

**MEETING AGENDA
CITY OF SELMA
PLANNING COMMISSION**

**August 26, 2019
6:00 PM**

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

Call to order at **6:00 p.m.**

Flag salute led by Commissioner Coury

Roll Call: Commissioners Niswander, Coury, Fedor, Garcia, Gonzalez, Sekhon, Singh

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: At this time, any member of the public may address the Commission regarding any item over which the Commission has jurisdiction. No action or discussion will be taken on any item not on the agenda. Issues raised will be referred to the Chairperson for review. Members of the public shall limit their remarks to three (3) minutes.

CONSENT CALENDAR

- 1) Consideration and necessary action on the minutes of the July 29, 2019 meeting.

PUBLIC HEARINGS

1. Consideration of CONDITIONAL USE PERMIT NO. 2018-0039 - Resolution No. 2019-03 approving a Conditional Use Permit application filed by Dwight Nelson for a two-story multifamily apartment complex at 3420 McCall Avenue, Selma CA 93662 (APN 358-080-37) and a Notice of Exemption regarding the same. (Continued from the July public hearing)
2. Consideration of TENTATIVE SUBDIVISION MAP, PLANNED UNIT DEVELOPMENT AND DENSITY BONUS NO. 2018-0038 - Resolution No. 2019-04 approving a Tentative Subdivision Map, Planned Unit Development, and Density Bonus application filed by Harbhajan Nagra, for the purpose of permitting a 10-lot subdivision at 2595 Pine Street, Selma, CA 93662 (APN 390-020-81) and a Notice of Exemption regarding the same. (Continued from the July public hearing)
3. Consideration of CONDITIONAL USE PERMIT NO. 2018-0042 – Resolution No. 2019-05 approving a Conditional Use Permit application filed by LAV/Pinnacle Engineering for the purpose of permitting the construction of an electronic billboard at 1645 South Dockery Avenue, Selma, CA 93662(APN 390-111-05). It is

determined that the project does not have the potential to result in a significant adverse impact on the environment. The activities are determined to be covered by Section 15303 of the California Environmental Quality Act (CEQA) that provides New Construction or Conversion of Small Structures and Section 15332 for Infill Development Projects.

4. Consideration of TENTATIVE PARCEL MAP NO. 2018-28 - Resolution No. 2019 – 06 approving a Parcel Map application by Gaurev Sethi to divide a single parcel into two parcels at 3000 Floral Avenue, Selma, CA (APN: 348-191-01). It is determined that the project does not have the potential to result in a significant adverse impact on the environment. The activities are determined to be covered by Section 15315 of the CEQA that provides Minor Land Divisions.
5. Consideration of SITE PLAN REVIEW, PRE-ZONING, ANNEXATION NO. 2019-0013, AND MITIGATED NEGATIVE DECLARATION – Resolution No. 2019-07 recommending to the City Council approval of Site Plan Review, Pre-Zoning, Annexation No. 2019-0013, and associated Mitigated Negative Declaration filed by Self-Help Enterprises for an 84-unit apartment complex that includes open space and a community center on approximately 4.21 acres. The project site is owned by Karan L. Cerutti and is located at the northwest corner of the intersection of East Dinuba Avenue and Wright Street (APN 358-120-40) in the unincorporated county area (within the City’s Sphere of Influence).

ORAL COMMUNICATIONS

NOTICE(S) TO THE PUBLIC: *At this time, any member of the public may address the Commission regarding any item over which the Commission has jurisdiction. No action or discussion will be taken on any item not on the agenda. Issues raised will be referred to the Chairperson for review. Members of the public shall limit their remarks to three (3) minutes.*

ADJOURNMENT

- *Any writings or documents provided to a majority of the Selma 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.*
- *In compliance with the ADA, if you need special assistance to participate in any City meeting (including assisted listening devices), please contact the City Clerk’s Office (559) 891-2200. Notification of at least 48 hours prior to the meeting will assist staff in assuring that reasonable arrangements can be made to provide accessibility to the meeting.*

DRAFT
CITY OF SELMA
MINUTES OF PLANNING COMMISSION MEETING
July 29, 2019

Chairman Niswander called the meeting of the Selma Planning Commission to order at 6:00 p.m. in the Council Chambers. Commission members answering roll call were Fedor, Garcia, Singh, Gonzales, Coury, Sekhon and Chairman Niswander Commissioner. Commissioner Coury was absent.

Also present were City Attorney James M. Casso, Planner Kira Noguera and Building/Planning Technician Sabino Cayetano.

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.

PUBLIC HEARINGS

Consideration of CONDITIONAL USE PERMIT NO. 2018-0039 - Resolution No. 2019-03 approving a Conditional Use Permit for a two-story multifamily apartment complex at 3420 McCall Avenue, Selma CA 93662 (APN 358-080-37) and a Notice of Exemption regarding the same. *Public hearing.*

Chairman Niswander describes agenda, at the suggestion by the Planning Commission to continue agenda to next months meeting. In the request by the applicant.

City Attorney James M. Casso, suggested any resident in favor or oppose that is not available for the next meeting can speak today.

City Attorney James M. Casso suggested Commissioner Fedor step down in conflict of interest for the agenda.

Shawn Rusk DDS at 3410 McCall #104, Selma, Ca, spoke in oppose of agenda.

Chairman Niswander asks if anyone is oppose to the agenda.

There being no further public comments, Chairman Niswander closed the public hearing portion of the meeting.

The Commission voted the agenda and the Planning Commission all voted to continue agenda to next months meeting.

AYES: Fedor, Coury, Garcia, Gonzalez, Sekhon, Singh, & Niswander
NOES:
ABSTAIN:
ABSENT:

Consideration of TENTATIVE SUBDIVISION MAP PLANNED UNIT DEVELOPMENT AND DENSITY BONUS NO. 2018-0038 - Resolution 2019-04 approving a Tentative Subdivision Map, Planned Unit Development, and Density Bonus application filed by Harbhajan Nagra, for the purpose of permitting a 10-lot subdivision at 2595 Pine Street, Selma, CA 93662 (APN 390-020-81)

Chairman Niswander describes agenda to the Planning Commission.

Planner Kira Noguera gives the report on the agenda to the Planning Commission.

Chairman Niswander asks if we know the average square footage of the dwellings would be.

Planner Kira Noguera gives the square footage to Chairman Niswander.

Chairman Niswander asks if staff has any more questions.

Commissioner Garcia asks if footprint are in compliance with lot coverage.

Planner Kira Noguera replies they are in compliance.

Commissioner Sekhon are where is the parking for the park.

Planner Kira Noguera responds residents would have 2 car garages and a drive ways. Therefore, they would walk to the park.

Commissioner Fedor asks how the park being maintained.

Commissioner Garcia asks if Mason St would be PUD or city maintenance.

Planner Kira Noguera describes the conditions of the park maintenance and the residence conditions for approval.

Commissioner Sekhon ask if rented would they have to be an HOA.

Planner Kira Noguera replies they would not necessary need to be HOA if under one owner. But if sold separately it would have to be recorded under separate agreement for each property.

Commissioner Fedor is the owner building or a developer.

Nick Sahota at replies owner will be building.

Commissioner Fedor asks if owner has any other current projects going.

Nick Sahota at 2511 Logan St, Selma, Ca replies owner does have other projects.

Chairman Niswander asks if all the residents would be 3 bedrooms.

Planner Kira Noguera refers to the applicant for response.

Nick Sahota at 2511 Logan St, Selma, Ca replies that all will be 3 bedrooms.

Chairman Niswander asks if this would create 10 new APN numbers.

Planner Kira Noguera responds it would be 11 new APN numbers because of the park.

Chairman Niswander asks if staff has any more questions.

Nick Sahota at 2511 Logan St, Selma, Ca speaks in approval for agenda.

Chairman Niswander asks staff if they have questions for Nick Sahota.

Chairman Niswander asks if anyone wants to speak in favor of agenda.

Harbhajan Nagra at 11160 S Chestnut Ave, Fresno, Ca speaks in favor of agenda.

Commissioner Singh asks what type of park this would be to Harbhajan Nagra.

Harbhajan Nagra responds whatever type the city would require.

Chairman Niswander asks if anyone wants to speak in favor of agenda.

Planner Kira Noguera responds city has no requirements for a park.

Chairman Niswander asks if anyone is oppose to the agenda.

Gilbert Garcia at 2639 Pine St, Selma, Ca in oppose of the agenda.

Commissioner Gonzales asks how long ago Mr Garcia was sent that letter or who else.

Planner Kira Noguera responds we have a 10-notice requirement and to residents 300' feet around proposed property. In addition, we have a list of the who it was sent to.

Commissioner Gonzales asks if Mr Garcia would like more time to notify neighbors.

Planner Kira Noguera ask Mr Garcia are some of the residents are renters.

Chairman Niswander request a 2 to 3 min reses while staff checks on statistics.

Planner Kira Noguera responds with reading the addresses who they were mailed too.

Chairman Niswander responds with all where returned.

Planner Kira Noguera responds only 3 where returned to staff.

Chairman Niswander ask if Mr Garcia would like more time to notify neighbors.

Commissioner Coury describes the lot size requirements, and how many homes the builder put without coming for Planning Commission approval.

Planner Kira Noguera responds that only 8 not need to notify the public.

Nick Sahota at 2511 Logan St, Selma, Ca re-butts in approval for agenda.

Harbhajan Nagra at 11160 S Chestnut Ave, Fresno, Ca re-butts in approval agenda.

Chairman Niswander asks if anyone is in approval or oppose to the agenda.

Dan Martinez at 2570 Pine St, Selma, Ca, spoke in oppose of agenda.

Chairman Niswander asks if anyone is in approval or oppose to the agenda.

There being no further public comments, Chairman Niswander closed the public hearing portion of the meeting.

The Commission voted on the agenda and the Planning Commission all voted to continue agenda to next month's meeting. Commissioner Coury motioned for adjournment. Chairman Niswander seconded motion.

AYES: Fedor, Coury, Garcia, Gonzalez, Sekhon, Singh, & Niswander
NOES:
ABSTAIN:
ABSENT:

ADJOURNMENT: There being no further business, the meeting was adjourned at 6:50 p.m.

Respectfully submitted,

Sabino Cayetano
Building Planning Technician

Glenn Niswander, Chairman
of the Planning Commission

Kira Noguera
Secretary of the Planning Commission

**SELMA CITY PLANNING COMMISSION
STAFF REPORT**

Meeting Date: August 26, 2019

TO: Selma City Planning Commission

FROM: Community Development Department

SUBJECT: AGENDA ITEM NO. 1
Submittal No. 2018-0039:
▪ **Conditional Use Permit/Site Plan Review**
▪ **CEQA Categorical Exemption**

Summary and Purpose

The purpose of agenda item No. 1 is to conduct a public hearing to consider a Conditional Use Permit application to build a two-story multifamily apartment complex at 3420 McCall Avenue (APN 358-080-37) on a 1.05-acre vacant lot. The project site is at the southeastern corner of Nelson Boulevard and McCall Avenue. The project site is zoned C-O, or Commercial Office zone.

The complex will be two stories tall, reach a maximum height of 30 feet, and contain 20 2-bedroom units. Off-street parking will be provided as a combination of attached garages and open parking stalls, totaling 41 stalls (one of which is an ADA compliant handicapped stall). Amenities include a pool, a decorative wrought iron fence with masonry pilasters, electric security entry gates, a controlled entry pedestrian access gate, trash enclosures, and a concrete patio per apartment unit.

Application Information

1. Applicant: Dwight Nelson
2. Project Location: The subject property is located on the southeast corner of Nelson Boulevard and McCall Avenue, with access to and from Nelson Boulevard to the north and McCall Avenue to the west, from the adjacent parcel to the south (APN 358-080-37).
3. General Plan Land Use: Commercial Office
4. Zoning: C-O Commercial Office
5. Applicant's Request: The Conditional Use Permit is subject to Chapter 16 of the Municipal Code and will permit the development of the multifamily apartment complex, subject to all conditions of approval.

Adjacent Land Use, Zone, and General Plan Designation			
<u>Direction</u>	<u>Current Use</u>	<u>Zone</u>	<u>General Plan</u>
North	Vacant	C-1	Neighborhood Commercial
South	Professional Offices	C-O	Commercial Office
East	Multifamily Apartments	R-4	Regional Commercial
West	Elementary School	School	Public Facilities

Zoning/General Plan

The project site is currently zoned as Commercial Office. Multifamily dwellings, or “multiple dwelling” as the code describes it, are permitted uses, subject to the provisions of chapter 20.1, “Site Plan Review”. According to section 11-5.3-3 of the City of Selma Municipal Code (“SMC”), buildings over one story in height require a Conditional Use Permit. Section 11-5.3-4 states that “in the event the building of an existing building in an abutting residential or commercial zone exceeds these provisions, this height restriction may be waived subject to first securing a conditional use permit, such waiver not to exceed the height of the existing abutting building or the maximum building height permitted in the abutting zone, whichever is lower.

Pursuant to section 11-5.3-13 of the SMC Zoning Code, a minimum lot area of 4,000 square feet shall be required for the first unit and 1,000 square feet of lot area shall be required for each additional second through sixth units. Each additional unit over 6 shall require 1,500 square feet of lot area. Given that this project involves 20 units, the total required lot size is 30,000 square feet ($4,000 + 5(1,000) + 14(1,500)$). The lot is 45,738 square feet, making it compliant with the Zoning Code. The Code also requires a lot width of 70 feet and depth of 100 feet, of which the project in question is in compliance as well.

Access and Right of Way

Access to the property by residents will be directly from Nelson Boulevard and indirectly from McCall Avenue via an existing driveway and drive aisle located on the property directly south of the site. Solid waste vehicles will also use this driveway to get access to the apartment’s trash enclosures. This property to the south is not owned by the applicant. However, there is an existing reciprocal access easement that was put in place in 1984 that allows each property access across the other property and use of each other’s parking areas. City staff supports the second access but does not support the office users having the right to use the proposed apartment’s parking. Also, in Staff’s discussions with the office property owner, Staff has heard that they have a concern about the apartment residents using office parking. Therefore, Staff has included a condition of approval that would require specific modifications to the reciprocal access and parking agreement prior to the issuance of building permits for the apartment. Because the applicant has verbally agreed to work with the property owner to the south to adjust the shared easement agreement, Staff supports having this second access point to allow for better circulation in and out of the property for residents, visitors, solid waste trucks, and fire and emergency vehicles.

Parking/On-Site Circulation

The Zoning Code requires two (2) parking stalls for each 2-bedroom dwelling unit. The 20 apartments proposed are each 2-bedroom units, making the required parking 40 stalls. The proposed project includes 41 parking stalls, making it in compliance with the Zoning Code.

Architectural and Site Design Standards

The site meets the City's design standards for height, setbacks, and parking. Because the project lot sides on a residential zone, a solid masonry wall of five (5) to six (6) feet is required along the eastern property line. An existing block wall satisfies this requirement.

Signage:

All new signage would be required to meet the Zoning Code and a separate permit is required. The project would be allowed building signage and monument signage per the standards in the SMC.

Environmental Assessment:

Pursuant to California Environmental Quality Act (CEQA) Guidelines, Public Resources Code Section 15332 In-Fill Development Projects, it has been determined that this project is categorically exempt from additional CEQA processes. Categorical exemption findings are attached.

Recommended Approval Findings:

Pursuant to section 11-16-4 of the SMC, a Conditional Use Permit shall be granted only when the designated approving authority determines that the proposed use or activity complies with all of the following findings:

- A. That the site for the proposed use is adequate in size and shape to accommodate said use and all yards, spaces, walls and fences, parking loading, landscaping, and other features required by this Section 11-16-4 to adjust said use with land and uses in the neighborhood.
- B. That the site for the proposed use relates to streets and highways adequate in width and pavement type to carry the quantity and kind of traffic generated by the proposed use.
- C. That the proposed use will have no adverse effect on property within a three hundred-foot (300') radius of the permitted use thereof. In making this determination, the Planning Commission shall consider the proposed location of improvements on the site; vehicular ingress, egress and internal circulation, setbacks, height of buildings, walls and fences, landscaping, outdoor lighting, signs, such other characteristics as will affect surrounding property.
- D. That the conditions stated in the resolution are deemed necessary to protect the public health, safety, and general welfare.
- E. That the proposed use is consistent with the Selma General Plan and applicable land use component plans which may establish criteria for approval and/or standards for development.

Site Plan Review:

The following standards from the City Zoning Ordinance shall be met:

1. Lot Dimensions
2. Height
3. Setbacks
4. Walls & Fences
5. Off-Street Parking
6. Access: Pedestrian, Vehicular, and service
7. Signs
8. Lighting
9. Street dedications and improvements
10. Landscaping

As explained in the review of the Conditional Use Permit, the standards of the Site Plan Review, pursuant to the SMC, have all been met.

Public Input

On July 17, 2019, the notice of hearing was published in the Selma Enterprise, and mailed by the City to property owners within a 300 foot radius of the project site. The Planning Commission continued the application to the August 26, 2019 public hearing at the request of the applicant. One member of the public spoke at the July 17th public hearing and voiced concerns with the project's impacts to the neighboring professional office complex. One member of the public met with staff prior to the July public hearing and again prior to the August public hearing to discuss their concerns with the project and how it would affect the neighboring professional office complex.

Recommended Approval Findings – Site Plan Review

Pursuant to Section 11-20.1(B)5 of the SMC, the Site Plan Review shall be approved only when the designated approving authority (planning official) finds that the proposed use or activity complies with all of the following findings:

- A. All of the applicable provisions of this Chapter are complied with;
- B. The following are so arranged that traffic congestion is avoided and pedestrian and vehicular safety and welfare are protected, and there will be no adverse effect on the surrounding property;
 - a. Facilities, improvements, and utilities;
 - b. Vehicular ingress, egress, and internal circulation;
 - c. Setbacks;
 - d. Height of buildings;
 - e. Location of service use areas;
 - f. Walls; and
 - g. Landscaping.
- C. The proposed lighting is so arranged as to deflect the light away from adjoining properties; and
- D. The proposed signs will not by size, location, or lighting interfere with traffic or limit visibility.

- E. That any conditions of approval are deemed necessary to protect the public health, safety, and welfare.

Recommended conditions of Conditional Use Permit:

Staff Recommends that the approval be conditioned upon the following:

Planning Conditions:

1. The height of the buildings shall not exceed the height of the existing abutting apartment complex to the east or the maximum building height permitted in the abutting zone, whichever is lower.
2. The applicant shall submit a Site Photometric (lighting) Plan at time of building permit.
3. The applicant shall submit a landscape plan at time of building permit submittal. The landscape plan shall be compliant with MWEL0, including but not limited to the following conditions:
 - a. Plan shall include square footages of landscaped area shown and water use calculations.
 - b. Turf shall be limited to no more than 25% of total landscape area.
 - c. No turf shall be permitted in any landscape area less than eight feet (8') in width.
 - d. The landscape plans shall include a regular maintenance schedule, per the Zoning Ordinance.
 - e. Water use classifications shall be based on WUCOLS IV.
4. An encroachment permit shall be obtained prior to commencement of work in the public right of way.
5. Trash enclosures shall be designed to accommodate refuse and recycling bins and be ADA accessible by residents. The trash enclosure shall also include a roof structure and be enclosed by a finished block wall.
6. The project shall connect to existing sewer and water lines. Sewer and water services shall be installed per plans approved by the City Engineer.
7. A separate sign application and administrative approval process will be required before ordering or installing any signage.
8. The developer shall provide proof of compliance with the San Joaquin Valley Air Pollution Control District (SJVAPCD) standards prior to issuance of building permit. The project will be required to meet Rule 9510 (indirect source review) and submit a construction notification to the district for the project and that compliance with the Districts Regulation VIII (fugitive dust) Rules will be monitored.
9. Outdoor lighting shall utilize energy efficient fixtures and lamps, such as LED, high pressure sodium, metal halide, low pressure sodium, hard wired compact fluorescent, or other lighting technology that is of equal or greater efficiency. All new outdoor lighting fixtures shall be energy efficient with a rated average bulb life of not less than ten thousand (10,000) hours.

10. Architectural features may be illuminated by up lighting, provided that the lamps are low intensity to produce a subtle lighting effect and no glare or light trespass is produced. Wherever feasible, solar powered fixtures should be used.
11. If not exercised within one (1) year from the date of approval, this Conditional Use Permit shall expire and become void, except where an extension of time has been approved in compliance with the Zoning Code.
12. The existing cross access and parking agreement shall be amended by the applicant and the property owner south of the applicant's site. The revised agreement shall supersede the existing agreement and be recorded at the County Recorder's office. A copy of the recorded agreement shall be submitted to the City for review and concurrence with this condition prior to the approval of any building permits. The new agreement shall, at a minimum: 1) not allow the office property any access or parking rights on the applicant's apartment property, 2) not allow the apartment property any parking rights on the office property directly south of the applicant's apartment property, and 3) specifically allow the apartment property access from McCall Avenue across the office property to the apartment property, including to the trash enclosures.

Fire Department Conditions:

13. Construction documents and calculations for all fire protection and notification systems shall be provided to Selma Fire Prevention Bureau for review. Installation of any fire protection or notification system shall not be started without first receiving a permit.
14. Approved notices or markings that include the words "NO PARKING-FIRE LANE" shall be provided for fire apparatus access roads.
15. Buildings shall have approved address numbers or identification placed in a position that is plainly visible from the street fronting the property. Numbers shall contrast with their background and be posted a minimum of ten feet above the ground and be in Arabic numerals or alphabet letters (8"high numbers with a minimum stroke width of $\frac{3}{4}$ ").
16. An approved gate opening device (KnoxBox) for both vehicle gates shall be installed.
17. Key boxes (KnoxBox) shall be installed in an approved location at a height of approximately 6-8 feet above grade. The key box shall contain labeled keys to gain access into all portions of the building.
18. An approved water supply capable of supplying the required fire flow for fire protection shall be provided. (CFC 507)
19. A fire sprinkler system is required. Fire sprinkler system shall be installed and maintained in accordance with the California Fire Code, Selma Fire Prevention bureau amendment and policies and NFPA standards 13R.
20. Automatic fire alarm system required and shall be installed in accordance with the California Fire Code, Selma Fire Prevention Bureau and NFPA 72.

21. Fire hydrant systems shall comply with California Fire Code 580 and appendix C. Three foot clear space shall be maintained around the circumference of fire hydrant. Fire hydrants shall be painted yellow.
22. Vehicle impact protection shall be required when any fire protection equipment is located in open areas such as parking lots. Barrier shall be built in accordance with California Fire Code 312.
23. Portable fire extinguishers shall be selected, installed and maintained in accordance with the California Fire Code, NFPA 10 and Title 19 California Code of Regulations. Fire extinguisher type and placement locations shall be shown on the plans.

Engineering Conditions:

24. Update site plan to provide complete dimensioning sufficient to verify depths of parking stalls, landscape islands for overhang, widths of sidewalks, etc.
25. Provide required accessible parking stalls and pedestrian access / path of travel.
26. Developer to pay fair share contribution for future signal improvements as determined by the Engineering Department at time of building permit submittal.
27. ADA ramp at southeast corner of McCall and Nelson shall be reconstructed to current City of Selma and ADA Standards.
28. Alley drive approach shall be removed and replaced with curb, gutter and sidewalk per City of Selma Standards.
29. Accessible path of travel to pool and trash enclosure required.

SKF Sanitation District Conditions:

30. Complete and submit a multi-family sewer connection application prior to the issuance of the sewer connection permit.
31. Install a 6-inch sewer service lateral with cleanout and box at the property line.
32. Call SKF for an inspection of the sewer lateral installation.

General Conditions:

33. All requirements of the Selma Municipal Code, as they pertain to this application, shall be complied with and such requirements shall be made a condition of permit approval.
34. The Applicant and Property Owner shall within thirty (30) days after approval of CUP No. 2018-0039 by the Planning Commission, submit to the Planning Department his/her written consent to all of the conditions referenced herein. The Applicant understands that approval of this Resolution and

CUP No. 2018-0039 will be of no force or effect unless such written consent is submitted to the City within the stated 30-day period.

35. The rights granted under Conditional Use Permit No. 2018-0039 shall expire within one (1) year from the date of approval by the Planning Commission unless exercised within that period or unless the Applicant applies for and is granted an extension of time. No extension of time shall be considered unless the application for an extension is filed at least thirty (30) days prior to its expiration. The extension will not be granted if conditions have changed such that the requisite findings for approval can no longer be made.
36. Any violation or failure to comply with any of the conditions of the approval of this permit shall be grounds for modification or revocation of Conditional Use Permit No. 2018-0039. The Applicant may be required to reimburse the City fully for its costs and expenses, including but not limited to, attorney's fees, in undertaking any required corrective action. Reimbursement of enforcement costs may constitute a civil debt and may be collected by any means permitted by law. In the event that violations of this permit occur, the City may refrain from issuing permits, licenses, or other approvals until such violation has been fully remedied.
37. Upon discontinuance of the activity authorized herein for a period of one hundred and eighty (180) days or more, the Conditional Use Permit No. 2018-0039 shall automatically expire, pursuant to the provisions of the Selma Municipal Code, and subject to all necessary due process requirements.
38. The Conditional Use Permit No. 2018-0039 may be referred to the Planning Commission for modification or revocation at any time if the use is operated contrary to the conditions of approval, or if the use is being operated in violation of applicable state or federal laws, the Selma Municipal Code and/or ordinances.
39. The Applicant and Property Owner shall indemnify, protect, hold harmless and defend the City and any agency or instrumentality thereof, and/or any of its officers, employees and agents from any and all claims, actions, or proceedings against the City to attack, set aside, void, annul, seek monetary damages resulting from an approval of the City, or any agency or instrumentality thereof, advisory agency, appeal board or legislative body including actions approved by the voter of the City, concerning the entitlement application. City shall promptly notify both the applicant and landowner of any claim, action, or proceeding to which this condition is applicable and shall further cooperate fully in the defense of the action. The City reserves its right to take any and all action the City deems to be in the best interest of the City and its citizens in regard to such defense.

Prepared by:

Kira Noguera
City Planner

Date

Attachments

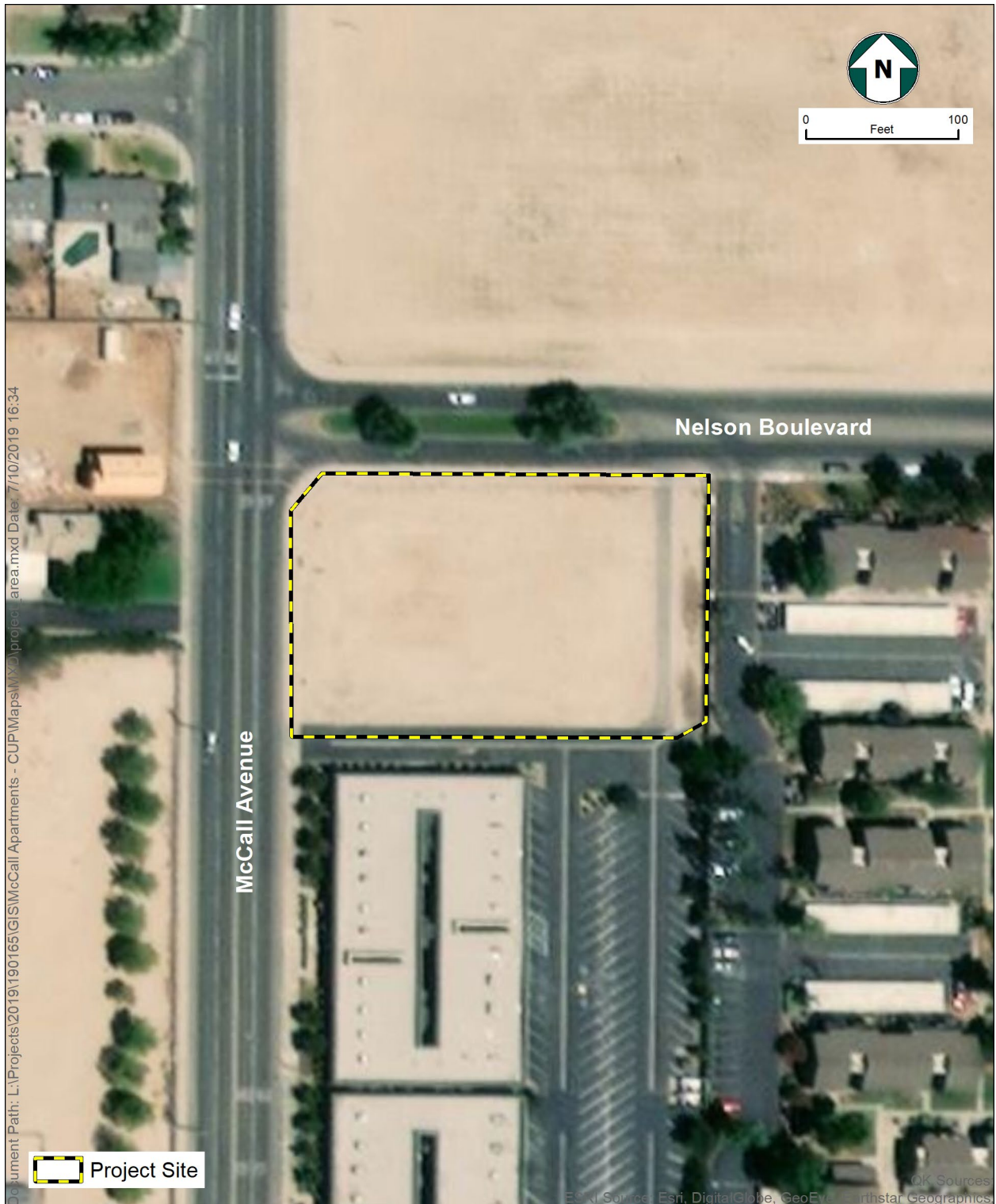
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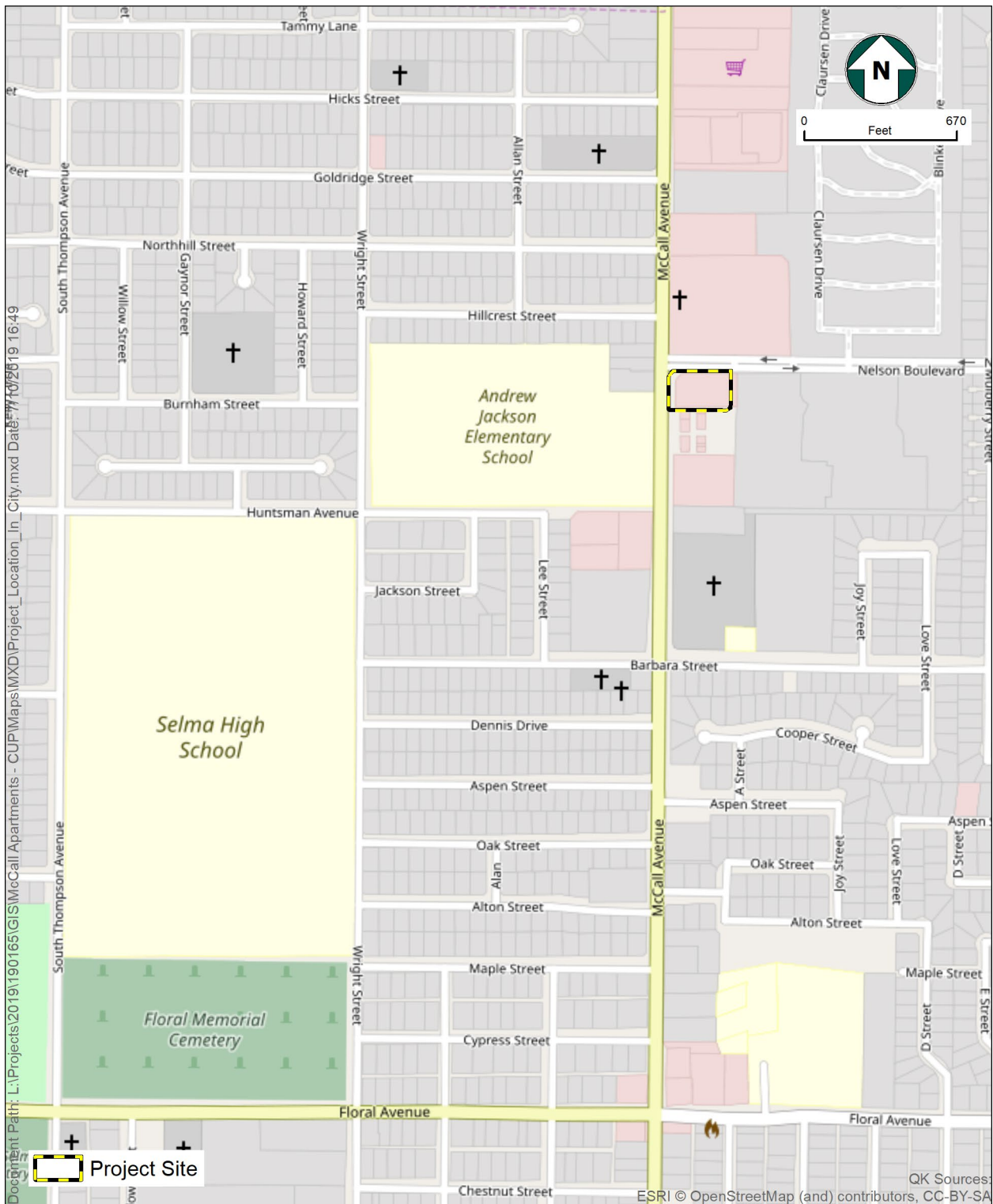
Vicinity Map

Site Plan

Categorical Exemption findings

Resolution No. 2019-03 recommending approval of Conditional Use Permit No. 2018-0039





City of Selma

CEQA Class 32 (Infill Development) Exemption Findings

The purpose of CEQA Categorical Exemption 32 (Section 15332 of California Environmental Quality Act ("CEQA") Guidelines, Title 14, Chapter 3 of the California Code of Regulations) is to promote in-fill development within urbanized areas. The class consists of environmentally benign in-fill projects which are consistent with local general plan and zoning requirements. This class is not intended to be applied to projects which would result in any significant traffic, noise, air quality, or water quality effects.

