of both approaches)				Vehicles per hour on higher-volume minor-street approach (one direction only)			
Major Street	Minor Street	100% <sup>a</sup>	80% <sup>a</sup>	70% <sup>c</sup>	56% <sup>d</sup>	100% <sup>a</sup>	80% <sup>b</sup>	70% <sup>c</sup>	56% <sup>d</sup>
1	1	500	400	350	280	150	120	105	84
2 or more	1	600	480	420	336	150	120	105	84
2 or more	2 or more	600	480	420	336	200	160	140	112
1	2 or more	500	400	350	280	200	160	140	112

**Condition B—Interruption of Continuous Traffic**

Number of lanes for moving traffic on each approach		Vehicles per hour on major street (total of both approaches)				Vehicles per hour on higher-volume minor-street approach (one direction only)			
Major Street	Minor Street	100% <sup>a</sup>	80% <sup>a</sup>	70% <sup>c</sup>	56% <sup>d</sup>	100% <sup>a</sup>	80% <sup>b</sup>	70% <sup>c</sup>	56% <sup>d</sup>
1	1	750	600	525	420	75	60	53	42
2 or more	1	900	720	630	504	75	60	53	42
2 or more	2 or more	900	720	630	504	100	80	70	56
1	2 or more	750	600	525	420	100	80	70	56

<sup>a</sup> Basic minimum hourly volume

<sup>b</sup> Used for combination of Conditions A and B after adequate trial of other remedial measures

<sup>c</sup> May be used when the major-street speed exceeds 40 mph or in an isolated community with a population of less than 10,000

<sup>d</sup> May be used for combination of Conditions A and B after adequate trial of other remedial measures when the major-street speed exceeds 40 mph or in an isolated community with a population of less than 10,000

# Central Valley Engineering and Surveying

Page 9

2132 High Street  
Selma CA 93662

Tube Counts for McCall Ave. at Nelson Blvd. 01/09/15-01/15/15

mccall-nelson 011215-011515

Date Start: 09-Jan-15

Date End: 15-Jan-15

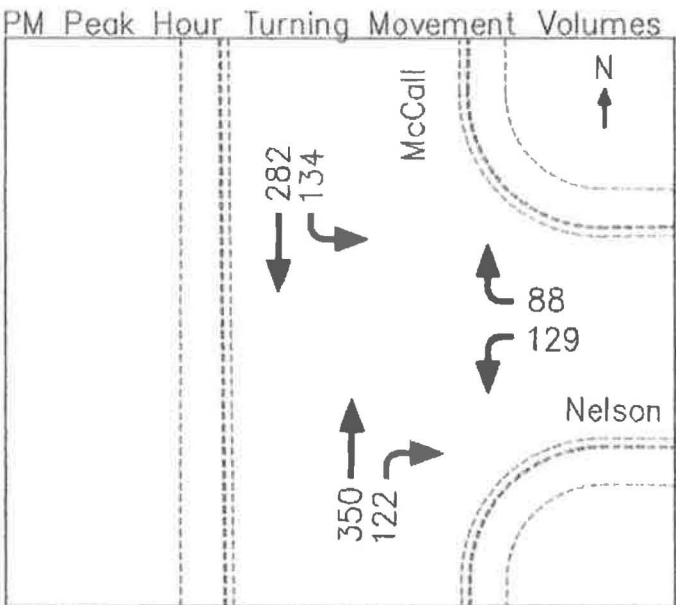
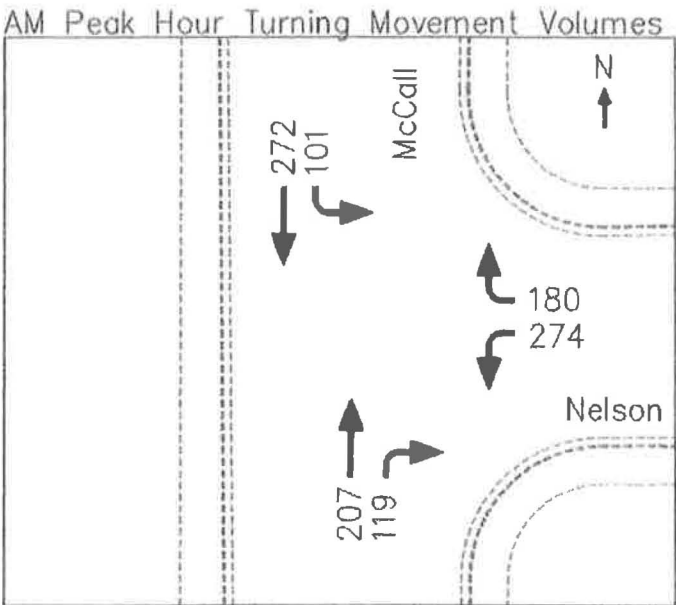
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Longitude: 0' 0.0000 Undefined

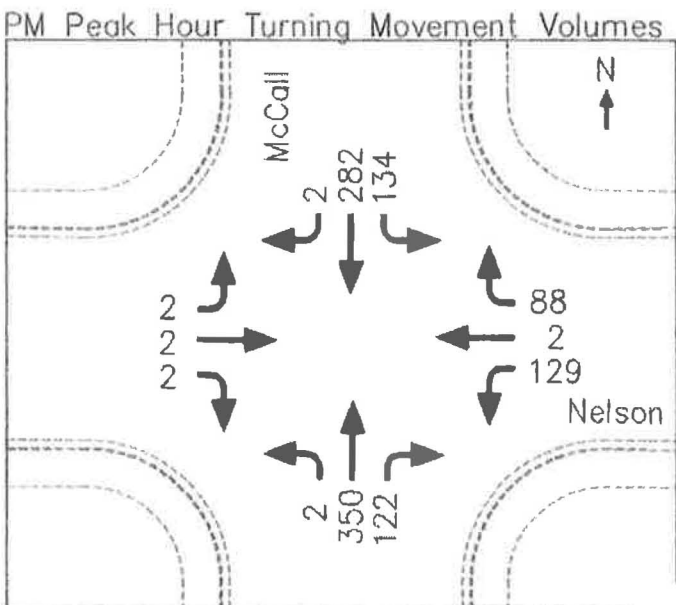
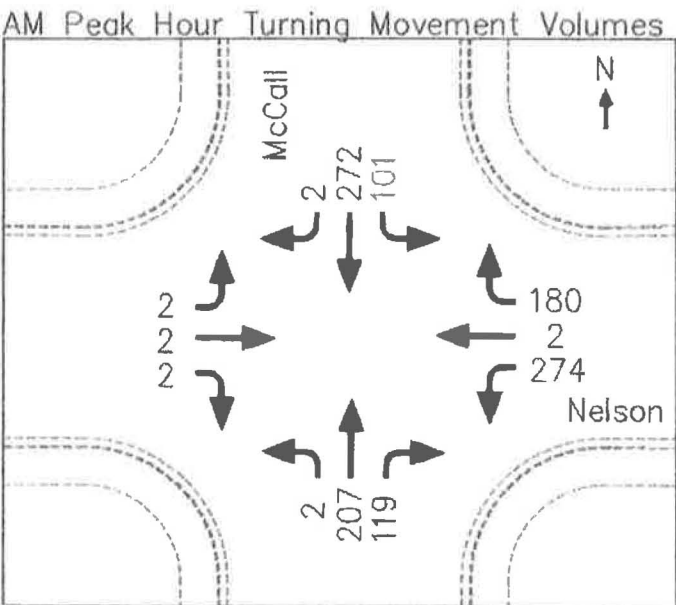
Date Printed: 15-Jan-15

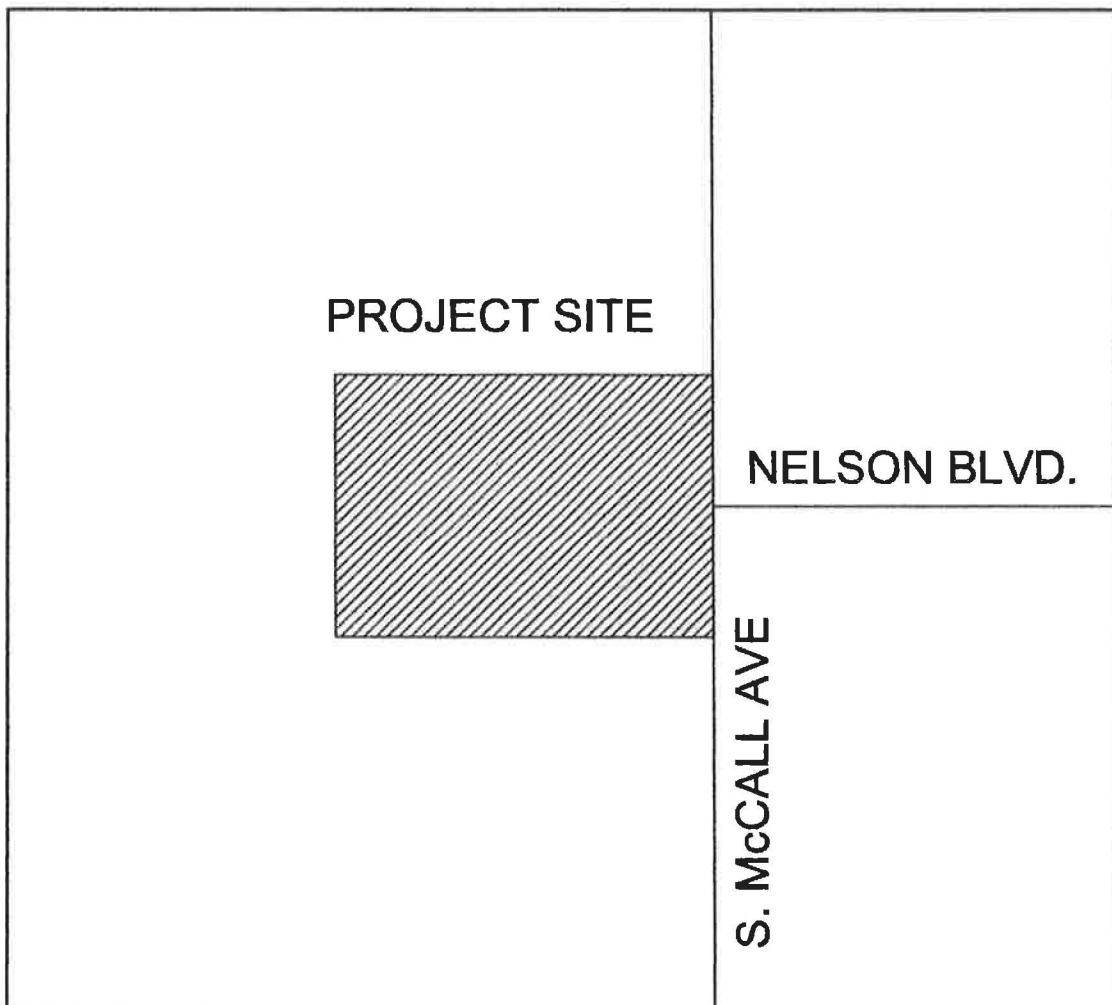
Start Time	13-Jan-15 Tue	NB McCall	NB McCall	Total	EB Nelson	WB Nelson	SB McCall	SB McCall	Total	Total
12:00 AM		4	4	8	8	4	1	9	10	48
12:15		6	6	12	8	8	2	7	9	58
12:30		3	5	8	7	6	3	3	6	41
12:45		4	5	9	4	8	0	3	3	36
01:00		0	2	2	4	1	1	1	2	13
01:15		2	4	6	3	5	3	4	7	34
01:30		4	1	5	4	4	0	0	0	18
01:45		2	1	3	2	2	2	2	4	18
02:00		0	1	1	0	0	1	2	3	8
02:15		1	4	5	1	4	0	1	1	17
02:30		0	1	1	1	0	2	2	4	11
02:45		2	2	4	2	2	0	0	0	12
03:00		0	1	1	0	1	1	1	2	7
03:15		2	1	3	1	1	0	0	0	8
03:30		1	3	4	0	0	0	2	2	12
03:45		0	2	2	1	3	0	1	1	10
04:00		3	2	5	2	5	0	1	1	19
04:15		2	1	3	1	5	1	1	2	16
04:30		2	3	5	1	5	3	0	3	22
04:45		1	2	3	1	12	0	4	4	27
05:00		4	1	5	3	8	3	9	12	45
05:15		0	5	5	0	9	1	5	6	31
05:30		3	9	12	2	15	5	12	17	75
05:45		4	8	12	5	17	3	9	12	70
06:00		12	9	21	8	24	4	16	20	114
06:15		6	18	24	8	28	2	25	27	138
06:30		10	22	32	8	21	10	15	25	143
06:45		10	32	42	6	28	11	14	25	168
07:00		8	21	29	4	30	12	21	33	158
07:15		24	26	50	12	34	8	43	51	248
07:30		20	30	50	30	54	36	55	91	368
07:45		45	32	77	46	90	73	50	123	536
08:00		64	35	99	90	191	47	55	102	683
08:15		51	49	100	54	101	22	35	57	469
08:30		29	31	60	24	36	13	36	49	278
08:45		20	30	50	11	22	24	42	66	265
09:00		25	27	52	12	23	14	29	43	225
09:15		35	25	60	24	16	23	33	56	272
09:30		22	22	44	11	23	21	33	54	230
09:45		39	22	61	11	17	25	24	49	248
10:00		33	22	55	16	27	16	37	53	259
10:15		43	24	67	12	30	17	55	72	320
10:30		39	18	57	19	28	18	37	55	271
10:45		34	24	58	20	25	22	39	61	283
11:00		47	39	86	22	38	24	34	58	348
11:15		30	35	65	9	30	23	43	66	301
11:30		39	33	72	26	28	16	44	60	318
11:45		34	31	65	21	24	33	42	75	325
Total		769	731	1500	565	1093	546	936	1482	7622
Percent		10.1%	9.6%	19.7%	7.4%	14.3%	7.2%	12.3%	19.4%	
Peak	-	07:45	07:45	07:45	07:30	07:30	07:30	07:15	07:30	07:30
Vol.	-	189	147	336	220	436	178	203	373	2054
P.H.F.		0.738	0.750	0.840	0.611	0.571	0.610	0.923	0.758	0.752

