



SPECIAL NOTICE REGARDING CORONAVIRUS (COVID-19) **AND ATTENDANCE AT PUBLIC MEETINGS**

On March 4, 2020, Governor Newsom proclaimed a State of Emergency in California as a result of the threat of COVID-19. On March 17, 2020, Governor Newsom issued Executive Order N-29-20 (superseding the Brown Act-related provisions of Executive Order N-25-20 issued on March 12, 2020), which allows a local legislative body to hold public meetings via teleconferencing and to make public meetings accessible telephonically or otherwise electronically to all members of the public seeking to observe and to address the local legislative body. Pursuant to Executive Order N-29-20, please be advised that some or all of the Selma Planning Commission will participate in meetings via teleconference.

PUBLIC PARTICIPATION: Pursuant to Executive Order N-29-20 and given the current health concerns, members of the public can **access meetings streamed live online on our Youtube page**. Members of the public may not attend the meeting in person.

In lieu of attendance at the meeting, the public can provide public comments verbally for the Planning Commission consideration by calling in on the number posted on our agenda. Staff will unmute the public during the public comment portion of the meeting.

Alternatively, the public can send correspondence to the Planning Commission regarding agenda items by emailing SCayetano@cityofselma.com or publiccomment@cityofselma.com with the subject line "PLANNING COMMISSION MEETING CORRESPONDENCE - ITEM #" (insert the item number relevant to your comment) or "PLANNING COMMISSION NON-AGENDA ITEM". Staff will forward correspondence received to PLANNING COMMISSION. All correspondence that does not relate to a specific item on the agenda has been made a part of the official record of this meeting and will be referred to the City Manager or other staff for any appropriate action or attention. Correspondence that does relate to a specific item on the agenda will be addressed as appropriate during consideration of the agenda item to which it relates. Contact the Planning/Building Permit Technician at SCayetano@cityofselma.com or 559-891-2208 with any questions.

ACCESSIBILITY: If requested, the agenda and backup materials will be made available in appropriate alternative formats to persons with a disability, as required by Section 202 of the Americans with Disabilities Act of 1990 (42 U.S.C. Sec. 12132) and the federal rules and regulations adopted in implementation thereof. Any person who requires a disability-related modification or accommodation in order to observe and/or offer public comment may request such reasonable modification, accommodation, aid or service by contacting the Planning/Building Permit Technician at SCayetano@cityofselma.com or 559-891-2208 no later than 48 hours before the meeting.

**MEETING AGENDA
CITY OF SELMA
PLANNING COMMISSION**

**July 27, 2020
6:00 PM**

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

Teleconference Phone Number: + 1(646) 876-9923
Access Code: 845-4966-7501
Password: 07272020

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

Flag salute led by Commissioner Singh

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

All items listed under consent calendar are considered routine. The complete consent calendar will be enacted by one motion by Roll-Call Vote. For purposes of discussion any Commission Member may have an item removed from the consent calendar and made part of the regular agenda. The Commission can then approve the remainder of the consent calendar.

1. Consideration and necessary action on the minutes of the June 22, 2020 meeting.

PUBLIC HEARINGS

2. Consideration and Necessary Action on CONDITIONAL USE PERMIT NO. 2020-0014 - Consideration of a Resolution recommending that the Planning Commission approve a Conditional Use Permit to allow the selling of Beer & Wine (Type 41 Alcoholic Beverage License) for Chicken Shack located at 2940 McCall Street, Suite 112 Selma, CA. (APN: 358-220-39) and a Notice of Exemption regarding the same.
3. Consideration and Necessary Action on CONDITIONAL USE PERMIT AND SITE PLAN REVIEW NO. 2020-0012 - Consideration of a Resolution recommending that the Planning Commission approve a Conditional Use Permit to allow the issuance of a Type 21 Alcoholic Beverage License (off site general) for a new service station and mini-mart at 11010 E.

Mountain View Ave, Selma, CA 93662 (APN 393-074-02) and a Notice of Exemption regarding the same.

4. Consideration and Necessary Action on GENERAL PLAN AMENDMENT AND REZONE NO. 2020-0009 - Consideration of a General Plan Amendment and Zone change application to allow the filed by the City of Selma, to change the General Plan land use designation from Medium Density to High Density and the zoning designation from R-1-7 to R-4 of a 9.1 acre portion of a 9.9 acre parcel (APN 385-220-13) and Initial Study/Subsequent Negative Declaration (IS/SND) to the City of Selma General Plan Update 2035 EIR (SCH# 2008081082) regarding the same.

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
June 22, 2020

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 Coury, Fedor, Garcia, Gonzales, Singh, Sekhon, and Chairman Niswander.

Also present or on the phone were City Attorney Michael Slater, Planner Kira Noguera, and Eric Vonberg with Rincon.

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.

Chairman Niswander asks if any Commissioner has any conflict of interest and to identify the item and to excuse him or herself.

Chairman Niswander asks for a consensus for a vote on the consent calendar.

Commissioner Gonzales makes the motion to approve minutes for May 26, 2020.

Commissioner Coury seconds the motion to approve the minutes for May 26, 2020.

Chairman Niswander ask for roll call vote to approve minutes for May 26, 2020.

Building/Planning Technician Sabino Cayetano takes roll call vote to approve the minutes for May 26, 2020. Commissioners as follows voted yes: Commissioners Coury, Fedor, Garcia, Gonzales, Singh, Sekhon, and Chairman Niswander.

PUBLIC HEARINGS

Consideration and Necessary Action on CONDITIONAL USE PERMIT NO. 2020-14 - Consideration of a Resolution recommending that the Planning Commission approve a Conditional Use Permit to allow the selling of Beer & Wine (Type 41 Alcoholic Beverage License) for Chicken Shack located at 2940 McCall Avenue, Suite 112 Selma, CA. (APN: 358-220-39) and a Notice of Exemption regarding the same.

Chairman Niswander describes the agenda item to the Planning Commission.

Planner Kira Noguera describes the agenda item to the Planning Commission.

Chairman Niswander asks Planner Kira Noguera for clarification on the summary in the staff report which reads “the restaurant is already located on the site, so a site plan review is not required” and asks where is the restaurant on the site?

Planner Kira Noguera responds that the building is already constructed and the site has already gone through site plan review a while back, so we treat it as existing, and the CUP is only for the use not for the building.

Chairman Niswander asks Planner Kira Noguera if she has been there or driven out there and looked at it.

Planner Kira Noguera responds with “No, I have not been out there.”

Chairman Niswander responds that there is nothing in there and it is full of construction waste, and no restaurant is in there at this time.

Planner Kira Noguera responds that the applicant maybe did not want to put the improvements into the building until they had the CUP approval.

Chairman Niswander responds with there is no restaurant, it’s an empty building, and the report says that there is an existing restaurant and there is not and a site plan review is needed.

Planner Kira Noguera responds that a restaurant is allowed in the zone and no city review is needed.

Chairman Niswander responds that this report is misleading making it seem as though there is an existing restaurant.

Planner Kira Noguera apologizes for that.

Chairman Niswander responds by repeating the statement from the staff report, “Since the restaurant is already existing. No site plan review is needed.” which he totally disagrees with as there is no restaurant there just a vacant building.

Planner Kira Noguera asks if the City Attorney is there by phone.

Planning Technician Sabino Cayetano responds with City Attorney Michael Slater is present.

City Attorney Michael Slater responds that the building was constructed with a site plan review and the Planning Commission may be looking for the parking and if outdoor seating is being provided for the liquor license being asked for. He states that this application will have to be continued because the access code is not working so the Planning Commission cannot vote on the agenda tonight.

Chairman Niswander responds with that is correct.

City Attorney Michael Slater responds that an administrative review is needed to make sure that the site is developed the right way.

Chairman Niswander responds with a motion to continue the agenda item to next meeting.

Commissioner Fedor makes first motion to continue agenda.

Commissioner Gonzales makes the second motion to continue the agenda item.

Chairman Niswander asks Sabino Cayetano to call roll call to continue agenda to the next meeting.

Building/Planning Technician Sabino Cayetano takes roll call vote to continue agenda to next meeting. Commissioners as follows voted yes: Commissioners Coury, Fedor, Garcia, Gonzales, Singh, Sekhon and Chairman Niswander.

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

PRESENTATIONS

Presentation of an update and overview of the Downtown Overlay Zone and opportunity to gain the Planning Commission and community's input on what they would like for this area. The Planning Commission is to consider a recommendation to update the existing zoning code for the downtown core. This includes a recommendation for a Downtown Overlay Zone to be added to the City's proposed zoning code update under its SB 2 grant funding.

City Attorney Michael Slater notes that the workshop should be continued to allow public comments at a further date.

Planner Kira Noguera describes workshop to the Planning Commission.

Eric Vonberg with Rincon gives a presentation on the Downtown Overlay Zone to the Planning Commission.

ADJOURNMENT: There being no further business, the meeting was adjourned at 7:12 p.m.

Respectfully submitted,

Sabino Cayetano
Building Planning Technician

Glenn Niswander, Chairman
of the Planning Commission

Kira Noguera
Secretary of the Planning Commission

**SELMA PLANNING COMMISSION
STAFF REPORT**

Meeting Date: July 27, 2020

TO: Selma Planning Commission
FROM: Community Development Department
SUBJECT: AGENDA ITEM NO. 2
Submittal No. 2020-0014: Conditional Use Permit

Summary and Purpose

The purpose of this agenda item is to hold a public hearing to consider a Conditional Use Permit requesting to allow the selling of Beer & Wine (Type 41 Alcoholic Beverage License) at 2940 McCall Avenue Suite 112, Selma, CA (APN:358-220-39).

Application Information

Applicant: Sonia Sidhu, 1619 North Piccadilly Lane, Clovis CA 93619
Project Location: 2940 McCall Avenue Suite 112, Selma, CA (APN:358-220-39)
Applicant's Proposal: To sell Beer & Wine (Type 41 Alcoholic Beverage License) at a restaurant located at 2940 McCall Avenue, Selma, CA
Land Use; General Plan; Zoning: Commercial; Neighborhood Commercial; C-1.

Summary and Purpose

This site is currently developed with a 15,000 square foot building. The applicant would like to operate a restaurant called Chicken Shack at the location. The applicant has applied for a Conditional Use Permit to allow for the sale of beer and wine at the restaurant (with a Type 41 Alcoholic Beverage License). The City of Selma Municipal Code provides regulations regarding the sale of alcohol. Pursuant to Section 11-8-2 (18) of the Municipal Code, "Serving of alcoholic beverages in a restaurant is subject to a conditional use permit and site plan review."

The applicant proposes to operate a 4,600 square foot tenant space as a restaurant during the hours of 11:00 AM – 10:00 PM. The property is zoned as Neighborhood Commercial (C-1) and restaurants are a permitted use in this zone district. The site was developed accordance with Site Plan Review 2012-0072 which was approved on December 16, 2013. Development of the site also included the approval of Conditional Use Permit, Variance, and Lot Merger 2020-0072 on May 28, 2013.

Type 41 ABC License – On Sale Beer & Wine – Eating place - Authorizes the sale of beer and wine for consumption on premises where sold. *Distilled spirits may not be on the premises (except brandy, rum, or liqueurs for use solely for cooking purposes).* Must operate and maintain the licensed premises as a bona fide eating place. Must maintain suitable kitchen facilities and must make actual and substantial sales of meals for consumption on the premises. Minors are allowed on the premises.

Environmental (CEQA)

This project is exempt under California Environmental Quality Act (CEQA) Article 19 §15301 - Existing Facilities.

Notice of Public Hearing

The Public Notice was published one time in The Selma Enterprise on June 10, 2020. The adjacent property owners within 300 feet were notified of the hearing by the City via letter on June 10, 2020. The item was discussed at the Planning Commission meeting on June 22, 2020. The item was continued.

Findings

Staff recommends that the Planning Commission make the following findings with regards to Conditional Use Permit No. 2020-0014:

- 1) 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.
- 2) 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.
- 3) 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.
- 4) That the proposed location of the use and the conditions under which it would operate or be maintained will not be detrimental to the public health, safety, welfare or be materially injurious to properties or improvements in the vicinity.
- 5) 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.
- 6) That the conditions stated in the resolution are deemed necessary to protect the public health, safety, and general welfare.

Conditions

Based on the approved findings, staff recommends that Conditional Use Permit No. 2020-0014 be approved subject to the following conditions:

1. The project shall operate in accordance with City of Selma Municipal Code Section 11.16.01 – 11.16.10. Conditional Uses.

2. Full compliance with all conditions of approval stated in this document shall be achieved prior to the issuance of any Certificates of Occupancy or as modified by the Community Development Director. Any minor modifications shall be submitted to the Director to review and determine compliance with the original Conditions of Approval.
3. Approval does not authorize any deviation from Fire and Building Codes.
4. All previous conditions of approval required by previous entitlements shall be adhered to.
5. Applicant to maintain all licenses and/or permits required by the State.
6. The proposed project shall comply with all standards of the City of Selma Municipal Code.
7. This approval is subject to the business owner being in good standing with all laws of the State of California, including the Alcohol Beverage Control (ABC), City of Selma, and other regulatory agencies.
8. An approved and listed security system shall be reviewed and approved by the Selma Building Official and Selma Police Department. The approved security system shall be installed and shall meet the requirements as approved.
9. The City reserves the right to periodically review the area for potential problems. If problems (on-site or within the immediate area) including, but not limited to, public drunkenness, the illegal sale or use of narcotics, drugs or alcohol, disturbing the peace and disorderly conduct result from the proposed land use, the conditional use permit may be subject to review and revocation by the City of Selma after a public hearing and following the procedures outlined in the Selma Municipal Code.
10. Sufficient lighting shall be provided throughout the site to provide a safe environment for patrons of the market. If lighting does not currently exist, it shall be provided within 60 days of this approval. Details to be worked out with staff.
11. The premises shall remain clean and free of debris at all times.
12. Landscaping shall be maintained in good condition at all times.

Recommendation

Staff recommends approval of Resolution No. 2020-03, approving Conditional Use Permit 2020-0014.

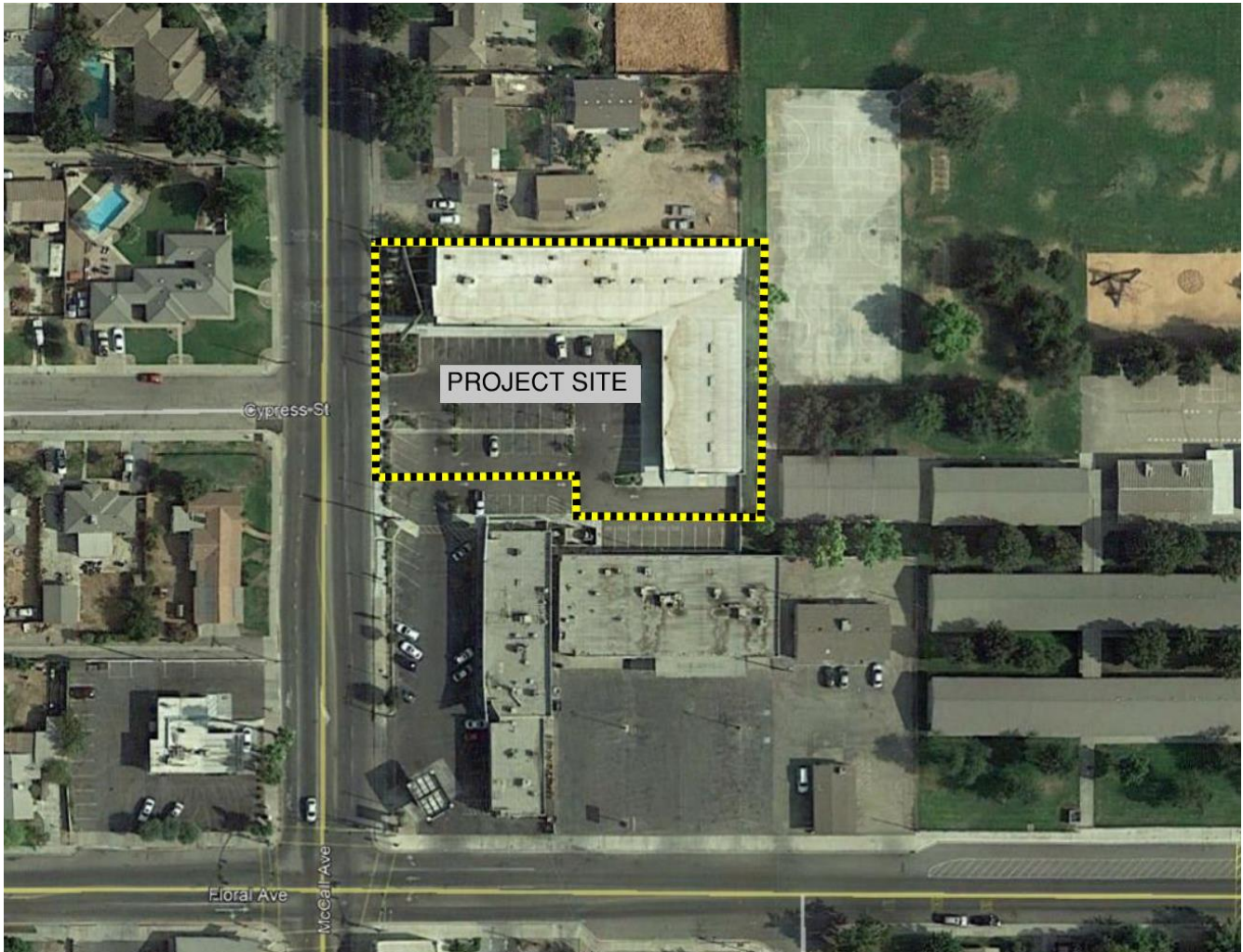
Kira Noguera, Contract Planner
Community Development Department

Teresa Gallavan
City Manager

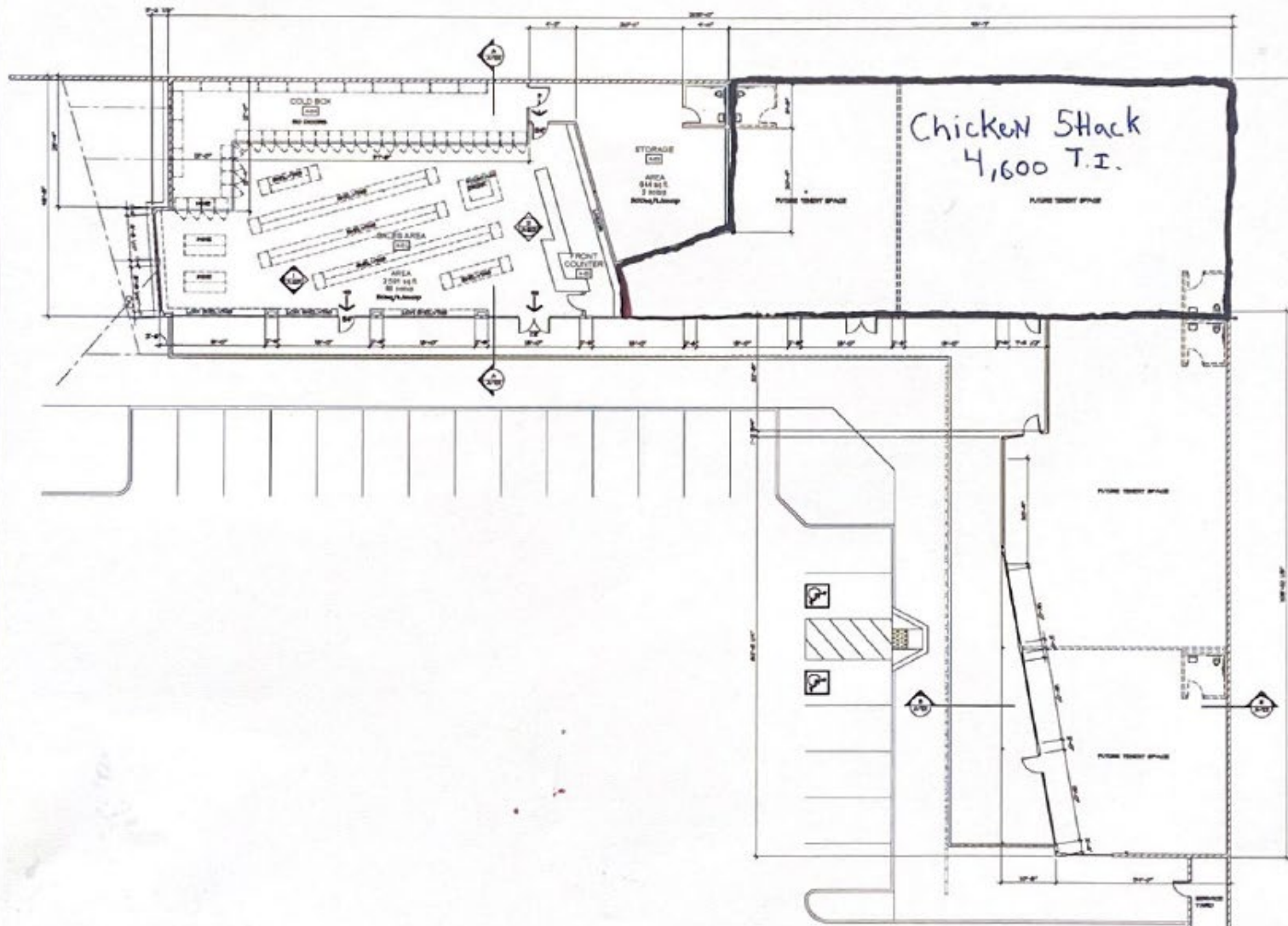
Attachments

1. Location Map
2. Suite Location Map
3. Proposed Floor Plan
4. Resolution No. 2020-03 approving Conditional Use Permit 2020-0014

Project Location Map



Suite Location Map



GENERAL NOTES

EGRESS LEGEND

- ④ INSERTED DISK NOT WITHIN PROPER POSITION OF DRIVE TO BE OPENED. PLACE DISK IN "UP" POSITION.
- ⑤ INSERTED DISK NOT LOADED THROUGH DRIVE. DISK IS 5 1/4" x 5 1/4" INSERTED OUTSIDE DRIVE.
- ⑥ DISK NOT LOADED CORRECTLY. DISK NOT LOADED CORRECTLY INTO DRIVE.
- ⑦ INSERTED DISK NOT IN DRIVE.
- ⑧ INSERTED DISK NOT IN DRIVE.
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- ⑩ INSERTED DISK NOT IN DRIVE.

