

CITY OF SELMA
REGULAR PLANNING COMMISSION MEETING
January 27, 2025

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: 883-1804-9306 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 6:00 p.m. in the Council Chambers by Chairman Salas. Commission members answering roll call were: Coury, Franco, Garica, and Standridge.

Also present were: Deputy City Manager Keene, Planner Biawogi, and Assistant Planner 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.

CONSENT CALENDAR: A motion was made by Coury to approve the minutes of December 9, 2024, as written. The motion was seconded by Commissioner Standridge and carried with the following vote.

Ayes: Coury, Franco, Garcia, Standridge, Salas

Noes: None

Absent: Kessler

Abstain: None

DEVELOPMENT AGREEMENT AND EIR ADDENDUM FOR THE AMBERWOOD SPECIFIC PLAN AND TRACT 6244 - To recommend approval and certification to the City Council of a Development Agreement and Environmental Impact Report (EIR) Addendum, respectively, for the Amberwood Specific Plan and Tract 6244. The Development Agreement includes consideration related to building permits, fees, infrastructure construction, financing of municipal services, and future entitlements to facilitate the ongoing development of the Amberwood Specific Plan. An EIR Addendum has been prepared in compliance with provisions of the California Environmental Quality Act (CEQA) to address inconsistencies in some mitigation measures related to the project. Deputy City Manager Keene presented the Development Agreement and EIR Addendum as proposed.

After discussion, the public hearing was opened at 6:14 p.m. Gary Ford provided comment regarding circulation and traffic along Floral Ave and alternative routes for the development. Arikel Aristian with Aristian Group, a representative of Lennar Homes, offered his services for any questions and answers. Alejandro Arreguin asked staff to clarify if the project would disrupt the area where he resides. Annable Sanchez requested additional information regarding traffic mitigation near the school. There being no further comments, the hearing was closed at 6:28 p.m.

Following Commissioner's discussion, a motion was made by Commissioner Coury to approve RESOLUTION NO. 2025-1 OF THE PLANNING COMMISSION RECOMMENDING APPROVAL AND CERTIFICATION OF THE CITY COUNCIL OF A DEVELOPMENT AGREEMENT AND ENVIRONMENTAL IMPACT REPORT (EIR) ADDENDUM, RESPECTIVELY, FOR THE AMBERWOOD SPECIFIC PLAN AND TRACT 6244. The motion was seconded by Commissioner Garcia and carried with the following vote:

Ayes: Coury, Franco, Garcia, Salas, Standridge

Noes: None

Absent: Kessler

Abstain: None

ADJOURNMENT: There being no further business, the meeting was adjourned at 6:53 p.m.

Respectfully submitted by:

Lupe Macias, Assistant Planner



SELMA PLANNING COMMISSION STAFF REPORT

Meeting Date: February 24, 2025

- 1710 Tucker St.
- Selma, CA 93662
- (559) 891-2209
- planningdept@cityofselma.com

TO: Selma Planning Commission
FROM: Community Development Department
SUBJECT: AGENDA ITEM NO. 2

City of Selma Zoning Text Amendment: Consideration to amend Ordinance No. 2024-6, Section 11-2-3(D) of the Selma Municipal Code, by adding development regulations for housing development projects listed under Priority Housing Sites, to fulfill Housing Element, Program 7 objectives.

CEQA: Exempt from CEQA: Per Section 15162 requiring preparation of a subsequent EIR, and the appropriate environmental document as authorized by CEQA Guidelines Section 15164(b) is an Addendum.

Application Information

<u>Applicant:</u>	City of Selma
<u>Project Location:</u>	Citywide
<u>Applicant's Proposal</u>	Consideration to amend Ordinance No. 2024-6, Section 11-2-3(D) (Table 2-6) of the Selma Municipal Code.

Zoning Ordinance Text Amendment

The Housing Element is a State-mandated eight-year policy document that is a component of the Selma General Plan. The overall purpose of the Housing Element Update is to identify current and projected housing needs, show locations where housing can be built, and set goals, policies, and programs to meet the community's housing needs.

