

**REGULAR MEETING AGENDA
CITY OF MADERA
PLANNING COMMISSION**

**COUNCIL CHAMBERS - CITY HALL
TUESDAY
MARCH 13, 2018
6:00 pm**

CALL TO ORDER

ROLL CALL

Commissioner Robert Gran, Jr. (Chairperson)
Commissioner Israel Cortes (Vice Chairperson)
Commissioner Bruce Norton
Commissioner Kenneth Hutchings
Commissioner Pamela Tyler
Commissioner Jim DaSilva
Commissioner Richard Broadhead

INTRODUCTION OF STAFF

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT

The first fifteen minutes of the meeting are reserved for members of the public to address the Commission on items which are within the subject matter jurisdiction of the Commission. Speakers shall be limited to three minutes. Speakers will be asked to identify themselves and state the subject of their comment. If the subject is an item on the Agenda, the Chairperson has the option of asking the speaker to hold the comment until that item is called. Comments on items listed as a Public Hearing on the Agenda should be held until the hearing is opened. The Commission is prohibited by law from taking any action on matters discussed that are not on the Agenda and no adverse conclusions should be drawn if the Commission does not respond to public comment at this time.

MINUTES: February 13, 2018

CONSENT ITEMS:

PUBLIC HEARING ITEMS:

1. CUP 2017-22 and SPR 2017-39 – New Life Assembly

A noticed public hearing to consider a conditional use permit and site plan review to memorialize an existing non-permitted church in an approximately 3,750 sq. ft. tenant suite located in the Span Industrial Park, approximately 670 feet south of the intersection of Maple Street and South Pine Street (467 South Pine Street) in the I (Industrial) Zone District, with an I (Industrial) General Plan land use designation (APNs: 012-230-053, 54, and 55). The project has been determined to be categorically exempt under the California Environmental Quality Act (CEQA) guidelines, Section 15301, (Existing Facilities).

2. REZ 2017-06, CUP 2017-36 and SPR 2017-53 – Boston Motors, Inc.

A noticed public hearing to consider a rezone of one parcel (APN: 007-123-003) encompassing approximately 6,000 square feet from the R3 (High Density Residential) Zone District to the C1 (Light Commercial) Zone District, and a conditional use permit and site plan review to allow for the establishment of a used automotive sales business on four parcels located at the northwest corner of East Yosemite Avenue and High Street in the C1 (Light Commercial) Zone District with a C (Commercial) General Plan land use designation. A Negative Declaration will also be considered by the Planning Commission (APNs: 007-123-003, 004, 005 and 006).

3. CUP 2018-01 and SPR 2018-03 – Singh Trucking Company

A noticed public hearing to consider a conditional use permit and site plan review to allow for the establishment of a trucking company which will accommodate a fleet of approximately sixty (60) semi-trucks on an approximately 6.60 acre parcel located on the north side of West Kennedy Street, approximately 450 feet east of the intersection of West Kennedy Street and Condor Drive (2185 West Kennedy Street) in the C2 (Heavy Commercial) Zone District with a C (Commercial) General Plan land use designation. A Mitigated Negative Declaration will also be considered by the Planning Commission (APN: 013-260-002).

4. TSM 2018-01 and TSM 2018-02 – Ventana Tentative Subdivision Maps

A noticed public hearing and consideration of approval for two tentative subdivision maps proposing to subdivide approximately 250.9± acres located at the southwest corner of the intersection of Avenue 13 and Road 28 ¼. TSM 2018-01 proposes the creation of 19 large lots to be developed in multiple phases. TSM 2018-02 proposes the creation of 954 residential lots. The project site is within the Ventana Specific Plan, within the PD (Planned Development), CN (Neighborhood Commercial) and PF (Public Facilities) Zone District within the LD (Low Density), MD (Medium Density), P&SP (Public & Semi-Public) and C (Commercial) General Plan land use designations. (APNs: 012-490-002, 012-490-004, 012-490-005, 012-490-006). An environmental impact report (EIR) for the Ventana project was certified by the City Council of the City of Madera on March 7, 2007.

5. CUP 2011-17 MOD2 and SPR 2018-01 – Valleywide Recycling

A noticed public hearing to consider the modification of a conditional use permit and site plan review to amend conditions of approval for the recycling business operations of the existing drive-thru recycling center located on the southeast corner of the intersection of Tozer Street and East Yosemite Avenue (1502 East Yosemite Avenue) in the C1 (Light Commercial) Zone District with a C (Commercial) General Plan land use designation (APN: 008-110-009). The project has been determined to be categorically exempt under the California Environmental Quality Act (CEQA) guidelines, Section 15301, (Existing Facilities).

6. CUP 2018-02 and SPR 2018-04 – Singh Smog Shop

A noticed public hearing to consider a conditional use permit and site plan review to allow for the establishment of an automotive emissions testing and emissions-related repair business in an existing structure located on the southwest corner of East 6th Street and South E Street (96 East 6th Street), in the C1 (Light Commercial) Zone District with a C (Commercial) General Plan land use designation (APN: 007-152-007). The project has been determined to be categorically exempt under the California Environmental Quality Act (CEQA) guidelines, Section 15301, (Existing Facilities).

7. CUP 2018-03 and SPR 2018-05 – West Cleveland Avenue American Tire Depot Outdoor Display

A noticed public hearing to consider a conditional use permit and site plan review to allow for the outdoor display of tires and wheels for an existing business located on the southwest corner of West Cleveland Avenue and North Schnoor Avenue (2300 West Cleveland Avenue), in the C1 (Light Commercial) Zone District with a C (Commercial) General Plan land use designation (APN: 006-390-020). The project has been determined to be categorically exempt under the California Environmental Quality Act (CEQA) guidelines, Section 15301, (Existing Facilities).

8. CUP 2018-04 and SPR 2018-06 – South D Street American Tire Depot Outdoor Display

A noticed public hearing to consider a conditional use permit and site plan review to allow for the outdoor display and sale of tires and wheels for an existing business located on the southeast corner of South D Street and East 6th Street (200 South D Street), in the C1 (Light Commercial) Zone District with a C (Commercial) General Plan land use designation (APN: 007-154-001). The project has been determined to be categorically exempt under the California Environmental Quality Act (CEQA) guidelines, Section 15301, (Existing Facilities).

9. Fiscal Year 2018/19 to 2022/23 Capital Improvement Program Determination of Conformity to the City of Madera General Plan

A noticed public hearing to consider a resolution finding the Fiscal Year 2018/19 to 2022/23 Capital Improvement Program in conformance with the General Plan and Specific Plans of the City of Madera pursuant to Government Code Section 65401. The project has been determined to be exempt under the California Environmental Quality Act (CEQA) guidelines, Section 15061(b)(3), which states that a project is exempt from CEQA if “the activity is covered by the general rule that the CEQA applies only to projects, which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.”

NON-PUBLIC HEARING ITEMS:

ADMINISTRATIVE REPORTS:

COMMISSIONER REPORTS:

ADJOURNMENT:

The next regular meeting will be held on April 10, 2018.

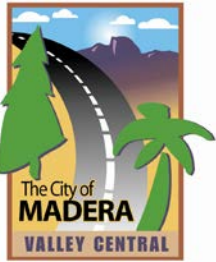
In compliance with the Americans with Disabilities Act, the meeting room is accessible to the physically disabled and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices or translators needed to assist participation in the public meeting should be made at least seventy-two (72) hours before the meeting. If you need special assistance to participate in a City meeting or other services offered by this City, please contact the Planning Department office at (559) 661-5430. Those who are hearing impaired, may call 711 or 1-800-735-2929 for TTY Relay Services. Any and all persons interested in this matter may provide comments.

Any writing related to an agenda item for the open session of this meeting distributed to the Planning Commission less than 72 hours before this meeting is available for inspection at the City of Madera – Planning Department, 205 W. 4th Street, Madera, CA 93637 during normal business hours.

Pursuant to Section 65009 of the Government Code of the State of California, notice is hereby given that if any of the foregoing projects or matters is challenged in Court, such challenge may be limited to only those issues raised at the public hearing, or in written correspondence delivered to the Planning Commission at or prior to the public hearing.

All Planning Commission actions may be appealed to the City Council. The time in which an applicant may appeal a Planning Commission action varies from 10 to 30 days depending on the type of project. The appeal period begins the day after the Planning Commission public hearing. There is NO EXTENSION for an appeal period.

If you have any questions or comments regarding this hearing notice, you may call the Planning Department at (559) 661-5430. Si usted tiene preguntas, comentarios o necesita ayuda con interpretación, favor de llamar el Departamento de Planeamiento por lo menos 72 horas antes de esta junta (559) 661-5430.



CITY OF MADERA
PLANNING COMMISSION

205 W. Fourth Street
Madera CA 93637
(559) 661-5430

**Staff Report: New Life Assembly
CUP 2017-22 & SPR 2017-39
& Categorical Exemption
Item #1 – March 13, 2018**

PROPOSAL: A notice public hearing to consider approval of a conditional use permit and site plan review to memorialize an existing non-permitted church.

APPLICANT:	New Life Assembly	OWNER:	David Berry
ADDRESS:	467 South Pine Street	APN:	012-230-053, 054 and 055
APPLICATION:	CUP 2017-22 & SPR 2017-39	CEQA:	Categorical Exemption

LOCATION: The site is located approximately 700 feet south of the intersection of Maple Street and South Pine Street

STREET ACCESS: Access to the parcel is provided via South Pine Street.

PARCEL SIZE: The tenant suite within the Span Industrial Park encompasses approximately 3,750 square feet.

GENERAL PLAN DESIGNATION: I (Industrial)

ZONING DISTRICT: I (Industrial)

SITE CHARACTERISTICS: The use is located in a multi-tenant light industrial warehouse building. A mix of light industrial and commercial activities

ENVIRONMENTAL REVIEW: This project is categorically exempt under §15301 (Existing Facilities) of CEQA Guidelines.

SUMMARY & RECOMMENDATION: The New Life Assembly has worshipped at the 467 South Pine Street address for an extended time, but no conditional use permit has ever been processed to allow for a church on the site. Tenant improvements by the landlord also were completed without building permits. The use permit and site plan review provide a path toward permitting the church use, issuing permits for existing the improvements if possible and making new improvements wherever necessary to provide fire and life safety. The use has demonstrated itself to be compatible in its present location.

APPLICABLE CODES AND PROCEDURES

MMC § 10-3.901, I (Industrial) Zone
MMC § 10-3.405 Uses
MMC § 10-3.4.0101 Site Plan Review
MMC § 10-3.1301 Use Permits
MMC § 10-3.1202 Parking Regulations

A church may be allowed in any zone subject to the approval of a conditional use permit by the Planning Commission. The City's Zoning Ordinance allows for the granting of a use permit by the Planning Commission subject to the Planning Commission being able to make findings that the establishment, maintenance or operation of the use or building will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood of the use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the city. If the Commission cannot make the appropriate findings, the use permit should be denied.

Conditions may be attached to the approval of the use permit to ensure compatibility. Project design may be altered and on or off-site improvements required in order to make the project compatible with nearby uses. In addition, the application may be subject to further review, modification or revocation by the Commission as necessary.

With the requirement for a conditional use permit and/or variance, a site plan review application must also be processed.

PRIOR ACTION

The Planning Department advised church staff of the need for a conditional use permit in late 2013. Although a church had operated in the suite prior to New Life Assembly occupying the space, no record of any use permit, building permit, change of occupancy, or other entitlement exists. All tenant improvements were completed without building permits or inspections. With the Oakland "ghost ship" fire in December of 2016, it became imperative that the required use permit be secured so as to provide a pathway toward resolving fire, life and safety concerns. The church made application for a Conditional Use Permit in October of 2017.

ANALYSIS

Background

New Life Assembly has been utilizing a portion of an existing light industrial building at 467 South Pine Street for approximately ten years as a place of worship. The 3,750 square foot lease space includes a sanctuary with seating for approximately 90 attendees, a foyer, rest rooms, an office and multiple classrooms. Services are held on Sundays at 10:00AM. A midweek service is also held on Wednesday evening at 7:00PM. Issues discussed as part of this analysis include change of occupancy, parking requirements and site improvements.

Change of Occupancy

The 3,750 square foot lease space is a portion of a 22,500 square foot light industrial structure that has historically been used for light industrial and warehousing activities with supporting office activities. The conversion of the structure to a church changes the building occupancy classification of that portion of the structure to an assembly type occupancy class. A change in occupancy can have far reaching effects on the scope of any structural improvements required.

Additional restrooms may be required or additional fire suppression systems may need installation. Since the tenant improvements currently in place have never been inspected, conditions of approval require that a building permit for all improvements (including those required as part of the change in occupancy) be issued, and that subsequently all improvements be approved by the Building Official and the Interim Fire Marshall. All work must be completed on or before December 1, 2018.

Parking

Churches are required to provide one parking stall per each four (4) seats in the sanctuary. As proposed, the church sanctuary has seating for ninety-six (96) attendees, which would require the provision of twenty-four (24) parking stalls.

Parking ordinance does also provide that up to 100% of the parking facilities required for a church may be supplied by parking facilities dedicated to uses considered to be primarily daytime/weekday uses, provided that certain criteria are satisfied. It would appear that all of the thirty-two (32) parking stalls provided on the project site are within the criteria, providing sufficient parking for the New Life Assembly site.

CONSISTENCY WITH THE VISION MADERA 2025 PLAN

Though approval of a church is not specifically addressed in the vision or action plans, the overall project does indirectly support Strategy 336 which encourages cooperation and continued collaboration with the church community.

SUMMARY OF RECOMMENDATIONS

The information presented in this report supports conditional approval of the use permit and site plan review request.

PLANNING COMMISSION ACTION

The Planning Commission will be acting on the use permit and site plan review to allow for the establishment of a church.

Motion 1: Move to approve Conditional Use Permit 2017-22 and Site Plan Review 2017-39, based on and subject to the findings and conditions of approval:

Findings

- This project is categorically exempt under Section 15301, Existing Facilities, of the California Environmental Quality Act (CEQA) since there will be no expansion of the existing structure.
- The establishment of a church is consistent with the purposes of the I (Industrial) General Plan land use designation and the I (Industrial) Zone District which provide for the use, subject to the issuance of a conditional use permit.
- There is adequate parking and site features to allow for the proposed church.
- As conditioned, the development will be compatible with surrounding properties.
- As conditioned, the establishment, maintenance or operation of the use will not under the circumstances of this particular case, be detrimental to the health, safety, peace,

morals, comfort and general welfare of persons residing or working in the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or general welfare of the city.

CONDITIONS OF APPROVAL

General Conditions

1. Project approval is conditioned upon acceptance of the conditions of approval contained herein, as evidenced by receipt in the Planning Department of the applicant's signature upon an Acknowledgement and Acceptance of Conditions within thirty days of the date of approval for this use permit.
2. Site Plan Review 2017-39 will expire one year from date of issuance, unless positive action is taken on the project as provided in the Municipal Code or the required action to extend the approval before expiration date is taken. (Municipal Code Section 10-3.4.0114, Lapse of Site Plan Approval)
3. The use permit may be made null and void without any additional public notice or hearing at any time upon both the benefactors of the use permit and owners of the property voluntarily submitting to the City a written request to permanently extinguish the conditional use permit.
4. The applicant's failure to utilize this use permit within one year following the date of this approval shall render the conditional use permit null and void unless a written request for extension has been submitted to and approved by the Planning Commission.
5. Conditional Use Permit 2017-22 will expire and be rendered null and void if the use is discontinued for a twelve month period unless a written request for extension has been submitted to and approved by the Planning Commission.
6. This use permit shall be subject to periodic reviews and inspection by the City to determine compliance with the conditions of approval and applicable codes. If at any time, the use is determined by Staff to be in violation of the conditions of approval, Staff may schedule a public hearing before the Planning Commission within 45 days of the violation to consider revocation of the permit.
7. The site or building plans submitted for any building permit applications shall reflect changes required by the herein listed conditions of approval. Any deviation from the approved plan or any condition contained herein shall require, at a minimum, prior written request by the applicant and approval by the Planning Manager.
8. Any proposed future modifications to the site, including but not limited to building exteriors, parking/loading areas, fence/walls, new buildings or landscaping shall require an amendment to this site plan review.
9. It shall be the responsibility of the property owner and management to ensure that any required permits, inspections and approvals from any regulatory agency shall be obtained from the concerned agency prior to establishment of the use.