WALL SYMBOL LEGEND

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BILL ARON ARCHITECTS

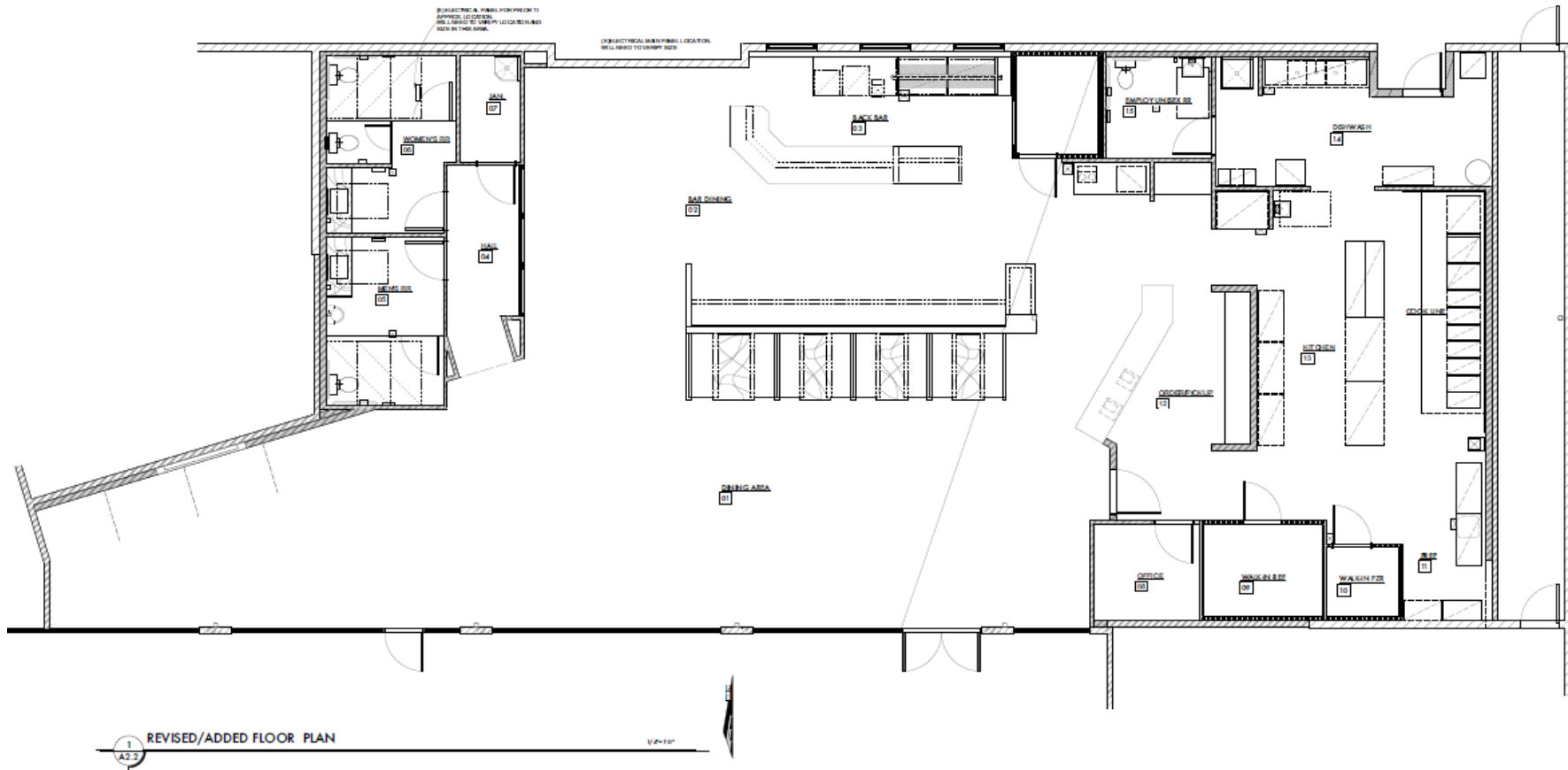
Active Topics **Q & A**
Healthcare **Q & A**
Robert E. Shapiro, D.D.
Healthcare **Q & A**
Shapiro, L. James, R.A.
Healthcare **Q & A**

**Dynex Digital Asset
Architect, Inc.**
100 N. Green, Suite 200
Greenville, SC 29615
Phone: 864-686-2333
Fax: 864-686-2332
Web: dynexinc.com

Mr Asham Gill
GILL COMMERCIAL BUILDING
2020 MacCall Ave, Bellingham WA 98225

DOOR PLAN

Floor Plan



CHICKEN SHACK - SELMA
2940 McCALL AVENUE
SELMA, CALIFORNIA 95662

ANTOYAN
ARCHITECTURE
2555 4th St
Selma, CA 95662
559.474.4949

RESOLUTION NO. 2020-03

**A RESOLUTION OF THE CITY OF SELMA PLANNING
COMMISSION APPROVING CONDITIONAL USE PERMIT
NO. 2020-0014**

**ABC LICENSE TYPE 41 BEER & WINE
2940 MCCALL AVENUE SUITE 112, SELMA CA 93662 (APN 358-220-39)**

WHEREAS, on June 8, 2020, Sonia Sidhu, (“Applicant”), filed a complete application requesting the approval of Conditional Use Permit (“CUP”) No. 2020-0014 described herein (“Application” or “Project”); the application was filed for the purposes of permitting a Beer & Wine ABC Type 41 license at 2940 McCall Avenue Suite 112, Selma, CA (APN:358-220-39); and

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

WHEREAS, on June 22, 2020, the Planning Commission of the City of Selma continued the application to the July 27, 2020 public hearing at the request of the applicant, and did hear oral testimony from one individual; and

WHEREAS, on July 27, 2020, 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, the Planning Commission, as the lead agency, examined the whole record and found that Section 15301 of the California Environmental Quality Act provides that projects consisting of the operation of existing facilities involving negligible or no expansion of use beyond that previously existing may qualify as a Class 1 Categorical Exemption.

WHEREAS, the Selma Planning Commission deliberated and prepared its Findings for approving Conditional Use Permit No. 2020-0014 which are stated and included in this Resolution.

FINDINGS:

1. 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.
2. 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.

3. 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.
4. That the proposed location of the use and the conditions under which it would operate or be maintained will not be detrimental to the public health, safety, welfare or be materially injurious to properties or improvements in the vicinity.
5. 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.
6. That the conditions stated in the resolution are deemed necessary to protect the public health, safety, and general welfare.

CONDITIONS:

1. The project shall operate in accordance with City of Selma Municipal Code Section 11.16.01 – 11.16.10. Conditional Uses.
2. Full compliance with all conditions of approval stated in this document shall be achieved prior to the issuance of any Certificates of Occupancy or as modified by the Community Development Director. Any minor modifications shall be submitted to the Director to review and determine compliance with the original Conditions of Approval.
3. Approval does not authorize any deviation from Fire and Building Codes.
4. All previous conditions of approval required by previous entitlements shall be adhered to.
5. Applicant to maintain all licenses and/or permits required by the State.
6. The proposed project shall comply with all standards of the City of Selma Municipal Code.
7. This approval is subject to the business owner being in good standing with all laws of the State of California, including the Alcohol Beverage Control (ABC), City of Selma, and other regulatory agencies.
8. An approved and listed security system shall be reviewed and approved by the Selma Building Official and Selma Police Department. The approved security system shall be installed and shall meet the requirements as approved.

9. The City reserves the right to periodically review the area for potential problems. If problems (on-site or within the immediate area) including, but not limited to, public drunkenness, the illegal sale or use of narcotics, drugs or alcohol, disturbing the peace and disorderly conduct result from the proposed land use, the conditional use permit may be subject to review and revocation by the City of Selma after a public hearing and following the procedures outlined in the Selma Municipal Code.
10. Sufficient lighting shall be provided throughout the site to provide a safe environment for patrons of the market. If lighting does not currently exist, it shall be provided within 60 days of this approval. Details to be worked out with staff.
11. The premises shall remain clean and free of debris at all times.
12. Landscaping shall be maintained in good condition at all times.

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

1. That the foregoing recitals and findings are true and correct and incorporated by this reference as though fully set forth at this point.
2. The Planning Commission approves Conditional Use Permit No. 2020-0014 subject to the Findings of Fact 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 27th day of July, 2020 by the following vote, to wit:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

ABSENT: COMMISSIONERS:

GLENN NISWANDER CHAIRMAN
OF THE PLANNING COMMISSION

ATTEST:

Kira Noguera, Secretary, Selma City Planning Commission

**SELMA PLANNING COMMISSION
STAFF REPORT**

Meeting Date: July 27, 2020

TO: Selma Planning Commission
FROM: Community Development Department
SUBJECT: AGENDA ITEM NO. 3
Submittal No. 2020-0012: Conditional Use Permit and Site Plan Review

Summary and Purpose

The purpose of this agenda item is to hold a public hearing to consider a Conditional Use Permit requesting to allow the selling of Beer, Wine, and Distilled Spirits (Type 21 Alcoholic Beverage License) at 11010 E. Mountain View Ave, Selma, CA 93662 (APN:393-074-02).

Application Information

Applicant: Parminder Singh, 1900 Marion St, Kingsburg, CA 93631.
Project Location: 11010 E. Mountain View Ave, Selma, CA 93662 (APN:393-074-02).
Applicant's Proposal: To sell Beer, Wine, and Distilled Spirits (Type 21 Alcoholic Beverage License) at a Commercial-Retail & Gas Station at 11010 E. Mountain View Ave, Selma, CA
Land Use; General Plan; Zoning: Regional Commercial; Regional Commercial; C-R

Summary and Purpose

The applicant would like to operate a new gas station/mini-mart and fast food restaurant at the proposed location. The proposed project consists of two single-story commercial buildings and a gas station with 4 pumps. The project will take place over two phases. The first phase includes a 7,800 square foot commercial building that will have two tenant spaces, a 4,800 square foot gas station mini-mart, and a 3,000 square foot fast food restaurant that will have approximately 48 seats and a drive-thru. The gas station will have a 3,800 square foot canopy. The first phase is expected to be completed in 2022. The second phase of the project will include a 3,500 square foot single story commercial retail building.

The applicant proposes to operate the commercial-retail & gas station mini-mart and restaurant space for 24 hours a day with a maximum number of ten employees per shift in the first phase. The number of visitors or customers anticipated on site at its busiest is 600 customers per day. The property is zoned as Regional Commercial (C-R) which allows commercial retail and restaurant uses by right.

The applicant has applied for a Conditional Use Permit to allow for the sale of beer, wine, and distilled spirits at the gas station mini-mart (Type 21 Alcoholic Beverage License). A Type 21 ABC License authorizes the sale of beer, wine, and distilled spirits for consumption off the licensed premises where

alcohol is sold. Minors are allowed on the premises. The City of Selma Municipal Code (SMC) provides regulations regarding the sale of alcohol. Pursuant to Section 11-8-10 (B) of the SMC, "All facilities specified in Section 11-8-10 (A) [packaged alcohol beverage sales] shall require a Conditional Use Permit." The project is required to meet all standards outlined in this section (11-8-10) including (C) Development Standards and (D) Density. Staff has analyzed this location and found it to be in compliance with the density regulations outlined in the SMC.

The site is designed to provide 56 off-street parking spaces. According to the site plan provided and Section 11-17-2 Number of Spaces Required of the SMC, the proposal requires 54 off-street parking stalls. A number of conditions of approval have been made a part of the approving resolution to ensure the site develops in compliance with the SMC and a City standards.

Environmental (CEQA)

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. A Notice of Exemption is attached.

Notice of Public Hearing

The Public Notice was published one time in The Selma Enterprise on July 15, 2020. The adjacent property owners within 300 feet were notified of the hearing by the City via letter on June 16, 2020.

Findings

Staff recommends that the Planning Commission make the following findings with regards to Conditional Use Permit No. 2020-0012:

- 1) 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.
- 2) 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.
- 3) 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.
- 4) That the proposed location of the use and the conditions under which it would operate or be maintained will not be detrimental to the public health, safety, welfare or be materially injurious to properties or improvements in the vicinity.
- 5) 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.

- 6) That the conditions stated in the resolution are deemed necessary to protect the public health, safety, and general welfare.

Conditions

Based on the approved findings, staff recommends that Conditional Use Permit No. 2020-0012 be approved subject to the conditions listed in Exhibit A of the approving resolution.

Recommendation

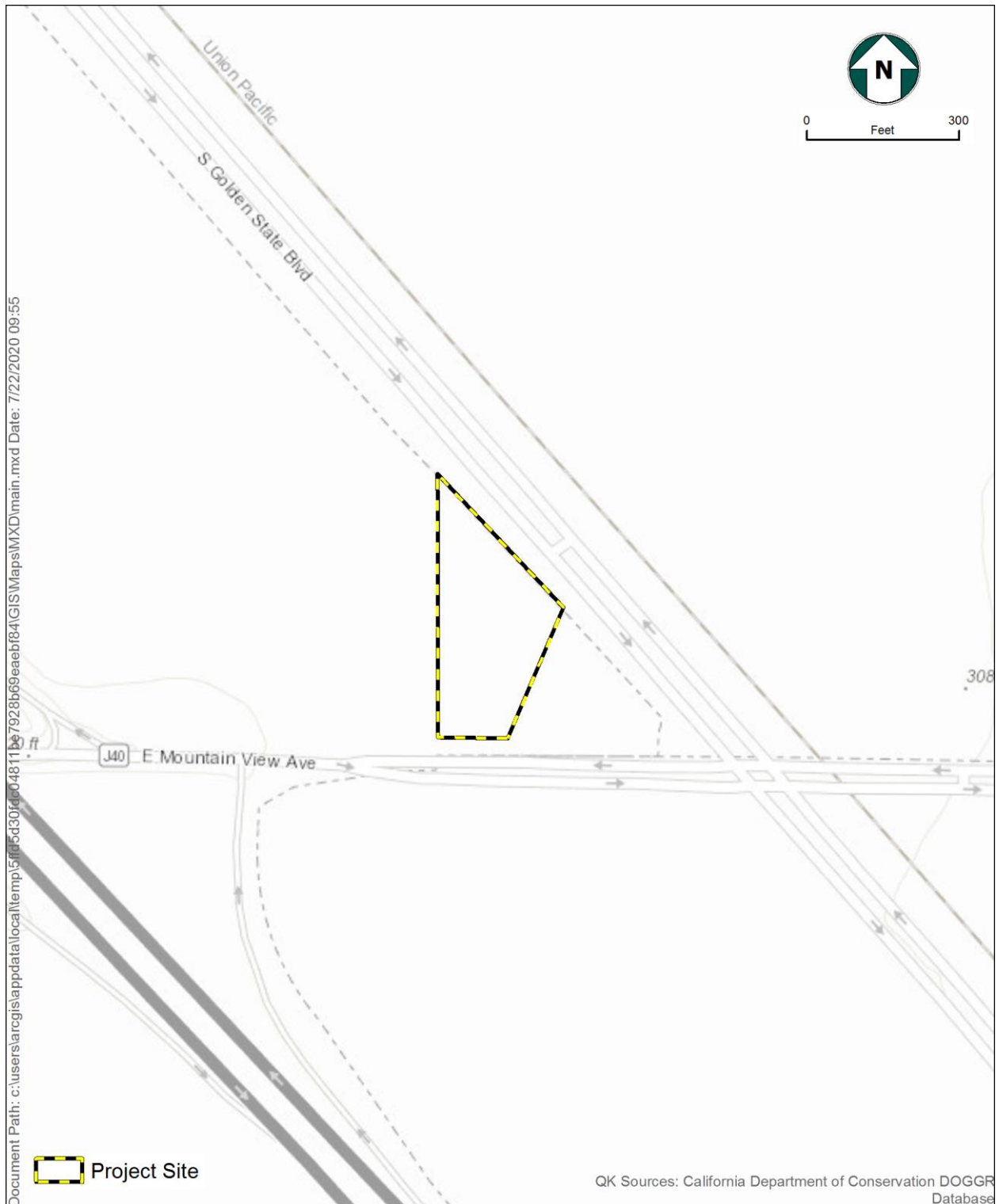
Staff recommends approval of Resolution No. 2020-XX, approving Conditional Use Permit 2020-0012.

Kira Noguera, Contract Planner
Community Development Department

Attachments

1. Location Map
2. Site Plan and Elevations
3. Resolution No. 2020-XX approving Conditional Use Permit 2020-0012
4. Notice of Exemption

Project Location Map

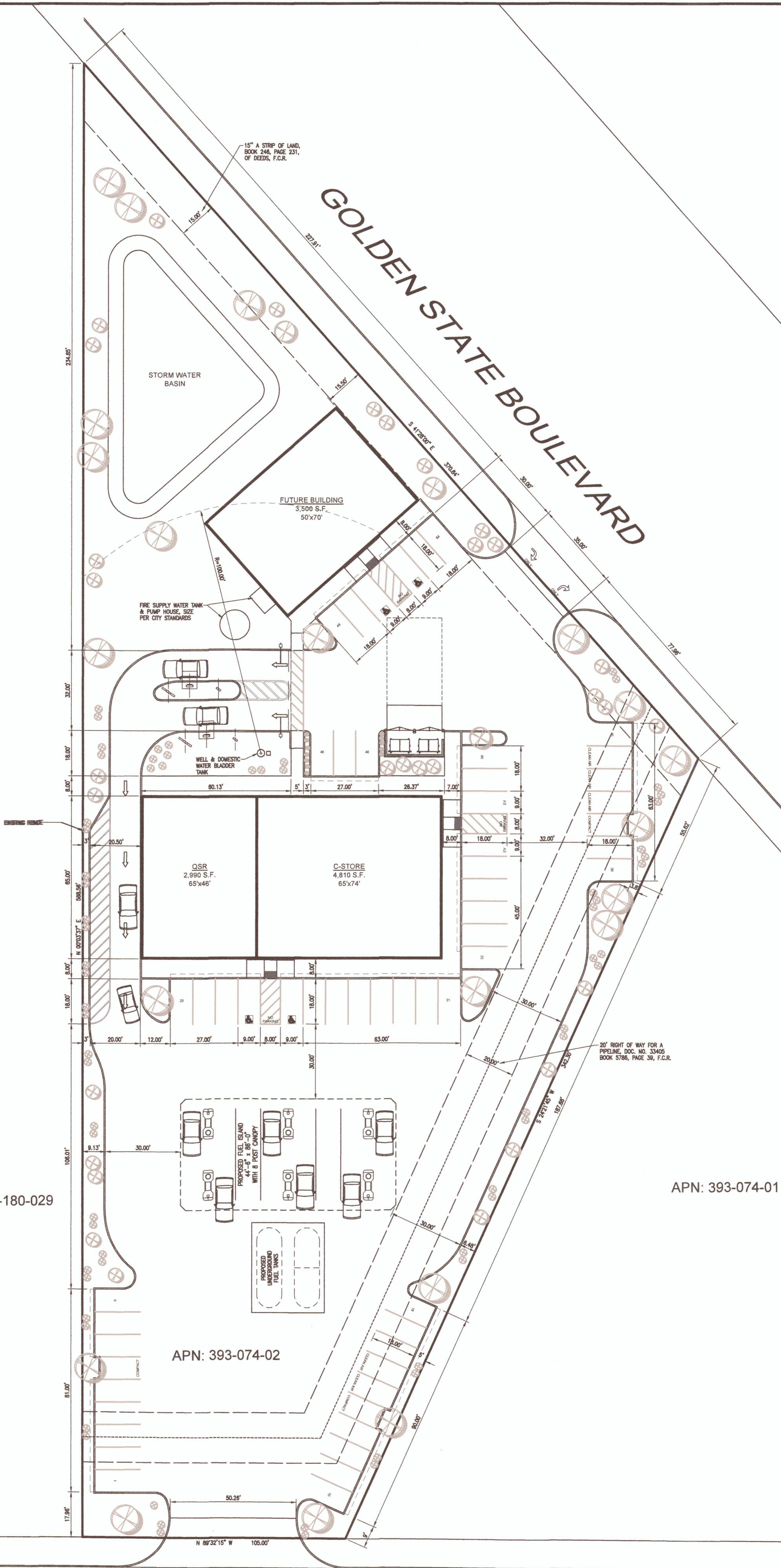




VICINITY MAP

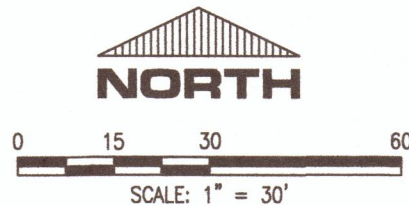


APN: 393-180-029



E. MOUNTAIN VIEW AVENUE

SITE PLAN



EXISTING PARCEL INFORMATION:

OWNER: SOHAL PROPERTIES, LLC
ASSESSOR PARCEL NUMBER (APN): 393-074-02
PROPERTY ADDRESS: 11010 E. MOUNTAIN VIEW AVENUE
PARCEL S.F.: 88,814.00
GENERAL PLAN DESIGNATION: COMMERCIAL
ZONING: C-R (REGIONAL COMMERCIAL)
EXISTING USE OF PROPERTY: TIRE SHOP & GAS STATION
EXISTING STRUCTURES: YES (TO BE REMOVED)
SURROUNDING USES: NORTH: GOLDEN STATE BOULEVARD
SOUTH: COMMERCIAL
EAST: AGRICULTURE
WEST: AGRICULTURE

PROPOSED DEVELOPMENT INFORMATION:

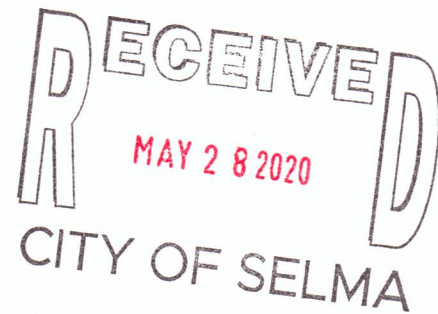
PARCEL SIZE: NO CHANGE
PROPERTY ADDRESS: 11010 E. MOUNTAIN VIEW AVENUE
GENERAL PLAN DESIGNATION: NO CHANGE
ZONING: NO CHANGE
USE OF PROPERTY: COMMERCIAL/GAS STATION-MINI MART & QSR
TOTAL STRUCTURES: ±15,100 S.F.
GAS STATION-MINI MART & QSR (PHASE I) ±7,800 SQ.FT.
GAS STATION-CANOPY (PHASE I) ±3,800 SQ.FT.
FUTURE RETAIL BLDG. (PHASE II) ±3,500 SQ.FT.

SETBACKS: (AMC 17.38.050)
EXTERIOR SETBACK: 10 FT.
INTERIOR & REAR YARD: AS REQUIRED BY BUILDING & FIRE CODES

DEVELOPMENT REQUIREMENTS:

PARKING:
COMMERCIAL: 8,310/200=42 SPACES REQ'D
QSR: 48/4=12 SPACES REQ'D
TOTAL REQUIRED: 54 SPACES
LANDSCAPING (5% OF GROSS REQUIRED)
TOTAL PARCEL: 88,814 S.F.
TOTAL LANDSCAPE: 24,954 S.F.
PERCENTAGE: 28.1%

PARKING BREAKDOWN:
STANDARD: (9x20) 42
COMPACT: (9x16) 3
VAN ACCESSIBLE: 2
ACCESSIBLE: 2
CLEAN AIR: 5
SUB-TOTAL: 54
EV CHARGING STATIONS: 2
TOTAL PROVIDED: 56



These drawings are instruments of service and are the property of Golden Valley Engineering & Surveying, Inc. All designs and other information on these drawings are for use on the specified project and shall not be used otherwise without the express written permission of Golden Valley Engineering & Surveying, Inc.

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PREPARED BY:

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ENGINEERING & SURVEYING
405 West 19th Street
Merced, CA 95340
P.O. Box 349
Merced, CA 95341
Ph.: (209) 722-3200
Fax: (209) 722-3254

No.	Date	Description

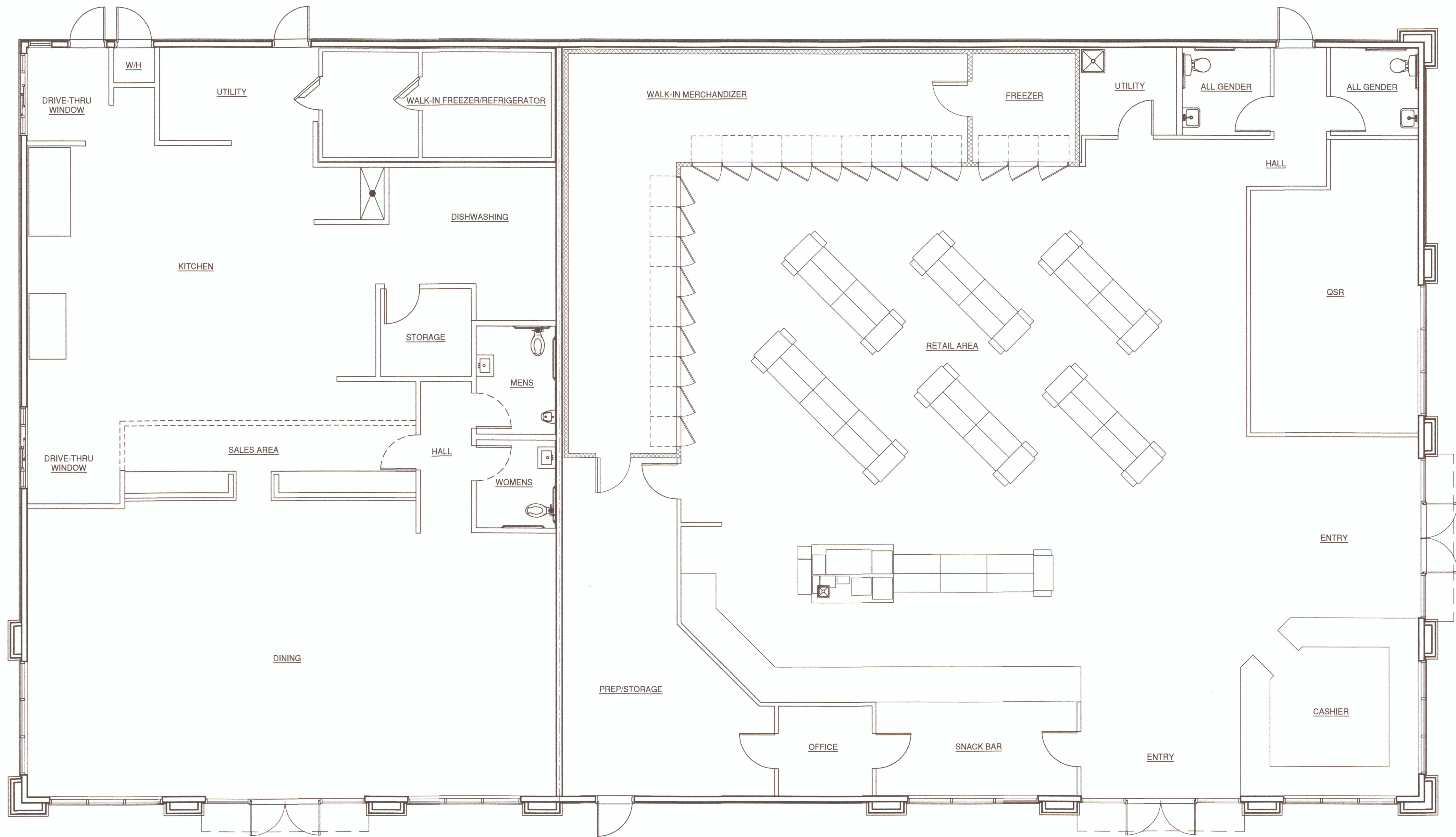
It is the client's responsibility prior to or during construction to verify the designer is writing in the correct format or reference to the state and qualifications of each in writing. Thoroughly investigate with the building codes and methods of construction should be followed for work. Before construction begins, each project must be reviewed and approved by the client. The client will be responsible for any delays in construction if these provisions are not followed.