# Peak Hour Turning Movements

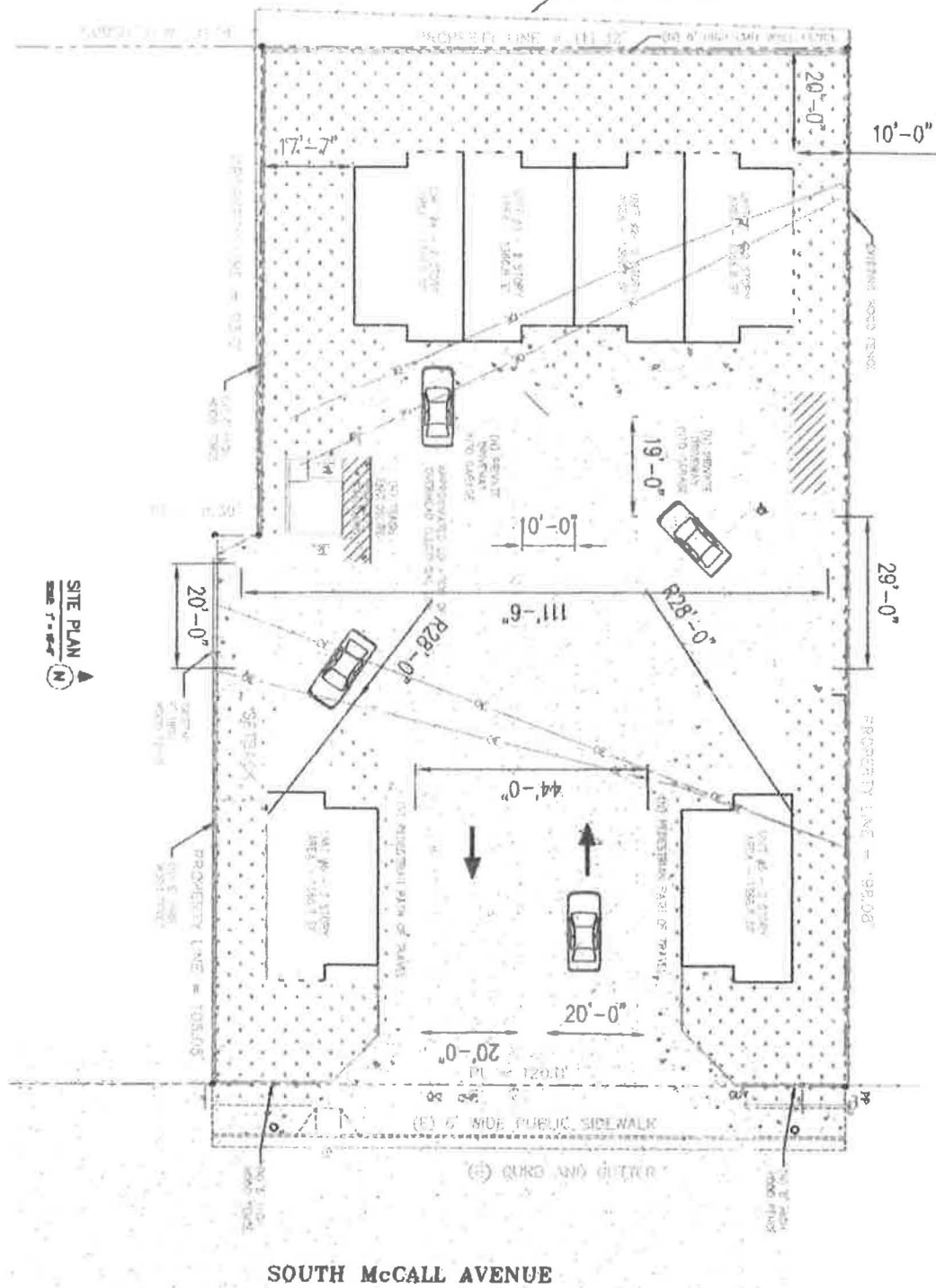


# Peak Hour Turning Movements Plus Project





# VICINITY MAP



December 7, 2015 Council Packet

## **Attachment No. 12**

# **Herrons's Traffic Report 2010**



## Transportation Planning & Traffic Engineering

March 31, 2010

Mr. Bryant Hemby  
Assistant Planner  
Development Department, Planning Division  
City of Selma  
1710 Tucker Street  
Selma, CA 93662

Subject: Early Childhood Discovery Center Traffic Data

Dear Mr. Hemby

As requested, attached for your review are several pieces of information pertaining to the proposed Early Childhood Discovery Center (ECDC) to be located at 3650 McCall. The attachments include:

- 1) Trip Generation data for Phase 1 – tripgen (phase 1) 031110.pdf – this document provides the ITE trip generation information based on 3 possible variables that include students, size (TGSF), and employees
- 2) Trip Generation data for Build Out – tripgen (build out) 031110.pdf – this document likewise provides the ITE trip generation information based on 3 possible variables that include students, size (TGSF) and employees. The student variable data for the build out condition was utilized to develop the project trip distribution data.
- 3) Existing count data
  - a. McCall Nelson.pdf
  - b. McCall Hillcrest.pdf
  - c. McCall Northhill.pdf
  - d. McCall Goldridge.pdf
  - e. McCall Dinuba.pdf
- 4) Graphics – ECDC graphics 032210.pdf – this document provides a graphical depiction of the existing counts, the project only trip distribution for the build out condition, and the resulting existing plus project volumes. Please note that in regards to the project trip distribution I took into account the location of surrounding housing, the location of other day cares/preschools, and the location of potential employment for families that would utilize the ECDC.

Letter to Mr. Bryant Hemby, Assistant Planner  
City of Selma  
March 31, 2010  
Page 2

If you have any questions or comments about the data provided please let me know.

Thanks and have a Blessed Day.

Sincerely,

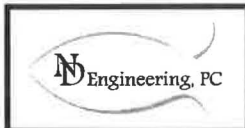
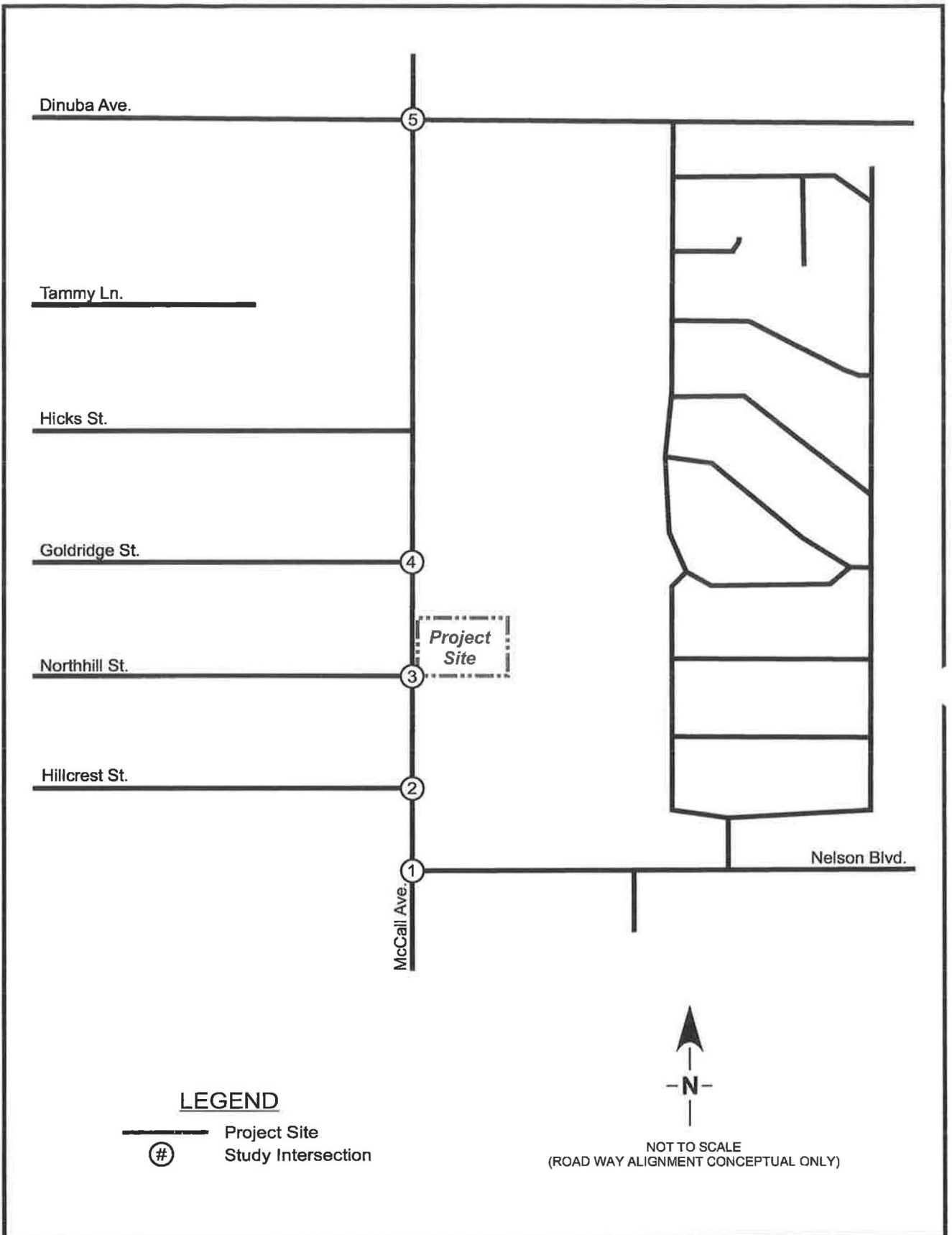
*Naomie Ruth Davis*

N. Ruth Davis, PE, PTOE  
President  
ND Engineering, PC

Attachments: 11

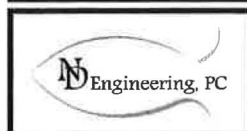
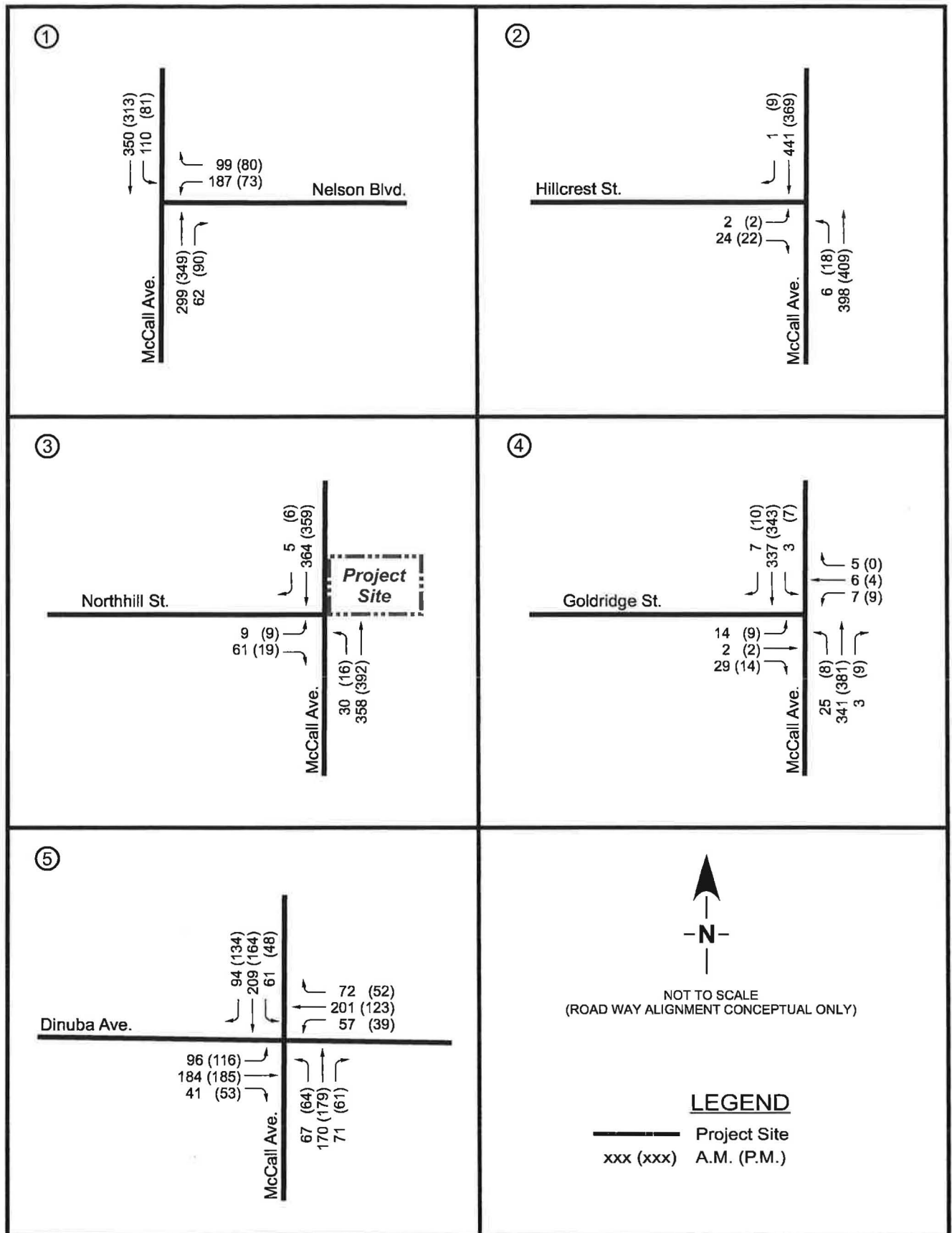
cc: Mr. Ken Herron, CFO





