

**AGENDA  
PLANNING COMMISSION  
MEETING**

**July 25, 2016**

City of Selma Council Chambers  
1710 Tucker Street  
Selma, CA 93662

Call to order at 6:00 p.m.

Flag salute led by Commissioner Maxey

Roll Call: Commissioner Ivory, J. Gonzalez, Niswander, Serimian, Coury, G. Gonzalez, Maxey

**Potential Conflicts of Interest:** *Any Commissioner who has a potential conflict of interest may now identify the item and recuse themselves from discussing and voting on the matter.*

**ORAL COMMUNICATIONS**

**NOTICE(S) TO THE PUBLIC:** *This is the time for any citizen to come forward and address the Planning Commission on any issue within its jurisdiction but not on the agenda. Citizens may also address the Commission on any item appearing on the agenda at the time of consideration. The time allowed to speak is limited to three minutes (pursuant to City Council Resolution No. 2009-12R) unless an extension is granted by the Commission through the Chairperson.*

**CONSENT CALENDAR**

All items listed under the Consent Calendar category are considered routine. The complete Consent Calendar will be enacted by one motion by ROLL CALL VOTE. For purposes of discussion, any Commissioner may have an item removed from the Consent Calendar and made part of the regular agenda. The Commission can then approve the remainder of the Consent Calendar.

Item No.

1. \_\_\_ Consideration and necessary action on minutes of the June 27, 2016 regular mtg.

**TRAFFIC/STREET ITEMS**

None

**PUBLIC HEARINGS**

2. \_\_\_ Consideration and necessary action for a Conditional Use Permit to construct a Communication Tower at 2135 McCall, Selma CA. *Public hearing and recommendation to the Selma City Council.*

**REGULAR BUSINESS**

**DIRECTOR'S REPORTS**

## ORAL COMMUNICATIONS

**NOTICE(S) TO THE PUBLIC:** *This is the final opportunity for any citizen to come forward and address the City Planning Commission on any issue within its jurisdiction but not on the agenda. The time allowed to speak is limited to three minutes (pursuant to City Council Resolution No. 2009-12R) unless an extension is granted by the Planning Commission through the Chairperson.*

## ADJOURNMENT

- *Any writings or documents provided to a majority of the Planning Commission regarding any item on this agenda will be made available for public inspection in the City Clerk's office located at 1710 Tucker Street during normal business hours.*
- *A speech amplification device is available for use by the general public at all Planning Commission meetings. Please call 891-2200 to reserve its use.*

**Americans with Disabilities Act (ADA) Accommodations:** *The City of Selma offices and restrooms are ADA accessible. Representatives or individuals with disabilities should contact Selma City Hall, at least 3 days in advance, to request auxiliary aids and/or translation services necessary to participate in the public meeting / public hearing. If the City of Selma is unable to accommodate an auxiliary aid or translation request for a public hearing, after receiving proper notice, the hearing will be continued on a specified date when accommodations are available.*



**DRAFT  
CITY OF SELMA  
MINUTES OF PLANNING COMMISSION MEETING  
June 27, 2016**

The meeting of the Selma Planning Commission was called to order at 6:00 p.m. in the Council Chambers by Chairman Ivory. Commission members answering roll call were: Niswander, Coury, Serimian, Maxey, George Gonzalez and Chairman Ivory. Commissioner Johnny Gonzalez was absent.

Also present were: City Attorney Costanzo, Assistant Planner Hemby, 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.

**CONSENT CALENDAR:** Commissioner Niswander motioned to approve the minutes of May 23, 2016 as written. Motion was seconded by Commissioner Maxey, the minutes were approved unanimously.

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

**PUBLIC HEARINGS:**

**CONSIDERATION AND NECESSARY ACTION ON A GENERAL PLAN AMENDMENT TO CHANGE THE LAND USE DESIGNATION OF 1261 & 1265 ROSE AVENUE, PARCELS NUMBERS: 389-261-18 & 389-261-19 FROM MEDIUM LOW DENSITY TO COMMERCIAL OFFICE AND RE ZONE THE PARCELS AS A RESULT OF THE GENERAL PLAN AMENDMENT FROM R-1-7 TO CO. *Public hearing and recommendation to the Selma City Council.*** Staff advised the Commission and the audience that the applicant requested to have this item placed on a future agenda.