A NEW GAS STATION/MINI-MART
FOR
Sohal Properties, LLC
11010 East Mountain View Avenue
Selma, Ca. 93662

ENGINEER:

SHEET CONTENTS:

PREPARED FOR:
Sohal Properties, LLC
Contact: Sidhu Singh
517 W. El Monte Way
Dinuba, CA 93618
Ph: (559) 356-2859
Email:
PROJECT DATA:
Date: APRIL 2020
Scale: AS SHOWN
Drawn By: PRL
Job No.: 20-033.00
SHEET NUMBER:



QSR/MINI-MART FLOOR PLAN
SCALE: 3/16"=1'-0"

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No.	Date	Description
1		
2		
3		
4		
5		

It is the client's responsibility prior to or during construction to verify the designer is willing to accept any potential errors or omissions in the design and specifications of which a contractor thoroughly understands with the building codes and methods of construction shall be responsible for errors. No liability shall be assumed for any errors or omissions and is limited to the designer prior to the client or client's representative providing with the work. The client shall be responsible for any delays in construction if these procedures are not followed.

CALIFORNIA

**A NEW GAS STATION/MINI-MART
FOR
Sohal Properties, LLC**
11010 East Mountain View Avenue
Selma, Ca. 93662

RECEIVED
MAY 28 2020
CITY OF SELMA

SELMA

ENGINEER:

SHEET CONTENTS:

- QSR/Mini Mart Floor Plan
-
-
-
-

PREPARED FOR:

Sohal Properties, LLC
Contact: Sidhu Singh
517 W. El Monte Way
Dinuba, CA 93618
Ph: (559) 356-2859
Email:

PROJECT DATA:

Date: APRIL 2020

Scale: AS SHOWN

Drawn By: PRL

Job No.: 20-033.00

SHEET NUMBER:

A1.0

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Fax: (209) 722-3254

It is the client's responsibility prior to or during construction to notify the designer in writing of any perceived errors or omissions in the plans and specifications of which a contractor thoroughly knowledgeable with the building codes and methods of construction should reasonably be aware. Written instructions addressing such perceived errors or omissions shall be received from the designer prior to the client or clients subcontractors proceeding with the work. The client will be responsible for any defects in construction if these procedures are not followed.

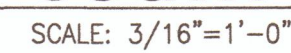
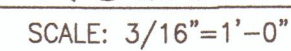
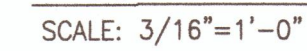
SELMA

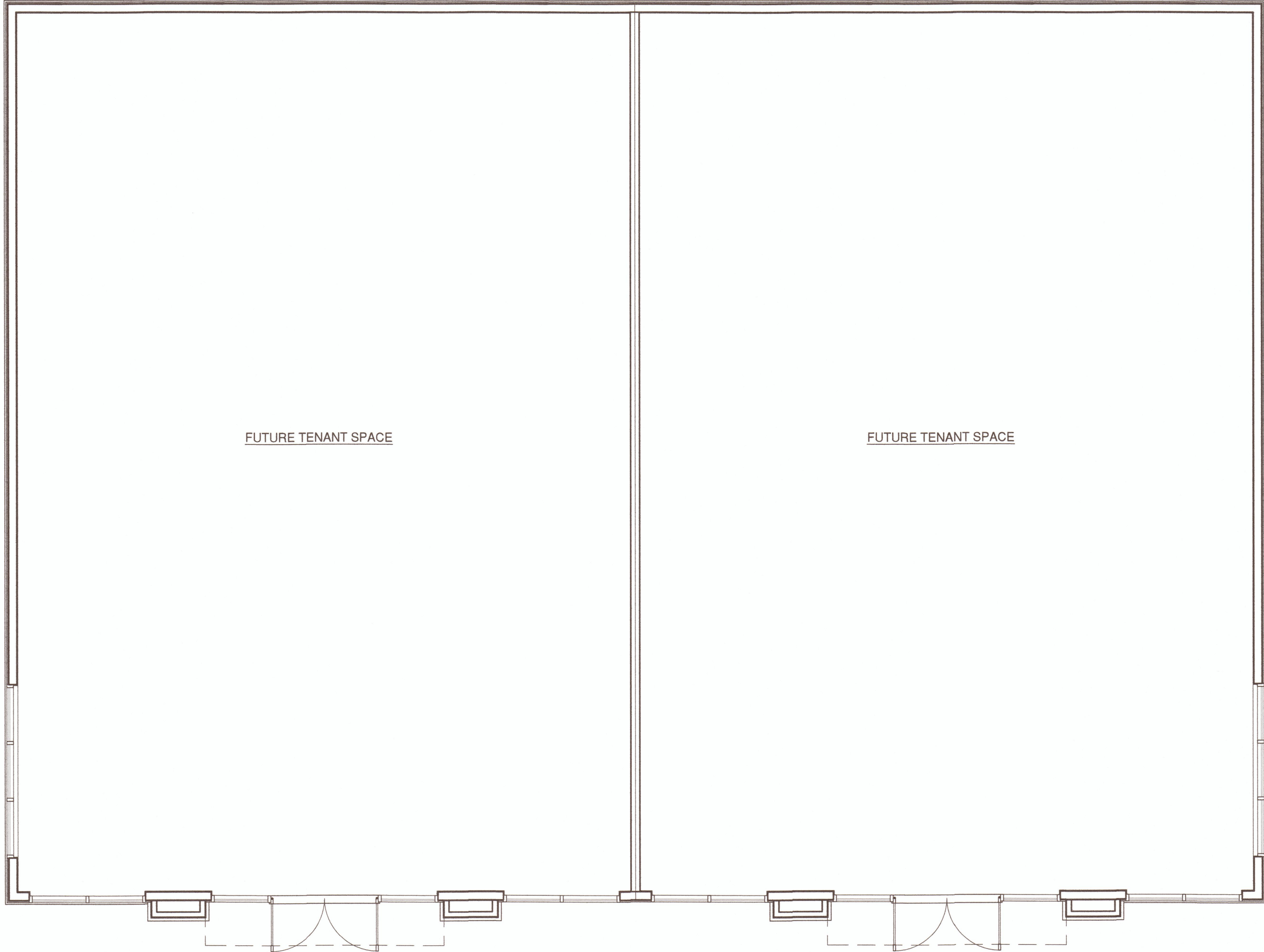
ENGINEER: _____

PREPARED FOR:

Sohal Properties, LLC
Contact: Sidhu Singh
517 W. El Monte Way
Dinuba, CA 93618
Ph: (559) 356-2859

A1.1






STRIP BLDG. FLOOR PLAN
SCALE: 1/4"=1'-0"



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No.	Date	Description
△		

It is the client's responsibility prior to or during construction to notify the designer in writing of any potential errors or omissions in the plans and specifications or which is otherwise thoroughly knowledgeable with the building codes and methods of construction should reasonably be aware. Written instructions addressing such potential errors or omissions shall be received from the designer prior to the client or client's subcontractors proceeding with the work. The client will be responsible for any delays in construction if these procedures are not followed.

CALIFORNIA

SELMA

A NEW GAS STATION/MINI-MART
FOR
Sohal Properties, LLC
11010 East Mountain View Avenue
Selma, Ca. 93662

ENGINEER:

SHEET CONTENTS:

- Strip BLDG Floor Plan
-
-
-

PREPARED FOR:

Sohal Properties, LLC
Contact: Sidhu Singh
517 W. El Monte Way
Dinuba, CA 93618
Ph: (559) 356-2859
Email:

PROJECT DATA:

Date: APRIL 2020

Scale: AS SHOWN

Drawn By: PRL

Job. No.: 20-033.00

SHEET NUMBER:

A2.0



EAST ELEVATION

WEST ELEVATION

SOUTH ELEVATION

A2.1

RESOLUTION NO. 2020-XX

A RESOLUTION OF THE CITY OF SELMA PLANNING COMMISSION APPROVING CONDITIONAL USE PERMIT NO. 2020-0012 ABC LICENSE TYPE 41 BEER & WINE AND THE NOTICE OF EXEMPTION REGARDING SAME AND MAKING FINDINGS INSUPPORT THEREOF

WHEREAS, on July 27, 2020, Selma Planning Commission considered a conditional use permit and site plan review application filed by Parminder Singh. The Conditional Use Permit and Site Plan Review No. 2020-0012 application was filed for the purposes of permitting a Type 21 alcoholic beverage license at 11010 E. Mountain View Ave, Selma, CA 93662 (APN:393-074-02); and

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

WHEREAS, the Selma Planning Commission conducted a public hearing, as heretofore specified, and considered the proposal and the Planning Division Staff Report 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. 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.
2. 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.
3. 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.

4. That the proposed location of the use and the conditions under which it would operate or be maintained will not be detrimental to the public health, safety, welfare or be materially injurious to properties or improvements in the vicinity.
5. 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.
6. That the conditions stated in the resolution are deemed necessary to protect the public health, safety, and general welfare.

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

1. That the foregoing recitals and findings are true and correct and incorporated by this reference as though fully set forth at this point.
2. The Planning Commission approves Conditional Use Permit No. 2020-0014 subject to the Findings of Fact and Conditions of Approval (attached as Exhibit A) and made a part of this Resolution.
3. 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.
4. 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 foregoing Resolution was duly approved by the Selma Planning Commission at a regular meeting held on the 27nd day of July, 2020 by the following vote, to wit:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSTAIN: COMMISSIONERS:

ABSENT: COMMISSIONERS:

GLENN NISWANDER CHAIRMAN
OF THE PLANNING COMMISSION

ATTEST:

Kira Noguera, Secretary, Selma City Planning Commission

Exhibit A

Conditions

Based on the approved findings, staff recommends that Conditional Use Permit No. 2020-0012 be approved subject to the following conditions:

Planning

1. The approval shall expire automatically within one (1) year on July 27, 2021 unless improvements have commenced. The site plan improvements shall be considered to have commenced when building permits are issued and 10% of the above ground construction has been completed. An extension of one (1) year may be granted by the Community Development Department.
2. The project shall be developed as shown on the Site Plan stamped received May 28, 2020, Floor Plans and Elevations including all notes as approved by the Community Development Department. Minor changes to the approved site plan that do not affect the intent or major design considerations may be approved administratively by the Community Development Department (attached).
3. The applicant shall sign the "Acknowledgement and Acceptance of Conditions" form prior to issuance of the building permits.
4. Approval of this site plan does not exempt the project from compliance with all applicable sections of the Zoning Ordinance, Engineering, Public Works Improvement Standards and other City Ordinances or the payment of any fees.
5. The Developer or successor in interest shall be responsible for all actions of his contractors and subcontractors during the course of any work occurring on the site.
6. All construction debris must be removed from the site prior to opening the business to the public.
7. No more than one vending machine shall be displayed or located outside the buildings, except for newspaper and bicycle racks.
8. The Developer or successor in interest shall designate, in writing before starting work, an authorized representative who shall have complete authority to represent and to act for the Developer. Said authorized representative or his designee shall be present at the site of the work at all times while work is actually in progress on the development. During periods when work is suspended, arrangements acceptable to the City Building Official shall be made for any emergency work, which may be required.

Screening:

9. All roof-mounted mechanical equipment and any satellite dish shall be screened from ground-level view from the property lines by a parapet wall or shall be placed in equipment wells so that the equipment is not visible from the street.

10. The backflow device and/or electrical transformers must be screened with landscaping pursuant to Document No. 063422 Landscape Screen for Pad-Mounted Transformer (PG & E Electric and Gas Service Requirements – Green Book). The proposed screening shall be submitted and approved by the Community Development Department prior to the issuance of building permits. No above-ground transformer is permitted on the required sidewalk within the public right-of-way.
11. Downspouts shall not be highly visible. All pipes, gutters, and chases attached to the building wall shall be painted a similar or complementary color to the existing wall that the item is attached to.
12. All electrical boxes, control boxes, and other equipment boxes (excluding traffic control) located along the project's street frontage shall be painted consistent with the building's colors. Prior to painting, the boxes are to be treated with an etching primer (zinc chromate) or equivalent.

Signage:

13. All new signage (including on-building, freestanding, and freeway signage) must be reviewed with a separate sign permit.

Architecture:

14. All exterior architectural elements not submitted must be reviewed and approved by the Community Development Department prior to issuance of the Building Permit. Details on the plans must be finished in a style and in materials which are in harmony with the approved exterior of the building.
15. The Developer shall maintain in good repair all building exterior walls, awnings, lighting, trash enclosure, drainage facilities, driveways, and parking areas. The premises shall be kept clean and any graffiti painted on the property shall be reported to the Police Department and removed by the property owner within 72 hours of occurrence.
16. Outside storage and/or equipment enclosures are not permitted.
17. No surface shall be mirrored so as to cause glare and annoyance to other adjacent properties.

Lighting:

18. An on-site exterior lighting plan shall be reviewed and approved by the Selma Police Department and Community Development Department.
19. Lighting elements shall be recessed into their fixtures to prevent glare. Exterior lighting shall be designed so as to have a sharp cut-off feature near property lines and not to illuminate adjacent properties. On-site light standards shall not exceed twenty feet (20') in height.
20. Perimeter lighting shall include illumination of parking areas, loading areas, and driveways.

Landscaping:

21. The applicant shall submit a landscape plan for all landscaped areas 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.
22. Landscaping shall be maintained in a healthy, weed-free condition at all times and shall be designed with efficient irrigation practices to reduce runoff, promote surface filtration, and minimize the use of fertilizers and pesticides, which can contribute to runoff pollution. The owner's representative shall inspect the landscaping on a monthly basis and any dead or dying plants and trees shall be replaced within ten days of the inspection.
23. The irrigation system must be developed with the water conservation standards. The irrigation system must be maintained in an operational condition, including replacement of missing or damaged sprinkler heads and timing equipment is to be set in accordance with City watering policies. All landscaping and irrigation systems must be installed according to the approved landscape plans before the final certificate of occupancy issuance.
24. All future improvements and modifications to the grounds and the structures must be reviewed and approved by the Community Development Department prior to the commencement of these changes. Minor changes to the approved site plan that do not affect the intent or major design considerations may be approved administratively by the Community Development Director or designee.

Building

25. The Developer or successor in interest shall comply with all applicable requirements and sections of the most recent State adopted Uniform Codes and regulations as required.
26. The Developer or successor in interest shall provide all necessary construction and building plans for review and approval by the Building Official and pay all required building fees. All required building permits and inspections shall be obtained prior to the issuance of a Certificate of Occupancy and commencement of operations.
27. Specific measures shall be incorporated into the building design to reduce energy consumption and indirect area source emissions. These measures must include the use of motion sensitive lighting fixtures, solar or low-emission water heaters, low flow water usage fixtures and building orientation to take advantage of solar heating and natural cooling.
28. No building or structure shall be used or occupied, and no future change in the occupancy classification of building or structure or portion thereof shall be made until the Building Official has issued a Certificate of Occupancy or Temporary Certificate of Occupancy.

Engineering

29. Drainage, grading, on-site and utility improvements shall be in accordance with plans reviewed and approved by the City Engineer. The Developer or successor in interest shall be responsible for the preparation of plans. The Developer shall provide preliminary soils report and pay for compaction tests. A copy of the final soils report and compaction test results shall be provided to the Selma Engineering Division. The Developer shall construct storm drainage facilities on, adjacent to and as deemed necessary by the City Engineer to service the project site, and any future development on the property.
30. The drainage/site improvement plan for the development shall be prepared by a registered civil engineer for review and approval by the City Engineer prior to the issuance of building permits. Storm water runoff shall be retained onsite per City of Selma Standards. All drainage improvements shall be certified by a registered civil engineer as being constructed to the approved plan.
31. The Developer or successor in interest shall submit to the City Engineer, a set of construction plans on 24" x 36" sheets with City standard title block for all required improvements (the Improvement Plans'). The Improvement Plans shall be prepared by a registered civil engineer, and shall include a site grading and drainage plan and an overall site utility plan showing locations and sizes of sewer, water, irrigation, and storm drain mains, laterals, manholes, meters, valves, hydrants, other facilities, etc. These plans shall include a revised site plan with trash enclosure location, tanks, generators, per the requirements of the City Engineer. Plan check and inspection fees per City of Selma shall be paid with the first submittal of said Improvement Plans. All Improvement Plans shall be approved by the City and all other involved agencies prior to the release of any development permits.
32. Grade differentials between lots and adjacent properties shall be adequately shown on the grading plan and shall be treated in a manner in conformance with City of Selma standards.
33. Upon approval of Improvement Plans, the Developer or successor in interest shall provide the City with three (3) copies of the improvement plans.
34. The Developer or successor in interest shall provide the current filing fee, plan check and inspection fees, and development impact fees at the rate in effect at the time of payment or have the fees payable directly to the City through a separate escrow account. All fees are payable prior to issuance of building permits, unless approved otherwise by the City Engineer.
35. Improvements to Golden State and Mountain View will be required however the site plan provided does not provide sufficient information to determine the requirements. The Developer or successor in interest shall provide geometric approval drawings for review and approval by the City Engineer prior to design of street improvements.
36. Right-of-way and complete street frontage improvements on Mountain View shall be coordinated with the roundabout alternative of the Caltrans Feasibility Study prepared for the State Route 99 interchange.

37. The design and construction of all off-site improvements shall be in accordance with City standards and construction specifications. The Developer or successor in interest shall be responsible for obtaining encroachment permits from the City of Selma for all work performed within the City's right-of-way and shall furnish to the City acceptable security to guarantee the construction of the off-site street improvements pursuant to determination by the City Engineer.
38. No above-ground transformer is permitted on the required sidewalk within the public right-of-way.
39. Contractor shall verify all conditions in the field prior to commencing construction.
40. All existing overhead and new utility facilities located on-site, or within the street rights-of-way adjacent to this project site shall be undergrounded.
41. All underground utilities installed under streets shall be installed, backfilled, compacted, tested and approved by the Engineer prior to placement of any aggregate base or asphalt concrete surfacing. Easements for utilities, including water, gas, telephone, electricity, sewage, pedestrian access, fire access, storm drainage, and irrigation facilities shall be provided, as required.
42. The design and details for the type and style of any wall shall be submitted to the Community Development Department and the City Engineer for review and approval prior to the issuance of building permits.
43. The Developer or successor in interest shall comply with the requirements of the Pacific, Gas and Electric Company (P.G. & E.).
44. All new easements for public utilities shall be recorded as necessary prior to the issuance of the building permits for the proposed buildings. No portion of the buildings shall be located in a public utility easement. All easements of record shall be accurately plotted on the site improvement plans clearly depicting the relationship of easements to proposed improvements.
45. All circulation areas of the site shall be paved to the satisfaction of the City Engineer.
46. All public and private improvements consisting of sanitary sewers, storm water systems, water mains, street medians, concrete curbs, gutters, sidewalks, wheelchair ramps, street light, site grading, transitions and marking, signage, and so on, and pavement surfacing and all other improvements shall be installed in accordance with City of Selma construction standards and specifications currently in effect and as approved by the City Engineer.
47. The Developer or successor in interest shall install street lights on metal poles to PG&E standards at the locations designated by the City Engineer. Street light locations shall be shown on the utility plans submitted for approval. Proof of PG&E approval shall be provided.
48. The Developer or successor in interest shall not install any fences, temporary or permanent, in the public right-of-way.

49. Prior to beginning any construction, or within twenty (20) calendar days after the approved plans are released by the City, the Developer or successor in interest shall submit to the City of Selma Engineering Division one (1) reproducible and four (4) copies of the approved set of construction plans, and two (2) bound sets of the approved construction specifications, if any.
50. Within twenty (20) calendar days after all improvements have been constructed and accepted by the City, the Developer or successor in interest shall submit to the City of Selma Engineering Division two (2) copies of the approved set of construction plans revised to reflect all field revisions and marked "AS-BUILT" for review and approval.
51. Upon approval of the "AS-BUILTS" by the City, the Developer or successor in interest shall provide (1) full size copy and one digital copy of the "AS-BUILTS" to the City.
52. The Developer or successor in interest shall provide the City with original improvement plans and Auto CAD files of the Maps, improvement plans, and all drawings prepared on Auto CAD.
53. The Developer or successor in interest must comply with the City of Selma Engineering/Public Works Standards and Specification requirements. Any deviation from said standards and specifications must be approved by the City Engineer prior to construction.
54. The applicant shall require the surveyor/civil engineer for the development to notify, in writing, the City Engineer of any existing section corner, property corner or reference monuments damaged by the construction of improvements performed as part of the development. The applicant shall have all such monuments reset to the satisfaction of the City Engineer. A licensed land surveyor or civil engineer licensed to perform land surveying shall certify the placement of all required monumentation prior to final acceptance. Brass caps are required for installation of new monuments or replacement of prior installation. Within five days after the final setting or replacement of all monuments has been completed, the engineer or surveyor shall give written notice to the City Engineer certifying that the final monuments have been set and that he has filed with the County Recorder all appropriate records of survey or corner records.
55. A Storm Water Pollution Prevention Plan will be required prior to approval of the Grading plan.
56. The project site is outside the limits of the CalWater service area and therefore a private well is necessary to serve the project site for domestic water. This constitutes a public water system classified as a Transient Noncommunity Water System which requires permitting by the California Department of Public Health. The Applicant shall submit a permit application, technical report, and application fee to the California Department of Public Health prior to construction of the proposed water system or provide documentation that a permit is already in place. The Applicant shall also demonstrate to the Department of Public Health that the well proposed to provide drinking water meets drinking water standards.
57. This development shall comply with the California Code of Regulations Title 24 Fire Code. Fire system plans shall be submitted to the Fire Marshal for review and approval.

58. The Applicant may be required to obtain an Underground Storage Tank Removal Permit from the Fresno County Department of Public Health, environmental Health Division, should any underground storage tank(s) be found during the project.
59. Prior to commencement of work, any existing wells that are not intended for use by the project shall be properly destroyed under permit(s) from the Fresno County Department of Public Health, Environmental Health Division; and prior to destruction of any agricultural wells, a sample of the upper most fluid in the well column shall be sampled for lubricating oil, and any such oil found shall be removed from the well prior to placement of fill material for destruction and be handled in accordance with federal, state and local government requirements.
60. Prior to commencement of work, any existing storage tanks that are not intended for use by the project shall be properly removed under permit(s) from the Fresno County Department of Public Health, Environmental Health Division.
61. Prior to commencement of work, the Developer or successor in interest shall obtain a demolition permit from the City of Selma for removal of existing septic tank and leach field.