Building Department

10. A Building Permit is required for the change of occupancy and all alterations to the structure that have occurred or may be required by the change of occupancy. Site development shall be consistent with the approved site plan and floor plan from the required Building Permit. The uses of all rooms and activity areas shall be identified on any plans submitted for issuance of building permits. The applicant must demonstrate the number of restrooms provided complies with the California Plumbing Code or add additional restrooms as required.
11. Current State of California and federal accessibility requirements shall apply to the entire site and all structures and parking thereon. Compliance shall be checked at permit stage, shall be confirmed at final inspection and shall apply to proposed and future development.
12. Additional items identified as not complying with current codes and ordinances which require correction or attention may be identified. Any item not in conformance with current codes and ordinances must be corrected.

Engineering Department

General

13. Nuisance onsite lighting shall be redirected as requested by City Engineer within 48 hours of notification.
14. The developer shall pay all required fees for completion of project. Fees due may include but shall not be limited to the following: encroachment permit processing and improvement inspection fees.
15. Improvement plans shall be submitted to the Engineering Division in accordance with the submittal process.
16. Improvements within the City right-of-way require Encroachment Permit from the Engineering Division.

Streets

17. The southern driveway approach along Pine Street shall be re-constructed to the extent necessary to provide ADA accessibility.
18. Sidewalk shall be constructed along Pine Street project frontage to current City standards.
19. If the applicant believes that a hardship waiver is applicable based on the cost of ADA improvements in relation to overall project costs, a request for waiver may be submitted for consideration and an ultimate determination by the City.

Fire Department

20. A building permit is required for all construction of interior improvements. A building permit is required for the change of occupancy. On or before July 1, 2018, the applicant shall submit complete plans for the change in building occupancy and the construction of interior improvements. On or before December 1, 2018, all required improvements

must be inspected and finalized by the Building Official and the Interim Fire Marshall of the City of Madera.

21. A complete egress analysis shall be provided at time of permit application. The egress path must provide proper egress from the assembly area. Adequate exit separation must be provided. Where exits are not adequately separated, or the common path of travel an addition exceeds permissible limits additional means of egress (exit doors) will be required. The exit discharge must be compliant from all occupied areas, to the public right-of-way, or an approved safe dispersal area.
22. Portable fire extinguishers are required. Two, 2A10BC-rated portable fire extinguishers are required for the main building. The fire extinguisher must be mounted in a visible and accessible location between 3-5 feet above the floor. Additional fire extinguishers will be required if the exterior canopy areas at the east side of the property are to be used. The maximum travel distance permitted is 75 feet along an approved path of travel.
23. Emergency lighting and exit signage are required.
24. All exits shall be equipped with panic hardware.
25. The occupant load shall be properly posted in accordance with the CFC/CBC.
26. Exterior walls may require protection due to proximity to the property line. Sufficient information shall be provided in order to make this determination at the time of building permit application.
27. A key box is required. Keys must be provided to open all locked doors in the proposed use.
28. All interior finishes and wall covering must compliance with the CBC, CFC and CCR Title 19.
29. A fire alarm may be based upon occupant load and classrooms are provided per CFC 907.2.1, 907.2.2.2, 907.2.3.9.

Planning Department

30. This use permit allows for the establishment of a 3,750 square foot church. The church shall operate consistent with the approved site plan, floor plan and operational statement. Occupancy shall never exceed the posted maximum occupant load.
31. Vandalism and graffiti shall be corrected per the Madera Municipal Code.
32. Outdoor storage of goods and/or materials shall not be allowed.
33. The applicant shall operate in a manner that does not generate significant noise, odor or vibration that adversely affects any adjacent properties.
34. The property owner, operator and manager shall keep the property clear of all trash, rubbish and debris at all times; and dumping of refuse shall be restricted to the dumpster/refuse containers owned by the property owner.

35. The applicant shall comply with all federal, state and local laws. Material violation of any applicable laws concerning the use will be cause for revocation of this permit.
36. The church may be open from as early as 6:00 AM to as late as 10:00 PM, seven days a week.
37. All required parking shall be permanently maintained with all parking spaces as shown on the required site plan submittal. Any modifications in the approved parking layout shall require approval by the Planning Manager. At least two (2) accessible parking stalls shall be included in the parking field, located directly in front of the main church entrance.
38. All signage shall be in compliance with the Madera Sign Ordinance. All signage is required to have an approved Sign Permit issued by the Planning Department per MMC §10-6.

(OR)

Motion 2: Move to continue the application for Conditional Use Permit 2017-22 and Site Plan Review 2017-39 to the April 10, 2018 Planning Commission hearing for the following reasons: (specify)

(OR)

Motion 3: Move to deny the application for Conditional Use Permit 2017-22 and Site Plan Review 2017-39, based on and subject to the following findings: (specify)

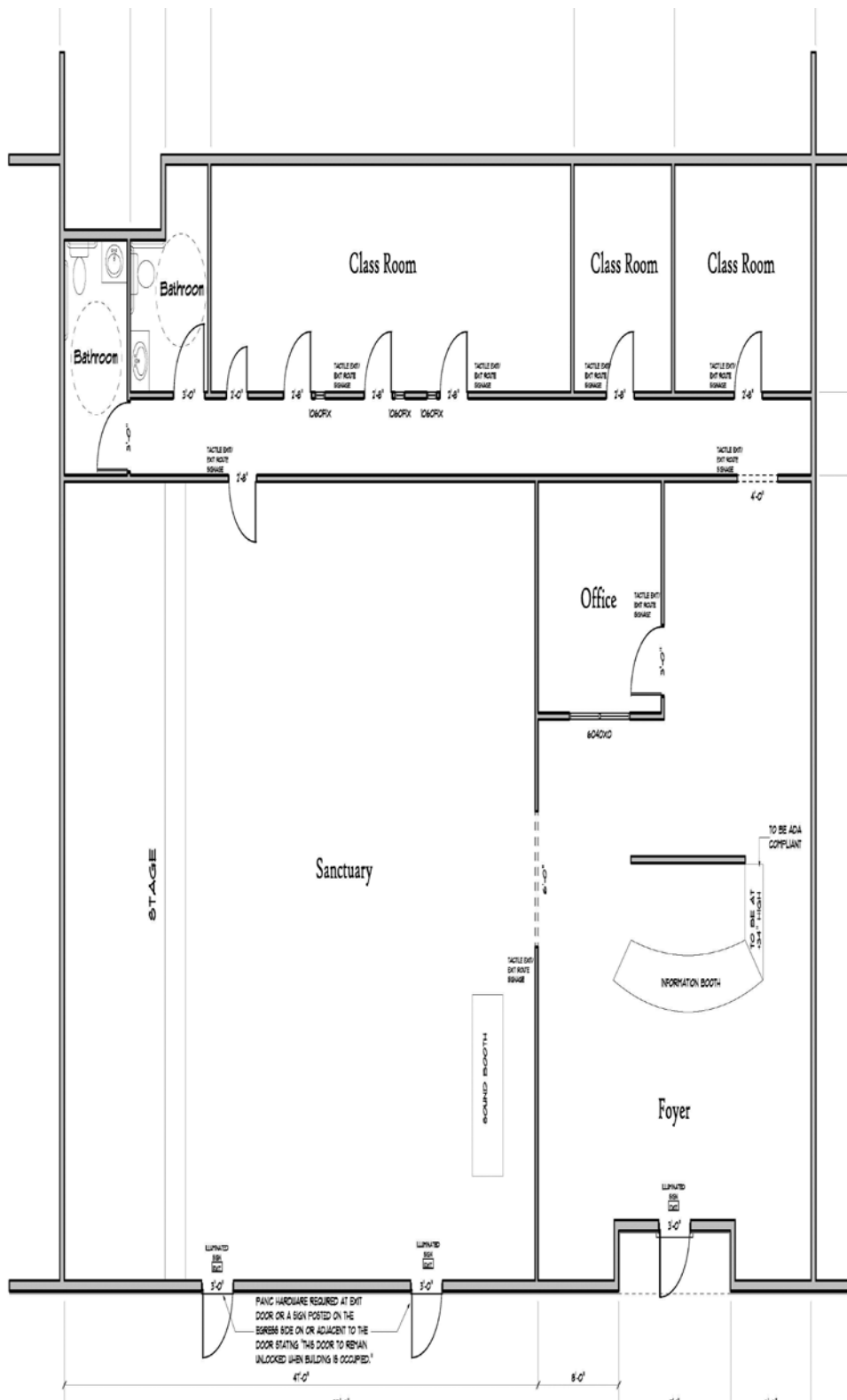
ATTACHMENTS

Aerial Photo
Floor Plan
Site Photographs

Aerial Photo



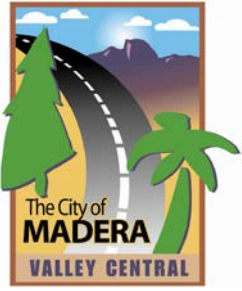
Floor Plan



Site Photos







CITY OF MADERA
PLANNING COMMISSION

205 W. Fourth Street
Madera CA 93637
(559) 661-5430

**Staff Report: Boston Motors, Inc.
REZ 2017-06, CUP 2017-36, SPR 2017-53 & Negative Declaration
Item #2 – March 13, 2018**

PROPOSAL: An application for a rezone of one property to provide consistency between zoning and the General Plan, conditional use permit to allow for a used automotive sales business, and a site plan review to guide development of the site.

APPLICANT:	Frank Rodriguez	OWNER:	Arturo Mejia
ADDRESS:	Northwest corner of East Yosemite Avenue and High Street	APNs:	007-123-003, 004, 005 & 006
APPLICATION:	REZ 2017-06, CUP 2017-36 & SPR 2017-53	CEQA:	Negative Declaration

LOCATION: The project site is located on the northwest corner of East Yosemite Avenue and High Street.

STREET ACCESS: The vacant site has proposed access to High Street. East Yosemite Avenue can be accessed from the adjoining alleyway to the west.

PARCEL SIZE: Four parcels encompassing approximately 21,000 sq. ft. (0.48 acres).

GENERAL PLAN DESIGNATION: C (Commercial)

ZONING DISTRICT: C1 (Light Commercial) and R3 (High Density Residential)

SITE CHARACTERISTICS: The project site is an assemblage of four (4) vacant properties. Various commercial retail stores and restaurants are located directly east and west of the project site along East Yosemite Avenue. A mix of single- and multi-family residential properties are located to the north.

ENVIRONMENTAL REVIEW: An initial study and negative declaration have been prepared for consideration by the Planning Commission, consistent with CEQA Guidelines.

SUMMARY: The applicant proposes the construction of an approximately 1,750 square foot structure to include offices and repair service bays in conjunction with the establishment of a used automotive sales business on four (4) vacant commercial properties. The proposal provides development that complies with the goals and policies of the Community Design element of the General Plan. The proposed number of parking stalls sufficiently serves the proposed use. On- and off-site improvements will guide the development of the property to current City standards.

APPLICABLE CODES AND PROCEDURES

MMC § 10-3.802 Uses Permitted; Light Commercial Zones
MMC § 10-3.4.0102 Site Plan Review Applicability
MMC § 10-3.1202 Parking Spaces Required
MMC § 10-3.1301 Use Permits
MMC § 10-3.1501 Rezone Necessity

The City's Zoning Ordinance allows for the granting of a use permit by the Planning Commission subject to the Planning Commission being able to make findings that the establishment, maintenance or operation of the use or building will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood of the use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City.

If the Commission cannot make the appropriate findings, the use should be denied. Conditions may be attached to the approval of the use permit to ensure compatibility. Project design may be altered and on- or off-site improvements required in order to make the project compatible with nearby uses. In addition, the application may be subject to further review, modification or revocation by the Commission as necessary.

The City's General Plan indicates that land designated as C (Commercial) is appropriate for development of commercial centers. The City's Zoning Ordinance also allows for a variety of retail and service uses in the C1 (Light Commercial) Zone District, including a used automotive sales business, subject to the approval of a conditional use permit by the Planning Commission. As a component of this project, the applicant has requested a rezoning of the northernmost parcel from the R3 (High Density Residential) to the C1 (Light Commercial) Zone District. All new construction requires that findings of conformance with the goals and policies of the General Plan be made as a component of the approval process.

PRIOR ACTION

None.

ANALYSIS

Continuance

Staff continued the project from the previous Planning Commission hearing because the project was not in compliance with a policy of the General Plan. Policy CD-15 states, "Except where site conditions make it infeasible, new commercial development shall be designed to front or have a presence along all street frontages. The intent of this policy is to enhance the pedestrian scale of new development, and minimize the presence of parking, circulation, and loading areas as the primary visual features of development." Although there are no physical site conditions that make it infeasible to anchor a building on the corner of the property, the operational characteristics of the use might better benefit with the structure located at the back of the site. Ultimately, however, the applicant has accommodated the requirement for General Plan conformity and has provided a revised site plan that anchors the building to the corner.

Used Automotive Sales

The applicant proposes the development of the project site as a used automotive sales business. Even though the project site is located along the busy East Yosemite Avenue corridor, it has remained vacant for an extended period of time. The continued under-utilization of the project site is not beneficial to the City or the surrounding properties. Although City staff would view the

development of traditional commercial retail sales of goods and services as most desired in the C1 (Light Commercial) Zone District, the development of a used automotive sales lot acts to provide for investment in the property and the generation of sales tax now, acting as a suitable interim use in lieu of future intensification of commercial development on the site when market conditions favorably support more intensive commercial development.

Rezone

The applicant proposes the development of a used automotive sales business on four (4) adjoining properties. Three (3) of the four (4) properties are currently within the C1 (Light Commercial) Zone District with a C (Commercial) General Plan land use designation, providing consistency between zoning and the General Plan. The northern-most property has a R3 (High Density Residential) Zone District with a C (Commercial) General Plan land use designation. This results in an inconsistency between zoning and the General Plan. Approval of the proposed rezone to the C1 (Light Commercial) Zone District would provide the required consistency between zoning and the General Plan.

General Plan Conformance

New development projects require conformance with the goals and policies of the City's General Plan. The proposed project provides compliance with the following:

- Architecture

The proposed building elevations for the office structure and service repair bays provide a contemporary architectural style. The building is proposed with the following architectural features:

- Pop-outs on all sides of the fascia
- Score lines across the pop-outs
- Large storefront windows across three sides of the building

Cumulatively, the proposed features provide compliance with Policy CD-53 of the Community Design element, which requires that unarticulated structures be broken up by creating horizontal emphasis.

- Landscaping

Landscaping is proposed to enhance and embellish the appearance of the project site. Landscape planters are proposed along the East Yosemite Avenue and High Street frontages. The planters are designed in such a way as to provide a pedestrian walkway on East Yosemite Avenue that guides pedestrians towards the primary entrance of the office structure. Cumulatively, the proposed landscaping on the site will create an attractive pedestrian environment and reduce the impact of heat islands (Policy CD-50).