Project Description:

The project site is located at 3420 S. McCall Ave. Selma CA. 93662 on the southeast corner of McCall Avenue and Nelson Boulevard. The parcel is 1.05 ac, zoned C-O (Commercial-Office). The APN is 358-080-37. The proposed development is for a 20-unit multi-family residential complex consisting of 20 2br/2ba units and with enclosed 1 car garages.

Required Findings:

- a) *This project is consistent with the applicable General Plan designation and all applicable General Plan policies as well as with applicable zoning designations and regulations.*

SUPPORTING INFORMATION: The project site is located on an active commercial service corridor and is designated Commercial-Office (CO) but also allows for high-density residential development in the same use area. The new development would be immediately adjacent another, existing, high-density residential development of a similar and compatible use type along Nelson Boulevard.

- b) *The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.*

SUPPORTING INFORMATION: The project site is a 1.05-acre parcel located at the intersection of McCall Avenue and Nelson Boulevard within the designated city limits boundaries. The site is located along a major north/south commercial corridor and surrounded by other commercial, municipal and residential properties.

- c) *The project site has no value as habitat for endangered, rare or threatened species.*

SUPPORTING INFORMATION: The project site is located within a completely urbanized use zone and consists only of a graded lot, completely bare of any trees

or vegetative growth. There are no known riparian habitats or sensitive natural communities within the planning area.

d.1) Approval of the project would not result in any significant effects relating to traffic.

SUPPORTING INFORMATION: The project site is located on an active commercial service corridor and Collector Street (McCall Avenue) and According to the latest edition (10th) of the I.T.E. manual the 20-unit residential complex will generate an average of 7.32 trips per unit per day, slightly increasing the capacity of the streets near the development site, but not significantly increasing the over-all level of activity already designated for the area. There are no known significant traffic related issues.

d.2) Approval of the project would not result in any significant effects relating to noise.

SUPPORTING INFORMATION: The project site is located on the corner of an active commercial arterial and a collector street but with no significant noise generating sources nearby. The limited size of the development (20-units) should not contribute to any significant increases in existing ambient noise levels in the area. There are no known significant noise related issues.

d.3) Approval of the project would not result in any significant effects relating to air quality.

SUPPORTING INFORMATION: The project site is located along an existing commercial service corridor; however the 20-unit residential development is not anticipated to produce any notable air quality issues and falls well below the 220 unit limit designated in the Small Project Analysis Levels (SPAL) document that standardizes requirements for air quality mitigation measures as set forth by the San Joaquin Valley Air Pollution Control District. There are no known significant air quality issues.

d.4) Approval of the project would not result in any significant effects relating to water quality.

SUPPORTING INFORMATION: The project site is located along an existing commercial service corridor. The limited impact of the 20-unit development should not adversely impact water quality. The site will connect to the existing municipal water service system provided by the regularly monitored California Water Service Systems (Cal-Water) and will remain well within the design capacities of the system. There are no known significant water quality issues.

e) The site can be adequately served by all required utilities and public services.

SUPPORTING INFORMATION: The Project Site is located in an existing commercial sector already serviced by all major utilities and municipal services. The 20-unit development is not anticipated to produce any undue burden on municipal utilities

or services. Water Service will be provided by California Water Service Systems (Cal-Water) as already under contract with the City. Sewer Services would be provided by Selma, Fowler, Kingsburg Community Services District (SFKCSD). All other services, Police, Fire and Parks can adequately be provided for by the City of Selma. There are no known significant utility or service issues.

Authority cited: CEQA Guidelines Section 15332 of California Environmental Quality Act ("CEQA") Guidelines, Title 14, Chapter 3 of the California Code of Regulations

RESOLUTION NO. 2019-03

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SELMA, CALIFORNIA MAKING FINDINGS AND APPROVING CONDITIONAL USE PERMIT NO. 2018-0039 FOR THE DEVELOPMENT OF A TWO-STORY MULTIFAMILY APARTMENT COMPLEX AT 3420 MCCALL AVENUE, SELMA, CA 93662 (APN 358-080-37)

RECITALS

WHEREAS, on June 11, 2019, Dwight Nelson, (“Applicant”), filed a complete application requesting the approval of Conditional Use Permit (“CUP”) No. 2018-0039 described herein (“Application” or “Project”); and

WHEREAS, the Application is for the development of a 1.05 acre (45,738 sq ft) vacant lot on the southeastern corner of McCall Avenue and Nelson Boulevard to create a two-story multifamily apartment complex of twenty (20) units. The lot is located at 3420 McCall Avenue, Selma, California, Assessor’s Parcel Number 358-080-37 (“Property”); and

WHEREAS, the Property fronts McCall Avenue and is fully improved with sidewalk, curb and gutter; and

WHEREAS, the Property has vehicular and pedestrian access to Nelson Boulevard and emergency access from the neighboring parcel to the south by way of McCall Avenue; and

WHEREAS, the Property is currently vacant; and

WHEREAS, the Land Use Element of the General Plan designates the Property for Neighborhood Commercial uses. The proposed CUP is consistent with the General Plan as it will provide essential services and does not conflict with the established goals and objectives of the Land Use Element. The corresponding zoning designation, C-1 Neighborhood Commercial Zone permits two-story apartment complexes, subject to the approval of a CUP, pursuant to Section 11-16-1 of the Selma Municipal Code (“SMC”); and

WHEREAS, the Planning Commission, examined the record and found that Section 15332 of the California Environmental Quality Act provides that projects characterized as in-fill development qualify as a Class 32 Categorical Exemption. Reflecting independent judgment and analysis, the Planning Commission determined that the project will not have a significant effect on the environment; and

WHEREAS, an Environmental Assessment form was submitted by the Applicant pursuant to the City’s requirements. Based upon the information received and Staff’s review and assessment, CUP No. 2018-0039, as proposed, qualifies as a Class 32 categorical exemption pursuant to Section 15332 of California Environmental Quality Act (“CEQA”) Guidelines, Title 14, Chapter 3 of the California Code of Regulations, because it is a project characterized as in-fill development, meeting the conditions described in Section 15332. Reflecting independent judgment

and analysis, the Planning Commission determined that the project will not have a significant effect on the environment; and

WHEREAS, notice of the Planning Commission's July 29, 2019 public hearing on CUP No. 2018-0039 was published in *The Selma Enterprise* on July 17, 2019, in compliance with the City's Code and Government Code Section 65091.

WHEREAS, notice of the Planning Commission's July 29, 2019 public hearing on CUP No. 2018-0039 was also mailed by the City to property owners within 300 feet of the Property on July 19, 2019; and

WHEREAS, on July 29, 2019, the Planning Commission of the City of Selma continued the application to the August 26, 2019 public hearing at the request of the applicant, and did hear oral testimony from one individual; and

WHEREAS, on August 26, 2019, the Planning Commission of the City of Selma conducted a duly noticed public hearing on the Application, and considered all testimony written and oral; and

WHEREAS, based on substantial evidence provided in the whole record before the Planning Commission for CEQA compliance and public comments related to the project, it has been determined that there is no possibility that this project will have significant effects on the environment; and

WHEREAS, the Planning Commission deliberated and hereby makes the following Findings for Approval of Conditional Use Permit No. 2018-0039, in compliance with Municipal Code section 11-16-4.

NOW THEREFORE, it is hereby found, determined and resolved by the Planning Commission of the City of Selma as follows:

SECTION 1. The Planning Commission finds that all of the facts set forth in the Recitals of this Resolution are true and correct and are incorporated herein by reference.

SECTION 2. All necessary public meetings and opportunities for public testimony and comment have been conducted in compliance with State Law and the Municipal Code of the City of Selma.

SECTION 3. That Conditional Use Permit No. 2018-0039 is hereby approved subject to the following conditions which are in addition to all other statutes, regulations, ordinances or other applicable conditions.

SECTION 4. Upon independent review and consideration of all pertinent written information contained in the Staff Report, the Planning Commission hereby finds and determines that the proposed CUP No. 2018-0039 is categorically exempt from the California Environmental Quality Act ("CEQA"), pursuant to Section 15332

(b) of California Environmental Quality Act (“CEQA”) Guidelines, Title 14, Chapter 3 of the California Code of Regulations, because it is a project characterized as in-fill development. Reflecting independent judgment and analysis, the Planning Commission determined that the project will not have a significant effect on the environment. Based on these findings, the Planning Commission adopts the Notice of Exemption and directs staff to file same as required by law.

SECTION 5. Based upon substantial evidence presented to the Planning Commission during the July 29, 2019 and August 26, 2019, public hearings, including public testimony and written and oral staff reports, the Planning Commission finds as follows pursuant to Section 11-16-5 of the Selma Municipal Code:

- A. That the site for the proposed use is adequate in size and shape to accommodate said use and all yards, spaces, walls and fences, parking, loading, landscaping and other features required by this Section to adjust said use with land and uses in the neighborhood.
 - a. The site proposed is an existing unimproved vacant lot at 3420 McCall Avenue. The applicant is proposing to improve the site providing paved parking, fencing, and screening as detailed in the site plan exhibit. The site is bordered by a block wall separating the commercial zone from the adjacent residential zone.
- B. That the site for the proposed use relates to streets and highways adequate in width and pavement type to carry the quantity and kind of traffic generated by the proposed use.
 - a. The site is accessed by Nelson Boulevard to the north, and McCall Ave to the west by emergency gate only. These streets will also provide access to and from the site and are adequate in width and pavement type to carry the quantity and kind of traffic generated by the proposed use.
- C. That the proposed use will have no adverse effect on property within a 300-foot radius of the permitted use thereof. In making this determination, the Planning Commission shall consider the proposed location of improvements on the site; vehicular ingress, egress and internal circulation, setbacks, height of buildings, walls and fences, landscaping, outdoor lighting, signs, such other characteristics as will affect surrounding property.

The site proposed is an existing unimproved vacant lot at 3420 McCall Avenue, on the southeast corner of McCall Avenue and Nelson Boulevard. The applicant is proposing to improve the site, and will be in full compliance with all applicable development standards.

Therefore, the proposed use will have no adverse effect on property within a 300-foot radius of the permitted use thereof.

- D. That the conditions stated in the resolution are deemed necessary to protect the public health, safety and general welfare.
- E. That the proposed use is consistent with the Selma General Plan and applicable land use component plans which may establish criteria for approval and/or standards for development.

- a. The proposed use is consistent with the Selma General Plan. The site plan compliant with all applicable development standards.

SECTION 5. The Planning Commission, having made its Findings for Approval, was of the opinion that Conditional Use Permit No. 2018-0039 should be approved subject to the following certain conditions of approval to be listed and made a part of the Resolution.

All of the standard conditions of approval for a commercial development will apply. This shall include, but not be limited to the following.

Planning Conditions:

1. The height of the buildings shall not exceed the height of the existing abutting apartment complex to the east or the maximum building height permitted in the abutting zone, whichever is lower.
2. The applicant shall submit a Site Photometric (lighting) Plan at time of building permit.
3. The applicant shall submit a landscape plan at time of building permit submittal. The landscape plan shall be compliant with MWEL, including but not limited to the following conditions:
 - a. Plan shall include square footages of landscaped area shown and water use calculations.
 - b. Turf shall be limited to no more than 25% of total landscape area.
 - c. No turf shall be permitted in any landscape area less than eight feet (8') in width.
 - d. The landscape plans shall include a regular maintenance schedule, per the Zoning Ordinance.
 - e. Water use classifications shall be based on WUCOLS IV.
4. An encroachment permit shall be obtained prior to commencement of work in the public right of way.
5. Trash enclosures shall be designed to accommodate refuse and recycling bins and be ADA accessible by residents. The trash enclosure shall also include a roof structure and be enclosed by a finished block wall.
6. The project shall connect to existing sewer and water lines. Sewer and water services shall be installed per plans approved by the City Engineer.
7. A separate sign application and administrative approval process will be required before ordering or installing any signage.
8. The developer shall provide proof of compliance with the San Joaquin Valley Air Pollution Control District (SJVAPCD) standards prior to issuance of building permit. The project will be required to meet Rule 9510 (indirect source review) and submit a

construction notification to the district for the project and that compliance with the Districts Regulation VIII (fugitive dust) Rules will be monitored.

9. Outdoor lighting shall utilize energy efficient fixtures and lamps, such as LED, high pressure sodium, metal halide, low pressure sodium, hard wired compact fluorescent, or other lighting technology that is of equal or greater efficiency. All new outdoor lighting fixtures shall be energy efficient with a rated average bulb life of not less than ten thousand (10,000) hours.
10. Architectural features may be illuminated by up lighting, provided that the lamps are low intensity to produce a subtle lighting effect and no glare or light trespass is produced. Wherever feasible, solar powered fixtures should be used.
11. If not exercised within one (1) year from the date of approval, this Conditional Use Permit shall expire and become void, except where an extension of time has been approved in compliance with the Zoning Code.
12. The existing cross access and parking agreement shall be amended by the applicant and the property owner south of the applicant's site. The revised agreement shall supersede the existing agreement and be recorded at the County Recorder's office. A copy of the recorded agreement shall be submitted to the City for review and concurrence with this condition prior to the approval of any building permits. The new agreement shall, at a minimum: 1) not allow the office property any access or parking rights on the applicant's apartment property, 2) not allow the apartment property any parking rights on the office property directly south of the applicant's apartment property, and 3) specifically allow the apartment property access from McCall Avenue across the office property to the apartment property, including to the trash enclosures.

Fire Department Conditions:

13. Construction documents and calculations for all fire protection and notification systems shall be provided to Selma Fire Prevention Bureau for review. Installation of any fire protection or notification system shall not be started without first receiving a permit.
14. Approved notices or markings that include the words "NO PARKING-FIRE LANE" shall be provided for fire apparatus access roads.
15. Buildings shall have approved address numbers or identification placed in a position that is plainly visible from the street fronting the property. Numbers shall contrast with their background and be posted a minimum of ten feet above the ground and be in Arabic numerals or alphabet letters (8"high numbers with a minimum stroke width of $\frac{3}{4}$ ").
16. An approved gate opening device (KnoxBox) for both vehicle gates shall be installed.

17. Key boxes (KnoxBox) shall be installed in an approved location at a height of approximately 6-8 feet above grade. The key box shall contain labeled keys to gain access into all portions of the building.
18. An approved water supply capable of supplying the required fire flow for fire protection shall be provided. (CFC 507)
19. A fire sprinkler system is required. Fire sprinkler system shall be installed and maintained in accordance with the California Fire Code, Selma Fire Prevention bureau amendment and policies and NFPA standards 13R.
20. Automatic fire alarm system required and shall be installed in accordance with the California Fire Code, Selma Fire Prevention Bureau and NFPA 72.
21. Fire hydrant systems shall comply with California Fire Code 580 and appendix C. Three foot clear space shall be maintained around the circumference of fire hydrant. Fire hydrants shall be painted yellow.
22. Vehicle impact protection shall be required when any fire protection equipment is located in open areas such as parking lots. Barrier shall be built in accordance with California Fire Code 312.
23. Portable fire extinguishers shall be selected, installed and maintained in accordance with the California Fire Code, NFPA 10 and Title 19 California Code of Regulations. Fire extinguisher type and placement locations shall be shown on the plans.

Engineering Conditions:

24. Update site plan to provide complete dimensioning sufficient to very depths of parking stalls, landscape islands for overhang, widths of sidewalks, etc.
25. Provide required accessible parking stalls and pedestrian access / path of travel.
26. Developer to pay fair share contribution for future signal improvements as determined by the Engineering Department at time of building permit submittal.
27. ADA ramp at southeast corner of McCall and Nelson shall be reconstructed to current City of Selma and ADA Standards.
28. Alley drive approach shall be removed and replaced with curb, gutter and sidewalk per City of Selma Standards.
29. Accessible path of travel to pool and trash enclosure required.

SKF Sanitation District Conditions:

30. Complete and submit a multi-family sewer connection application prior to the issuance of the sewer connection permit.
31. Install a 6-inch sewer service lateral with cleanout and box at the property line.
32. Call SKF for an inspection of the sewer lateral installation.

General Conditions:

33. All requirements of the Selma Municipal Code, as they pertain to this application, shall be complied with and such requirements shall be made a condition of permit approval.
34. The Applicant and Property Owner shall within thirty (30) days after approval of CUP No. 2018-0039 by the Planning Commission, submit to the Planning Department his/her written consent to all of the conditions referenced herein. The Applicant understands that approval of this Resolution and CUP No. 2018-0039 will be of no force or effect unless such written consent is submitted to the City within the stated 30-day period.
35. The rights granted under Conditional Use Permit No. 2018-0039 shall expire within one (1) year from the date of approval by the Planning Commission unless exercised within that period or unless the Applicant applies for and is granted an extension of time. No extension of time shall be considered unless the application for an extension is filed at least thirty (30) days prior to its expiration. The extension will not be granted if conditions have changed such that the requisite findings for approval can no longer be made.
36. Any violation or failure to comply with any of the conditions of the approval of this permit shall be grounds for modification or revocation of Conditional Use Permit No. 2018-0039. The Applicant may be required to reimburse the City fully for its costs and expenses, including but not limited to, attorney's fees, in undertaking any required corrective action. Reimbursement of enforcement costs may constitute a civil debt and may be collected by any means permitted by law. In the event that violations of this permit occur, the City may refrain from issuing permits, licenses, or other approvals until such violation has been fully remedied.
37. Upon discontinuance of the activity authorized herein for a period of one hundred and eighty (180) days or more, the Conditional Use Permit No. 2018-0039 shall automatically expire, pursuant to the provisions of the Selma Municipal Code, and subject to all necessary due process requirements.
38. The Conditional Use Permit No. 2018-0039 may be referred to the Planning Commission for modification or revocation at any time if the use is operated contrary to the conditions of approval, or if the use is being operated in violation of applicable state or federal laws, the Selma Municipal Code and/or ordinances.

SELMA PLANNING COMMISSION

STAFF REPORT

Meeting Date: August 26, 2019

TO: Selma Planning Commission

FROM: Community Development Department

SUBJECT: AGENDA ITEM NO. 2
Submittal No. 2018-0038: Tentative Subdivision Map
Planned Unit Development (PUD)
Density Bonus
Categorical Exemption

Summary and Purpose

The purpose of this agenda item is to hold a public hearing to consider recommending to the City Council, approval of Tentative Subdivision Map 2018-0038, which will divide an existing parcel into ten (10) parcels and one remainder.

Application Information

Applicant: Harbhajan Nagra 11160 S Chestnut Avenue Fresno CA 93725

Project Location: 2595 Pine Street, Selma, CA. (APN: 388-083-10 &-11).

Applicant's Proposal: The applicant wants to divide a 1.49-acre parcel into ten (10) residential lots and a park.

Land Use; General Plan; Zoning: Single-Family; Medium-Low Density; R-1-7.

Project Background

This site is currently comprised of two vacant parcels. The owner is proposing to divide the 1.49-acre parcel into ten (10) legal single-family parcels and a park. The site is surrounded on all sides by existing single-family development with already developed roadways. The proposed lots are between 3,773 and 5,107 square feet. The project requires the approval of a Tentative Subdivision Map (TSM) and a Planned Unit Development. The applicant has been granted a density bonus in accordance with local and state regulations in order to allow for two additional lots bringing to total to ten (10) rather than the eight (8) that would normally be allowed per the Selma Municipal Code. A private park is also proposed as part of this subdivision.

The California State Subdivision Map Act provides that a local agency must make certain findings prior to making recommendations on any tentative subdivision map. Staff has prepared a resolution for a recommendation to the City Council to approve the proposed project, incorporating the required findings and conditions of approval. Tentative Subdivision Map No. 2018-0039 is consistent with the provisions of the Subdivision Map Act.

Subdivision Map Act Findings

To approve the tentative subdivision map, the City Council is required by the Subdivision Map Act to make findings in accordance with the act (Government Code §66410, *et seq.*). The following findings are recommended for adoption by the City Council.

1. Finding: The proposed division of land is consistent with the objectives, policies, general plan land uses, and programs adopted with the General Plan. (Government Code §66473.5)

Evidence: The site has been zoned R-1-7 (One Family Zone). The Planned Unit Development allows for lot sizes and lot configurations that are not consistent with the requirements of the R-1-7 zone. Furthermore, the Density Bonus requested makes the project consistent with the densities allowed under the ordinance and state law for such requests. The tentative subdivision map is consistent the General Plan land use designation of Medium Low Density (MLD) Residential and other policies and programs identified in the General Plan for residential housing and development.

2. Finding: The proposed division of land complies with requirements as to improvement and design.

Evidence: The site is essentially level, contains no trees, and will meet the minimum design requirements for subdivisions in the neighborhood. In addition, the tentative subdivision map is conditioned with requirements to meet the City's infrastructure design standard requirements for future residential development of the site.

3. Finding: The proposed division of land complies with requirements for flood water drainage control.

Evidence: Conditions of approval will require the subdivision to provide storm drainage infrastructure to drain into existing facilities in accordance with adopted City development standards.

4. Finding: The proposed division of the property is consistent with the General Plan land use designation.

Evidence: The parcels proposed supports the development of single family residential General Plan land use designation of MLD Residential.

5. Finding: That the design or improvement of the proposed subdivision is consistent with applicable general or specific plans.

Evidence: The site is designated MLD Residential. The proposed roadways within the project are local roadways, as required by the General Plan, and designed in accordance with adopted City standards. Associated infrastructure such as water, sewer, and drainage are also design in accordance with City standards to service the proposed development

6. Finding: The site is physically suitable for the development proposed.

Evidence: The proposed project is consistent with the design and improvement of a single-family residential project, subject to the allowances of a Planned Unit Development. The site has a generally flat topography and does not contain any unique topographical features.

7. Finding: The site is physically suitable for the proposed density.

Evidence: The lots created by the subdivision have sufficient size, configuration, and access to satisfy the criteria applicable to the site and can physically support single-family residential uses promoted under the General Plan. In addition, as noted in Finding 6, the site has a generally flat topography and does not contain any unique topographical features.

8. Finding: The design of the proposed division and improvements will not cause environmental damage or injure fish, wildlife, or their habitat.

Evidence: The project will not have any significant environmental impacts to fish, wildlife, or their habitat. The site does not have any physical features such as streams, riparian corridors or wildlife areas. The site is fully surrounded by urban development.

9. Finding: The design of the proposed division and improvements will not cause serious public health problems.

Evidence: Adequate measures have been applied with the conditions of approval to address potential concerns related to public health, including, but not limited to, provisions for water for domestic use and fire protection, extension of sanitary sewer facilities to ensure proper management of wastewater, installation of necessary storm drainage, construction of proper public streets and sidewalk, flood control measures, and provision for proper and orderly timing for construction of necessary improvements.

10. Finding: The design of the subdivision or the type of improvements will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.

Evidence: Based on the proposed design, the type of improvements will not conflict any easements acquired by the public for access.

11. Finding: The design of the proposed subdivision provides, to the extent feasible, for future passive or natural heating and cooling opportunities (Government Code §66473.1)

Evidence: The design of the project will meet the 2017 California Green Building Code which ensures that buildings will provide for energy efficiency.

12. Finding: The City Council has considered the effects of the proposed subdivision on the housing needs of the region and that those needs are balanced against the needs for public services and the available fiscal and environmental resources (Government Code §66412.3).

Evidence: The Tentative Subdivision Map and resulting parcels are consistent with the City's Housing Element.

13. Finding: Approval of Tentative Subdivision Map No. 2018-0039 is a project subject to the provisions of the California Environmental Quality Act.

Evidence: Findings in support of a Class 32 Categorical Exemption are attached (Section 15332 of California Environmental Quality Act (“CEQA”) Guidelines, Title 14, Chapter 3 of the California Code of Regulations).

Planned Unit Development

A Planned Unit Development must be approved in conjunction with the tentative subdivision map to allow for the proposed lot sizes as they are smaller than the 7,000 square foot minimum that would normally be required in the R-1-7 zoning district. The proposed development includes lots ranging from 3,773 to 5,107 square feet. The proposed homes include a two-car garage and a front porch. Home plans are provided as an attachment showing floorplans and elevations. At time of building permit, proposed homes will be reviewed by the city planner for setback requirements. Generally, the developer is expected to meeting the following setbacks:

Front	20 feet to garage, 15 feet to living space
Side	5 feet
Street Side	10 feet
Rear	10 feet

Setback requirements can be amended at the discretion of the Community Development Department to accommodate specific home plans on specific lots.

Density Bonus

An application for density bonus was made to allow for two additional lots for single-family development beyond what would normally be allowed in the R-1-7 zoning district. The proposed conditions of approval include a requirement for the developer to provide confirmation/proof, in the form of a recorded agreement, to which the City of Selma is a party to, assuring 20 percent affordability available for low income individuals or 10 percent to very low income individuals in accordance with the income levels adopted by HCD prior to recordation of final map in accordance with local and state requirements. The set aside units shall be subject to the affordability requirements for a period of at least thirty (30) years.

Environmental (CEQA)

Pursuant to California Environmental Quality Act (CEQA) Guidelines, Section 15332 In-Fill Development Projects, it has been determined that this project is categorically exempt from additional CEQA processes. The Categorical Exemption is attached.

Public Hearing and Public Input

The public Notice was published one time in The Selma Enterprise on July 17, 2019. The adjacent property owners within 300 feet were notified by the City via letter.

The City of Selma Planning Commission held a public hearing to consider the application. One member of the public who spoke at hearing voiced concerns with the project’s impacts to the neighboring homes and expressed the need for noticing to be provided in Spanish for his Spanish

speaking neighbors. The Planning Commission continued the application to the August 26, 2019 public hearing and directed staff to re-notice the item with a bilingual component included.

The revised public Notice was published one time in The Selma Enterprise on August 14, 2019. The adjacent property owners within 300 feet were notified by the City via letter with information on how to access the information in Spanish on August 16, 2019.

Recommendation

Staff recommends approval of Resolution No. 2019-04, recommending to the City Council, approval of Tentative Subdivision Map 2018-0038.