SKF County Sanitation District

62. Applicant shall submit a commercial sewer connection application.
63. The applicant shall a set of detailed floor and plumbing plans in electronic format.
64. The applicant shall pay for the sewer connection and plan check/inspection fees prior to the issuance of the building permit.
65. The applicant shall connect to 8-inch and install an 8-inch end of the main line cleanout, including a box.
66. From the 8-inch sewer main, the applicant shall install a 6-inch sewer service lateral with cleanout and a box at the property line.
67. The applicant shall install an industry standard sewer back flow preventer on the 6-inch sewer service. The backflow device shall be installed on-site and maintained by the property owner.
68. Pre-treatment may be required for the food service.
69. The applicant shall call SKF for an inspection for all sewer installation.
70. The property buildings shall be metered separately from the landscaping, if applicable.
71. Modifications to the building, plumbing, or occupant usage will require a re-evaluation of the sewer connection permit.
72. Connection to the sewer collection system shall be in accordance with the City and District's Standards.

Police

73. An approved and listed security system shall be reviewed and approved by the Selma Building Official and Selma Police Department. The approved security system shall be installed and shall meet the requirements as approved.
74. The City reserves the right to periodically review the area for potential problems. If problems (on-site or within the immediate area) including, but not limited to, public drunkenness, the illegal sale or use of narcotics, drugs or alcohol, disturbing the peace and disorderly conduct result from the proposed land use, the conditional use permit may be subject to review and revocation by the City of Selma after a public hearing and following the procedures outlined in the Selma Municipal Code.

Fire

75. An approved KnoxBox shall be installed in an approved location at a height of 6-8 feet above grade, on the right side of the building entrance. The key box shall contain labeled keys to gain access into all portions of the building. Applications are available online at KnoxBox.com.
76. Fire apparatus access roads shall have an unobstructed width of not less than 20 feet and an unobstructed vertical clearance of not less than 13.5 feet. South side of project allows for only 17' of access. The minimum widths and clearances shall be maintained at all times. (CFC 503) Where required by the fire code official, approved signs or other approved notices or markings that include the words NO PARKING – FIRE LANE shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof.
77. Portable fire extinguishers shall be selected, installed and maintained in accordance with the California Fire Code, NFPA Standard 10 and Chapter 3, Title 19 California Code of Regulations. All fire extinguishers, including new extinguishers, shall have a current California State Fire Marshal service tag attached to the extinguisher. Fire extinguishers shall be mounted on the wall at no more than 5 feet above the floor. (Gross weight not to exceed 40 pounds.) Fire extinguisher type and placement locations shall be shown on the plans and coordinated with Selma Fire Prevention Bureau.
78. Provide exterior electrical shunt trip with break-a-way lock, so in the event of a fire, all electrical to the building can be shut off from the exterior of the building. Exterior electrical main labeled as 'Main Shut Off' with 4" minimum lettering.
79. Provide address clearly visible from the driveway approach. Address letters minimum of 8" in height, 3/4" stroke and contrasting with background.
80. 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 (SFPB) for review. Installation or modification of any fire protection or notification system shall be started without first receiving a permit from SFPB.
81. Plans submitted to Selma Fire Prevention Bureau shall include the governing codes used for the project, type of occupancy and 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 in the project notes, such as; fire sprinklers, fire alarms, fire pumps, underground water supply, kitchen hood suppression systems, etc.

82. All buildings and canopies, regardless of square footage, will be required to have fire sprinkler system.

83. No deferred submittals on fire pump, supply water tank, and sprinkler submittals.

California Department of Transportation

84. The Developer or successor of interest shall comply with all State of California Department of Transportation (CALTRANS) requirements as described in the attached letter dated July 2, 2020 prior to submittal for building permit (attached).

City Attorney - Defense and Indemnification Provisions:

85. The City shall not be liable to the Developer/successor in interest or to any other person, firm, or corporation whatsoever, for any injury or damage that may result to any person or property by or from any cause whatsoever in, on, or about the project of said land covered by this Agreement, or any part thereof. The preceding sentence shall not apply to any liability, loss, cost of damages caused solely by the negligence (active or passive) or willful misconduct of the City or its agents.

86. The Developer/successor in interest hereby releases and agrees to indemnify and hold the City, and its officers, agents, employees and volunteers harmless from and against any and all injuries to and deaths of persons or injuries to property, and all claims, demands, costs, loss, damage and liability, howsoever the same may be caused and whensoever the same may appear, resulting directly or indirectly from the performance or nonperformance of any or all work to be done in said project including but not limited to the street lights of way in said Project and upon the premises adjacent thereto pursuant to this Agreement, and also from any and all injuries to and deaths of persons and injuries to property or other interests, and all claims, demands, costs, loss, damage, and liability, howsoever same may be caused and whensoever same may appear, either directly or indirectly made or suffered by the Developer/successor in interest, the Developer's agents, employees, and subcontractors, while engaged in the performance of said work. The preceding sentence shall not apply to any liability, loss, cost, damage and liability caused solely by the negligence (active or passive) or willful misconduct of the City or its agents.

Selma Unified School District

87. Developer or successor in interest must contact Selma Unified School District and pay all applicable fees if any at the time of building permit issuance.

Solid Waste Disposal and Recycling

88. Refuse/trash/recycling enclosures shall be provided in locations shown on the site plan in accordance with the City standards listed and detailed in the City of Selma Commercial and Industrial Development Manual. The enclosure is to be architecturally compatible with the approved building and approved by the Community Development Department. The refuse enclosure gates must be kept closed and remain closed unless in use.
89. The proposed development on the site shall participate in the City's recycling program and shall locate recycling bins within the proposed enclosures.
90. Nothing other than the City refuse/recycling bins shall be stored or kept in said enclosures. The Developer or successor in interest shall provide additional enclosure space if on-site enclosure is determined to be insufficient. Additional enclosure location shall be reviewed and approved by the Community Development Department.
91. The Developer or successor in interest shall contract with the city of Selma's Disposal and Recycling service provider for solid waste disposal service.
92. Minor changes to the approved trash/recycling enclosure locations that do not affect the intent or major design considerations may be approved administratively by the Community Development Department.

Consolidated Mosquito Abatement District

93. The Developer or successor in interest shall refer to the Consolidated Mosquito Abatement District suggested rules and mitigation measures to reduce the incidence of mosquito.

San Joaquin Valley Unified Air Pollution Control District

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

County of Fresno Human Health System - Environmental Health

95. All construction equipment must be maintained according to the manufacturers' specifications, and noise generating construction equipment must be equipped with mufflers. Noise-generation construction activities shall be limited to daytime hours as specified in the City's Municipal Code.
96. All construction materials deemed hazardous as identified in any demolition process must be characterized and disposed of in accordance with current federal, State, and local requirements.

California Regional Water Quality Control Board

97. The Developer or successor in interest is required to comply with the State of California Water Resource Control Board requirements specifically related to the National Pollution Elimination System permit process.

DEPARTMENT OF TRANSPORTATION**DISTRICT 6 OFFICE**

1352 WEST OLIVE AVENUE

P.O. BOX 12616

FRESNO, CA 93778-2616

PHONE (559) 444-2493

FAX (559) 488-4088

TTY 711

www.dot.ca.gov

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a California Way of Life*

July 2, 2020

06-FRE-99-3.743

Conditional Use Permit and
Site Plan Review No. 2020-0012
Service Station with Convenience Store

SENT VIA EMAIL

Ms. Kira Noguera
Selma Contract City Planner
1710 Tucker Street
Selma, CA 93662

Dear Ms. Noguera:

Thank you for the opportunity to review the Conditional Use Permit and Site Plan Review application for a new gas station, mini-mart with alcohol sales, and fast food service with drive-thru located at 11010 E. Mountain View Ave, Selma, CA approximately 700 feet east of the State Route (SR) 99/Mountain View Avenue northbound on-ramp. The 2.2-acre project site is zoned C-R (Regional Commercial) and has frontage on Golden State Boulevard and Mountain View Ave. Mixed commercial and service station are allowed uses in the C-R zone. The applicant proposes a first phase construction of a 7,800 square foot commercial building that will have two tenant spaces: a 4,800 square foot gas station/mini-mart with a 3,800 square foot canopy and a 3,000 square foot fast food restaurant with drive thru service. The second phase consists of construction of a 3,500 square foot single story commercial retail building to be completed at a later date.

The mission of Caltrans is to provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability. The Local Development -Intergovernmental Review (LD-IGR) Program reviews land use projects and plans through the lenses of our mission and state planning priorities of infill, conservation, and travel-efficient development. To ensure a safe and efficient transportation system, we encourage early consultation and coordination with local jurisdictions and project proponents on all development projects that utilize the multimodal transportation network.

Caltrans provides the following comments consistent with the State's smart mobility goals that support a vibrant economy and sustainable communities:

1. Based on Phase One and Two, the proposed project will have a potential of generating approximately 281 A.M. peak hour trips and 290 P.M. peak hour

trips. It is understood that the site is already zoned Regional Commercial, the proposed project appears to be more intense than the existing use. **It is recommended that the project proponent prepare a trip generation study in order to determine the “net” difference between the existing use and the proposed use.**

2. The Fresno Council of Governments, the Tulare County Association of Governments, the City of Kingsburg, and the City of Selma in cooperation with Caltrans had prepared a Feasibility Study that included the SR 99/Mountain View Avenue interchange. In that study, four alternatives were identified where the roundabout was the choice of the locals as the mid-term alternative. This would allow the project to have continued access to Mountain View Avenue.
3. The long-term alternative was not fully analyzed but Caltrans used an L-9 configuration as a long-term alternative because generally it has the largest footprint. This is to some extent conservative in the sense of not minimizing what the future impacts might be. With this alternative, the Project proponent should be aware that in the future, access may be impacted on Mountain View Avenue.

If you have any other questions, please call me at (559) 444-2493.

Sincerely,



DAVID PADILLA
Associate Transportation Planner
Transportation Planning – North

C: Jamaica Gentry, Acting Chief
Transportation Planning – North

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

2281 Tulare Street

Fresno, CA 93271

From: (Public Agency): Selma Planning
1710 Tucker Street
Selma, CA 93662

(Address)

Project Title: Mountain View Commercial Center

Project Applicant: Parminder Singh c/o Sohal Properties LLC

Project Location - Specific:

11010 E. Mountain View Ave. Selma, CA 93622

Project Location - City: Selma

Project Location - County: Fresno

Description of Nature, Purpose and Beneficiaries of Project:

Project is a 2.04 acre commercial development site that includes a mini-mart /gas station with a canopy, fast-food restaurant with drive-thru, and three commercial/retail spaces available for rent / lease. The development has frontage on both Golden State and E. Mountain View Avenues.

Name of Public Agency Approving Project: Selma City Planning

Name of Person or Agency Carrying Out Project: Sohal Properties LLC

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: Sec. 15332 of CEQA (see below)
- ☐ Statutory Exemptions. State code number: _____

Reasons why project is exempt:

The Project 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

Lead Agency

Contact Person: Kira Nogeura, 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: City Planner

☐ 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: _____

SELMA PLANNING COMMISSION

STAFF REPORT

Meeting Date: July 27, 2020

TO: Selma Planning Commission

FROM: Community Development Department

SUBJECT: AGENDA ITEM NO. 4

Submittal No. 2020-0009: Rezone and General Plan Amendment for APN: 385-220-13

Initial Study/Subsequent Negative Declaration (IS/SND) to the City of Selma
General Plan Update 2035 EIR (SCH# 2008081082)

Summary and Purpose

The purpose of this agenda item is to hold a public hearing for the Planning Commission to consider recommending to the City Council the rezoning of approximately 9.1 of the 9.9 acres of Assessor's Parcel Number (APN) 385-220-13 from the R-1-7 zone to the R-4 zone. The item also includes amending the subject area's General Plan land use designation from Medium Density Residential (MDR) to High Density Residential (HDR) to maintain consistency between the zoning and General Plan designation, a requirement of State law.

The proposal would apply to the portion of the parcel currently designated by the General Plan as MDR (Medium Density Residential). The southeastern corner of the parcel (0.8 acres) is designated Parks/Open Space and is not part of the project. This proposal is part of the City's ongoing process to comply with the City's requirement to implement Housing Element Program 4 from its 2007 Housing Element to rezone at least 8.5 acres to R-4 at a minimum of 20 dwelling units per acre. The project would also satisfy the Regional Housing Needs Allocation (RHNA) shortfall of 169 units identified in the 2007 Housing Element. The City of Selma is implementing this project as the final part of several actions to bring their 2007 Housing Element into compliance with current State of California Housing Element laws.

This project is also part of the City's continuous efforts to reconcile inconsistencies between Selma's zoning and General Plan. The current General Plan designation of MDR is inconsistent with the current R-1-7 zoning.

Application Information

Applicant: City of Selma

Owner: Hardeep Nagra

Project Location: The project site is located within the City of Selma west of South Highland Avenue (State Route [SR] 43) between East Rose and Nebraska Avenues; it is adjacent to and west of the Sikh Center of the Pacific Coast.

Applicant's Proposal:

Amend the City's General Plan Land Use Element to HDR from MDR to allow a density of 20.0-24.0 dwelling units per acre. Rezone the parcel from R-1-7 to R-4 to allow a density of 20.0-24.0 dwelling units per acre.

Land Use; General Plan; Zoning:

High Density Residential (HDR); R-4

Project Analysis

The City of Selma is implementing this project to bring their 2007 Housing Element into compliance with current State of California Housing Element laws. The 2007 Housing Element stated the City would identify a minimum of 8.5 acres within the City to rezone to the R-4 Zone District at a density of 20 dwelling units per acre to allow for the building of 169 residential units to meet the City's Regional Housing Needs Allocation (RHNA) assigned to the City by the California Department of Housing and Community Development (HCD). This proposed project is necessary for the City to bring their Housing Element into compliance. At this time, HCD is withholding State housing funding until the City brings their Housing Element into compliance.

This project follows the creation of an R-4 Zone District for the City of Selma that the Planning Commission heard on October 28, 2019, recommending approval to the City Council. The City Council approved the creation of the R-4 Zone District at their November 18, 2019 hearing. This rezone is the final step to bring the 2007 Selma Housing Element into compliance.

Environmental Compliance (CEQA)

Pursuant to CEQA Section 21064, an Initial Study and Subsequent Negative Declaration (IS/SND) was prepared for this project. The potential environmental impacts of the project have been considered in comparison with the Final EIR for the City of Selma General Plan Update 2035 EIR (SCH #2008081082). This is to determine whether impacts with the project are consistent with the impact analysis provided in the General Plan EIR, whether General Plan policies or mitigation measures identified in the General Plan EIR address or resolve any new, potentially more severe environmental impacts associated with the project, and whether additional mitigation measures are required to minimize or avoid potentially significant impacts.

The IS/SND has concluded that substantial changes are not proposed to the 2035 General Plan nor would the project have any substantial adverse effects that would require major revisions to the adopted 2035 General Plan EIR prepared for the 2035 General Plan. Impacts beyond those identified and analyzed in the 2035 General Plan EIR are not expected to occur as a result of the project. Overall, the proposed amendments to the 2035 General Plan that consists of this project, will result in a negative declaration. This means the project will not have a significant effect on the environment and does not require the preparation of an environmental impact report.

Notice of Public Hearing

A Public Notice on the availability of the Subsequent Negative Declaration was published one time in The Selma Enterprise on June 24, 2020. The Public Hearing Notice was published one time in The Selma Enterprise on July 15, 2020. The adjacent property owners within 300 feet were notified of the hearing by the City via letter on June 17, 2020.

Recommendation

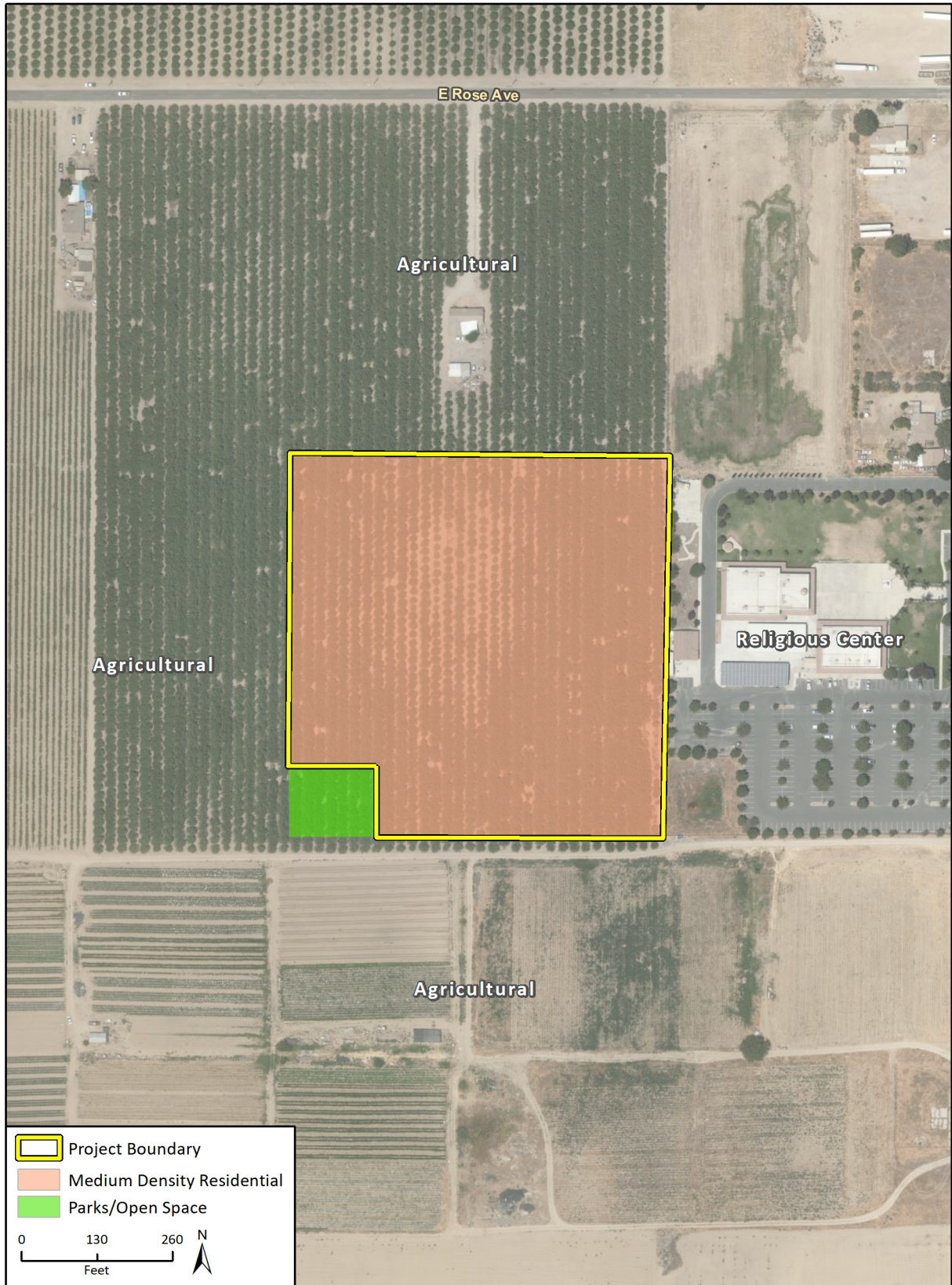
Staff is presenting these projects to the Planning Commission for their consideration. Staff is recommending that the Planning Commission recommend approval to the City Council of General Plan Amendment and Zone Change No. 2020-0009, along with consideration and approval of the IS/SND to the City of Selma General Plan Update 2035 EIR. The Planning Commission may continue this item, recommend denial of the project to the City Council, or direct staff to amend the documents presented.

Kira Noguera, Contract Planner
Community Development Department

Attachments

1. Project Location Map
2. Resolution Approving General Plan Amendment and Zone Change No. 2020-0009
3. IS/SND to the City of Selma General Plan Update 2035 EIR

Project Location Map



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Fig 3 Project Location APN38572013

RESOLUTION NO. 2020-??

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SELMA, CALIFORNIA RECOMMENDING APPROVAL OF GENERAL PLAN AMENDMENT AND ZONE CHANGE NO. 2020-0009 FOR A 9.1 ACRE PORTION OF APN 385-220-13 TO THE SELMA CITY COUNCIL AND DRAFT INITIAL STUDY, SUBSEQUENT MITIGATED NEGATIVE DECLARATION TO THE CITY OF SELMA GENERAL PLAN UPDATE 2035 EIR (SCH # 2008081082), AND MAKING FINDINGS IN SUPPORT THEREOF

RECITALS

WHEREAS, on April 27, 2020, the City of Selma, (“Applicant”), filed a complete application requesting the approval of a Rezone and General Plan Amendment to the City of Selma, No. 2020-0009 described herein (“Application” or “Project”); and

WHEREAS, the Application applied to rezone approximately 9.1 of a 9.9 acre parcel from the R-1-7 zone to the R-4 zone, subsequently amending the land use designation from Medium Density Residential to High Density residential, on a vacant lot located west of South Highland Avenue (State Route [SR] 43) between East Rose and Nebraska Avenues Selma, California, Assessor’s Parcel Number 385-220-13 (“Property”); and

WHEREAS, the proposal is part of the City’s ongoing process to comply with the City’s requirement to implement Housing Element Program 4 from its 2007 Housing Element to rezone at least 8.5 acres to R-4 at a minimum of 20 dwelling units per acre while also satisfying the Regional Housing Needs Allocation (RHNA) shortfall of 169 units identified in the 2007 Housing Element; and

WHEREAS, the Property is currently a vacant lot with dirt roads and was previously used for agricultural uses; and

WHEREAS, a Draft Initial Study and Subsequent Negative Declaration (IS/SND) was prepared for this project. The potential environmental impacts of the project have been considered in comparison with the Final EIR for the City of Selma General Plan Update 2035 EIR (#2008081082). The IS/SND has concluded that substantial changes are not proposed to the 2035 General Plan nor would the project have any substantial adverse effects that would require major revisions to the adopted 2035 General Plan EIR prepared for the 2035 General Plan. A Public Notice on the availability of the Subsequent Negative Declaration was published one time in The Selma Enterprise on June 24, 2020. Reflecting independent judgement 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 and Subsequent Negative Declaration; and

WHEREAS, notice of the Planning Commission’s July 27, 2020 public hearing for the Project was published in *The Selma Enterprise* on July 15, 2020, in compliance with the City’s Code and Government Code Section 65091.

WHEREAS, notice of the Planning Commission’s July 27, 2020 public hearing on the Project was also mailed to property owners within 300 feet of the Property on July 17, 2020; and

WHEREAS, on July 27, 2020, 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 and Subsequent Negative Declaration 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. 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. 2020-0009, will not have significant impacts with appropriate mitigation measures applied. A Draft Initial Study and Subsequent Negative Declaration is appropriate under the California Environmental Quality Act (“CEQA”) to address impacts of the Projects. Based on these findings, the Planning Commission recommends adoption of the Draft Initial Study and Subsequent Negative Declaration to the Selma City Council. The Planning Commission further recommends to the Selma City Council that the Application for the aforesaid General Plan Amendment and Rezone of the Property from the R-1-7 to the R-4 zone be approved.

PASSED, APPROVED AND ADOPTED by the Planning Commission of the City of Selma at a regular meeting held on July 27, 2020, 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



Nagra Parcel Rezone and General Plan Amendment

Draft Subsequent Negative Declaration

SCH#2008081082

prepared by

City of Selma

Planning Division

1710 Tucker Street

Selma, California 93662

Contact: Kira Noguera, Planner

prepared with the assistance of

Rincon Consultants, Inc.

7080 North Whitney Avenue, Suite 101

Fresno, California 93720

July 2020



RINCON CONSULTANTS, INC.

Environmental Scientists | Planners | Engineers

rinconconsultants.com

Nagra Parcel Rezone and General Plan Amendment

Draft Subsequent Negative Declaration
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July 2020



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Initial Study

1. Project Title

Nagra Parcel Rezone and General Plan Amendment

2. Lead Agency Name and Address

City of Selma
Planning Division
1710 Tucker Street
Selma, California 93662

3. Contact Person and Phone Number

Kira Noguera, Planner
(559) 891-2209

4. Project Location

The project site is located within the City of Selma (Figure 1) west of South Highland Avenue (State Route [SR] 43) between East Rose and Nebraska Avenues, adjacent to and west of the Sikh Center of the Pacific Coast (Figure 2).