- Site Design

The applicant has provided staff a revised site plan that complies with the aforementioned Policy CD-15 of the General Plan. The building is proposed to anchor the corner of East Yosemite Avenue and High Street. There is an approximately 900 square foot "future expansion" area indicated on the revised site plan. Staff recommends at such time as expansion occurs, an amendment to Conditional Use Permit 2017-36 be submitted to the Planning Department and approved by the Planning Commission.

Parking

The City's parking requirements for an automotive sales business requires one parking stall for each 400 square feet of gross floor area. The office structure encompasses approximately 1,750

square feet equating to a minimum parking requirement of five (5) stalls. The site plan provides for a total of five (5) parking stalls, which is sufficient to serve the proposed use.

Site Improvements

On-site improvements for the project include the construction of a building encompassing a total of approximately 1,750 square feet, a parking field, installation of landscaping throughout the site and a trash enclosure.

Off-site improvements for the project include the following:

- Construction of a new sewer service connection.
- Construction of a new water service connection.
- Installation of a new water meter and backflow prevention device.
- Removal of driveway approaches on High Street and replacement of curb, gutter and sidewalk.
- Reconstruction of damaged sidewalk along East Yosemite Avenue and High Street.
- Installation of a street light.
- Undergrounding of public utilities.
- Ten (10') foot Public Utility Easement across both property frontages

The proposed conditional use permit and site plan review were reviewed by various City Departments and outside agencies. The responses and recommendations have been incorporated into the recommended conditions of approval included in this report.

CONSISTENCY WITH THE VISION MADERA 2025 PLAN

Though approval of new construction of an approximate 1,750 square foot office and repair service structure in conjunction with the establishment of a used automotive sales business is not specifically addressed in the vision or action plans, the overall project does indirectly support **Action 115.1** – *As a component of the General Plan Update, encourage viable economic development.*”

RECOMMENDATION

The information presented in this report supports approval of the conditional use permit request. It is recommended that the Planning Commission consider the information in this report, as well as testimony in the public hearing, and approve Rezone 2017-06, Conditional Use Permit 2017-36 and Site Plan Review 2017-53 subject to the findings and conditions of approval outlined in this report.

PLANNING COMMISSION ACTION

The Planning Commission will be taking action regarding Rezone 2017-06, Conditional Use Permit 2017-36 and Site Plan Review 2017-53, determining to either:

- approve the applications with or without conditions
- continue the hearing, or
- deny the applications

Any action by the Planning Commission approving or denying the applications is subject to appeal to the City Council within fifteen (15) calendar days of the Planning Commission’s action.

Motion 1a: Move to adopt the negative declaration, consistent with Section 15070(a) of the California Environmental Quality Act (CEQA), with the following findings;

Findings

- An initial study and negative declaration have been prepared pursuant to the California Environmental Quality Act that determines that there is no substantial evidence that the project will have a significant effect on the environment, and that the document reflects the independent judgement of the Planning Commission of the City of Madera after considering all of the information in the record before it, and is hereby adopted in accordance with the California Environmental Quality Act.

(AND)

Motion 1b: Move to adopt a Resolution of the Planning Commission recommending to the City Council adoption of an ordinance rezoning the property from the R3 (High Density Residential) to the C1 (Light Commercial) Zone District, with the findings as listed;

Findings

- An initial study and negative declaration have been prepared pursuant to the California Environmental Quality Act that determines that there is no substantial evidence that the project will have a significant effect on the environment, and that the document reflects the independent judgement of the Planning Commission of the City of Madera after considering all of the information in the record before it, and has been adopted in accordance with the California Environmental Quality Act.
- The proposed rezone will provided the required consistency between the General Plan and zoning.
- The rezone is not expected to be detrimental to the health, safety, peace, comfort or general welfare of the neighborhood or the City.
- City services and utilities are available or can be extended to serve the area.

(AND)

Motion 1c: Move to approve Conditional Use Permit 2017-36 and Site Plan Review 2017-53, based on and subject to the following findings and conditions of approval:

Findings

- An initial study and negative declaration have been prepared pursuant to the California Environmental Quality Act that determines that there is no substantial evidence that the project will have a significant effect on the environment, and that the document reflects the independent judgement of the Planning Commission of the City of Madera after considering all of the information in the record before it, and is hereby adopted in accordance with the California Environmental Quality Act.
- Construction of the office structure with service bays is consistent with the goals and policies of the General Plan.
- Establishment of a used automotive sales business with an auxiliary repair and detailing service is consistent with the purpose and intent of the C (Commercial) General Plan land use designation and the C1 (Light Commercial) Zone District which provide for the uses,

subject to the issuance of a conditional use permit.

- As conditioned, the development will be compatible with surrounding properties.
- As conditioned, the establishment, maintenance or operation of the used automotive sales business with an auxiliary repair service will not under the circumstances of this particular case, be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or general welfare of the City.

CONDITIONS OF APPROVAL

General Conditions

1. Project approval is conditioned upon acceptance of the conditions of approval contained herein, as evidenced by receipt in the Planning Department of the applicant's signature upon an Acknowledgement and Acceptance of Conditions within thirty days of the date of approval for this use permit.
2. The applicant's failure to utilize Conditional Use Permit 2017-36 within one year following the date of this approval shall render the conditional use permit(s) null and void unless a written request for extension has been submitted to and approved by the Planning Commission.
3. Conditional Use Permit 2017-36 may be made null and void without any additional public notice or hearing at any time upon both the benefactors of the use permit(s) and owners of the property voluntarily submitting to the City a written request to permanently extinguish the Conditional Use Permit(s).
4. Site Plan Review 2017-53 will expire one year from date of issuance, unless positive action is taken on the project as provided in the Municipal Code or required action is taken to extend the approval before expiration date. (Municipal Code Section 10-3.4.0114, Lapse of Site Plan Approval)
5. Conditional Use Permit 2017-36 and Site Plan Review 2017-53 shall be subject to periodic reviews and inspection by the City to determine compliance with the conditions of approval and applicable codes. If at any time, the use is determined by Staff to be in violation of the conditions of approval, Staff may schedule an item before the Planning Commission so that it may determine whether to consider setting a hearing regarding revocation of the permit.
6. It shall be the responsibility of the property owner and management to ensure that any required permits, inspections and approvals from any regulatory agency shall be obtained from the concerned agency prior to establishment of the use.
7. The project shall be developed in accordance with the site plan, floor plan and elevation drawings, as reviewed and approved with the Site Plan Review. Minor modifications to the site plan necessary to meet regulatory or engineering constraints may be made with approval from the Planning Manager.

8. All on-site and off-site requirements listed herein shall be completed in advance of any request for building permit final inspection, occupancy of the structure and/or issuance of a business license.

Building Department

9. Site development shall be consistent with the approved site plan. The use of activity areas shall be identified on plans submitted for issuance of building permits.
10. Current State of California and federal handicap requirements shall apply to the entire site and all structures and parking thereon. Compliance shall be checked at permit stage, shall be confirmed at final inspection, and shall apply to proposed and future development.
11. Additional items identified as not complying with current codes and ordinances, which require correction or attention, may be identified. Any item not in conformance with current codes and ordinances shall be corrected.

Engineering Department

General

12. Nuisance onsite lighting shall be redirected as requested by the City Engineer within 48 hours of notification.
13. Impact fees shall be paid at time of building permit issuance.
14. The developer shall reimburse the City for improvements previously installed, as calculated by the City Engineer whose determination shall be final. Reimbursements for previously installed improvements shall be paid prior to issuance of a Business License.
15. The developer shall pay all required fees for completion of project. Fees due may include but shall not be limited to the following: plan review, encroachment permit processing and improvement inspection fees.
16. Improvement plans signed and sealed by an engineer shall be submitted to the Engineering Division in accordance with the submittal process.
17. The improvement plans for the project shall include the most recent version of the City's General Notes.
18. In the event archeological resources are unearthed or discovered during any construction activities on site, construction activities shall cease and the Community Development Director or City Engineer shall be notified so that procedures required by state law can be implemented.
19. Improvements within the City's right-of-way require an Encroachment Permit from the Engineering Division.
20. Improvements within the State of California's right-of-way require an Encroachment Permit from Caltrans.

Sewer

21. Sewer service connection(s) shall be constructed to current City standards.

22. Sewer main connection(s) six (6") inches and larger in diameter shall require manhole installation.
23. Existing septic tanks, if found, shall be removed, permitted and inspected by the City of Madera Building Department.

Storm Drain

24. Support calculations shall be provided that prove the existing storm drain facilities are capable of intercepting runoff in excess of the level of development that previously existed on this site in accordance with the provisions of the Storm Drainage System Master Plan.

Streets

25. The proposed access on High Street shall be as far away as possible from the intersection of East Yosemite Avenue. The driveway shall be built per current City and ADA standards.
26. The existing driveway approaches on High Street shall be removed and replaced with concrete sidewalk, curb and gutter per current City standards.
27. The majority of sidewalk and minor portions of curb and gutter are not considered serviceable. Damaged portions of the sidewalk, curb and gutter along High Street and East Yosemite Avenue shall be reconstructed per current City standards. The developer shall coordinate with the City Inspector to establish the limits of the repairs.
28. The developer shall install a street light along the High Street frontage in accordance with current City standards. Street lights shall be LED using Beta Lighting standards or equal in accordance with City of Madera standards.
29. All public utilities shall be undergrounded, except transformers, which may be mounted on pads. Examples of these facilities include High Street and East Yosemite Avenue frontages, and overhead lines across the project parcels.
30. The developer shall dedicate a Public Utility Easement ten (10') feet wide along the entire project parcel frontage on High Street and East Yosemite Avenue.
31. The developer shall record reciprocal ingress/egress, utility and parking easements acceptable to the City of Madera across the entire project site and applicable to all parcels. The easements shall provide the mutual right of access for all future uses in the project site. The developer shall pay associated fees with the Engineering Department.
32. As an alternative to recording a reciprocal easement agreement, a parcel merger can be used to combine the parcels into one parcel. If this option is chosen, the applicant shall pay \$388.00 or the fee in effect at the time of application to the Engineering Department. In no case though, shall any structure be built across/over a property line.
33. The developer shall annex into and execute such required documents that may be required to participate in Landscape Maintenance District Zone 51 for the purposes of participating in the cost of maintaining landscape improvements within said zone.

Water

34. Water service connection(s) shall be constructed to current City standards including an Automatic Meter Reading (AMR) water meter installed within the City's right-of-way and a backflow prevention device installed within private property.

35. A separate water meter and backflow prevention device will be required for landscape area.

Fire Department

36. One 2A10BC-rated fire extinguisher shall be required.
37. A fire-rated separation may be required between the garage and customer area.
38. Hazardous materials, including waste oil, shall comply with the California Fire Code (CFC).
39. A key box shall be required for access by emergency services personnel.

Planning Department

General

40. Vandalism and graffiti shall be corrected per the Madera Municipal Code.
41. The applicant shall operate in a manner that does not generate noise, odor, blight or vibration that adversely affects any adjacent properties.
42. The property owner, operator and manager shall keep the property clear of all trash, rubbish and debris at all times; and dumping of refuse shall be restricted to the dumpster and refuse containers owned by the property owner.
43. The applicant shall comply with all federal, state and local laws. Material violation of any of those laws concerning the use will be cause for revocation of Conditional Use Permit 2017-36.

Used Auto Sales

44. Conditional Use Permit 2017-36 allows for the establishment of a used auto sales business.
45. Changes or expansions in the use shall require an amendment to Conditional Use Permit 2017-36.
46. The used car sales lot shall only sell used passenger cars and trucks. No recreational vehicles, boats, trailers, personal all-terrain vehicles (ATV) and similar vehicles may be marketed or sold from the site.
47. The garage service bays associated with the used car sales lot shall only be utilized for limited maintenance, tune-ups, safety inspections and detailing of cars offered for sale by the business.
48. All automotive repair work shall occur inside of the garage structure.
49. The overnight parking of vehicles undergoing automotive repair work in association with the garage bays shall only occur within the interior of the building.
50. Hours of operation shall occur from as early as 8:00 AM until as late as 6:00 PM, seven days a week.

Building Colors, Materials and Lighting Considerations

51. The construction of structures approved as part of Site Plan Review 2017-53 shall be consistent with the approved colors and materials board as reviewed and approved by the Planning Commission. Any alteration shall require, at a minimum, approval by the Planning Manager.
52. Address sign designs shall be approved by the Planning Department prior to issuance of building permits.
53. All exterior lighting shall be directed away from residential properties and not interfere with the driving safety of vehicular traffic.
54. The specifications and types of exterior lighting fixtures to be installed on the site shall be submitted to and approved by the Planning Department as a component of building permit issuance. All exterior lighting shall be directed away from adjoining properties and not interfere with the driving safety of vehicular traffic. Exposed bulbs shall not be permitted.

HVAC and PG&E Utility Placement Considerations/Screening Requirements

55. Prior to the issuance of building permits, the applicant shall identify the following information on the site plan for Planning Department review and approval:
 - The location of all natural gas and electrical utility meter locations.
 - The location of all HVAC (heating, ventilation or air conditioning) equipment.
 - The location of all compressor equipment, and mechanical and electrical equipment.
56. All electrical equipment shall be screened to the specifications of the Planning Department. All HVAC equipment shall be roof-mounted.
57. Electrical/mechanical equipment shall be located in the interior of the proposed new structure(s) within an electrical/mechanical service room/area.
58. The natural gas meter placement shall be screened from public view per Planning Department approval.
59. Roof access ladders, if proposed, shall be located within the interior of the structures.
60. All ducts and vents penetrating roofs shall be directed away from the front of public entrance side(s) of the structures using methods to minimize their appearance and visibility from the street. Placements are preferred at rear sides of roof ridges. All roof-mounted ducts and vents shall be painted matte black or with a color better suited to minimize their appearance.
61. Fire sprinkler risers shall be located within the interior of the structures or located out of public view. Locations shall be approved by the Planning Department prior to the issuance of building permits.

Fences and Walls

62. Any fence along the western, southern and/or eastern property line(s) shall be of wrought iron material quality or better. The developer shall construct a six (6') foot tall split-face block wall along the entirety of the northern property line. No fence shall be erected between the property line and structure. Final fence design shall be approved by the Planning Manager

63. The developer shall construct a single bin trash enclosure consistent with Engineering Department specification/detail shell No. E-7. The location of the trash enclosure shall be approved by the Planning Manager.

Landscaping

64. A detailed landscaping and irrigation plan shall be prepared by a licensed landscape architect, stamped and submitted as part of the submittals for a building permit plan check. Landscape and irrigation plans shall be approved by the Planning Department prior to issuance of building permits. The plan shall include:
- Demonstration of compliance with the State of California's Model Water Efficient Landscape Ordinance (MWELO).
 - Landscaped areas shall be developed along all street frontages and within the parking field. The area between the building and property line shall be landscaped and irrigated.
 - Landscaped areas shall be provided with permanent automatic irrigation systems.
 - Landscaped areas shall be protected by raised six (6") inch concrete curbing.
 - A detailed planting list for landscaping, with the number, size, spacing (where applicable) and specie of all plantings shall be included as part of the approved landscaping plan prepared by a licensed landscape architect.
65. The property owner shall maintain all landscaping in a healthy and well-manicured appearance. This includes, but is not limited to, ensuring properly operating irrigation equipment at all times, trimming and pruning of trees and shrubs, and replacing dead or unhealthy vegetation with drought-tolerant plantings.