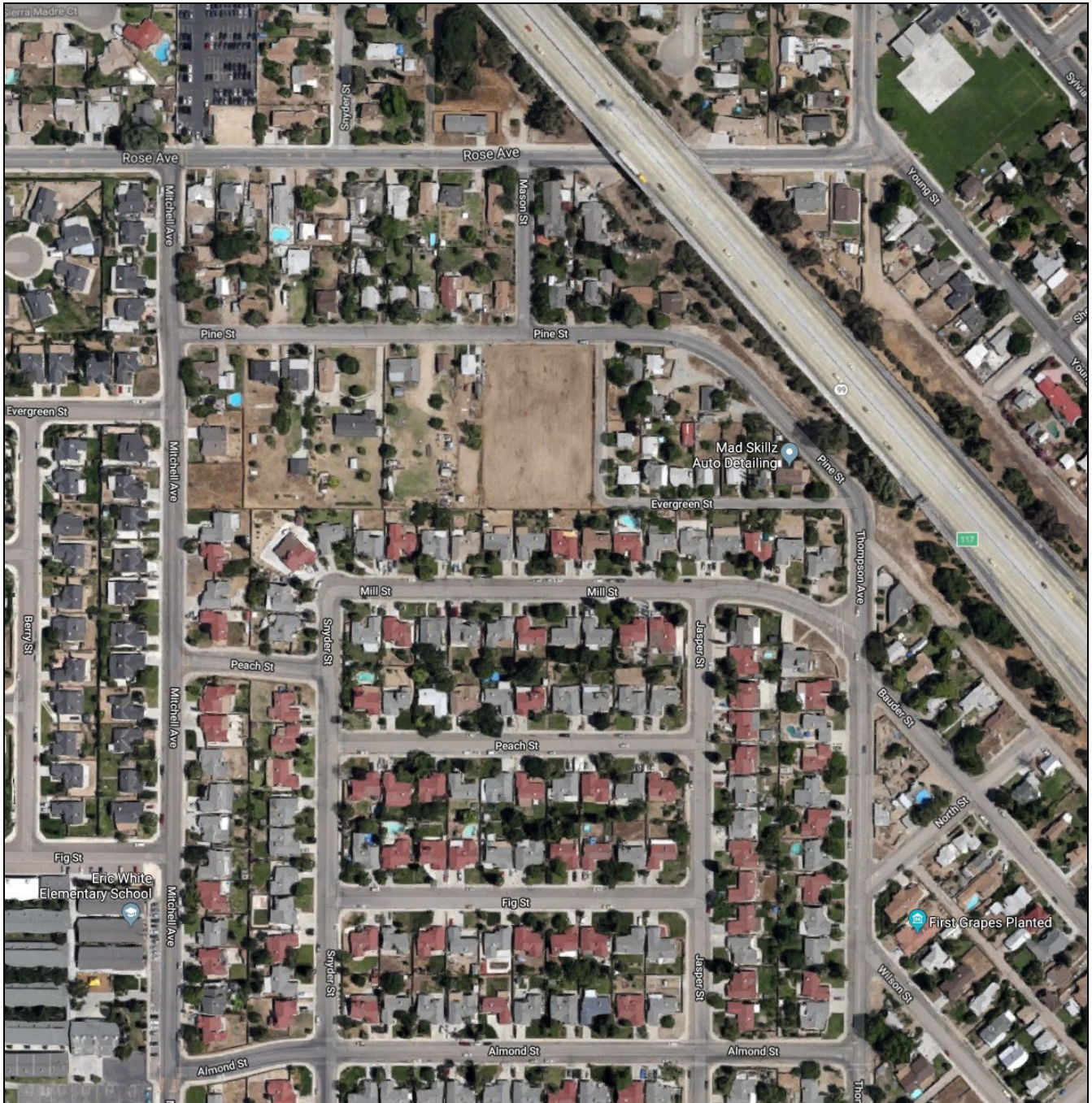
Kira Noguera, Contract Planner
Community Development Department

Approved by:

Teresa Gallavan, City Manager

Attachments

1. Location Map
2. Proposed Tentative Subdivision Map
3. Proposed House Plans
4. Exhibit A: Conditions of Approval
5. Categorical Exemption
6. Resolution No. 2019-0004 recommending to the City Council, approval of Tentative Subdivision Map 2018-0038



SITE LOCATION MAP

VESTING TENTATIVE SUBDIVISION MAP
OF
TRACT No. _____

● MONUMENT FOUND AND ACCEPTED, UNLESS
NOTED OTHERWISE. MONUMENT

- UTTERANCE NUMBER
- | | |
|-----|--|
| ▲ | NEW SPRAWLER FOR DEDICATION FOR PUBLIC STREET AND UTILITY PURPOSES |
| ▲ | PREVIOUSLY DEDICATED FOR PUBLIC STREET AND UTILITY PER M-1 |
| — | INDICATES SUBJECT PARCEL, BOUNDARY, INDICATES ESSENTIAL LINE |
| --- | INDICATES PARCELED ESSENTIAL LINE |
| --- | INDICATES CENTER LINE |
| --- | INDICATES LOT LINE |
| --- | INDICATES EX. PROPERTY LINE |
| --- | INDICATES PROPERTY LINE |
- TYPE OF LINE

(R-1)
DATA RELEASED PUR. HRAU:1 521/
RECORDED IN VOLUME 72 AT PAGES

FILE	PROPOSED UTILITY EASEMENT
F.O.B.	ESPRESSO COUNTY RECEIVED

OFFICIAL RECORD FILING COUNTY
DECEMBER 1968
RECORDED BY:

REFERENCES

- RECORD DATA PER 25 RLS 44

NOTE:

- [illegible]

WEST - RESIDENTIAL

REPOSED USE - SINGLE FAMILY RESIDENTIAL
REPOSED ZONING - R-2

SOURCE OF ELECTRICITY/GAS - PAGE

THE AREA - ± 1.50 ACRE

818 OF BEARINGS

K 60 AT PAGE 29 FRESNO COUNTY, TAKEN TO BE N 87 56' 45" E

OPTICAL BENCHMARK

Y: 304.08 US. FT. (NW/D 88)

ML-8 REPORT STATEMENT

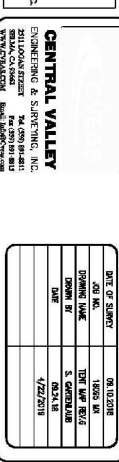
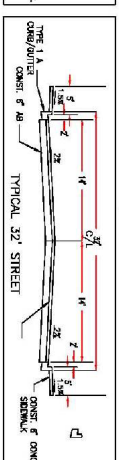
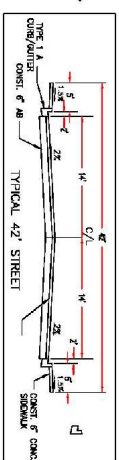
OBJECT No. 14-1590, DATED DECEMBER 24, 2014.

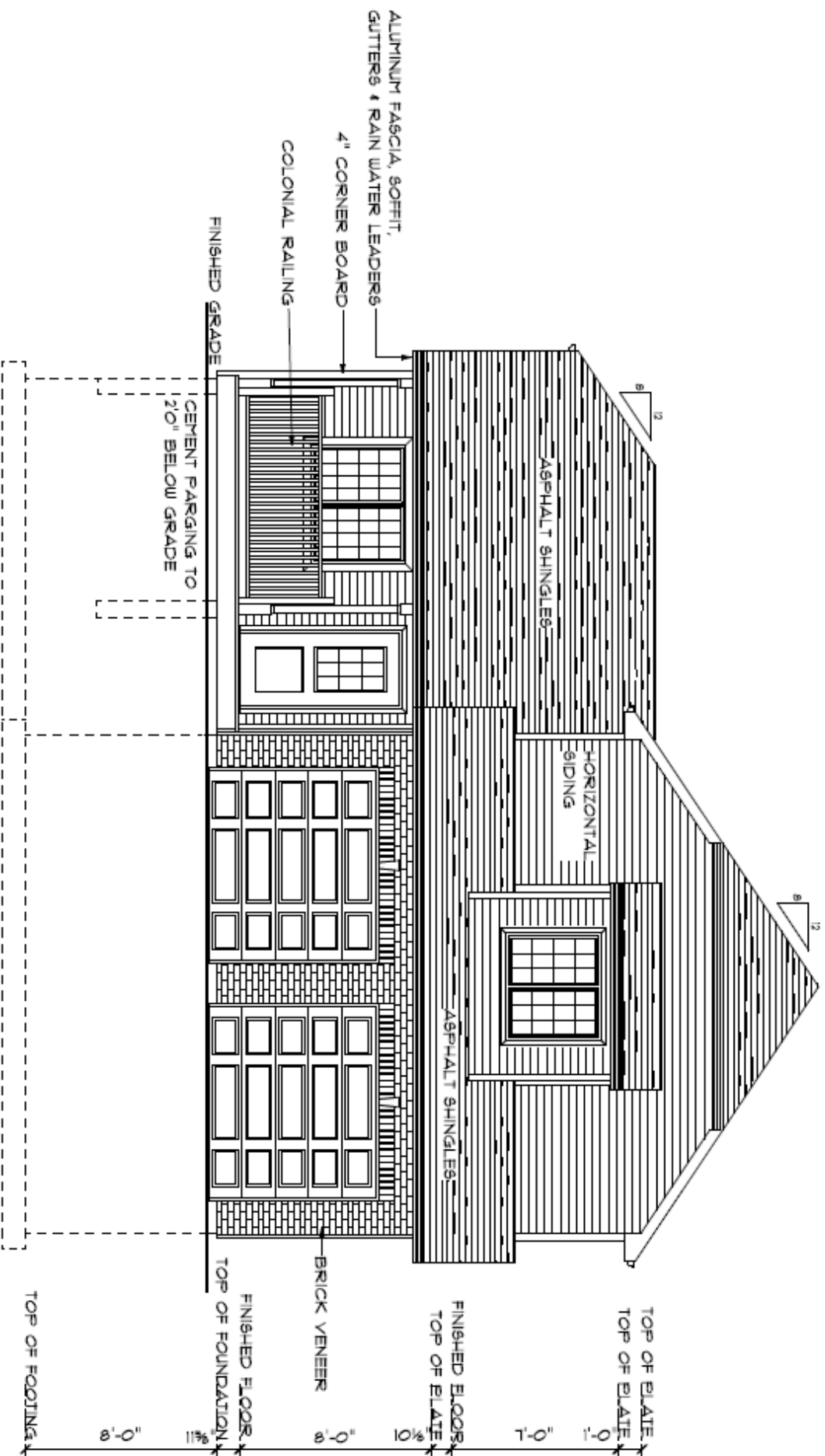
LEGAL DESCRIPTION

LAND REFERRED TO HEREIN BELONGS IS SITUATED IN THE CITY OF SELMA, COUNTY OF FRESNO, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:

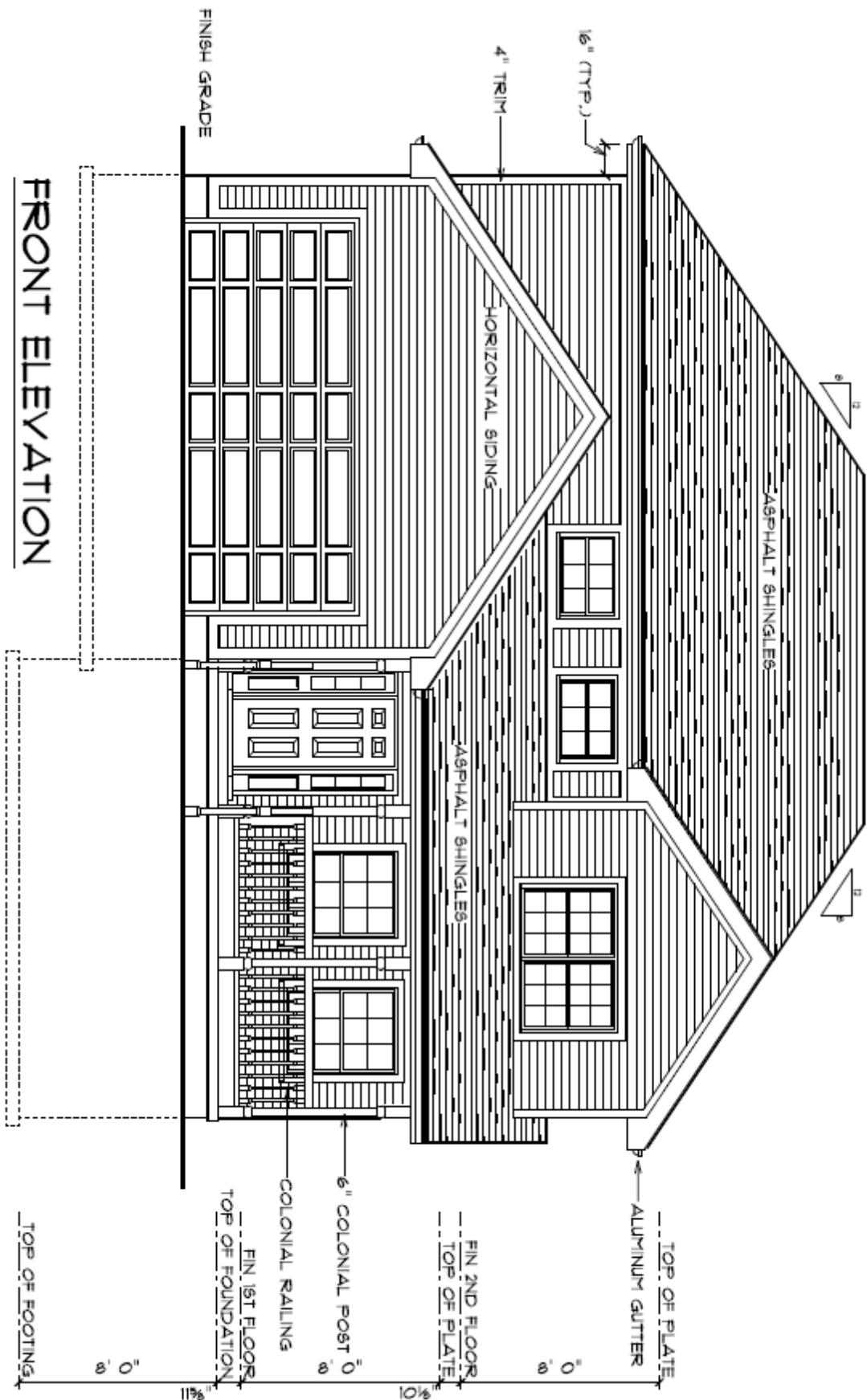
OF "A" OF TRACT NO. 5217, CANALS ESTATES PHASE 1, ACCORDING TO THE MAP THEREOF RECORDED APRIL 29, 1990 IN BOOK 72, PAGES 23, 24, AND 25 OF PLATS, FRESNO COUNTY RECORDS AS AMENDED BY CORRECTION OF RECORD RECORDED ALICEST 18, 2008 AS DOCUMENT NO. 2008-011787, FRESNO COUNTY OFFICIAL RECORDS.

390-020-61 (PRIORITY)





FRONT ELEVATION



Staff Recommends that the approval be conditioned upon the following:

Planning Conditions:

1. Prior to approval of the final map, the owner shall enter into a binding agreement with the city prior which sets forth the conditions and guidelines to be met in the implementation of the density bonus law requirements. The agreement will also establish specific compliance standards and remedies available to the city upon failure by the property owner to make units accessible to intended households.
2. All set aside units shall have a bedroom mix and amenities representative of the project as a whole.
3. All set aside units shall be disbursed throughout the project.
4. The total number of housing units allowed under a density bonus shall be calculated by dividing the number of square feet of land available (less public use land dedications) by the number of square feet required per housing unit under the applicable zoning designation, and multiplying the result by 1.25. If the result, including the density bonus, contains a fraction of a unit, the number of allowable units shall be determined by rounding that number up to the next highest full unit.
5. The provisions of this permit shall run with the land and shall be binding upon future owners of properties within the development. Prior to the issuance of the first building permit for a project, the developer shall record deed restrictions in favor of the city which subject the rental, sales or resale of set aside units to the provisions of this chapter for a period of thirty (30) years (or a longer period of time for developments that receive federal, state or local construction or mortgage assistance, mortgage insurance or rent subsidies), except that the rental, sale and resale restriction for units for which no additional concession or incentive is granted shall be subject to the provisions of this chapter for a period of ten (10) years.
6. Set aside units shall be subject to the affordability requirements of this chapter for a period of thirty (30) years (or a longer period of time for developments that receive federal, state or local construction or mortgage assistance, mortgage insurance or rent subsidies), beginning when the units are first available for occupancy, except that set aside units for which no additional concession or incentive is granted shall be subject to the conditions of this chapter for a period of ten (10) years.
7. Those units targeted for lower income households, as defined in section 50079.5 of the Health and Safety Code, shall be affordable at a rent that does not exceed thirty percent (30%) of sixty percent (60%) of area median income; those units targeted for very low income households as defined in section 50105 of the Health and Safety Code, shall be affordable at a rent that does not exceed thirty percent (30%) of fifty percent (50%) of area median income.

EXHIBIT A

8. The owner shall submit annually, and within thirty (30) days of occupancy of a set aside unit, a certificate of compliance, which shall include the name, address and income of each tenant currently occupying a set aside unit.
9. The owner shall maintain and keep on file annual sworn and notarized income statements and current tax returns for all tenants occupying the set aside units.
10. The city shall have the right to inspect the owner's project related records at any reasonable time and shall be entitled to audit the owner's records once a year.
11. No subletting of rental set aside units shall be allowed unless the subleases qualifies as a very low or lower income or senior citizen household and the combined income of all persons occupying the subleases premises, adjusted for family size, does not exceed the income limits set forth in this section.
12. Prior to final map recordation, the applicant shall provide evidence that ownership and maintenance of the private park will be adequately provided for in perpetuity by recorded written agreement, covenants or restrictions, and any such document or amendments thereto are shall be subject to review and approval by the City prior to adoption.
13. The applicant shall submit a landscape plan at time of building permit submittal. The landscape plan shall be compliant with MWEL0, including but not limited to the following conditions:
 - a. Plan shall include square footages of landscaped area shown and water use calculations.
 - b. Turf shall be limited to no more than 25% of total landscape area.
 - c. No turf shall be permitted in any landscape area less than eight feet (8') in width.
 - d. The landscape plans shall include a regular maintenance schedule, per the Zoning Ordinance.
 - e. Water use classifications shall be based on WUCOLS IV.
14. Trash enclosure(s) shall be designed to accommodate refuse and recycling bins and be ADA accessible by residents. Trash enclosure(s) shall also include a roof structure and be enclosed by a finished block wall.
15. A separate sign application and administrative approval process will be required before ordering or installing any signage.
16. The developer shall provide proof of compliance with the San Joaquin Valley Air Pollution Control District (SJVAPCD) standards prior to issuance of building permits. The project will be required to meet Rule 9510 (indirect source review) and submit a construction notification to the district for the project and that compliance with the Districts Regulation VIII (fugitive dust) Rules will be monitored.
17. Outdoor lighting shall utilize energy efficient fixtures and lamps, such as LED, high pressure sodium, metal halide, low pressure sodium, hard wired compact fluorescent, or

EXHIBIT A

other lighting technology that is of equal or greater efficiency. All new outdoor lighting fixtures shall be energy efficient with a rated average bulb life of not less than ten thousand (10,000) hours.

Fire Department Conditions:

18. Construction documents and calculations for all fire protection and notification systems shall be provided to Selma Fire Prevention Bureau for review. Installation of any fire protection or notification system shall not be started without first receiving a permit.
19. Approved notices or markings that include the words "NO PARKING-FIRE LANE" shall be provided for fire apparatus access roads.
20. Buildings shall have approved address numbers or identification placed in a position that is plainly visible from the street fronting the property. Numbers shall contrast with their background and be posted a minimum of ten feet above the ground and be in Arabic numerals or alphabet letters (8"high numbers with a minimum stroke width of $\frac{3}{4}$ ").
21. An approved water supply capable of supplying the required fire flow for fire protection shall be provided. (CFC 507)
22. Fire sprinkler systems shall be installed and maintained in accordance with the California Fire Code, Selma Fire Prevention bureau amendment and policies and NFPA standards 13R.
23. Fire hydrant systems shall comply with California Fire Code 580 and appendix C. Three foot clear space shall be maintained around the circumference of fire hydrant. Fire hydrants shall be painted yellow.
24. Vehicle impact protection shall be required when any fire protection equipment is located in open areas such as parking lots. Barriers shall be built in accordance with California Fire Code 312.

Engineering Conditions:

25. All roadway and access improvements shall be reviewed and approved by the City Engineer.
26. An encroachment permit shall be obtained prior to commencement of work in the public right of way.
27. A grading and drainage plan shall be submitted and approved by the City Engineer.
28. Final site plan design to be approved by the Community Development Director and the City Engineer.

EXHIBIT A

29. Developer to pay fair share contribution for future signal improvements as determined by the Engineering Department at time of building permit submittal.

30. The project shall meet all current City of Selma and ADA Standards.

SKF Sanitation District Conditions:

31. Sewer and water services shall be installed per plans approved by the City Engineer, SKF, and California Water Services.

32. Pay all required fees including :

- a. Annexation Fees \$290/Acre.
- b. Sewer Capacity Charges Apply \$4,617/SFR*.
- c. Plan check/Inspection Fees Apply \$200/SFR*.
- d. Plan check/Inspection Fees Apply \$200/SFR*.

*Fees are subject to change

33. Submit sewer improvement plans for approval Sewer available in Pine Street only.

California Water Service Conditions:

34. The Developer shall enter into necessary agreements and connect into the California Water Service's system for provision of water service.

General Conditions:

35. All requirements of the Selma Municipal Code, as they pertain to this application, shall be complied with and such requirements shall be made a condition of permit approval.

36. Any violation or failure to comply with any of the conditions of the approval of this permit shall be grounds for modification or revocation. The Applicant may be required to reimburse the City fully for its costs and expenses, including but not limited to, attorney's fees, in undertaking any required corrective action. Reimbursement of enforcement costs may constitute a civil debt and may be collected by any means permitted by law. In the event that violations of this permit occur, the City may refrain from issuing permits, licenses, or other approvals until such violation has been fully remedied.

37. The Applicant and Property Owner shall indemnify, protect, hold harmless and defend the City and any agency or instrumentality thereof, and/or any of its officers, employees and agents from any and all claims, actions, or proceedings against the City to attack, set aside, void, annul, seek monetary damages resulting from an approval of the City, or any agency or instrumentality thereof, advisory agency, appeal board or legislative body including actions approved by the voter of the City, concerning the entitlement application. City shall promptly notify both the applicant and landowner of any claim,

EXHIBIT A

action, or proceeding to which this condition is applicable and shall further cooperate fully in the defense of the action. The City reserves its right to take any and all action the City deems to be in the best interest of the City and its citizens in regard to such defense.

38. Homes shall be constructed in accordance with the Elevations approved by City Staff, prior to issuance of Building Permits.
39. Developer to connect to sanitary sewer in accordance with requirements of SKF County Sanitation District. Developer shall be reimbursed for any oversizing of sewer lines in accordance with a reimbursement agreement approved by the City Engineer.
40. Developer to connect to California Water Service Company in accordance with requirements of the company.
41. Developer to install fire hydrants at locations approved by the Fire Chief. Minimum fire flow shall be 2,000 GPM with 20 PSI residual pressure.
42. Fire access lanes to be approved by the Fire Chief.
43. Prior to approval final map developer to enter into a subdivision agreement to ensure timing and installation of all off-site improvements.
44. Developer to prepare a Storm Water Pollution Prevention Plan and obtain approval of said plan from the Regional Water Quality Control Board.
45. All building construction on site shall be in accordance with applicable building codes and zoning regulations.
46. Developer to pay all applicable City fees prior to approval of final map.

City of Selma

CEQA Class 32 (Infill Development) Exemption Findings

The purpose of CEQA Categorical Exemption 32 (Section 15332 of California Environmental Quality Act ("CEQA") Guidelines, Title 14, Chapter 3 of the California Code of Regulations) is to promote in-fill development within urbanized areas. The class consists of environmentally benign in-fill projects which are consistent with local general plan and zoning requirements. This class is not intended to be applied to projects which would result in any significant traffic, noise, air quality, or water quality effects.

Project Description:

The project site is located at 2595 Pine Street, Selma CA. 93662 at the southeast corner of Pine and Mason Streets. The APN is 388-08-10 (.926 ac) and 388-08-11 (.574 ac). The combined 1.5-acre parcel is zoned MLD (Medium / Low Density). The proposed use is for the development of 10 single-family residential lots.

Required Findings:

- a) *This project is consistent with the applicable General Plan designation and all applicable General Plan policies as well as with applicable zoning designations and regulations.*

SUPPORTING INFORMATION: The project site is located in an established, medium/low residential community and development would be a compatible use as designated by the General Plan, policies and zoning regulations.

- b) *The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.*

SUPPORTING INFORMATION: The project site consists of two adjoining parcels for a total of 1.5-acres. The parcel is located just south of the intersection of Pine and Mason streets and is well within the designated city limits boundaries. The site is currently bounded by existing medium/low residential properties.

- c) *The project site has no value as habitat for endangered, rare or threatened species.*

SUPPORTING INFORMATION: The project site is located within an urbanized / residential use zone and consists of two contiguous graded lots; both, completely bare of any tree or vegetative growth. There are no known riparian habitats or sensitive natural communities nearby.

- d.1) *Approval of the project would not result in any significant effects relating to traffic.*

SUPPORTING INFORMATION: The project site is located in an established, medium/low density residential community with an established network of local, collector and arterial streets. According to the latest edition (10th) of the I.T.E. manual the 10-unit residential complex will generate an average of **9.22** trips per unit per day, slightly increasing the capacity of the streets near the development site, but not significantly increasing the over-all level of activity already designated for the area. There are no known significant traffic related issues.

- d.2) *Approval of the project would not result in any significant effects relating to noise.*

SUPPORTING INFORMATION: The Project Site is located in an established medium/low residential community with no significant noise generating sources nearby. The limited size of the development (10-units) should not contribute to any significant increases in existing ambient noise levels in the area. There are no known significant noise related issues.

- d.3) *Approval of the project would not result in any significant effects relating to air quality.*

SUPPORTING INFORMATION: The project site is located in an established, medium/low residential community. The 10-unit residential development is not anticipated to produce any notable air quality issues and falls well below the 220 unit limit designated in the Small Project Analysis Levels (SPAL) document that standardizes requirements for air quality mitigation measures as set forth by the San Joaquin Valley Air Pollution Control District. There are no known significant air quality issues.

- d.4) *Approval of the project would not result in any significant effects relating to water quality.*

SUPPORTING INFORMATION: The project site is located in an established, medium/low residential community. The limited impact of the 10-unit development should not adversely impact water quality. The site will connect to the existing municipal water service system provided by the regularly monitored California Water Service Systems (Cal-Water) and will remain well within the design capacities of the system. There are no known significant water quality issues.

- e) *The site can be adequately served by all required utilities and public services.*

SUPPORTING INFORMATION: The project site is located in an established, medium/low residential community. The 10-unit development is not anticipated to produce any undue burden on municipal utilities or services. Water Service will be provided by California Water Service Systems (Cal-Water) as already under contract with the City. Sewer services would be provided by Selma, Fowler,

Kingsburg Community Services District (SFKCSD). All other services, Police, Fire and Parks can adequately be provided for by the City of Selma. There are no known significant utility or service issues.

Authority cited: CEQA Guidelines Section 15332 of California Environmental Quality Act ("CEQA") Guidelines, Title 14, Chapter 3 of the California Code of Regulations

RESOLUTION NO. 2019-04

A RESOLUTION OF THE PLANNING COMMISSION MAKING FINDINGS AND RECOMMENDING TO THE CITY COUNCIL, APPROVAL OF 2018-0038 TENTATIVE SUBDIVISION MAP AND PLANNED UNIT DEVELOPMENT WITH CONDITIONS.

WHEREAS, on July 29, 2019, the Selma Planning Commission, at a special meeting, considered an application filed by Harbhajan Nagra for a Tentative Subdivision Map, Planned Unit Development (PUD) and density bonus. The Tentative Subdivision Map is a request to subdivide 1.49 acres into 10 legal parcels and a park. The Selma Planning Commission continued the item to the August 26, 2019 meeting.

WHEREAS, on August 26, 2019, the Selma Planning Commission, at a noticed public hearing, considered the above referenced project.

WHEREAS, the public notice of the Selma Planning Commission regularly scheduled public meeting was noticed in accordance with all applicable local and state laws; and

WHEREAS, the purpose of the Tentative Subdivision Map is to subdivide a vacant site to allow development of a single-family residential subdivision and planned unit development.

WHEREAS, the Planning Commission, after holding a public hearing, considered the proposal and the staff report and recommendations together with all public testimony of interested parties; and

WHEREAS, on August 26, 2019, the Planning Commission, as the lead agency, determined the project to be Categorically Exempt under Section 15332 (Class 32) of the CEQA Guidelines; and

WHEREAS, the Planning Commission conducted a public hearing, as heretofore specified, and deliberated and prepared the following findings of fact for approval listed and included in this Resolution, based on the reports, evidence and verbal presentations:

1. The proposed map is consistent with applicable general plans because it meets all of the requirements set forth in the Selma General Plan, Selma Municipal Code, Selma Zoning Ordinance and the California Subdivision Map Act.
2. The proposed map design and improvements are consistent with the Selma General Plan and any applicable specific plans because the design complies with the implementation and policies set forth in the Selma General Plan document.
3. The site is physically suitable for the type of development.
4. The site is physically suitable for the proposed density of development.
5. The design of the subdivision or the proposed improvements is not likely to cause

- substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat.
6. The design of the subdivision or type of improvements is not likely to cause any public health or safety issues.
 7. The design of the subdivision or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision.
 8. All conditions of approval related to dedications, street improvements, the installation of infrastructure such as sewer and water lines, storm drain facilities, and other public improvements have been evaluated and it has been confirmed that there is a rough proportionality and/or a required degree of connection exists between the dedication imposed or public improvement required and the proposed development.

WHEREAS, the Planning Commission, having made its Findings for Approval, was of the opinion 2018-0038 Tentative Subdivision Map and Planned Unit Development should be recommended for approval to the City Council subject to certain conditions of approval listed in Exhibit A and made a part of the Resolution:

1. The Tentative Subdivision Map approval shall be valid for a period of two (2) years. If a final map is not filed and approved prior to the end of the two-year life of the tentative Subdivision Map approval, the approval shall expire and become null and void. A request to extend the tentative Subdivision Map approval period may be filed with the City Clerk. The request shall be filed at least 30 days prior to the expiration date and shall be processed in accordance with the procedures established by the Selma Municipal Code.