5. Project Sponsor's Name and Address

City of Selma
Planning Division
1710 Tucker Street
Selma, California 93662

6. Current General Plan Designation

Medium Density Residential (MDR)

7. Current Zoning

R-1-7, Single-family Residential with a minimum lot size of 7,000 square feet. The zone district is not consistent with the current General Plan designation.

City of Selma
Nagra Parcel Rezone and General Plan Amendment

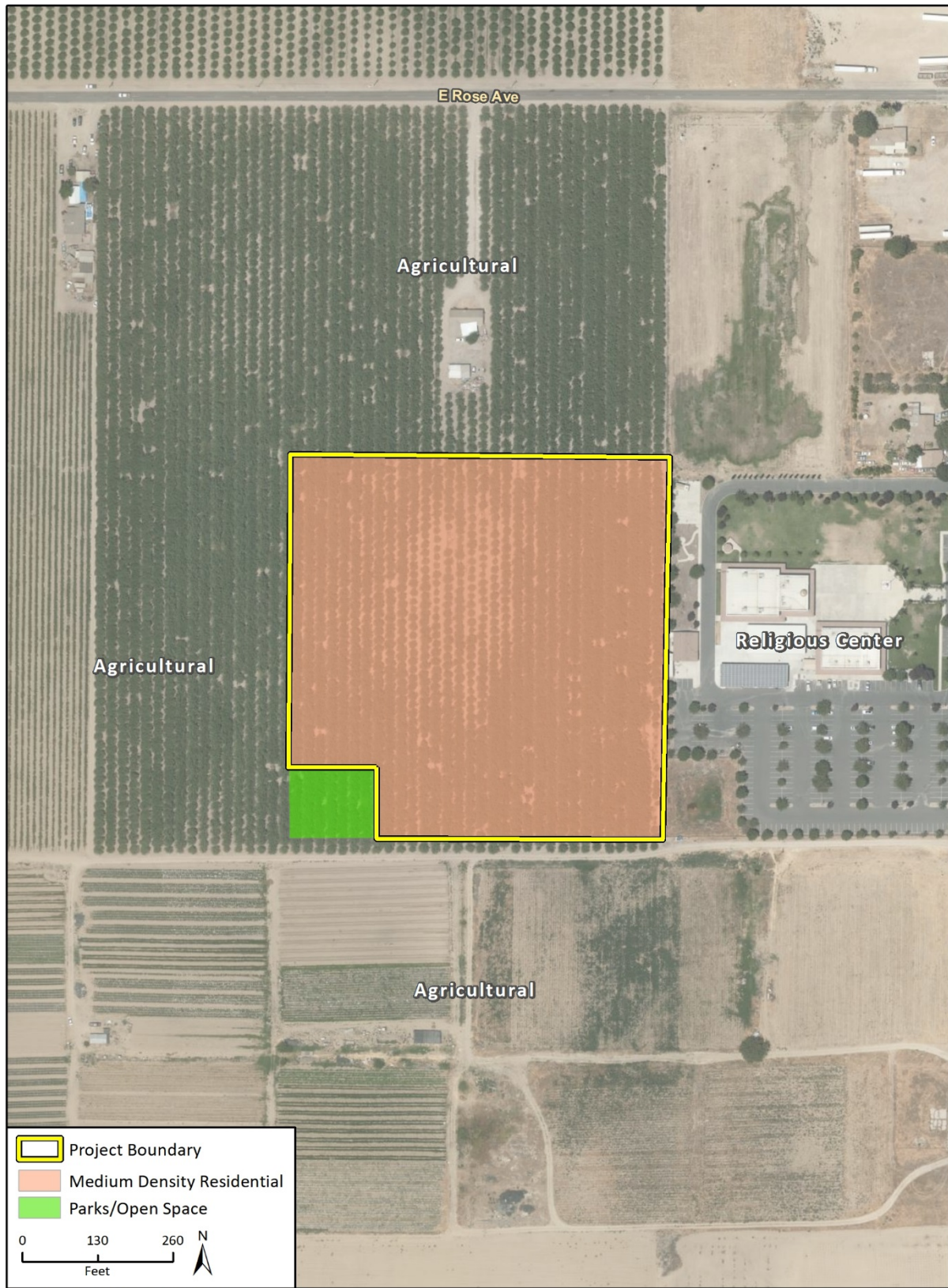
Figure 1 Regional Location



Imagery provided by Esri and its licensors © 2020.



Figure 2 Project Site Location



8. Description of Project

The project would rezone 9.1 acres of the property at APN 385-220-13 in the City of Selma, California from the R-1-7 Zone to the R-4 Zone District and amend the General Plan land use designation from Medium Density Residential (MDR) to High Density Residential (HDR). The entire parcel is 9.9 acres. The rezone would apply to that portion of the parcel currently designated MDR. The southeastern corner of the parcel (0.8 acres) is designated Parks/Open Space and is not part of the project. This is part of the City's ongoing process to comply with the City's requirement to implement Housing Element Program 4 from its 2007 Housing Element to rezone at least 9.1 acres to R-4 at a minimum of 20 units per acre. This is to satisfy the Regional Housing Needs Allocation (RHNA) shortfall of 169 units identified in the 2007 Housing Element.

Rezone

The project would rezone the project site from the existing zoning of R-1-7 to R-4, allowing a range of 20 to 24 units per acre on the 9.1-acres. According to Selma's Residential Development Standards, the property's existing R-1-7 zone allows a minimum lot size of 7,000 square feet or a minimum of approximately 6.2 units per acre to allow lower density single family residential uses. It should be noted that the current zoning is not consistent with the General Plan land use designation, which requires a higher density at the project site. The purpose of the R-4 zoning is to allow for higher density multi-family uses, comply with the City's Housing Element Program, and satisfy the Regional Housing Needs Allocation.

General Plan Amendment

The project would also amend the General Plan land use designation for the property from MDR to HDR. The 2035 General Plan EIR assumed buildout in accordance with the MDR land use designation, which allows 4.5 to 9 units per acre on a minimum lot size of 6,000 sq. ft, plus another 4,000 sq. ft. for each additional unit on said lot. The proposed amendment to the HDR General Plan land use designation would allow for a maximum of 24 units per gross acre. The HDR designation would be consistent with the R-4 zone, which allows for high density multi-family uses (20 to 24 units per acre). Table 1 shows the existing vs. proposed zoning and General Plan land use designations for the project site.

The potential environmental impacts of the project have been considered in comparison with the Final EIR for the City of Selma General Plan Update 2035 EIR (SCH #2008081082; General Plan EIR), to determine whether impacts with the project are consistent with the impact analysis provided in the General Plan EIR, whether General Plan policies or mitigation measures identified in the General Plan EIR address or resolve any new more potentially more severe environmental impacts associated with the project, and whether additional mitigation measures are required to minimize or avoid potential impacts. The General Plan EIR is available for review on the City's website [here](#) and at the Planning Division of the City of Selma Community Development Department, located at 1710 Tucker Street, Selma, CA 93362.

This CEQA analysis focuses on the potential impacts from the project based on the change in density from MDR (4.5 to 9 units per acre) to HDR (20 to 24 units per acre). This change would allow for the development of up to 218 residential units on the project site, an additional 136 units compared to the units originally evaluated in the General Plan EIR. The proposed actions would not result in

physical impacts that exceed those associated with City buildout, as described in the General Plan EIR. Although the project would increase density at the project site, this increase would be within the growth projections contained in the 2035 General Plan and assist in meeting the City's goals for providing housing as stated in their Housing Element.

Table 1 Existing and Proposed Zoning and General Plan Designation

Status	Zoning	Units/acre, min. lot size	General Plan Land Use Designation	Density
Existing:	R-1-7	4.5-9 units per acre, on a minimum lot size of 6,000 sq. ft. with an additional 4,000 sq. ft. for each additional unit.	Medium Density Residential	4.5-9 du/acre
Proposed:	R-4	20-24 units per acre, on a minimum lot size of 30,000 sq.ft.	High Density	20-24 du/acre (+ 218 units)

9. Surrounding Land Uses and Setting

The City of Selma is located in the Central Portion of the San Joaquin Valley, approximately 16 miles southeast of the City of Fresno in Fresno County (Figure 1). As shown in Figure 2, the project site is located west of SR 43 between East Rose and Nebraska Avenues. The property is a vacant lot with dirt roads and was previously used for agricultural uses. The surrounding land uses primarily consist of agricultural lands to the north, south, and east, with the Sikh Center of the Pacific Coast immediately adjacent to the west.

10. Other Public Agencies Whose Approval is Required

As described above the project would require a rezone and General Plan amendment by the City of Selma Community Development Department. No approvals from other public agencies would be required for the proposed project.

Environmental Factors Potentially Affected

This project would potentially affect the environmental factors checked below, involving at least one impact that is “Potentially Significant” or “Less than Significant with Mitigation Incorporated” 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

Based on 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 to 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 “less than significant with mitigation incorporated” 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 potential 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.



07/01/2020

Signature

Date

Eric VonBerg

Sr. Project Manager

Printed Name

Title

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Environmental Checklist

1 Aesthetics

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Except as provided in Public Resources Code Section 21099, would the project:				
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 a 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 type="checkbox"/>	<input checked="" type="checkbox"/>
d. Create a new source of substantial light or glare that would adversely affect daytime or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- a. *Would the project have a substantial adverse effect on a scenic vista?*
- b. *Would the project substantially damage scenic resources, including but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?*
- c. *Would the project 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 a 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?*

According to the EIR for the City of Selma 2035 General Plan, Selma's primary scenic and visual resources consist of the Sierra Nevada Mountains located approximately 35 miles east of Selma and the coastal foothills to the west that can be seen on clear days (Selma 2009). Other scenic resources

identified in the General Plan EIR include: the agricultural lands, row and tree crops surrounding the Selma city limits, street trees and established larger trees within and around Selma, and landscaped areas within the public parks. SR 99 and SR 43 both pass through Selma. These state routes are not designated as scenic highways in the California State Scenic Highway Program (California Department of Transportation [Caltrans] 2019). Visual conditions in and around Selma have not substantially changed and no new scenic vistas or scenic highways have been designated in Selma beyond those identified in the General Plan EIR.

The project would rezone the parcel's existing R-1-7 zone to an R-4 zone and amend its land use designation from MDR to HDR. This would allow for consistency between the project's zoning and General Plan land use designation and bring City's Housing Element into compliance with current State of California Housing Element laws. This increase (to allow up to 24 units per gross acre) in density would have a minimal impact to existing scenic views as the project is located near the intersection of East Rose Avenue and SR 43, surrounded by agricultural and community commercial uses, with planned multifamily uses along East Rose Avenue and SR 43 in the future. Per the General Plan Land Use map, several parcels surrounding the project site are designated MDR and are also being considered for rezoning and general plan amendments to update the City's Housing Element.

In addition, development of the project site would be subject to review by the City prior to approval to ensure applicable design guidelines are adhered to and consistent with the visual character intended for the area. Therefore, the project would not result in new or substantially degrade the existing visual character or quality of public views of the site and no impact would occur.

NO IMPACT

- d. *Would the project create a new source of substantial light or glare that would adversely affect daytime or nighttime views in the area?*

The project site is currently a vacant lot, surrounded by agricultural land and community commercial uses. The adjacent religious center and roadways near the project site generate some light. Primary sources of lighting include building mounted and perimeter lighting as well interior lighting visible through windows and headlights from vehicles on nearby streets. The primary source of glare adjacent to the project site is the sun's reflection from metallic and glass surfaces on the nearby building and on vehicles parked in the adjacent parking area. Vehicles parked near the project site are the primary source of daytime glare.

The project would involve rezoning the parcel and amending its land use designation to allow for housing at a higher density than is currently allowed at the project site. New development as a result of the proposed rezone and General Plan amendment could result in new exterior and interior lighting. Future development of the project site would be subject to the lighting requirements for residential land uses within the City Zoning Ordinance. Additionally, the City of Selma 2035 General Plan includes the following policy relating to exterior lighting:

Policy 1.33c: Exterior lighting for projects shall be shielded to prevent line of sight visibility of the light source from abutting property planned for single-family residential. The City Site Plan Review process shall require development projects to ensure that no more than 0.25 footcandles of errant light impacts adjacent properties. The Planning Official shall require a photometric analysis of projects where necessary to demonstrate compliance with this requirement.

Implementation of this policy, and others required by the City Site Plan Review process and the Zoning Ordinance would reduce the potential for new development to create substantial sources of

lighting or glare that would adversely affect day or nighttime views. Impacts related to lighting and glare would be less than significant.

LESS THAN SIGNIFICANT IMPACT

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2 Agriculture and Forestry Resources

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on 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 Resources Code Section 12220(g)); timberland (as defined by Public Resources Code Section 4526); or timberland zoned Timberland Production (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 use?	<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 checked="" type="checkbox"/>	<input type="checkbox"/>

- a. *Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?*

The project site and surrounding areas are characterized by agricultural uses including cultivated annual crops in the northern, eastern, and southern areas and disked agricultural fields. A religious center and associated parking lot is located to the west of the project site. The California Department of Conservation's (DOC) California Important Farmland Finder map designates the northwestern portion of the project site as Unique Farmland and the rest of the site as Prime

Farmland (DOC 2020). Unique farmland is defined as farmland with “which does not meet the criteria for Prime Farmland or Farmland of Statewide Importance that is currently used for the production of specific high economic value crops.” Prime farmland is defined as farmland with “the best combination of physical and chemical features able to sustain long-term agricultural production.”

Although the project site is currently vacant and has been historically used for row crop agriculture, the project parcel is zoned for R-1-7 residential uses. The project would involve rezoning the parcel and amending its land use designation to allow for housing at a higher density than is currently allowed at the project site. New development as a result of the proposed rezone and General Plan amendment would result in the conversion of Prime and Unique Farmland to non-agricultural uses. The General Plan EIR determined that lands would be converted from Important Farmland to urban uses as a result of the 2035 General Plan Update. Policies 1.3, 1.7 through 1.9, 1.11, 1.95, 1.100, 1.103, through 1.105, and 5.8 through 5.12 of the 2035 General Plan provide for the orderly conversion of farmland, however it was determined that impacts to Important Farmlands would be significant and unavoidable. The General Plan EIR included mitigation measures to encourage property owners to maintain their land in agriculture until the land may be converted to urban uses, however these mitigation measures would not apply to the project.

Under the 2035 General Plan, the project site was previously designated for residential land use. Because the project site was already planned for residential development, the proposed rezone and General Plan amendment would not alter the proposed use as residential. Therefore, the project would not result in conversion of additional agricultural land to an urban use beyond that identified in the General Plan. Therefore, this impact would be less than significant.

LESS THAN SIGNIFICANT IMPACT

- b. Would the project conflict with existing zoning for agricultural use or a Williamson Act contract?*

The project site is not under any Williamson Act contracts and is currently zoned for residential uses. The project would rezone the parcel and amend its existing land use designation to allow for housing at a higher density than is currently allowed at the project site. The project would not affect any additional parcels in the vicinity. Therefore, the proposed rezone and General Plan amendment would not conflict with existing zoning for agricultural use or a Williamson Act contract. Impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

- c. Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code Section 12220(g)); timberland (as defined by Public Resources Code Section 4526); or timberland zoned Timberland Production (as defined by Government Code Section 51104(g))?*

- d. Would the project result in the loss of forest land or conversion of forest land to non-forest use?*

The project site does not include forest land or timberland and is not surrounded by forest land or timberland. The project would rezone the parcel from R-1-7 to R-4 and amend its existing land use designation to allow for housing at a higher density than is currently allowed at the project site. Therefore, due to the lack of forest land or timberland on the project and within the surrounding area, no impacts would occur.

NO IMPACT

- e. *Would the project 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?*

No forest land is on or near the project site, therefore no impacts resulting in the conversion of forest land to non-forest uses would occur.

As discussed under criterion a, development of the project site would result in residentially designated areas occurring on lands identified as Prime and Unique Farmland. New development as a result of the proposed rezone and General Plan amendment would result in the conversion of Prime and Unique Farmland to non-agricultural uses. However, under the 2035 General Plan, the project site is designated for residential land use. Because the project site was already planned for residential development, the proposed rezone and General Plan amendment would not alter the site's intended use as residential and would not result in nearby parcels being converted to non-agricultural use in that the surrounding properties are already designated for non-agricultural uses in the General Plan. Therefore, the project would not result in conversion of farmland. Impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

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3 Air Quality

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
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"/>

Air Quality Standards and Attainment

Federal and state standards have been established for six criteria pollutants, including ozone, carbon monoxide (CO), nitrogen dioxide (NO₂), sulfur dioxide (SO₂), particulates less than 10 and 2.5 microns in diameter (PM₁₀ and PM_{2.5}), and lead (Pb).

The project site is located in the San Joaquin Valley Air Basin, which is under the jurisdiction of the San Joaquin Valley Air Pollution Control District (SJVAPCD). The SJVAPCD is required to monitor air pollutant levels to ensure that air quality standards are met and, if they are not met, to develop strategies to meet the standards. Depending on whether the standards are met or exceeded, the local air basin is classified as being in “attainment” or “non-attainment.” The Basin is currently in non-attainment for the federal and State 8-hour ozone standards, the State 1-hour ozone standard (severe non-attainment), State and federal PM_{2.5} standards, and the State PM₁₀ standard. The Basin is in attainment or unclassified for all other standards. The SJVAPCD has prepared and adopted a number of Air Quality Management Plans (AQMPs) for ozone (e.g., 2016 Plan for the 2008 8-Hour Standard) and particulate matter (e.g., 2016 Moderate Area Plan for the 2012 PM_{2.5} Standard) (SJVAPCD 2016a; 2016b). The health effects associated with criteria pollutants for which the Basin is in non-attainment are described in Table 2.

Table 2 Health Effects Associated with Non-Attainment Criteria Pollutants

Pollutant	Adverse Effects
Ozone	(1) Short-term exposures: (a) pulmonary function decrements and localized lung edema in humans and animals and (b) risk to public health implied by alterations in pulmonary morphology and host defense in animals; (2) long-term exposures: risk to public health implied by altered connective tissue metabolism and altered pulmonary morphology in animals after long-term exposures and pulmonary function decrements in chronically exposed humans; (3) vegetation damage; and (4) property damage.
Inhalable particulate matter (PM ₁₀)	(1) Excess deaths from short-term and long-term exposures; (2) excess seasonal declines in pulmonary function, especially in children; (3) asthma exacerbation and possibly induction; (4) adverse birth outcomes including low birth weight; (5) increased infant mortality; (6) increased respiratory symptoms in children such as cough and bronchitis; and (7) increased hospitalization for both cardiovascular and respiratory disease (including asthma). ^a
Fine Inhalable particulate matter (PM _{2.5})	(1) Excess deaths from short- and long-term exposures; (2) excess seasonal declines in pulmonary function, especially in children; (3) asthma exacerbation and possibly induction; (4) adverse birth outcomes, including low birth weight; (5) increased infant mortality; (6) increased respiratory symptoms in children, such as cough and bronchitis; and (7) increased hospitalization for both cardiovascular and respiratory disease, including asthma. ^a

^a More detailed discussions on the health effects associated with exposure to suspended particulate matter can be found in the following documents: EPA, Air Quality Criteria for Particulate Matter, October 2004.
Source: U.S. Environmental Protection Agency (USEPA) 2018

State Regulations

The California Green Building Standards Code (CALGreen Code) (California Code of Regulations, Title 24, Part 11) was adopted by the California Building Standards Commission in 2013 and became effective in January 2014. The Code applies to all new constructed residential, nonresidential, commercial, mixed-use, and State-owned facilities, including schools and hospitals. CALGreen Code is comprised of Mandatory Residential and Nonresidential Measures and more stringent Voluntary Measures (TIERs I and II).

Mandatory Measures are required to be implemented on all new construction projects and consist of a wide array of green measures concerning project site design, water use reduction, improvement of indoor air quality, and conservation of materials and resources. CALGreen Code refers to Title 24, Part 6 compliance with respect to energy efficiency; however, it encourages 15 percent energy use reduction over that required in Part 6. Voluntary Measures are optional, more stringent measures that may be used by jurisdictions to enhance their commitment towards green and sustainable design and achievement of Assembly Bill (AB) 32 goals. Under TIERs I and II, all new construction projects are required to reduce energy consumption by 15 percent and 30 percent, respectively, below the baseline required under the California Energy Commission, as well as implement more stringent green measures than those required by mandatory code.

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. Fresno Council of Governments (FCOG) uses the growth projections and land use information in adopted general plans to estimate future average daily trips and then vehicle miles traveled (VMT), which are then provided to SJVAPCD to estimate future emissions in the AQMPs. Existing and future pollutant emissions computed in the AQMP are based on land uses from area general plans. AQMPs also

detail the control measures and emission reductions required for reaching attainment of the air standards.

Local Regulations and Policies

The SJVAPCD is responsible for formulating and implementing the AQMPs for the Basin. The SJVAPCD Air Quality Guidelines for General Plan documents was most recently revised in June 2005. The SJVAPCD published its technical guidance document, *Guidance for Assessing and Mitigating Air Quality Impacts*, for reviewing air quality impacts in the Basin under CEQA in March 2015. In addition, the SJVAPCD has established a number of regulations to reduce air pollutant emissions from construction of land use projects under Regulation VIII (Fugitive PM₁₀ Prohibitions). The purpose of Regulation VIII is to reduce ambient concentrations of fine particulate matter (PM₁₀) by requiring actions to prevent, reduce or mitigate anthropogenic fugitive dust emissions. Regulation VIII identifies general requirements under Rule 8011, as well as those for construction, demolition excavation, extraction, and other earthmoving activities (Rule 8021), bulk materials (Rule 8031), carryout and trackout (Rule 8041), open areas (Rule 8051), paved and unpaved roads (Rule 8061), unpaved vehicle/equipment traffic areas (Rule 8071), and agricultural sources (Rule 8081).

Air Quality Thresholds

The SJVAPCD provides guidance for analyzing the significance of a project's air quality impacts in its publication *Guidance for Assessing and Mitigating Air Quality Impacts* (GAMQI; SJVAPCD 2015). The document includes two separate quantitative thresholds; one to analyze criteria pollutant emissions and the other to analyze ambient air quality impacts. Table 3 summarizes these two thresholds. Projects that emit pollutants at levels below SJVAPCD criteria pollutant significance thresholds and the ambient air quality screening threshold would not violate or contribute to a violation of an ambient air quality standard and are considered to have a less than significant individual impact to air quality. In addition, projects with emissions below significance thresholds for criteria pollutants would be determined to "not conflict or obstruct implementation of the District's air quality plan," as stated in section 7.12 of the SJVAPCD's guidance document.

The SJVAPCD also provides guidance on assessing a project's cumulative impacts on air quality. A project would have a considerable contribution to a significant cumulative impact if it exceeds significance thresholds for criteria pollutant emissions. A project would not have a considerable contribution to cumulative impacts if all three of the following conditions are met:

- Project emissions are below significance thresholds for criteria pollutant emissions, and
- Project emissions are below ambient air quality standards, and
- The sum of emissions from the project and other planned and pending projects in the project area do not exceed ambient air quality standards

Table 3 SJVAPCD Thresholds of Significance – Criteria Pollutant Emissions

Pollutant/Precursor	Construction Emissions (tons/year)	Operational Emissions (tons/year)
CO	100	100

Nitrogen Oxides (NO _x)	10	10
Reactive Organic Gases (ROG)	10	10
Sulfur Oxides (SO _x)	27	27
PM ₁₀	15	15
PM _{2.5}	15	15

Ambient Air Quality--Screening Threshold

Maximum emission of any criteria pollutant	100 pounds/day
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Source: SJVAPCD 2015

Methodology

At this time, the project only includes rezoning and amending the General Plan land use designation at the project site. No development is currently proposed under the project. Other future development projects are not defined to a level that would allow project-level analysis and thus it would be speculative to include project-level impacts as part of this analysis. Rather, impacts for the project site are discussed qualitatively. Future development at the project site would have to comply with applicable regulatory standards, including SJVAPCD regulations to reduce air pollutant emissions from construction of land use projects under Regulation VIII.

a. Would the project conflict with or obstruct implementation of the applicable air quality plan?