## INTERSECTION BASE MAP

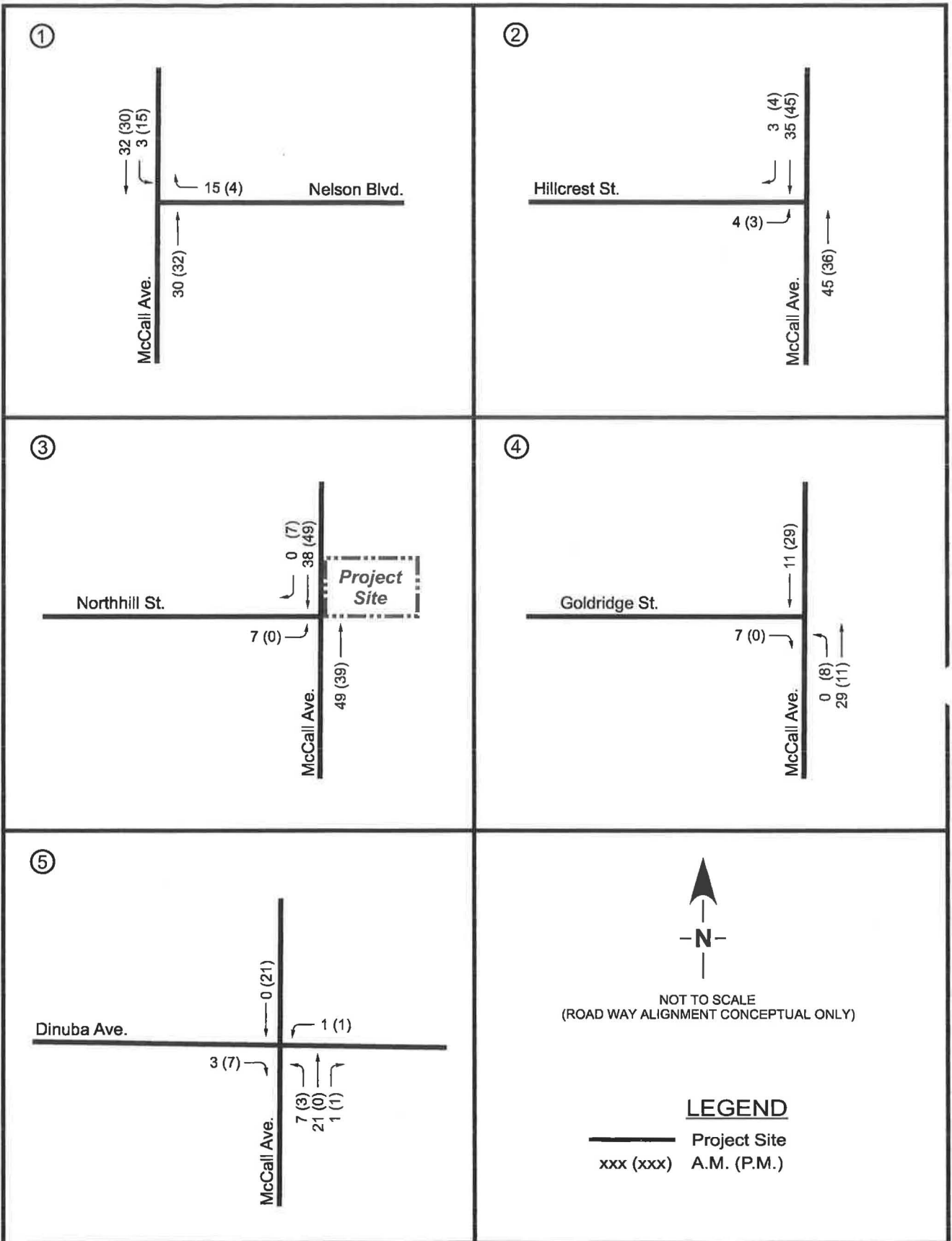
Early Childhood  
 Discovery Center  
 City of Selma, California



## PEAK HOUR TRAFFIC VOLUMES

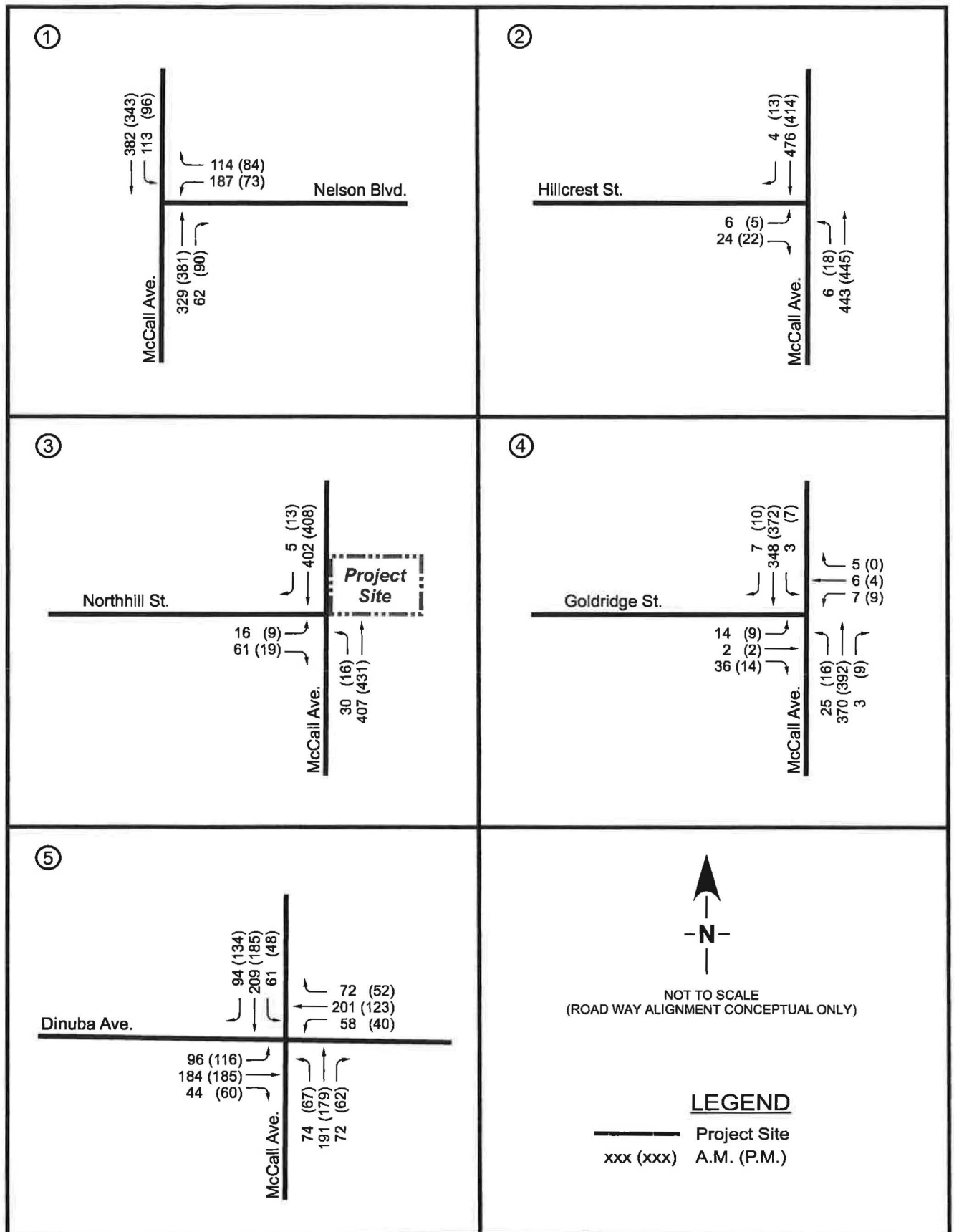
Existing

Early Childhood  
Discovery Center  
City of Selma, California



## PEAK HOUR TRAFFIC VOLUMES Project Trips

Early Childhood  
Discovery Center  
City of Selma, California



3650 McCall Day Care  
Summary of Multi-Use Trip Generation  
Average Weekday Driveway Volumes  
March 11, 2010

Land Use	Size	24 Hour	AM Pk Hour		PM Pk Hour	
		Two-Way Volume	Enter	Exit	Enter	Exit
Day Care Center	24 Employees	675	62	55	54	61
Day Care Center	6.950 Th.Gr.Sq.Ft.	551	47	42	43	49
Day Care Center	175 Students	784	74	67	68	75
Total		2010	183	164	165	185

Note: A zero indicates no data available.

TRIP GENERATION BY MICROTRANS

3650 McCall Day Care  
Summary of Multi-Use Trip Generation  
Saturday and Sunday Driveway Volumes  
March 11, 2010

Land Use	Size	Saturday			Sunday		
		24 Hr	Peak Hour		24 Hr	Peak Hour	
		2-Way Vol.	Enter	Exit	2-Way Vol.	Enter	Exit
Day Care Center	24 Employees	63	11	6	59	9	8
Day Care Center	6.950 Th.Gr.Sq.Ft.	43	7	4	41	7	6
Day Care Center	175 Students	68	12	7	65	11	9
Total		174	30	17	165	27	23

Note: A zero indicates no data available.

TRIP GENERATION BY MICROTRANS

Summary of Multi-Use Trip Generation  
Average Weekday Driveway Volumes  
March 11, 2010

Land Use	Size	24 Hour Two-Way Volume	AM Pk Hour		PM Pk Hour	
			Enter	Exit	Enter	Exit
Day Care Center	48 Students	215	20	18	19	21
Day Care Center	1.950 Th.Gr.Sq.Ft.	155	13	12	12	14
Day Care Center	8 Employees	225	21	18	18	20
Total		595	54	48	49	55

Note: A zero indicates no data available.

TRIP GENERATION BY MICROTRANS

Summary of Multi-Use Trip Generation  
 Saturday and Sunday Driveway Volumes  
 March 11, 2010

Land Use	Size	Saturday			Sunday		
		24 Hr	Peak Hour		24 Hr	Peak Hour	
		2-Way Vol.	Enter	Exit	2-Way Vol.	Enter	Exit
Day Care Center	48 Students	19	3	2	18	3	2
Day Care Center	1.950 Th.Gr.Sq.Ft.	12	2	1	11	2	2
Day Care Center	8 Employees	21	4	2	20	3	3
Total		52	9	5	49	8	7

Note: A zero indicates no data available.

TRIP GENERATION BY MICROTRANS





Metro Traffic Data Inc.  
310 N. Irwin Street - Suite 20  
Hanford, CA 93230  
800-975-6938 Phone/Fax  
www.metrotrafficdata.com

# Turning Movement Report

Prepared For:

Ken Herron  
3650 McCall Avenue  
Selma, CA 93662

(559) 930-5004

LOCATION McCall Avenue @ Nelson Boulevard  
COUNTY Fresno  
COLLECTION DATE 3/4/2010

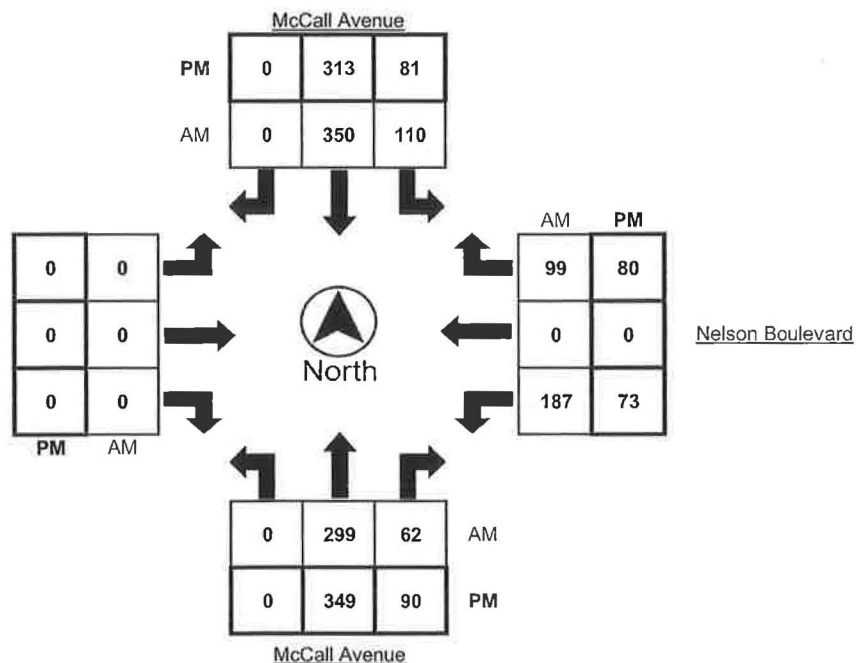
LATITUDE 36.585248°  
LONGITUDE -119.610671°  
WEATHER Sunny and Clear

Time	Northbound				Southbound				Eastbound				Westbound			
	Left	Thru	Right	Trucks	Left	Thru	Right	Trucks	Left	Thru	Right	Trucks	Left	Thru	Right	Trucks
7:00 AM - 7:15 AM	0	37	5	4	6	30	0	1	0	0	0	0	9	0	9	2
7:15 AM - 7:30 AM	0	36	10	4	11	41	0	0	0	0	0	0	16	0	20	1
7:30 AM - 7:45 AM	0	52	13	0	19	67	0	3	0	0	0	0	47	0	19	1
7:45 AM - 8:00 AM	0	82	16	2	53	107	0	6	0	0	0	0	67	0	34	1
8:00 AM - 8:15 AM	0	98	26	2	31	98	0	2	0	0	0	0	58	0	35	0
8:15 AM - 8:30 AM	0	69	7	3	7	78	0	2	0	0	0	0	15	0	11	1
8:30 AM - 8:45 AM	0	61	7	4	4	46	0	4	0	0	0	0	14	0	9	1
8:45 AM - 9:00 AM	0	36	13	5	4	49	0	4	0	0	0	0	12	0	11	0
TOTAL	0	469	97	24	135	516	0	22	0	0	0	0	238	0	148	7

Time	Northbound				Southbound				Eastbound				Westbound			
	Left	Thru	Right	Trucks	Left	Thru	Right	Trucks	Left	Thru	Right	Trucks	Left	Thru	Right	Trucks
4:00 PM - 4:15 PM	0	87	31	1	18	68	0	3	0	0	0	0	17	0	22	0
4:15 PM - 4:30 PM	0	79	19	2	19	89	0	1	0	0	0	0	14	0	13	1
4:30 PM - 4:45 PM	0	95	20	1	13	75	0	1	0	0	0	0	15	0	20	0
4:45 PM - 5:00 PM	0	93	23	1	15	92	0	3	0	0	0	0	18	0	16	1
5:00 PM - 5:15 PM	0	77	29	0	19	77	0	1	0	0	0	0	20	0	22	0
5:15 PM - 5:30 PM	0	97	20	0	24	67	0	1	0	0	0	0	17	0	16	1
5:30 PM - 5:45 PM	0	82	18	0	23	77	0	0	0	0	0	0	18	0	26	1
5:45 PM - 6:00 PM	0	81	18	1	24	74	0	1	0	0	0	0	23	0	12	0
TOTAL	0	691	178	6	155	619	0	11	0	0	0	0	142	0	147	4

PEAK HOUR	Northbound				Southbound				Eastbound				Westbound			
	Left	Thru	Right	Trucks	Left	Thru	Right	Trucks	Left	Thru	Right	Trucks	Left	Thru	Right	Trucks
7:30 AM - 8:30 AM	0	299	62	7	110	350	0	13	0	0	0	0	187	0	99	3
4:45 PM - 5:45 PM	0	349	90	1	81	313	0	5	0	0	0	0	73	0	80	3

	PHF	Trucks
AM	0.771	2.1%
PM	0.959	0.9%





Metro Traffic Data Inc.  
310 N. Irwin Street - Suite 20  
Hanford, CA 93230  
800-975-6938 Phone/Fax  
www.metrotrafficdata.com

# Turning Movement Report

Prepared For:

