



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

Consistent with AB 361 and Government Code section 54953, this meeting will be held remotely. Members of the public may access the meeting using the following information:

Teleconference Phone Number: +1 301 715 8592
ID: 843 0301 0898

Zoom: <https://us02web.zoom.us/j/84303010898>

The public may also view the meeting using the following Youtube link:

<https://www.youtube.com/watch?v=T6jlo7F2FsM>

Members of the public may offer public comment during the meeting, at the appropriate times, as identified in the agenda. Members of the public who wish to make a public comment may comment verbally for the Selma 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 publiccomment@cityofselma.com by 12:00 p.m. the day of the meeting, with the subject line "SELMA PLANNING COMMISSION MEETING CORRESPONDENCE – AGENDA ITEM #" (insert the item number relevant to your comment) or "CITY OF SELMA NON-AGENDA ITEM". All correspondence that does not relate to a specific item on the agenda will be made a part of the official record of this meeting and will be referred to the Deputy 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 Building Planning Technician Lupe Macias with any questions by phone at City Hall 559-891-2200 extension 3125 or by email using the email address referenced above.

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 Building-Planning Technician Lupe Macias by email at Lmacias@cityofselma.com or by telephone at 559-891-2200 extension 3125 no later than 24 hours before the meeting.

**SPECIAL MEETING AGENDA
CITY OF SELMA
PLANNING COMMISSION**

**July 11, 2022
6:00 PM**

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

Teleconference Phone Number: + 1(301) 715-8592
Access Code: 843 0301 0898

<https://us02web.zoom.us/j/84303010898>
<https://www.youtube.com/watch?v=T6jlo7F2FsM>

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

Flag salute led by Commissioner Sandhu

Roll Call: Commissioners Coury, Garcia, Gonzalez, Juarez, Sandhu, Salas, 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 27, 2022 meeting.

PUBLIC HEARING

- 2) Consideration and Necessary Action of a resolution to consider approval of the Conditional Use Permit to allow for the South Town Tattoo to operate in an approximate 500-square-foot structure at 2048 E. Front Street (APN: 389-162-18) as shown in Figure 1. No improvements are proposed to increase the footprint of the structure. The subject property is zoned as C-B-D (Central Business District). Currently, the City of Selma defers all development standards and policies for C-B-D properties to the C-3 (Commercial Service) zone district. Pursuant to the City

of Selma Municipal Code Section 11-16-11 (V), the following uses are subject to the approval of a Conditional Use Permit in the Commercial Service zone district.

- Poolrooms
- Card Rooms
- Massage establishments
- Tattoo parlors
- Drug paraphernalia shops, or any combination of the aforementioned.

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.*

CITY OF SELMA
PLANNING COMMISSION MEETING
June 27, 2022

PURSUANT TO AB 361 AND GOVERNMENT CODE SECTION 54953, THE MEETING WAS HELD REMOTELY AND THE PUBLIC HAD THE OPTION TO CALL +1(301) 715-8592 ID: 852-0885-5874 TO PROVIDE COMMENTS ON AGENDA ITEMS. THE COUNCIL CHAMBER WAS OPEN FOR THE PUBLIC AS WELL.

The regular meeting of the City of Selma Planning Commission was called to order at 6:03 p.m. in the Council Chambers by Chairman Coury. Commission members answering roll call were: Garcia, Gonzalez, Juarez, Salas, Sandhu, Singh, and Coury.

Also present were: Legal Counsel Chang and McCann, Deputy City Manager Terry, Contract City Planner Stearns, and Building-Planning Technician Macias.

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.

SPECIAL TRAINING: Action proposed to Planning Commission staff to move Special Training Brown Act to end of meeting in respect of guest in attendance time by Deputy City Manager Terry.

CONSENT CALENDAR: A motion was made by Commissioner Salas to approve the minutes of May 23, 2022 as written. The motion was seconded by Commissioner Gonzalez and carried unanimously.

Consideration and Necessary Action of a Resolution recommending a resolution to the City Council recommending the approval of the Tentative Parcel Map for Assessor's Parcel Number (APN) 390-030-71, to subdivide the existing approximate three (3) gross acre property into two (2) properties. The purpose of this request to subdivide the parcel, is to allow for the property owner to sell, lease, develop, or finance those properties, consistent with the Subdivision Map Act: Contract City Planner Stearns reported the purpose of this application is to subdivide parcel. The particular action does not include any proposed development proposals. Deputy City Manager Terry added the proposal is what is allowed by right and the site is currently zoned R-1-7.