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

1. The above findings are supported by the record and presentation to the Planning Commission.
2. The above facts are true and correct.
3. The Planning Commission recommends approval of Categorical Exemption and Tentative Subdivision Map No. 2018-0038 subject to Findings for Approval and Conditions of Approval listed and made a part of this Resolution to the Selma City Council.

The foregoing Resolution No. 2019-04 is hereby approved this 26th day of August 2019, by the following vote, to wit:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSTENTION: COMMISSIONERS:

ABSENT: COMMISSIONERS:

GLENN NISWANDER
CHAIRMAN OF THE COMMISSION

Kira Noguera
Secretary, Selma City Planning Commission

SELMA PLANNING COMMISSION

STAFF REPORT

Meeting Date: August 26, 2019

TO: Selma Planning Commission
FROM: Community Development Department
SUBJECT: AGENDA ITEM NO. 3
Submittal No. 2018-0042: Conditional Use Permit
Categorical Exemption

Summary and Purpose

The purpose of this agenda item is to hold a public hearing to consider the approval of a Conditional Use Permit to place a billboard at 1645 Dockery Avenue, Selma.

Application Information

Applicant: Sun Outdoor Advertising LLC 11221 Pacific Highway S.W.
Lakewood, WA 95799

Project Location: 1645 Dockery Avenue, Selma, CA (APN: 390-111-05)

Applicant's Proposal: The applicant wants to place a double face, electronic billboard at 1645 Dockery Avenue, Selma CA

Land Use; General Plan; Zoning: Industrial; Heavy Industrial; M-2.

Summary and Purpose

This site is currently utilized by a transportation and trucking business. The double-sided, electronic billboard will be placed to be viewed by auto travelers on California State Route 99. The proposed sign will be subject to review and permitting by the State of California Department of Transportation (Caltrans). The City of Selma Municipal Code provides regulations for billboards and electronic reader board signs. The conditions of approval require Caltrans approval and compliance with all City of Selma regulations including a height restriction of 32 feet and a maximum sign area of 300 square feet.

Environmental (CEQA)

Pursuant to California Environmental Quality Act (CEQA) Guidelines, Public Resources Code §15332 In-Fill Development Projects, it has been determined that this project is categorically exempt from additional CEQA processes. The Categorical Exemption, along with a lighting study prepared for the project is attached.

Notice of Public Hearing

The Public Notice was published one time in The Selma Enterprise on August 14, 2019. The adjacent property owners within 300 feet were notified of the hearing by the City via letter.

Recommendation

Staff recommends approval of Resolution No. 2019-0006, approving Conditional Use Permit 2018-0042.

Kira Noguera, Contract Planner
Community Development Department

Approved by:

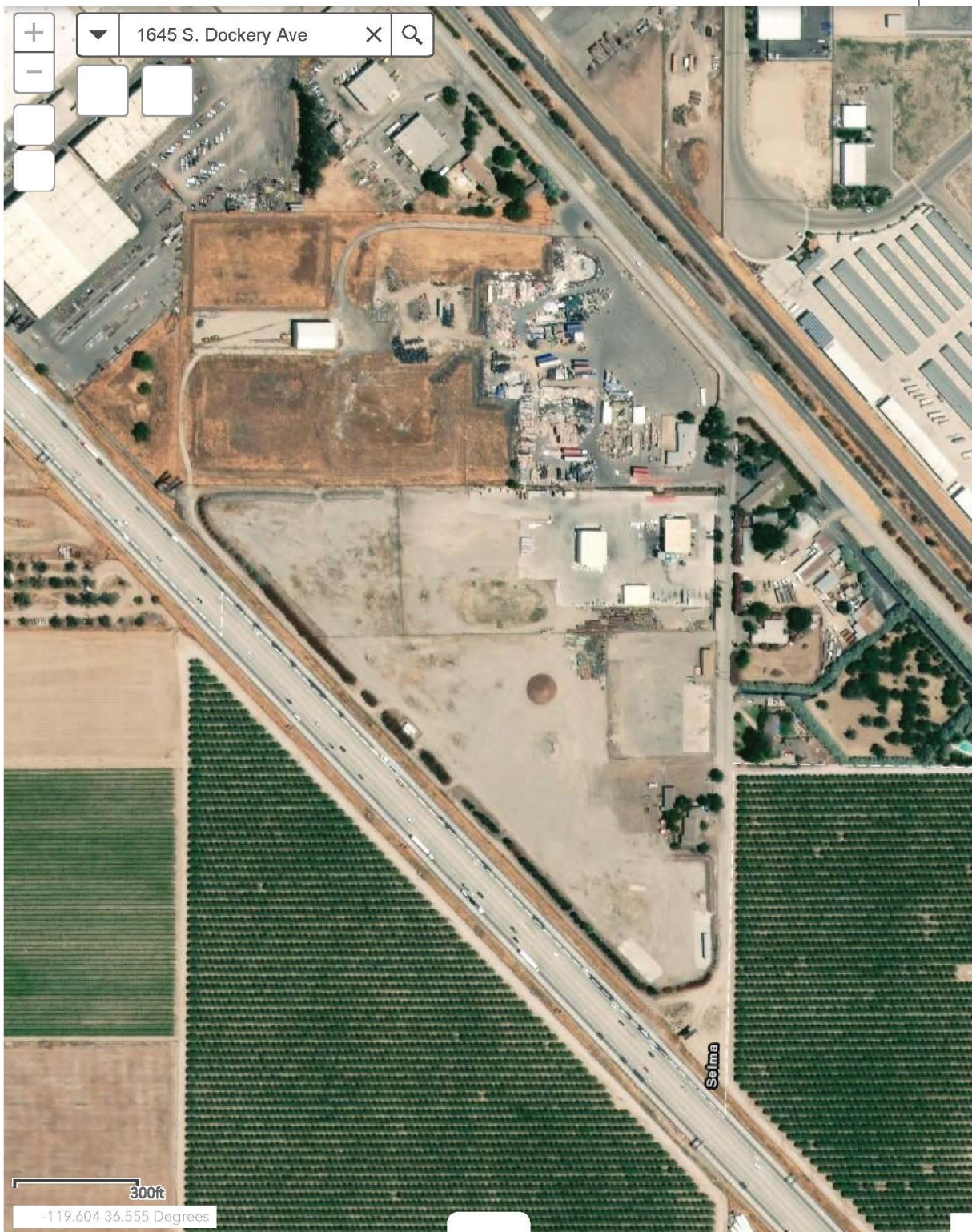
Teresa Gallavan, City Manager

Attachments

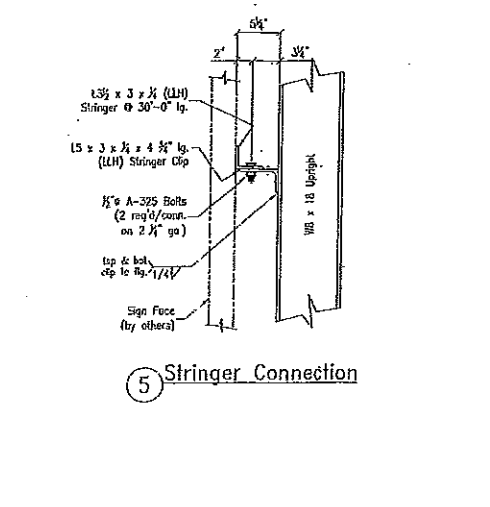
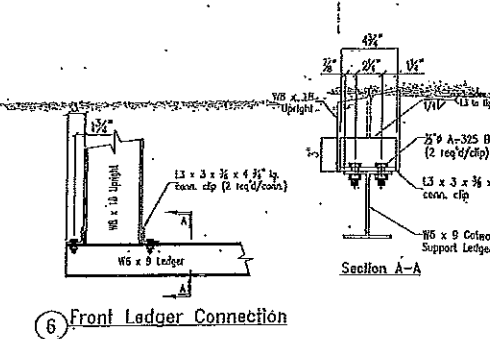
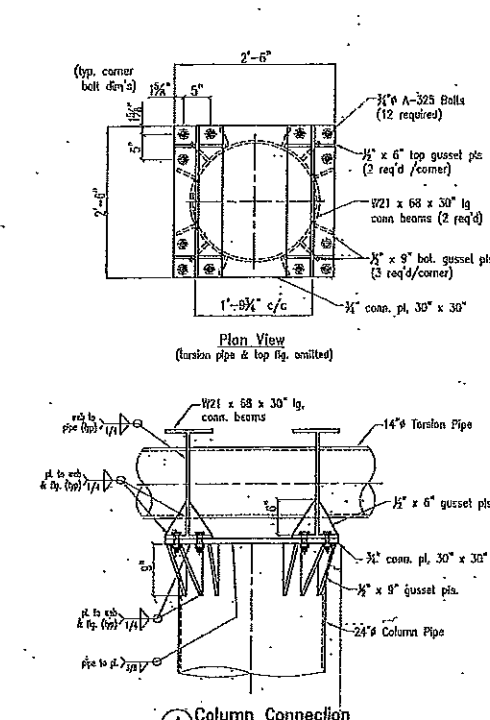
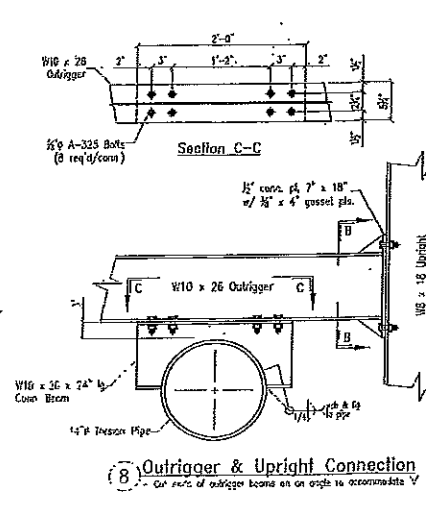
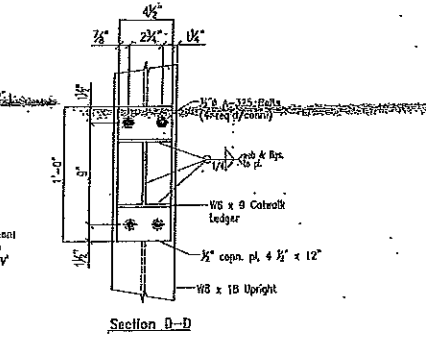
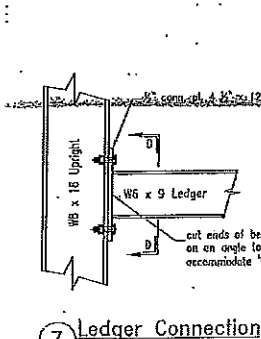
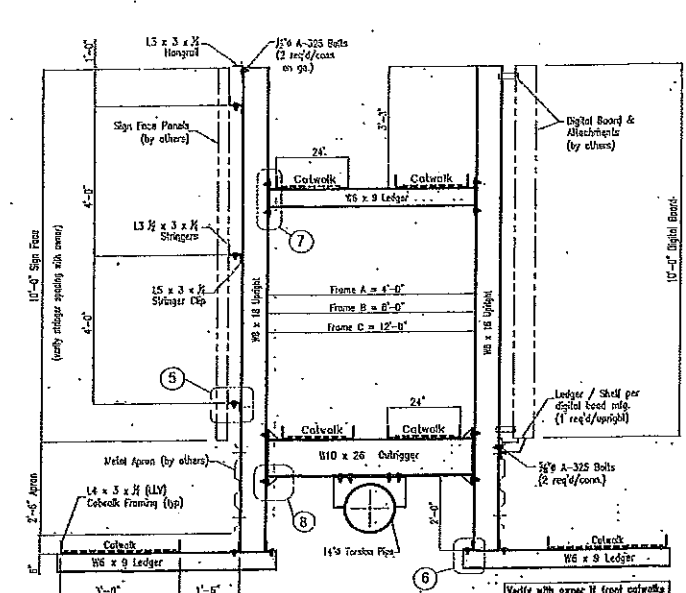
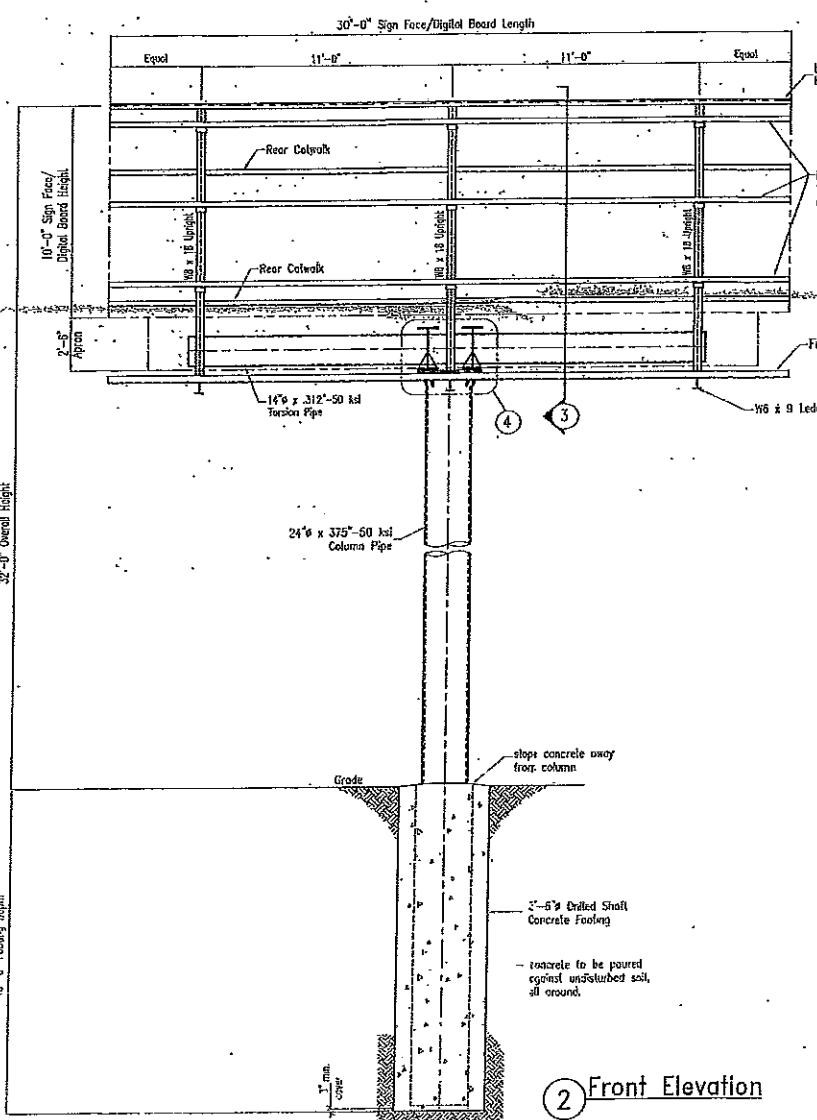
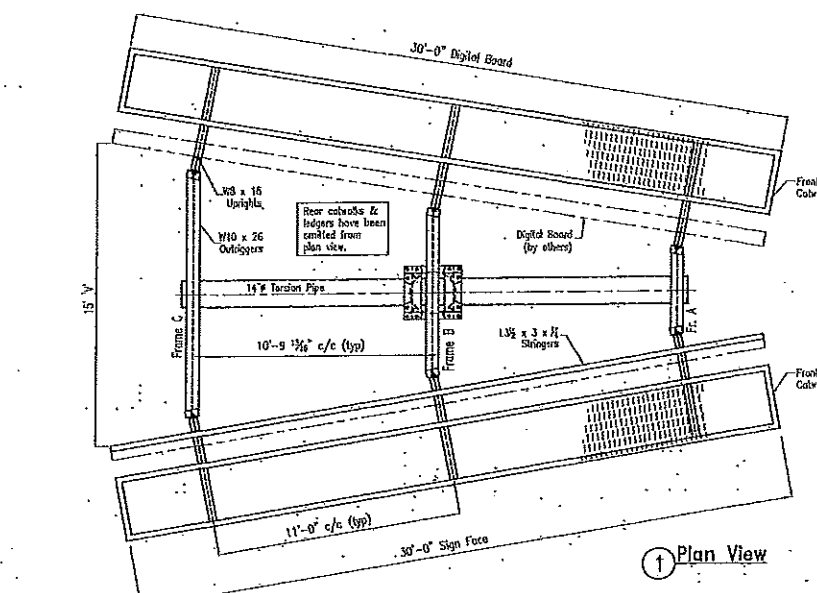
1. Location Map
2. Proposed Plans
3. Conditions of Approval
4. Resolution No. 2019-0006 approving Conditional Use Permit 2018-0042
5. Categorical Exemption



QK Rapid Mapper



Location Map



NOTES

- 1) Footing design based on class 4 soil conditions of sand, silty sand, clayey sand, silty gravel, or better. (allowable soil pressure = 150 p.s.f. / ft. depth) Notify Engineer if other than these conditions exist.
- 2) Provide 1/2" cop plates for end of tension pipe. Cop plates to be welded all around, to pipe.
- 3) Attached catwalks using 1/2" A-325 bolts (1 req'd/corner).
- 4) Catwalks grating to be 3/4" p.s.f. expanded metal grating. (weld to catwalk angles with 1/2" flat weld, 1" lg. @ 12" c/c)
- 5) This structure is designed to support (2) Digital Boards @ 3,500 lbs. each. Drawing shows (1) Digital & (1) static face. Verify with owner which side(s) digital boards are to be located.
- 6) Design and construction of Digital Board and attachment of board to structure, by others. Verify all mounting requirements with digital board mfg.
- 7) Special Inspection required for the following:
 - High Strength Bolting (periodic inspection to review type & tension)
 - Drilled Shaft Foundation (verify proper size & depth)
 - Field Welding (inspect per AWS D1.1 & AWS requirements)
- 8) Seismic Design Category Loads are determined in accordance with ASCE 7-10, chapter 15 (using data for signs & billboard from table 15.4-2 - risk category II)

Seismic Spectral Response

Accelerations: $S_s = 0.645$ $S_1 = 0.261$

Site Class: D (SHF soil)

Spectral Response Coefficients: $S_{ds} = 0.552g$ $S_{d1} = 0.326g$

Seismic Design Category: C

Force Resisting System: Concentrated column

Design-Base Shear: 20 kips max @ column

Seismic Response Coefficient: $C_s = 0.184$

Response Modification Factor: $R = 3.0$

Seismic Base Shear is determined in accordance with section 12.8 "Equivalent Lateral Force Procedure" using the design data above.

DATE	REVISION	NO.
4/27/17	Changed to 3 upright design & 15' V sign, modified column conn.	R2
4/6/17	Added special inspection & seismic design notes.	R1

TYPICAL GUSSET DETAIL

USE THE CRITERIA FOR ALL GUSSETS

GENERAL NOTES

- ALL NUTS AND BOLTS ARE TO BE TWO-PIECE, (except A-490 bolts, which are not to be hot-dipped galvanized and painted after installation)
- THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS IN FIELD BEFORE COMMENCING CONSTRUCTION, AND NOTIFY ENGINEER OF ANY DISCREPANCIES
- ANY DEVIATIONS FROM THIS PRINT MUST BE APPROVED BY ENGINEER.
- ALL STRUCTURAL STEEL SHALL CONFORM TO THE REQUIREMENTS OF A.S.T.M. A-36 (except structural tubing, which shall conform to A-500, grade B).
- ALL STEEL PIPE SHALL CONFORM TO THE REQUIREMENTS OF A.S.T.M. A-53, GRADE B OR A-252, GRADE 2, UNLESS OTHERWISE NOTED.
- ALL STRUCTURAL STEEL SHALL BE PROTECTED, FABRICATED, AND ERECTED IN ACCORDANCE TO THE LATEST A.I.S.C. SPECIFICATIONS AND STANDARD PRACTICES.
- ALL WELDING SHALL BE IN ACCORDANCE WITH A.W.S. SPECIFICATIONS, WELDING TO BE PERFORMED BY CERTIFIED WELDERS USING E-70 ELECTRODES.
- CONCRETE SHALL ATTAIN A MINIMUM COMPRESSIVE STRENGTH OF $f'_c = 3000$ p.s.i. @ 28 DAYS, UNLESS OTHERWISE NOTED.
- CONTRACTOR TO ENSURE THAT ALL WORK IS PERFORMED IN ACCORDANCE WITH FEDERAL, STATE, & LOCAL CODES & ORDINANCES AND O.S.H.A. SAFETY REGULATIONS.
- OWNER TO PROVIDE AN O.S.H.A. APPROVED FLOODLINE SYSTEM FOR ALL WALKWAYS.
- VERIFY WITH OWNER ALL SIGN HEAD ACCESS REQUIREMENTS. (i.e. COLUMN & ACCESS LADDERS, CROSSOVER/WALK-AROUND CATWALKS, etc.)
- VERIFY CORRECT STRINGER SPACING WITH OWNER PRIOR TO FABRICATION.
- ALL G.L. = Height Above Ground Level

APPLICABLE BUILDING CODE AND WIND SPEED:

2016 IBC/2012 I.B.C. (115 mph - Exp. C) - Risk Cat. II

Effective Engineering Solutions, LTD.
61 White Water Court
New Lenox, IL 60451
(815) 485-1470

PROJECT: 10' x 30' Centermount
15' V (LED Ready) Structure @ 32'-0" Overall Height

CLIENT: **SUN**
SUNSHINE ASSOCIATES, LLC

THIS PRINT CONTAINS PROPRIETARY INFORMATION AND SHALL NOT BE USED, REPRODUCED, OR ITS CONTENTS DISCLOSED, IN WHOLE OR IN PART, WITHOUT WRITTEN CONSENT FROM THE ABOVE CLIENT.

THE UNDERSIGNED ENGINEER WILL NOT SUPERVISE THE FABRICATION AND ERECTION OF THIS STRUCTURE.

REGISTERED PROFESSIONAL ENGINEER
CLIFFORD W. LEVENHIZ
No. C 043407
Exp. 6/30/18
CIVIL
STATE OF CALIFORNIA

LOCATION: Selma, CA

EEST JOB NO: 71788

ENGINEERED BY: CWL

DRAWN BY: DBM

DATE DRAWN: 3/22/2017

DRAWING NO: 1 of 1 71697-R2

MAY 22 2017

EXHIBIT A

Staff Recommends that the approval be conditioned upon the following:

1. The total height of the billboard shall not exceed thirty-two feet (32') to the top of the structure.
2. The total area of a single sign face shall not exceed three hundred (300) square feet. The billboard shall have more than two (2) sign faces.
3. The billboard shall be supported by a single pole.
4. The minimum height to the bottom of a billboard shall be seven feet (7').
5. All support structures of the billboard shall be fully enclosed.
6. Any violation or failure to comply with any of the conditions of the approval of this permit shall be grounds for modification or revocation. The Applicant may be required to reimburse the City fully for its costs and expenses, including but not limited to, attorney's fees, in undertaking any required corrective action. Reimbursement of enforcement costs may constitute a civil debt and may be collected by any means permitted by law. In the event that violations of this permit occur, the City may refrain from issuing permits, licenses, or other approvals until such violation has been fully remedied.
7. The Applicant and Property Owner shall indemnify, protect, hold harmless and defend the City and any agency or instrumentality thereof, and/or any of its officers, employees and agents from any and all claims, actions, or proceedings against the City to attack, set aside, void, annul, seek monetary damages resulting from an approval of the City, or any agency or instrumentality thereof, advisory agency, appeal board or legislative body including actions approved by the voter of the City, concerning the entitlement application. City shall promptly notify both the applicant and landowner of any claim, action, or proceeding to which this condition is applicable and shall further cooperate fully in the defense of the action. The City reserves its right to take any and all action the City deems to be in the best interest of the City and its citizens in regard to such defense.

RESOLUTION NO. 2019-05

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SELMA, CALIFORNIA APPROVING CONDITIONAL USE PERMIT NO. 2018-0042, TO ALLOW THE PLACEMENT OF AN ELECTRONIC BILLBOARD AT 1645 DOCKERY AVENUE, SELMA, CA 93662 (APN 390-111-05) AND THE NOTICE OF EXEMPTION REGARDING SAME AND MAKING FINDINGS IN SUPPORT THEREOF

WHEREAS, LAV/Pinnacle Engineering LLC, (“Applicant”), on October 10, 2018, filed a complete application requesting the approval of Conditional Use Permit (“CUP”) No. 2018-0042 described herein (“Application” or “Project”); and

WHEREAS, the Application is for a double-face, electronic billboard at 1645 Dockery Avenue, Selma, California, Assessor’s Parcel Number 390-111-05 (“Property”); and

WHEREAS, the Property is currently utilized by a trucking transportation company; and

WHEREAS, the Land Use Element of the General Plan designates the Property for Heavy Industrial uses. The proposed CUP is consistent with the General Plan as it does not conflict with the established goals and objectives of the Land Use Element. The corresponding zoning designation, M-2 Heavy Industrial permits two-story apartment complexes, subject to the approval of a CUP, pursuant to Section 11-16-1 of the Selma Municipal Code (“SMC”); and

WHEREAS, the Planning Commission, examined the record and found that Section 15332 of the California Environmental Quality Act provides that projects characterized as in-fill development qualify as a Class 32 Categorical Exemption. Reflecting independent judgment and analysis, the Planning Commission determined that the project will not have a significant effect on the environment; and

WHEREAS, an Environmental Assessment form was submitted by the Applicant pursuant to the City’s requirements. A Lighting Study for the project was submitted to the City as requested additional information. Based upon the information received and Staff’s review and Assessment, CUP No. 2018-0042, as proposed, qualifies as a Class 32 categorical exemption pursuant to Section 15332 of California Environmental Quality Act (“CEQA”) Guidelines, Title 14, Chapter 3 of the California Code of Regulations, because it is a project characterized as in-fill development, meeting the conditions described in Section 15332. Reflecting independent judgment and analysis, the Planning Commission determined that the project will not have a significant effect on the environment; and

WHEREAS, notice of the Planning Commission’s August 26, 2019 public hearing on CUP No. 2018-0042 was published in *The Selma Enterprise* on August 14, 2019, in compliance with the City’s Code and Government Code Section 65091.

WHEREAS, notice of the Planning Commission’s August 26, 2019 public hearing on CUP No. 2018-0042 was also mailed by the City to property owners within 300 feet of the Property on August 16, 2019; and

WHEREAS, on August 26, 2019, the Planning Commission of the City of Selma conducted a duly noticed public hearing on the Application, and considered all testimony written and oral; and

WHEREAS, based on substantial evidence provided in the whole record before the Planning Commission for CEQA compliance and public comments related to the project, it has been determined that there is no possibility that this project will have significant effects on the environment; and

WHEREAS, the Planning Commission deliberated and hereby makes the following Findings for Approval of Conditional Use Permit No. 2018-0042, in compliance with Municipal Code.

NOW THEREFORE, it is hereby found, determined and resolved by the Planning Commission of the City of Selma as follows:

SECTION 1. The Planning Commission finds that all of the facts set forth in the Recitals of this Resolution are true and correct and are incorporated herein by reference.

SECTION 2. All necessary public meetings and opportunities for public testimony and comment have been conducted in compliance with State Law and the Municipal Code of the City of Selma.

SECTION 3. That Conditional Use Permit No. 2018-0042 is hereby approved subject to the following conditions which are in addition to all other statutes, regulations, ordinances or other applicable conditions.

SECTION 4. the Planning Commission, examined the record and found that Section 15332 of the California Environmental Quality Act provides that projects characterized as in-fill development qualify as a Class 32 Categorical Exemption. Reflecting independent judgment and analysis, the Planning Commission determined that the project will not have a significant effect on the environment; and

SECTION 5. an Environmental Assessment form was submitted by the Applicant pursuant to the City's requirements. Based upon the information received and Staff's review and assessment, CUP No. 2018-0042, as proposed, qualifies as a Class 32 categorical exemption pursuant to Section 15332 of California Environmental Quality Act ("CEQA") Guidelines, Title 14, Chapter 3 of the California Code of Regulations, because it is a project characterized as in-fill development, meeting the conditions described in Section 15332. Reflecting independent judgment and analysis, the Planning Commission determined that the project will not have a significant effect on the environment; and

SECTION 6. Based upon substantial evidence presented to the Planning Commission during the August 26, 2019, public hearing, including public testimony and written and oral staff

reports, the Planning Commission finds as follows pursuant to Section 11-16-5 of the Selma Municipal Code:

- A. That the site for the proposed use is adequate in size and shape to accommodate said use and all yards, spaces, walls and fences, parking, loading, landscaping and other features required by this Section to adjust said use with land and uses in the neighborhood.
- B. That the site for the proposed use relates to streets and highways adequate in width and pavement type to carry the quantity and kind of traffic generated by the proposed use.
- C. That the proposed use will have no adverse effect on property within a 300-foot radius of the permitted use thereof. In making this determination, the Planning Commission shall consider the proposed location of improvements on the site; vehicular ingress, egress and internal circulation, setbacks, height of buildings, walls and fences, landscaping, outdoor lighting, signs, such other characteristics as will affect surrounding property.
- D. That the conditions stated in the resolution are deemed necessary to protect the public health, safety and general welfare.
- E. That the proposed use is consistent with the Selma General Plan and applicable land use component plans which may establish criteria for approval and/or standards for development.

SECTION 6. The Planning Commission, having made its Findings for Approval, was of the opinion that Conditional Use Permit No. 2018-0042 should be approved subject to the attached certain conditions of approval to be listed in Exhibit A and made a part of this Resolution.

The foregoing Resolution was duly approved by the Selma Planning Commission at a regular meeting held on the 26th day of August 2019 by the following vote, to wit:

AYES: COMMISSIONER:

NOES: COMMISSIONER:

ABSTAIN: COMMISSIONER:

ABSENT: COMMISSIONER:

GLENN NISWANDER CHAIRMAN OF
THE SELMA PLANNING COMMISSION

ATTEST:

Kira Noguera, Secretary, Selma Planning Commission

SELMA PLANNING COMMISSION

STAFF REPORT

Meeting Date: August 26, 2019

TO: Selma Planning Commission
FROM: Community Development Department
SUBJECT: AGENDA ITEM NO. 4
Submittal No. 2018-0028: Tentative Parcel Map
Categorical Exemption

Summary and Purpose

The purpose of this agenda item is to hold a public hearing to consider the approval of Parcel Map No. 2018-0028, which will divide an existing parcel into two parcels.