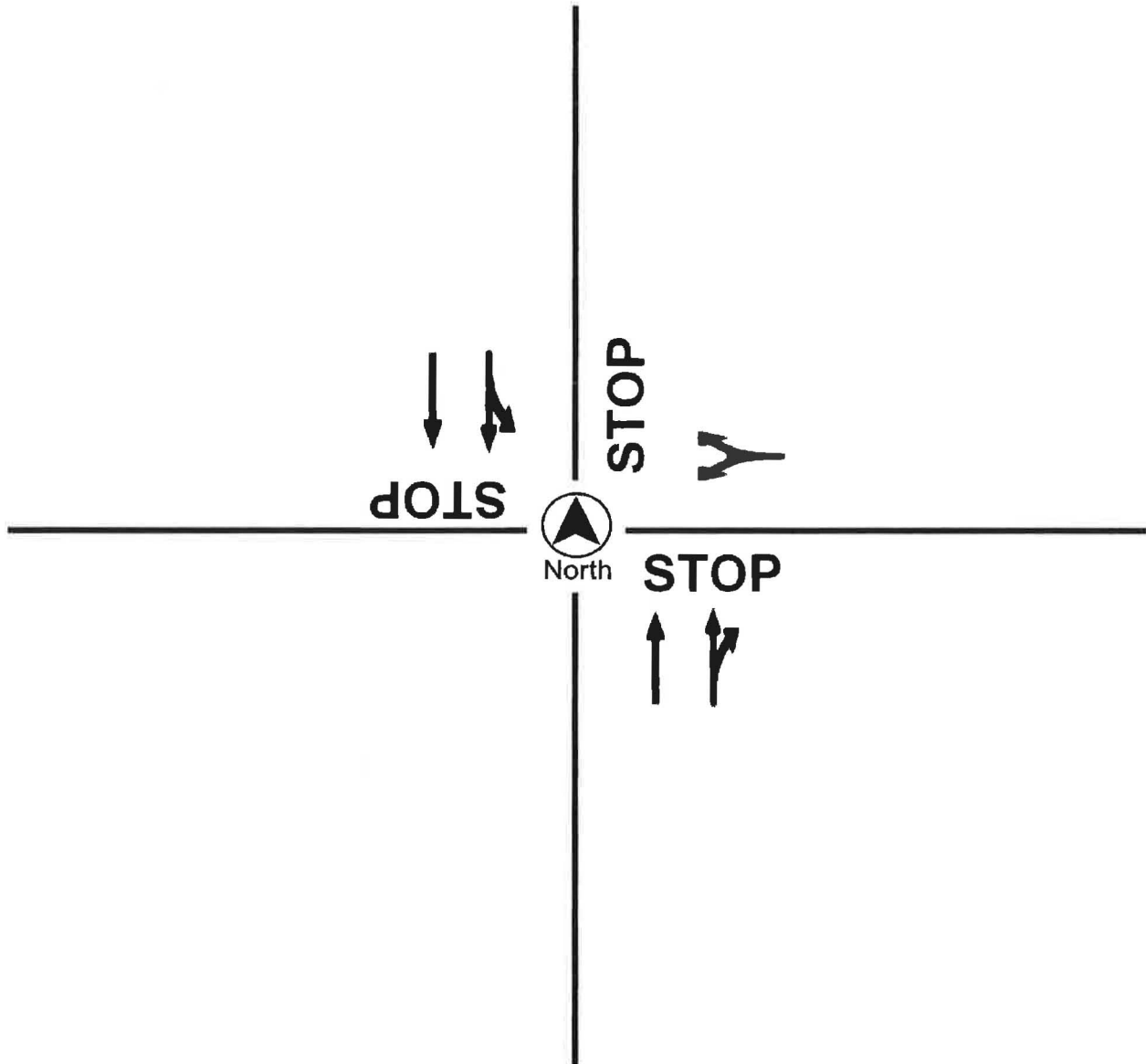
Ken Herron  
3650 McCall Avenue  
Selma, CA 93662

(559) 930-5004

LOCATION McCall Avenue @ Nelson Boulevard  
COUNTY Fresno  
COLLECTION DATE 3/4/2010  
CYCLE TIME N/A

N/S STREET McCall Avenue  
E/W STREET Nelson Boulevard  
WEATHER Sunny and Clear  
CONTROL TYPE All-Way Stop

## COMMENTS





Metro Traffic Data Inc.  
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Hanford, CA 93230  
800-975-6938 Phone/Fax  
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# Turning Movement Report

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LATITUDE 36.585248°

COUNTY Fresno

LONGITUDE -119.610671°

COLLECTION DATE 3/4/2010

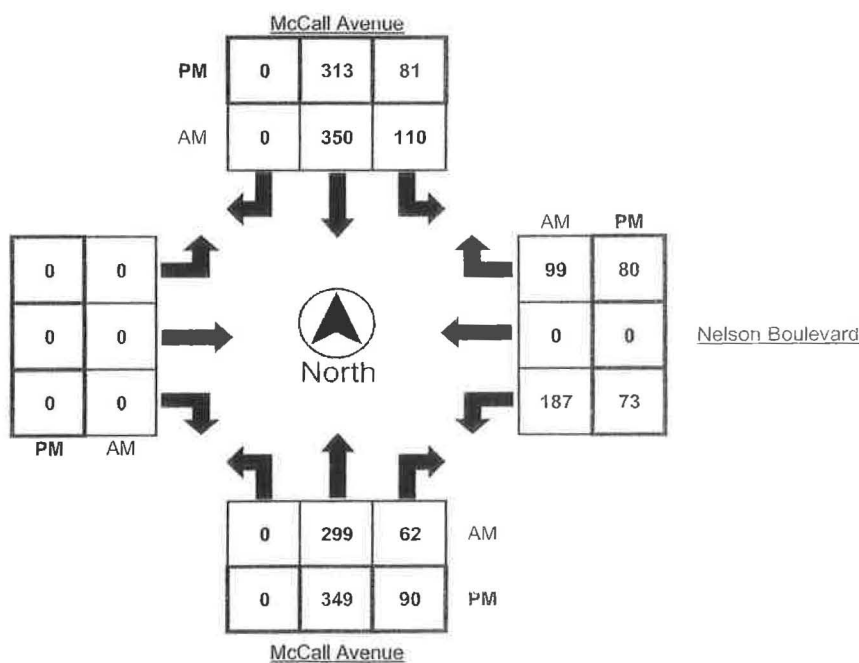
WEATHER Sunny and Clear

Time	Northbound				Southbound				Eastbound				Westbound			
	Left	Thru	Right	Trucks	Left	Thru	Right	Trucks	Left	Thru	Right	Trucks	Left	Thru	Right	Trucks
7:00 AM - 7:15 AM	0	37	5	4	6	30	0	1	0	0	0	0	9	0	9	2
7:15 AM - 7:30 AM	0	36	10	4	11	41	0	0	0	0	0	0	16	0	20	1
7:30 AM - 7:45 AM	0	52	13	0	19	67	0	3	0	0	0	0	47	0	19	1
7:45 AM - 8:00 AM	0	82	16	2	53	107	0	6	0	0	0	0	67	0	34	1
8:00 AM - 8:15 AM	0	96	26	2	31	98	0	2	0	0	0	0	58	0	35	0
8:15 AM - 8:30 AM	0	69	7	3	7	78	0	2	0	0	0	0	15	0	11	1
8:30 AM - 8:45 AM	0	61	7	4	4	46	0	4	0	0	0	0	14	0	9	1
8:45 AM - 9:00 AM	0	36	13	5	4	49	0	4	0	0	0	0	12	0	11	0
TOTAL	0	469	97	24	135	516	0	22	0	0	0	0	238	0	148	7

Time	Northbound				Southbound				Eastbound				Westbound			
	Left	Thru	Right	Trucks	Left	Thru	Right	Trucks	Left	Thru	Right	Trucks	Left	Thru	Right	Trucks
4:00 PM - 4:15 PM	0	87	31	1	18	68	0	3	0	0	0	0	17	0	22	0
4:15 PM - 4:30 PM	0	79	19	2	19	89	0	1	0	0	0	0	14	0	13	1
4:30 PM - 4:45 PM	0	95	20	1	13	75	0	1	0	0	0	0	15	0	20	0
4:45 PM - 5:00 PM	0	93	23	1	15	92	0	3	0	0	0	0	18	0	16	1
5:00 PM - 5:15 PM	0	77	29	0	19	77	0	1	0	0	0	0	20	0	22	0
5:15 PM - 5:30 PM	0	97	20	0	24	67	0	1	0	0	0	0	17	0	16	1
5:30 PM - 5:45 PM	0	82	18	0	23	77	0	0	0	0	0	0	18	0	26	1
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TOTAL	0	691	178	6	155	619	0	11	0	0	0	0	142	0	147	4

PEAK HOUR	Northbound				Southbound				Eastbound				Westbound			
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7:30 AM - 8:30 AM	0	299	62	7	110	350	0	13	0	0	0	0	187	0	99	3
4:45 PM - 5:45 PM	0	349	90	1	81	313	0	5	0	0	0	0	73	0	80	3

	PHF	Trucks
AM	0.771	2.1%
PM	0.959	0.9%



---

**ITEM NO:** 3.

**SUBJECT:** Second Reading, Public Hearing and Adoption of Ordinance Amending Various Sections and Chapters of the Zoning Ordinance (Title XI of the Selma Municipal Code (SMC)) Relating to Required Provisions for Emergency Housing, Supportive Housing, and Transitional Housing.

---

**DISCUSSION:** The City is required to update its General Plan and a Housing Element is a required part of a General Plan. The Housing Element was left out of the 2035 General Plan Update and is required to be updated. The City of Selma in conjunction with the County of Fresno and eleven other cities in Fresno County have shared the cost of preparation of a Multi-Jurisdictional Housing Element (MJHE) covering the period from December 31, 2015 to December 31, 2023. Newly enacted law, Government Code §65580 et seq., relating to housing elements require that every city adopt specific zoning provisions. Article 10.6 of the Government Code includes a number of new provisions requiring changes to the City of Selma zoning ordinance to bring it into conformity with the proposed MJHE. The newly enacted law generally relates to emergency shelters, supportive and transitional housing, each of which is more fully defined below.

Emergency Shelter is housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person. The newly enacted law included in Article 10.6 of the Government Code referred to above requires that every city designate a zone or zones within the City where Emergency Shelter may be established as a matter of right, without any requirement to obtain a Conditional Use Permit or other discretionary permit to establish the Emergency Shelter. The law provides that certain limitations or conditions may be placed upon Emergency Shelters in the zone identified by a City where those may be maintained without procuring any discretionary permit. Those conditions or limitations include the following:

- The maximum number of beds or persons permitted to be served nightly by the facility.
- Off-street parking based upon demonstrated need, provided that the standards do not require more parking for emergency shelters than for other residential or commercial uses within the same zone.
- The size and location of exterior and interior on-site waiting and client intake areas.
- The provision of on-site management.
- The proximity to other emergency shelters provided that emergency shelters are not required to be more than 300 feet apart.
- The length of stay.
- Lighting.
- Security during hours that the emergency shelter is in operation.

With respect to Emergency Housing, the City has determined that the M-1 Zone has sufficient capacity for establishment of Emergency Shelter or Shelters and the proposed amendment to the zoning ordinance to conform with these requirements appears at Section 2 of Chapter 12 of Title XI of the Code which lists the permitted uses within the M-1 District. Emergency Shelter is included as a permitted use in the M-1 zone (at Item 13). Section 3 of that same chapter will include the limitations that are as stringent as permitted by law for emergency shelters requiring them to conform to each and all of the following requirements:

1. The maximum number of beds or persons permitted to be served nightly by the facility shall be 40.
2. On and off street parking shall be determined pursuant to a site plan review or other review as dictated by the requirements of the zone in which the emergency shelter is to be located.
3. Client intake and waiting areas should be located, whenever possible, on the interior of the emergency shelter subject to a site plan review or other review based on the proposed operational statement of the applicant.
4. All emergency shelters located within any zone of the city shall have onsite management 24 hours a day. The number of onsite managers shall be determined pursuant to a site plan or other review of the project based on the applicants operational statement.
5. Emergency shelters shall be located at least 300 feet apart unless a waiver is granted by the Community Development Director or his or her designee.
6. The length of stay should be limited to the amount of time necessary to transition a client from emergency housing to transitional or supportive housing, with a goal of less than 30 days per 180 day period.
7. Lighting and security requirements shall be determined as part of a site plan or other review using the applicable development standards in the zone where the emergency shelter is to be located.

Section 1 of Chapter 1 of Title XI is also necessarily amended to include, among others, a definition of Emergency Shelters which conforms to the statutory definition. These amendments to the Ordinance will bring Selma's Zoning Ordinance into conformity with existing California law as they relate to Emergency Shelters.

The new law defines a "target population" as follows:

"Target population" means persons with low incomes who have one or more disabilities, including mental illness, HIV or AIDS, substance abuse, or other chronic health condition, or individuals eligible for services provided pursuant to the Lanterman Developmental Disabilities Services Act (Division 4.5 (commencing with Section 4500) of the Welfare and Institutions Code) and may include, among other populations, adults, emancipated minors, families with children, elderly persons, young adults aging out of the foster care system, individuals exiting from institutional settings, veterans, and homeless people.

The new law also defines the terms “Supportive Housing” and “Transitional Housing”. Transitional Housing is housing for either homeless or formerly homeless people, or anyone who is part of the “target population” where the term of occupancy is no less than six months and that is available for the person occupying that housing only during the period of time that person is receiving assistance from the State as a result of a program that addresses the needs of the “target population”. Supportive Housing is housing with no limit on the length of the stay occupied by somebody who is part of the target population linked to on-site or off-site service that assists the Supportive Housing resident in retaining that housing, improving his or her health status or maximizing her or her ability to live and, when possible, work in the community.

The new law requires, simply, that Supportive and Transitional Housing both be allowed in all residential zones of all cities. The City’s zoning ordinance, insofar as it relates to residential zones, allows in every residential zone any use that is a permitted use in an R-1 zone. Accordingly, in addition to amending Section 1 of Chapter 1 of Title XI to add the definitions of Target Population, Transitional Housing and Supportive Housing, the proposed ordinance amends Section 2 of Chapter 3 of Title XI to provide that Transitional and Supportive Housing are both permitted uses in the R-1 Zone. Because any form of Supportive Housing or Transitional Housing is operated by some person or entity that provides services to the residents of those facilities, it is highly unlikely that any transitional or supportive housing would be established in any zone of the City other than the multi-family residential zone. This is because the R-1 Zone contains an additional limitation, no dwelling can consist of a dwelling of more than one family per lot. The income derived from supplying Supportive Housing or Transitional Housing is premised upon what the State will pay to the person providing that housing, which is typically based upon the number of persons housed. Consequently, to profitably operate Supportive or Transitional Housing, it would be necessary to have multiple persons occupying a single dwelling or a building. Those sorts of structures are only allowed in the R-3 or similar multi-family housing Zones.

The City is required to have a housing element. The housing element has been prepared, but if it were submitted as is, it would be rejected simply because the City’s zoning does not conform to the new requirements relating to Emergency Shelters, Supportive and Transitional Housing. These amendments to the Zoning Ordinance bring the City into compliance with the newly enacted law so that the Housing Element submitted will not be rejected by reason of any deficiency in the City of Selma ordinances.