After discussion, the public hearing was opened at 6:13pm. Molly Bustillos provided comments opposing the future project. Heather Solano, representing Veronica Ortiz, read a letter in favor of the project. Briel Pena, provided additional comments in favor of project. There being no further public testimony, the hearing was closed at 6:23pm.

After much discussion, a motion was made by Commissioner Salas to approve RESOLUTION NO. 2022-3 OF THE PLANNING COMMISSION RECOMMENDING APPROVAL OF

TENTATIVE PARCEL MAP TO SUBDIVIDE THE EXISTING PROPERTY (APN) 390-030-71. The motion was seconded by Commissioner Singh and carried unanimously.

ADJOURNMENT: There being no further business, the meeting was adjourned at 6:55 p.m.

Respectfully submitted by:

Lupe Macias
Building-Planning Technician

**SELMA PLANNING COMMISSION
STAFF REPORT**

Meeting Date: July 11, 2022

TO: Selma Planning Commission

FROM: Community Development Department

SUBJECT: AGENDA ITEM NO. 2

Submittal No. 2022-0011: Conditional Use Permit to allow for the South Town Tattoo to operate at 2048 E. Front Street (APN: 389-162-18) and Accompanied Notice of Exemption

Summary and Purpose

The purpose of this agenda item is to hold a public hearing for the Planning Commission to consider approval of the Conditional Use Permit to allow for the South Town Tattoo to operate in an approximate 500-square-foot structure at 2048 E. Front Street (APN: 389-162-18) as shown in Figure 1. No improvements are proposed to increase the footprint of the structure. The subject property is zoned as C-B-D (Central Business District). Currently, the City of Selma defers all development standards and policies for C-B-D properties to the C-3 (Commercial Service) zone district. Pursuant to the City of Selma Municipal Code Section 11-16-11 (V), the following uses are subject to the approval of a Conditional Use Permit in the Commercial Service zone district.

- Poolrooms
- Card Rooms
- Massage establishments
- Tattoo parlors
- Drug paraphernalia shops, or any combination of the aforementioned.

Application Information

Applicant: Morgan Patterson (South Town Tattoo Shop)

Owner: Daniel Kazanjian

Project Location: The project site is at 2048 E. Front Street (APN: 389-162-18)

Applicant's Proposal: To operate a tattoo parlor within the structure associated with the aforementioned address.

Current General Plan; Zoning: Central Business District; C-B-D; deferring to Service Commercial; C-S

Project Analysis

The purpose of the Applicant's request is to operate a tattoo parlor at the subject property (2048 E. Front Street). The City's Municipal Code section 11-16-11 requires that all tattoo parlors within the commercial service zone district seek the approval of a conditional use permit in order to operate. No improvements to the footprint of the structure on the subject property are proposed at this time. The property's zone district is consistent with the existing General Plan land use designation, and it is consistent with the application of applicable development standards. Approval of this request would allow the Applicant to operate their business within the City of Selma.

Environmental Compliance (CEQA)

The project qualifies for CCR 15303/Class 3 exemption – New Construction or Conversion of Small Structures, therefore, a Notice of Exemption in compliance with the California Environmental Quality Act (CEQA) was prepared. The applicant seeks to only operate his business in the existing structure located at the subject property and no improvements are proposed at this time that may affect the footprint of the building.

Notice of Public Hearing

A Public Notice for this project was published in *The Selma Enterprise* on June 29, 2022. Additionally, adjacent property owners within 300 feet were notified of the hearing by the City via a public notice mailed out on June 24, 2022.