The City prepared its Housing Element as part of a Multi-Jurisdictional Housing Element regional effort in collaboration with the Fresno County Council of Governments, Fresno County, and thirteen other cities in Fresno County. The Fresno County Council of Governments contracted with PlaceWorks and team members Ascent, Provost & Pritchard, and the California Coalition of Rural Housing to assist Fresno County and the cities with the Multi-Jurisdiction Housing Element Update.

Prior to adopting the Housing Element, State law requires the State Department of Housing and Community Development (HCD) to administer the law by reviewing draft housing elements for compliance with State law and by reporting its written findings to the local jurisdiction. The City submitted its initial draft to HCD on December 28, 2023. HCD provided a letter with findings dated March 26, 2024. The City revised the draft in response to the letter and resubmitted it to HCD on July 24, 2024. The City received a letter of Conditional Compliance from HCD on September 20, 2024, stating

the City had achieved conditional compliance with State Housing Element Law (Gov. Code, § 65580 et seq).

The City Council officially adopted the 2023-2031 Housing Element on November 18, 2024. On December 4, 2024, the adopted draft was submitted to HCD for a final certification review. The City received a response letter from HCD on January 29, 2025, identifying conditional certification Housing Element. However, HCD mandated certain zoning text amendments be adopted before final certification of the document, which are identified in this report.

Program 7 under the 6th cycle Housing Element commits the City to allow housing developments by right on sites consistent with Government Code Section 65583.2(C) in which at least 20 percent of the units meet affordability thresholds for lower-income households. Staff is presenting a zoning ordinance text amendment to fulfill HCD's mandate to meet all statutory requirements pursuant to Government Code Section 65583.2. Staff is presenting the following language to the Planning Commission for their recommendation to the City Council of the City of Selma 2023-2031 Selma Housing Element.

All housing element inventory sites identified in Table 10-7 (Vacant and Underutilized Sites, Rezone Sites) of the City's 2023-2031 Housing Element or by the Department of General Services Housing and Local Land Development Opportunities Map shall comply with State law. In particular:

- 1. Any sites rezoned after the start of the planning period, proposed to be developed at a minimum density of 20 dwelling units per acre, and providing at least 20% of the total units in the development as affordable to lower-income households are eligible for by-right approval as defined in Government Code Section 65583.2(h) and (i).*
- 2. Any sites being used to accommodate the current lower-income RHNA that are nonvacant and were identified in the previous planning period or vacant and identified in two or more previous consecutive planning periods, providing appropriate densities and providing at least 20% of the total units in the development as affordable to lower income households shall be permitted by right consistent with Government Code Section 65583.2(i).*

6th Cycle Housing Element Adoption Background

California Housing Element law requires every jurisdiction to prepare and adopt a housing element as part of its General Plan. State Housing Element requirements are framed in the California Government Code, Sections 65580 through 65589, Chapter 1143, Article 10.6. The law requires the State Department of Housing and Community Development (HCD) to administer the law by reviewing Housing Elements for compliance with State law and by reporting its written findings to the local jurisdiction. Although State law allows local governments to decide when to update their General Plans, State Housing Element law mandates that Housing Elements be updated every eight years. The Housing Element must include:

- 1) An identification and analysis of existing and projected local housing needs.
- 2) An identification of resources and constraints.
- 3) Goals, policies, and implementation programs for the rehabilitation, maintenance, improvement, and development of housing for all economic segments of the population.

Housing Elements Programs

Key changes to the City's Housing Element Program were made to address HCD's comments in compliance with recent additions to State law. Activities addressed in the 6th Cycle Housing Element Program amendments included Regional Collaboration, Affordable Housing Development and Preservation, Housing Quality, Housing Assistance, Removal of Governmental Constraints, Listing Adequate Sites, and Place-Based Revitalization. The core of the program amendments include specific commitments, geographic targeting, and quantified objectives and goals. The City has already made strides in its Housing Element Program Actions by adopting the comprehensive zoning ordinance update. This update established Objective Design Standards (Program 23 Requirement), encouraged the permitting and development of accessory units (Program 13 Requirements), and made the necessary zoning code amendments to streamline permitting procedures (Program 17). The list below shows all the programs within the 6th Cycle Housing Element.