The City's General Plan 2035 outlines forecasted population growth through the year 2040. The California Department of Finance (DOF) estimated the City's population in 2020 to be 24,436 persons (DOF 2020). Per the DOF data, the average persons per household in 2020 is 3.65 (DOF 2020). The project would rezone the parcel to R-4 from R-1-7 and amend its existing land use designation to HDR from MDR with a density range of 20-24 dwelling units per gross acre. It is estimated that the project would result in the development of a maximum of 218 new dwelling units, and a subsequent population growth of 796. This would result in a total City population of 25,232. The City's 2020 population with implementation of the project is estimated to be below that forecasted in the General Plan by 10,638 people. The project would facilitate consistency between zoning and General Plan land use designations for the site, and the project would be within the growth assumptions contained in the General Plan (35,870 persons in 2020).

Additionally, the General Plan EIR determined that buildout facilitated by the 2035 General Plan Update would be consistent with the SJVAPCD *Guide for Assessing and Mitigating Air Quality Impacts* (Selma 2009). With approval of the proposed General Plan amendment the project would be consistent with the currently adopted General Plan for the City of Selma and would be consistent with the population growth and VMT applied in SJVAPCD's AQMP. As a result, the project would not conflict with or obstruct implementation of any air quality management plans, and this impact would be less than significant.

LESS THAN SIGNIFICANT IMPACT

- b. *Would the project 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?*

Construction of future development at the project site would generate temporary construction emissions (direct emissions) and long-term operational emissions (indirect emissions). Temporary air pollutant emissions generated by construction are associated with fugitive dust (PM₁₀ and PM_{2.5}) and exhaust emissions from heavy construction vehicles, in addition to ROG that would be released during the drying phase following application of architectural coatings. Long-term emissions associated with operation of residential projects facilitated by the project would include emissions from vehicle trips (mobile sources); natural gas and electricity use (energy sources); and landscape maintenance equipment, consumer products, and architectural coating associated with on-site development (area sources).

Construction Emissions

This analysis of the rezone to R-4 from R-1-7 and General Plan amendment to HDR from MDR, generally assumes development to maximum density on the project site. Construction associated with development projects facilitated by the project would temporarily increase air pollutant emissions from equipment, vendor trips, and worker trips which may create localized areas of unhealthy air pollution levels or air quality nuisances. However, projects would be developed individually over time. The SJVAPCD has published guidance for determining significant impacts based on project types and sizes. Using project type and size, the district has pre-quantified emissions and determined sizes where it is reasonable a proposed project would not exceed applicable thresholds of significance shown in Table 3. In accordance with Table 5-3(a) of GMAQI, the project is considered to be at a Small Project Analysis Level (SPAL), as even under full potential buildout it would not exceed the SJVAPCD adopted threshold of 218 low rise apartments (dwellings) units.

The General Plan EIR assumed buildout in accordance with the MDR land use designation and therefore evaluated maximum buildout of the project site up to 82 units (9.1 acres x 9 units per acre). The project would allow up to 218 residential units, which would result in an additional 136 units compared to what was originally evaluated at the project site. The General Plan EIR contained policies and mitigation measures to reduce air quality impacts from construction at the project site. Consistent with Mitigation Measure #3.3.3.3b of the General Plan EIR, projects in Selma are required to implement control measures during all phases of construction on the project site to reduce dust fall-out emissions, as required for all construction sites by SJVAPCD. Although the density on the project site would potentially be greater with the proposed rezone and General Plan amendment, with implementation of applicable policies and mitigation measures, the additional potential buildout would not result in new or more severe air quality impacts due to construction emissions than those evaluated in the General Plan EIR.

Therefore, based on the anticipated type and size of future development, and required construction emissions mitigation, the project would not facilitate buildout that would exceed the criteria pollutant emissions significance thresholds as identified in the EIR, and construction impacts to air quality would be less than significant.

Operational Emissions

Future development facilitated by the project would result in operational emissions associated with on-site development. Emissions include area sources, energy sources, and mobile emissions. Area sources include use of consumer products, use of gas-powered landscaping equipment, re-application of architectural coating (re-painting), and use of barbeque grills or hearths. Energy sources include natural gas for uses such heating/air conditioning, appliances, lighting, and water heating.

Similar to thresholds for construction emissions, the SJVAPCD has pre-quantified emissions and determined sizes where it is reasonable a proposed project would not exceed applicable thresholds of significance. In accordance with Table 5-3(a) of GMAQI, the project is considered to be at a Small Project Analysis Level (SPAL), as even under full potential buildout it would not exceed the SJVAPCD adopted threshold of 218 low rise apartments (dwellings) units. This accounts for the maximum potential buildout with implementation of the rezone and General Plan amendment, and therefore presents a conservative analysis.

The General Plan EIR assumed buildout in accordance with the MDR land use designation and therefore evaluated maximum buildout of the project site up to 82 units (9.1 acres x 9 units per acre). The project would allow up to 218 residential units, which would result in an additional 136 units compared to what was originally evaluated at the project site. The General Plan EIR contained policies and mitigation measures to reduce operational air quality impacts of buildout at the project site. Future projects at the project site would comply with existing SJVAPCD regulations, 2035 General Plan policies, and mitigation measures included in the General Plan EIR such as Mitigation Measure #3.3.3.1 which requires all new development to follow Best Available Control Technology (BACT) to reduce operational emissions.

Although the density on the project site would potentially be greater with the proposed rezone and General Plan amendment, with implementation of applicable policies and mitigation measures, the additional potential buildout would not result in new or more severe air quality impacts due to operational emissions than those evaluated in the General Plan EIR. Therefore, based on the anticipated type and size of future development, and required operational emissions mitigation, the project would not facilitate buildout that would exceed the criteria pollutant emissions significance thresholds, and operational impacts to air quality would be less than significant.

LESS THAN SIGNIFICANT IMPACT

c. Would the project expose sensitive receptors to substantial pollutant concentrations?

According to the SJVAPCD, sensitive receptors refer to those segments of the population most susceptible to poor air quality (i.e., children, the elderly, and those with pre-existing serious health problems affected by air quality). Land uses that have the greatest potential to attract these types of sensitive receptors include schools, parks, playgrounds, daycare centers, nursing homes, hospitals, and residential communities. From a health risk perspective, the project may potentially place sensitive receptors in the vicinity of existing sources. The project would increase residential density and potentially place slightly more sensitive receptors near existing sources due to the increase in allowed residential units but would not add additional residential area or lands near existing sources. According to the General Plan EIR, sensitive receptors located near Hazardous Air Pollutants (HAP) sources or CO hotspots are potentially significant. However, large sources of HAPs are required to obtain permits from the SJVAPCD and comply with emissions controls to limit the release of HAPs. The SJVAPCD will not issue permits for a source of HAPs if analysis shows that the

emissions would cause a significant impact to the nearest sensitive receptor. In addition, the Open Space, Conservation and Recreation Element of the 2035 General Plan contains goals, objectives and policies and standards to reduce operational air quality impacts in Selma, including Policies 5.19 through 5.23.

CO hotspots are temporary and localized areas of high CO concentration, occurring at heavily congested intersections or roadways with heavy traffic. Policies 2.5, 2.34, 2.49, 2.50 and 2.54 of the 2035 General Plan are designed to reduce VMT and promote alternative modes of transportation. The General Plan EIR identified Mitigation Measure #3.3.3.2 to reduce impacts to CO hotspots, which all projects in Selma are required to implement.

Therefore, the project would potentially result in additional sensitive receptors near HAPs, but the project would not involve new uses that were not previously identified in the existing General Plan EIR. In addition, the 2035 General Plan EIR recommended a Health Risk Assessment on an individual project basis, as specific projects are proposed. As such, the project would not involve significant impacts to sensitive receptors that would expose substantial pollutant concentrations from construction or operation. Therefore, the project would have a less than significant impact on sensitive receptors.

LESS THAN SIGNIFICANT IMPACT

- d. *Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?*

The project would rezone the parcel to R-4 from R-1-7 and amend its existing land use designation to HDR from MDR with a density range of 20-24 dwelling units per gross acre. The intensity of an odor source's operations and its proximity to sensitive receptors influences the potential significance of odor emissions. The SJVAPCD has identified some common types of facilities that have been known to produce odors in the San Joaquin Valley Air Basin (wastewater treatment facilities, sanitary landfills, transfer stations, manufacturing plants, etc.).

The types of facilities identified by the SJVAPCD that are known to produce odors do not fit the characteristics of the project to facilitate higher density residential land uses. In addition, none of the potential odor generating sources are located within the screening distances (one to two miles) away from the project, which have the potential to subject new residents at the project site to adverse odor emissions. As a result, the project would not generate potential objectionable odors or attract receivers and other sensitive receptors near existing odor sources. Therefore, the project would have a less than significant impact.

LESS THAN SIGNIFICANT IMPACT

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4 Biological Resources

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
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 Wildlife 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, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>

- a. *Would the project 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 Wildlife or U.S. Fish and Wildlife Service?*
- b. *Would the project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?*
- c. *Would the project 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?*
- d. *Would the project 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?*

Biological conditions in Selma have not changed substantially since the analysis of the buildout facilitated by the 2035 General Plan Update in the General Plan EIR. The analysis in the General Plan EIR determined that development under General Plan buildout in Selma would result in impacts to sensitive habitats and special status plant and animal species.

The project site is located on a vacant lot that was historically used as agricultural land but is now devoid of most vegetation. The project site and surrounding area does not contain riparian habitat, sensitive natural communities, or protected wetlands (U.S. Fish and Wildlife Service [USFWS] 2020a) and is and is not located within a known regional wildlife movement corridor or other sensitive biological area as indicated by the USFWS Critical Habitat portal or California Department of Fish and Wildlife (CDFW) California Natural Diversity Database (USFWS 2020b; CDFW 2020a; 2020b). The vacant and un-developed parcel does not provide substantial wildlife habitat and is not located near an Essential Connectivity Area (ECA) as mapped in the report, California Essential Habitat Connectivity Project: A Strategy for Conserving a Connected California (Spencer et al. 2010). Based on the disturbed and fragmented nature of the area associated with agricultural uses and lack of native or riparian habitat, no federal- or state-listed endangered, threatened, rare, or otherwise sensitive flora or fauna are anticipated to occur on the project site.

The project would rezone the project parcel to R-4 from R-1-7 and amend the General Plan land use designation to be consistent with this zoning, which would result in future urban or in-fill development compatible with the planned residential areas surrounding the project site. Although the project would require a General Plan amendment to HDR from an MDR land use designation, the project site was previously evaluated in the General Plan EIR for residential uses. The project does not include new physical disturbance beyond the residential uses included in the 2035 General Plan and evaluated in the General Plan EIR. Future development on the project site would be required to comply with the mitigation included in the General Plan EIR and policies to protect biological resources included in the 2035 General Plan. As such, sensitive biological resources generally would not be present, and the project would not adversely affect biological resources. Impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

- e. *Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?*
- f. *Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?*

According to the General Plan EIR, there are no applicable habitat conservation plans or natural community preservation plans affecting Selma's Planning Area. The Recovery Plan for Upland Species of the San Joaquin Valley as well as a Draft Recovery Plan for Vernal Pool Ecosystems of California and Southern Oregon cover special-status species that have the potential to occur in the Selma Planning Area (Selma 2009). The General Plan EIR indicates that the Recovery Plans do not conflict with the 2035 General Plan and impacts are less than significant. These conditions have not changed since the analysis of current the General Plan in the General Plan EIR. Although the project would require a General Plan amendment to HDR from an MDR land use designation, the project site was previously evaluated in the 2035 General Plan EIR for residential uses. Potential buildout under the project would be of a similar type to what was evaluated in the 2035 General Plan EIR and would not result in physical development in areas beyond those analyzed in the 2035 General Plan EIR. Thus, impacts relating to placing residential uses on the project site were accounted for in the General Plan EIR. The project would result not conflict with local policies or ordinances protecting biological resources, or a habitat conservation plan and impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

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5 Cultural Resources

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

The California Environmental Quality Act (CEQA) requires a lead agency to determine whether a project may have a significant effect on historical resources (Public Resources Code [PRC], Section 21084.1) and tribal cultural resources (PRC Section 21074 [a][1][A]-[B]). A historical resource is a resource listed in, or determined to be eligible for listing, in the California Register of Historical Resources (CRHR), a resource included in a local register of historical resources, or any object, building, structure, site, area, place, record, or manuscript that a lead agency determines to be historically significant (State CEQA Guidelines, Section 15064.5[a][1-3]).

A resource shall be considered historically significant if it:

1. Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
2. Is associated with the lives of persons important in our past;
3. Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or
4. Has yielded, or may be likely to yield, information important in prehistory or history.

In addition, if it can be demonstrated that a project would cause damage to a unique archaeological resource, the lead agency may require reasonable efforts be made to permit any or all of these resources to be preserved in place or left in an undisturbed state. To the extent that resources cannot be left undisturbed, mitigation measures are required (PRC, Section 21083.2[a], [b]).

PRC, Section 21083.2(g) defines a unique archaeological resource as an archaeological artifact, object, or site about which it can be clearly demonstrated that, without merely adding to the current body of knowledge, there is a high probability that it:

1. Contains information needed to answer important scientific research questions and that there is a demonstrable public interest in that information;
 2. Has a special and particular quality such as being the oldest of its type or the best available example of its type; or
 3. Is directly associated with a scientifically recognized important prehistoric or historic event or person.
- a. *Would the project cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?*

There are no existing buildings on the project site and the project site is not located within the historic downtown or in an older residential area that would result in demolition, relocation or alternation of buildings of historical significance. As such, the project would not result in the disturbance or adverse change to historical resources in Selma and would not result in impacts to historical resources pursuant to §15064.5. No impact would occur.

NO IMPACT

- b. *Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?*
- c. *Would the project disturb any human remains, including those interred outside of formal cemeteries?*

As determined in the General Plan EIR, development facilitated by the 2035 General Plan Update could result in adverse effects to identified and previously unidentified archaeological resources and/or human remains. Although the project would rezone and amend the land use designation to allow for higher density residential uses, it would not change the planned residential use as evaluated in the General Plan EIR. The project does not include new physical disturbance beyond the residential uses included in the 2035 General Plan and evaluated in the General Plan EIR. If development were to occur, those projects would implement General Plan EIR Mitigation Measures 3.5.3.1a and 3.5.3.1b to reduce impacts in the event cultural resources or human remains are discovered. As such, the project would not result in less than significant impacts to archaeological resources or human remains.

LESS THAN SIGNIFICANT IMPACT

6 Energy

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a. Result in a 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"/>

Electricity and Natural Gas

In 2018, California used 285,488 gigawatt-hours (GWh) of electricity, of which 31 percent were from renewable resources, such as wind, solar photovoltaic, geothermal, and biomass (California Energy Commission [CEC] 2020a). Adopted on September 10, 2018, Senate Bill (SB) 100 accelerates the State's Renewables Portfolio Standards Program by requiring electricity providers to increase procurement from eligible renewable energy resources to 33 percent of total retail sales by 2020, 60 percent by 2030, and 100 percent by 2045.

California also consumed approximately 12,638 million U.S. therms (MMthm) of natural gas in 2018. Electricity and natural gas for the project site would be provided by Pacific Gas and Electric (PG&E). Table 4 and Table 5 show PG&E's total electricity and natural gas consumption for its service area as well as consumption by sector. In 2018, PG&E provided approximately 27.9 percent of the total electricity and approximately 37.9 percent of the total natural gas usage in California.

Table 4 Electricity Consumption in the PG&E Service Area in 2018 (GWh)

Agriculture and Water Pump	Commercial Building	Commercial Other	Industry	Mining and Construction	Residential	Streetlight	Total Usage
5735.1	29,650.0	4,195.1	10,344.7	1,567.3	27,964.8	318.6	79,775.7

Notes: CEC 2018a

Table 5 Natural Gas Consumption in PG&E Service Area in 2018 (MMThm)

Agriculture and Water Pump	Commercial Building	Commercial Other	Industry	Mining and Construction	Residential	Total Usage
37.2	899.1	59.0	1,776.0	190.2	1832.8	4,794.4

Petroleum

In 2018, approximately 28 percent of the state's energy consumption was used for transportation activities (U.S. Energy Information System 2019). Californians presently consume over 19 billion gallons of motor vehicle fuels each year. Though California's population and economy are expected to grow, gasoline demand is projected to decline from roughly 15.8 billion gallons in 2017 to between 12.3 billion and 12.7 billion gallons in 2030, a 20 to 22 percent reduction. This forecast decline is due to both the increasing use of electric vehicles and improved fuel economy for new gasoline vehicles (CEC 2020b).

Methodology

Future development at the project site would involve the use of energy during the construction and operational phases. Energy use during construction phases would be in the form of fuel consumption (e.g.: gasoline and diesel fuel) to operate heavy equipment, light-duty vehicles, machinery, and generators for lighting. In addition, temporary grid power may also be provided to any temporary construction trailers or electric construction equipment. Long-term operation of the projects would require permanent grid connections for electricity and natural gas service to power internal and exterior building lighting and heating and cooling systems. The increase in vehicle trips associated with implementation of the rezone and General Plan amendment would also increase fuel consumption within Selma.

The General Plan EIR did not include a separate section analyzing potential environmental impacts related to the topic of Energy because it was not required under the CEQA Guidelines in effect at the time. The topic of energy use and the potential emissions from energy use was addressed in the Air Quality and Greenhouse Gas Emissions sections of the General Plan EIR. Energy impacts due to construction and operation would need to be projected on a project-by-project basis. Projections for development of the project site at this time would be speculative as the project does not propose new construction, however, a qualitative analysis on the construction and operational energy impacts of future development is provided.

- a. *Would the project result in a potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?*
- b. *Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?*

Construction Energy Demand

Future development of the project site would require energy consumption in the form of petroleum-based fuels used to power off-road construction vehicles and equipment on the project site, construction worker travel to and from the project site, and vehicles used to deliver materials to the site. Construction contractors are required to comply with the CARB In-Use Off-Road Diesel-Fueled Fleets Regulation, which imposes limits on idling and restricts the use of older vehicles. Such

compliance would reduce fuel consumption and lead to the use of fuel-efficient vehicles during covered activities, and associated fuel consumption and energy use would be temporary.

Construction in the program area would be required to comply with applicable regulatory standards. Although exact details of the development projects implemented in accordance with the program area are not known at this time, there are no conditions in the program area that would require non-standard equipment or construction practices that would increase fuel-energy consumption above typical rates.

The manufacturing of construction materials would also involve energy use. Due to the large number of materials and manufacturers involved in the production of construction materials, including manufacturers in other states and countries, upstream energy use cannot be estimated reasonably or accurately. However, it is reasonable to assume that manufacturers of building materials such as concrete, steel, lumber, or other building materials would employ energy conservation practices in the interest of minimizing the cost of doing business. Consistent with CEQA Guidelines Section 15145, this analysis does not evaluate upstream energy use as it is too speculative. With the above measures in place, future development of the project site would not involve the inefficient, wasteful, and unnecessary use of energy during construction and construction-related energy impacts would be less than significant.

Operational Energy Demand

Future development of the project site would require energy use in the form of electricity, natural gas, and gasoline consumption. Natural gas and electricity would be used for heating and cooling systems, lighting, appliances, water use, and the overall operation of the future development. Gasoline consumption would be attributed to vehicular travel from residents and guests traveling to and from the project site.

Future developments of dwelling units built on the project site would be required to comply with all standards set in California Building Code (CBC) Title 24, which would minimize the wasteful, inefficient, or unnecessary consumption of energy resources during operation. California's Green Building Standards Code ([CALGreen] California Code of Regulations, Title 24, Part 11) requires implementation of energy efficient light fixtures and building materials into the design of new construction projects. Furthermore, the 2019 Building Energy Efficiency Standards (CBC Title 24, Part 6) requires newly constructed buildings to meet energy performance standards set by the California Energy Commission. These standards are specifically crafted for new buildings to result in energy efficient performance so that the buildings do not result in wasteful, inefficient, or unnecessary consumption of energy. The standards are updated every three years and each iteration is more energy efficient than the previous standards. For example, according to the CEC, residences built with the 2019 standards would use about seven percent less energy due to energy efficiency measures versus those built under the 2016 standards, or 53 percent less energy with rooftop solar (CEC 2018c). Furthermore, the project would continue to reduce its use of nonrenewable energy resources as the electricity generated by renewable resources provided by PG&E continues to increase to comply with state requirements through SB 100, which requires electricity providers to increase procurement from eligible renewable energy resources to 33 percent of total retail sales by 2020, 60 percent by 2030, and 100 percent by 2045. Therefore, the

operational-phase impacts related to energy consumption would not be wasteful, inefficient, or unnecessary and impacts would be less than significant.

As discussed in Section 8, *Greenhouse Gas Emissions*, Selma has not adopted a Climate Action Plan. In the absence of a Climate Action Plan that directly addresses SB 32, the adopted SJVAPCD Climate Change Action Plan (CCAP) remains the most appropriate GHG reduction plans with which to assess an individual project's consistency with statewide policies to reduce GHG emissions. The CCAP outlines the SJVAPCD's GHG emission reduction goals and emissions-reduction measures may be implemented, several of which are energy-related in nature. In addition, the 2035 General Plan contains goals and policies that would substantially reduce GHG emissions (Land Use Element Policy 1.20 -1.21, Circulation Element Policy 2.1, 2.3-2.5, 2.7, 2.44-2.49, 2.53-2.54, 2.60-2.63, and Open Space, Conservation and Recreation Element Policy 5.3-5.4, 5.19-5.23, 5.27, 5.29). As mentioned above in Section 3, *Air Quality*, the project would be consistent with growth projections in the General Plan EIR and therefore, would not conflict with energy projections made within the SJVAPCD CCAP. Impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

7 Geology and Soils

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a. Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:				
1. 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 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 checked="" type="checkbox"/>	<input type="checkbox"/>
e. Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
f. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

- a. *Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:*
- a.1 *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?*
- a.2 *Strong seismic ground shaking?*
- a.3 *Seismic-related ground failure, including liquefaction?*
- a.4 *Landslides?*

- c. *Would the project 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?*

Potential risks and susceptibility to earthquakes and seismicity is site specific and related to proximity of a project site to active faults. As discussed in the General Plan EIR, Selma is not located within any fault zones, and risks from seismic shaking, including liquefaction, are considered to be low (Selma 2009). The relatively flat topography of the project site and its surroundings precludes the possibility of the site being significantly affected by landslides. Although the project would include a General Plan amendment to increase residential density, the project site is located in the same planning area as the 2035 General Plan analyzed in the General Plan EIR. Therefore, the proximity to known earthquake faults and the potential for fault rupture, seismic ground shaking, liquefaction, and landslides at the project site described for the 2035 General Plan would also be applicable to the project. As described in Section 3, *Air Quality*, the project would not substantially increase the intensity of use in the City relative to the 2035 General Plan, as the project would be within the growth assumptions contained in the General Plan. Therefore, the project would also not substantially increase the number of people or structures potentially exposed to seismic risks, or risk exacerbating such risks, relative to the 2035 General Plan. Therefore, impacts related to seismicity and soil stability would be less than significant.

LESS THAN SIGNIFICANT IMPACT

- b. *Would the project result in substantial soil erosion or the loss of topsoil?*

As discussed in the General Plan EIR, Selma contains relatively flat soils with gentle southwestward slopes and low shrink-swell potentials (Selma 2009). The project site was previously designated for residential land uses under the General Plan EIR. The project would rezone and amend the existing land use designation to allow greater residential density. However, the project does not include new physical disturbance beyond the residential uses included in the 2035 General Plan and evaluated in the General Plan EIR. In addition, prior to development of the project site, City review would be

required to ensure compliance with building code prior to obtaining permits. Therefore, the project not result in substantial soil erosion or the loss of topsoil and impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

- d. *Would the project be located on expansive soil, as defined in Table 1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?*

The project is located within the same planning area as the 2035 General Plan analyzed in the General Plan EIR. As discussed in the General Plan EIR, soils in Selma have moderate erosion potential and moderate expansion potential, which could pose a risk to new development (Selma 2009). The policies and standards of the 2035 General Plan would reduce hazards associated with soil conditions. City review and compliance with existing building codes prior to obtaining permits would ensure that impacts related to expansive soils are reduced. Policy 5.14 of the 2035 General Plan Open Space, Conservation and Recreation Element states the that City requires soil studies in localized areas known to have expansive or unstable soils. Policy 5.16 states areas with high erosion potential or soil instability which cannot be mitigated shall be designated for open space land uses. Policy 5.17 states that channel and slope modification shall be discouraged where they increase the rate of surface runoff and increase the potential for erosion. The project would rezone and amend the existing land use designation to allow greater residential density. However, the project does not include new physical disturbance beyond the residential uses included in the 2035 General Plan and evaluated in the General Plan EIR. Therefore, with City review and adherence to existing building codes and 2035 General Plan policies, the project would not result in substantial direct or indirect risks to life or property due to being underlain by expansive soils and impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

- e. *Would the project have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?*

As discussed in the General Plan EIR, new development would connect to the City's existing sewer system. The project does not involve the use of septic tanks or alternative wastewater disposal systems, and no geological impact due to use of such systems would occur. There would be no impact.