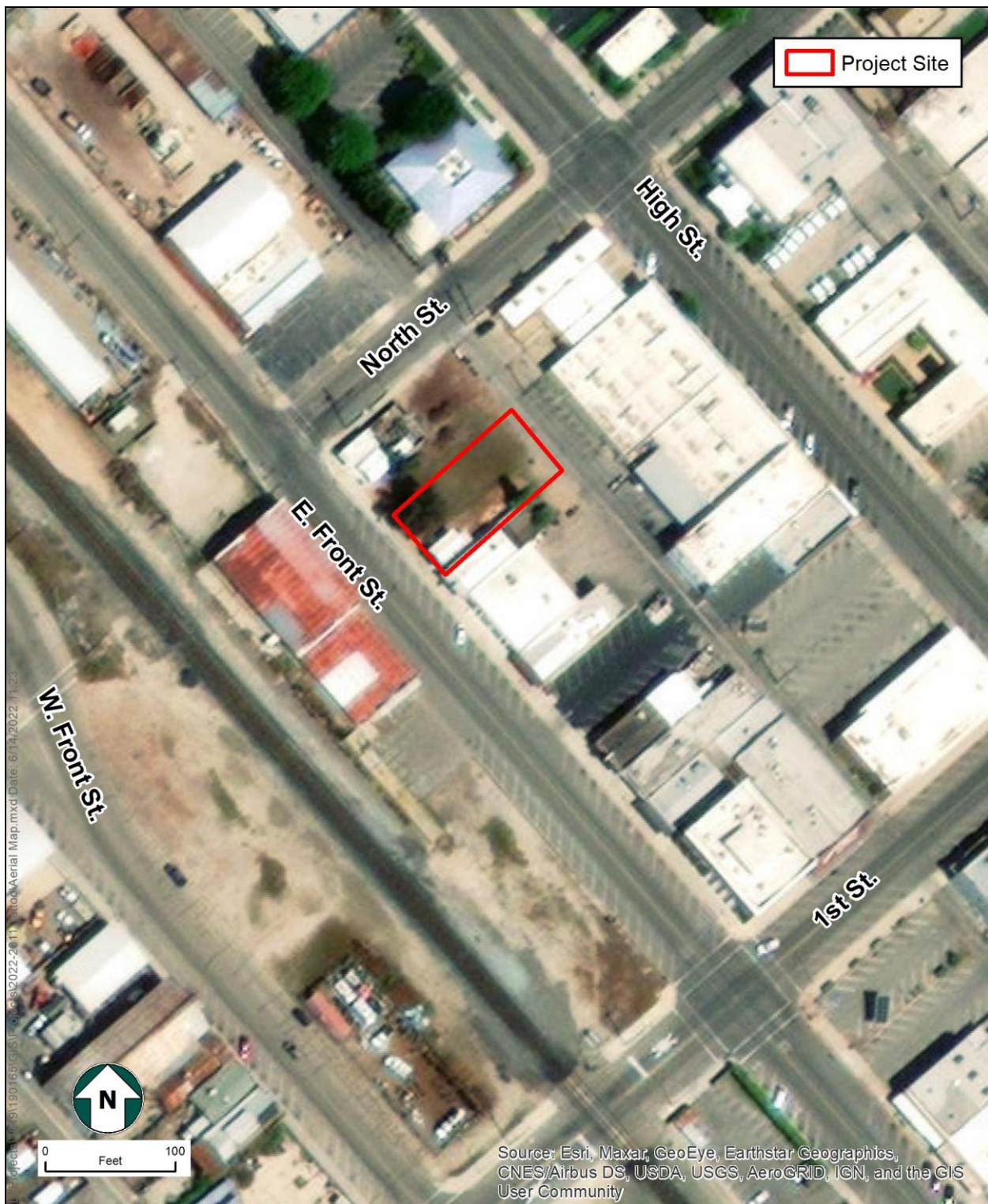
Recommendation

Staff is recommending that the Planning Commission approve the Conditional Use Permit to allow for a tattoo parlor to operate at 2048 E. Front Street (APN: 389-162-18) in addition to approval of the accompanying Notice of Exemption.

Trevor Stearns, Contract City Planner
Community Development Department

Attachments

1. Project Location
2. Notice of Exemption
3. Resolution Approving Conditional Use Permit No. 2022-0011



Attachment 2. Notice of Exemption

Print Form

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
2220 Tulare Street
Fresno, CA 93721

From: (Public Agency): City of Selma
1710 Tucker Street
Selma, CA 93662
(Address)

Project Title: Conditional Use Permit No. 2022-0011 - South Town Tattoo Shop

Project Applicant: Morgan Patterson

Project Location - Specific:

2048 E. Front Street (APN: 389-162-18)

Project Location - City: Selma Project Location - County: Fresno

Description of Nature, Purpose and Beneficiaries of Project:

To operate a tattoo parlor within the structure associated with the aforementioned address.

