



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**

**May 26, 2020
6:00 PM**

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

Teleconference Phone Number: +1 (646) 876-9923

Access Code: 844-8191-9246 Password: 93662

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

Flag salute led by Commissioner Fedor

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 March 23, 2020 meeting.

PUBLIC HEARINGS

2. Consideration of TENTATIVE PARCEL MAP 2020-006, an application filed by Fahrney Land Management, LLC. The 34.19 acre property is zoned CR (Regional Commercial). The proposal will result in five parcels varying in size from 2.96 acres to 9.16 acres. The project is exempt from CEQA (APN 348-191-06S & -18).

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
March 23, 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 Fedor, Garcia, Gonzales, Singh, Coury, Sekhon, and Chairman Niswander. Commissioner Garcia was not present.

Also present were City Attorney Neil Costanzo, Planner Kira Noguera.

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 December 16, 2019.

Commissioner Fedor seconds the motion to approve the minutes for December 16, 2019.

Chairman Niswander ask for roll call vote to approve minutes for December 16, 2019.

Sabino Cayetano Building/Planning Technician takes roll call vote to approve the minutes for December 16, 2019. Commissioners as follows voted yes: Commissioners, Fedor, Gonzales, Sekhon, Singh, Coury, and Chairman Niswander. Commissioner Garcia not present.

PUBLIC HEARINGS

RESOLUTION NO. 2020-0001 - Staff recommends that the Planning Commission recommend the City Council accept a Public Utility Easement at 2236 Orange Avenue, Selma, CA. (APN: 389-193-04), consistent with the General Plan and exempt from CEQA.

Chairman Niswander describes the agenda item to the Planning Commission.

City Attorney Neil Costanzo prepared a resolution that recommends the approval of the dedications to the City of Selma and describes the correct utility easement to Planning Commission.

Chairman Niswander describes a correction to the resolution to the City Attorney Neil Costanzo.

City Attorney Neil Costanzo agrees to make the corrections to the resolution.

Chairman Niswander discusses again the changes that need to be made to the resolution. The Planning Commission is recommending the resolution to City Council for approval. Chairman asks if any staff member has any comments.

Commissioner Sekhon asks who owns the property that the easement is going to be added too.

City Attorney Neil Costanzo tries to answer the question.

Commissioner Sekhon asks if the city is compensating the property owner.

City Attorney Neil Costanzo says we requiring the dedication to record the parcel map.

Commissioner Sekhon says he understands.

Chairman Niswander asks if Planning Commissioners have any comments or questions.

Planner Kira Noguera describes that the owner of the property is Orange Avenue Homes to the Planning Commission.

Chairman Niswander asks if Planning Commissioners have questions for staff.

Commissioner Coury asks if they are putting an apartment building there or what they are putting there.

Chairman Niswander responds that when first hearing this item, they were proposing 5 single family dwellings.

Chairman Niswander entertains the motion for approval if no one has nothing to add.

Commissioner Fedor motions for approval of resolution 2020-001.

Commissioner Gonzales seconds the motion for approval of resolution 2020-001.

Chairman Niswander asks Sabino Cayetano to call roll call for approval.

AYES: Fedor, Coury, Singh, Gonzalez, Sekhon & Niswander

NOES:

ABSTAIN: Garcia

ABSENT:

Chairman Niswander entertains the motion for adjournment.

Commissioner Gonzales makes the motion for adjournment.

ADJOURNMENT: There being no further business, the meeting was adjourned at 6:13 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: May 26, 2020

TO: Selma Planning Commission
FROM: Community Development Department
SUBJECT: AGENDA ITEM NO. 1
Submittal No. 2020-0006: Tentative Parcel Map
Categorical Exemption

Summary and Purpose

The purpose of this agenda item is to hold a public hearing to consider the approval of Tentative Parcel Map No. 2020-0006, which will divide 34.19 acres into in five parcels varying in size from 2.96 acres to 9.16 acres.

Application Information

Applicant: Fahrney Land Management, LLC. 3105 Highland Ave. Selma, CA 93622

Project Location: Northwest of the intersection of E. Floral Ave and Highway 99, Selma, CA. (APN 348-191-06S & -18).

Applicant's Proposal: The applicant wants to divide 34.19 acres into in five parcels varying in size from 2.96 acres to 9.16 acres.

Land Use; General Plan; Zoning: Vacant; Regional Commercial; C-R.

Summary and Purpose

The owner is proposing to divide 34.19 acres into five parcels (labeled Parcel A-E) varying in size from 2.96 acres to 9.16 acres. Proposed Parcel A is 6.50 acres, Parcel B is 2.96 acres, Parcel C is 9.16 acres, Parcel D is 7.36 acres, and Parcel E is 7.39 acres. Surrounding land uses comprise of SR 99 to the north, commercial to the east and agricultural uses on the south and west sides. The project requires the approval of a Tentative Parcel Map ("TPM"). The application was filed by Fahrney Land Management, LLC. The property is zoned CR (Regional Commercial).