NO IMPACT

- f. *Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?*

As discussed in the General Plan EIR, the project site may contain undiscovered paleontological resources during grading and construction activities. Though no development is proposed at this time, in the event that development occurs, Mitigation Measure #3.5.3.1a of the General Plan EIR requires all projects in Selma to protect and evaluate discovered paleontological resources. Therefore, the project would not result in substantial impacts to unique paleontological resources. Impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

8 Greenhouse Gas Emissions

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
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"/>

In response to an increase in human-made greenhouse gas (GHG) concentrations over the past 150 years, California has implemented AB 32, the “California Global Warming Solutions Act of 2006.” AB 32 codifies the Statewide goal of reducing emissions to 1990 levels by 2020 (essentially a 15% reduction below 2005 emission levels) and the adoption of regulations to require reporting and verification of Statewide GHG emissions. Furthermore, on September 8, 2016, the governor signed SB 32 into law, which requires the State to further reduce GHGs to 40% below 1990 levels by 2030. SB 32 extends AB 32, directing CARB to ensure that GHGs are reduced to 40% below the 1990 level by 2030.

SB 32 became effective on January 1, 2017 and requires CARB to develop technologically feasible and cost-effective regulations to achieve the targeted 40% GHG emission reduction by 2030 set in Executive Order (EO) B-30-15. On December 14, 2017, CARB adopted the 2017 Scoping Plan, which provides a framework for achieving the 2030 target. To meet reduction targets, the 2017 Scoping Plan relies on the continuation and expansion of existing policies and regulations, such as the Cap-and-Trade Program, as well as implementation of recently adopted policies and policies. The 2017 Scoping Plan also puts an increased emphasis on innovation, adoption of existing technology, and strategic investment to support its strategies. As with the 2013 Scoping Plan Update, the 2017 Scoping Plan does not provide project-level thresholds for land use development. Instead, it recommends that local governments adopt policies and locally appropriate quantitative thresholds consistent with a statewide per capita goal of 6 metric tons of carbon dioxide equivalent (MTCO₂e) by 2030 and 2 MTCO₂e by 2050 (CARB 2017). As stated in the 2017 Scoping Plan, these goals are appropriate for plan-level analyses (city, county, sub-regional, or regional level), but not for specific individual projects because they include all emissions sectors in the state.

The vast majority of individual projects do not generate sufficient GHG emissions to directly influence climate change. However, physical changes caused by a project can contribute incrementally to cumulative effects that are significant, even if individual changes resulting from a project are limited. The issue of climate change typically involves an analysis of whether a project’s

contribution towards an impact would be cumulatively considerable. “Cumulatively considerable” means that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, other current projects, and probable future projects (CEQA Guidelines, Section 15064[h][1]).

In August 2008, the SJVAPCD governing board adopted the Climate Change Action Plan (CCAP). The CCAP directed the SJVAPCD to develop guidance to assist lead agencies, project proponents, permit applicants, and interested parties in assessing and reducing the impacts of project-specific GHG emissions on global climate change in the context of promoting GHG reductions consistent with AB 32, SB 32, and the CARB Scoping Plan.

In December 2009, the SJVAPCD adopted two guidance documents for assessing impacts of GHG emissions from new development projects: Guidance for Valley Land-use Agencies in Addressing GHG Emission Impacts for New Projects under CEQA and Addressing GHG Emission Impacts for Stationary Source Projects under CEQA When Serving as the Lead Agency. The guidance provided in both documents can be utilized to reduce project-specific and cumulative impacts for GHG emissions from stationary source and land use development projects to less than significant. Impacts can be determined as having a less than significant GHG emissions impact by 1) using any combination of SJVAPCD GHG emission reduction measures to meet Best Performance Standards, 2) complying with an approved GHG plan or mitigation program, or 3) reducing GHG emissions by at least 29 percent. Projects exempt from the requirements of CEQA, and projects complying with an approved GHG emission reduction plan or mitigation program would be determined to have a less than significant individual and cumulative impact. Such plans or programs must be specified in law or adopted by the public agency with jurisdiction over the affected resources and have a certified CEQA document.

The General Plan EIR projected CO₂ emissions based on total acreage per land use designation, factoring in Medium High- and High-Density land uses to total approximately 76 acres. Based on the URBEMIS modeling program, Selma at full buildout of the 2035 General Plan would emit approximately 4.8 million tons of CO₂ per year. To date (2020), Selma has not adopted a Climate Action Plan.

In the absence of a Climate Action Plan that directly addresses SB 32, the adopted SJVAPCD CCAP remain the most appropriate GHG reduction plans with which to assess an individual project’s consistency with statewide policies to reduce GHG emissions. In addition, the 2035 General Plan contains goals and policies that would substantially reduce GHG emissions (Land Use Element Policy 1.20 -1.21, Circulation Element Policy 2.1, 2.3-2.5, 2.7, 2.44-2.49, 2.53-2.54, 2.60-2.63, and Open Space, Conservation and Recreation Element Policy 5.3-5.4, 5.19-5.23, 5.27, 5.29). Therefore, if the project is consistent with the applicable GHG reduction plan, then its GHG emissions impacts would be considered individually and cumulatively less than significant.

- a. *Would the project generate GHG emissions, either directly or indirectly, that may have a significant impact on the environment?*
- b. *Would the project conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of greenhouse gases?*

The General Plan EIR assumed buildout in accordance with the MDR land use designation and therefore evaluated maximum buildout of the project site up to 82 units (9.1 acres x 9 units per acre). The project would rezone from R-1-7 to an R-4 Zone and amend the land use designation from MDR to HDR to allow up to 24 units per acre. The project would allow up to 218 residential

units, which would result in an additional 136 units compared to what was originally evaluated at the project site. This would not result in a substantial increase in growth that would be inconsistent with the growth projections in the General Plan EIR. The General Plan EIR contained policies and mitigation measures intended to limit, mitigate, and reduce criteria pollutant emissions, which would also reduce GHG emissions associated with buildout under the 2035 General Plan at the project site. Although the density on the project site would be greater with the proposed rezone and General Plan amendment, with implementation of applicable policies and mitigation measures, the additional potential buildout would not result in new or more severe impacts related to the generation of greenhouse gas emissions than those evaluated in the General Plan EIR.

As the project would allow for a higher density of population within the City's limits, this would not increase and likely reduce VMT related to commutes as residents would be able to live in closer proximity to workplaces and other points of interest in the downtown area. In addition, the General Plan EIR includes Mitigation Measure #3.17.3.1 which provides additional guidelines for construction and design that are required for all new developments in Selma to further reduce GHG emissions. As such, the project would not generate substantial additional GHG emissions or substantial conflicts with applicable GHG reduction plans, policies, or regulations. Impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

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9 Hazards and Hazardous Materials

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
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 checked="" type="checkbox"/>	<input type="checkbox"/>
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 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 that is included on a list of hazardous material 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 checked="" type="checkbox"/>	<input type="checkbox"/>
e. For a project located in 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 checked="" type="checkbox"/>	<input 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"/>

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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"/>

- a. *Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?*
- b. *Would the project 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?*

While the project would increase the allowable residential density of the project site, it would not significantly change the hazard level associated with planned buildout of the 2035 General Plan, since residential uses do not routinely use or transport substantial quantities of hazardous materials. Although the project would require a General Plan amendment to change the land use designation from MDR to HDR, it would not change the intended residential use on the site that was analyzed in the General Plan EIR. Compliance with regulations pertaining to the transport, handling, and disposal of hazardous materials would be mandatory and minimize impacts of upset or hazards. Therefore, impacts related to the transport, use, or disposal of hazardous materials or release of hazardous materials due to reasonably foreseeable upset or accident conditions would be less than significant.

LESS THAN SIGNIFICANT IMPACT

- c. *Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school?*

As described in the General Plan EIR, Selma includes the Selma Unified School District covering grades K-12 (Selma 2009). The policies of the 2035 General Plan Land Use Element include the location of schools as focal points for residential neighborhoods, thus locating them away from land uses associated with hazardous materials. As discussed above under criteria a and b, the project would not involve the routine use or transport of substantial quantities of hazardous materials. The nearest school is Eric White Elementary School located at 2001 Mitchell Avenue, approximately 0.25 mile east of the project site. Though no development is proposed at this time, in the event that development occurs, hazardous materials used during construction would be disposed of offsite in accordance with all applicable laws and regulations, including but not limited to the California Building and Fire Codes, as well regulations of the federal and state Occupational Safety and Health Administrations. Therefore, potential impacts associated with an accidental emission or release of hazardous materials in proximity to a school would be less than significant.

LESS THAN SIGNIFICANT IMPACT

- d. *Would the project be located on a site that is included on a list of hazardous material 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?*

Government Code Section 65962.5 requires the California Environmental Protection Agency to develop an updated Cortese List. The California Department of Toxic Substance Control (DTSC) is responsible for a portion of the information contained in the Cortese List. Other State and local government agencies are required to provide additional hazardous material release information for the Cortese List (DTSC 2020a). The analysis for this section included a review of the following resources on February 20, 2020 to provide hazardous material release information:

- USEPA
 - Comprehensive Environmental Response, Compensation, and Liability Information System/Superfund Enterprise Management System/Envirofacts database search (USEPA 2020a, 2020b)
- State Water Resources Control Board (SWRCB)
 - GeoTracker search for leaking underground storage tanks and other cleanup sites (SWRCB 2020)
- DTSC
 - EnviroStor search for hazardous facilities or known contamination sites (DTSC 2020b)
 - Cortese List of Hazardous Waste and Substances Sites (DTSC 2020a)
 - Cleanup Site and Hazardous Waste Facilities Database

Based on review of these databases, it was determined that the project site is not included on existing lists of hazardous materials sites compiled pursuant to Government Code Section 65962.5. However, the Selma 76 site located approximately 0.24 mile southeast of the project site is listed as a leaking underground storage tank (LUST) cleanup site. The site was listed in 1998 for gasoline contamination to soil and groundwater and was closed in April of 2010 (SWRCB 2020). No additional listed sites were located within 0.25 mile of the project site. Therefore, this impact would be less than significant.

LESS THAN SIGNIFICANT IMPACT

- 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?*

Selma is located within the Fresno County Airport Land Use Policy Plan Area for the Selma Aerodrome (Selma 2009). The 2035 General Plan includes safety goals and policies that restrict building development within nearby affected areas surrounding the Selma Aerodrome located approximately 1.8 miles northwest of the project site. Although the project would amend the General Plan land use designation to increase residential density, it would not alter the intended residential use of the project site that was evaluated in the General Plan EIR. Thus, air traffic associated with local airports would not result in a safety hazard to the people residing or working in the project area. Therefore, impacts related to airport safety would be less than significant.

LESS THAN SIGNIFICANT IMPACT

- f. Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?*

The 2035 General Plan includes goals and policies to establish and maintain a plan for responding to seismic disasters and for the provision of emergency services and policies to develop and adopt an Emergency Operations Plan. Although the project would amend the General Plan land use designation to increase residential density, it would not alter the intended residential use of the project site that was evaluated in the General Plan EIR. The project would not interfere with the implementation of a future Emergency Operations Plan, and adequate emergency access would be required for future development projects. Therefore, the project would not result in buildings that would block emergency response or evacuation routes or interfere with adopted emergency response or emergency evacuation plans. No impact would occur.

NO IMPACT

- g. Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?*

The project site is in an area that is characterized by urban and residential development and agricultural use. As stated in the General Plan EIR, because most of the land in Selma is devoted to agriculture and urban uses, the risk of wildland fires is minimal. Therefore, the project would not result in impacts related to exposure to wildland fire hazards. No impact would occur.

NO IMPACT

10 Hydrology and Water Quality

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a. Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 checked="" type="checkbox"/>	<input 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"/>
(iv) Impede or redirect flood flows?	<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 checked="" type="checkbox"/>	<input type="checkbox"/>

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
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"/>

- a. *Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?*

The project is located within the same planning area as the 2035 General Plan analyzed in the General Plan EIR. Hydrological conditions related to soils and hydrology on and around the site have not changed since adoption of the General Plan EIR, and the project does not include new physical disturbance beyond the residential uses included in the 2035 General Plan and evaluated in the General Plan EIR. Additionally, although future construction activities such as grading could have the potential to degrade water quality due to sediment erosion or the presence of contaminants located within the soils, short-term stormwater pollutant discharges would be mitigated through compliance with the applicable NPDES permitting process. Therefore, impacts related to water quality and wastewater discharge requirements would be less than significant.

LESS THAN SIGNIFICANT IMPACT

- b. *Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?*

The project site is located in the same planning area as the 2035 General Plan and was previously designated for residential land uses under the General Plan EIR. The project would rezone and amend the existing land use designation to allow greater residential density. However, the project does not include new physical disturbance beyond the residential uses included in the 2035 General Plan and evaluated in the General Plan EIR. While buildout of the project would introduce impervious surfaces to the project site, groundwater recharge in Selma occurs via Consolidated Irrigation District (CID) recharge ponds, which would not be altered as a part of the project. Additionally, as discussed above under Section 3, *Air Quality*, the project would not substantially increase the intensity of use in the City relative to the 2035 General Plan, as the project would be within the growth assumptions contained in the General Plan. Therefore, the project would not result in increased long-term water demand and would not impede sustainable groundwater management of the basin. Impacts on groundwater supplies and groundwater recharge would be less than significant.

LESS THAN SIGNIFICANT IMPACT

- c. *Would the project 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 situation on- or off-site?*

- ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site?*
- 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?*

The project site is located in the same planning area as the 2035 General Plan and was previously designated for residential land uses under the General Plan EIR. Drainage and runoff conditions related to soils and hydrology on and around the project site have not changed since adoption of the 2035 General Plan EIR, and the project does not include new physical disturbance beyond the residential uses included in the 2035 General Plan and evaluated in the General Plan EIR. As with the 2035 General Plan, the project would be required to comply with NPDES permits for stormwater discharge. Additionally, Mitigation Measure #3.8.3.2 requires future projects in Selma to demonstrate all necessary infrastructure is in place, infrastructure improvements are included as part of the project, and construction, operation, and maintenance of required infrastructure improvements are included. Therefore, impacts related to flooding, substantial erosion or siltation on- or off-site would be less than significant.

LESS THAN SIGNIFICANT IMPACT

- c.(iv) Would the project 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 impede or redirect flood flows?*
- d. In flood hazard, tsunami, or seiche zones, would the project risk release of pollutants due to project inundation?*

Only a small portion of Selma is within the 100-year flood zone, the project is located in Zone X, an area determined to be outside the 0.2% annual chance floodplain according to the Federal Emergency Management Agency (FEMA) Flood Maps (FEMA 2009) and is not considered to be in a flood hazard area.

Selma is within the dam inundation zone of Pine Flat Dam. The General Plan EIR found that use of the evacuation routes identified in the 2035 General Plan and local emergency plans would adequately address this potential impact, and included Mitigation Measures #3.8.3.4a, #3.8.3.4b, #3.8.3.4c, #3.8.3.4d, #3.8.3.4e, #3.8.3.4f, #3.8.3.4g, #3.8.3.4h, and #3.8.3.4i, to help ensure that the 2035 General Plan policies would adequately protect residents of the city.

There is also no potential for seiche or tsunami in Selma due to the lack of a significant water body in the immediate vicinity. The project does not include new physical disturbance beyond the residential uses included in the 2035 General Plan and evaluated in the General Plan EIR. Therefore, impacts related to potential release of pollutants in flood hazard, tsunami, or seiche zones would be less than significant.

LESS THAN SIGNIFICANT IMPACT

- e. Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?*

This impact was not explicitly addressed in the General Plan EIR because it was not included in the CEQA Guidelines in effect at the time. As discussed under criterion a above, higher-density housing allowed by the rezone and General Plan amendment would not violate water quality standards or degrade water quality during future construction or operation. The project does not include new physical disturbance beyond the residential uses included in the 2035 General Plan and evaluated in the General Plan EIR. Therefore, the project would not conflict with or obstruct implementation of a water quality control plan or sustainable management plan and impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

11 Land Use and Planning

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
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"/>

- a. *Would the project physically divide an established community?*
- b. *Would the project 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?*

The project would rezone a vacant parcel from R-1-7 to an R-4 zone and amend the General Plan land use designation to HDR from MDR as State law requires the zoning and General Plan to be consistent. The project would allow up to a maximum of 24 units per acre from a maximum of nine units per acre. It should be noted that the current zoning is not consistent with the General Plan land use designation, which requires a higher density at the project site. As described in the *Description of Project* section, Selma is required to implement Program 4 of the City's 2007 Regional Housing Needs Allocation (RHNA) cycle. In order to stay in compliance, Selma must identify and up zone several parcels throughout the City. As a result, no conflicts with policies aimed at mitigating environmental impacts associated with the rezone and General Plan amendment would occur. Additionally, the project does not include any proposed changes to the Land Use Element or Zoning Code that would result in development that would divide an established community in Selma as the surrounding land uses are residential, agricultural, and vacant land. Therefore, with approval of the proposed rezone and General Plan amendment, the project would not conflict with a land use plan, policy, or regulation or divide an established community. No impact would occur.

NO IMPACT

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12 Mineral Resources

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
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"/>

- a. *Would the project 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?*
- b. *Would the project 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?*

The General Plan EIR indicates Selma does not contain significant mining resources or mining operations (Selma 2009). The project would not involve changes to mineral resource recovery sites or alter or displace any mineral resource activities. Therefore, the project would have no impact on mineral resources.

NO IMPACT

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13 Noise

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project result in:				
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 groundborne 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 checked="" type="checkbox"/>	<input type="checkbox"/>

According to the General Plan EIR, Selma regulates noise-related land use issues through its Noise Element of the General Plan (Chapter 3) and its adopted Noise Regulations (Title VI: Police Regulations, Chapter 17: Noise Regulations). The Noise Regulations of the Municipal Code specify location restrictions for different land uses, measurement criteria, monitoring procedures and noises prohibited. Construction, repair or remodeling work noise and the hours of its duration are also addressed by the Noise Regulations.

Figure 3.11-5 of the 2035 General Plan establishes guidelines for a maximum “normally acceptable” exterior noise level of 60 dB(A) Ldn for new noise sensitive land uses including single family development and mobile homes, and 65 dB(A) Ldn for new multi-family residential uses and transient lodging such as motels and hotels.

The maximum “normally acceptable” exterior noise level for other sensitive receptors (hospitals, schools, libraries, churches, congregate care facilities uses) is shown as 70 dB(A) Ldn, but Selma has identified 65 dB(A) Ldn as the exterior limit to be maintained for noise sensitive uses without specific acoustic mitigation.

- a. *Would the project result in 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?*

Construction

Construction activities generate considerable amounts of noise, especially during the demolition phase and the construction of project infrastructure when heavy equipment is used. Noise impacts resulting from construction depend on the noise generated by various pieces of construction equipment, the timing and duration of noise-generating activities, and the distance between construction noise sources and noise sensitive receivers (Selma 2009).

The General Plan EIR assumed buildout in accordance with the MDR land use designation and therefore evaluated maximum buildout of the project site up to 82 units (9.1 acres x 9 units per acre). The project would allow up to 218 residential units, which would result in an additional 136 units compared to what was originally evaluated at the project site. The General Plan EIR contained policies and mitigation measures to reduce noise impacts from construction of buildout at the project site. Additionally, the City of Selma Noise Ordinance deems it unlawful for any excessive noise-generating devices, appliances, equipment or vehicles on public or private property abutting noise sensitive land uses to operate between the hours of 7:00 p.m. and 7:00 a.m. The nearest sensitive receiver to the project site is the Sikh Center of the Pacific Coast, a religious center located directly adjacent to the eastern boundary. Future buildout of the project site would result in noise associated with construction equipment and vehicle use; however, the construction would be temporary and required to occur within the acceptable daily construction hours of 7:00 a.m. to 7:00 p.m.

Although the density on the project site would be greater with the proposed rezone and General Plan amendment, with implementation of applicable policies and mitigation measures, the additional potential buildout would not result in new or more severe noise impacts due to construction than those evaluated in the General Plan EIR. Therefore, the project would not result in temporary construction noise levels in excess of any established standards and impacts would be less than significant.

Operation

The General Plan EIR assumed buildout in accordance with the MDR land use designation and therefore evaluated maximum buildout of the project site up to 82 units (9.1 acres x 9 units per acre). The project would allow up to 218 residential units, which would result in an additional 136 units compared to what was originally evaluated at the project site. At this time future development projects are not defined to a level that would allow project-level analysis and thus it would be speculative to include project-level impacts as part of this analysis. The project site is located in an area that is completely surrounded by residentially zoned parcels or parcels planned for residential uses. The General Plan EIR contained policies and mitigation measures to reduce operational noise impacts of buildout at the project site. The project does not include new physical disturbance beyond the residential uses included in the 2035 General Plan and evaluated in the General Plan EIR. Although the density on the project site would potentially be greater with the proposed rezone and General Plan amendment, with implementation of applicable policies and mitigation measures, the additional potential buildout would not result in new or more severe operational noise impacts than those evaluated in the General Plan EIR. Additionally, future buildout of the project site would be subject to policies within the General Plan Noise and Circulation Element. These policies would

reduce potential noise exposure impacts. Therefore, the project would not result operational noise levels in excess of any established standards and impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

- b. *Would the project result in generation of excessive groundborne vibration or groundborne noise levels?*

The use of construction equipment can cause ground vibrations that diminish in strength with distance from the source. Buildings founded on the soil in the vicinity of a construction site may be affected by these vibrations, with varying results ranging from no perceptible effects at the lowest levels, low rumbling sounds and perceptible vibrations at moderate levels, and slight damage at the highest levels. Typically ground vibration does not reach a level where it damages structures unless the structure is extremely fragile.

At this time future development projects are not defined to a level that would allow project-level analysis and thus it would be speculative to include project-level impacts as part of this analysis. The General Plan EIR indicates development under the 2035 General Plan would not introduce new sources of significant ground-borne vibration. This would be the same for the project, as the project does not authorize new physical disturbance beyond the residential uses included in the 2035 General Plan and evaluated in the General Plan EIR.

The nearest residence to the project site is located approximately 500 feet northwest of the project site. Because construction activities are normally short-term in nature, it is possible that under limited conditions where high vibration generating equipment is used near residential developments, use of such equipment could be a source of short-term annoyance, but not likely a source of excessive long-term vibration impacts. As a result, due to the intermittent use of construction equipment, and general construction activity occurring further than 25 feet from the nearest residences, vibration impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

- 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?*

The General Plan EIR identifies the airport overlay impact area of airports and heliports within Selma (Table 3.7-1 and Figure 3.7-1). The project site is located within the secondary review area boundary (Selma 2009). Although the project does not propose any construction, potential future development at the project site would be required to coordinate with the Fresno County Airport Land Use Commission and comply with City regulations to avoid potential airport-related noise impacts. Therefore, the project would not expose people residing or working in the project area to excessive airport noise and impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

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14 Population and Housing

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
a. Induce substantial unplanned population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., 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 checked="" type="checkbox"/>	<input type="checkbox"/>

- a. *Would the project 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)?*
- b. *Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?*

The project would rezone the parcel to R-4 from R-1-7 and amend its existing land use designation to HDR from MDR with a density range of 20-24 dwelling units per gross acre. As discussed above under Section 3, *Air Quality*, it is estimated that the project would result in the development of a maximum of 218 new dwelling units, and a subsequent population growth of 796. This would result in a total City population of 25,232. The City's 2020 population with implementation of the project, is estimated to be below that forecasted in the 2035 General Plan by 10,638 people. The project would facilitate consistency between zoning and General Plan land use designations for the site, and the project would be within the growth assumptions contained in the General Plan. These changes in density are required by the State of California Housing Element laws, to enable the development of new housing to meet population needs.