Area/Activity	Program #	Program Name
Regional Collaboration	1	Regional Collaboration on Housing Opportunities
	2	Review Annexation Standards in MOU
	3	Homeless/Unhoused Needs
Adequate Sites	4	Provision of Adequate Sites
	5	Sites Inventory Rezoning and Underutilized Sites
	6	Water and Wastewater Service
	7	Use of Sites in Previous Cycles
Affordable Housing Development & Preservation	8	Affordable Housing Incentives
	9	Support Funding for Farmworker Housing
	10	Farmworker Preference in New Affordable Housing
	11	Extremely Low-Income Households
	12	Preservation of At-Risk Housing Units
	13	Encourage and Facilitate Accessory Units
	14	Establish an Accessory Dwelling Units Amnesty Program
	15	Replacement Units
	16	Housing for a Variety of Needs
Removal of Governmental Constraints	17	Zoning Code Amendments
	18	Growth Management System
	19	Reasonable Accommodations and Universal Design
	20	Lot Consolidation and Lot Splits
	21	Monitoring of Planning and Development Fees
	22	Preliminary Applications (SB 330) and Streamlined Approval (SB 35)
	23	Objective Design Standards
Housing Quality	24	Fresno County Housing Rehabilitation Program (HARP)
	25	Fresno County Rental Rehabilitation Program (RRP)
	26	Code Enforcement
Housing Assistance	27	Fresno County Homebuyer Assistance Program
	28	Energy Conservation
	29	Housing Choice Vouchers

Place-Based Revitalization	30	Housing Discrimination Monitoring and Referral
	31	Improve Access to Resources
	32	Neighborhood Improvements

Regional Housing Needs Allocation (RHNA)

The foundation of the Housing Element is the Regional Housing Needs Allocation (RHNA), which begins with a determination of housing needs issued by the California Housing and Community Development Department (HCD) and allocated by the Fresno Council of Governments (FCOG). A jurisdiction is required to demonstrate whether it has sufficient capacity to achieve its RHNA. However, identification of a site's capacity does not guarantee that construction will occur on that site, as the actual construction of units would occur as a result of a development application from a developer.

While the City must plan for and help facilitate the development of 1,492 units in the community, it is not obligated to build these units. The table below provides a summary of Selma's ability to meet the City's RHNA of 1,492 units. After accounting for planned and approved projects, ADU projections, and capacity on vacant sites, Selma does not have adequate sites to meet its sixth-cycle RHNA with a shortfall of 813 units. Therefore, the proposed Housing Element proposes rezones that would result in 842 units, providing the City with a surplus of 29 units.

Income Category	RHNA	Vacant Site Capacity	Pending Projects	ADUs	Rezone Capacity	Total Capacity	RHNA Surplus
Very Low	393	0	0	2	576	578	20
Low	165						
Moderate	233	13	0	1	228	242	9
Above Moderate	701	470	192	1	38	701	0
Total	1,492	483	192	4	842	1,521	29

Notes: There are 984 projects pending annexations and 610 additional projects not counted toward the City's RHNA

To meet shortfalls of site capacity in the low-income, moderate-income, and above-moderate-income categories, 22 parcels have been identified as rezone sites. All 22 parcels have been included in *Program 5, Sites Inventory Rezoning and Underutilized Sites*, of the proposed Housing Element. Attachment F identifies the list of sites proposed by the Housing Element, their current land use and zoning designations, and the necessary Rezones/General Plan Amendments required to meet the City's RHNA.