**ORDINANCE NO. 2015-\_\_\_\_\_**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SELMA AMENDING SECTION 1 OF CHAPTER 1 OF TITLE XI OF THE SELMA MUNICIPAL CODE (SMC), ADDING EMERGENCY HOUSING, SUPPORTIVE HOUSING, TARGET POPULATION AND TRANSITIONAL HOUSING DEFINITIONS; AMENDING SECTION 3 OF CHAPTER 12 OF TITLE XI SPECIFYING EMERGENCY HOUSING AS A PERMITTED USE IN THE LIGHT MANUFACTURING ZONE DISTRICT (M-1); AND, AMENDING SECTION 2 OF CHAPTER 3 OF TITLE XI OF THE SMC ADDING TRANSITIONAL AND SUPPORTIVE HOUSING AS A PERMITTED USE IN THE R-1 DISTRICT.**

**WHEREAS**, existing ordinances of the City of Selma relating to zoning definitions and purposes are provided for in Title XI, of the Selma Municipal Code; and

**WHEREAS**, the City Council of the City of Selma desires to amend Title XI to conform with State law recently adopted requiring all cities to provide for zoning related to what is defined in the new law as Emergency, Supportive and Transitional Housing and which requires the City to (1) identify a zone or zones where Emergency Shelter is allowed as a permitted use without a Conditional Use Permit; and (2) that Supportive and Transitional Housing be permitted in all residential zones; and

**WHEREAS**, Title XI, Chapter 1, Section 3 of the Selma Municipal Code provides that an ordinance amending the Selma Municipal Code that sets forth the title, chapter or section number or the sections to be amended is sufficient compliance with any requirement pertaining to the amendment or revision by ordinance of any part of the Selma Municipal Code.

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SELMA DOES HEREBY ORDAIN** as follows:

**SECTION 1:** Section 1 of Chapter 1 of Title XI of the Selma Municipal Code is hereby amended to read as follows:

**"11-1-1: ZONING DEFINITIONS; PURPOSE:**

Whenever the following words and terms are used in this title they shall have the meanings herein ascribed to them unless the content makes such meaning repugnant thereto:

**ACCESSORY BUILDING:** A building or structure, which is subordinate to and the use of which is customarily incident to that of the main building structure or use on the same lot. If an accessory building is attached to the main building by a common wall, or a connecting roof, such accessory building shall be deemed to be a part of the main building.



**ACCESSORY LIVING QUARTERS:** Living or sleeping quarters within an accessory building for the sole use of occupants of the premises, guests of such occupants, or persons employed on the premises. Such quarters shall have no kitchen facilities, and shall not be rented.

**ACCESSORY USE:** A use customarily and normally incidental to, subordinate to, and devoted exclusively to the main use of the premises.

**ALLEY:** A public or private way permanently dedicated or reserved as a secondary means of access to abutting property.

**ANIMATED SIGNS:** Any sign which through motion, flashing lights or changes in color or intensity moves or gives the impression of movement. Animated signs also include wind activated spinners, propellers, vanes and similar devices.

**APARTMENT:** See definition of Dwelling Unit.

**APARTMENT HOTEL:** A building containing both individual guest rooms and suites, such as in hotels, and dwelling units.

**APARTMENT HOUSE:** See definition of Dwelling, Multiple.

**AUTO OR AUTOMOBILE:** Includes passenger cars, SUVs, vans, trucks (all sizes), and commercial buses, new or used, retail or wholesale, with or without motive power, unless otherwise specifically provided herein.

**AUTOMOBILE WRECKING:** The dismantling or wrecking of motor vehicles or trailers, and/or the storage, sale or dumping of dismantled or wrecked vehicles or their parts.

**BALLOONS:** Any inflated device displayed for advertising purposes whether airborne or displayed on the ground.

**BARBED WIRE:** Any wire having sharp points, barbs at intervals, or twisted wires armed with barbs.

**BARBER POLES:** A revolving or non-revolving sign which is mounted on a building vertically and shall not exceed three feet (3') in height and does not display any colors other than red, white, and blue and which advertises a barbershop.

**BLOCK:** All property fronting on one side of a street between points where such street is intersected or intercepted by streets, railroad rights of way, or city boundary or terminated by a dead end. An intercepting street shall determine only the boundary of the block on the side of the street from which it so

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intercepts.

**BOARD:** The board of zoning adjustment.

**BOARDING HOUSE:** A building where lodging and meals are provided for compensation for five (5) but not more than fifteen (15) persons, not including rest homes.

**BUILDING:** A permanently located structure having a roof. House trailers, and other vehicles, even though permanently immobilized, shall not be deemed to be buildings.

**BUILDING HEIGHT:** The vertical distance from the average level of the highest and lowest point of that portion of the lot covered by the building to the highest point of the roof.

**BUILDING SITE:** The ground area of one or more lots, as defined herein, when used in combination for a building or permitted group of buildings, together with all open spaces as required by this title, and when so combined as a single building site, the common line dividing any two (2) or more contiguous lots so combined may be exempt from the provisions requiring side yards with respect thereto.

**CARPORT:** See definition of Garage, Private.

**CHANGEABLE COPY SIGN:** A sign in which the copy can easily be changed by the changing of placards, tiles or similar means. Electronic reader boards are not considered changeable copy signs for this title.

**CHURCH:** Includes, but shall not necessarily be confined to, any building, structure or open space where a group of two (2) or more persons, not immediate members of one family only, regularly gather for purposes of divine worship.

**CLUB:** An association of persons for some common nonprofit purpose, but not including groups organized primarily to render a service which is customarily carried on as a business.

**COLLOCATION:** A condition where two (2) similar uses, processes or devices share a common site and/or are placed on or within a common structure or construct. The city may, in the city's sole determination, consider an adjoining site as a collocation.

**COMMERCIAL COACH:** A vehicle with or without motive power designed and equipped for human occupation for industrial, professional or commercial

{00013846.DOCX;1}3

purposes and shall include travel coach.

COMMISSION: The planning commission.

COMMUNICATION EQUIPMENT BUILDING: A building housing electrical and mechanical equipment necessary for the conduct of a public utility communications business with or without personnel.

CONCERTINA WIRE: An entanglement of coiled, usually of barbed or razor wire, that can be compressed into a compact roll for transporting and extended for use as an obstacle and deterrent to intrusion.

CONVALESCENT HOME: See definition of Rest Home.

CORPORATE FLAG: A flag displaying the emblem or logo commonly associated with a given business entity.

DIRECTORY SIGN: A sign which lists tenants and their location in a multitenant complex. A directory sign may include a map.

DRIVE IN: See definition of Restaurant, Drive In.

DWELLING: A building or portion thereof designed exclusively for residential purposes, including one-family, two-family, and multiple dwellings; but not including hotels, apartment hotels, boarding and lodging houses, fraternity and sorority houses, rest homes and nursing homes, childcare nurseries, or house trailers, even though permanently immobilized.

DWELLING, MULTIPLE: A building, or portion thereof, designed for occupancy by, or occupied by, four (4) or more families living independently of each other.

DWELLING, ONE-FAMILY: A detached building designed exclusively for occupancy by, or occupied by, one family for residential purposes.

DWELLING, THREE-FAMILY: A building designed exclusively for occupancy by, or occupied by, three (3) families living independently of each other (triplex).

DWELLING, TWO-FAMILY: A detached building designed exclusively for occupancy by, or occupied by, two (2) families for residential purposes.

DWELLING UNIT: Two (2) or more rooms in a dwelling, apartment house, or apartment hotel, designed for occupancy by one family, for living or sleeping purposes, and having only one kitchen.

ELECTRIFIED FENCE: Any fence which is charged by electricity from any

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source.

**ELECTRONIC DISPLAY SIGN:** A sign display which has a changeable message which may be changed by electronic processes or by remote control.

**ELECTRONIC READER BOARD:** An illuminated sign capable of changing its display by changing the intensity or color of individual lights through electronic means.

**EMERGENCY INFORMATION SIGNS:** Signs for the strict purpose of identifying a contact person during an emergency.

**EMERGENCY SHELTER:** Housing with minimal supportive services for homeless persons that is limited to occupancy of six months or less by a homeless person. No individual or household may be denied emergency shelter because of an inability to pay.

**FAMILY:** An individual, or two (2) or more persons who are related by blood or marriage, or a group of not more than five (5) persons not necessarily related by blood or marriage, living together in a dwelling unit. Full time domestic servants of any such persons may reside on the same premises, and shall not be counted with respect to this definition.

**FENCE:** A structure or barrier intended to prevent intrusion or escape or mark a boundary of property or to enclose a designated area. Such structures or barriers are commonly constructed of, but not limited to, posts and boards, wire, pickets, rails, ornamental or wrought iron or concrete blocks, bricks or other combinations of materials.

**FENCE, OPEN OR LATTICE TYPE:** A fence, fifty percent (50%) or more of the surface of which is open to the passage of air.

**FENCE, SCREEN:** A fence, ninety percent (90%) or more of the surface of which is closed to the passage of light on a horizontal plane.

**FLASHING SIGNS:** Any sign which appears to have any form of intermittent illumination including, revolving lighting devices, blinking lights, sequins or similar devices.

**FREESTANDING SIGN:** A sign structure which is not attached to a building or similar structure.

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**FREEWAY ORIENTED SIGN:** A sign which is in close proximity to the freeway with the intent of drawing customers from the freeway and which is associated with a business which can be expected to earn a large portion of its earnings from transit traffic.

**GARAGE, PRIVATE:** An accessory building or portion of a main building, designed or used only for the shelter or storage of vehicles owned or operated by occupants of the premises and includes "carport".

**GARAGE, PUBLIC:** A building other than a private garage used for the care, repair or equipping of automobiles, or where such vehicles are kept or stored for compensation, or for hire or sale.

**GRANNY FLAT:** A dwelling designed for occupancy by one or two (2) persons, for living or sleeping purposes, and having kitchen facilities. Such units shall be allowed within single-family zoned districts for occupancy by relatives of the primary dwelling owner. One relative must be sixty (60) years of age or older. Such units shall not exceed six hundred forty (640) square feet and must be developed under the conditional use permit procedure<sup>1</sup>.

**GROUP HOUSES:** Two (2) or more separate buildings, each containing one or more dwelling units.

**GUESTHOUSE:** See definition of Accessory Living Quarters.

**GYMNASIUM:** A noncommercial public building or room containing equipment for physical education, exercise or sports.

**HEALTH CLUB:** A commercial establishment requiring payment for use of space or equipment for physical education, exercise or sports.

**HOLIDAY DECORATIONS:** Ornamental devices placed for the recognition of a particular nationally, culturally or religiously recognized day of celebration or remembrance and do not contain advertising.

**HOTEL:** A building in which there are six (6) or more guest rooms where lodging with or without meals is provided for compensation. "Hotel" shall not be construed to include motel, trailer court, sanitarium, hospital or other institutional building, or jail or other building where persons are housed under restraint.

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**INSTITUTION:** A use that is public or private and provides some service to the community not normally associated with retail or wholesale trade. Examples of institutions include, but are not limited to, universities, seminaries, service clubs, rest homes, boy scout camps, zoos and similar uses.

**JUNK YARD:** An area, yard or building used for storage, sorting or processing scrap metal, scrapped automobiles and machinery and parts, rags, paper, boxes and scrap lumber, or other salvage materials.

**KITCHEN:** Any room used or intended or designed to be used for cooking or the preparation of food.

**LODGE:** An order or society of persons organized for some common nonprofit purpose, but not including groups organized primarily to render a service which is customarily carried on as a business.

**LOT:** A single parcel of land under a single or undivided ownership, legal or equitable, for which a legal description is filed of record, or the boundaries of which are shown on a subdivision map or record of survey map filed in the office of the County Recorder. The term "lot" shall include a part of a lot, when such part is used as though a separate lot for all of the purposes and under all of the requirements of this Title. The term "lot" shall include two (2) or more abutting lots when combined and used as though a single lot.

**LOT AREA:** The total horizontal area within the lot lines of a lot.

**LOT, CORNER:** A lot situated at the intersection of two (2) or more streets, having an angle of intersection of not more than one hundred thirty five degrees (135°).

**LOT DEPTH:** The horizontal length of a straight line connecting the bisecting points of the front and the rear lot lines.

**LOT, INTERIOR:** A lot other than a corner lot, or a reversed corner lot.

**LOT, KEY:** The first lot to the rear of a reversed corner lot, whether or not separated by an alley.

**LOT LINE, FRONT:** In the case of an interior lot, a line separating the lot from the  
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street and in the case of a corner lot, the line separating the narrowest street frontage of the lot from the street.

**LOT LINE, REAR:** A lot line which is opposite and most distant from the front lot line; or in the case of an irregular, triangular or gore-shaped lot, a line ten feet (10') in length within the lot, parallel to and at a maximum distance from the front lot line.

**LOT LINE, SIDE:** Any lot boundary line not a front line or a rear lot line.

**LOT, REVERSED CORNER:** A corner lot, the street side line of which is substantially a continuation of the front lot line of the lot upon which it rears.

**LOT, THROUGH:** A lot having frontage on two (2) parallel or approximately parallel streets.

**LOT WIDTH:** The horizontal distance between the side lot lines, measured at right angles to the lot depth at a point midway between the front and rear lot lines.

**LOUNGE:** A bar, nightclub, tavern, billiard hall, tearoom, cafe or other similar type business or use which is not a liquor store nor restaurant in which alcoholic beverages are sold or may be consumed.

**MAJOR ARTERIAL:** Any street designated by the Selma General Plan as an arterial, super arterial, or expressway.

**MASSAGE:** Any method of treating a patron for medical, hygienic, exercise or relaxation purposes by rubbing, stroking, kneading, manipulating, tapping, pounding, vibrating or stimulating the epidermis and/or muscles and/or internal organs. The term massage shall include, but not be limited to, services provided by masseurs, therapists or practitioners of Swedish, shiatsu, sports, reiki, hydrotherapy, Japanese, reflexology, therapeutic, deep-tissue massages or therapies and any similar treatments.

**MASSAGE ESTABLISHMENTS:** Any establishment, having a fixed place of business, engaging in, conducting, carrying on or permitting the engaging in, conducting or carrying on of massages, baths, or health treatments involving massages or baths as the principal use, however, it shall not include services provided by persons licensed by the State to provide medical services, or those

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facilities which meet the criteria of an accessory massage establishment as defined in this Section.

**MESSAGE ESTABLISHMENTS, ACCESSORY:** Any establishment, having a fixed place of business, engaging in, conducting, carrying on or permitting the engaging in, conducting or carrying on of massages, baths, or health treatments involving massages or baths where areas dedicated for performing massages do not exceed ten percent (10%) of the gross floor area of a business; and where the providing of massages is a use which is commonly and customarily found associated with the primary use of the property. For the purposes of this Title, a commonly and customarily associated use shall be massage establishments which are part of a gymnasium, spa, health club, licensed chiropractor or physical therapist's office, barber or beauty shop, and any other use determined by the Planning Commission to be in compliance with this definition. Accessory massage establishments shall not be subject to review by the Community Development Department or the Planning Commission, except as necessary to establish conformity with this definition. Accessory massage establishments shall not include services provided by persons licensed by the State of California to provide medical services.