Name of Public Agency Approving Project: City of Selma

Name of Person or Agency Carrying Out Project: Community Development Department

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

- ☐ Ministerial (Sec. 21080(b)(1); 15268);
☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));
☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
☒ Categorical Exemption. State type and section number: 15303/Class 3 - New Construction or Conversion of Small Structures
☐ Statutory Exemptions. State code number: _____

Reasons why project is exempt:

The applicant seeks to only operate his business in the existing structure located at the subject property and no improvements are proposed at this time that may affect the footprint of the building.

Lead Agency
Contact Person: Rob Terry, Deputy City Manager Area Code/Telephone/Extension: 559-891-2209

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: _____

Revised 2011

RESOLUTION NO. 2022_____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SELMA, CALIFORNIA APPROVING OF CONDITIONAL USE PERMIT NO. 2022-0011 FOR THE OPERATION OF A TATTOO PARLOR AT 2048 E. FRONT STREET (APN 389-162-18), NOTICE OF EXEMPTION, AND MAKING FINDINGS IN SUPPORT THEREOF

RECITALS

WHEREAS, on June 10, 2022, Morgan Patterson/South Town Tattoo Shop, (“Applicant”), filed a complete application requesting the approval of a Conditional Use Permit to the City of Selma, No. 2022-0011 described herein (“Application” or “Project”); and

WHEREAS, the Applicant applied to allow the operation of a Tattoo Parlor within the Commercial Service Zone District, which is also applicable to the Central Business District zone district, which is applicable to the subject property. The subject property is located at 2048 E. Front Street, Assessor’s Parcel Number 389-162-18 (“Property”); and

WHEREAS, approval of this Conditional Use Permit does not include approval of any development on-site and that any future development would be subject to additional entitlements and environmental review at that time; and

WHEREAS, the project qualifies for CCR 15303/Class 3 – New Construction or Conversion of Small Structures, therefore, a Notice of Exemption in compliance with the California Environmental Quality Act (CEQA) was prepared; and

WHEREAS, public notice of the Planning Commission’s July 11, 2022 public hearing for the Project was published in *The Selma Enterprise* on June 29, 2022 in compliance with the City’s Code and Government Code Section 65091; and

WHEREAS, public notice of the Planning Commission’s July 11, 2022 public hearing for the Project was also mailed to property owners within 300 feet of the Property on June 24, 2022; and

WHEREAS, on July 11, 2022, 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 Notice of Exemption to the Selma City Council; 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, the height of buildings, walls and fences; landscaping;-outdoor lighting;-signs;-such other characteristics as will affect the 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, 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. 2022-0011, will not have significant impacts on the environment. Based on these findings, the Planning Commission recommends adoption of the Notice of Exemption. The Planning Commission further recommends to the Selma City Council that the Application for the aforesaid Conditional Use Permit of the Property to allow for the operation of a Tattoo Parlor be approved.

PASSED, APPROVED AND ADOPTED by the Planning Commission of the City of Selma at a regular meeting held on July 11, 2022, by the following vote:

AYES: COMMISSIONER:

NOES: COMMISSIONER:

ABSTAIN: COMMISSIONER:

ABSENT: COMMISSIONER:

Ramza Coury
Chairman of the Commission

ATTEST:

Rob Terry
Deputy City Manager

Exhibit A: Conditions of Approval for Application No. 2021-0014

Consider a Conditional Use Permit application filed on behalf of the Applicant (Morgan Patterson) to allow for the operation of a Tattoo Parlor located at 2048 E. Front Street ("Applicant").

CONDITIONS:

1. Any improvements to the building located at the subject property will be subject to the review of the City of Selma Building Department
2. Prior to the approval of a Business License, any water service connection needs to be orchestrated through CalWater.
3. Prior to the approval of a Business License, review of the proposed use must be reviewed by the Selma Kingsburg Fowler County Sanitation District.
4. All new signage (including on-building, freestanding, and freeway signage) must be reviewed with a separate sign permit.
5. The approval of the Conditional Use Permit does not authorize any deviation from Fire and Building Codes.
6. The applicant shall maintain all licenses and/or permits required by the State.
7. The is approval is subject to the business being in good standing with all laws of the State of California, City of Selma, and other regulatory agencies.