The RHNA for Selma for this Housing Element Update is 1,492 units, including 393 very low-income units, 165 low-income units, 233 moderate-income units, and 701 above moderate-income units. Accounting for approved and pending projects (including ADUs), rezones, general plan amendments, vacant site capacity, and the projected ADUs, the City has a surplus of 29 units. Breaking this down by income category, the City has a surplus of 20 units in the lower-income (including extremely low, very low-, and low-income) category, and a 6-unit surplus in the moderate-income category.

Environmental Compliance (CEQA)

The zoning text amendment does not trigger any of the conditions in CEQA Guidelines Section 15162 requiring preparation of a subsequent EIR, and the appropriate environmental document as authorized by CEQA Guidelines Section 15164(b).

Notice of Public Hearing

A 1/8th page public notice for this project was published in *The Selma Enterprise* and emailed to interested parties on January 29, 2025.

Recommendation

Staff advises that the Planning Commission recommend that the Selma City Council take the following actions through Resolution:

- 1) Approve a Zoning Text Amendment of Ordinance No. 2024-6, Section 11-2-3(D) (Table 2-6) of the Selma Municipal Code, by adding development regulations for housing development projects listed under Priority Housing Sites, to fulfill Housing Element, Program 7 objectives.

Kamara Biawogi, City Planner
Community Development Department

Jerome Keene MAS, AICP, Deputy City Manager
Community Development Department

EXHIBITS

- A. Resolution No. XXX

RESOLUTION NO. 2025 - ____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF SELMA, CALIFORNIA RECOMMENDING APPROVAL OF AN ORDINANCE OF THE CITY OF SELMA ADDING TO CHAPTER 2.3(D) OF TITLE 11 OF THE SELMA MUNICIPAL CODE RELATING TO DEVELOPMENT STANDARD FOOTNOTES FOR HOUSING DEVELOPMENTS ON HIGH DENSITY MULTIFAMILY ZONE LOTS THEREOF

RECITALS

WHEREAS, The City Council officially adopted the 2023-2031 Housing Element on November 18, 2024; and

WHEREAS, On December 4, 2024 the adopted draft was submitted to HCD for a final certification review. The City received a letter from HCD on January 29, 2025, stating that the City's Housing Element could not be certified until certain zoning text amendments were adopted.

WHEREAS, amendments to the applicable chapters of the Selma Municipal Code are denoted by strikethroughs indicating deletion and underlining indicating addition.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF SELMA DOES HEREBY ORDAIN as follows:

THE CITY COUNCIL OF THE CITY OF SELMA DOES ORDAIN as follows:

SECTION 1. Section 11 of Chapter 2 of Title XI (11-2-3) of the Municipal Code of the City of Selma is hereby amended to add the following:

11-2-3 (D) (TABLE 2-6) : DEVELOPMENT STANDARDS

Development Standard Zoning District	Regulation		Comments or Special Requirements
R-3-A and R-3	R-4		
Maximum Accessory Building Height	16 feet	16 feet	See Section 11-3.3 (Accessory Structures)
Height Projections	—	—	See Section 11-3-1(F) (Development Standards-Projections)