**CONSIDERATION AND NECESSARY ACTION ON A GENERAL PLAN AMENDMENT TO CHANGE THE LAND USE DESIGNATION OF 3495 HIGHLAND AVENUE, PARCEL NUMBER: 348-320-35 FROM MEDIUM LOW DENSITY TO COMMERCIAL OFFICE AND RE-ZONE THE PARCEL AS A RESULT OF THE GENERAL PLAN AMENDMENT FROM R-1-7 TO CO. *Public hearing and recommendation to the Selma City Council.*** Staff gave an overview of the applicant's request and reason for the General Plan Amendment and Zone Change. The applicant owns and operates an Air Conditioning Business (AC) and purchased 3495 Highland Avenue for the purposes of housing new AC units at this location prior to installation. The property is adjacent to Light Manufacturing and residential uses. No AC units are on display for sales and no fabrication will be done on site. Staff explained because this business has employees the property needs to be rezoned because a Home Occupation Permit does not allow employees.

Chairman Ivory opened the public portion of the meeting.

Mr. Albert Hernandez stepped forward to add additional information on his operation and ask the Commission for their support.

Having no further comments Chairman Ivory closed the public comment period and referred back to the Commission.

The Commission discussed the General Plan Amendment and Commissioner Serimian motioned to approve the General Plan Amendment with Commissioner Coury seconding and carried by the following vote:

AYES: Serimian, Coury, G. Gonzalez, Niswander, Maxey, Ivory  
NOES: None  
ABSTAIN: None  
ABSENT: J. Gonzalez

The Commission discussed the Zone Change and Commissioner Niswander motioned to approve the Zone Change as written. Commissioner Coury seconded the motion and it carried by the following vote:

AYES: Serimian, Coury, G. Gonzalez, Niswander, Maxey, Ivory  
NOES: None  
ABSTAIN: None  
ABSENT: J. Gonzalez

**CONSIDERATION AND NECESSARY ACTION FOR A CONDITIONAL USE PERMIT TO CONSTRUCT AN ELECTRICAL READER BOARD SIGN AT 2211 HIGHLAND AVENUE, PARCEL NUMBER 385-220-25.** *Public hearing:* Staff reported and explained the Reader Board would be used to announce Temple's upcoming events and news.

Chairman Ivory opened the public portion of the meeting, having no comments from the audience, the public comment period was closed and the item was referred back to the Commission for discussion.

After further discussion on the Conditional Use Permit, Commissioner Serimian motioned to approve the CUP with Commissioner Coury seconding. Motion carried by the following vote:

AYES: Serimian, Coury, Maxey, G. Gonzalez, Niswander, Ivory  
NOES: None  
ABSTAIN: None  
ABSENT: J. Gonzalez

**ADJOURNMENT:** There being no further business, the meeting adjourned at 6:35 p.m.

Respectfully submitted,

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Bryant Hemby  
Secretary to the Planning Commission

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Jim Ivory, Chairman of the  
Planning Commission

**PLANNING COMMISSION  
STAFF'S REPORT**

**DATE:** July 25, 2016

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**ITEM NO:**

**SUBJECT:** The purpose of this agenda item is to conduct a public hearing to consider a Conditional Use Permit for the placement of a 75' Communication Tower at 2135 McCall Avenue, Selma, CA.

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**DISCUSSION:** SAC Wireless filed an application to place a 75' Communication Tower at 2135 McCall Avenue, Selma, CA. The 1.14 acre parcel is located on the corner of McCall and Whitson Avenues. The site currently has several commercial buildings and is zoned C-3 with a Service Commercial Land Use Designation. Selma's zoning code does allow communication towers in this zone with the approval of a Conditional Use Permit.

This item is coming before you because Selma's Municipal Title XI-16-11 (H) requires the approval of a Conditional Use Permit for these types of use.

**11-16-11: UNCLASSIFIED CONDITIONAL USES:**

Any use listed below may be permitted in any zone in the city specified in the permit unless otherwise provided in this chapter after the same has been reviewed and a conditional use permit therefor has been issued in the manner provided hereinabove; and any use listed in this chapter shall not be permitted in any zone in the city without such review and such permit except in a zone where such use is specifically permitted by this title:

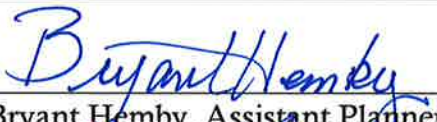

(H) Radio or television transmitters and wireless and nonwireless telecommunications facilities. Wireless and nonwireless telecommunications facilities are hereby required to comply with the provisions of subsection 11-16-12(C) of this chapter.

The tower design (enclosed in an old time water tower) and placement has been reviewed by staff and is in compliance with the City of Selma Zoning Ordinance.