Application Information

Applicant: Gaurav Sethi PO Box 235927 Encinitas, CA 92023
Project Location: Northwest corner of Floral Ave and Highway 99, Selma, CA.
(APN: 348-191-01).
Applicant's Proposal: The applicant wants to divide a 1.04 acre parcel into two parcels.
Land Use; General Plan; Zoning: Commercial Office and Service Station; Regional Commercial;
C-R.

Summary and Purpose

This site is currently one parcel with a service station and a commercial office. The owner is proposing to divide the 1.04 acre parcel into two (2) legal parcels. Proposed Parcel 1 is 18,573 square feet, and Proposed Parcel 2 is 26,553 square feet. The site is surrounded on three sides by existing commercial development. The project requires the approval of a Tentative Parcel Map ("TPM").

The California State Subdivision Map Act provides that a local agency must make certain findings prior to making recommendations on any tentative parcel map. Staff has prepared a resolution for approval incorporating the required findings and conditions of approval. Tentative Parcel Map No. 2018-0028 is consistent with the provisions of the California State Subdivision Map Act. The findings include:

1. That the Tentative Parcel Map No. 2007-0012 is considered pursuant to Chapter 6 of Title 9 of the Selma Municipal Code.
2. That the applicant has complied with the provisions for filing a tentative parcel map pursuant to the provisions of the Selma Municipal Code.
3. That the Tentative Parcel Map complies with the content and form requirements of the Selma Municipal Code.
4. That the Tentative Parcel Map is consistent with the City of Selma 2035 General Plan.

5. That the designs and improvements of the Tentative Parcel Map are consistent with the City of Selma 2035 General Plan.
6. That the proposed site for the Project is physically suitable for the type of development proposed.
7. That the site is physically suitable for the proposed density of the Project.
8. That the design of the Project and/or proposed improvements will not cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat.
9. That the design of the Project and/or the proposed improvements will not cause serious public health problems.
10. That the design of the Project and/or the proposed improvements will not conflict with the easements, acquired by the public at large, for access through or use of, property within the proposed subdivision or that there are alternative easements for said access or for use that will be provided that are substantially equivalent to the previously acquired easements.

Environmental (CEQA)

Pursuant to California Environmental Quality Act (CEQA) Guidelines, Public Resources Code §15332 In-Fill Development Projects, it has been determined that this project is categorically exempt from additional CEQA processes. The Categorical Exemption is attached.

Notice of Public Hearing

The Public Notice was published one time in The Selma Enterprise on August 14, 2019. The adjacent property owners within 300 feet were notified of the hearing by the City via letter on August 16, 2019.

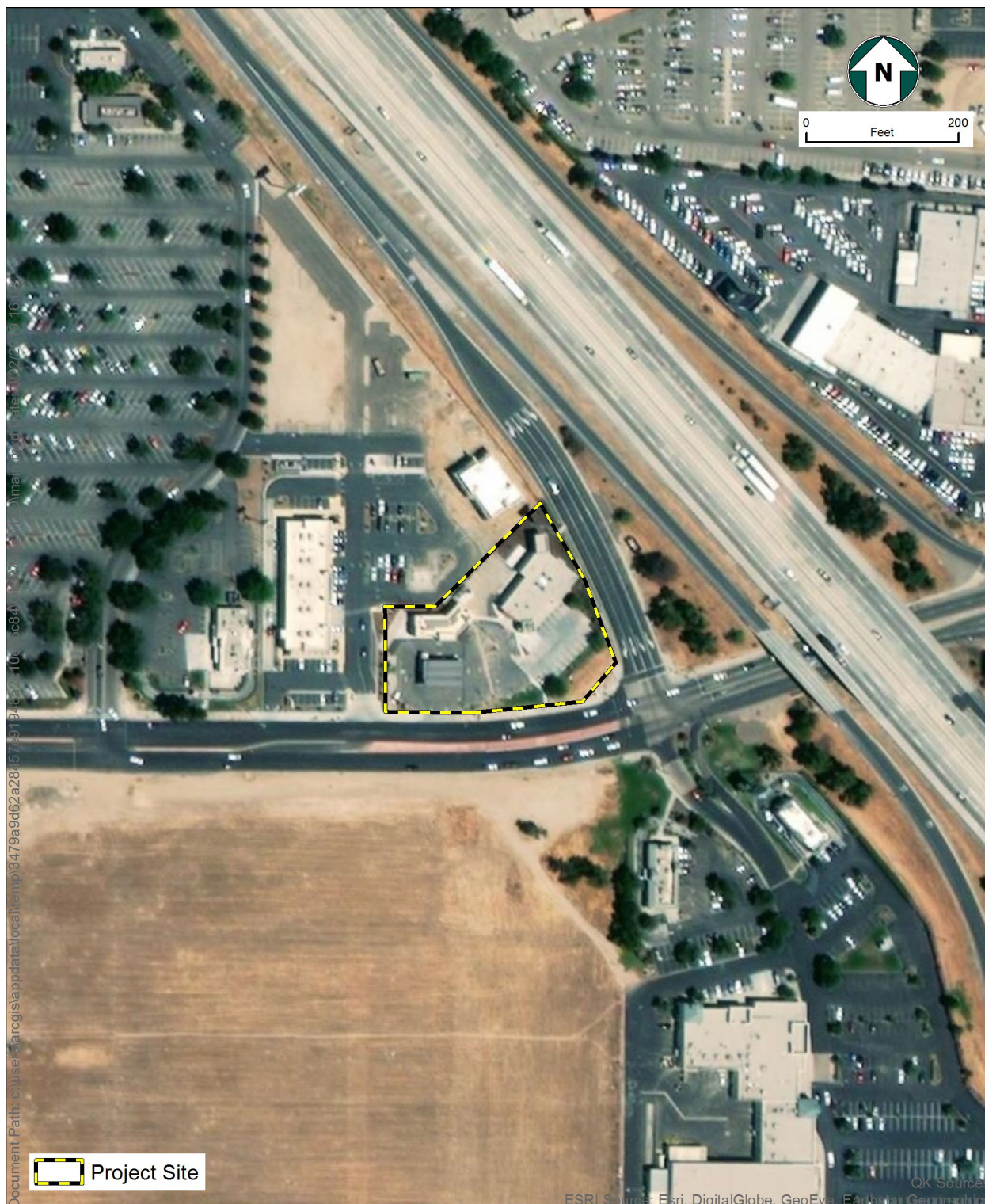
Recommendation

Staff recommends approval of Resolution No. 2019-06, approving Parcel Map 2018-0028.

Kira Noguera, Contract Planner
Community Development Department

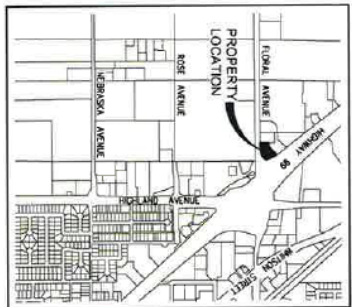
Attachments

1. Location Map
2. Proposed Parcel Map
3. Categorical Exemption
4. Conditions of Approval
5. Resolution No. 2019-06 approving Parcel Map No. 2018-0028



TENTATIVE PARCEL MAP
NO. 2018-28
IN THE CITY OF SELMA,
FRESNO COUNTY, CALIFORNIA

VICINITY MAP



GENERAL INFORMATION:

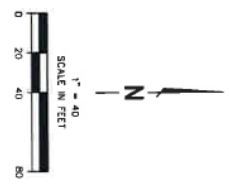
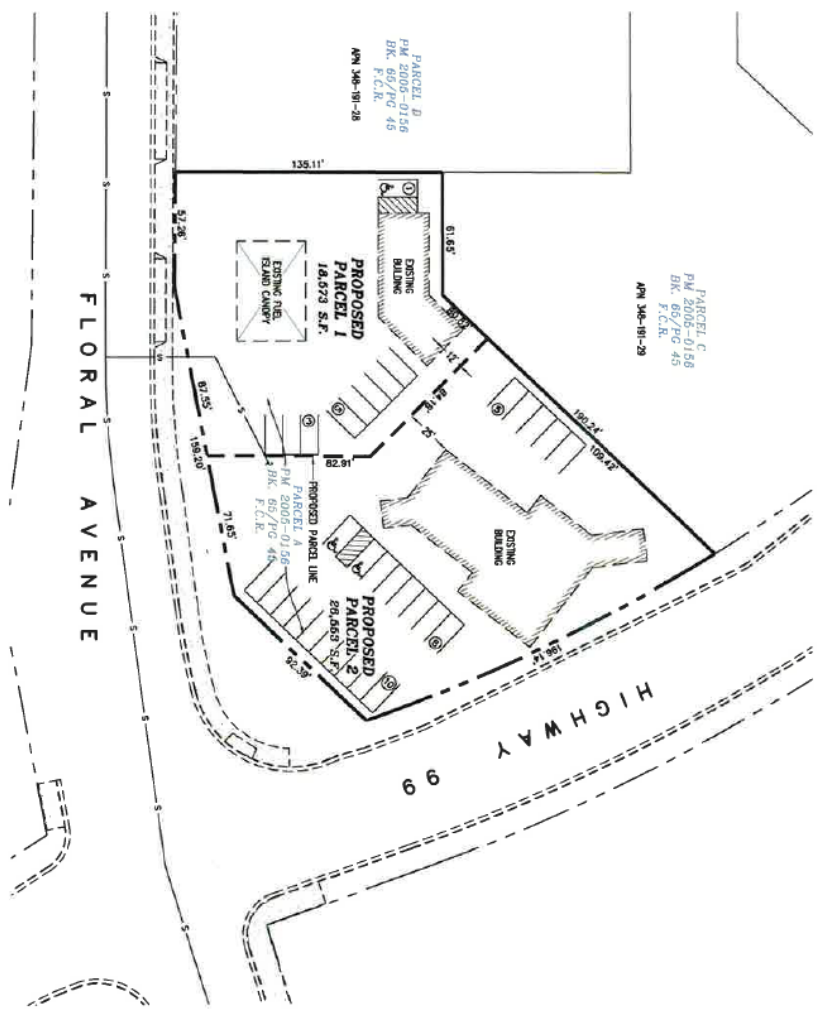
1. APN: 348-181-01
2. OWNER: WALKER INVESTMENTS, LP A CALIFORNIA LIMITED PARTNERSHIP
3. ADDRESS: NORTHWEST CORNER OF FLORAL AVENUE & HIGHWAY 99, SELMA, CA 95362
4. GROSS AREA: 1.04 ACRES
5. EXISTING ZONING: C-3
6. PROPOSED ZONING: C-3
7. EXISTING USE: REGIONAL COMMERCIAL
8. PROPOSED USE: REGIONAL COMMERCIAL
9. PROPOSED PARCELS: 2
10. UTILITY SERVICES PROVIDED BY:
 - WATER: SELMA-WASHINGTON-TOWSON COUNTY SANITATION DISTRICT
 - SEWER: SELMA-WASHINGTON-TOWSON COUNTY SANITATION DISTRICT
 - ELECTRICITY: PACIFIC GAS & ELECTRIC
 - TELEPHONE: CITY OF SELMA
 - CABLE TELEVISION: AIRTEL
11. ALL EXISTING OVERHEAD UTILITIES TO BE REMOVED OR UNDERGROUND.
12. ALL PROPOSED IMPROVEMENTS TO BE INSTALLED PER CITY OF SELMA STANDARDS.
13. UTILITY EASEMENTS WILL BE ADDED TO THE FINAL PARCEL MAP OR RECORDED BY SEPARATE INSTRUMENT AS APPROPRIATE ONCE LOCATIONS HAVE BEEN FINALIZED.

LEGAL DESCRIPTION:

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE CITY OF SELMA, COUNTY OF FRESNO, STATE OF CALIFORNIA AND IS DESCRIBED AS FOLLOWS:
PARCELS A & B OF PARCEL MAP NO. 2005-0156, IN THE CITY OF SELMA, COUNTY OF FRESNO, STATE OF CALIFORNIA, ACCORDING TO THE MAP THEREOF RECORDED IN BOOK 67 PAGES 40 AND 40 OF PARCEL MAPS, FRESNO COUNTY RECORDS.

LEGEND:

- PROPOSED PARCEL LINE
- EXISTING PROPERTY LINE (SUBJECT SITE)
- EXISTING PROPERTY LINE
- EXISTING RIGHT-OF-WAY LINE (SUBJECT SITE)
- EXISTING RIGHT-OF-WAY LINE
- EXISTING SANITARY SEWER LINE
- EXISTING CONCRETE CURB & GUTTER
- EXISTING CONCRETE SIDEWALK
- EXISTING POWER POLE
- EXISTING GUY WIRE
- EXISTING SANITARY SEWER MANHOLE
- EXISTING FIRE HYDRANT
- EXISTING WATER VALVE



Notice of Exemption**Appendix E**

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

County Clerk

County of: Fresno

From: (Public Agency): City of Selma

1710 Tucker Street

Selma, CA 93662

(Address)

Project Title: Tentative Parcel Map No. 18-348

Project Applicant: Gaurev Sethi

Project Location - Specific:

3000 Floral Avenue, Selma, CA 93662 (APN: 348-191-01)

Project Location - City: Selma

Project Location - County: Fresno

Description of Nature, Purpose and Beneficiaries of Project:

The project is a Parcel Map to divide a single commercial parcel into two commercial parcels. The two commercial parcels will each support one existing commercial building.

Name of Public Agency Approving Project: City of Selma

Name of Person or Agency Carrying Out Project: City of Selma Planning Department

Exempt Status: **(check one):**

☐ Ministerial (Sec. 21080(b)(1); 15268);

☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));

☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));

☒ Categorical Exemption. State type and section number: _____

☐ Statutory Exemptions. State code number: _____

Reasons why project is exempt:

The project is exempt because it meets the criteria for a Minor Land Division pursuant to CEQA Guidelines section 15315.

Lead Agency

Contact Person: Kira Noguera, City Planner

Area Code/Telephone/Extension: 559-891-2200

If filed by applicant:

1. Attach certified document of exemption finding.

2. Has a Notice of Exemption been filed by the public agency approving the project? ☒ Yes ☒ No

Signature: _____ Date: _____ Title: _____

☒ Signed by Lead Agency ☐ Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.

Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: _____

EXHIBIT A

Staff Recommends that the approval be conditioned upon the following:

1. All requirements of the Selma Municipal Code, as they pertain to this application, shall be complied with and such requirements shall be made a condition of permit approval.
2. The Tentative Parcel Map shall be revised as follows:
 - a. Show existing utility points of connection (POCs).
 - b. Provide cross access easement to Parcel 2.
 - c. Provide utility easements for POCs.
 - d. Show number of Parking stalls for each parcel.
3. Any violation or failure to comply with any of the conditions of the approval of this permit shall be grounds for modification or revocation. The Applicant may be required to reimburse the City fully for its costs and expenses, including but not limited to, attorney's fees, in undertaking any required corrective action. Reimbursement of enforcement costs may constitute a civil debt and may be collected by any means permitted by law. In the event that violations of this permit occur, the City may refrain from issuing permits, licenses, or other approvals until such violation has been fully remedied.
4. The Applicant and Property Owner shall indemnify, protect, hold harmless and defend the City and any agency or instrumentality thereof, and/or any of its officers, employees and agents from any and all claims, actions, or proceedings against the City to attack, set aside, void, annul, seek monetary damages resulting from an approval of the City, or any agency or instrumentality thereof, advisory agency, appeal board or legislative body including actions approved by the voter of the City, concerning the entitlement application. City shall promptly notify both the applicant and landowner of any claim, action, or proceeding to which this condition is applicable and shall further cooperate fully in the defense of the action. The City reserves its right to take any and all action the City deems to be in the best interest of the City and its citizens in regard to such defense.
5. Developer to pay all applicable City fees prior to approval of final map.

RESOLUTION NO. 2019-06

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SELMA, CALIFORNIA RECOMMENDING THE CITY COUNCIL APPROVE TENTATIVE PARCEL MAP 2018-0028 TO SUBDIVIDE AN EXISTING 1.04 ACRE PARCEL INTO TWO PARCELS AND THE NOTICE OF EXEMPTION REGARDING SAME AND MAKING FINDINGS INSUPPORT THEREOF

WHEREAS, on August 26, 2019, the Selma Planning Commission, considered an application (2018-0028) filed on May 15, 2018 (the “Application”) by Gaurav Sethi for a Tentative Parcel Map. The Tentative Parcel Map is a request to subdivide 1.04 acres into two legal parcels; and

WHEREAS, the Application applies to a 1.04 acre property located at 3000 Floral Avenue, Selma, CA (APN: 348-191-01); and

WHEREAS, the public notice of the Selma Planning Commission regularly scheduled public meeting was noticed on August 14, 2019, in the Selma Enterprise in accordance with all applicable local and state laws and a letter was mailed to all property owners within 300 feet of the property notifying them of the hearing; and

WHEREAS, the Application seeks approval of the Tentative Parcel Map to subdivide a single parcel developed with a service station and a commercial office into two separate parcels.

WHEREAS, the Planning Commission, after holding a public hearing, considered the Application and the staff report and recommendations together with all public testimony of interested parties; and

WHEREAS, based upon the information received and Staff’s review and Assessment, the Application, as proposed, qualifies as a Class 32 categorical exemption pursuant to Section 15332 of California Environmental Quality Act (“CEQA”) Guidelines, Title 14, Chapter 3 of the California Code of Regulations, because it is a project characterized as in-fill development, meeting the conditions described in Section 15332. Reflecting independent judgment and analysis, the Planning Commission determined that the project will not have a significant effect on the environment; and

WHEREAS, the Planning Commission conducted a public hearing, as heretofore specified, and deliberated and prepared the following findings of fact for approval listed and included in this Resolution, based on the reports, evidence and verbal presentations:

1. The proposed map is consistent with applicable general plans because it meets all of the requirements set forth in the Selma General Plan, Selma Municipal Code, Selma Zoning Ordinance and the California Subdivision Map Act;
2. The proposed map design and improvements are consistent with the Selma

- General Plan and any applicable specific plans because the design complies with the implementation and policies set forth in the Selma General Plan document;
3. The site is physically suitable for the type of development;
 4. The site is physically suitable for the proposed density of development;
 5. The design of the subdivision or the proposed improvements is not likely to cause substantial environmental damage or substantially and unavoidably injure fish or wildlife or their habitat;
 6. The design of the subdivision or type of improvements is not likely to cause any public health or safety issues;
 7. The design of the parcel map or the type of improvements will not conflict with easements, acquired by the public at large, for access through or use of, property within the proposed subdivision; and
 8. All conditions of approval have been included as Exhibit A.

WHEREAS, the Planning Commission, having made its Findings for Approval, was of the opinion 2018-0028 Tentative Subdivision Map should be approved.

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

1. The Planning Commission finds that all of the facts set forth in the Recitals of this Resolution are true and correct and are incorporated herein by reference.
2. All necessary public meetings and opportunities for public testimony and comment have been conducted in compliance with State Law and the Municipal Code of the City of Selma.
3. The Planning Commission approves this Resolution and recommends approval of the Categorical Exemption and the Application for Tentative Parcel Map No. 2018-0028 subject to Findings for Approval and Conditions of Approval listed and made a part of this Resolution to the Selma City Council.
4. The provisions of this Resolution are severable and if any provision, clause, sentence, word or part thereof is held illegal, invalid, unconstitutional, or inapplicable to any person or circumstances, such illegality, invalidity, unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, sections, words or parts thereof of the Resolution or their applicability to other persons or circumstances.
5. The Secretary of the Planning Commission shall certify to the adoption of this Resolution, and that the same shall be in full force and effect. The Planning Commission hereby directs the Secretary to transmit a copy of this Resolution to the City Clerk of the City of Selma.

PASSED, APPROVED AND ADOPTED by the Planning Commission of the City of Selma at a regular meeting held on August 26, 2019, by the following vote:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSTENTION: COMMISSIONERS:

ABSENT: COMMISSIONERS:

GLENN NISWANDER
CHAIRMAN OF THE COMMISSION

Kira Noguera
Secretary, Selma City Planning Commission

39. The Applicant and Property Owner shall indemnify, protect, hold harmless and defend the City and any agency or instrumentality thereof, and/or any of its officers, employees and agents from any and all claims, actions, or proceedings against the City to attack, set aside, void, annul, seek monetary damages resulting from an approval of the City, or any agency or instrumentality thereof, advisory agency, appeal board or legislative body including actions approved by the voter of the City, concerning the entitlement application. City shall promptly notify both the applicant and landowner of any claim, action, or proceeding to which this condition is applicable and shall further cooperate fully in the defense of the action. The City reserves its right to take any and all action the City deems to be in the best interest of the City and its citizens in regard to such defense.

The foregoing Resolution was duly approved by the Selma Planning Commission at a regular meeting held on the 26th day of August 2019 by the following vote, to wit:

AYES: COMMISSIONER:

NOES: COMMISSIONER:

ABSTAIN: COMMISSIONER:

ABSENT: COMMISSIONER:

GLENN NISWANDER CHAIRMAN OF
THE SELMA PLANNING COMMISSION

ATTEST:

Kira Noguera, Secretary, Selma Planning Commission

**SELMA CITY PLANNING COMMISSION
STAFF REPORT**

Meeting Date: August 29, 2019

TO: Selma City Planning Commission

FROM: Community Development Department

SUBJECT: AGENDA ITEM NO. 5
Submittal No. 2019-003:

- **Site Plan Review**
- **Pre-Zoning**
- **Annexation**
- **CEQA Initial Study and Draft Mitigated Negative Declaration**

Summary and Purpose

The purpose of agenda item No. 5 is to conduct a public hearing to consider the above requested entitlements. The applicant is requesting an annexation to the City of Selma, accompanying rezoning to R-3 (Multiple Family Residential), and Site Plan Review to build an 84-unit affordable apartment complex on a 4.59-acre vacant lot. The lot in question is on the northwest corner of the intersection of East Dinuba Avenue and Wright Street. The proposed zoning for this lot is R-3 (Multiple Family Residential).

The complex will include a total of 84 dwelling units, 83 of which will be affordable units for low-income groups in addition to open space/park amenities & a new community center building. Dwelling units will be constructed within fourteen (14) individual 2-story buildings which will include 1-bedroom, 2-bedroom and 3-bedroom units. Other on-site improvements will include fencing, landscaping and associated parking facilities. Off-site improvements include adjacent road improvements and extension of water and sewer infrastructure to serve the site.

Application Information

1. Applicant: Self-Help Enterprises
Property Owner: Karan L Cerutti
2. Project Location: The subject property is located at the northwest corner of the intersection of East Dinuba Avenue and Wright Street. (APN 358-120-40).
3. General Plan Land Use: High Density Residential (HDR)
4. Proposed Zoning: R-3 (Multiple Family Residential)
5. Applicant's Request: The Site Plan Review is subject to Chapter 20.1 of Title 11 – Zoning and will permit the development of the multifamily apartment complex, subject to all conditions of approval. The Rezoning request to R-3 is required as part of the annexation application to the

Local Agency Formation Commission (LAFCo) and to make the property consistent with the existing General Plan Designation of HDR.

Adjacent Land Use, Zone, and General Plan Designation			
<u>Direction</u>	<u>Current Use</u>	<u>Zone</u>	<u>General Plan</u>
North	Residential Subdivision	R-1-7	Medium Density Residential
South	Residential Subdivision	R-1-7	Low Density Residential
East	Vacant	AE20 (County)	Medium Density Residential
West	Residential Subdivision	R-1-7	Low Density Residential

Zoning/General Plan

The project site is currently designated as HDR within the General Plan. The applicant has proposed to prezone the property to R-3 as part of the annexation process to bring the property within the city limits. Additionally, per Table 1-1 of the General Plan, R-3 would be the only currently available zone district consistent with the HDR designation. The density allowance within the HDR designation is 13 to 19 units per acre. The proposed density of the project would be 18.3 units per acre and would be within the range allowed by the General Plan.

Multiple dwellings are allowed by right within the proposed R-3 zone district. Multiple dwellings are defined as “a building, or portion thereof, designed for occupancy by, or occupied by, four (4) or more families living independently of each other.” Multifamily dwellings, or “multiple dwelling” as the code describes it, are permitted uses, subject to the provisions of Chapter 20.1, “Site Plan Review”.

Density Bonus Incentives

Under State Law, local agencies must grant density bonus requests for affordable housing projects as a non-discretionary act subject to the provisions of the Government Code. Additionally, applicants may request incentives such as relief from local development standards in order to promote fiscal viability of an affordable housing project. Staff has reviewed the request by the applicant for density bonus related incentives. Staff has approved the request pursuant to the requirements of State Law as a non-discretionary act. The development standards which the applicant has requested relief include off-street parking spaces reduction of open space areas in order to reduce overall costs by over \$230,000. The site plan proposed before the Planning Commission and subsequently the City Council incorporates the aforementioned concessions. The concessions are further discussed in the staff report under the appropriate development standard.

Access and Right of Way

Access to the property will be from two locations, one on East Dinuba Avenue (south) and one on Wright Street (east). Staff supports having two access points because it will allow for better circulation in and out of the property for residents, visitors, fire emergency vehicles, and refuse vehicles.

Parking/On-Site Circulation

The zoning code requires 1.5 spaces for each 1-bedroom unit, 2 parking stalls for each 2-bedroom dwelling unit 2.5 stalls for each 3 or more bedroom unit. The applicant proposes 28 units of each

varying bedroom type. Therefore, a total number of parking spaces that would typically be required is 168 parking spaces. The applicant is proposing a total of 124 space with an additional 88 bicycle parking spaces. The applicant is proposing an additional 19 spaces on-street. The development incentives of the density bonus find that the parking variation to promote the affordable housing is acceptable. However, the applicant shall advise its tenants that they shall only park along the adjacent roadways of the proposed project and not within adjacent residential neighborhoods.

Architectural and Site Design Standards

The site meets the City's design standards for height and setbacks. Because the project is adjacent to existing residentially developed zones, a solid masonry wall of 5 to 6 feet is required along the western and northern property lines. The architectural renderings of the project are provided as Attachment C.

Signage:

All new signage would be required to meet the City Zoning Ordinance and a separate permit is required. The project would be allowed building signage and monument signage per the standards in the City Zoning Ordinance.

Open Space:

The applicant has proposed reducing the requirement of 150 square feet for first floor units to 100 square feet. The rationale for development incentive is to create more space for more units in compliance with the affordability requirements of the funding agency. The addition of the community center building and associated community open space has been provided to justify the reduction of private open space. This development incentive has been granted by staff as a non-discretionary act in accordance with state law and shown in the site plan provided.

Environmental Assessment:

Pursuant to California Environmental Quality Act (CEQA) Guidelines, a draft Initial Study (IS) and Draft Mitigated Negative Declaration (MND) with Mitigation Monitoring and Reporting Program (MMRP) was prepared for the project. As noted by outside agencies, the proposed project did not qualify for any in-fill or affordable housing exemptions predominantly because the property is not located within the City and requires annexation. If the property had been within the city limits, it would have qualified for an exemption. Mitigation measures to reduce impacts to biological, cultural, hydrology and tribal resources have been provided within the draft MND and MMRP.

Recommended Approval Findings – Rezoning and Annexation:

No specific findings are required by the Selma Municipal Code as part of rezoning and annexation application; however, this action must maintain consistency with the General Plan. Consistency would include being aligned with the policies of the Land Use Element designation of HDR as well as other related policies within the General Plan. Therefore, the following findings of approval are recommended:

- A. That the proposed use is consistent with the Selma General Plan and applicable land use component plans which may establish criteria for approval and/or standards for development.
- B. The project is consistent with the High-Density Residential land use designation of the General Plan, according to Table 1-1 – Land Use and Zoning Consistency, as it allows for multi-story apartment developments at a density between 13 and 19 units per acre.
- C. The proposed project is designed in a manner that minimizes impacts to adjacent, existing single-family residential subdivisions. Outdoor recreation areas are located away from the neighborhoods along with parking areas being buffered away from adjacent subdivisions. Landscaping is provided to provide more of a transition and screening along the property lines adjacent to existing residential neighborhoods.
- D. The project is currently within the existing urban development boundary and the established Sphere of Influence. The project is substantially surrounded by existing development and consistent with the growth pattern of the area. The project could not be considered premature or leapfrog as over 75 percent of the area surrounding the project is currently development and infrastructure to service the area already exists.
- E. The project would provide 84 affordable units within the low-income category of the Regional Housing Needs Allocation (RHNA) identified within the 2023 Housing Element. These units will aid in the City provided a range of housing options for its residents.

Site Plan Review:

The following standards from the City Zoning Ordinance, except those modified by the incentives approved for the Density Bonus request by the applicant, shall be met:

- 1. Lot Dimensions
- 2. Height
- 3. Setbacks
- 4. Walls & Fences
- 5. Off-Street Parking (modified by Density Bonus Incentives)
- 6. Access: Pedestrian, Vehicular, and service
- 7. Signs
- 8. Lighting
- 9. Street dedications and improvements
- 10. Landscaping and Open Space (modified by Density Bonus Incentives)

The standards of the Site Plan Review, pursuant to the Municipal Code, have all been met. The items modified by the Density Bonus incentives includes off-street parking and open space requirements have been accepted in accordance with state law in order to achieve financial and development viability of the proposed affordable project.

Recommended Approval Findings – Site Plan Review

Pursuant to Section 11-20.1(B)5 of the Municipal Code, the Site Plan Review shall be approved only when the designated approving authority that the proposed use or activity complies with all of the following findings:

- A. All of the applicable provisions of this Chapter are complied with;
- B. The following are so arranged that traffic congestion is avoided and pedestrian and vehicular safety and welfare are protected, and there will be no adverse effect on the surrounding property;
 - a. Facilities, improvements, and utilities
 - b. Vehicular ingress, egress, and internal circulation
 - c. Setbacks
 - d. Height of buildings
 - e. Location of service use areas
 - f. Walls; and
 - g. Landscaping
- C. The proposed lighting is so arranged as to deflect the light away from adjoining properties; and
- D. The proposed signs will not by size, location, or lighting interfere with traffic or limit visibility.
- E. That any conditions of approval are deemed necessary to protect the public health, safety, and welfare.