Parking

66. The parking requirements for the use shall be provided at the following ratio: one (1) stall per each 400 square feet of gross floor area. The business suite encompasses approximately 1,750 square feet of gross floor area. The applicant shall provide a minimum of four (4) parking stalls on the site.
67. All parking and loading areas shall be marked and striped to City standards: Perpendicular (90 degree) parking spaces shall measure a minimum of nine (9') feet wide by nineteen (19') feet deep, or seventeen (17') feet deep when abutting a landscape planter with minimum of two (2') foot overhang. No compact stalls shall be incorporated into the parking field. No wheel stops shall be incorporated into the parking field/parking stall layout except where required for compliance with ADA requirements. Minimum drive aisle width shall be twenty-six (26') feet for primary drive aisles.

Setbacks

68. All structure(s) shall be setback no less than fifteen (15') feet from the eastern property line along High Street.
69. No structure shall be located within any public utility easement.

Signage

70. All signage shall be in compliance with the Madera Sign Ordinance. All signage is required to have an approved Sign Permit issued by the Planning Department per MMC §10-6.
71. All on-building signage shall be of pan channel letter quality or better.

California Department of Transportation (Caltrans)

72. Damaged portions of sidewalk along East Yosemite Avenue shall be repaired or replaced to the satisfaction of Caltrans. All off-site work to be completed on East Yosemite Avenue shall require an Encroachment Permit from Caltrans.

Utility (PG&E and AT&T)

73. The owner shall contact PG&E to initiate removal of PG&E's facilities from the two (2) interior power poles and apply for service.
74. AT&T requires trench work to be completed within the eight (8') foot public utility easement in conjunction with the undergrounding of the pole lead. The trench shall travel across to the alley and connect to the Joint Pole, as well as feed phone facilities to the new building.

(OR)

Motion 2: Move to continue the application for Rezone 2017-06, Conditional Use Permit 2017-36 and Site Plan Review 2017-53 to the March 13, 2018 Planning Commission hearing for the following reasons: (specify)

(OR)

Motion 3: Move to deny the application for Rezone 2017-06, Conditional Use Permit 2017-36 and Site Plan Review 2017-53, based on and subject to the following findings: (specify)

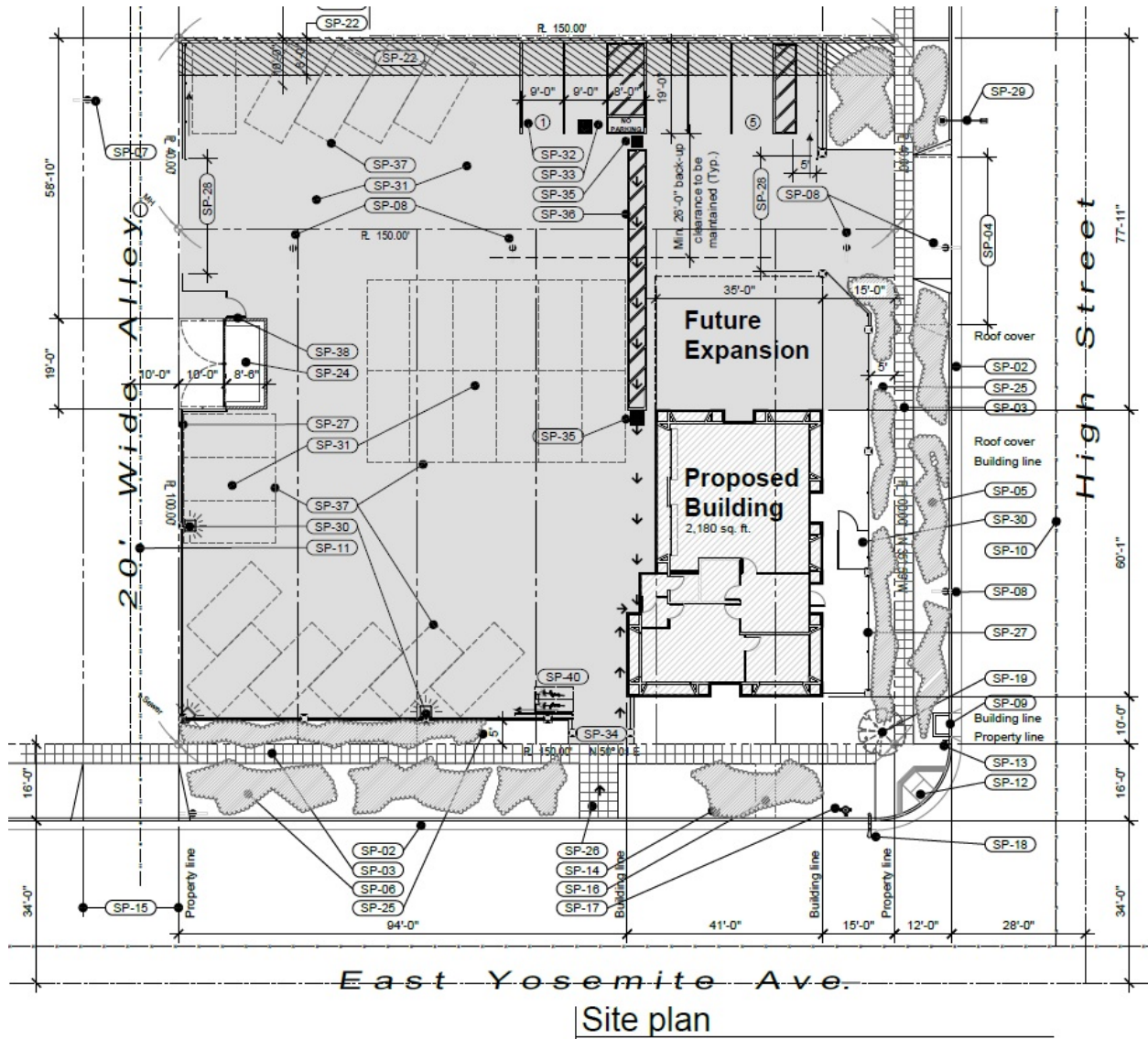
ATTACHMENTS

Aerial Photo
Site Plan
Floor Plan
Elevations
Resolution
Environmental Assessment

Aerial Photo

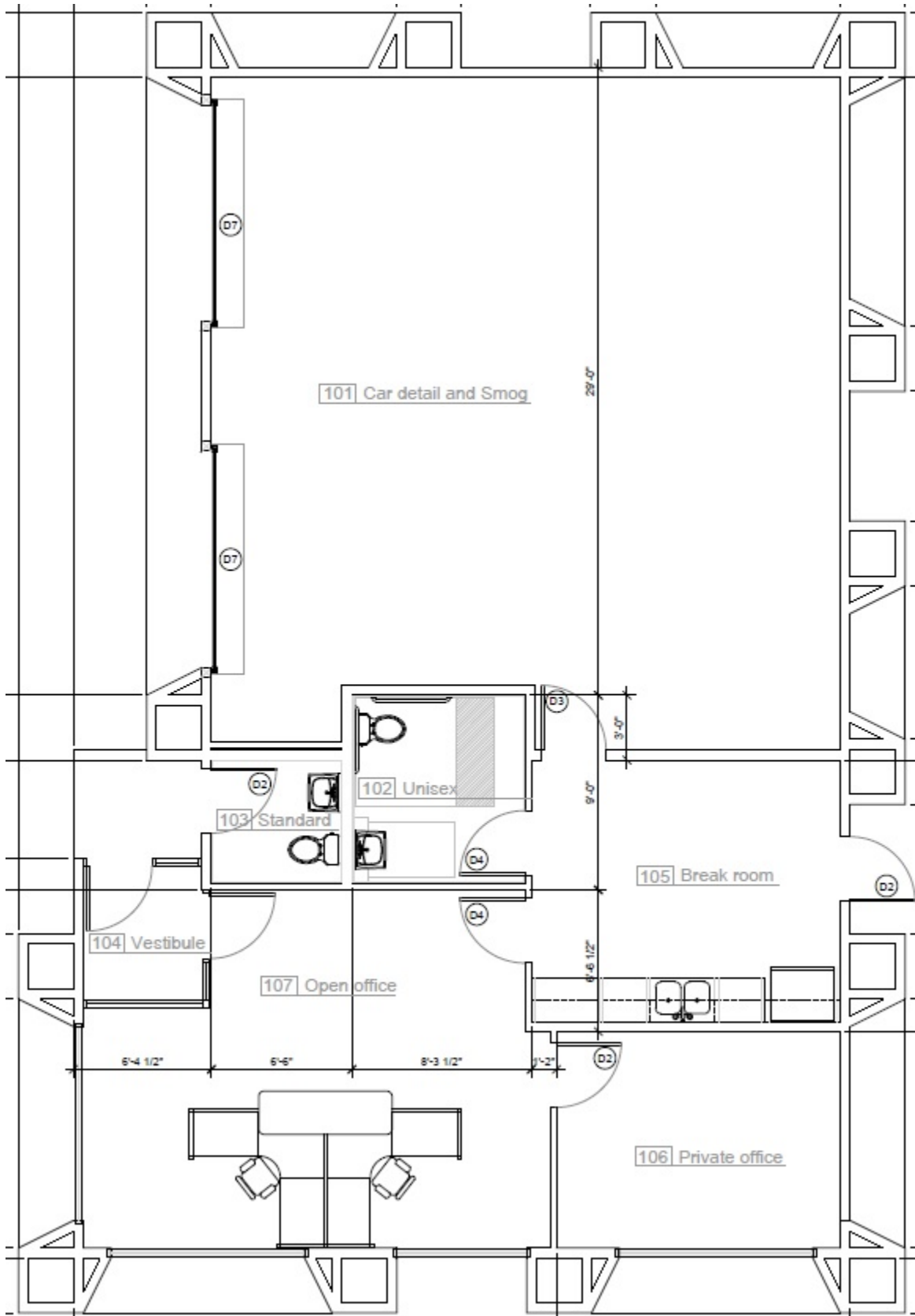


Site Plan

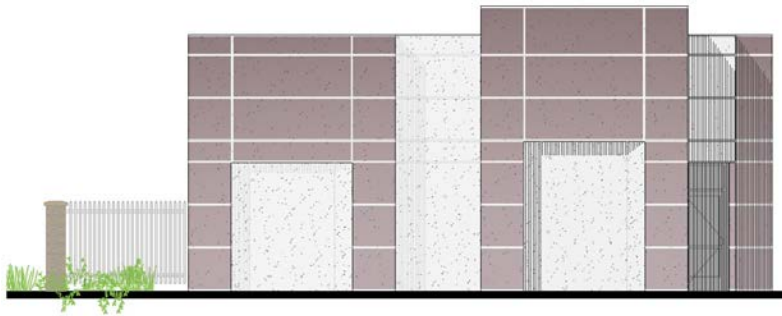


Site plan

Floor Plan



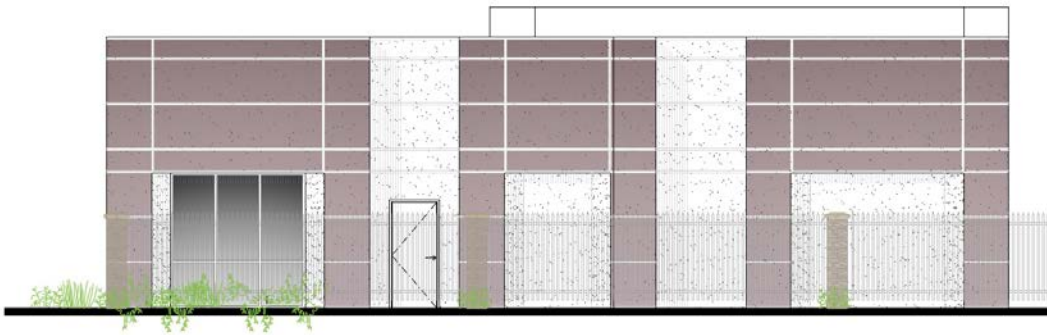
Revised Elevations



North elevation - Viewed from North property line
Scale: 1/4" = 1'-0"



South elevation - Viewed from E. Yosemite Ave.



East elevation - Viewed from High Street
Scale: 1/4" = 1'-0"



RESOLUTION NO. 1825

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MADERA RECOMMENDING TO THE CITY COUNCIL OF THE CITY OF MADERA ADOPTION OF AN ORDINANCE REZONING APPROXIMATELY 0.14 ACRES OF PROPERTY LOCATED ON THE WEST SIDE OF HIGH STREET (APN: 007-123-003), APPROXIMATELY 125 FEET NORTH OF THE INTERSECTION OF EAST YOSEMITE AVENUE AND HIGH STREET, FROM THE R3 (HIGH DENSITY RESIDENTIAL) ZONE DISTRICT TO THE C1 (LIGHT COMMERCIAL) ZONE DISTRICT.

WHEREAS, State Law requires that local agencies adopt General Plans containing specific mandatory elements; and

WHEREAS, The City of Madera has adopted a Comprehensive General Plan Update and Environmental Impact Report, and the City of Madera is currently in compliance with State mandates relative to Elements of the General Plan; and

WHEREAS, State law also provides for periodic review, updates, and amendments of its various Plans; and

WHEREAS, a proposal has been made to rezone approximately 0.14 acres of property located on the west side of High Street (APN: 007-123-003), approximately 125 feet north of the intersection of East Yosemite Avenue and High Street, resulting in a change from the R3 (High Density Residential) Zone District to the C1 (Light Commercial) Zone District, as shown in the attached Exhibit A; and

WHEREAS, the proposed rezone will provide the required consistency between the General Plan and Zoning Ordinance; and

WHEREAS, the rezone is compatible with the neighborhood and is not expected to be detrimental to the health, safety, peace, comfort or general welfare of the neighborhood or the City; and

WHEREAS, the City of Madera, acting as the Lead Agency, prepared an initial study and negative declaration for the project in compliance with the California Environmental Quality Act; and

WHEREAS, the negative declaration and rezoning were distributed for public review and comment to various local agencies and groups, and public notice of this public hearing was given by mailed and published notice, in accordance with the applicable State and Municipal Codes and standard practices; and

WHEREAS, the Planning Commission has completed its review of the Staff Report and documents submitted for the proposed project, evaluated the information contained in the negative declaration, and considered testimony received as a part of the public hearing process.

WHEREAS, Based upon the testimony and information presented at the hearing, including the initial study and negative declaration and all evidence in the whole record pertaining to this matter, the Commission found that the negative declaration has been prepared pursuant to the California Environmental Quality Act, that there is no substantial evidence that the project will have a significant effect on the environment, and that the document reflects the independent judgment of the City of Madera, and was adopted in accordance with the California Environmental Quality Act.

NOW THEREFORE BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF MADERA AS FOLLOWS:

1. The above recitals are true and correct.
2. The Planning Commission hereby finds that proposed rezoning, as shown in Exhibit A, is consistent with the General Plan and is compatible with adjacent zoning and uses.
3. The Planning Commission hereby recommends the City Council adopt an ordinance rezoning property as indicated on the attached Exhibit A.
4. This resolution is effective immediately.