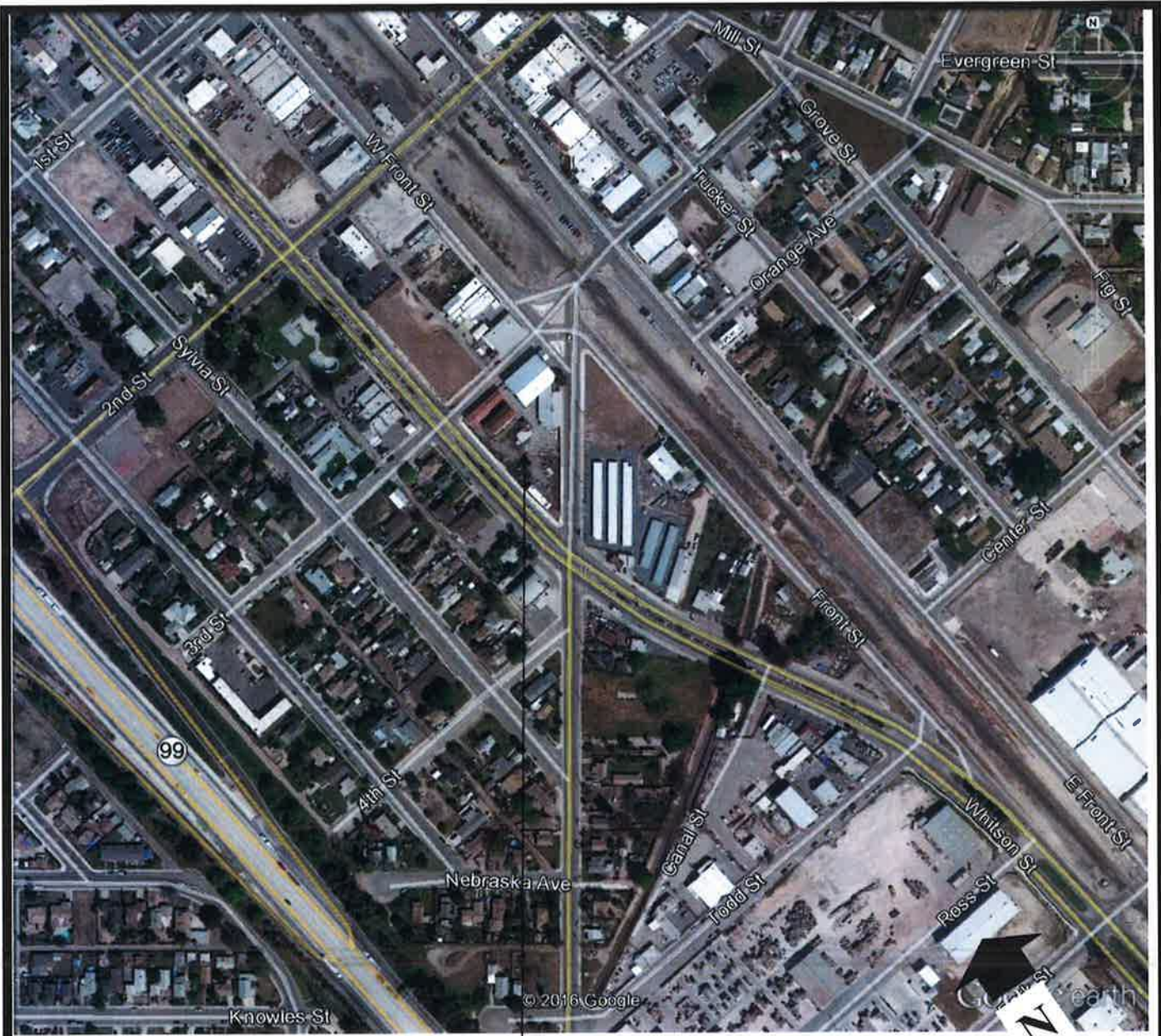
Staff has reviewed the proposal and determined the project is consistent with the objectives and policies of the General Plan of the City of Selma and that the project is exempt under CEQA pursuant to Section 15061(b)(3) General Rule of the California Environmental Quality Act.

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

**RECOMMENDATION:** Staff is presenting this public hearing item to the Planning Commission for their consideration and action.