Buildout of the project site would provide increased housing availability, which would provide adequate housing to serve expected growth through 2035. Therefore, while the project would result in some population growth, such growth would not be unplanned. Additionally, as the site is currently vacant, the project would not result in displacement of existing housing units. Impacts to population growth and housing would be less than significant.

LESS THAN SIGNIFICANT IMPACT

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15 Public Services

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
a. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or the 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:				
1 Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2 Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3 Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4 Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5 Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

a.1. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered fire protection facilities, or the need for new or physically altered fire protection facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives?

Fire protection is provided by the Selma Fire Department (SFD). SFD provides fire protection services, hazardous materials response, emergency medical services, including first response and transportation, and technical rescue to a six-square-mile area including all areas within the City limits. SFD also reviews development projects and building permit applications for compliance with CBC Requirements and other regulations intended to prevent or reduce fire hazards. The project would rezone and amend the existing land use designation to allow greater residential density. This increased density could result in the need for fire station improvements or expansions. The General Plan EIR concluded that growth anticipated under the 2035 General Plan could have a significant impact on the SFD's ability to effectively respond to fires and other emergency situations if adequate funding is not provided. To reduce these impacts, the General Plan EIR included Mitigation Measure # 3.13.3.1a, requiring the City to study whether current development fees are adequate to

offset additional public service costs of development and identify appropriate development impact fees for the future.

As discussed in Sections 11, *Land Use and Planning*, and 14, *Population and Housing*, the project would be within the growth projections anticipated by the General Plan EIR and would allow for housing to accommodate this increase population. Moreover, the project site is within the existing service area of the SFD and is one mile west of the nearest fire station, located at 1927 West Front Street. The City would require development impact fees for new housing and other development to ensure the SFD can maintain existing service ratios. With the continued implementation of existing practices of the City, including required compliance with the CBC, and payment of new development fees as identified by Mitigation Measure #3.13.3.1a, the project would not significantly affect community fire protection services or response times. Impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

a.2. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered police protection facilities, or the need for new or physically altered police protection facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives?

Police protection in Selma is provided by the City of Selma Police Department (SPD) headquartered at 1935 East Front Street. The project would rezone and amend the existing land use designation to allow greater residential density. This increased density could result in the need for police station improvements or expansions. The General Plan EIR concluded that existing police service levels, staffing and facilities are inadequate, and therefore any development as a result of the 2035 General Plan would result in a significant impact without provision of additional personnel, equipment and facilities. The General Plan EIR included Mitigation Measure #3.13.3.2a, to modify 2035 General Plan Policy 1.97 such that the City will consider the appropriateness of development based upon infrastructure and public services availability, such as law enforcement. Mitigation Measure #3.13.2b also requires the City to study whether current development fees are adequate to offset additional public service costs of development and identify appropriate development impact fees for the future.

The project would be within the growth projections anticipated by the General Plan EIR and would allow for housing to accommodate this increase population. Moreover, the project site is within the existing service area of the SPD and is one mile west of the SPD headquarters. The City would require development impact fees for new housing and other development to ensure the SPD can maintain existing service ratios. With adherence to 2035 General Plan Policy 1.97 and payment of new development fees as identified by Mitigation Measure #3.13.3.2b, the project would not significantly affect community police protection services or response times. Impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

a.3. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered schools, or the need for new or physically altered schools, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios or other performance objectives?

The project site is served by the Selma Unified School District (SUSD). Development allowed by the project would involve up to 218 new residential units. SUSD assesses school facilities needs based on a student generation rate of 0.825 student for each new residential unit built (SUSD 2017). Assuming a conservative student generation rate of one student per residential unit, the proposed project would generate up to 218 additional students at SUSD schools. Pursuant to SB 50 (Section 65995(h)), payment of mandatory fees to the affected school district would reduce potential school impacts to less than significant level under CEQA. If approved, new housing development would be subject to the SUSD Impact Fees, which are assessed based on proposed land use and floor area. Therefore, the project would have a less than significant impact with respect to schools.

LESS THAN SIGNIFICANT IMPACT

a.4. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered parks, public facilities, or the need for new or physically altered parks, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios or other performance objectives?

See Section 16, *Recreation*.

LESS THAN SIGNIFICANT IMPACT

a.5. Would the project result in substantial adverse physical impacts associated with the provision of other new or physically altered public facilities, or the need for new or physically altered public facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives?

As described in criteria a.1 – a.4 above, impacts related to expanded or altered government facilities, including fire, police, school, and park facilities, would be less than significant. Other government facilities include library services. Library services are provided by the Fresno County Public Library, Selma Branch located at 2200 Selma Street. As described in Section 14, *Population and Housing*, development allowed by the project would generate population growth of approximately 796 people, at full buildout. This level of population growth would not be substantial in relation to the City's overall population and assumed growth under the 2035 General Plan and would thus not require construction of new library facilities. This impact would be less than significant.

LESS THAN SIGNIFICANT IMPACT

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16 Recreation

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	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 checked="" type="checkbox"/>	<input type="checkbox"/>

- 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?*
- 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?*

The City of Selma currently has six designated park sites totaling approximately 43 acres (Selma 2009). Kings River Access Park, Lanton-Kingston Park and Kearney Park are the closest regional County parks to Selma and encompass approximately 255 acres of parkland. Several other County parks and campsites are located along and near the Kings River in Fresno County below Pine Flat Dam approximately 25 miles northeast of Selma.

As described in Section 14, *Population and Housing*, the new maximum number of housing units allowed under the project would increase the population of Selma to 25,232. The project would be within the growth projections anticipated by the General Plan EIR (35,870 persons in 2020). As described in the General Plan EIR, future residential developers would continue to be required to meet parkland requirements, including payment of in-lieu park fees. Although the project would rezone and amend the existing land use designation to allow greater residential density, the project applicant would be required to pay park fees prior to development of the site. As such, the project would not result in an increased use of recreational facilities that would induce physical deterioration or require construction with a potential adverse effect on the environment. Impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

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17 Transportation

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
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 type="checkbox"/>
b. Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	■
c. Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible use (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	■	<input type="checkbox"/>
d. Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	■	<input type="checkbox"/>

- a. *Would the project conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?*

The General Plan EIR assumed buildout in accordance with the MDR land use designation and therefore evaluated maximum buildout of the project site up to 82 units (9.1 acres x 9 units per acre). The project would facilitate new development on the project site at higher densities than originally envisioned by the 2035 General Plan. The project would rezone the parcel to R-4 from R-1-7 and amend its existing land use designation to HDR from MDR with a density range of 20-24 dwelling units per gross acre. This would allow up to 218 residential units, which would result in an additional 136 units compared to what was originally evaluated at the project site. This change would allow for the development of up to 218 residential units on the project site. Table 6 shows the estimated trip generation at full buildout of the project site based the trip generation rates for the Low Rise Apartment land use from the Institute of Transportation Engineers (ITE) *9th Edition Trip Generation Manual*.

Table 6 Proposed Project Trip Generation – Single-Family Homes

Land Use	Dwelling Units	Daily Trips	A.M. Peak Hour Trips			P.M. Peak Hour Trips		
			In	Out	Total	In	Out	Total
Low Rise Apartment ¹	218	1,437	22	89	111	88	47	135

¹ Trip generation rates from Institute of Transportation Engineers (ITE) *Trip General Manual, 9th Edition*, land use category 221 (Low Rise Apartment).

As shown in Table 6, development facilitated by the project at full buildout of the site could result in up to 1,437 daily trips including 111 morning peak hour trips and 135 peak hour trips. The primary roadways that would be affected are SR 43 and East Rose Avenue. The General Plan EIR concluded that that traffic volumes along local streets would increase by 2035 and affect several roadway segments as a result of growth made possible by policies in the 2035 General Plan. The General Plan EIR contained policies and mitigation measures to ensure that the City's circulation system remained effective while improving existing roadway configurations and conditions. This small increase in trips would not result in the need to increase road or transit capacity beyond what is currently planned for in the General Plan or beyond what is planned for State Route 43 under Caltrans' jurisdiction.

New development facilitated under the project would be required to be consistent with the 2035 General Plan Circulation Element's goals and policies. Policy 2.31 of the Circulation Element includes standards for driveway access to major arterial, arterial, collector streets and local streets/minor collectors. Additionally, Policy 2.36 requires developers to mitigate traffic impacts associated with new projects to minimize the impacts to freeways, major arterials, arterials and collector streets. As such, all new residential development facilitated at the project site would be required to adhere to City standards for roadway development and mitigate potential traffic impacts through development impact fees. The project would not create conflicts with applicable plans, ordinances or policies related to the City's circulation system. Therefore, impacts would be less than significant.

Transit, bikeway and pedestrian policies and facilities in the City have not changed since the analysis of the land use designations in the General Plan EIR. The project would not conflict with adopted policies, plans, or programs regarding alternative transportation as the proposed project does not include alterations to existing bike access, pedestrian pathways, or transit routes. Any required improvements, on- or off-site would be required to meet current city standards so would not conflict with any program, plan, ordinance, etc. In addition, the project would not involve the obstruction, removal or relocation of, or excessive additional demand for, existing transit, pedestrian, or bicycle facilities. Although the density on the project site would potentially be greater with the proposed rezone and General Plan amendment, with implementation of applicable policies and mitigation measures, the additional potential buildout would not result in new or more severe traffic impacts than those evaluated in the General Plan EIR or result in an increase in VMT beyond the existing condition. Therefore, impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

- b. Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?*

CEQA Guidelines section 15064.3, subdivision (b), which was added to the CEQA Guidelines as part of the update adopted by the State in November 2018, defines acceptable criteria for analyzing transportation impacts under CEQA. It states that land use projects with VMT exceeding an applicable threshold of significance may indicate a significant impact, and that projects that decrease VMT compared to existing conditions should be presumed to have a less than significant transportation impact.

Although the General Plan EIR did not include a VMT analysis, the project would constitute in-fill development that would generally reduce VMT compared to greenfield development (new development on lands not previously planned for development). As described under Section 8, *Greenhouse Gas Emissions*, the project would allow for a higher density of population within the City's limits, which would likely reduce VMT related to commutes as residents would be able to live

in closer proximity to workplaces and other points of interest in the downtown area. The increase in maximum density at the project site to 24 units per gross acre for the HDR land use designation in addition to allowing ground floor commercial uses within these multi-family/mixed-use areas would tend to have a lower per capita VMT than the existing maximum density of 9.5 units per gross acre. This conforms to CEQA Section 154064.3(b)(1) that states, "Projects that decrease vehicle miles traveled in the project area compared to existing conditions should be presumed to have a less than significant transportation impact."

High Density uses generally have a higher percentage of commuters using alternative modes of transportation (such as transit, bicycle, and walking). Therefore, the proposed increase in density may potentially reduce trip distances for residents in Selma. As such, the project would not conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b) and no impact would occur.

NO IMPACT

c. *Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible use (e.g., farm equipment)?*

d. *Would the project result in inadequate emergency access?*

Figure 3.15-1 of the General Plan EIR shows the proposed land uses in relation to the circulation system within Selma. The 2035 General Plan Initial Study found impacts due to geometric design features/incompatible uses, and inadequate emergency access to be less than significant and were not further discussed in the General Plan EIR. The 2035 General Plan Circulation Element's goals, objectives and policies (Objective D, Policy 2.8 and 2.23) would eliminate modifying intersections at awkward angles, and for require new streets to be designed with safe intersection geometrics and lines of sight. The Circulation Element also encourages growth to be accommodated in, or contiguous with, the existing urbanized area. These policies would help prevent unsafe intersections and incompatible vehicular uses on area roadways.

The project would facilitate housing growth on the project site but would not affect the configuration of the roadway network. It would not introduce potentially hazardous design features such as sharp curves or dangerous intersections. Future residential development facilitated by the rezone and General Plan land use amendment would be reviewed by City staff to ensure that it avoids potential traffic hazards related to access and internal circulation. Additional housing also would not introduce incompatible uses such as agricultural vehicles on roadways.

The adequacy of emergency access depends on site access to properties and the response times of emergency vehicles. As described in Section 15, *Public Services*, the SFD would also review future development projects for compliance with CBC requirements and to ensure adequate street access for emergency responders. With regard to response times, traffic congestion has the potential to impede the movement of emergency vehicles. However, as discussed under criterion a, development facilitated by the project would not result in traffic delay that exceeds the City's standards. Additionally, the City would require development impact fees for new housing and other development to ensure the SFD can maintain existing service ratios. Therefore, the project would not result in hazards due to geometric design features, incompatible uses or inadequate emergency access and impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

18 Tribal Cultural Resources

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in a Public Resources Code Section 21074 as either a site, feature, place, or 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:				
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 type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

As of July 1, 2015, California AB 52 of 2014 was enacted and expands CEQA by defining a new resource category, "tribal cultural resources." AB 52 establishes that "A project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment" (PRC Section 21084.2). It further states that the lead agency shall establish measures to avoid impacts that would alter the significant characteristics of a tribal cultural resource, when feasible (PRC Section 21084.3).

PRC Section 21074 (a)(1)(A) and (B) defines tribal cultural resources as "sites, features, places, cultural landscapes, sacred places, and objects with cultural value to a California Native American tribe" and is:

1. 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
2. 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 these criteria, the lead agency shall consider the significance of the resource to a California Native American tribe.

AB 52 also establishes a formal consultation process for California tribes regarding those resources. The consultation process must be completed before a CEQA document can be certified. Under AB 52, lead agencies are required to “begin consultation with a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project.” Native American tribes to be included in the process are those that have requested notice of projects proposed within the jurisdiction of the lead agency.

- a. *Would the project cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code Section 21074 that is 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)?*
- b. *Would the project cause a substantial adverse change in the significance of a tribal cultural resource as defined in Public Resources Code Section 21074 that is 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?*

The City of Selma mailed notification letters on May 31, 2020 to the following 10 local Native American tribes that have requested notification under AB 52:

- Big Sandy Rancheria of Western Mono Indians
- Cold Springs Rancheria
- Kings River Choinumni Farm Tribe
- North Fork Mono Tribe
- Santa Rosa Rancheria Tribe
- Table Mountain Rancheria
- Dumna Wo-Wah Tribal Government
- Dunlap Band of Mono Indians
- Traditional Choinumni Tribe
- Wuksache Indian Tribe/Eshom Valley Band

Under AB 52, tribes have 30 days to respond and request consultation. Under AB 52, tribes have 30 days from receipt of the letter to respond and request consultation. To date one tribe has responded on the preparation of this Subsequent ND, the Dunlap Band of Mono Indians. No tribes have requested consultation.

As discussed in the General Plan EIR, no known cemeteries, human remains, or Native American resources have yet to be discovered with Selma. Thus, the potential for tribal cultural resources is considered to be low. Nevertheless, the General Plan EIR concluded that the potential for previously undiscovered human remains to be found on the project site during construction cannot be ruled out. Although the project would rezone and amend the land use designation to allow for higher density residential uses, it would not change the planned residential use as evaluated in the General Plan EIR. The project does not include new physical disturbance beyond the residential uses included in the 2035 General Plan and evaluated in the General Plan EIR. If development were to occur, future projects would be required to implement Mitigation Measures 3.5.3.1a and 3.5.3.1b

identified in the General Plan EIR to reduce impacts in the event tribal cultural resources are discovered. As such, the project would not result in impacts to tribal cultural resources.

LESS THAN SIGNIFICANT IMPACT

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19 Utilities and Service Systems

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Would the project:				
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 checked="" type="checkbox"/>	<input type="checkbox"/>

- a. *Would the project 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?*
- b. *Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?*

- c. *Would the project 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?*

The General Plan EIR assumed buildout in accordance with the MDR land use designation and therefore evaluated maximum buildout of the project site up to 82 units (9.1 acres x 9 units per acre). The project would rezone the parcel to R-4 from R-1-7 and amend its existing land use designation to HDR from MDR with a density range of 20-24 dwelling units per gross acre. This would allow up to 218 residential units, which would result in an additional 136 units compared to what was originally evaluated at the project site. The project would increase residential density at the site and therefore may result in a slight increase in demand or use of water, wastewater, storm water, electric power, natural gas, or telecommunications facilities. As described in Section 14, *Population and Housing*, the City's 2020 population with implementation of the project, would be below that forecasted in the 2035 General Plan. As such the project would be within the growth projections for buildout of the 2035 General Plan and would be consistent with the findings for utility facilities demand through the year 2035.

The General Plan EIR states that existing wastewater facilities would require expansion to serve the projected 2035 population. Policies in the 2035 General Plan require new developments to demonstrate there is adequate sewer capacity, and the City of Selma collects development impact fees, which are used to fund construction of required facilities expansions.

The General Plan EIR did not provide supply and demand comparisons for normal, dry, and multiple dry year scenarios, because this was not required under the CEQA Guidelines at the time. Such a comparison is therefore provided below.

Since adoption of the General Plan EIR, a new Urban Water Management Plan (UWMP) has been developed for the Selma District of the California Water Service Company (Cal Water) that serves the Planning Area, providing estimates of supply and demand for the years 2020 through 2040 (Cal Water 2016). The new UWMP (the 2015 UWMP) projects that water demand in 2020 will be between 6,452-acre feet per year (AFY) in a normal supply year and 6,800 AFY in a single dry year, with demand in multiple dry years falling between these totals. The 2015 UWMP projects that, by 2025, demand will increase to 6,872 AFY in a normal supply year and 7,243 AFY in a single dry year, with demand in multiple dry years again falling between these totals. This means that the projected increase in demand between 2020 and 2025 ranges between 420 AFY in a normal supply year and 443 AFY in a single dry year. The 2015 UWMP finds that sufficient water supplies are available to meet projected demand during normal, dry, and multiple dry years not only in 2020 but through 2040. Because the project would not substantially increase the total amount of development at buildout compared to the 2035 General Plan, it would not significantly increase water demand.

Because the project would be within the projected buildout of the 2035 General Plan, it would be accounted for under the findings in the General Plan EIR regarding utilities and service systems. Although the density on the project site would potentially be greater with the proposed rezone and General Plan amendment, with implementation of applicable policies and mitigation measures, the additional potential buildout would not result in new or more severe impacts on utilities than those evaluated in the General Plan EIR. As such, the project would not require new or expanded water, wastewater, storm water, electric power, natural gas, or telecommunications facilities and impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

- d. *Would the project 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?*
- e. *Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?*

The 2035 General Plan Initial Study indicated solid waste generated by the 2035 General Plan would be transported to the American Avenue Landfill, which has available capacity through 2031. Impacts to solid waste to the City were less than significant according to the General Plan Initial Study. The City of Selma has been reducing its solid waste generation rates in compliance with AB 939. Buildout facilitated under the project would increase the total solid waste generation of residences within the city; however, Selma is committed to continuing to increase recycling and diversion rates. The General Plan EIR assumed buildout in accordance with the MDR land use designation and therefore evaluated maximum buildout of the project site up to 82 units (9.1 acres x 9 units per acre). The project would rezone the parcel to R-4 from R-1-7 and amend its existing land use designation to HDR from MDR with a density range of 20-24 dwelling units per gross acre. This would allow up to 218 residential units, which would result in an additional 136 units compared to what was originally evaluated at the project site. This increase of residential uses would be within the growth projections for buildout of the 2035 General Plan. As such, the project would not generate solid waste in excess of local infrastructure capacities such that it would impair the attainment of solid waste reduction goals. Additionally, the project would comply with all federal, state, and local management and reduction statutes and regulations related to solid waste. Therefore, impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

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20 Wildfire

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:				
a. Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input 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 checked="" type="checkbox"/>	<input type="checkbox"/>
d. Expose people or structures to significant risks, including downslopes or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:

- Substantially impair an adopted emergency response plan or emergency evacuation plan?*
- 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?*
- 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?*
- Expose people or structures to significant risks, including downslopes or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?*

As discussed in Section 9, *Hazards and Hazardous Materials*, the project would not impair an adopted emergency response plan or emergency evacuation plan. Though the 2035 General Plan Policy 4.2 directs the City to develop an Emergency Operations Plan, the City does not have one at this time (2020).

According to the California Department of Forestry and Fire Protection (CAL FIRE) Fire Hazard Severity Zones Map, Selma is not in or near state responsibility areas or lands classified as Very High Fire hazard severity zones (CAL FIRE 2007). Selma is a primarily urbanized area and there are no wildland areas near the City, therefore the project would have no impact related to exposing people or structures to a significant risk of loss, injury or death involving wildland fires. Impacts with regard to hazards and hazardous materials would be less than significant.

All existing and future development within the City would be required to adhere to City standards and regulations prior to obtaining building permits. No additional installation or maintenance of associated infrastructure that would occur without City review, therefore no fire risks, temporary or ongoing, impacts to the environment would occur.

The project would not 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. Impacts related to slope instability and flooding are discussed in Section 10, *Hydrology and Water Quality*. Impacts would be less than significant.

As discussed in the General Plan EIR, there are no known active faults within the vicinity of the project. Although no active faults have been mapped across the project site, seismic events caused by active and potentially active faults in the region could result in seismic ground shaking on-site. A seismic hazard cannot be completely ruled out; however, effects can be minimized by implementing requirements specified in the California Building Code (CBC). Compliance with existing building standards and GPU goals and policies would minimize potential safety hazards from seismic ground shaking and potential ground failure/liquefaction, and ensure impacts associated with the project would be less than significant. Additionally, since the project site, like the entire City of Selma, is located on the level San Joaquin Valley floor, risks from landslides would generally be minimal and potential impacts on new development would remain less than significant.

Therefore, future development facilitated by the 2035 General Plan and would not expose persons or structures to wildfire hazard risks. The project would be the same Planning Area as the 2035 General Plan and would be within the growth projections for buildout of the 2035 General Plan. Therefore, the project would not result in significant wildfire risks and impacts would be less than significant.

LESS THAN SIGNIFICANT IMPACT

21 Mandatory Findings of Significance

	Potentially Significant Impact	Less than Significant with Mitigation Incorporated	Less than Significant Impact	No Impact
Does the project:				
a. 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. 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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<hr/>				
a. <i>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?</i>				
b. <i>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)?</i>				

- c. *Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?*

As described above in Sections 1 through 20, the project would not result in new or substantial direct or indirect impacts beyond those identified in the adopted EIR for the 2035 General Plan. Section 4, *Biological Resources* and Section 5, *Cultural Resources* of this Initial Study state that the project would not result in potentially significant impacts to sensitive plant and animal species, sensitive communities, jurisdictional waters and wetlands, or cultural resources, or impacts could be reduced to less than significant with implementation of the mitigation measures identified in the General Plan EIR.

As described throughout this Initial Study, the project would be within the growth projections for buildout of the 2035 General Plan and as such would not result in any new or substantial impacts beyond those previously analyzed in the General Plan EIR. The General Plan EIR included analysis of cumulative impacts, including regional traffic growth, associated with buildout of Selma under the 2035 General Plan. The project would not result in a substantial increase to the cumulative development in the City. As a result of this evaluation, there is no substantial evidence that, after mitigation, there are cumulative effects associated with this project. Therefore, this project has been determined not to have cumulatively considerable impacts.

In the evaluation of environmental impacts in this Initial Study, the potential for adverse direct or indirect impacts to human beings were considered in response to criteria in Section 3 *Air Quality*, Section 7 *Geology and Soils*, Section 8 *Hazards and Hazardous Materials*, Section 10 *Hydrology and Water Quality*, Section 11 *Land Use and Planning*, Section 13 *Noise*, Section 14 *Population and Housing*, Section 15 *Public Services*, Section 17 *Transportation*, and Section 19 *Utilities and Service Systems*. As a result of this evaluation, there is no substantial evidence that there are adverse effects to human beings associated with this project that cannot be mitigated to less than significant levels by mitigation established in the General Plan EIR. Therefore, the project has been determined not to cause substantial adverse effects on human beings, either directly or indirectly.

LESS THAN SIGNIFICANT IMPACT

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