Recommended Conditions of Site Plan Review:

Staff Recommends that the approval be conditioned upon the following:

Planning Conditions:

- 1. The applicant shall submit a Site Photometric (lighting) Plan at time of building permit.
- 2. The applicant shall submit a landscape plan at time of building permit submittal. The landscape plan shall be compliant with Model Water Efficient Landscape Ordinance, including but not limited to the following conditions:
 - a. Plan shall include square footages of landscaped area shown and water use calculations;
 - b. Turf shall be limited to no more than 25% of total landscape area;
 - c. No turf shall be permitted in any landscape area less than eight feet (8') in width;
 - d. The landscape plans shall include a regular maintenance schedule, per the Zoning Ordinance; and
 - e. Water use classifications shall be based on Water Use Classification of Landscape Species IV.
- 3. An encroachment permit shall be obtained prior to commencement of work in the public right of way.
- 4. Trash enclosures shall be designed to accommodate refuse and recycling bins and be ADA accessible by residents. The trash enclosure shall also include a roof structure and be enclosed by a finished block wall.
- 5. The project shall connect to existing sewer and water lines. Sewer and water services shall be installed per plans approved by the City Engineer.

6. A separate sign application and administrative approval process will be required before ordering or installing any signage or lease up signage and flags so that it is in conformity with city's sign ordinance.
7. The developer shall comply with the San Joaquin Valley Air Pollution Control District (SJVAPCD) standards. The project will be required to meet Rule 9510 (indirect source review) and submit a construction notification to the district for the project and that compliance with the Districts Regulation VIII (fugitive dust) Rules will be monitored.
8. Outdoor lighting shall utilize energy efficient fixtures and lamps, such as LED, high pressure sodium, metal halide, low pressure sodium, hard wired compact fluorescent, or other lighting technology that is of equal or greater efficiency. All new outdoor lighting fixtures shall be energy efficient with a rated average bulb life of not less than ten thousand (10,000) hours.
9. Architectural features may be illuminated by up lighting, provided that the lamps are low intensity to produce a subtle lighting effect and no glare or light trespass is produced. Wherever feasible, solar powered fixtures should be used.
10. A solid masonry wall of no less than six (6) be constructed along the northern and western property lines between the project and existing single-family residential neighborhoods. The walls shall be constructed of decorative block or be stuccoed and painted in a manner acceptable to the Planning Department. Precision block and wood fencing is not permitted.
11. The applicant shall comply with all mitigation measures as adopted within the Mitigated Negative Declaration in accordance with the California Environmental Quality Act (CEQA).

Fire Department Conditions:

12. Construction documents (plans and cut sheets) and calculations for all fire protection and notification systems shall be provided in an approved format to Selma Fire Prevention Bureau for review. Installation or modification of any fire protection or notification system shall not be started without first receiving a permit from Selma Fire Prevention Bureau. Permits will not be issued until plans are approved by Selma Fire Prevention Bureau and the permit fees are paid to Selma Fire Prevention Bureau. (CFC, Appendix 105.4)
13. Plans submitted to Selma Fire Prevention Bureau shall include the governing codes used for the project, type of occupancy and type of construction. Provide a "Fire Protection" page in your general construction plans that include a depiction of all fire protection systems applicable to the project. Please include project notes indicating any applicable requirements that are not included on the page. List any submittals to be deferred, such as fire sprinklers and fire alarms in the project notes. Underground water supply and access requirements shall not be deferred.
14. Fire sprinkler systems shall be installed and maintained in accordance with the California Fire Code, Selma Fire Prevention Bureau amendments and policies and NFPA Standards 13R. Fire sprinkler systems shall be monitored by an approved fire alarm system that reports to a monitoring company. (CFC 903)
15. When fire apparatus access roads or a water supply for fire protection is required to be installed, such protection shall be installed and made serviceable prior to construction except when approved alternative methods of protection are provided. (CFC Sec. 501, 3312)
16. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet and an unobstructed vertical clearance of not less than 13 feet 6 inches. They shall be designed and maintained to support the imposed loads of fire apparatus (45,000) pounds. The minimum widths and clearances shall be maintained at all times. (CFC 503)
17. Dead-end fire apparatus access roads in excess of 150 feet in length shall be provided with an approved area for turning around the fire apparatus. If area for turning is not possible, fire access gate would be required on Wright Street. (CFC 503)

18. An approved lock or opening device (Knox) shall be installed on walk-through and vehicle gates or similar barriers when required by the fire code official. Vehicle gates shall not be less than 20 feet wide. (CFC 506)
19. An approved water supply for fire protection, either temporary or permanent, shall be made available as soon as combustible material arrives on the site. CFC Sec. 3312.1
20. Fire hydrant systems shall comply with the CFC, Sections 507.1 through 507.5.6 and Appendix C or by an approved Method. A 3-foot clear space shall be maintained around the circumference of fire hydrants except as otherwise required or approved. Fire hydrants shall be painted safety yellow in color and have a "blue dot" installed on the driving surface near the hydrant. Hydrant is required within 100' of any Fire Department Connections. Fire Department Connections shall have locking caps by Knox. (CFC 912)
21. Vehicle impact protection shall be required when any fire protection equipment is located closer than 4-foot from the face of a curb or when located in open areas such as parking lots and yards. Physical barriers shall be a minimum of 72 inches high and have a minimum diameter of 3 inches. The barrier shall be a steel pipe filled with concrete and painted safety yellow. The pipes shall be spaced at 36 inches on center. The pipe shall be installed so that 36 inches of the pipe are below ground and 36 inches of the pipe are above ground. The footing for the pipe shall be 36 inches deep with 24 inch side dimensions. The physical barrier shall resist a force of 12,000 pounds, applied 36 inches above the adjacent ground surface. (CFC 312)

Engineering Conditions:

22. Existing sewer nearest project site has no additional capacity. Sewer main must be extended to Golden State to serve the proposed site.
23. Relocate above ground dry utilities underground.
24. Widen Dinuba Avenue to ultimate configuration per City Standards along project frontage.
25. Construct Wright Street from Dinuba to the north, matching existing
26. Drainage to be conveyed by surface flow to existing curb and gutter system; no new storm drain improvements required.

SKF Sanitation District Conditions:

27. Complete and submit the multi-family sewer connection application prior to the issuance of the sewer connection permit.
28. Install a sewer service lateral (size to be determined) with cleanout and box at the property line.
29. Call SKF for an inspection of the sewer lateral installation.

General Conditions

30. All requirements of the Selma Municipal Code, as they pertain to this application, shall be complied with and such requirements shall be made a condition of permit approval.
31. The Applicant and Property Owner shall within thirty (30) days after approval of Submittal No. 2019-0013 submit to the Planning Department his/her written consent to all of the conditions referenced herein. The Applicant understands that approval of this Resolution and will be of no force or effect unless such written consent is submitted to the City within the stated 30-day period.
32. The Applicant and Property Owner shall indemnify, protect, hold harmless and defend the City and any agency or instrumentality thereof, and/or any of its officers, employees and agents from any and all claims, actions, or proceedings against the City to attack, set aside, void, annul, seek monetary damages resulting from an approval of the City, or any agency or instrumentality thereof, advisory agency, appeal board or legislative body including actions approved by the voter of the City, concerning the entitlement application. City shall promptly

notify both the applicant and landowner of any claim, action, or proceeding to which this condition is applicable and shall further cooperate fully in the defense of the action. The City reserves its right to take any and all action the City deems to be in the best interest of the City and its citizens in regard to such defense.

On August 14, 2019, the notice of hearing was published in the Selma Enterprise, and mailed to property owners within a 300 feet radius of the project site on August 16, 2019.

Prepared by:

Kira Noguera
City Planner

Date

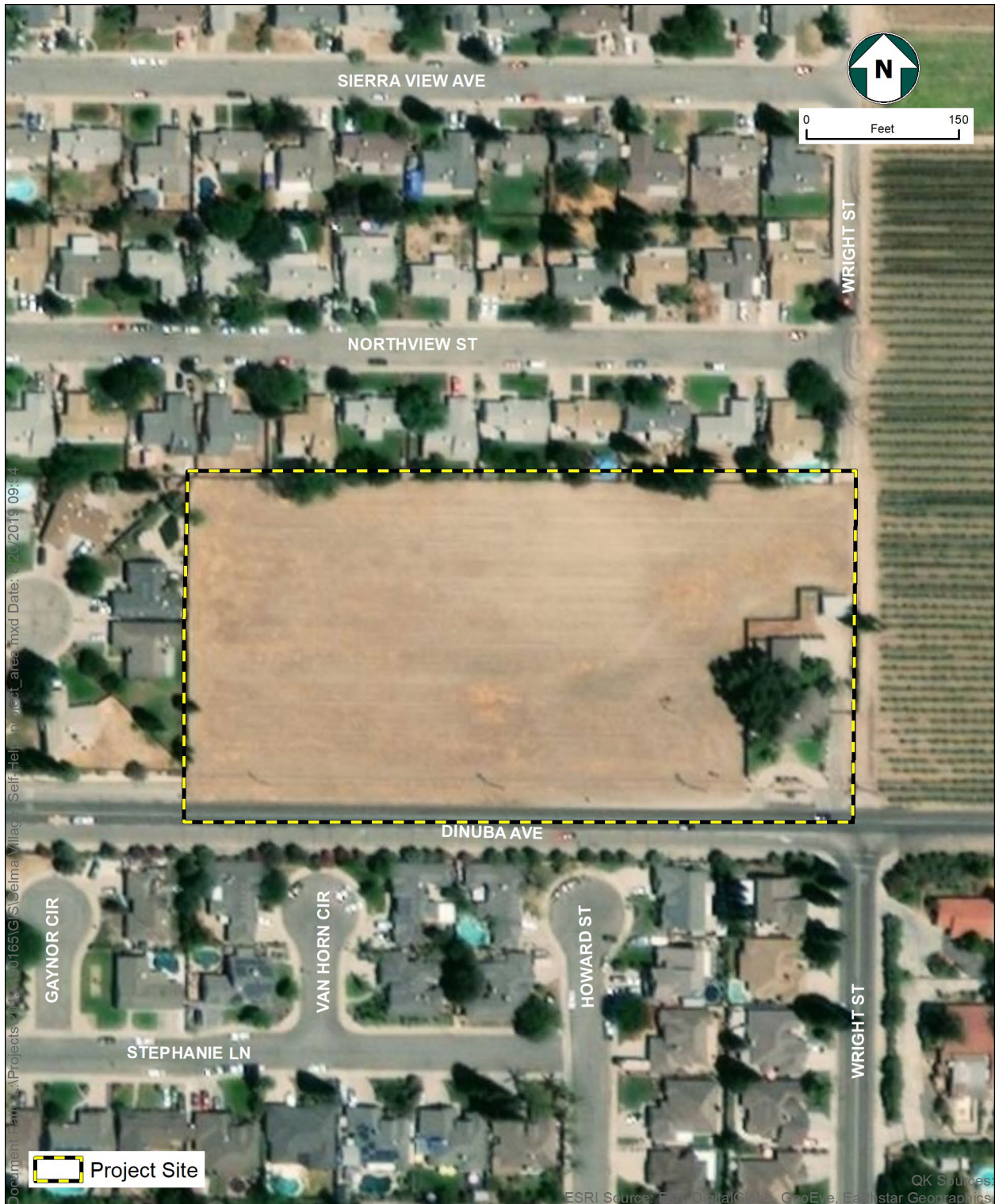
Approved by:

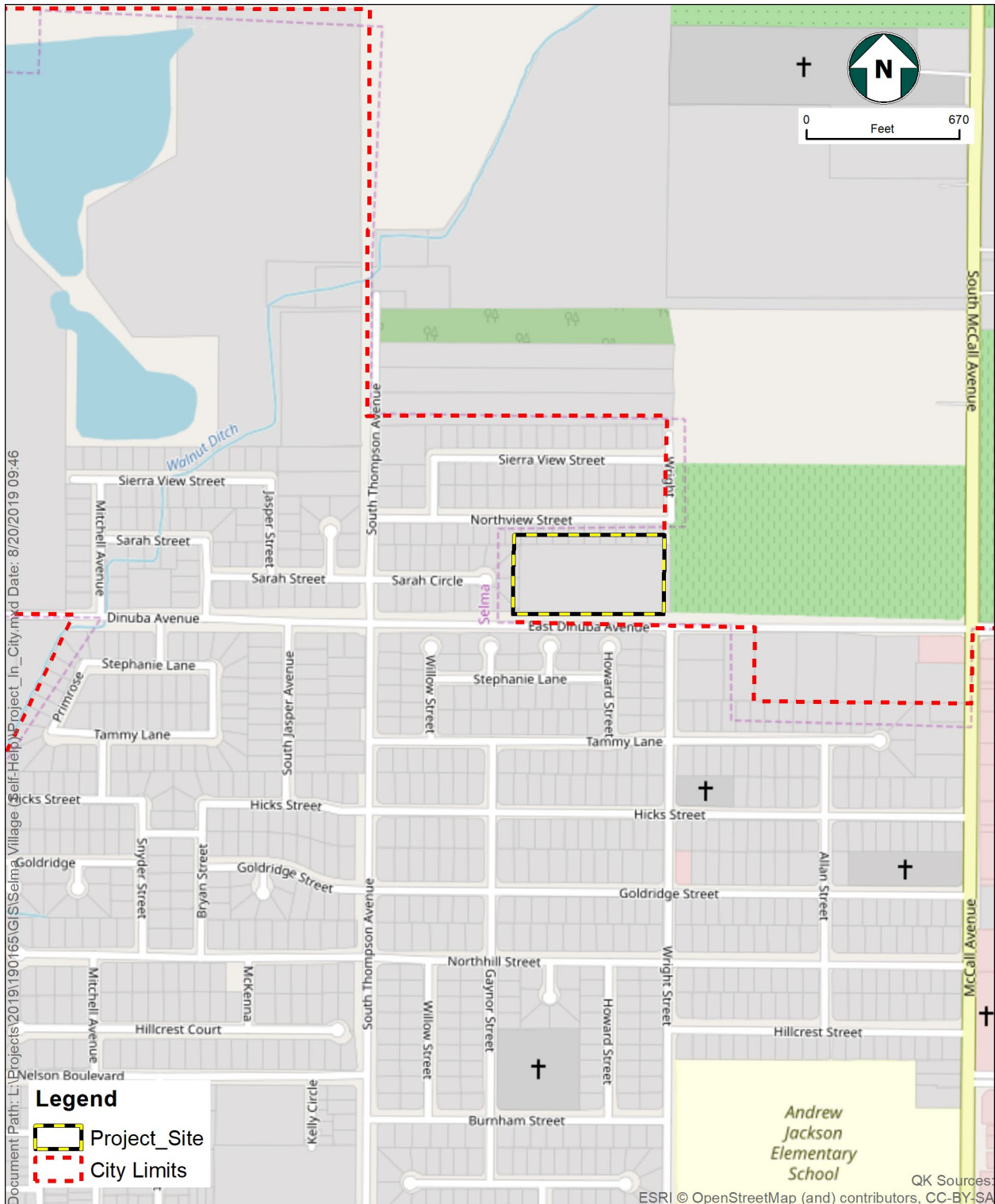
Jamie Casso
City Attorney

Date

Attachments

- A. Location Maps
- B. Site Plan
- C. Architectural Renderings of Units and Community Center
- D. Draft Initial Study and Draft Mitigated Negative Declaration
- E. Resolution No. 2019-07 recommending approval of Submittal 2019-003

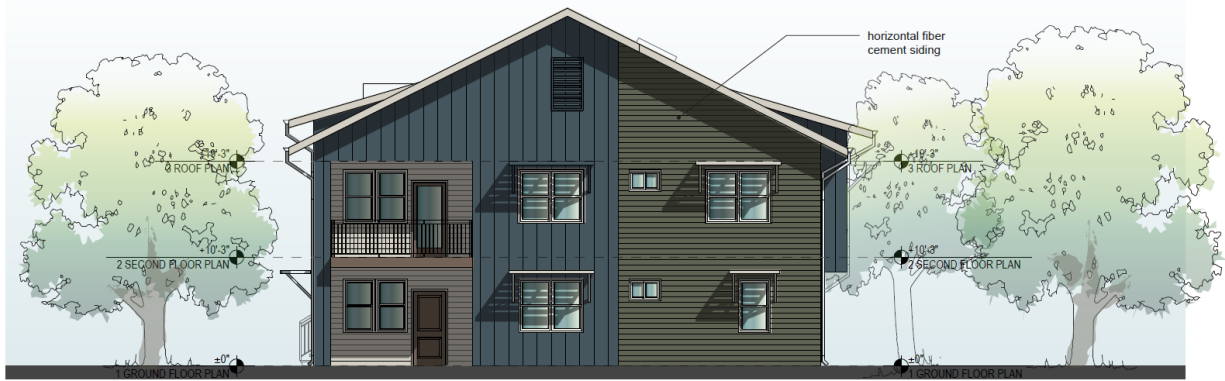








3 FRONT ELEVATION BLDG A SCHEME 1
SCALE: 1/8" = 1'-0"



1 BUILDING A - ELEVATION ONE
SCALE: 1/8" = 1'-0"



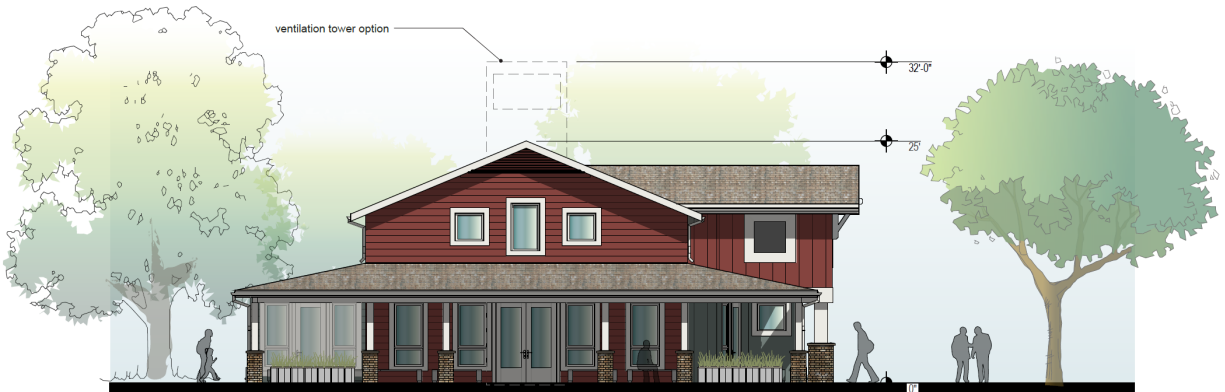
5 FRONT BLDG A SCHEME 1
SCALE: 1:1.24



6 BLDG A SCHEME 1
SCALE: 1:1.02



2 SOUTH ELEVATION
SCALE: 1/8" = 1'-0"



3 WEST ELEVATION
SCALE: 1/8" = 1'-0"



4 NORTH ELEVATION
SCALE: 1/8" = 1'-0"

Environmental Checklist Form

Title of Proposal: Selma Village (Self-Help Enterprises)

Date Checklist Submitted: 8/2/2019

Agency Requiring Checklist: Selma Planning Department

Agency Contact: Kira Noguera, Contract City Planner

Phone: (661) 721-3340

Description of Initial Study/Requirement

The Initial Study is a public document used by the decision-making lead agency to determine whether a project may have significant effects on the environment. In the case of the proposed project, the Selma Planning Department, acting as lead agency, will use the initial study to determine whether the project has a significant effect on the environment. In accordance with CEQA, Guidelines (Section 15063[a]), an environmental impact report (EIR) must be prepared if there is substantial evidence (such as results of the Initial Study) that a project may have significant effect on the environment. This is true regardless of whether the overall effect of the project would be adverse or beneficial. A negative declaration (ND) or mitigated negative declaration (MND) may be prepared if the lead agency determines that the project would have no potentially significant impacts or that revisions to the project, or measures agreed to by the applicant, mitigate the potentially significant impacts to a less-than-significant level.

The initial study considers and evaluates all aspects of the project which are necessary to support the proposal. The complete project description includes the site plan, operational statement, and other supporting materials which are available in the project file at the office of the Selma Planning Department.

Description of Project:

The Selma Village project is a multi-family residential development planned for a 4.59-acre site located in the northern portion of the Selma Sphere of Influence, on the northwest corner of Wright Street and East Dinuba Avenue. A total of 84 dwelling units are planned for the project, 83 of which will be affordable units for low-income groups in addition to open space/park amenities & a new community center building. Dwelling units will be constructed within fourteen (14) individual 2-story buildings which will include 1-bedroom, 2-bedroom and 3-bedroom units. Other on-site improvements will include fencing, landscaping and associated parking facilities. Off-site improvements include adjacent road improvements and extension of water and sewer infrastructure to serve the site. The project requires an annexation to the City of Selma, accompanying rezoning to R-3 (Multiple Family Residential), and Site Plan Review.

Project Location:

Northwest corner of the intersection of Wright Street and E Dinuba Avenue.

Applicant Name and Address:

Self-Help Enterprises
8445 West Elwin
Visalia, CA 93291

General Plan Designation:

High Density Residential

Zoning Designation:

R-3 (proposed)

Surrounding Land Uses and Setting:

Single-family residential, vacant agricultural lands

Other Public Agencies whose approval is required:

Fresno Local Agency Formation Commission (Annexation)

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|--|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture and Forestry Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Energy |
| <input type="checkbox"/> Geology /Soils | <input type="checkbox"/> Greenhouse Gas Emissions | <input type="checkbox"/> Hazards & Hazardous Materials |
| <input type="checkbox"/> Hydrology / Water Quality | <input type="checkbox"/> Land Use/Planning | <input type="checkbox"/> Mineral Resources |
| <input type="checkbox"/> Noise | <input type="checkbox"/> Population / Housing | <input type="checkbox"/> Public Services |
| <input type="checkbox"/> Recreation | <input type="checkbox"/> Transportation | <input type="checkbox"/> Tribal Cultural Resources |
| <input type="checkbox"/> Utilities / Service Systems | <input type="checkbox"/> Wildfire | <input type="checkbox"/> Mandatory Findings of Significance |

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- ☐ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

☐ Click here to enter text.
Prior EIR or ND/MND Number

Signature

Date

MITIGATION MONITORING AND REPORTING PROGRAM

As required by Public Resources Code Section 21081.6, subd. (a)(1), a Mitigation Monitoring and Reporting Program (MMRP) has been prepared for the project in order to monitor the implementation of the mitigation measures that have been adopted for the project. This Mitigation Monitoring and Reporting Program (MMRP) has been created based upon the findings of the Initial Study/Mitigated Negative Declaration (IS/MND) for the Nebraska Apartments Project in the City of Selma.

The first column of the table identifies the mitigation measure. The second column names the party responsible for carrying out the required action. The third column, "Timing of Mitigation Measure" identifies the time the mitigation measure should be initiated. The fourth column, "Responsible Party for Monitoring," names the party ensuring that the mitigation measure is implemented. The last column will be used by the City to ensure that the individual mitigation measures have been monitored.

Plan checking and verification of mitigation compliance shall be the responsibility of the project proponent.

Mitigation Measure	Responsible Party for Implementation	Implementation Timing	Responsible Party for Monitoring	Verification
Mitigation Measure CUL-1: If cultural resources are encountered during ground-disturbing activities, work in the immediate area must halt and an archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards for archaeology (NPS 1983) should be contacted immediately to evaluate the find. If the discovery proves to be significant under CEQA, additional work such as data recovery excavation and Native American consultation may be warranted to mitigate any adverse effects.	Applicant	Ongoing during construction.	City of Selma Planning Department	
Mitigation Measure CUL-2: The discovery of human remains is always a possibility during ground disturbing activities. If human remains are found, the State of California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. In the event of an unanticipated discovery of human remains, the County Coroner must be notified immediately. If the human remains are determined to be prehistoric, the coroner will notify the Native American Heritage Commission (NAHC), which will determine and notify a most likely descendant (MLD). The MLD shall complete the inspection of the site within 48 hours of notification and may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials.	Applicant	Ongoing during construction.	City of Selma Planning Department	

Mitigation Measure	Responsible Party for Implementation	Implementation Timing	Responsible Party for Monitoring	Verification
Mitigation Measure TRI-1: Upon coordination with the City of Selma's Planning Department, any archaeological artifacts recovered shall be donated to an appropriate Tribal custodian or a qualified scientific institution where they would be afforded long-term preservation. Documentation for the work shall be provided in accordance with applicable cultural resource laws and guidelines.	Applicant	Ongoing during construction.	City of Selma Planning Department	
Mitigation Measure HYD-1: Prior to issuance of grading permits for the project, the City of Selma shall verify that the applicant has prepared a Stormwater Pollution Prevention Plan (SWPPP) in accordance with the requirements of the statewide Construction General Permit.	Applicant	Prior to construction.	City of Selma Planning Department	

I. AESTHETICS – Except as provided in Public Resources Code Section 21099, would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

(a) No Impact

A scenic vista is defined as a viewpoint that provides expansive views of highly valued landscape for the benefit of the general public. The Sierra Nevada Mountains are the only natural and visual resource in the project area. Views of these distant mountains are afforded only during clear conditions. Due to poor air quality in the valley, this mountain range is not visible on the majority days. Distant views of the Sierra Nevada Mountains would largely be unaffected by the development of the project because of the distance and limited visibility of these features. An increase in landscaping around the site will enhance the existing conditions and provide aesthetic quality to the area. Based upon this, and the lack of view of the features on a majority of days in the year both on and off site, any obstruction that may occur that would be caused by the project would not cause an impact.

(b) No Impact

The site does not contain any rock outcropping or historic buildings. After review of the state route “scenic highways” in Fresno County, it was determined that there are no highways designated by State or local agencies as “Scenic highways” near the project site.

(c) Less than Significant Impact

The project site is currently vacant land that is regularly maintained by weed removal and disking. Implementation of the proposed project will alter the visual character of the project site from a vacant lot to a multi-family residential development. The City does not anticipate that the development of the proposed project will create a visually degraded character or quality to the project site or to the properties near and around the project site. Additionally, all of the development will be required to comply with the design review and design limitations required by the General Plan and the City’s adopted design guidelines and zoning regulations which require setbacks and landscaping to limit impact to neighboring properties.

(d) Less than Significant Impact

Although the proposed project will add new light sources for exterior and interior building lighting, the project’s lighting will not be substantial. Consistency with the design guidelines will ensure that the project impacts related to light and glare are less than significant.

General Information:

A nighttime sky in which stars are readily visible is often considered a valuable scenic/visual resource. In urban areas, views of the nighttime sky are being diminished by “light pollution.” Light pollution, as defined by the International Dark-Sky Association, is any adverse effect of artificial light, including sky glow, glare, light trespass, light clutter, decreased visibility at night, and energy waste. Two elements of light pollution may affect city residents: sky glow and light trespass. Sky glow is a result of light fixtures that emit a portion of their light directly upward into the sky where light scatters, creating an orange-yellow glow above a city or town. This light can interfere with views of the nighttime sky and can diminish the number of stars that are visible. Light trespass

occurs when poorly shielded or poorly aimed fixtures cast light into unwanted areas, such as neighboring property and homes.

Light pollution is a problem most typically associated with urban areas. Lighting is necessary for nighttime viewing and for security purposes. However, excessive lighting or inappropriately designed lighting fixtures can disturb nearby sensitive land uses through indirect illumination. Land uses which are considered “sensitive” to this unwanted light include residences, hospitals, and care homes.

Daytime sources of glare include reflections off of light-colored surfaces, windows, and metal details on cars traveling on nearby roadways. The amount of glare depends on the intensity and direction of sunlight, which is more acute at sunrise and sunset because the angle of the sun is lower during these times.

II.

AGRICULTURE AND FOREST RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project and forest carbon measurement methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resource Code section 12220(g)) or timberland (as defined by Public Resources Code section 4526) or timberland zoned Timberland Protection (as defined by Government Code section 51104(g))?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in the loss of forest land or conversion of forest land to non-forest land?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

(a) Less than Significant Impact

The project site is disced, fallow farmland that is not the appropriate size to conduct adequate farming activities (under five acres in size). Most criteria and regulations dictate the viable farmland activities involve properties of 10 acres or more. As a result, the conversion of the property from an agriculturally designated property within the County to a residential project, as was envisioned in the General Plan and analyzed within the Draft EIR for the General Plan, is considered to be less than significant.

(b) No Impact

The project site is not zoned for agricultural use and is not under a Williamson Act Contract.

(c) No Impact

The project site does not contain forest land, timberland, or timberland zoned Timberland Production.

(d) No Impact

No loss of forest land or conversion of forestland, as defined under Public Resource Code or General Code, to non-forest use will occur as a result of the project

(e) No Impact

The project site is located in an urban area characterized by residential development. Development of the proposed project would not result in conversion of farmland to non-agricultural use or conversion of forestland to non-forest use.

General Information

The California Land Conservation Act of 1965--commonly referred to as the Williamson Act--enables local governments to enter into contracts with private landowners for the purpose of restricting specific parcels of land to agricultural or related open space use. In return, landowners receive property tax assessments which are much lower than normal because they are based upon farming and open space uses as opposed to full market value.

The Department of Conservation oversees the Farmland Mapping and Monitoring Program. The Farmland Mapping and Monitoring Program (FMMP) produces maps and statistical data used for analyzing impacts on California's agricultural resources. Agricultural land is rated according to soil quality and irrigation status; the best quality land is called Prime Farmland. The maps are updated every two years with the use of a computer mapping system, aerial imagery, public review, and field reconnaissance. The program's definition of land is below:

PRIME FARMLAND (P): Farmland with the best combination of physical and chemical features able to sustain long term agricultural production. This land has the soil quality, growing season, and moisture supply needed to produce sustained high yields. Land must have been used for irrigated agricultural production at some time during the four years prior to the mapping date.

FARMLAND OF STATEWIDE IMPORTANCE (S): Farmland similar to Prime Farmland but with minor shortcomings, such as greater slopes or less ability to store soil moisture. Land must have been used for irrigated agricultural production at some time during the four years prior to the mapping date.

UNIQUE FARMLAND (U): Farmland of lesser quality soils used for the production of the state's leading agricultural crops. This land is usually irrigated but may include non-irrigated orchards or vineyards as found in some climatic zones in California. Land must have been cropped at some time during the four years prior to the mapping date.