The California State Subdivision Map Act provides that a local agency must make certain findings prior to making recommendations on any tentative parcel map. Staff has prepared a resolution for approval incorporating the required findings and conditions of approval. Tentative Parcel Map No. 2020-0006 is consistent with the provisions of the California State Subdivision Map Act. The findings include:

1. That the Tentative Parcel Map No. 2020-0006 is considered pursuant to Chapter 6 of Title 9 of the Selma Municipal Code.
2. That the applicant has complied with the provisions for filing a tentative parcel map pursuant to the provisions of the Selma Municipal Code.

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

Environmental (CEQA)

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

Notice of Public Hearing

The Public Notice was published one time in The Selma Enterprise on May 13, 2020. The adjacent property owners within 300 feet were notified of the hearing by the City via letter on May 4, 2020.

Recommendation

Staff recommends approval of Resolution No. 2020-02, approving Tentative Parcel Map 2020-0006. The Resolution makes each of the required findings listed above, and imposes the appropriate conditions on the development to insure that development is in conformity with all applicable provisions of the Municipal Code, Building Code and other applicable laws, and that the requirements of CEQA have been satisfied.

Kira Noguera, Contract Planner
Community Development Department

Attachments

1. Location Map

2. Proposed Parcel Map
3. Categorical Exemption
4. Resolution No. 2020-02 approving Tentative Parcel Map No. 2020-0006
Exhibit A: Conditions of Approval



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: _____

From: (Public Agency): _____

(Address)

Project Title: _____

Project Applicant: _____

Project Location - Specific: _____

Project Location - City: _____ Project Location - County: _____

Description of Nature, Purpose and Beneficiaries of Project: _____

Name of Public Agency Approving Project: _____

Name of Person or Agency Carrying Out Project: _____

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

- ☐ Ministerial (Sec. 21080(b)(1); 15268);
- ☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));
- ☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- ☐ Categorical Exemption. State type and section number: _____
- ☐ Statutory Exemptions. State code number: _____

Reasons why project is exempt: _____

Lead Agency _____

Contact Person: _____ Area Code/Telephone/Extension: _____

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? ☐ Yes ☐ No

Signature: _____ Date: _____ Title: _____

☐ Signed by Lead Agency ☐ Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: _____

RESOLUTION NO. 2020-02

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SELMA, CALIFORNIA RECOMMENDING THE CITY COUNCIL APPROVE TENTATIVE PARCEL MAP 2020-0006 TO SUBDIVIDE 34.19 ACRES INTO FIVE PARCELS AND THE NOTICE OF EXEMPTION REGARDING SAME AND MAKING FINDINGS INSUPPORT THEREOF

WHEREAS, on May 26, 2020, the Selma Planning Commission, considered an application (2020-0006) filed on April 9, 2020 (the “Application”) by Fahrney Land Management, LLC. for a Tentative Parcel Map. The Tentative Parcel Map is a request to subdivide 34.19 acres into five parcels (labeled Parcel A-E) varying in size from 2.96 acres to 9.16 acres. Proposed Parcel A is 6.50 acres, Parcel B is 2.96 acres, Parcel C is 9.16 acres, Parcel D is 7.36 acres, and Parcel E is 7.39 acres; and

WHEREAS, the Application applies to a 34.19 acre property located northwest of the intersection of E. Floral Ave and Highway 99, Selma, CA. (APN 348-191-06S & -18).); and

WHEREAS, the public notice of the Selma Planning Commission regularly scheduled public meeting was noticed on May 13, 2020, in the Selma Enterprise in accordance with all applicable local and state laws and a letter was mailed to all property owners within 300 feet of the property notifying them of the hearing; and

WHEREAS, the Application seeks approval of the Tentative Parcel Map to divide 34.19 acres into five parcels varying in size from 2.96 acres to 9.16 acres.

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

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

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

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

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

WHEREAS, the Planning Commission, having made its Findings for Approval, was of the opinion 2020-0006 Tentative Parcel Map should be approved.

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

1. The Planning Commission finds that all of the facts set forth in the Recitals of this Resolution are true and correct and are incorporated herein by reference.
2. All necessary public meetings and opportunities for public testimony and comment have been conducted in compliance with State Law and the Municipal Code of the City of Selma.
3. The Planning Commission approves this Resolution and recommends approval of the Categorical Exemption and the Application for Tentative Parcel Map No. 2020-0006 subject to Findings for Approval and Conditions of Approval listed and made a part of this Resolution to the Selma City Council.
4. The provisions of this Resolution are severable and if any provision, clause, sentence, word or part thereof is held illegal, invalid, unconstitutional, or inapplicable to any person or circumstances, such illegality, invalidity, unconstitutionality, or inapplicability shall not affect or impair any of the remaining provisions, clauses, sentences, sections, words or parts thereof of the Resolution or their applicability to other persons or circumstances.
5. The Secretary of the Planning Commission shall certify to the adoption of this Resolution, and that the same shall be in full force and effect. The Planning Commission hereby directs the Secretary to transmit a copy of this Resolution to the City Clerk of the City of Selma.