**MOBILE HOME:** A vehicle other than a motor vehicle designed or used for human habitation, equipped with bathroom and kitchen facilities, and for being drawn by a motor vehicle, but excluding a "dependent mobile home", a "recreation vehicle", a "trailer coach" or a "travel trailer", as defined by the State of California Health and Safety Code.

**MOBILE HOME ACCESSORY BUILDING OR STRUCTURE:** Any awning, portable, demountable or permanent cabana, ramada, storage cabinet, carport, fence, windbreak or porch established for the use of the occupant of the mobile home.

**MOBILE HOME LOT:** Any area or tract of land or portion of a mobile home park, travel trailer park, recreational trailer park, temporary trailer park or tent camp designed or used for the occupancy of one mobile home, travel trailer, camp car or camp party.

**MOBILE HOME PARK:** Any area or tract of land where one or more mobile home lots are rented or leased to accommodate mobile homes.

**MOTEL:** A building or group of buildings containing individual sleeping or living

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units, designed primarily for use by automobile tourists or transients, where a majority of such units are open individually and directly to the outside. An establishment shall be considered a motel, in any case, when required by the Health and Safety Code of the State, to obtain the name and address of guests and a description of their vehicles and its license. The term "motel" shall include "tourist court", "auto court", and "motor lodge".

**MOVABLE SIGNS:** Any sign which is not permanently attached to a structure or the ground.

**NONCONFORMING BUILDING:** A building or portion thereof lawfully existing at the time of the adoption of this Title, and which does not conform to the applicable regulations of this Title or amendment thereto. A building or portion thereof lawfully existing at the time of the adoption of any amendment of this Title, and which does not conform to the applicable regulations of such amendment or subsequent amendment.

**NONCONFORMING USE:** A use which lawfully occupies any building or land at the time of the adoption of this Title, and which does not conform to the applicable regulations of this Title or amendment thereto. A use which lawfully occupies any building or land at the time of the adoption of any amendment of this Title, and which does not conform to the applicable regulations of such amendment or a subsequent amendment.

**NURSING HOME:** See Rest Home.

**ON-SITE DIRECTIONAL SIGN:** A sign which assists motorists in determining the proper direction or flow of traffic.

**OPEN-AIR RESTAURANT:** See Restaurant, Open Air.

**OUTSIDE RETAIL SALES:** A business where the display and sale of items to the public customarily takes place outside. "Outside retail sales" includes, but is not limited to, nurseries, used car sales, and year round firewood sales.

**PERMANENT WINDOW SIGNS:** Permanently painted or attached window signs for the purpose of imparting information on the operations of a particular business, including hours of operation, credit cards honored, and status of the business.

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**PERSONAL SERVICE ESTABLISHMENT:** A commercial or professional establishment specializing in rendering services, and in which the sale of commodities is only incidental thereto.

**PLAYBILL CABINETS:** A wall cabinet for the purpose of displaying a sign which advertises a current or future attraction at a theater.

**POLITICAL SIGNS:** Any sign that is displayed with the purpose of promoting or denouncing a candidate or ballot measure.

**PRESCRIPTION PHARMACY:** A place for the sale of pharmaceutical and related items that is restricted to drugs, chemicals, and household medical supplies intended for the use, medication, treatment or prevention of disease in man. Such pharmacy shall only be allowed in the R-O (Residential Office) Zone or R-3 (Multiple-Family) Zone when on the same property or adjacent to, a medical, dental, or healing arts building or similar complex.

**PROJECTING SIGNS:** Any sign which extends more than twelve inches (12") from the building to which it is attached.

**RAZOR WIRE:** Any wire incorporating sharp blades or razors as barbs, whether or not coiled as concertina.

**RECREATION AREA, PRIVATE NONPROFIT:** Any area, including accessory building and structures, used or designed for recreation, not conducted for a profit, the use of which is restricted to an established membership (and their guests) residing within the immediate geographical area.

**RECREATIONAL VEHICLE:** Travel trailers, camper shells, camping trailers, motor coach homes, converted buses for personal use, boats and houseboats, trailers of all types, motorcycles or any off road recreational vehicle, new or used, retail or wholesale, with or without motive power.

**REST HOME:** An establishment or home for the care and nursing of convalescents, invalids and aged persons; excluding cases of communicable diseases, mental sickness or disorders, and surgical or obstetrical operations. The term shall include "nursing home".

**RESTAURANT:** The term "restaurant" shall have its ordinary meaning and usage, except that no business or use shall be classified as a restaurant in which

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alcoholic beverages are served, or in which alcoholic beverages may be served.

RESTAURANT, DRIVE-IN: An establishment which serves food or beverages to persons while seated in or on a motor vehicle.

RESTAURANT, OPEN AIR: An establishment which serves food or beverages to persons for consumption on the premises, but outside of a building.

REVOLVING SIGNS: Any sign which rotates by mechanical, electrical or natural means.

ROOF SIGNS: Any sign which is attached to a building and extends either above the roofline or parapet of the building or a sign on a mansard roof which extends above the bottom two-thirds ( $\frac{2}{3}$ ) of the mansard.

SCHOOL, ELEMENTARY OR HIGH: An institution of learning which offers instruction in the several branches of study required to be taught in the public schools by the Education Code of the state. The term shall include "junior high school".

SERVICE STATION, AUTO: A service station for retail sale of gasoline, oil and new automobile accessories, auto lubrication and servicing, as follows:

(A) Gasoline sales shall be limited to not more than two (2) pump islands, and not more than three (3) pumps each;

(B) Lubrication shall be limited to one grease rack;

(C) Washing, waxing and polishing (not including mechanical car washing or steam cleaning);

(D) Tire sales, changing, repairing and balancing (not including recapping);

(E) Battery sale, installation and charging;

(F) Minor repairs, adjustments and installation, including fan belts, spark plugs, water hoses, oil filters, windshield wipers, lights and other accessories;

(G) All operations, excepting sale of gasoline and oil, shall be conducted in a building enclosed on at least three (3) sides.

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**SERVICE STATION, SUPER:** A service station for retail sale of gasoline, oil and new automobile accessories, and automobile lubrication and servicing as follows:

(A) Washing, waxing and polishing (not including mechanical car washing or steam cleaning);

(B) Tire service (not including recapping);

(C) Battery sales, installation and charging;

(D) Repairs, adjustments and replacements (not including disassembly of engines, transmissions, differentials, generators, starters);

(E) Brake repairing (not including relining).

**SHOPPING AND OFFICE CENTER:** A group of retail or office businesses which share parking, access, covenants or a common theme with adjacent businesses. Such centers are generally, but not always, on the same parcel of land.

**SIGN:** Any visual device or representation designed and used for the purpose of identifying or attracting attention to a premises, product, service, person or event. The term "sign" includes, but is not limited to, banners, pennants, streamers, unusual paint, color, nonstructural displays, architectural projections, displays of goods or services when located outside a building and other similar devices or ploys.

**SPA:** A resort hotel which provides facilities for recreational or health purposes.

**STREET:** A public or private way permanently dedicated, reserved, or regularly used as a primary means of access to abutting property.

**STREET LINE:** The boundary line between the right of way or easement for a street, and the abutting property.

**STREET, SIDE:** A street bounding a corner lot, adjacent to a side line of the lot.

**STRUCTURAL ALTERATION:** Any change in the supporting members of a building, such as foundations, bearing walls, columns, beams, floor or roof joists, girders or rafters, or any change in the exterior dimensions of a building.

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**STRUCTURE:** Anything constructed or erected with a fixed location and includes "buildings" and "signs".

**SUPPORTIVE HOUSING:** Housing with no limit on length of stay, that is occupied by the target population, and that is linked to an onsite or offsite service that assists the supportive housing resident in retaining the housing, improving his or her health status, and maximizing his or her ability to live and, when possible, work in the community.

**TARGET POPULATION:** Persons with low incomes who have one or more disabilities, including mental illness, HIV or AIDS, substance abuse, or other chronic health conditions, or individuals eligible for services provided pursuant to Lanterman Developmental Disabilities Service Act (Division 4.5 (commencing with Section 4500) of the Welfare and Institutions Code) and may include, among other populations, adults, emancipated minors, families with children, elderly persons, young adults aging out of the foster care system, individuals exiting from institutional settings, veterans, and homeless people.

**TEMPORARY NONCOMMERCIAL SIGNS:** Signs that are not intended to be displayed for longer than forty (40) days and are not strictly for the purpose of generating retail or wholesale business.

**THEATER MARQUEE:** A wall sign with changeable copy for the advertising of current or future attractions for a movie or live theater or similar performance-oriented facilities which change the featured entertainment often.

**TIME AND TEMPERATURE SIGNS:** Signs which display only the current time, date and temperature.

**TRANSITIONAL HOUSING:** Buildings configured as rental housing developments, but operated under program requirements that require the termination of assistance and recirculating of the assisted unit to another eligible program recipient at a predetermined future point in time that shall be no less than six months from the beginning of assistance.

**TRAVEL TRAILER:** A vehicle other than a mobilehome, designed or used for human habitation and which may be moved upon a public highway without a special permit without violating any provision of the Vehicle Code.

**TRAVEL TRAILER PARK:** Any area or track of land where one or more travel

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trailer lots are rented or leased to accommodate travel trailers.

**VEHICLE, HEAVY EQUIPMENT AND BOAT DEALERSHIPS:** A place where one or more franchises to sell new cars, trucks, tractors, motorcycles, aircraft, boats or similar vehicles exists.

**WALL SIGN:** A sign attached to the wall of a building and projecting more than twelve inches (12").

**WIRELESS AND NONWIRELESS TELECOMMUNICATIONS FACILITIES:** Shall be considered to be any and all communications equipment including, but not limited to, antennas, satellite dishes, microwave relay stations, and all similar devices designed for the transmission and/or reception of communications signals including all accessory structures or constructs, that are not exclusively intended for private personal use.

**YARD:** Open and unoccupied space on a lot.

**YARD, FRONT:** A yard, the depth of which is the minimum required horizontal distance between the front lot line and a line parallel thereto on the lot, which yard extends across the full width of the lot. Same as "required front yard".

**YARD, REAR:** A yard, the depth of which is the minimum required horizontal distance between the rear lot line and a line parallel thereto on the lot, which yard extends across the full width of the lot. Same as "required rear yard".

**YARD, SIDE:** A yard, the width of which is the minimum required horizontal distance between the side lot line and a line parallel thereto on the lot, not including any portion of the required front yard or required rear yard. Same as "required side yard". (Ord. 533, 6-5-1961; amd. Ord. 573, 7-15-1963; Ord. 578, 11-18-1963; Ord. 693, 7-3-1972, eff. 8-2-1972; Ord. 751, 8-16-1976; Ord. 756, 9-20-1976; Ord. 791, 7-3-1978; Ord. 809, 1-7-1980; Ord. 819, 10-6-1980; Ord. 858, 9-6-1983; Ord. 875, 3-18-1985; Ord. 935, 8-20-1990; Ord. 95-9, 8-7-1995; Ord. 96-4, 5-20-1996; Ord. 98-3, 6-1-1998; Ord. 2002-3, 3-4-2002; Ord. 2002-17, 10-21-2002)"

**SECTION 2:** Section 2 of Chapter 12 of Title XI of the Selma Municipal Code is hereby amended to read as follows:

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## **11-12-2: USES:**

(A) In an M-1 zone, the following uses only are permitted:

1. Any use permitted in the C-3 zone. (Ord. 573, 7-15-1963; amd. Ord. 2003-2, 2-18-2003)
2. Any kind of manufacture, processing or treatment of materials; provided, that such uses (and other uses mentioned in this section) shall be subject to the provisions of section 11-12-3, "Limitations On Uses", of this chapter.
3. (Rep. by Ord. 2003-2, 2-18-2003)
4. Aircraft factory.
5. Animal hospitals, kennels and veterinarians. (Ord. 533, 6-5-1961)
6. (Rep. by Ord. 642, 2-19-1968)
7. Blacksmith.
8. Boat building works.
9. Brewery.
10. Building materials, sales and storage.
11. Carpet cleaning plant. (Ord. 533, 6-5-1961)
  - 11.1. Concrete batch plants, not to exceed one and one-half ( $1\frac{1}{2}$ ) cubic yards in capacity. (Ord. 757, 9-20-1976)
12. Electrical and electronic instruments, devices and appliances, manufacture and assembly.
13. Emergency Shelter as defined in Section 1, Chapter 1 of this Title XI.
14. Food products manufacture.
15. Frozen food processing and storage.
16. Fruit and vegetable canning, packing and processing.
17. Fuel storage; provided, that gasoline, kerosene, and similar highly inflammable products shall be stored underground.
18. Furniture manufacture.
19. Garment manufacture.

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20. Hatcheries.
21. Ice and cold storage plant.
22. Laboratory, experimental and testing.
23. Machine shop.
24. Petroleum products storage; provided, that gasoline, kerosene, and similar highly inflammable products shall be stored underground.
25. Pharmaceuticals and drugs manufacture.
26. Planing mill, excluding refuse burning.
27. Plastic and rubber products manufacturing and assembly.
28. Poultry and rabbit processing.
29. Prefabrication of buildings.
30. Public utility service yards, electrical and gas transmission stations.
31. Stable and riding academy.
32. Stone monument works.
33. Textile manufacturing.
34. Tire rebuilding, recapping and retreading.
35. Transit and transportation equipment, storage space and yards, except freight classification yards.
36. Accessory buildings and uses customarily incident to any of the foregoing uses.

(B) For general provisions and exceptions, see chapter 20 of this title. (Ord. 533, 6-5-1961)

**SECTION 3:** Section 3 of Chapter 12 of Title XI of the Selma Municipal Code is hereby amended to read as follows:

**"11-12-3: LIMITATIONS ON USES:**

(A) No uses shall be permitted in an M-1 zone which may be obnoxious or offensive by reason of odor, dust, gas, smoke, noise, vibration, heat, glare, hazard or other similar causes.

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Good standard practices generally observed with respect to the operation of the corresponding permitted use specifically listed in section 11-12-2 of this chapter, shall be referred to as a general standard in interpretation of this provision.