	7/21/2016
Bryant Hemby, Assistant Planner	Date
	7/21/2016
Greg Garner, Interim City Manager	Date

<b><i>Attachments</i></b>	<b><i>Page</i></b>
1. Location Map.....	3
2. Conceptual examples .....	4
3. Resolution approving the Conditional Use Permit to allow a Communication Tower.....	5 - 6
4. Resolution, denying the Conditional Use Permit to allow a Communication Tower.....	7 - 8



**2135 McCall Avenue  
Version Tower location**



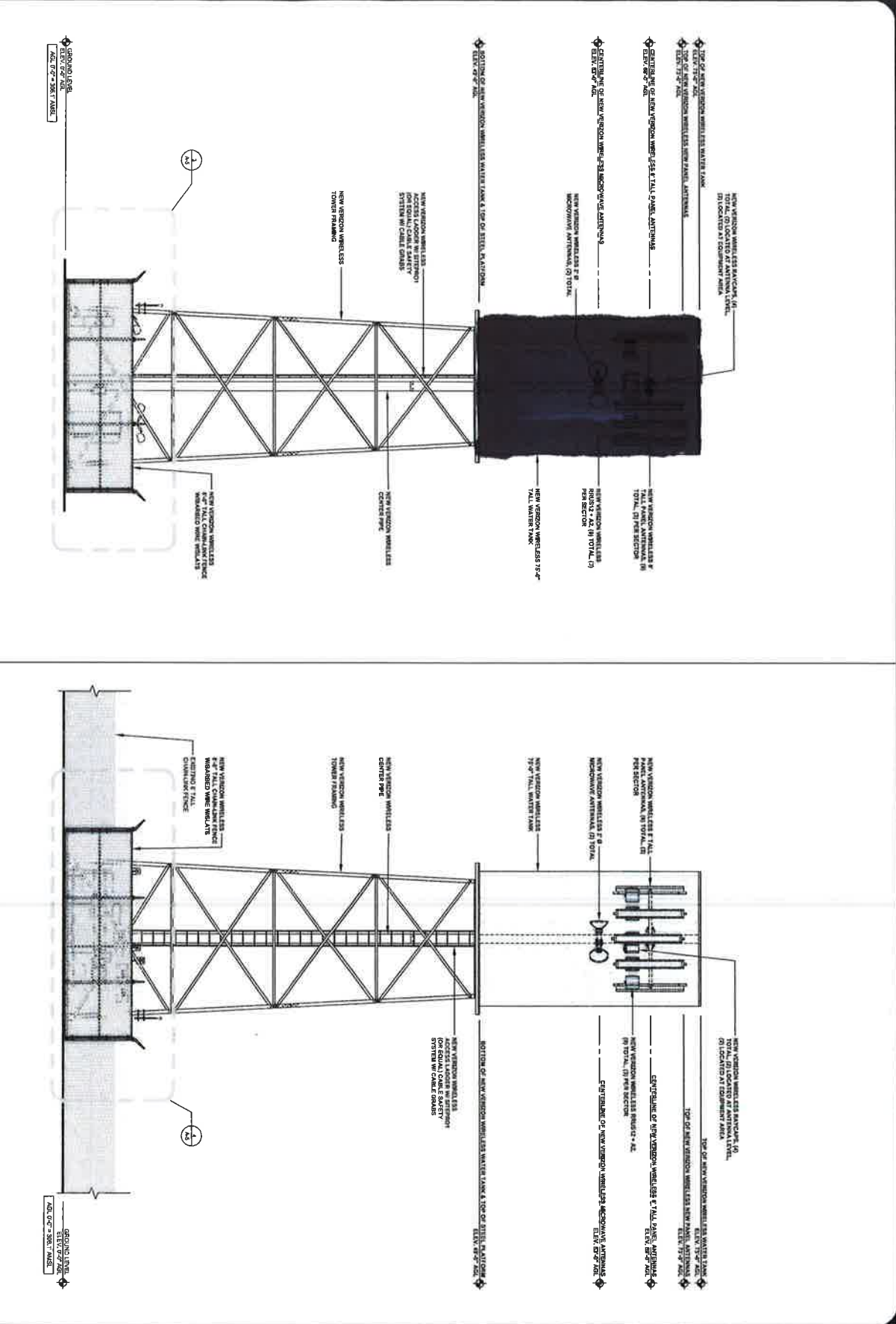
**SOUTH ELEVATION**

SCALE: 3/8" = 1'-0" (AS SHOWN)  
 CON: 287 - 1-12 (11/27)

**1**

**WEST ELEVATION**

SCALE: 3/8" = 1'-0" (AS SHOWN)  
 CON: 287 - 1-12 (11/27)



**A-4**

NO.	DATE	DESCRIPTION	BY
0	06/04/16	ISSUE FOR PERMITS	J.A.
1	06/15/16	ISSUE FOR PERMITS	J.A.
2	06/20/16	ISSUE FOR PERMITS	J.A.
3	06/20/16	ISSUE FOR PERMITS	J.A.