FARMLAND OF LOCAL IMPORTANCE (L): Land of importance to the local agricultural economy as determined by each county's board of supervisors and a local advisory committee.

GRAZING LAND (G): Land on which the existing vegetation is suited to the grazing of livestock. This category was developed in cooperation with the California Cattlemen's Association, University of California Cooperative Extension, and other groups interested in the extent of grazing activities. The minimum mapping unit for Grazing Land is 40 acres.

URBAN AND BUILT-UP LAND (D): Land occupied by structures with a building density of at least 1 unit to 1.5 acres, or approximately 6 structures to a 10-acre parcel. This land is used for residential, industrial, commercial, institutional, public administrative purposes, railroad and other transportation yards, cemeteries, airports, golf courses, sanitary landfills, sewage treatment, water control structures, and other developed purposes.

OTHER LAND (X): Land not included in any other mapping category. Common examples include low density rural developments; brush, timber, wetland, and riparian areas not suitable for livestock grazing; confined livestock, poultry or aquaculture facilities; strip mines, borrow pits; and water bodies smaller than 40 acres. Vacant and nonagricultural land surrounded on all sides by urban development and greater than 40 acres is mapped as Other Land.

III.	AIR QUALITY -- Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

(a) Less than Significant Impact

The San Joaquin Valley Air Pollution Control District (SJVAPCD) has published guidance on determining CEQA applicability, significance of impacts, and potential mitigation of significant impacts, in its Guidance for Assessing and Mitigating Air Quality Impacts (GAMAQI). Using project type and size, the District has pre-quantified emissions and determined a size below which it is reasonable to conclude that a project would not exceed applicable thresholds of significance for criteria pollutants. This is referred to as a Small Project Analysis Level (SPAL). In the interest of streamlining CEQA requirements, projects that fit the descriptions and project sizes provided below are deemed to have a less than significant impact on air quality and as such are excluded from quantifying criteria pollutant emissions for CEQA purposes. This project qualifies as a SPAL because it'd generate less than 1,453 trips/day and is less than 152 units (SPAL thresholds for Residential projects). Therefore, it is reasonable to conclude that this project would not exceed applicable thresholds of significance for criteria pollutants and therefore, would not conflict with or obstruct implementation of any applicable air quality plans.

(b) Less than Significant Impact

As stated above, this project qualifies as a SPAL under the SJVAPCD regulations and is therefore deemed to have a less than significant impact on the environment and as such, are excluded from quantifying criteria pollutant emissions for CEQA purposes. This project in addition to other nearby projects is not at a size that'd result in a cumulatively considerable net increase of any criteria pollutant.

(c) Less than Significant Impact

The project is considered to have a less than significant impact on criteria pollutants and is not located in an area that would expose sensitive receptors to substantial pollutant concentrations.

(d) Less than Significant Impact

The project would result in the construction and operation of 84 residential units. Any potential to result in emissions affecting a substantial number of people during the construction phase would be similar to other projects under construction and would be short-term and intermittent. Any potential to result in emissions affecting a substantial number of people during the operational phase would be similar to other residential projects and would not impact a substantial number of people.

General Information

Air pollution is directly related to regional topography. Topographic features can either stimulate the movement of air or restrict air movement. California is divided into regional air basins based on topographic air drainage features. The proposed project site is within the San Joaquin Valley Air Basin, which is bordered by the Sierra Nevada Mountains to the east, Coastal Ranges to the west, and the Tehachapi Mountains to the south, which restrict air movement and prevent the dispersal of pollution. As a result, the SJVAB is highly susceptible to pollution accumulation over time. As shown in the Table 3-1, the SJVAB is in nonattainment for several pollutant standards. **Federal Clean Air Act** - The 1977 Federal Clean Air Act (CAA) authorized the establishment of the National Ambient Air Quality Standards (NAAQS) and set deadlines for their attainment. The Clean Air Act identifies specific emission reduction goals, requires both a demonstration of reasonable further progress and an attainment demonstration, and incorporates more stringent sanctions for failure to

meet interim milestones. The U.S. EPA is the federal agency charged with administering the Act and other air quality-related legislation. EPA's principal function include setting NAAQS; establishing minimum national emission limits for major sources of pollution; and promulgating regulations. Under CAA, the NCCAB is identified as an attainment area for all pollutants.

California Clean Air Act - California Air Resources Board coordinates and oversees both state and federal air pollution control programs in California. As part of this responsibility, California Air Resources Board monitors existing air quality, establishes California Ambient Air Quality Standards, and limits allowable emissions from vehicular sources. Regulatory authority within established air basins is provided by air pollution control and management districts, which control stationary-source and most categories of area-source emissions and develop regional air quality plans. The project is located within the jurisdiction of the San Joaquin Valley Air Pollution Control District.

The state and federal standards for the criteria pollutants are presented in Section 8.4 of The San Joaquin Valley Unified Air Pollution Control District's 2015 "Guidance for Assessing and Mitigating Air Quality Impacts" (see Table 3-2, below). These standards are designed to protect public health and welfare. The "primary" standards have been established to protect the public health. The "secondary" standards are intended to protect the nation's welfare and account for air pollutant effects on soils, water, visibility, materials, vegetation and other aspects of general welfare. The U.S. EPA revoked the national 1-hour ozone standard on June 15, 2005, and the annual PM₁₀ standard on September 21, 2006, when a new PM_{2.5} 24-hour standard was established.

Table 3-1 - San Joaquin Valley Air Basin Attainment Status

Pollutant	Federal Standards	State Standards
Ozone-One hour	Revoked in 2005	Nonattainment/Severe
Ozone - Eight hour	Nonattainment/Extreme	Nonattainment
PM 10	Attainment	Nonattainment
PM 2.5	Nonattainment/Moderate	Nonattainment
Carbon Monoxide	Attainment/Unclassified	Attainment/Unclassified
Nitrogen Dioxide	Attainment/Unclassified	Attainment
Sulfur Dioxide	Attainment/Unclassified	Attainment
Lead (Particulate)	No Designation/Classification	Attainment
Hydrogen Sulfide	No Federal Standard	Unclassified
Sulfates	No Federal Standard	Attainment
Visibility Reducing Particles	No Federal Standard	Unclassified
Vinyl Chloride	No Federal Standard	Attainment

Table 3-2 - San Joaquin Valley Air Basin Ambient Air Quality Standards

Pollutant	Federal Standards		State Standards	
	Averaging Time	Concentration	Averaging Time	Concentration
Ozone	8 Hour (2008)	0.075 ppm	8 Hour	0.070 ppm (137 µg/m ³)
	1 Hour (1979)	(revoked)	1 Hour	0.09 ppm (180 µg/m ³)
Carbon Monoxide	8 Hour	9 ppm	8 Hour	9 ppm (10 mg/m ³)
	1 Hour	35 ppm	1 Hour	20 ppm (23 mg/m ³)
Nitrogen Dioxide	1-hour	100 ppb	Annual Arithmetic Mean	0.030 ppm (56 µg/m ³)
	Annual	53 ppb	1 Hour	0.18 ppm (338 µg/m ³)
Sulfur Dioxide	1-hour	75 ppb	24 Hour	0.04 ppm (105 µg/m ³)
	3-hour	0.5 ppm	1 Hour	0.25 ppm (655 µg/m ³)
PM ₁₀	Annual	(revoked)	Annual Arithmetic Mean	20 µg/m ³
	24 Hour	150 µg/m ³	24 Hour	50 µg/m ³
PM _{2.5}	Annual	12 µg/m ³	Annual Arithmetic Mean	12 µg/m ³

	24 Hour	35 µg/m ³	24 Hour	none
Lead	Rolling three-month period, evaluated over a three-year period	0.15 µg/m ³	30 Day Average	1.5 µg/m ³
Sulfates			24 Hour	25 µg/m ³
Hydrogen Sulfide			1 Hour	0.03 ppm (42 µg/m ³)
Vinyl Chloride			24 Hour	0.010 ppm (26 µg/m ³)
Visibility Reducing Particles			8 Hour	see below ^b)

Global Climate Change

Climate change is a shift in the “average weather” that a given region experiences. This is measured by changes in temperature, wind patterns, precipitation, and storms. Global climate is the change in the climate of the earth as a whole. It can occur naturally, as in the case of an ice age, or occur as a result of anthropogenic activities. The extent to which anthropogenic activities influence climate change has been the subject of extensive scientific inquiry in the past several decades. The Intergovernmental Panel on Climate Change (IPCC), recognized as the leading research body on the subject, issued its Fourth Assessment Report in February 2007, which asserted that there is “very high confidence” (by IPCC definition a 9 in 10 chance of being correct) that human activities have resulted in a net warming of the planet since 1750.

CEQA requires an agency to engage in forecasting “to the extent that an activity could reasonably be expected under the circumstances. An agency cannot be expected to predict the future course of governmental regulation or exactly what information scientific advances may ultimately reveal” (CEQA Guidelines Section 15144, Office of Planning and Research commentary, citing the California Supreme Court decision in *Laurel Heights Improvement Association v. Regents of the University of California* [1988] 47 Cal. 3d 376).

Recent concerns over global warming have created a greater interest in greenhouse gases (GHG) and their contribution to global climate change (GCC). However, at this time there are no generally accepted thresholds of significance for determining the impact of GHG emissions from an individual project on GCC. Thus, permitting agencies are in the position of developing policy and guidance to ascertain and mitigate to the extent feasible the effects of GHG, for CEQA purposes, without the normal degree of accepted guidance by case law.

IV.	BIOLOGICAL RESOURCES -- Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation In- corporated	Less Than Significant Impact	No Impact
a)	Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f)	Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

(a) Less than Significant Impact

The project site is a currently vacant lot that borders developed lands to the north, south, east, and west. Although it is apparent that no specially listed species reside on-site, there is the possibility of specially listed species (Swainson's Hawk) occurring within area and possibly using the site for foraging habitat. However, the site is perpetually maintained and disced which reduces the likelihood of the site is utilized for foraging habitat. Therefore, construction of the project would not be removing viable lands utilized by specially listed species for habitat and impacts are less than significant.

(b) No Impact

After conducting research and site visits, it was determined that the project site is not located within or adjacent to an identified sensitive riparian habitat or other natural community.

(c) No Impact

Only waters that are under the jurisdiction of the U.S Army Corps of Engineers (USACE) are regulated under Section 404 of the Clean Water Act. There are no known wetlands located in or around the project site as reviewed on the U.S. Fish and Wildlife Service National Wetlands Inventory map. Therefore, the project will have no impact on federally protected wetlands as defined in Section 404 of the Clean Water Act.

(d) No Impact

The project site does not contain any features that would function as a fish or wildlife movement corridor.

(e) No Impact

There are no local policies or ordinances protecting biological resources that conflict with the proposed project.

(f) No Impact

The proposed project is not located in an area covered by an adopted habitat conservation plan, natural community conservation plan or other approved local, regional, or state habitat conservation plan. Therefore, the project

would result in no impact related to conservation plans.

General Information

Special Status Species include:

- Plants and animals that are legally protected or proposed for protection under the California Endangered Species Act (CESA) or Federal Endangered Species Act (FESA);
- Plants and animals defined as endangered or rare under the California Environmental Quality Act (CEQA) §15380;
- Animals designated as species of special concern by the U.S. Fish and Wildlife Service (USFWS) or California Department of Fish and Game (CDFG);
- Animals listed as “fully protected” in the Fish and Game Code of California (§3511, §4700, §5050 and §5515); and
- Plants listed in the California Native Plant Society’s (CNPS) Inventory of Rare and Endangered Vascular Plants of California.

A review of both the County’s and Department of Fish and Game’s databases for special status species have identified the following species:

Scientific Name	Common Name	Federal Listing	State Listing	Dept. of Fish and Game Listing
Buteo swainsoni	Swainson's hawk	Threatened	Threatened	-
Coccyzus ameri- canus occidentalis	western yellow- billed cuckoo	Endangered	Endangered	-
Athene cunicularia	burrowing owl	None	None	SSC
Eumops perotis californicus	western mastiff bat	None	None	SSC

List 1A: Plants presumed extinct

List 1B: Plants Rare, Threatened, or Endangered in California and elsewhere.

List 2: Plants Rare, Threatened, or Endangered in California, but more numerous elsewhere

List 3 Plants which more information is needed – a review list

List 4: Plants of Limited Distributed - a watch list

Effective January 1, 2007, Senate Bill 1535 took effect that has changed de minimis findings procedures. The Senate Bill takes the de minimis findings capabilities out of the Lead Agency hands and puts the process into the hands of the California Department of Fish and Wildlife (formally the California Department of Fish and Game). A Notice of Determination filing fee is due each time a NOD is filed at the jurisdictions Clerk’s Office. The authority comes under Senate Bill 1535 (SB 1535) and Department of Fish and Wildlife Code 711.4. Each year the fee is evaluated and has the potential of increasing. For the most up-to-date fees, please refer to http://www.dfg.ca.gov/habcon/ceqa/ceqa_changes.html.

V. CULTURAL RESOURCES -- Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation In- corporated	Less Than Significant Impact	No Impact
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion:

(a) Less than Significant Impact with Mitigation Incorporated

Based on the results of research of available studies, no previously recorded cultural resources are located within the project site. Although no historical resources were identified, the presence of remains or unanticipated cultural resources under the ground surface is possible. Implementation of Mitigation Measures CUL-1 and CUL-2 will ensure that impacts to this checklist item will be less than significant with mitigation incorporation.

Mitigation Measure CUL-1: If cultural resources are encountered during ground-disturbing activities, work in the immediate area must halt and an archaeologist meeting the Secretary of the Interior's Professional Qualifications Standards for archaeology (NPS 1983) should be contacted immediately to evaluate the find. If the discovery proves to be significant under CEQA, additional work such as data recovery excavation and Native American consultation may be warranted to mitigate any adverse effects.

Mitigation Measure CUL-2: The discovery of human remains is always a possibility during ground disturbing activities. If human remains are found, the State of California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. In the event of an unanticipated discovery of human remains, the County Coroner must be notified immediately. If the human remains are determined to be prehistoric, the coroner will notify the Native American Heritage Commission (NAHC), which will determine and notify a most likely descendant (MLD). The MLD shall complete the inspection of the site within 48 hours of notification and may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials.

(b) Less than Significant Impact with Mitigation Incorporated

There are no known archaeological resources located within the project area. Implementation of Mitigation Measures CUL-1 and CUL-2 will ensure that potential impact will be less than significant with mitigation incorporation.

(c) Less than Significant Impact with Mitigation Incorporated

There are no known paleontological resources located within the project area. However, implementation of Mitigation Measures CUL-1 and CUL-2 will ensure that any impacts resulting from project implementation remain less than significant with mitigation incorporation.

General Information

Public Resource Code 5021.1(b) defines a historic resource as "any object building, structure, site, area or place which is historically significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California." These resources are of such import, that it is codified in CEQA (PRC Section 21000) which prohibits actions that "disrupt, or adversely affect a prehistoric or historic archaeological site or a property of historical or cultural significance to a community or ethnic or social groups; or a paleontological site except as part of a scientific study."

Archaeological importance is generally, although not exclusively, a measure of the archaeological research value of a site which meets one or more of the following criteria:

- Is associated with an event or person of recognized significance in California or American history or of recognized scientific importance in prehistory.

- Can provide information which is both of demonstrable public interest and useful in addressing scientifically consequential and reasonable archaeological research questions.
- Has a special or particular quality such as oldest, best example, largest, or last surviving example of its kind.
- Is at least 100 years old and possesses substantial stratigraphic integrity (i.e. it is essentially undisturbed and intact).
- Involves important research questions that historic research has shown can be answered only with archaeological methods.

Reference CEQA Guidelines §15064.5 for definitions.

VI. Energy -- Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation In- corporated	Less Than Significant Impact	No Impact
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

(a) Less than Significant Impact

Construction of the proposed project would involve on-site energy demand and consumption related to use of oil in the form of gasoline and diesel fuel for construction worker vehicle trips, hauling and materials delivery truck trips, and operation of off-road construction equipment. In addition, diesel-fueled portable generators may be necessary to provide additional electricity demands for temporary on-site lighting, welding, and for supplying energy to areas of the sites where energy supply cannot be met via a hookup to the existing electricity grid. Project construction would not involve the use of natural gas appliances or equipment.

Based on the above, the temporary increase in energy use occurring during construction of the proposed project would not result in a significant increase in peak or base demands or require additional capacity from local or regional energy supplies. In addition, the proposed project would be required to comply with all applicable regulations related to energy conservation and fuel efficiency, which would help to reduce the temporary increase in demand.

(b) Less than Significant Impact

The project would developed in accordance with adopted Green Building Codes of the State of California. These requirements include, but are not limited to, installation of extensive insulation, energy efficient windows, and solar compatibility. Therefore, with implementation of the Green Building Code, Residential Building Code, MWELo, the project will have a less than significant impact.

General Information

The 2016 California Green Building Standards Code, otherwise known as the CALGreen Code (CCR Title 24, Part 11), is a portion of the California Building Standards Code (CBSC), which became effective with the rest of the CBSC on January 1, 2017. The purpose of the CALGreen Code is to improve public health, safety, and general welfare by enhancing the design and construction of buildings through the use of building concepts having a reduced negative impact or positive environmental impact and encouraging sustainable construction practices. The provisions of the code apply to the planning, design, operation, construction, use, and occupancy of every newly constructed building or structure throughout California. Requirements of the CALGreen Code include, but are not limited to, the following measures:

- Compliance with relevant regulations related to future installation of Electric Vehicle charging infrastructure in residential and non-residential structures;
- Indoor water use consumption is reduced through the establishment of maximum fixture water use rates;
- Outdoor landscaping must comply with the California Department of Water Resources' Model Water Efficient Landscape Ordinance (MWELo), or a local ordinance, whichever is more stringent, to reduce outdoor water use;
- Diversion of 65 percent of construction and demolition waste from landfills;
- Mandatory use of low-pollutant emitting interior finish materials such as paints, carpet, vinyl flooring, and particle board; and
- For some single-family and low-rise residential development developed after January 1, 2020, mandatory on-site solar energy systems capable of producing 100 percent of the electricity demand created by the residence(s). Certain residential developments, including those developments that are subject to substantial shading, rendering the use of on-site solar photovoltaic systems infeasible, are exempted from the foregoing requirement.

VII.	GEOLOGY AND SOILS -- Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation In- corporated	Less Than Significant Impact	No Impact
a)	Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i)	Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii)	Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii)	Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv)	Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c)	Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f)	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion:

(a-i) Less than Significant Impact

According to the Fresno County Multi-Hazard Mitigation Plan, no active faults underlay the project site. Although the project is located in an area of low seismic activity, the project could be affected by grounds shaking from nearby faults. The potential for strong seismic ground shaking on the project site is not a significant environmental concern due to the infrequent seismic activity of the area and distance to the faults. Furthermore, the proposed project would not expose people to seismic ground shaking beyond the conditions that currently exist throughout the project area. The project would be constructed to the standards of the most recent seismic Uniform Building and Safety Code (UBSC). Compliance with these design standards will ensure potential impacts related to strong seismic ground shaking would be less than significant.

(a-ii) Less than Significant Impact

According to the Fresno County Multi-Hazard Mitigation Plan, the project site is located in an area with a 40-50% chance of shaking 2% in the next 50 years. This probability is typical for the City of Selma. Although the project area could potentially experience ground shaking, the proposed project would not expose people to seismic ground shaking beyond the conditions that currently exist throughout the project area. The project would be constructed to the standards of the most recent seismic Uniform Building and Safety Code (UBSC). Compliance with these design standards will ensure potential impacts related to strong seismic ground shaking would be *less than significant*.

(a-iii) Less than Significant Impact

Liquefaction is a phenomenon whereby unconsolidated and/or near-saturated soils lose cohesion and are converted to a fluid state as a result of severe vibratory motion. The relatively rapid loss of soil shear strength during strong.

(a-iv) No Impact

The project site is generally flat. There are no hill slopes in the area and no potential for landslides. No geologic landforms exist on or near the site that would result in a landslide event.

(b) Less than Significant Impact with Mitigation Incorporated

Although construction activities may result in a loss of topsoil, the impact will not be significant. Because the project site is generally flat, minimal grading would be required to accommodate the proposed project. After construction, remaining areas will be re-vegetated for landscaping purposes. Additionally, the project site is only over one acre, which is above the threshold of significance for stormwater pollution plans. Implementation of Mitigation Measures HYD-1 will ensure that impacts to this checklist item will be less than significant with mitigation incorporation.

(c) Less than Significant Impact

Substantial grade change would not occur in the topography to the point where the project would expose people or structures to potential adverse effects on, or offsite, such as landslides, lateral spreading, subsidence, liquefaction or collapse.

(d) No Impact

The soils associated with the project site have a low shrink swell potential and are not expansive. Therefore, the project will not create substantial risks to life or property and there is no impact.

(e) No Impact

Click here to enter text.

(f) Less than Significant Impact with Mitigation Incorporated

Paleontological resources are not known to exist on-site. However, implementation of CUL-2 will reduce impacts to less than significant.

VIII. GREENHOUSE GAS EMISSIONS - Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation In- corporated	Less Than Significant Impact	No Impact
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

(a) Less than Significant Impact

In the event that a local air district's guidance for addressing GHG impacts does not use numerical GHG emissions thresholds, at the lead agency's discretion, a neighboring air district's GHG thresholds may be used to determine impacts. On December 5, 2008, the South Coast Air Quality Management District (SCAQMD) Governing Board adopted the staff proposal for an interim GHG significance threshold for projects where the SCAQMD is lead agency. The SCAQMD guidance identifies a threshold of 10,000 MTCO₂e/year for GHG for construction emissions amortized over a 30-year project lifetime, plus annual operation emissions. This threshold is often used by agencies, such as the California Public Utilities Commission, to evaluate GHG impacts in areas that do not have specific thresholds. Therefore, because this threshold has been established by the SCAQMD in an effort to control GHG emissions in the largest metropolitan area in the State of California, this threshold is considered a conservative approach for evaluating the significance of GHG emissions in a more rural area, such as Fresno County. According to Attachment A, the project would result in 1,334.17 MTCO₂e/year and therefore, falls below the 10,000 MTCO₂e/year threshold.

(b) Less than Significant Impact

California passed the California Global Warming Solutions Act of 2006. AB 32 requires that statewide GHG emissions be reduced to 1990 levels by 2020. Under AB 32, CARB must adopt regulations by January 1, 2011 to achieve reductions in GHGs to meet the 1990 emission cap by 2020. On December 11, 2008, CARB adopted its initial Scoping Plan, which functions as a roadmap of CARB's plans to achieve GHG reductions in California required by AB 32 through subsequently enacted regulations. CARB's 2017 Climate Change Scoping Plan builds on the efforts and plans encompassed in the initial Scoping Plan.

SB 375 requires MPOs to adopt a SCS or APS that will prescribe land use allocation in that MPO's regional transportation plan. CARB, in consultation with MPOs, has provided each affected region with reduction targets for GHGs emitted by passenger cars and light trucks in the region for the years 2020 and 2035. For the MCTC region, CARB set targets at five (5) percent per capita decrease in 2020 and a ten (10) percent per capita decrease in 2035 from a base year of 2005. MCTC's 2014 RTP/SCS, which was adopted in July 2014, projects that the Madera County region would achieve the prescribed emissions targets.

Executive Order B-30-15 establishes a California greenhouse gas reduction target of 40 percent below 1990 levels by 2030 to ensure California meets its target of reducing greenhouse gas emissions to 80 percent below 1990 levels by 2050. Executive Order B- 30-15 requires MPO's to implement measures that will achieve reductions of greenhouse gas emissions to meet the 2030 and 2050 greenhouse gas emissions reductions targets.

As required by California law, city and county General Plans contain a Land Use Element that details the types and quantities of land uses that the city or county estimates will be needed for future growth, and that designate locations for land uses to regulate growth. MCTC uses the growth projections and land use information in adopted general plans to estimate future average daily trips and then VMT, which are then provided to SJVAPCD to estimate future emissions in the AQPs. The applicable General Plan for the project is the City of Chowchilla 2040 General Plan, which was adopted in 2011.

The proposed Project is consistent with the currently adopted General Plan for the City of Selma and the 2018 RTP/SCS and is therefore consistent with the population growth and VMT applied in those plan documents. Therefore, the Project is consistent with the growth assumptions used in the applicable AQP. It should also be noted that yearly GHG emissions generated by the Project is less than the threshold identified by the SCAQMD.

General Information

Greenhouse Gas (GHG) Emissions: The potential effect of greenhouse gas emission on global climate change is an emerging issue that warrants discussion under CEQA. Unlike the pollutants discussed previously that may have regional and local effects, greenhouse gases have the potential to cause global changes in the environment. In addition, greenhouse gas emissions do not directly produce a localized impact, but may cause an indirect impact if the local climate is adversely changed by its cumulative contribution to a change in global climate. Individual development projects contribute relatively small amounts of greenhouse gases that when added to other greenhouse gas producing activities around the world would result in an increase in these emissions that have led many to conclude is changing the global climate. However, no threshold has been established for what would constitute a cumulatively considerable increase in greenhouse gases for individual development projects. The State of California has taken several actions that help to address potential global climate change impacts.

Assembly Bill 32 (AB 32), the California Global Warming Solutions Act of 2006, outlines goals for local agencies to follow in order to bring Greenhouse Gas (GHG) emissions to 1990 levels (a 25% overall reduction) by the year 2020. The California Air Resources Board (CARB) holds the responsibility of monitoring and reducing GHG emissions through regulations, market mechanisms and other actions. A Draft Scoping Plan was adopted by CARB in order to provide guidelines and policy for the State to follow in its steps to reduce GHG. According to CARB, the scoping plan's GHG reduction actions include: direct regulations, alternative compliance mechanisms, monetary and non-monetary incentives, voluntary actions, and market-based mechanisms such as a cap-and-trade system.

Following the adoption of AB 32, the California State Legislature adopted Senate Bill 375, which became the first major bill in the United States that would aim to limit climate change by linking directly to "smart growth" land use principles and transportation. It adds incentives for projects which intend to be in-fill, mixed use, affordable and self-contained developments. SB 375 includes the creation of a Sustainable Communities Strategy (SCS) through the local Metropolitan Planning Organizations (MPO) in order to create land use patterns which reduce overall emissions and vehicle miles traveled. Incentives include California Environmental Quality Act streamlining and possible exemptions for projects which fulfill specific criteria.

IX.	HAZARDS AND HAZARDOUS MATERIALS – Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e)	For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f)	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g)	Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

(a) Less than Significant Impact

Project construction activities may involve the use and transport of hazardous materials. The use of such materials would be considered minimal and would not require these materials to be stored in bulk form. The project does not involve the use or storage of hazardous substances other than the small amounts of pesticides, fertilizers, and cleaning agents required for normal maintenance of structures and landscaping. The project must adhere to applicable zoning and fire regulations regarding the use and storage of any hazardous substances. Further, there is no evidence that the site has been used for underground storage of hazardous materials. Therefore, the proposed project will have less than significant impacts to hazardous materials.

(b) No Impact

There is no reasonably foreseeable condition or incident involving the project that could result in release of hazardous materials into the environment.

(c) No Impact

The project is not located within ¼ mile of a school and therefore no reasonably foreseeable condition or incident involving the project that could affect existing or proposed school sites or areas within ¼ mile of school sites. The project does not involve the use or storage of hazardous substances other than the small amounts of pesticides, fertilizers, and cleaning agents required for normal maintenance of structures and landscaping.

(d) No Impact

The project site is not listed as a hazardous materials site pursuant to Government Code Section 65962.5 and is not included on a list compiled by the Department of Toxic Substances Control. Additionally, any expansion of the proposed pipeline network will not occur in any areas listed as a hazardous materials site.

(e) No Impact

The proposed project site is located approximately 2.5 miles away from the nearest airport (Selma Airport) and is not located in an airport land use plan.

(f) No Impact

There are no private airstrips in the vicinity of the proposed project. The nearest airstrip to the project site (Quinn

Company Airstrip) is approximately 1.1 miles from the project site.

(g) No Impact

The project is not located in area that is susceptible to wildland fires. The site is an urban environment surrounding by existing residential homes on three sides of the property. Therefore, there is no impact.

General Information

Any hazardous material because of its quantity, concentration, physical or chemical properties, pose a significant present or potential hazard to human health and safety, or the environment the California legislature adopted Article I, Chapter 6.95 of the Health and Safety Code, Sections 25500 to 25520 that requires any business handling or storing a hazardous material or hazardous waste to establish a Business Plan. The information obtained from the completed Business Plans will be provided to emergency response personnel for a better-prepared emergency response due to a release or threatened release of a hazardous material and/or hazardous waste.

Business owners that handle or store a hazardous material or mixtures containing a hazardous material, which has a quantity at any one time during the year, equal to or greater than:

- 1) A total of 55 gallons,
- 2) A total of 500 pounds,
- 3) 200 cubic feet at standard temperature and pressure of compressed gas,
- 4) any quantity of Acutely Hazardous Material (AHM).

Assembly Bill AB 2286 requires all business and agencies to report their Hazardous Materials Business Plans to the Certified Unified Program Agency (CUPA) information electronically at <http://cers.calepa.ca.gov>

X. HYDROLOGY AND WATER QUALITY – Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:				
i) Result in substantial erosion or siltation on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

(a) Less than Significant Impact with Mitigation Incorporated

The proposed residential uses would not involve operations typically associated with the generation or discharge of polluted water. Thus, typical operations on the project site would not violate any water quality standards or waste discharge requirements, nor degrade water quality. However, addition of the impervious surfaces on the site would result in the generation of urban runoff, which could contain pollutants if the runoff comes into contact with vehicle fluids on parking surfaces and/or landscape fertilizers and herbicides.

During the early stages of construction activities, topsoil would be exposed due to grading and excavation of the site. After grading and prior to overlaying the ground surface with impervious surfaces and structures, the potential exists for wind and water erosion to discharge sediment and/or urban pollutants into stormwater runoff, which could adversely affect water quality downstream. The State Water Resources Control Board (SWRCB) regulates stormwater discharges associated with construction activities where clearing, grading, or excavation results in a land disturbance of one or more acres. The City's National Pollutant Discharge Elimination System (NPDES) permit requires applicants to show proof of coverage under the State's General Construction Permit prior to receipt of any construction permits. The State's General Construction Permit requires a Storm Water Pollution Prevention Plan (SWPPP) to be prepared for the site. A SWPPP describes Best Management Practices (BMPs) to control or minimize pollutants from entering stormwater and must address both grading/erosion impacts and non-point source pollution impacts of the development project. Because the proposed project would disturb greater than one acre of land, the proposed project would be subject to the requirements of the State's General Construction Permit. Implementation of HYD-1 would mitigate impacts to a less than significant level.