PASSED, APPROVED AND ADOPTED by the Planning Commission of the City of Selma at a regular meeting held on May 26, 2020, by the following vote:

AYES: COMMISSIONERS:

NOES: COMMISSIONERS:

ABSTENTION: COMMISSIONERS:

ABSENT: COMMISSIONERS:

GLENN NISWANDER
CHAIRMAN OF THE COMMISSION

Kira Noguera
Secretary, Selma City Planning Commission

Exhibit A: Conditions of Approval

Staff Recommends that the approval of TPM 2020-0006 be conditioned upon the following:

Planning Conditions:

1. All requirements of the Selma Municipal Code, as they pertain to this application, shall be complied with and such requirements shall be made a condition of permit approval.
2. Tentative Parcel Map is valid for two (2) years from the date of approval, unless otherwise extended by the Planning Commission pursuant to applicable city ordinance.
3. For any proposed project on vacant parcel, a site plan review or conditional use permit will be required as a condition of approval for any development that takes place on the vacant parcel.

Fire Department Conditions:

4. Developer to install fire hydrants at locations approved by the Fire Chief. Minimum fire flow shall be 2,000 GPM with 20 PSI residual pressure.
5. Fire access lanes to be approved by the Fire Chief.

Engineering Conditions:

6. Submit a Final Parcel Map prepared by a Land Surveyor or Civil Engineer licensed to practice surveying to the City Engineer for review and approval. A current Preliminary Title Report and closure calculations shall also be submitted. Any and all rights-of-way and easements identified in the Preliminary Title Report shall be shown on the parcel map with recording data. Submit AutoCAD file(s) of the Final Parcel Map to the City Engineer. The final parcel map shall conform to the requirements of the Subdivision Map Act and the Selma Municipal Code.
7. Within five days after the final setting of all monuments has been completed, the engineer or surveyor shall give written notice to the City Engineer that the final monuments have been set. Upon payment to the engineer or surveyor for setting the final monuments, the developer shall present to the City Engineer evidence of the payment and receipt thereof by the engineer or surveyor.
8. Dedicate a 10' public utility easement (PUE) along East Floral Avenue frontage.
9. Prepare and submit a Geometric Approved Drawing (GAD) for Floral Avenue along the project frontage for review and approval by the City Engineer.
10. Dedicate right of way along East Floral Avenue frontage in conformance with the approved GAD.

Exhibit A: Conditions of Approval

11. East Floral Avenue is designated as an arterial. Prior to occupancy of the first development of any of the newly created lots, the developer will be required to construct street improvements along the East Floral Avenue Frontage.
12. If parcels are sold separately at any point in time, maintenance of common use areas such as pavement, signage, landscaping shall be consistent with approved parcel map to ensure all land owners meet joint responsibilities.

General Conditions:

13. Any violation or failure to comply with any of the conditions of the approval of this permit shall be grounds for modification or revocation. The Applicant may be required to reimburse the City fully for its costs and expenses, including but not limited to, attorney's fees, in undertaking any required corrective action. Reimbursement of enforcement costs may constitute a civil debt and may be collected by any means permitted by law. In the event that violations of this permit occur, the City may refrain from issuing permits, licenses, or other approvals until such violation has been fully remedied.
14. The Developer shall indemnify, hold harmless and defend the City and any agency or instrumentality thereof, and/or any of its officers, employees and agents from any and all claims, actions, or proceedings against the City arising out of the development or City's conditional approval thereof. The City reserves its right to take any and all actions, including the retention of counsel to be paid for by the Developer that the City deems to be in the best interest of the City and its citizens in regard any defense of an action or proceeding subject to Developer's obligation to defend City.
15. Developer to connect to sanitary sewer in accordance with requirements of SKF County Sanitation District. Developer shall be reimbursed for any oversizing of sewer lines in accordance with a reimbursement agreement approved by the City Engineer.
16. Developer to connect to California Water Service Company in accordance with requirements of the company.
17. Prior to approval final map developer to enter into a subdivision agreement to ensure timing and installation of all off-site improvements.
18. Developer to prepare a Storm Water Pollution Prevention Plan and obtain approval of said plan from the Regional Water Quality Control Board.
19. All building construction on site shall be in accordance with applicable building codes and zoning regulations.
20. Developer to pay all applicable City fees prior to approval of final map.

Exhibit A: Conditions of Approval

21. The proposed project shall comply with all standard Municipal Code and Subdivision Map Act requirements as conditioned by the City Engineer.
22. The filing of a Final Parcel Map must be in accordance with the checklist for final map per Section 9-6-8.02 of the Selma Municipal Ordinance and consistent with the applicable provisions of the Subdivision Map Act.
23. Prior to the commencement of any work within the City of Selma, the general contractor and all sub-contractors shall obtain a business license from the Building Department. For a business license application or for more information, contact Sylvia Luna at (559) 891-2215.