**SOUTH SELMA**  
**PSL# 286776**  
 2135 MCCALL AVE  
 SELMA, CA 93662

2785 MITCHELL DRIVE, BLDG 9  
 WALNUT CREEK, CA 94598

**WIRELESS**

5015 SERRANO BLVD, SUITE 100  
 SAN JOSE, CALIFORNIA 95128

**PROPRIETARY INFORMATION**  
 THIS DRAWING IS THE PROPERTY OF WIRELESS AND IS NOT TO BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM.



**RESOLUTION NO. 2016-\_\_**

**A RESOLUTION OF THE SELMA PLANNING COMMISSION  
APPROVING CONDITIONAL USE NO. 2016-0036  
TO ALLOW THE CONSTRUCTION OF A COMMUNICATION TOWER**

**2135 MCCALL AVENUE, SELMA, CA. (Communication Tower)**

**WHEREAS**, on July 25, 2016, the Selma Planning Commission, at a regularly scheduled meeting, considered a Conditional Use Permit, application filed by SAC Wireless, to allow the construction of a Communication Tower at 2135 McCall Avenue, (APN:388-181-02); and

**WHEREAS**, the public hearing was noticed in accordance with all applicable local and state laws; and

**WHEREAS**, the Planning Commission, examined the whole record and found that Section 15061(b)(3) General Rule of the California Environmental Quality Act; and

**WHEREAS**, based on substantial evidence provided and the whole record before the Planning Commission 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; and

**WHEREAS**, the Planning Commission deliberated and hereby makes the following Findings for Approval of Conditional Use Permit No. 2016-0036:

**FINDINGS:**

1. The Planning Commission finds that the Conditional Use Permit is consistent with the Selma General Plan because it furthers the goals of the Selma General Plan Land Use Element.
2. The Planning Commission finds that the proposed Conditional Use Permit meets the requirements and standards of the Selma Municipal Code

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

1. The above findings are supported by the record and presentation to the Planning Commission.
2. The Planning Commission approves the Conditional Use Permit subject to the Findings for Approval made part of this Resolution.

The foregoing Resolution was duly approved on the 25<sup>th</sup> day of July, 2016 by the following vote, to wit:

AYES: COMMISSIONER:

NOES: COMMISSIONER:

ABSTAIN: COMMISSIONER:

ABSENT: COMMISSIONER:

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JIM IVORY, CHAIRMAN  
OF THE PLANNING COMMISSION

ATTEST:

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Bryant Hemby, Secretary, Selma City Planning Commission

**RESOLUTION NO. 2016-\_\_**

**A RESOLUTION OF THE SELMA PLANNING COMMISSION  
DENYING CONDITIONAL USE NO. 2016-0036  
TO ALLOW THE CONSTRUCTION OF A COMMUNICATION TOWER**

**2135 MCCALL AVENUE, SELMA, CA. (Communication Tower)**

**WHEREAS**, on July 25, 2016, the Selma Planning Commission, at a regularly scheduled meeting, considered a Conditional Use Permit, application filed by SAC Wireless, to allow the construction of a Communication Tower at 2135 McCall Avenue, (APN:388-181-02); and

**WHEREAS**, the public hearing was noticed in accordance with all applicable local and state laws; and

**WHEREAS**, the Planning Commission, examined the whole record and found that Section 15061(b)(3) General Rule of the California Environmental Quality Act; and

**WHEREAS**, based on substantial evidence provided in the whole record before the Planning Commission 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; and

**WHEREAS**, the Planning Commission deliberated and hereby makes the following Finding for denying Conditional Use Permit No. 2016-0036:

**FINDING:**

1. The Public Health and Welfare would not be best served by the issuance of this Conditional Use Permit.

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

1. The above recitals and findings are true and correct.
2. The Planning Commission hereby denies Conditional Use Permit No. 2016-0036, for the construction of a Communication Tower at 2135 McCall Avenue, Selma, CA, 39662.

The foregoing Resolution was duly approved by the Selma Planning Commission at a regular meeting held on the 25<sup>th</sup> day of July 2016 by the following vote, to wit:

AYES: COMMISSIONER:

NOES: COMMISSIONER:

ABSTAIN: COMMISSIONER:

ABSENT: COMMISSIONER:

\_\_\_\_\_  
JIM IVORY, CHAIRMAN  
OF THE SELMA PLANNING COMMISSION

ATTEST:

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Bryant Hemby, Secretary, Selma Planning Commission