* * * * *

Passed and adopted by the Planning Commission of the City of Madera this 13th day of March, 2018, by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

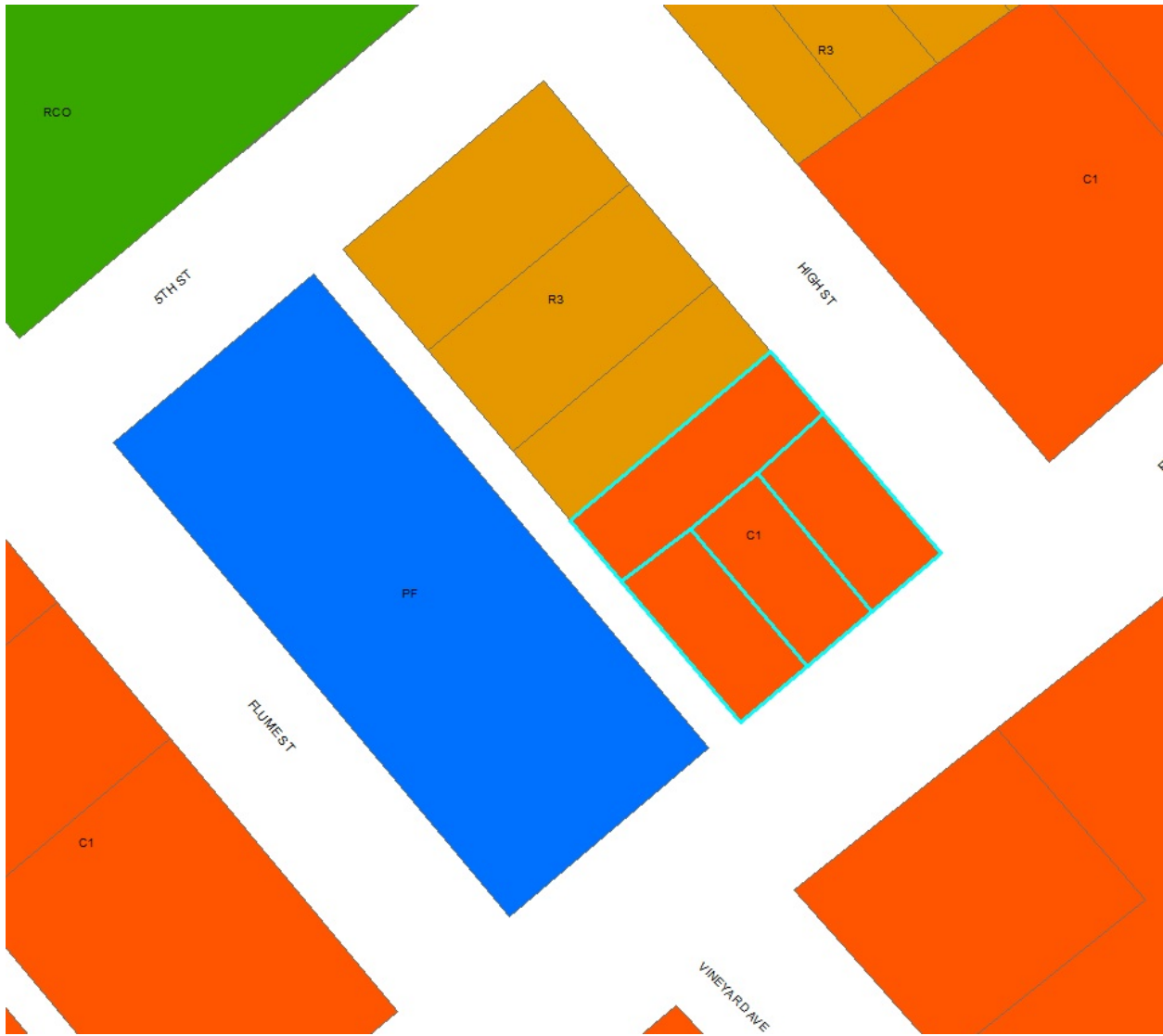
Robert Gran, Jr.
Planning Commission Chairperson

Attest:

Christopher F. Boyle
Planning Manager

PLANNING COMMISSION RESOLUTION NO. _____

EXHIBIT 'A'



DRAFT ORDINANCE

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MADERA AMENDING THE OFFICIAL CITY OF MADERA ZONING MAP TO REZONE APPROXIMATELY 0.14 ACRES OF PROPERTY LOCATED ON THE WEST SIDE OF HIGH STREET (APN: 007-123-003), APPROXIMATELY 125 FEET NORTH OF THE INTERSECTION OF EAST YOSEMITE AVENUE AND HIGH STREET, FROM THE R3 (HIGH DENSITY RESIDENTIAL) ZONE DISTRICT TO THE C1 (LIGHT COMMERCIAL) ZONE DISTRICT.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MADERA AS FOLLOWS:

SECTION 1. The Planning Commission of the City of Madera and this Council have held public hearings upon the rezoning of this property and have determined that the proposed rezoning is consistent with the General Plan as amended and subsequent development will be in conformance with all standards and regulations of the Municipal Code.

SECTION 2. The City of Madera Zoning Map as provided for in Chapter 3 of Title 10 of the Madera Municipal Code is hereby amended as illustrated in the hereto attached Exhibit "A" which indicates the segment of the City of Madera Zoning Map to be amended. Unless the adoption of this amendment to the Zoning Map is lawfully stayed, thirty-one (31) days after adoption of this amendment, the Planning Director and City Clerk shall cause these revisions to be made to the City of Madera Zoning Map which shall also indicate the date of adoption of this revision and be signed by the Planning Director and City Clerk.

SECTION 3. Based upon the testimony and information presented at the hearing, the adoption of the proposed rezoning is in the best interest of the City of Madera, and the Council hereby approves the rezoning based on the following findings:

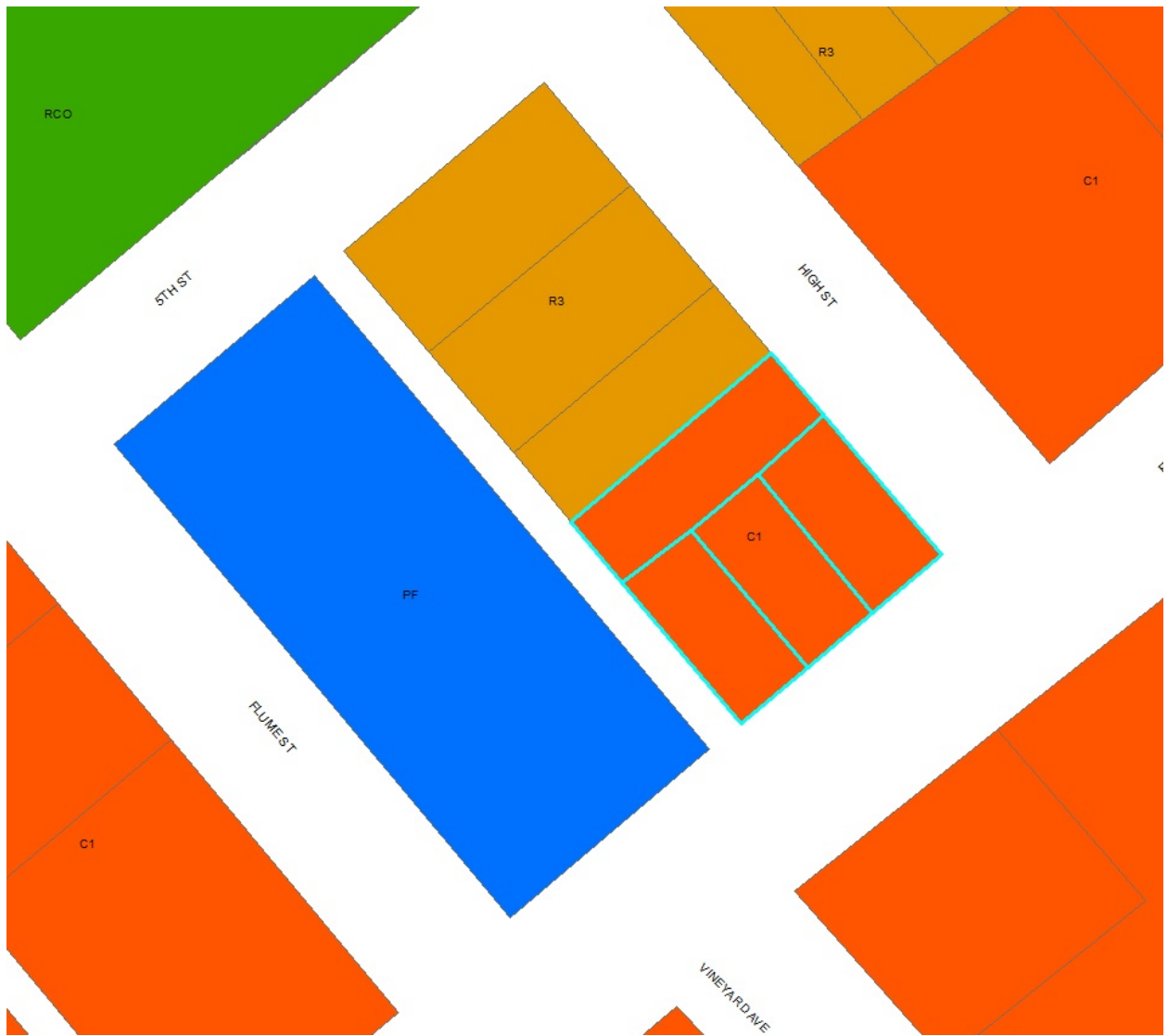
FINDINGS:

1. THE PROPOSED REZONE WILL PROVIDE THE REQUIRED CONSISTENCY BETWEEN THE GENERAL PLAN AMENDMENT AND ZONING.
2. THE REZONE IS NOT EXPECTED TO BE DETRIMENTAL TO THE HEALTH, SAFETY, PEACE, COMFORT OR GENERAL WELFARE OF THE NEIGHBORHOOD OR THE CITY.
3. CITY SERVICES AND UTILITIES ARE AVAILABLE OR CAN BE EXTENDED TO SERVE THE AREA.

SECTION 4. This Ordinance shall be effective and of full force and effect at 12:01 a.m. on the thirty-first day after its passage.

* * * * *

DRAFT ORDINANCE - EXHIBIT A



INITIAL STUDY AND ENVIRONMENTAL ASSESSMENT

Boston Motors, Inc. Rezone (REZ) 2017-06 Conditional Use Permit (CUP) 2017-36 Site Plan Review (SPR) 2017-53

This environmental assessment has been prepared to evaluate the impacts of the proposed project as required by the California Environmental Quality Act (CEQA). CEQA requires that public agencies consider the environmental consequences of projects over which they have discretionary authority before taking action on those projects (Public Resources Code [PRC] 21000 et seq.). For this project, the City is the lead agency under CEQA because it has the primary responsibility for approving and implementing the project, and therefore the principal responsibility for ensuring CEQA compliance.

Project: Rezone 2017-06, Conditional Use Permit 2017-36 and Site Plan Review 2017-53

Applicant: Frank Rodriguez
1817 North Helm Avenue
Fresno, CA 93727

Owner: Arturo Mejia
2467 Bundy Drive
Fresno, CA 93727

Location: The approximately 0.48-acre (21,000 square feet) project site encompasses four (4) parcels located on the northwest corner of East Yosemite Avenue and High Street (APNs: 007-123-003, 004, 005 and 006).

Proposal

REZ 2017-02: An application to rezone one parcel (APN: 007-123-003) encompassing approximately 6,000 square feet from the R3 (High Density Residential) Zone District to the C1 (Light Commercial) Zone District which provides consistency with the C (Commercial) General Plan land use designation of the property. All other project parcels are currently within the C1 (Light Commercial) Zone District with a C (Commercial) General Plan land use designation.

CUP 2017-36: An application for a conditional use permit to allow for the establishment of a used auto sales business on properties within the C1 (Light Commercial) Zone District.

SPR 2017-53: An application for a site plan review which will guide the development of the auto sales use on the project parcels. The project site will be improved with the construction of an office structure and two (2) vehicle service bays encompassing approximately 1,750 square feet of gross floor area. The project site will also be improved to include a paved parking field and landscaping along the property frontages. Off-site improvements for the project include the following:

- Construction of a new sewer service connection
- Construction of a new water service connection
- Reconstruction of damaged sidewalk, curb and gutter on High Street and East Yosemite Avenue

- Removal of an existing driveway approach on High Street and replacement with concrete curb, gutter and sidewalk.
- Construction of a new driveway approach on High Street.
- Installation of a street light along the High Street frontage.
- Undergrounding of public utilities and on-site power poles.
- Recordation of reciprocal ingress/egress and utility parking easements.
- Parcel merger.
- Annexation into Landscape Maintenance District Zone 51.

Zone District (APN: 007-123-003): **Current:** R3 (High Density Residential)
 Proposed: C1 (Light Commercial)

General Plan Land Use Designation: C (Commercial)

Surrounding Land Uses and Zoning:

- South – Madera County Social Services offices
- North – John W. Wells Youth Center and existing single-family residential development
- West – National Guard Armory and commercial development
- East – Church and existing single family residential development

Responsible and Interested Agencies:

- Madera Irrigation District
- California Department of Transportation (Caltrans)
- Pacific Gas and Electric Company (PG&E)
- American Telephone and Telegraph (AT&T)
- Comcast

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project. None of these factors represents a "Potentially Significant Impact" as indicated by the checklist on the following pages

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

DETERMINATION:

On the basis of this initial evaluation:

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

Signature: _____

Date: January 10, 2018

Printed Name: Robert Holt, Assistant Planner

Explanation of Environmental Checklist

I. AESTHETICS.

Would the project:

	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporation	Less than Significant Impact	No Impact
a. Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Substantially degrade the existing visual character or quality of the site and its surroundings?	<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 day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion: The project will not affect a scenic vista and will not have an overall adverse visual impact on the immediate area. The project will not affect a scenic highway, and will not have an overall adverse visual impact on any scenic resources. The project would result in some sources of light. Existing City Standards will insure that the impact is less than significant and will not substantially degrade the existing visual character or quality of the property and its surroundings.

- a. **No Impacts.** The project will not result in the obstruction of federal, state or locally classified scenic areas, historic properties, community landmarks, or formally classified scenic resources such as a scenic highway, national scenic area, or state scenic area. The project will not have a substantial adverse effect on a scenic vista. The City of Madera is located in a predominantly agricultural area near the base of the Sierra Nevada Mountain Range, which provides for aesthetically pleasing views and open spaces. By developing land within the city's sphere of influence, the proposed project will reduce development pressure on rural lands.
- b. **No Impacts.** The project will not damage scenic resources, including, but not limited to, rock outcroppings, and historic buildings within a state scenic highway.
- c. **No Impacts.** The project would not substantially degrade the existing visual character or quality of the site and surroundings under examination. The proposed project would not alter the landforms, view sheds, and overall character of the area.
- d. **Less than Significant Impacts.** There will be an increase in light and glare and other aesthetic impacts associated with urban development as a result of the project, although it will be a less than significant impact because lighting will be down shielded and directed per the approval of the City Engineer.

II. AGRICULTURE RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland.

Would the project:

	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporation	Less than Significant Impact	No Impact
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion: The project area is located on land identified as Urban and Built-Up Land within the 2016 California Farmland Mapping and Monitoring Program.

- a. **No Impacts.** The project would not convert prime farmland, unique farmland, or farmland of statewide importance (as shown on the maps prepared pursuant to the farmland mapping and monitoring program of the California resources agency) to non-agricultural use. The project site is identified as Urban and Built-Up Land on the 2016 Madera County Important Farmland Map. The project site has been identified for urban uses within the City of Madera General Plan, and the land has not being utilized for any agricultural purposes for an extended length of time.
- b. **No Impacts.** The project would not conflict with existing zoning for agricultural use and there are no Williamson Act contracts in the affected territory. The City of Madera General Plan identifies this site for commercial uses.
- c. **No Impacts.** The development of this property will not influence surrounding properties to convert from farmland to non-agricultural uses since this property is surrounded by property designated for residential and commercial development, consistent with the Madera General Plan.

III. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.