Mitigation Measure HYD-1:

Prior to issuance of grading permits for the project, the City of Selma shall verify that the applicant has prepared a Stormwater Pollution Prevention Plan (SWPPP) in accordance with the requirements of the statewide Construction General Permit.

(b) Less than Significant Impact

The proposed project would connect to the City's water system. The development of 84 dwelling units on the project site will result in an increase in water use from its current vacant use. However, the City's 2015 Urban Water Management plan includes the project site and is therefore accounted for in future water estimates. Therefore, the project would not substantially deplete groundwater supplies or interfere substantially with groundwater recharge. The project would result in less than significant impact.

(c-i) No Impact

The proposed project will maintain the existing drainage pattern and there are no rivers, streams, or other water courses that will be impacted with the development of this project, and therefore there will be no impact.

(c-ii) Less than Significant Impact

The proposed project will maintain the existing drainage pattern and there are no rivers, streams, or other water courses that will be impacted with the development of this project. The on-site storm water collection shall meet City standards for capacity. As such, the potential for flooding on or off-site as a result of the project is considered less than significant.

(c-iii) Less than Significant Impact

The proposed project would drain into the existing storm water collection system, which has adequate capacity to accommodate the proposed project. The project, which involves the construction of a three dwelling unit apartment complex on 0.21 acres, would not act as a substantial source of polluted runoff. The impact is less than significant.

(d) No Impact

The proposed project is located inland and not near an ocean or large body of water, therefore, would not be affected by a tsunami. The proposed project is located in a relatively flat area and would not be impacted by inundation related to mudflow. Therefore, the proposed project would have no impacts related to seiche, tsunami, or mudflow.

(e) Less than Significant Impact

The project lies within the Central Kings Groundwater Sustainability Area. The property was considered as part of the land use for the groundwater sustainability planning as it was included with the General Plan. Therefore, the project impacts are less than significant as it will not conflict with implementation of the water control plan or groundwater sustainability plan.

General Information

Groundwater: The proposed project site is located in the Tulare Lake Hydrologic Region, which covers 10.9 million acres south of the San Joaquin River. The Tulare Lake Hydrologic Region is composed of 12 groundwater basins. The proposed project site lies within the San Joaquin Valley Groundwater Basin. The San Joaquin Valley Groundwater Basin is divided into seven sub-basins. The proposed project is located within the Kings Sub-basin.

Surface Waters: The proposed project site is within the Tulare-Buena Vista Lakes Watershed which covers portions of Fresno, Kern and Kings County. The most prominent rivers and streams within the Watershed are the Kings River and the Kaweah River.

Clean Water Act: The Clean Water Act (CWA) is enforced by the U.S. EPA and was developed in 1972 to regulate discharges of pollutants into the waters of the United States. The Act made it unlawful to discharge any pollutant from a point source into navigable waters unless a National Pollution Discharge Elimination System (NPDES) Permit is obtained.

Central Valley RWQCB: The proposed project site is within the jurisdiction of the Central Valley Regional Water Quality Control Board (RWQCB). The Central Valley RWQCB requires a National Pollution Discharge Elimination System (NPDES) Permit and Stormwater Pollution Prevention Plan (SWPPP) for projects disturbing more than one acre of total land area. Because the project is greater than one acre, a NPDES Permit and SWPPP will be required.

XI.	LAND USE AND PLANNING – Would the project result in:	Potentially Significant Impact	Less Than Significant with Mitigation In- corporated	Less Than Significant Impact	No Impact
a)	Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

(a) No Impact

The project is surrounded on three sides by existing residential development. It development would blend with the existing neighborhood as it is also a residential project. The project does not create any features or obstacles that would divide an established community.

(b) No Impact

The project is consistent with the existing general plan designation and was envisioned during the adoption of the plan. The project is consistent with typical multiple-family development and applicable ordinances (density bonus) as well as compatible with the surrounding uses. Therefore, there is no impact due to conflict with an existing land use plan, policy or regulation.

XII.	MINERAL RESOURCES – Would the project result in:	Potentially Significant Impact	Less Than Significant with Mitigation In- corporated	Less Than Significant Impact	No Impact
a)	Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

(a) No Impact

There are no known mineral resources of importance to the region on the project site and the project site is not designated as an important mineral resource recovery site. There is *no impact*.

(b) No Impact

There are no known mineral resources of importance to the region on the project site and the project site is not designated as an important mineral resource recovery site. There is no impact.

General Information:

California State Surface Mining and Reclamation Act: The California State Surface Mining and Reclamation Act was adopted in 1975 to regulate surface mining to prevent adverse environmental impacts and to preserve the state's mineral resources. The Act is enforced by the California Department of Conservation's Division of Mine Reclamation. Under the California State Surface Mining and Reclamation Act of 1975, Mineral Resource Zones (MRZs) are used by the State Geologist to classify land according to its level of significance as a mineral resource. MRZs are used to help identify and protect state mineral resources from urban expansion or other irreversible land uses that might preclude mineral extraction.

XIII. NOISE – Would the project result in:

	Potentially Significant Impact	Less Than Significant with Mitigation In- corporated	Less Than Significant Impact	No Impact
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Generation of excessive groundborne vibration or ground-borne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

(a) Less than Significant Impact

Project construction will involve temporary noise sources. The City of Selma Noise Ordinance does not identify noise thresholds for noise related to construction, however the ordinance does limit noise generating activities related to construction to daytime hours between 7:00 AM and 10:00 PM.

Long term noise levels resulting from the project would include those from the multi-family residential development, which is not normally associated with high operational noise levels.

Because noise generated from construction would be temporary, construction activities would comply with all measures established by the City to limit construction related noise impacts, and operational noise would be consistent with adjacent land uses, the impact is less than significant.

(b) Less than Significant Impact

Construction of the project will not require vibration-intensive construction activities and operation of the proposed residential project will not result in excessive ground-borne vibration. Therefore, there is no impact.

(c) No Impact

The project site is not located within an airport land use plan or within two miles of a public airport. There is no impact.

General Discussion

Noise Ordinance of the City of Selma: The Noise Ordinance of the City of Selma was developed to protect the citizens of the City of Selma from harmful effects of exposure to excessive noise and to protect the economic base of the City by preventing the encroachment of incompatible land uses near known noise-producing industries, railroads, airports and other sources. The ordinance provides the following ambient noise standards for residential districts:

Time	Sound Level Decibels
10:00 P.M. to 7:00 A.M.	50
7:00 P.M. to 10:00 P.M.	55
7:00 A.M. to 7:00 P.M.	60

Table 3-7.City of Selma Ambient Noise Standards;
Source: Noise Ordinance of City of Selma

The City of Selma Noise Ordinance also states that the provisions of the City of Selma Noise Ordinance shall not apply to Construction, repair or remodeling work accomplished pursuant to a building, electrical, plumbing, mechanical or other construction permit issued by the City or other governmental agency, or to site preparation and grading, provided such work takes place between the hours of seven o'clock (7:00) A.M. and ten o'clock (10:00) P.M. on any day.

Short Term Noise

Noise from localized point sources (such as construction sites) typically decreases by approximately 6 dBA with each doubling of distance from source to receptor. Given the noise attenuation rate and assuming no noise shielding from either natural or human-made features (e.g. trees, buildings, fences), outdoor receptors within approximately 400 feet of construction site could experience maximum noise levels of greater than 70 dBA when onsite construction-related noise levels exceed approximately 89 dBA at the project site boundary. Construction activities that occur during the more noise-sensitive eighteen hours could result in increased levels of annoyance and sleep disruption for occupants of nearby existing residential dwellings. As a result, noise-generating construction activities would be considered to have a potentially significant short-term impact. However with implementation of mitigation measures, this impact would be considered less than significant.

Long Term Noise

Mechanical building equipment (e.g. heating, ventilation and air conditioning systems, and boilers), associated with the proposed structures, could generate noise levels of approximately 90 dBA at 3 feet from the source. However, such mechanical equipment systems are typically shielded from direct public exposure and usually housed on rooftops, within equipment rooms, or within exterior enclosures.

Landscape maintenance equipment, such as leaf blowers and gasoline powered mowers, associated with the proposed operations could result in intermittent noise levels that range from approximately 80 to 100 dBA at 3 feet, respectively. Based on an equipment noise level of 100 dBA, landscape maintenance equipment (assuming a noise attenuation rate of 6 dBA per doubling of distance from the source) may result in exterior noise levels of approximately 75 dBA at 50 feet.

Vibration perception threshold: The minimum ground or structure-borne vibrational motion necessary to cause a normal person to be aware of the vibration by such direct means as, but not limited to, sensation by touch or visual observation of moving objects. The perception threshold shall be presumed to be a motion velocity of one-tenth (0.1) inches per second over the range of one to one hundred Hz.

XIV. POPULATION AND HOUSING -- Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation In- corporated	Less Than Significant Impact	No Impact
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

(a) Less than Significant Impact

The project proposes to construct 3 multi-family residential units, landscaping, and offsite improvements subject to City standards. The US Census found that the average household size in the City of Selma is 3.63 persons. Based on this average household size, the anticipated population increase as a result of the proposed project is 305 persons.

The City's population was estimated to be 24,782 in 2018. The addition of 305 persons will constitute a population increase of 1.2%. The impact is less than significant.

(b) No Impact

The construction and operation of the proposed project would not result in existing residences being removed, and no individuals would be displaced because of the project. There is no impact.

General Information

The United States Census Bureau estimated the population in the City of Selma to be 24,782 in 2018. This is a slight increase from the 2010 census, which counted the population in the City of Selma to be 23,219. Factors that influence population growth include job availability, housing availability, and the capacity of existing infrastructure.

XV. PUBLIC SERVICES

Potentially Significant Impact	Less Than Significant with Mitigation In- corporated	Less Than Significant Impact	No Impact
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- a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

i) Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii) Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii) Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv) Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
v) Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion:

(a-i) Less than Significant Impact

The City of Selma will provide fire protection services to the project site. The addition of 84 residential units will not add substantial demand for fire protection services. Additionally, the developer will be required to pay development impact fees to offset any potential impacts to existing Fire Department Facilities. The impact is therefore less than significant.

(a-ii) Less than Significant Impact

The City of Selma will provide police protection services to the project site. The addition of 84 residential units will not add substantial demand for police protection services. Additionally, the developer will be required to pay development impact fees to offset any potential impacts to existing Police Department Facilities. The impact is therefore less than significant.

(a-iii) Less than Significant Impact

Selma Unified School District is the only school district potentially affected by the proposed project. Using a student generation rate of 0.661 students/household, the project would result in approximately 55 K-12 students. The existing school facilities have the capacity to accommodate this increase. Additionally, the developer will be required to pay development impact fees to offset any potential impacts from cumulative growth. The impact is less than significant.

(a-iv) Less than Significant Impact

The addition of 84 residential units will not add substantial demand for park space. Additionally, the developer will be required to pay development impact fees to offset any potential impacts to existing park facilities. The impact is less than significant.

(a-v) Less than Significant Impact

The addition of 84 residential dwelling units will not create a substantial increase in demand for public facilities. The impact is less than significant.

General Information

Fire: The project site is served by the Selma Fire Department, which operates two fire stations within the City. The Department consists of 21 full-time personnel including the fire chief, fire marshal, and 19 firefighting personnel.

Police: Law enforcement services are provided to the project site via the City of Selma Police Department. The Department consists of 38 employees.

Schools: The proposed project site is located within the Selma Unified School District. The nearest school, Andrew Jackson Elementary, is located approximately 2000 feet southeast of the project site.

XVI.	RECREATION	Potentially Significant Impact	Less Than Significant with Mitigation In- corporated	Less Than Significant Impact	No Impact
a)	Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b)	Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

(a) Less than Significant Impact

The proposed project is projected to generate a population increase of 305 persons. This increase would not cause substantial physical deterioration of existing park facilities. The payment of impact fees, as discussed in Public Facilities would also contribute to any impacts created by the project and new residents. Therefore, the impact is less than significant.

(b) No Impact

There are no public parkland or recreational facilities associated with the project. Any recreational facilities associated with the project would be private and maintained by the operators of the multiple family development. There is no impact

General Information

WH Shafer Park is the closest recreational area to the project site and is located approximately 0.34 miles west of the project site.

XVII. TRANSPORTATION -- Would the project:

	Potentially Significant Impact	Less Than Significant with Mitigation In- corporated	Less Than Significant Impact	No Impact
a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Would the project conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

(a) Less than Significant Impact

According to the Institute of Traffic Engineers (10th Edition) the trips per day for a multi-family unit are 5.44 over a 24-hour period. That include approximately 27 AM peak hour trips (.32 per dwelling unit) and 35 PM peak hour trips (.41 per dwelling unit). The total trips anticipated by the project would be 456.96 daily trips. Dinuba Avenue is listed as an arterial street within the General Plan and currently has an approximate traffic volume of 550 AM peak hour trips per day and approximately 650 PM peak hours trips, both levels operating at an LOS "C" according to the General Plan Draft EIR. With the addition of the project, it would make the traffic volume approximately 580 AM and 690 PM peak hour trips. The 2035 Cumulative levels anticipate that the segment would operate at a LOS "C" with approximately 1,500 AM and 1,700 peak hour trips. Therefore, the addition of the project's generated daily traffic trips would not violate the standards of the General Plan and be within ranges considered less than significant.

(b) Less than Significant Impact

The project is being granted a reduction in parking in order to allow for the development of the affordable units. The resulting impacts from the reduction in parking reduced vehicle miles traveled if the project were built in accordance with current required development standards within the Zoning Ordinance and consistent with reducing overall vehicle miles traveled. Furthermore, implementation of the project will allow for the completion of Class 2 bicycle facilities consistent with the General Plan Circulation Element which complete the segment of facilities along Dinuba Avenue. Therefore, the impacts to vehicle miles travels are less than significant.

(c) No Impact

The project does not propose any improvements to geometric designs within the area and would continue the development patterns while utilizing the standards of the City of Selma for public facilities. Any street improvements would follow the standards adopted by the City to promote consistency. Therefore, there is no impact.

(d) No Impact

The project would not propose any improvements inconsistent with City standards. Furthermore, the project is accessed from standard driveways and would not obstruct roadway access for adjacent properties. Therefore, there is no impact.

General Information

According to the Selma General Plan, the City has set its level of service standard at LOS "D," except local streets, where LOS "B" is used. The State has adopted Level-of-Service (LOS) "C" as the LOS threshold standard for traffic operations on State highways. The following charts show the significance of those levels.

Unsignalized intersections.

Level of Service	Description	Average Control Delay (sec./car)
A	Little or no delay	0 – 10
B	Short traffic delay	>10 – 15
C	Medium traffic delay	> 15 – 25
D	Long traffic delay	> 25 – 35
E	Very long traffic delay	> 35 – 50
F	Excessive traffic delay	> 50

Signalized intersections.

Level of Service	Description	Average Control Delay (sec./car)
A	Uncongested operations, all queues clear in single cycle	< 10
B	Very light congestion, an occasional phase is fully utilized	>10 – 20
C	Light congestion; occasional queues on approach	> 20 – 35
D	Significant congestion on critical approaches, but intersection is functional. Vehicles required to wait through more than one cycle during short peaks. No long-standing queues formed.	> 35 – 55
E	Severe congestion with some long-standing queues on critical approaches. Traffic queues may block nearby intersection(s) upstream of critical approach(es)	> 55-80
F	Total breakdown, significant queuing	> 80

Level of service	Freeways	Two-lane rural highway	Multi-lane rural highway	Expressway	Arterial	Collector
A	700	120	470	720	450	300
B	1,100	240	945	840	525	350
C	1,550	395	1,285	960	600	400
D	1,850	675	1,585	1,080	675	450
E	2,000	1,145	1,800	1,200	750	500

Capacity per hour per lane for various highway facilities

Emissions of CO (Carbon Monoxide) are the primarily mobile-source criteria pollutant of local concern. Local mobile-source CO emissions near roadway intersections are a direct function of traffic volume, speed and delay. Carbon monoxide transport is extremely limited; it disperses rapidly with distance from the source under normal meteorological conditions. Under certain meteorological conditions, however, CO concentrations close to congested roadway or intersection may reach unhealthy levels, affecting local sensitive receptors (residents, school children, hospital patients, the elderly, etc.). As a result, the SJVAPCP recommends analysis of CO emissions of at a local rather than regional level. Local CO concentrations at intersections projected to operate at level of service (LOS) D or better do not typically exceed national or state ambient air quality standards. In addition, non-signalized intersections located within areas having relatively low background concentrations do not typically have sufficient traffic volumes to warrant analysis of local CO concentrations.

XVIII. TRIBAL CULTURAL RESOURCES -- Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1(k)? or	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion:

(a) Less than Significant Impact with Mitigation Incorporated

The project would not cause a substantial adverse change in the significance of a tribal cultural resource, nor is it listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources. Although no historical resources were identified, the presence of remains or unanticipated cultural resources under the ground surface is possible. Implementation of Mitigation Measures CUL-1, CUL-2, and TRI-1 will ensure that impacts to this checklist item will be less than significant with mitigation incorporation.

Mitigation Measure TRI-1: Upon coordination with the City of Selma's Planning Department, any archaeological artifacts recovered shall be donated to an appropriate Tribal custodian or a qualified scientific institution where they would be afforded long-term preservation. Documentation for the work shall be provided in accordance with applicable cultural resource laws and guidelines.

(b) Less than Significant Impact with Mitigation Incorporated

The lead agency has determined there are any known tribal cultural resources located within the project area. Additionally, there are not believed to be any paleontological resources or human remains buried within the project area's vicinity. However, if resources were found to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resources to a California Native American Tribe. Implementation of Mitigation Measures CUL-1, CUL-2, and TRI-1 will ensure that any impacts resulting from project implementation remain less than significant with mitigation incorporation.

XIX. UTILITIES AND SERVICE SYSTEMS – Would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Generate solid waste in excess of state or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

(a) Less than Significant Impact

The proposed project is substantially surrounded by existing water, wastewater, stormwater drainage, electricity, natural gas and telecommunications infrastructure that was extended as part of development of the area. The project site would simply extend existing facilities that have been planned to include the project site as part of overall development in accordance with the General Plan. Therefore, the impact is less than significant.

(b) Less than Significant Impact

The proposed project would connect to the City's water system. The City's Urban Water Management plan includes the project site at full build out and is therefore accounted for in future water use estimates. Therefore, the proposed project would not substantially deplete ground water supplies. The impact is less than significant.

(c) Less than Significant Impact

Wastewater services will be provided to the site by the Selma-Kingsburg-Fowler County Sanitation District, which operates in compliance with the Central Valley RWQCB Waste Discharge Requirements. Existing Selma-Kingsburg-Fowler County Sanitation District facilities have adequate capacity to accommodate the proposed project. The impact is less than significant.

(d) Less than Significant Impact

Waste Management will be provided by WM Waste Management, which owns and operates several landfills with sufficient permitted capacity to accommodate the project's solid waste disposal needs. The impact is less than significant.

(e) No Impact

The proposed project would be serviced by an existing waste handling service (WM Water Management) which is compliant with all applicable statutes and regulations. The proposed project would comply with the adopted policies related to solid waste, and would comply with all applicable federal, state, and local statutes and regulations pertaining to the disposal of solid waste, including recycling. Therefore, the proposed project would have no impacts relating to solid waste regulations.

General Discussion

According to the Selma Municipal Service Review conducted in 2017, the City would be able to provide the

necessary infrastructure services and utility systems required for new development. Utilities and service systems include wastewater treatment, storm water drainage facilities, water supply, landfill capacity, and solid waste disposal.

Wastewater: Wastewater treatment services are provided to the City of Selma by the Selma-Kingsburg- Fowler County Sanitation District. The project would connect to this existing wastewater conveyance and treatment system.

Solid Waste: Solid waste collection and disposal service in the City of Selma is provided by WM Waste Management.

Water: the California Water Service Company (Cal Water) is the City of Selma's municipal water supply provider. Existing water entitlements currently provide water to the proposed project site. Implementation of the proposed project will not require additional water entitlements.

CalRecycle: California Code of Regulations, Title 14, Natural Resources – Division 7 contains all current CalRecycle regulations regarding nonhazardous waste management in the state. These regulations include standards for the handling of solid waste, standards for the handling of compostable materials, design standards for disposal facilities, and disposal standards for specific types of waste.

Central Valley RWQCB: The Central Valley RWQCB requires a Stormwater Pollution Prevention Plan (SWPPP) for projects disturbing more than one acre of total land area. Because the project is greater than one acre, a SWPPP to manage stormwater generated during project construction. will be required. The Central Valley RWQCB regulates Wastewater Discharges to Land by establishing thresholds for discharged pollutants and implementing monitoring programs to evaluate program compliance. This program regulates approximately 1500 dischargers in the region.

The Central Valley RWQCB is also responsible for implementing the federal program, the National Pollutant Discharge Elimination System (NPDES). The NPDES Program is the federal permitting program that regulates discharges of pollutants to surface waters of the U.S. Under this program, a NPDES permit is required to discharge pollutants into Waters of the U.S. There are 350 permitted facilities within the Central Valley Region.

XX.	WILDFIRE – If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:	Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
a)	Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b)	Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c)	Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d)	Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion:

(a) No Impact

The project would not impair implementation of an adopted emergency response or evacuation plan. The project would comply with typical development standards and not violate any design feature installation that is designed to

(b) No Impact

The site is considerably flat and not subject to high winds or other factors that would exacerbate wildfire conditions within the area and threaten adjacent properties. Therefore, there is no impact.

(c) Less than Significant Impact

The project will include the construction (widening and improvement) of roadways adjacent to the project site, consistent with City Standards. Some of this construction will include undergrounding of overhead utilities, if applicable, to eliminate the risk of wildfire within the area. The roadways would increase accessibility to the area for emergency vehicles and not exacerbate fire risk. Therefore, there is no impact.

(d) No Impact

The project is not located within a flood zone and is generally not subject to flooding. Landslides are non-existent to the area due to the area being topographically flat. All drainage would assume the planned path established by the drainage master plan adopted for the vicinity and further prevent instability in the area, although it is already non-existent. Therefore, there is no impact.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE

	Potentially Significant Impact	Less Than Significant with Mitigation In- corporated	Less Than Significant Impact	No Impact
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Discussion:

(a) Less than Significant Impact with Mitigation Incorporated

This initial study/mitigated negative declaration found the project would not have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory with appropriate mitigation. The impact is less than significant with mitigation incorporated.

(b) Less than Significant Impact with Mitigation Incorporated

CEQA Guidelines Section 15065(a) states that a Lead Agency shall consider whether the cumulative impact of a project is significant and whether the effects of the project are cumulatively considerable. The assessment of the significance of the cumulative effects of a project must, therefore, be conducted in connection with the effects of past projects, other current projects, and probable future projects. Due to the nature of the project and consistency with environmental policies, incremental contributions to impacts are considered less than cumulatively considerable with mitigation incorporated. The proposed project would not contribute substantially to adverse cumulative conditions or create any substantial indirect impacts to Cultural, Tribal and Hydrologic resources with appropriate mitigation measures implemented.

(c) Less than Significant Impact with Mitigation Incorporated

The analyses of environmental issues contained in this Initial Study indicate that the project is not expected to have substantial impact on human beings, either directly or indirectly with mitigation incorporated for Cultural, Tribal and Hydrologic impacts. All remaining potential impacts were found to be less than significant or have no impact at all, which results in a less than significant impact with mitigation incorporated for cumulative environmental effects.

General Information

CEQA defines three types of impacts or effects:

- Direct impacts are caused by a project and occur at the same time and place (CEQA §15358(a)(1)).

- Indirect or secondary impacts are reasonably foreseeable and are caused by a project but occur at a different time or place. They may include growth inducing effects and other effects related to changes in the pattern of land use, population density or growth rate and related effects on air, water and other natural systems, including ecosystems (CEQA §15358(a)(2)).
- Cumulative impacts refer to two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts (CEQA §15355(b)). Impacts from individual projects may be considered minor, but considered retroactively with other projects over a period of time, those impacts could be significant, especially where listed or sensitive species are involved.

**Documents/Organizations/Individuals Consulted
In Preparation of this
Initial Study**

2010 Selma General Plan, Draft EIR, and Final EIR

California Environmental Quality Act Guidelines

Fact Finder “American Community Survey” <http://factfinder.census.gov/faces/nav/jsf/pages/index.xhtml###>

San Joaquin Air Pollution Control District

California Building Code

California Department of Transportation

California Department of Fish and Game “California Natural Diversity Database” <http://www.dfg.ca.gov/biogeodata/cnddb/>

California Department of Finance

California Integrated Waste Management Board

California Stormwater Pollution Prevention Program (SWPPP)

Flood Insurance Rate Maps

Fresno County Multi-Hazard Mitigation Plan

United States Environmental Protection Agency

RESOLUTION NO. 2019-07

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SELMA, CALIFORNIA RECOMMENDING APPROVAL OF SITE PLAN REVIEW, PREZONE AND ANNEXATION NO. 2019-0013 FOR THE DEVELOPMENT OF AN 84-UNIT, TWO-STORY MULTIFAMILY AFFORDABLE HOUSING COMPLEX (APN 358-120-40) TO THE SELMA CITY COUNCIL AND NOTICE OF EXEMPTION REGARDING SAME, AND MAKING FINDINGS IN SUPPORT THEREOF

RECITALS

WHEREAS, on June 11, 2019, Self Help Enterprises, (“Applicant”), filed a complete application requesting the approval of a site plan review, prezone to R-3 and annexation to the City of Selma, No. 2019-0013 described herein (“Application” or “Project”); and

WHEREAS, the Application applied to develop an 84-unit, affordable housing project on a 4.59 acre vacant lot located on the northwest corner of East Dinuba Avenue and Wright Street, Selma, California, Assessor’s Parcel Number 358-120-40 (“Property”); and

WHEREAS, the Property has vehicular and pedestrian access from East Dinuba Avenue and Wright Street; and

WHEREAS, the Property is currently fallow agricultural land and predominantly vacant,

WHEREAS, the Land Use Element of the General Plan designates the Property for High Density Residential uses. The Project is consistent with the General Plan as it will provide essential services and does not conflict with the established goals and objectives of the Land Use Element. The corresponding zoning designation, R-3 (Multiple Family Residential), permits two-story apartment complexes, subject to the approval of a Site Plan Review, pursuant to Chapter 11-20-1 of the City’s Municipal Code; and

WHEREAS, the Project is located within the City of Selma’s Sphere of Influence and Urban Development Boundary and is substantially surrounding by existing development and therefore annexation is appropriate to promote orderly urban development and growth; and

WHEREAS, an Environmental Assessment form was submitted by the Applicant pursuant to the City’s requirements. Based upon the information received and Staff’s review and assessment, Project No. 2019-013, as proposed, the project required an Initial Study and Mitigated Negative Declaration in compliance with the California Environmental Quality Act (“CEQA”) Guidelines, Title 14, Chapter 3 of the California Code of Regulations. Reflecting independent judgment and analysis, the Planning Commission determines that the project will not have a significant effect on the environment and recommends adoption of the Draft Initial Study, Draft Mitigated Negative Declaration and Draft Mitigation Monitoring and Report Program to the Selma City Council; and

WHEREAS, notice of the Planning Commission’s August 26, 2019 public hearing for the Project was published in *The Selma Enterprise* on August 14, 2019, in compliance with the City’s Code and Government Code Section 65091.

WHEREAS, notice of the Planning Commission’s August 26, 2019 public hearing on the Project was also mailed to property owners within 300 feet of the Property on August 16, 2019; and

WHEREAS, on August 26, 2019, the Planning Commission of the City of Selma conducted a duly noticed public hearing on the Application, and considered all testimony written and oral; and

WHEREAS, based on substantial evidence provided in the whole record before the Planning Commission for CEQA compliance and public comments related to the project, it has been determined that there is no possibility that this project will have significant effects on the environment and recommends adoption of the Draft Initial Study, Draft Mitigated Negative Declaration and Draft Mitigation Monitoring and Report Program to the Selma City Council; and

WHEREAS, the Planning Commission deliberated and hereby makes the following Findings for the Project and recommends approval of the Project to the Selma City Council.

NOW THEREFORE, it is hereby found, determined and resolved by the Planning Commission of the City of Selma as follows:

SECTION 1. The Planning Commission finds that all of the facts set forth in the Recitals of this Resolution are true and correct and are incorporated herein by reference.

SECTION 2. All necessary public meetings and opportunities for public testimony and comment have been conducted in compliance with State Law and the Municipal Code of the City of Selma.

SECTION 3. That the Project is hereby recommended for approval subject to the conditions articulated in Exhibit A which are in addition to all other statutes, regulations, ordinances or other applicable conditions.

SECTION 4. Upon independent review and consideration of all pertinent written information contained in the Staff Report and reflecting independent judgment and analysis, the Planning Commission hereby finds and determines that the proposed project, No. 2019-0013, will not have significant impacts with appropriate mitigation measures applied. A Draft Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program is appropriate under the California Environmental Quality Act (“CEQA”) to address impacts of the Project. Based on these findings, the Planning Commission recommends adoption the Draft Initial Study, Draft Mitigated Negative Declaration and Draft Mitigation Monitoring and Report Program to the Selma City Council.

SECTION 5. Based upon substantial evidence presented to the Planning Commission during the August 26, 2019 public hearing, including public testimony and written and oral staff reports, the Planning Commission recommends to the City Council that annexation of the Property be approved and forward to the Fresno Local Agency Formation Commission for consideration.

PASSED, APPROVED AND ADOPTED by the Planning Commission of the City of Selma at a regular meeting held on August 26, 2019, by the following vote:

AYES: COMMISSIONER:

NOES: COMMISSIONER:

ABSTAIN: COMMISSIONER:

ABSENT: COMMISSIONER:

GLENN NISWANDER CHAIRMAN OF
THE SELMA PLANNING COMMISSION

ATTEST:

Kira Noguera, Secretary, Selma Planning Commission