(B) No uses shall be permitted in an M-1 zone which are listed or described in section 11-14-2 uses of this title or section 11-14-3, M-2 uses of this title requiring conditional use permits (M-2 zone), except as specifically provided in section 11-12-2 of this chapter. (Ord. 533, 6-5-1961)

(C) Retail facilities that sell packaged alcoholic beverages are prohibited in the M-1 zone. (Ord. 94-9, 8-1-1994)

(D) Emergency Shelters shall conform to all of the following regulations:

1. The maximum number of beds or persons permitted to be served nightly by the facility shall be 40.
2. On and off street parking shall be determined pursuant to a site plan review or other review as dictated by the requirements of the zone in which the emergency shelter is to be located.
3. Client intake and waiting areas should be located, whenever possible, on the interior of the emergency shelter subject to a site plan review or other review based on the proposed operational statement of the applicant.
4. All emergency shelters located within any zone of the city shall have onsite management 24 hours a day. The number of onsite managers shall be determined pursuant to a site plan or other review of the project based on the applicants operational statement.
5. Emergency shelters shall be located at least 300 feet apart unless a waiver is granted by the Community Development Director or his or her designee.
6. The length of stay should be limited to the amount of time necessary to transition a client from emergency housing to transitional or supportive housing, with a goal of less than 30 days per 180 day period.
7. Lighting and security requirements shall be determined as part of a site plan or other review using the applicable development standards in the zone where the emergency shelter is to be located."

**SECTION 4:** Section 2 of Chapter 3 of Title XI of the Selma Municipal Code is hereby amended to read as follows:

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## **"11-3-2: USES:**

In an R-1 Zone the following uses only are permitted:

- (A) One-family dwellings, consisting of not more than one (1) such one-family dwelling per lot.
- (B) Accessory buildings and structures, including, but not confined to private garages and carports of three-car maximum aggregate capacity, accessory living quarters, and swimming pools.
- (C) Flower and vegetable gardens, agricultural crops, orchards and vineyards, horticultural collections, nursery stock; (but excluding the following: any sign or structure for the purpose of sale of any product; commercial greenhouses; and commercial farming buildings).
- (D) Small domestic pets, such as cats, dogs and birds.
- (E) Renting rooms and boarding, as follows:
  - 1. Renting not more than two (2) rooms in a dwelling to not more than a total of four (4) persons.
  - 2. Providing table board to not more than four (4) boarders.
  - 3. A combination of the foregoing, but accommodating not more than four (4) persons in any case. (Ord. 533, 6-5-61)
- (F) Home occupations, carried on by an occupant of a dwelling as a subordinate and incidental use, subject to the following provisions, may be approved by the secretary to the Commission, subject to the provisions of Section 11-25-1 and 11-25-23.
  - 1. The establishment or operation of a home occupation for hire or financial gain shall not be permitted unless a home occupation use permit has been issued therefor and is in effect, and such use is conducted pursuant to the permit. The permit shall be issued pursuant to the provision of Section 11-25-1 and the payment of the fees set forth therein, and Section 11-25-3 and after the payment of the business license for said home occupation as set forth in Title V of this Code.
  - 2. The term of said permit may be established by the secretary to the Commission, in the manner provided in Section 11-23-6 (Board of Adjustment).
  - 3. Such permits may be revoked and modified pursuant to the provisions of Chapter 24 of this Title.

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4. Any amendment of this Title or any resolution affecting the terms and conditions for the conduct of home occupations shall apply to permits theretofore as well as those thereafter issued, upon expiration or renewal thereof.
5. There shall be no employment of help other than the members of the resident family, who are occupants of the dwelling for which the permit is sought.
6. There shall be no use of material or mechanical equipment not recognized as being part of normal household or hobby uses.
7. Sales of goods on the premises shall be limited to the products of the home occupation, and no other merchandise or goods shall be sold, kept or displayed for the purpose of sale on the premises.
8. The use shall not generate pedestrian traffic or vehicular traffic beyond that normal to the zone in which it is located.
9. The permit holder shall not employ the use of commercial vehicles for delivery of materials to or from the premises, other than a vehicle not to exceed one ton, owned by operator of such home occupation, which shall be stored in an entirely enclosed garage.
10. No excessive or unsightly storage of materials or supplies, indoor or outdoor, for purposes other than those permitted in the Zone, are allowed.
11. It shall not involve the use of signs or structures.
12. No more than one room in the dwelling shall be employed for the home occupation. Garages shall not be used for conduct of home occupations. Provided, however, permits issued prior to December 7, 1981, are not subject to the requirement forbidding the use of the garage.
13. No building or space outside of the main building shall be used for home occupational purposes except for agricultural uses in the R-A (Residential Agriculture) Zone.
14. In no way shall the appearance of the structure be so altered or the conduct of the occupation within the structure be such that the structure may be reasonably recognized as serving a nonresidential use (either by color, materials or construction, lighting, signs, sounds or noises, vibrations, heat, glare, etc.).
15. There shall be no use of utilities or community facilities beyond that normal to the use of the property for residential or agricultural purposes as defined in the Zone.

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16. Applicants shall consult with surrounding property owners and provide evidence to the secretary of the Commission that consultation has been completed. In the event there are objections from any of six (6) surrounding property owners, the secretary shall not approve a home occupation permit application. The applicant may appeal the decision of the secretary, to the Planning Commission, within ten (10) days following notice of the decision by the secretary to not issue the permit. (Ord. 836, 12-21-1981)

(G) Transitional and Supportive Housing as defined in Section 1 of Chapter 1 of this Title XI.

(H) Storage of petroleum products underground for the use on the premises, exclusive of gasoline and similar highly inflammable products.

(I) Vehicle parking, if used for personal transportation by occupants of the dwelling, their guests and employees, but in no case shall a commercial vehicle exceed a weight of four (4) gross tons. (Ord. 712, 1-21-1974)

(J) Private nonprofit recreation area, subject to conditional use permit and other requirements of Chapter 16 of this Title. (Ord. 573, 7-15-1963)

(K) Churches, except tents, subject to the requirements of Chapter 17 of this Title, and subject to issuance of a conditional use permit and other requirements of Chapter 16 of this Title. (Ord. 627, 6-5-1967)

(L) Temporary tract offices, model homes, and construction materials storage yards within and limited to serving the tract being developed. Said storage yards shall be removed by the developer if there has been no construction activity within the tract for a continuous period of six (6) months, unless an extension is granted by the Planning Commission before the expiration of the six (6) month period. (Ord. 750, 8-16-1976)

For general provisions and exceptions, see Chapter 20 of this Title. (Ord. 533, 6-5-1961)

(M) Second dwelling units (granny flats), pursuant to Government Code section 65852.1, subject to first securing a conditional use permit, and complying with provisions of Chapter 20.1 of this Title. Such dwellings shall not be greater than six hundred forty (640) square feet in floor area. The second dwelling unit shall comply with the City's adopted Site Development Standards for provision of second units developed under the requirements of Government Code section 65852.1. (Ord. 858, 9-6-1983)

(N) Reconstruction of multiple-dwelling units on a single legal parcel with a conditional use permit and subject to the following criteria:

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1. The multiple-dwelling units were legally constructed. For the purposes of this subsection, "legally constructed" shall include all multiple-dwellings which have approved entitlements, approved building permits for construction or conversion, or can be shown by city records to have existed prior to 1970.
2. The lot can be shown to accommodate reasonable facilities for the scale of the development, such as open space, parking and common areas. A minimum of one hundred fifty (150) square feet of private open space per unit shall be provided.
3. A minimum of one on-site parking space per unit shall be provided. Where parking in excess of one space per unit exists, parking spaces numbering not less than the existing number shall be provided upon completion of the reconstruction.
4. There shall be no increase in the intensity of the land use over that which previously existed. No increase in the number of units shall occur. The average size of all units on the property shall not be increased, except as required to meet any minimum size required by this code.
5. The proposed height and bulk of the dwellings shall be compatible with the surrounding neighborhood.
6. The exterior materials and architecture shall be compatible with the surrounding neighborhood. (Ord. 96-7, 10-21-1996)"

\*\*\*\*\*

I, Reyna Rivera, Chief Deputy City Clerk of the City of Selma, do hereby certify that the foregoing Ordinance was introduced at the \_\_\_\_\_, 2015, regular City Council meeting and passed at a regular meeting of the City Council of the City of Selma on the \_\_\_\_ day of \_\_\_\_\_ 2015, by the following vote, to wit:

AYES: COUNCIL MEMBERS:

NOES: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

\_\_\_\_\_  
Mayor of the City of Selma

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**PUBLIC WORKS WEEKLY REPORT FOR 11/08/15 TO 11/14/15**

DAILY JOBS REPORT																							
Act Descrip	All Parks	Home	Senior Center	Streets	LLMD #5	LLMD #8	Other	Pocket Park	Police Dept	Shafer Park	Peter Ringo	Drain Inlet	Salazar	Pump Stations	City Hall	Art Center	St Lights	Downtown	Brentlinger Pk	Lincoln Pk	Islands	Corp Yard	Total Of Hours
Cleaning (outside)	18.5			1.5	9	11			1.5	6	4	6	4					8	5	6			80.5
Custodial Work	3.5		5						4.5						4.5							2	19.5
Flags/Banners/Decor/etc.				65.5													14.5			2	1.5		83.5
Graffiti				0.5			1				0.25								0.25				2
Hauling/Loading													0.5							0.5	0.5		1.5
Leave without pay		31																					31
Mechanical														3.5									3.5
Mowing/Renovating							0.5	0.5							0.5			1.5					3
Repairing															3.5	2.5					1		7
Sweeping				29.5																			29.5
TOTAL	22	31	5	97	9	11	1.5	0.5	6	6	4.25	6	4.5	3.5	8.5	2.5	14.5	9.5	5.25	8.5	1	4	261

<b>LLMD WEEKLY REPORT</b>			
Job Date	LLMD #5	LLMD #8	Total Of Hours
11/9/2015	9	7	16
11/10/2015		4	4
<b>TOTAL</b>	<b>9</b>	<b>11</b>	<b>20</b>

WORK ORDER REQUESTS REPORT								
Request Date	Administration	Business	Chamber	Citizen	Community Service	Finance	PD	TOTAL
11/9/2015				1	1		1	3
11/12/2015	1					1		2
11/13/2015	1	1	1	1	1			5
TOTAL	2	1	1	2	2	1	1	10

DAILY JOBS REPORT																											
Act Descrip	All Parks	Home	LUMD #1	LUMD #2	LUMD #3	LUMD #4	LUMD #6	LUMD #7	LUMD #8	LUMD #11	Other	Police Dept	Shafer Park	Peter Ringo	Drain Inlet	Pump Stations	City Hall	Signs	Downtown	Lincoln Pk	Islands	Corp Yard	Mark's Pond	Alleys	Senior Center	Streets	Total Of Hours
Cleaning (outside)	16.5		7	7.5	5		4.5	1.5	1	4		2			1.5		0.5		4		4			20.5			79.5
Custodial Work	3				5							4					6				1.5			5			19.5
Electrical work																	0.5										0.5
Flags/Banners/Decor/etc.																				25.5					2		27.5
Graffiti														0.5				1									1.5
Hauling/Loading											4														0.5		4.5
Leave without pay		18																									18
Mechanical																1.5											1.5
Meetings												5															5
Mowing/Renovating			1	2.5		1		0.5			1.5										2	1					9.5
Painting												5															5
Renovating												67															67
Repairing													2				0.5			4	1.5						8
Sick Leave		4.5																									4.5
Spraying																					3						3
Sweeping																									28		28
TOTAL	19.5	22.5	8	10	5	1	4.5	2	1	4	10.5	78	2	0.5	1.5	1.5	7.5	1	4	29.5	10.5	1.5	1	20.5	5	30.5	282.5

WORK ORDER REQUESTS REPORT								
Request Date	Administration	Business	Citizen	Code Enforcement	Community Service	PD	Public Works	TOTAL
11/16/2015						1		1
11/17/2015	1			1			1	3
11/18/2015		1			4	1		6
11/19/2015	1		3					4
11/20/2015		1	1				1	3
TOTAL	2	2	4	1	4	2	2	17

**PUBLIC WORKS WEEKLY REPORT FOR 11/22/15 TO 11/28/15**

<b>DAILY JOBS REPORT</b>																						
Act Descrip	All Parks	Home	Other	Police Dept	Shafer Park	Peter Ringo	Drain Inlet	Pump Stations	City Hall	Signs	Brentlinger Pk	Lincoln Pk	Islands	Corp Yard	Fire Dept	LLMD #1	LLMD #2	LLMD #8	Right-of-way	Senior Center	Streets	Total Of Hours
Cleaning (outside)	17				3	6	7.5		1.5		6	3.5	1			4.5	3.5		1		6	60.5
Custodial Work	1.5			2.5					4					2						4		14
Electrical work				1																1		2
Flags/Banners/Decor/etc.												24										24
Graffiti			1.5			0.5				1.5												3.5
Hauling/Loading				2											1						1.5	4.5
Mechanical							3.5							2.5								6
Mowing/Renovating											1.5											1.5
Painting											4											4
Pruning																					7	7
Renovating				2.5																		2.5
Repairing													8					0.5				8.5
Sweeping																					15	15
Vacation Leave		36																				36
<b>TOTAL</b>	<b>18.5</b>	<b>36</b>	<b>1.5</b>	<b>8</b>	<b>3</b>	<b>6.5</b>	<b>7.5</b>	<b>3.5</b>	<b>5.5</b>	<b>1.5</b>	<b>11.5</b>	<b>27.5</b>	<b>9</b>	<b>4.5</b>	<b>1</b>	<b>4.5</b>	<b>3.5</b>	<b>0.5</b>	<b>1</b>	<b>5</b>	<b>29.5</b>	<b>189</b>

<b>LLMD WEEKLY REPORT</b>				
Job Date	LLMD #1	LLMD #2	LLMD #8	Total Of Hours
11/23/2015	4.5	3.5		8
11/24/2015			0.5	0.5
<b>TOTAL</b>	<b>4.5</b>	<b>3.5</b>	<b>0.5</b>	<b>8.5</b>

<b>WORK ORDER REQUESTS REPORT</b>				
Request Date	Administration	Code Enforcement	Public Works	TOTAL
11/23/2015			1	1
11/24/2015	1	2		3
<b>TOTAL</b>	<b>1</b>	<b>2</b>	<b>1</b>	<b>4</b>





Council report 12-7-2015

El Nino update:

**We are smack dab in the middle of fall and El Niño continues to hold strong.** We are already seeing some classic El Niño signals, and impacts from this phenomena will continue over the coming months. Central and eastern Pacific sea surface temperatures continue to show a classic, robust signal of very warm water across the central Pacific, extending east toward the South America coast.

There are some notable measurements that are not typically seen with El Niño events as well, like a lack of warming in what is called the Niño 1+2 region location off the South American Pacific coast. Another area of note is the very warm pool of water north of the equator in the northeast Pacific that extends from mainland Mexico towards Hawaii.