Would the project:

	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporation	Less than Significant Impact	No Impact
a. Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. 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 (including releasing emissions that exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion: The project area is located within the San Joaquin Valley Air Basin (SJVAB). Air quality conditions in the SJVAB are regulated by San Joaquin Valley Air Pollution Control District (SJVAPCD). The region is classified as a State and Federal non-attainment area for PM10 (airborne particulate matter with an aerodynamic diameter of less than 10 microns), and ozone (O3).

Air quality is determined primarily by the type and amount of contaminants emitted into the atmosphere, the size and topography of the Basin, and its meteorological conditions. National and state air quality standards specify the upper limits of concentrations and duration in the ambient air for O3, CO, nitrogen dioxide (NO2), PM10, sulfur dioxide (SO2) and lead (Pb). These are “criteria pollutants.” The SJVAPCD also conducts monitoring for two other state standards: sulfate and visibility.

The State of California has designated the project area as being a severe non-attainment area for 1-hour O3, a non-attainment area for PM10, and an attainment area for CO. The EPA has designated the project area as being an extreme non-attainment area for 1-hour O3, a serious non-attainment area for 8-hour O3, a serious non-attainment area for PM10, and a moderate maintenance for CO.

The project will not conflict with or obstruct the implementation of applicable Regional Air Quality Control Plans. The SJVAPCD has determined that project specific emissions are not expected to exceed District significance thresholds of 10 tons/year NOX, 10 tons/year ROG, and 15 tons/year PM10. Therefore, the District concludes that project specific criteria pollutant emissions would have no significant adverse impact on air quality.

The type of proposed development is not subject to Rule 9510 (Indirect Source Review) by the SJVAPCD. The project would not create substantial air emissions or deterioration of ambient air quality, and any future development would be subject to SJVAPCD review. Construction equipment will produce a small amount of air emissions from internal combustion engines and dust. The project will not violate any air quality standard or substantially contribute to an existing or projected air quality violation. The project will not result in a considerable net increase in non-attainment pollutants in this area. The project will not expose sensitive receptors to any significant amount of pollutants. The project will not create any objectionable odors.

The project will be required to comply with all applicable rules and regulations of the SJVAPCD, including but not limited to Rules 8041, 8051, 8061 and 8071.

- a. **Less than Significant Impacts.** The proposed project would not conflict with or obstruct implementation of the applicable air quality plan.
- b. **Less than Significant Impacts.** The proposed project would not violate any air quality standard or contribute substantially to an existing or projected air quality violation.
- c. **Less than Significant Impacts.** The project will not 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, including releasing emissions which exceed quantitative thresholds for ozone precursors.
- d. **No Impacts.** The proposed project would not expose sensitive receptors to substantial pollutant concentrations.
- e. **No Impacts.** The proposed project would not create any new/permanent objectionable odors affecting a substantial number of people.

IV. BIOLOGICAL RESOURCES.

Would the project:

	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporation	Less than Significant Impact	No Impact
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion: With the preparation of the City of Madera General Plan, no threatened or endangered species were identified in the project area. The project area has been subjected to urbanization in the

past, resulting in a highly maintained and disturbed habitat. There is no record of special-status species in this project area. Development of the project area is consistent with the urbanization of the Madera area, as evaluated in the General Plan and its EIR; therefore, impacts in this category are not anticipated to exceed the impacts addressed in those documents.

- a. **No Impacts.** The project would not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service.
- b. **No Impacts.** The proposed project would not have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or US Fish and Wildlife Service.
- c. **No Impacts.** The project would not have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act, including, but not limited to, marsh, vernal pool, coastal, etc., through direct removal, filling, hydrological interruption, or other means.
- d. **No Impacts.** The project would not interfere 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.
- e. **No Impacts.** The project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.
- f. **No Impacts.** The project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan.

V. CULTURAL RESOURCES.

Would the project:

	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporation	Less than Significant Impact	No Impact
a. Cause a substantial adverse change in the significance of a historical resource as defined in §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 type="checkbox"/>	<input checked="" type="checkbox"/>
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion: The project does not have the potential to cause a physical change that would affect unique historic, ethnic, or cultural values. The project will not disturb archaeological resources. The project will not disturb any unique paleontological or geologic resources. The project will not disturb any human remains. Prior clearances have been granted to the City of Madera relative to archeological surveys conducted in the same area. In the event any archeological resources are discovered with project construction, all activities shall cease and the Community Development Department shall be notified so that the procedures required by State Law may be applied.

- a. **No Impacts.** The proposed project would not cause a substantial adverse change in the significance of a historical resource as defined in §15064.5 of the CEQA Guidelines. There are no known historical resources located in the affected territory.
- b. **No Impacts.** The proposed project would not cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5 of the CEQA Guidelines. There are no known archaeological resources located in the project area.
- c. **No Impacts.** The proposed project would not directly or indirectly destroy unique paleontological resources or sites or unique geologic features. There are no known paleontological resources or sites or unique geologic features located in the affected territory.
- d. **No Impacts.** The project would not likely disturb any human remains, including those interred outside of formal cemeteries. If development occurs in the future and any remains are discovered, the requirements of CEQA that regulate archaeological and historical resources (Public Resources Code Section 21083.2 and 21084.1), and all local, state and federal regulations that regulate archaeological and historical resources would be complied with.

VI. GEOLOGY AND SOILS.

Would the project:

	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporation	Less than Significant Impact	No Impact
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii. Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii. Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv. Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste 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"/>

Discussion: There are no known faults on the project site or in the immediate area. The project site is subject to relatively low seismic hazards compared to many other parts of California. Potential ground shaking produced by earthquakes generated on regional faults lying outside the immediate vicinity in the project area may occur. Due to the distance of the known faults in the region, no significant ground shaking is anticipated on this site. Seismic hazards on the built environment are addressed in *The Uniform Building Code* that is utilized by the Madera Building Division to monitor safe construction in the City.

- a.
 - i. **No Impacts.** No known faults with evidence of historic activity cut through the valley soils in the project vicinity. The major active faults and fault zones occur at some distance to the east, west, and south of the project site. Due to the geology of the project area and its distance from active faults, the potential for loss of life, property damage, ground settlement, or liquefaction to occur in the project vicinity is considered minimal.
 - ii. **No Impacts.** Ground shaking generally decreases with distance and increases with the depth of unconsolidated alluvial deposits. The most likely source of potential ground shaking is attributed to the San Andreas, Owens Valley, and the White Wolf faults. Based on this premise, and taking into account the distance to the causative faults, the potential for ground motion in the vicinity of the project site is such that a minimal risk can be assigned.
 - iii. **No Impacts.** Liquefaction describes a phenomenon in which a saturated soil loses strength during an earthquake as a result of induced shearing strains. Lateral and vertical movement of the soil mass combined with loss of bearing usually results. Loose sand, high groundwater conditions (where the water table is less than 30 feet below the surface), higher intensity earthquakes, and particularly long duration of ground shaking are the requisite conditions for liquefaction. There is no evidence of the presence of these requisite conditions.
 - iv. **No Impacts.** The project will not result in or expose people to potential impacts from landslides or mudflows.
- b. **No Impacts.** Construction of urban uses would create changes in absorption rates, drainage patterns, and the rate and amount of surface runoff on the selected project site. Standard construction practices that comply with City of Madera ordinances and regulations, the California Building Code, and professional engineering designs approved by the Madera Engineering Division will mitigate any potential impacts from future urban development, if any.
- c. **No Impacts.** The project site would not 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 off-site landslide, lateral spreading, subsidence, liquefaction or collapse.
- d. **No Impacts.** The project will not result in or expose people to potential impacts from expansive soils.
- e. **No Impacts.** Should urban uses be approved in the project area, the City of Madera would provide necessary sewer and water systems.

VII. GREENHOUSE GAS EMISSIONS.

Would the project:

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

Discussion: The San Joaquin Valley Unified Air Pollution Control District staff has concluded that existing science is inadequate to support quantification of impacts that project-specific GHG emissions have on global climatic change. This is readily understood when one considers that global climatic change is the result of the sum total of GHG emissions, both manmade and natural that have occurred in the past; that is occurring now; and may occur in the future. The Air District has advanced a methodology of reducing the (assumed) significance of impacts around performance measures applied to projects or alternatively, by comparing project-level impacts to an identified GHG emissions threshold.

In the absence of further regulatory or scientific information related to GHG emission and CEQA significance, it is currently too speculative to make a significant determination regarding this project’s direct and indirect impact with respect to climate change. The City General Plan includes policies in support of GHG emissions reduction and climate change. The City supports local, regional, and statewide efforts to reduce the emission of greenhouse gases linked to climate change.

VIII. HAZARDS AND HAZARDOUS MATERIALS.

Would the project:

	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporation	Less than Significant Impact	No Impact
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. 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"/>
h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion: The project will not bring about a direct increase in the risk of accidental explosion or release of hazardous substances. The project site has not been identified as a hazardous material site. The project will not result in a substantial air safety hazard for people residing in the area or future residents of the project. The project site is not within a quarter mile of any existing or proposed school. The project will not result in any hazards to air traffic or be a substantial air safety hazard. The project will not interfere with any emergency response or evacuation plans. Truck traffic generated with construction of the project is expected to be insignificant. Traffic generated with development is not expected to be substantially higher than current volumes. The project will not bring about an increase in fire hazards in areas from flammable brush, grass, or trees.

- a. **No Impacts.** The proposed project would not create any hazards to the public or the environment through the routine transport, use, or disposal of hazardous materials.
- b. **No Impacts.** The proposed project would not create any hazards to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.
- c. **No Impacts.** The project would not emit hazardous emissions or require the handling of hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.
- d. **No Impacts.** The land within the project site is not included on a list of hazardous materials sites. The Department of Toxic Substances Control's Hazardous Waste and Substances Site List (Cortese List) does not list any hazard waste and substance sites within the City of Madera (www.dtsc.ca.gov/database/Calsites/Cortese_List.cfm).
- e. **No Impacts.** The project site is not located within an airport land use plan or, within two miles of a public airport or public use airport. The proposed project would not bring about a safety hazard related to an airport or aviation activities for people residing or working in the project area.
- f. **No Impacts.** The project site is not located within the vicinity of a private airstrip, and would not result in a safety hazard for people residing or working in the project vicinity related to an airstrip or aviation activities.
- g. **No Impacts.** The proposed project would not impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan.
- h. **No Impacts.** The proposed project would not expose people or structures to a significant risk of loss, injury or death involving wildland fires.

IX. HYDROLOGY AND WATER QUALITY.

Would the project:

	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporation	Less than Significant Impact	No Impact
a. Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h. Place within a 100-year flood hazard area structures that would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| j. Inundation by seiche, tsunami, or mudflow? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion:

The proposed project would not violate any water quality standards or waste discharge requirements. There will not be a significant reduction in the amount of groundwater otherwise available for public water supplies as a result of this project. Services will be provided in accordance with the City's Master Plans. The project will not change any drainage patterns or stream courses, or the source or direction of any water movement. During construction, the project site may be exposed to increased soil erosion from wind and water. Dust control will be used during construction. With completion, the project will not bring about erosion, significant changes in topography or unstable soil conditions.

The project will not expose people or property to water related hazards. During future construction, the project site may be exposed to increased soil erosion from wind and water. Dust control will be used during any future construction. With completion, the project will not bring about erosion, significant changes in topography or unstable soil conditions. Standard construction practices and compliance with City ordinances and regulations, *The Uniform Building Code*, and adherence to professional engineering design approved by the Madera Engineering Department will mitigate any potential impacts from this project. This development will be required to comply with all City ordinances and standard practices which will assure that storm water will be adequately drained into the approved storm water system. The project will not create any impacts on water quality.

Based on a review of the City's FEMA maps, the site is within Zone X, and the project will not place housing or other land uses in a 100-year flood hazard area. These are areas outside of the 500-year flood area. The project will not expose people or structures to a significant risk because of dam or levee failure. The project will not expose people or structures to a significant risk because of a seiche, mudflow, or tsunami.

- a. **No Impacts.** Development of the project site would be required to comply with all City of Madera ordinances and standard practices which assure proper grading and storm water drainage into the approved storm water systems. Any development would also be required to comply with all local, state, and federal regulations to prevent any violation of water quality standards or waste discharge requirements.
- b. **No Impacts.** The proposed project will not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level.
- c. **No Impacts.** The proposed project would not alter the existing drainage pattern of the site or area through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site.
- d. **No Impacts.** The proposed project would not alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on or off-site.

- e. **No Impacts.** The proposed project would not create or contribute runoff water that would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff. All plant nutrient handling and/or transfer areas will include containment and capture features.
- f. **No Impacts.** The proposed project would not degrade water quality.
- g. **No Impacts.** The project would not place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map.
- h. **No Impacts.** The project would not place within a 100-year flood hazard area structures that would impede or redirect flood flows.
- i. **No Impacts.** The project would not expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam.
- j. **No Impacts.** The project would not have any potential to be inundated by a seiche, tsunami, or mudflow.

X. LAND USE AND PLANNING.

Would the project:

	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporation	Less than Significant Impact	No Impact
a. Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but no limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion: Development of the project area is consistent with the urbanization of the project area, as evaluated in the General Plan and its EIR; therefore impacts in this category are avoided.

- a. **No Impacts.** The project would not physically divide an established community. Rather, it logically allows development to occur in an orderly manner, adjacent to and within the urbanized area of the City.
- b. **No Impacts.** The proposed project would not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect. The proposed project is consistent with the requirements.
- c. **No Impacts.** The project would not conflict with any applicable habitat conservation plan or natural community conservation plan.

XI. MINERAL RESOURCES.

Would the project:

	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporation	Less than Significant Impact	No Impact
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

a. **No Impacts.** The project would not result in the loss or availability of mineral resources.

b. **No Impacts.** The proposed project would not result in the loss of availability of any locally important mineral resource recovery sites.

XII. NOISE.

Would the project result in:

	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporation	Less than Significant Impact	No Impact
a. Exposure of persons to or generation of noise levels 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 type="checkbox"/>	<input checked="" type="checkbox"/>
b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion: These potential impacts were addressed in the General Plan EIR, and goals and mitigation measures were adopted to reduce potential impacts to a less than significant level. Development of the project area is consistent with the urbanization of the Madera area, as evaluated in the General Plan, and its EIR; therefore impacts in this category are not anticipated to exceed the impacts addressed in those documents.

- a. **No Impacts.** The proposed project would not result in exposure of persons to or the generation of noise.
- b. **No Impacts.** The proposed project would not result in exposure of persons to or generation of excessive ground-borne vibration or ground-borne noise levels.

- c. **Less than Significant Impacts.** The proposed project would result in a permanent increase in ambient noise levels in the project vicinity above levels existing without the project. These noise levels were anticipated as part of the development of the project site, consistent with the Madera General Plan.
- d. **Less than Significant Impacts.** The proposed project may result in some temporary increase in ambient noise levels in the project vicinity during construction of the site.
- e. **No Impacts.** The proposed project site is not located within an airport land use plan or within two miles of a public airport or public use airport.
- f. **No Impacts.** The project will is not located within the vicinity of a private airstrip.

XIII. POPULATION AND HOUSING.

Would the project:

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

Discussion: The proposed project will not induce additional substantial growth in this area. The property involved does not have any existing residential uses and the project would not displace any housing. Likewise, the project would not displace substantial numbers of people, necessitating the construction of replacement housing elsewhere.

- a. **Less than Significant Impacts.** The proposed project will provide employment opportunities which may induce a minimal growth in population by individuals and/or families who move to Madera in response to opportunities for employment. Roads and other infrastructure will be improved to handle the proposed development.
- b. **No Impacts.** The proposed project would not displace any existing housing, thereby necessitating the construction of replacement housing elsewhere, since the site is vacant.
- c. **No Impacts.** The proposed project would not displace any people.