Minimum Yard Setbacks	<p>Front yard:</p> <ul style="list-style-type: none"> ▪ 15 feet or twenty five percent (25%) of the depth of the lot, whichever is less. <p>Side yard:</p> <ul style="list-style-type: none"> ▪ Interior lots: 5 feet. ▪ Multi-story buildings: 10 feet. ▪ Corner lot, street side: 15 feet, except for garages and carports which is 20 feet: ▪ Side yard backing on a freeway or railroad: 25 feet. <p>Rear yard:</p> <ul style="list-style-type: none"> ▪ Rear yard for single-story structures: 10 feet. ▪ Rear yard for multi-story structures adjacent to single-family: 20 feet. ▪ Rear yard backing on a freeway or railroad: 40 feet. 	<p>Front yard:</p> <ul style="list-style-type: none"> ▪ 15 feet or twenty five percent (25%) of the depth of the lot, whichever is less. <p>Side yard:</p> <ul style="list-style-type: none"> ▪ Interior lots: 5 feet. ▪ Multi-story buildings: 10 feet. ▪ Corner lot, street side: 15 feet, except for garages and carports which is 20 feet: ▪ Side yard backing on a freeway or railroad: 25 feet. <p>Rear yard:</p> <ul style="list-style-type: none"> ▪ Rear yard for single-story structures: 10 feet. ▪ Rear yard for multi-story structures adjacent to single-family: 20 feet. ▪ Rear yard backing on a freeway or railroad: 40 feet. 	<p>See Additional Regulations below</p> <p>See Section 11-3-1 (Development Standards)</p> <p>See Section 11-2.3(E) (Multi-Family Objective Design and Development Standards)</p>
Building Separation	<p>Distance between buildings: Determined by the Building Code.</p> <p>Distance between buildings and parking areas: 15 feet.</p>	<p>Distance between buildings: Determined by the Building Code</p>	<p>See Section 11-3.3 (Accessory Structures)</p>
Off Street Parking		See Section 11-3-4 (Off Street Parking)	

Private and Common Open Space	See Section 11-2.3(E) (Multi-Family Objective Design and Development Standards)
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1 The buildable area, or percentage of a lot, which may be occupied by any and all buildings, shall not exceed fifty five percent (55%) except a minor variance of five percent (5%) of the buildable area or percentage of a lot, which may be occupied by any buildings, may be approved at the discretion of the Community Development Director where such additional lot coverage will not, in the opinion of the Community Development Director, adversely affect the aesthetics of the local area. Such variances may be applied only to structures already possessing a certificate of occupancy that are increasing their existing lot coverage. Lots exceeding the minimum required area as stated in Subsection I above may be allowed to use seventy percent (70%) of the excess lot for buildable area, provided that the total lot coverage does not exceed fifty five percent (55%) where such additional lot coverage will not, in the opinion of the Community Development Director or designee, adversely affect safety or the aesthetics of the local area.

2 The buildable area, or percentage of a lot, which may be occupied by any and all buildings, shall not exceed a total amount of sixty five percent (65%) except at the discretion of the Community Development Director. The buildable area may exceed sixty five percent (65%) where such additional lot coverage will not, in the opinion of the Community Development Director or designee, adversely affect safety or the aesthetics of the local area.

3Subdivisions that abut a railroad or railroad rights-of-way shall be required to construct a seven (7) foot block wall to mitigate operating noise from railway services.

4In R-3 exceedance of the height standard will be granted upon the approval of a Conditional Use Permit (subject to section 11-6.7) not to exceed the maximum height requirement of R-4.

5All housing element inventory sites identified in Table 10-7 (Vacant and Underutilized Sites, Rezone Sites) of the City's 2023-2031 Housing Element or by the Department of General Services Housing and Local Land Development Opportunities Map shall comply with State law. In particular:

- a) Any sites rezoned after the start of the planning period, proposed to be developed at a minimum density of 20 dwelling units per acre, and providing at least 20% of the total units in the development as affordable to lower income households are eligible for by-right approval as defined in Government Code Section 65583.2(h) and (i).
- b) Any sites being used to accommodate the current lower-income RHNA that are nonvacant and were identified in the previous planning period or vacant and identified in two or more previous consecutive planning periods, providing appropriate densities and providing at least 20% of the total units in the development as affordable to lower income households shall be permitted by right consistent with Government Code Section 65583.2(i).

PASSED, APPROVED AND ADOPTED by the Planning Commission of the City of Selma at a special meeting held on February 24, 2025, 2025, by the following vote:

AYES:

COMMISSIONER:

NOES:

COMMISSIONER:

ABSTAIN:

COMMISSIONER:

ABSENT:

COMMISSIONER:

Theresa Salas
Chairperson of the Selma Planning Commission

ATTEST:

Jerome Keene
Deputy City Manager