Regions of warmer water, like the one off Mexico, promote the rising motion of air that can help aid tropical cyclone generation, like we saw with record-breaking major hurricane Patricia in October off the Mexican coast. It remains to be seen what sort of impacts, if any, the less-than-expected warming off of the South American coast will have in comparison to our benchmark 1982 and 1997 strong El Niño events. Latest observations indicate that the central Pacific sea surface temperatures are three degrees Celsius above normal, higher than any measurements we saw in 1997. This is only one observation, so it is hard to make too many assumptions, but all eyes will be on this region over the next couple of months. For a visual comparison, check out this really cool [side by side animation](#) of the 1997 vs. 2105 El Niño events.

**Latest Climate Prediction Center Outlook:** We remain in a strong El Niño and the latest Climate Prediction Center (CPC) [outlook](#) has not changed much since the last diagnostic discussion in October. One way to measure the strength of the El Niño is the [Oceanic Niño Index](#) or ONI. Based on this index, we have seen this El Niño increase in strength since last month. Model forecasts continue to show a strengthening trend with a peak during the 2015-16 winter. El Niño is then expected to weaken heading through the spring of 2016.

**Recent Surf Trends:** The US East Coast has left the summer doldrums behind with most regions up

and down the coast getting a pretty good run of swell at one point or another. Solid S windswell/swell that impacted the East Coast in October had some of El Niño's fingerprints on it, originating from a deep southerly fetch over the western Atlantic. This produced one of the better, if not the best fall days of 2015 for the **Outer Banks through the Mid Atlantic** in late October. Interestingly, a portion of the energy from record breaking Hurricane Patricia was a player in this round of swell.

The Caribbean has seen some fun runs of swell as well. One standout swell impacted the Caribbean on the 21st/22nd from a strong low over the western Atlantic. Further, consistent storm activity over the northeast Atlantic kept periodic fun to good swells heading to the islands from this region. Overall, El Niño delivered to the islands in October.

Europe recently saw, with some still experiencing, a lengthy run of swell. **SW France** through **Portugal**, south into the **Canary Islands** and the northwest African coast have received a multi day run of swell with mostly favorable conditions over the past week. There is more swell on the radar too as we head later into the month.

Meanwhile, the North Pacific has been very alive and very active. Latest sea level pressure charts show that pressures were significantly lower-than-normal over the northeast Pacific during October, a classic El Niño signal. Furthermore, this lower-than-normal pressure coincides with a region of warmer-than-normal water over that region. As previously mentioned, this can promote a rising motion of air which is necessary for storm formation. It is no wonder that both Hawaii and the Pacific west coast have seen some really good early runs of surf. In fact, many people called the recent **Pipe swell** one of the best in recent memory. California has enjoyed a good run of fun size swell, too, through much of October and into early November with consistent, good quality surf for the northern half of the state.

#### **LATEST ACCUMULATED CYCLONE ENERGY (ACE) VALUES:**

1. Atlantic - 61% of normal tropical activity to date (down from 65% since last month's update)
2. East and Central North Pacific – 200% of normal tropical activity to date (up from 192% last month thanks to Olaf's 35 ACE and Patricia's 17.9 ACE)
3. Western North Pacific - 162% of normal tropical activity to date (up slightly from 160% last month)

Globally, we are at 142% of expected ACE. Interestingly the North Indian Ocean is a whopping 357% above normal with cyclone Chapala and Megh impacting Yemen and the Yemeni island of **Socotra**, known as the most alien looking place on earth, during the early part of November.

#### **HISTORIC EL NIÑO HIGHLIGHTS**

- 1983 El Niño fueled storm sent huge waves to southern California, destroying the end of the **Huntington Beach Pier**

- **Huge NW swell for Hawaii Jan 28, 1998** (Bradshaw Outer Logs; Waimea closed out and closed: 'Condition Black'). Same swell impacted California two days late.

- 1997 Guillermo, Linda and Nora hurricane swells from August through September impacting southern California

- **Kissimmee, Florida deadly tornado outbreak** of February 1998. This was the worst tornado outbreak in the history of the state with some of the strongest tornadoes ever recorded in the state's history

- **2009-10 coldest central/south Florida winter** of the past 30 years. This resulted in massive fish kills, particularly to highly important recreational species snook (also known as robalo) putting massive pressure on these fish. The fish stock is just now recovering

**UPCOMING SWELL IMPACTS:** We are gearing up for the El Niño pattern to get the ball rolling in the Northern Hemisphere winter. More swell activity is expected for the North Pacific, eastern Gulf of Mexico, and for portions of the western Atlantic. For more on the expected impacts for the Pacific and Atlantic Oceans, be sure to check out our recently issued, detailed [Pacific Outlook](#) and [Atlantic Outlook](#).

- **Selma Fire Departments Annual Christmas Will be on December 7,2015 Family's and retired firefighter get together each year to celebrate Christmas.**
- **December 12 live burn Training at our new training facility, feel free to come out and watch. Will start at 0800 and go most of the day. We will also be BBQ and serving lunch around noon.**

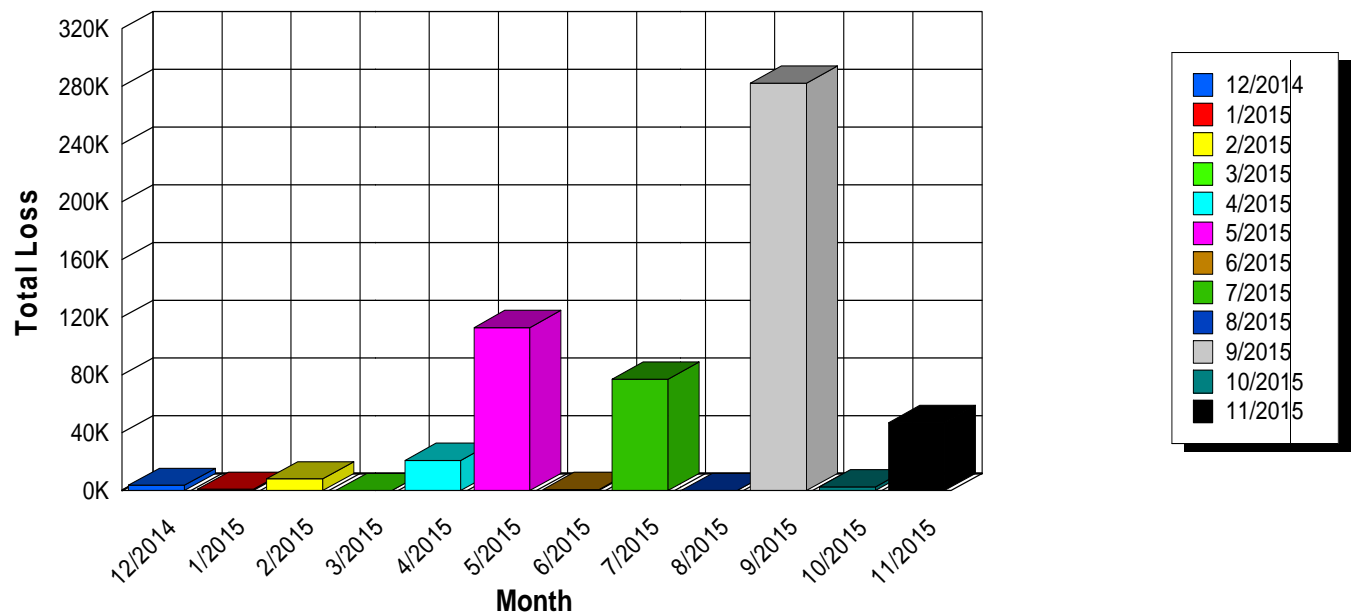


- Selma Fire department employees continue to work on both stations, to date they have added a bedroom, sheet rocked an painted station 2 Moved and reorganized for extra storage. Added lighting and deep cleaned both station. If you would like to see what they have done contact me and I will take you to both station. These guys and gals have done a great job.
- Thanksgiving night fire. around 8 pm crews responded to a fire at 2424 Highland a boarded up structure. we arrived to find half of the house fully involved in fire. Two Engines from Selma Fire made a quick attack and keep the fire from reaching the neighbor's home to the south. Our auto aid's worked perfectly putting engines from Kingsburg, Sanger and Fresno county on scene quickly to assist. This structure will now be torn down within the next week.

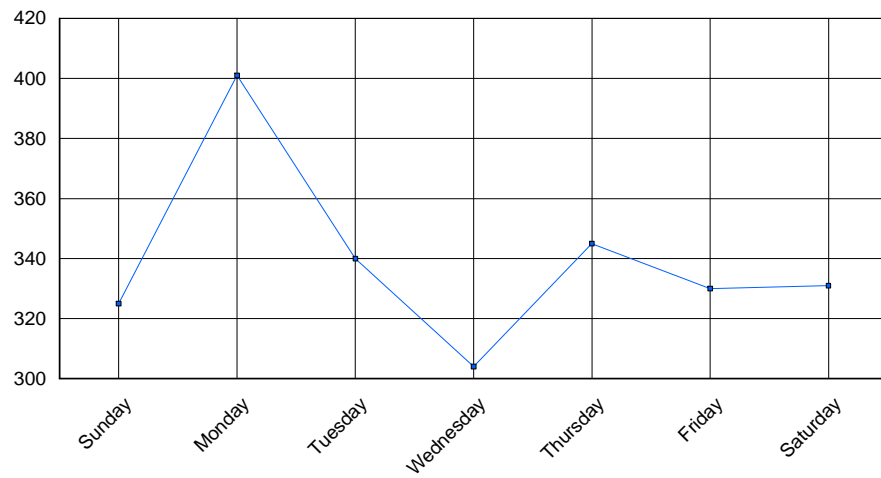




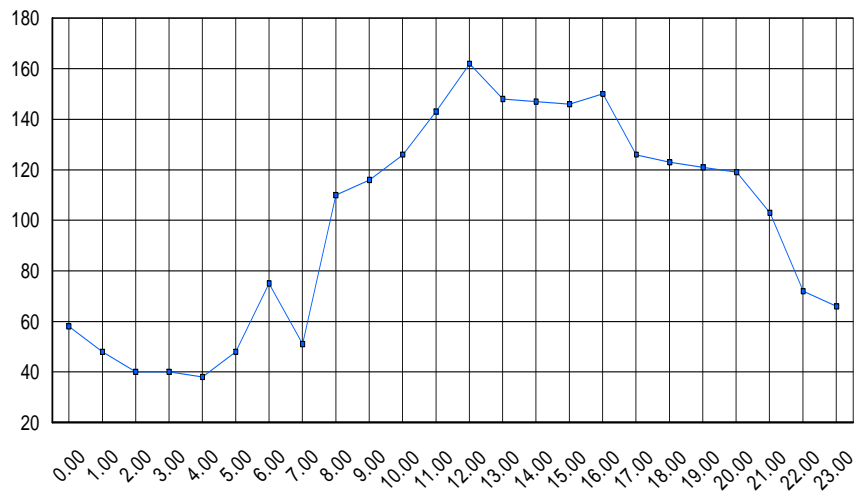
**From 12/1/2014 To 12/1/2015 Total Fire Loss by Month**



### From 12/1/2014 To 12/1/2015 Incidents by Day of Week



### From 12/1/2014 To 12/1/2015 Incidents by Time of Day





# Selma Police Department

## **POLICE DEPARTMENT** **BI-WEEKLY COUNCIL UPDATE** (11/13 – 12/2/15)

### **Crime Trends**

- Current crime data for the last 28-day period indicates an overall drop in crime of 17.5%, including a 61% drop in violent crime and a 10% drop in property crimes. This can be attributed to a 64% drop in aggravated assault, a 33% drop in auto theft, matching the reductions seen in the previous report covering the first part of November.

### **Significant Calls for Service**

- 11-15-15. At 3pm, Daniel Rodriguez (7-5-78 2627 Jackson St.) was arrested for ADW Vehicle after he used his vehicle as a weapon and crashed into his ex-girlfriend's vehicle, while she was in it. Occurred in the area of Jasper St. at Aspen St. Suspect booked into FCJ.
- 11-18-15. At approximately 8pm, Jesus Sergio Acevedo of Parlier followed his former girlfriend, Erica Ortiz south on Mitchell St. at Lewis St. when he began to pass her vehicle in his White Chevrolet Traverse and then began turning in towards her vehicle forcing her off the roadway and to a stop. Acevedo then pulled Ortiz from out of her vehicle and demanded he give her money but she had no money to give him. Acevedo then threatened to take their children away from her. Ortiz used her car horn to get the attention of others when Acevedo went back to his vehicle and drove off. Detectives conducted follow-up and Acevedo was taken into custody on 11-25-15.
- 11-19-15. At 3am, Officer A. Alvarez conducted a vehicle/subject check in the parking lot of Kaiser Medical offices. In the process he found that the 2 subjects had attempted to gain entry in to a vehicle that was in the parking lot. They were in possession of burglary tools. The 2 males Thomas Grealish-Burgess 10-01-89, and Sean Butler 07-29-1989, both out of Bakersfield were arrested. Grealish was found to be on probation and had a warrant for a probation violation possibly for being on an ankle monitor and leaving the area..... both had extensive criminal histories..... they were booked and later taken to FCJ.
- 11-21-15. Officers investigated a hit and run collision at Park St and Golden State Blvd. A male subject was seen being picked up by a four door charcoal truck after the vehicle he was driving collided with a light pole. The vehicle, a 1995 Chevrolet Silverado was left on scene. The vehicle was registered out of Kingsburg. Kingsburg PD and FSO were advised. The vehicle was stored.





# Selma Police Department

- 11-26-15. Officers responded to 3101 Jasper St. in regards to subjects fighting in the roadway. Officers made contact with two male subjects, one who suffered multiple injuries to his head. The male subjects reported they were walking in the area when 3-5 male subjects came out of 3101 Jasper St. and attacked them. It was reported by one of the male victims that his wallet was taken during the incident. The two victims were not able to identify anyone initially. Officers made contact with the residents at 3101 Jasper St. but all the occupants contacted denied having any involvement or knowledge of the incident. Officers were unable to conduct further investigation due to the victim being transported to CRMC. Officers will conduct follow up in an attempt to gain positive identification of the suspects. This is the same resident where Suspect Acevedo was seen fleeing into after the event that lead to his arrest.

## Personnel

- One (1) officer one (1) sergeant remain off work due to industrial injuries. On 12-1-15, Officer Christopher De la Torre was sworn in and began his training, filling the vacancy created by an officer accepting a position as a State Fraud investigator.

## Special Events

- The Bringing Broken Neighborhood's Back to Life collaboration is busy working on their next two (2) events. The first, in conjunction with the annual "Selma Cares" Christmas food giveaway, will bring "Santa Claus" to the event, scheduled for Saturday, December 19<sup>th</sup> at Selma High school. Recipients of the food giveaway, identified through the Selma School District, will also receive a free family picture with Santa Claus, with children also receiving toys.
- The group is also planning an appreciation luncheon in February to celebrate the achievements of 2015, and to kick off our planning efforts in 2016.