XIV. PUBLIC SERVICES.

	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporation	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, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
i. Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii. Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii. Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv. Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
v. Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion: The project will not result in substantial adverse physical impacts from new or altered public facilities. As development occurs, there will be a resultant increase in job opportunities, and a greater demand placed upon services, such as fire and police protection, and additional park and school facilities. There will be an increase in street, and water and sewer system maintenance responsibility because of this project. However, based on the nature of the proposal, the increase in manpower requirements for the Public Works Department will be minimal.

The project will not bring about the need for new wastewater treatment facilities. The project will not significantly increase the demand on water supplies. There will not be a significant reduction in the amount of groundwater otherwise available for public water supplies as a result of this project. The project will not increase the need for additional storm water drainage facilities beyond the existing and master planned drainage basin facilities that are available to serve the project. The project area will be required to provide additional facilities within the development, and comply with the City’s Master Plan, Ordinances, and standard practices. The project will not bring about a significant increase in the demand for solid waste disposal services and facilities.

- i. Fire protection. **Less than significant Impacts.** The proposed project would not result in substantial adverse physical impacts to fire protection services.
- ii. Police protection. **Less than significant Impacts.** The proposed project would not result in substantial adverse physical impacts associated with the provision of police protection.
- iii. Schools. **Less than significant Impacts.** The Madera Unified School District levies a school facilities fee to help defray the impact of commercial development. The proposed project would not generate a significant impact to the schools in Madera.

- iv. Parks. **Less than Significant Impacts.** The proposed project would not generate a significant impact to the park facilities in Madera.
- v. Other public facilities. **Less than significant Impacts.** The proposed project would not have any impacts on other public facilities.

XV. RECREATION

	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporation	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 type="checkbox"/>	<input checked="" type="checkbox"/>
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion: Commercial development is consistent with the City of Madera General Plan and Zoning Ordinance. Impacts in this category are not anticipated to exceed the impacts addressed in those documents.

- a. **No Impacts.** The project would not 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. **No Impacts.** The project does propose the construction of recreational facilities. The project will not have an adverse physical effect on the environment.

XVI. TRANSPORTATION/TRAFFIC.

Would the project:

	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporation	Less than Significant Impact	No Impact
a. Cause an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Result in a change in traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion: The project site was included in the General Plan and its accompanying EIR and the potential traffic generated from the eventual development of this land is considered. The goals and policies of the General Plan serve to mitigate traffic impacts that occur as a result of new development.

- a. **Less-Than-Significant Impacts.** The proposed project would not cause an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system that would result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections.
- b. **No Impacts.** The project would not exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways.

- c. **Less-Than-Significant Impacts.** The proposed project would not result in a change in traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks.
- d. **No Impacts.** The proposed project would not increase hazards to transportation systems due to design features such as sharp curves, dangerous intersections, or incompatible uses.
- e. **No Impacts.** The proposed project would not result in inadequate emergency access.
- f. **No Impacts.** The proposed project would not result in inadequate parking capacity.
- g. **No Impacts.** The project will not conflict with adopted policies, plans, or programs supporting alternative transportation.

XVII. TRIBAL CULTURAL RESOURCES

	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporation	Less than Significant Impact	No Impact
a. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in the Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place or object with cultural value to a California Native American tribe, and that is;	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i. 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 type="checkbox"/>	<input checked="" type="checkbox"/>
ii. 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 type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion: The project site location is not listed or eligible for listing in the California Register of Historical Resources. It does not provide any significance of resource to a California Native American tribe. Cumulatively, the project proposal and site will not cause a substantial adverse change in the significance of a tribal cultural resource, as defined in the Public Resources Code Section 21074.

- a. **No Impacts.** The project will not cause a substantial adverse change in the significance of a tribal cultural resource. As defined in the Public Resources Code Section 21074, the project site is not a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place or object with cultural value to a California Native American tribe.

- i. **No Impacts.** The proposed project site is not 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).
- ii. **No Impacts.** The proposed project is not a resource that is of significance to a California Native American tribe, as defined in Public Resources Code 5024.1(c).

XVIII. UTILITIES AND SERVICE SYSTEMS.

Would the project:

	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporation	Less than Significant Impact	No Impact
b. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Result in a determination by the wastewater treatment provider that 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 type="checkbox"/>	<input checked="" type="checkbox"/>
g. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h. Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion: The City's community sewage disposal system will continue to comply with Discharge Permit requirements. The project will not bring about the need for new wastewater treatment facilities. The project will not significantly increase the demand on water supplies, adequate domestic water and fire flows should be available to the property. There will not be a significant reduction in the amount of groundwater otherwise available for public water supplies as a result of this project. The project will not increase the need for additional storm water drainage facilities beyond the existing and master planned drainage basin facilities that are available to serve the project. The project area will be required to comply with the City's Master Plan, Ordinances, and standard practices. The project will not bring about a significant increase in the demand for solid waste disposal services and facilities.

- jj. **No Impacts.** The project will not exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board.
- kk. **No Impacts.** The proposed project would not require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.
- ll. **No Impacts.** The proposed project would not require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.
- mm. **No Impacts.** There will be sufficient water supplies available to serve the project.
- nn. **No Impacts.** The project would not require a determination by a wastewater treatment provider.
- oo. **No Impacts.** The project would be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs.
- pp. **No Impacts.** Any development project that might be proposed on the project site would be required to comply with federal, state, and local statutes as well as regulations related to solid waste by the City of Madera.

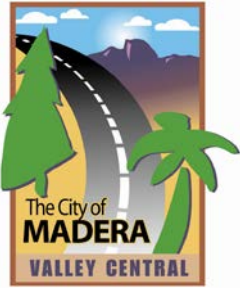
XIX. MANDATORY FINDINGS OF SIGNIFICANCE.

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

Determination:

Based upon staff analysis and comments from experts, it has been determined that the proposed project could generate some limited adverse impacts in the areas of Aesthetics, Air Quality, Greenhouse Gas Emissions, Noise, Population and Housing, Public Services, and Transportation and Traffic.

The potential impacts identified in this Initial Study are considered to be less than significant since they will cease upon completion of construction or do not exceed a threshold of significance. Therefore, a Negative Declaration is the appropriate level of documentation for this project.



CITY OF MADERA
PLANNING COMMISSION

205 W. Fourth Street
Madera CA 93637
(559) 661-5430

**Staff Report: Singh Trucking Company
CUP 2018-01, SPR 2018-03 & Categorical Exemption
Item #3 – March 13, 2018**

PROPOSAL: An application for a conditional use permit to allow for the establishment of a trucking company that will accommodate approximately seven (7) semi-trucks as well as on-site overnight parking for other truckers. An application for site plan review accompanies the conditional use permit to guide the on- and off-site improvements for the project site.

APPLICANT:	Gurjit Singh Dhaliwal	OWNER:	Ed Bass
ADDRESS:	2185 West Kennedy Street	APNs:	013-260-002
APPLICATION:	CUP 2018-01 & SPR 2018-03	CEQA:	Mitigated Negative Declaration

LOCATION: The project site is located north on West Kennedy Street, approximately 450 feet east of the northeast corner of West Kennedy Street and Condor Drive.

STREET ACCESS: The site has access to West Kennedy Street and Condor Drive.

PARCEL SIZE: Approximately 6.7 acres.

GENERAL PLAN DESIGNATION: C (Commercial)

ZONING DISTRICT: C2 (Heavy Commercial)

SITE CHARACTERISTICS: The site is east of the Airport Industrial Park. It is primarily surrounded by vacant commercial and industrial land to the north, south and west of the project site. Immediately east is an existing non-conforming “grandfathered” mobile home park.

ENVIRONMENTAL REVIEW: An initial study and Mitigated Negative Declaration have been prepared for consideration by the Commission in conformity with the California Environmental Quality Act (CEQA) guidelines.

SUMMARY: The applicant proposes the establishment of a trucking company with a fleet of approximately seven (7) trucks and a truck parking storage area. The applicant will be required to comply with the development standards of the Airport Business Park and the requirements of the Madera Countywide Airport Land Use Compatibility Plan. The anticipated number of trips generated at peak hour on-site does not exceed the requirement for a traffic impact study. Paved parking fields and wheel stops will provide drive aisles for trucks and separation from the adjacent parcels to the north and east. The applicant will be required to comply with the mitigation measures provided by the San Joaquin Valley Air Pollution Control District. On- and off-site improvements will provide compliance with current City standards.

APPLICABLE CODES AND PROCEDURES

MMC § 10-3.902 Uses Permitted; Heavy Commercial Zones
MMC § 10-3.4.0102 Site Plan Review Applicability
MMC § 10-3.1202 Parking Spaces Required
MMC § 10-3.1301 Use Permits

The City's Zoning Ordinance allows for the granting of a use permit by the Planning Commission subject to the Planning Commission being able to make findings that the establishment, maintenance or operation of the use or building will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood of the use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City.

If the Commission cannot make the appropriate findings, the use should be denied. Conditions may be attached to the approval of the use permit to ensure compatibility. Project design may be altered and on- or off-site improvements required in order to make the project compatible with nearby uses. In addition, the application may be subject to further review, modification or revocation by the Commission as necessary.

PRIOR ACTION

None.

ANALYSIS

Background

The property has been in use by Bass and Sons, a septic tank company, for over 65 years. The property was annexed into the City in 2009 as part of an island annexation. The site has never seen site plan review with the City.

Proposal

The applicant proposes to re-establish the property as a hub for their trucking company as well as an area for overnight parking of semi-trucks. The trucking company owns and operates approximately thirty-five (35) semi-trucks. Because most trucks will be on the road at any one time, only approximately seven (7) will be stored on-site at any one time. The applicant will utilize the existing office as the trucking company's office. The trucking company will only dispatch from the site and no pickup or deliveries will occur. The existing residence at the southwest corner of the site will be retrofitted and used as a sleeping quarters for the employees and other truckers. The existing repair shop will be used to perform minor repair work on only the trucking company's semi-trucks. The applicant proposes to demolish the existing residence and detached garage at the northwest corner of the site, as well as a modular residence at the southeast corner of the site. The proposed hours of operation will occur twenty-four hours, seven (7) days per week.

Specific Plan No. 1

The project site is located within Specific Plan No. 1. Specific Plan No.1 was originally adopted in 1981 and has twenty-four (24) subsequent amendments, most recently in 2011. Within Specific Plan No. 1 is the Airport Business Park, which the project site also lies within. The Airport Business Park has specific development standards that apply to all developments in the area.

• Setbacks

All properties in the Airport Business Park shall have a front yard setback of no less than twenty-five (25') feet extending the full width of the parcel. Interior side yard setbacks shall be no less

than ten (10') feet and exterior side yard setbacks shall be no less than fifteen (15') feet. Rear yard setbacks shall be no less than ten (10') feet. The proposal does not include any new construction. Because trucks will continuously move on and off the site, there is no requirement for parking trucks within the setbacks.

- **Landscaping**

Each site is required to be landscaped in the front and exterior side yard area. Open areas between property lines and street improvements shall be landscaped, including parkstrips, if applicable. The minimum perimeter landscape area in the front yard adjacent to the property line shall be ten (10') feet, but in no case may the combined perimeter landscape area, on-site and in public right-of-way be less than twenty (20') feet. The street side yard shall have a minimum landscape width of five (5') feet adjacent to the side property line, but in no case may the combined perimeter landscape area be less than fifteen (15') feet. Trees shall be planted along street frontages at a minimum ratio of one tree per thirty (30') feet of frontage. Seventy (70%) percent of the required landscape area shall be planted/covered in vegetative materials. All installation of landscaping shall be compliant with the State of California Model Water Efficient Landscape Ordinance (MWELO).

- **Outside Storage and Trash Areas**

Outside storage and trash areas shall be located outside of the required front and street side yard setback areas and shall be screened from view from public rights-of-way. Screening shall consist of solid wood or masonry fence or dense shrubbery.

The project will be developed consistent with the requirements of Specific Plan No. 1.

Madera Countywide Airport Land Use Compatibility Plan (ALUCP)

The project site is also located within the Madera County ALUCP and is split between two (2) zones. The majority of the parcel (lower portion) which encompasses the sleeping quarters and office is in the C1 (Outer Approach/Departure) Zone. The C1 Zone is conditionally compatible with both short-term lodging (sleeping quarters) and an office use. The maximum number of people allowed in conjunction with short-term lodging is thirty-seven (37). The maximum number of employees allowed in the office structure is thirteen (13). This intensity criteria is required to be met by the ALUCP. A portion of the truck storage area is in the C1 Zone and the remaining portion is in the D (Other Airport Environs) Zone. Both zones are normally compatible with an automobile parking surface lot.

Truck Parking

The site plan shows specific areas as to where the trucks are allowed to park. In total, there is enough area to park a total of sixty (60) semi-trucks. The applicant does not anticipate more than twenty-five (25) semi-trucks parked on the site at one time. The applicant informed staff that at peak hour there would be no more than twelve (12) trips generated on-site. A traffic impact study is not required until more than one-hundred (100) trips are generated at peak hour on-site. Staff recommends any future expansion or intensification of the site that would generate more than 100 trips at peak hour require an amendment to the site plan review and mitigated negative declaration. Staff also recommends the parking field for the semi-trucks to be paved and striped with parking stalls at fourteen (14') feet wide by sixty (60') feet long.

Mobile Home Park

The site is adjacent to the mobile home park to the east that is separated by a chain link fence. The mobile home park was annexed into the City as part of an island annexation and is in the C2 (Heavy Commercial) Zone District. It is currently a "grandfathered" existing non-conforming use. In order to provide separation from the adjacent properties, staff recommends a six (6') foot tall

slatted chain link fence along the eastern and northern boundaries. Staff also recommends the installation of curb stops for each striped parking space.

Mitigation Measures

The air quality of the project requires mitigation measures to ensure that emissions from the diesel vehicles do not provide a detriment to the safety of residents in the immediate area. The applicant shall comply with all requirements of the comment letter provided by the San Joaquin Valley Air Pollution Control District.

Site Improvements

On-site improvements of the project include the retrofitting of the existing residence, a paved parking field with striping for semi-trucks, installation of curb stops, installation of a slatted chain link fence along the eastern and northern property lines and installation of landscaping consistent with the Airport Business Park standards and MWELo.

Off-site improvements of the project include the following:

- Construction of a new sewer service connection.
- Construction of a new water service connection and subsequent installation of a water meter and backflow prevention device.
- Installation of a separate water meter and backflow prevention device for landscape area.
- Installation of a fire hydrant on West Kennedy Street.
- Construction of new ADA-accessible concrete sidewalk along the entire project parcel frontage on Condor Street.
- Installation of street lights along the West Kennedy Street frontage.
- Irrevocable Offer of Dedication for twenty (20') feet of right-of-way along the entire project parcel frontage on West Kennedy Street.
- Dedication of a ten (10') foot Public Utility Easement across the entire project parcel frontage on West Kennedy Street.

The proposed conditional use permit and site plan review were reviewed by various City Departments and outside agencies. The responses and recommendations have been incorporated into the recommended conditions of approval included in this report.

CONSISTENCY WITH THE VISION MADERA 2025 PLAN

Though approval of the establishment of a trucking company is not specifically addressed in the vision or action plans, the overall project does indirectly support **Action 115.1** – *As a component of the General Plan Update, encourage viable economic development.*”

RECOMMENDATION

The information presented in this report supports approval of the conditional use permit request. It is recommended that the Planning Commission consider the information in this report, as well as testimony in the public hearing, and approve Conditional Use Permit 2018-01 and Site Plan Review 2018-03 subject to the findings and conditions of approval outlined in this report.

PLANNING COMMISSION ACTION

The Planning Commission will be taking action regarding Conditional Use Permit 2018-01 and Site Plan Review 2018-03, determining to either:

- approve the applications with or without conditions

- continue the hearing, or
- deny the applications

Any action by the Planning Commission approving or denying the applications is subject to appeal to the City Council within fifteen (15) calendar days of the Planning Commission's action.

Motion 1a: Move to adopt the mitigated negative declaration, consistent with Section 15070(b) of the California Environmental Quality Act (CEQA), with the following findings:

- An initial study and mitigated negative declaration have been prepared pursuant to the California Environmental Quality Act that determines that there is no substantial evidence that the project will have a significant effect on the environment with mitigation measures, and that the document reflects the independent judgement of the Planning Commission of the City of Madera after considering all of the information in the record before it, and is hereby adopted in accordance with the California Environmental Quality Act.

(AND)

Motion 1b: Move to approve Conditional Use Permit 2018-01 and Site Plan Review 2018-03, based on and subject to the following findings and conditions of approval:

Findings

- An initial study and mitigated negative declaration have been prepared pursuant to the California Environmental Quality Act (CEQA) that determines that there is no substantial evidence that the project will have a significant effect on the environment, and that the document reflects the independent judgement of the Planning Commission of the City of Madera after considering all of the information in the record before it, and is hereby adopted in accordance with CEQA.
- The establishment of a trucking company is consistent with the purposes of the C (Commercial) General Plan land use designation and the C2 (Heavy Commercial) Zone District, which provide for the use subject to the issuance of a conditional use permit.
- As conditioned, the establishment, maintenance or operation of the use will not be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or general welfare of the City. The use is deemed to be a compatible use that is consistent with the zoning for the site.

CONDITIONS OF APPROVAL

General Conditions

1. Project approval is conditioned upon acceptance of the conditions of approval contained herein, as evidenced by receipt in the Planning Department of the applicant's signature upon an Acknowledgement and Acceptance of Conditions within thirty days of the date of approval for this use permit.
2. The applicant's failure to utilize Conditional Use Permit 2018-01 within one year following the date of this approval shall render the conditional use permit(s) null and void unless a written request for extension has been submitted to and approved by the Planning Commission.

3. Conditional Use Permit 2018-01 may be made null and void without any additional public notice or hearing at any time upon both the benefactors of the use permit(s) and owners of the property voluntarily submitting to the City a written request to permanently extinguish the Conditional Use Permit(s).
4. Site Plan Review 2018-03 will expire one year from date of issuance, unless positive action is taken on the project as provided in the Municipal Code or required action is taken to extend the approval before expiration date. (Municipal Code Section 10-3.4.0114, Lapse of Site Plan Approval)
5. Conditional Use Permit 2018-01 and Site Plan Review 2018-03 shall be subject to periodic reviews and inspection by the City to determine compliance with the conditions of approval and applicable codes. If at any time, the use is determined by Staff to be in violation of the conditions of approval, Staff may schedule an item before the Planning Commission so that it may determine whether to consider setting a hearing regarding revocation of the permit.
6. The project shall be developed in accordance with the site plan drawings, as reviewed and approved with Site Plan Review 2018-03. Minor modifications to the site plan necessary to meet regulatory or engineering constraints may be made with approval from the Planning Manager.
7. It shall be the responsibility of the property owner and management to ensure that any required permits, inspections and approvals from any regulatory agency shall be obtained from the concerned agency prior to establishment of the use.
8. All on-site and off-site requirements listed herein shall be completed in advance of any request for building permit final inspection, occupancy of the tenant suite and/or issuance of a business license.

Building Department

9. Site development shall be consistent with the approved site plan. The use of activity areas shall be identified on plans submitted for issuance of building permits. If no plans are to be submitted, uses shall be as stated on plans submitted for site plan approval.
10. Current State of California and federal handicap requirements shall apply to the entire site and all structures and parking thereon. Compliance shall be checked at permit stage, shall be confirmed at final inspection, and shall apply to proposed and future development.
11. Additional items identified as not complying with current codes and ordinances, which require correction or attention, may be identified. Any item not in conformance with current codes and ordinances shall be corrected.

Engineering Department

General

12. Nuisance onsite lighting shall be redirected as requested by the City Engineer within 48 hours of notification.

13. The developer shall pay all required fees for completion of the project. Fees due may include, but shall not be limited to, the following: easement acceptance, encroachment permit processing and improvement inspection fees.
14. Improvement plans signed and sealed by an engineer shall be submitted to the Engineering Division in accordance with the submittal process.
15. Improvements within the City right-of-way require an encroachment permit from the Engineering Division.

Sewer

16. Sewer service connection(s) shall be constructed to current City standards.
17. Sewer main connection(s) six (6") inches and larger in diameter shall require manhole installation.
18. Existing septic tanks, if found, shall be removed and inspected through the permitting process by the City of Madera Building Department.
19. The developer shall reimburse its fair share cost to the City for the previously constructed sewer main along the entire project frontage.

Streets

20. The developer shall construct ADA-accessible concrete sidewalk along the entire project parcel frontage on Condor Street per City standards.
21. An Irrevocable Offer of Dedication shall be made to dedicate twenty (20') feet of right-of-way along the entire project parcel frontage on West Kennedy Street to provide a half-street width of fifty (50') feet, north of the center line.
22. The developer shall dedicate a Public Utility Easement ten (10') feet wide along the entire project parcel frontage on West Kennedy Street. A \$452.00 fee or the fee in effect at that time shall be paid with the Engineering Department.
23. The developer shall install street lights on the West Kennedy Street frontage in accordance with current City standards. Street lights shall be LED using Beta Lighting standards or equal in accordance with City of Madera standards.
24. In accordance with Madera Municipal Code 10-3.1206, the proposed parking field shall be paved. Any proposed reduction in paving limits shall be justified subject to implementing measures that eliminate dust and mud or in accordance with the San Joaquin Valley Air Pollution Control District standards.

Water

25. Water service connection(s) shall be constructed to current City standards including Automatic Meter Reading (AMR) water meter installed within City right-of-way and backflow prevention device installed within private property.
26. A separate water meter and backflow prevention device will be required for landscape area.
27. Existing wells, if any, shall be abandoned as directed and permitted by the City of Madera for compliance with State standards.

28. The developer shall reimburse its fair share cost to the City for previously constructed water main along the entire project frontage.

Fire Department

29. All shop areas of 2,500 square feet or greater servicing commercial vehicles shall be equipped with fire sprinklers.
30. 2A10BC-rated fire extinguishers are required in each commercial shop and/or garage building. A minimum of one for each 3,000 square feet of area of the building or fraction thereof.
31. A key box shall be required for rapid entry by emergency services personnel.

Planning Department

General

32. Vandalism and graffiti shall be corrected per the Madera Municipal Code.
33. The applicant shall operate in a manner that does not generate noise, odor, blight or vibration that adversely affects any adjacent properties.
34. The property owner, operator and manager shall keep the property clear of all trash, rubbish and debris at all times; and dumping of refuse shall be restricted to the dumpster and refuse containers owned by the property owner.
35. The applicant shall comply with all federal, state and local laws. Material violation of any of those laws concerning the use will be cause for revocation of Conditional Use Permit 2018-01.

Use Permit Allowance

36. Conditional Use Permit 2018-01 allows for the establishment of a trucking company and on-site parking of no more than sixty (60) full-size diesel semi-trucks.
37. Minor repair work shall only be allowed on vehicles used as part of the business. Changes or expansions in the use shall require an amendment to Conditional Use Permit 2018-01 and/or Site Plan Review 2018-03.
38. Any outdoor display of merchandise shall require approval of a new conditional use permit.
39. No vehicular sales shall occur on the project site.
40. The overnight parking of semi-trucks shall be allowed within the designated areas on the approved site plan.
41. At such time as the number of trips generated at peak hour exceeds above one-hundred (100), an amendment to Site Plan Review 2018-03 and Mitigated Negative Declaration shall be approved by the Planning Commission. A traffic study shall be completed as a component of the amendment.

42. In order to comply with the Madera Countywide Airport Land Use Compatibility Plan, the sleeping quarters shall not house more than thirty-seven (37) people at one time. The office shall not house more than thirteen (13) people at one time.

Fences and Walls

43. The developer shall ensure that a six (6') foot tall slatted chain link fence be in place along the eastern and northern property lines. The slat color shall be approved by the Planning Manager.
44. The developer shall construct a single bin trash enclosure consistent with Engineering Department specification/detail shell No. E-7. The location of the trash enclosure shall be approved by the Planning Manager.

Landscaping

45. A detailed landscaping and irrigation plan shall be prepared by a licensed landscape architect, stamped and submitted to and approved by the Planning Department prior to issuance of building permits, business license and occupancy. The plan shall include:
- Demonstration of compliance with the State of California's Model Water Efficient Landscape Ordinance (MWELO).
 - Open areas between property lines and street improvements shall be landscaped, including parkstrips.
 - The minimum perimeter landscape area in the front yard (Kennedy Drive frontage) adjacent to the property line shall be ten (10') feet, but in no case may the combined perimeter landscape area, on-site and in the public right-of-way, be less than twenty (20') feet.
 - The street side yard (Condor Drive frontage) shall have a minimum landscape width of five (5') feet adjacent to the exterior side property line, but in no case may the combined perimeter landscape area be less than fifteen (15') feet.
 - Trees shall be planted along street frontages at a minimum ratio of one tree per thirty (30') feet of street frontage.
 - All landscape and irrigation shall be approved and installed prior to occupancy of the site.
46. The property owner shall maintain all landscaping in a healthy and well-manicured appearance. This includes, but is not limited to, ensuring properly operating irrigation equipment at all times, trimming and pruning of trees and shrubs, and replacing dead or unhealthy vegetation with drought-tolerant plantings.

Parking

47. The parking requirements of the use shall be provided at the following ratio(s):
- Office use: Nine (9) parking stalls, including one (1) ADA accessible parking stall
 - Sleeping quarters: One (1) parking stall for each sleeping room
48. The area designated for semi-truck parking on the approved site plan shall have all primary drive aisles paved, at a minimum, with asphalt. Parking spaces for the semi-trucks may have, at a minimum, a gravel ground cover that is placed consistent with the dust control requirements of the San Joaquin Valley Air Pollution Control District.
49. All parking and loading areas for the office and sleeping quarters shall be marked and striped to City standards: Perpendicular (90 degree) parking spaces shall measure a minimum of nine (9') feet wide by nineteen (19') feet deep, or seventeen (17') feet deep

when abutting a landscape planter with minimum of two (2') foot overhang. No compact stalls shall be incorporated into the parking field. No wheel stops shall be incorporated into the parking field/parking stall layout except where required for compliance with ADA requirements. Minimum drive aisle width shall be twenty-six (26') feet for primary drive aisles.

50. All parking areas for the semi-trucks shall be marked and striped as perpendicular (90 degree) parking spaces that shall measure a minimum of fourteen (14') feet wide by sixty (60') feet deep. Wheel stops shall be incorporated for each semi-truck parking stall.

Signage

51. All signage shall be in compliance with the Madera Sign Ordinance. All signage is required to have an approved Sign Permit issued by the Planning Department per MMC §10-6.

San Joaquin Valley Air Pollution Control District (SJVAPCD)

52. The applicant shall comply with all requirements of the comment letter by the SJVAPCD dated February 9, 2018.

(OR)

Motion 2: Move to continue the application for Conditional Use Permit 2018-01 and Site Plan Review 2018-03 to the April 10, 2018 Planning Commission hearing for the following reasons: (specify)

(OR)

Motion 3: Move to deny the application for Conditional Use Permit 2018-01 and Site Plan Review 2018-03, based on and subject to the following findings: (specify)

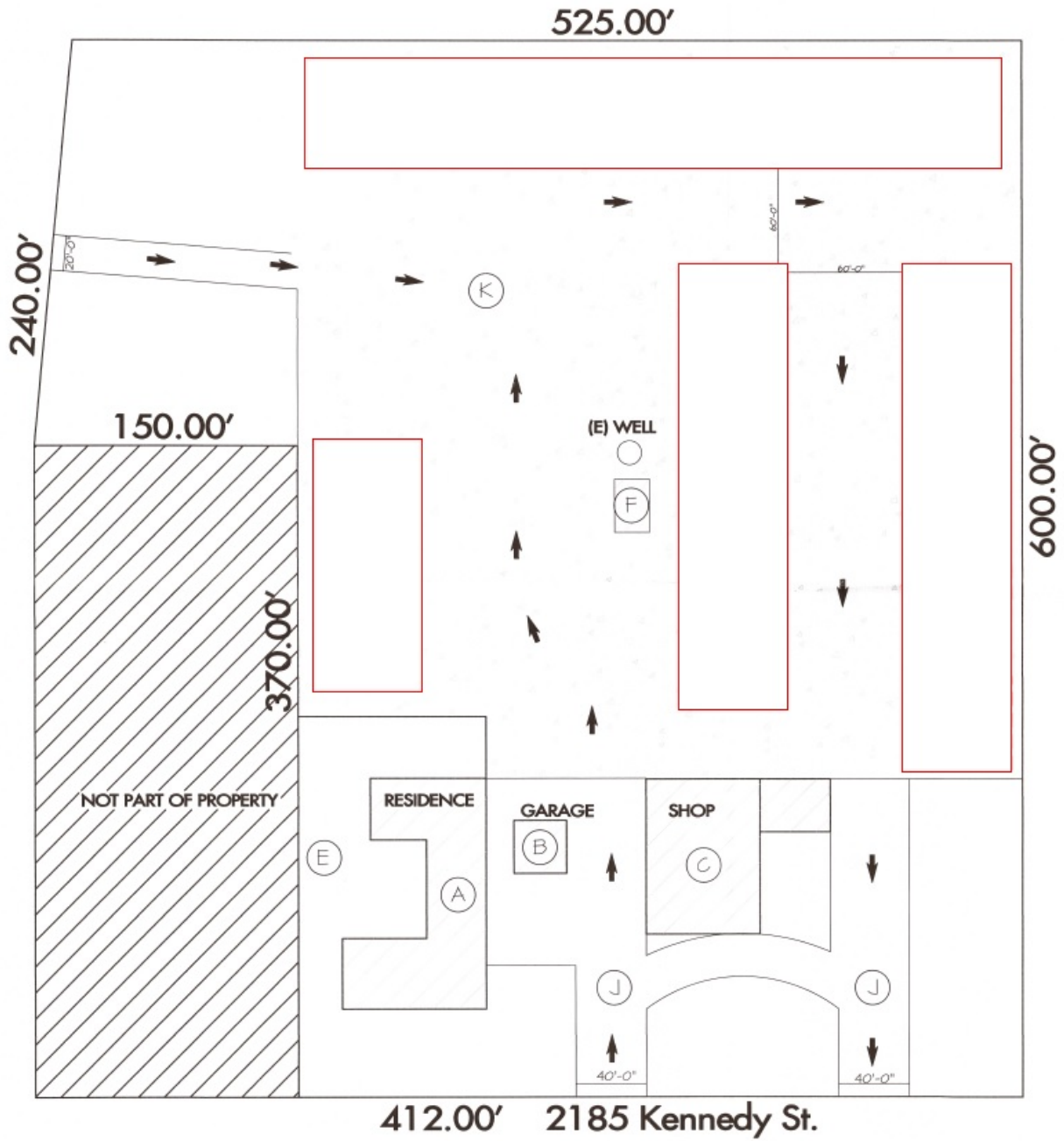
ATTACHMENTS

Aerial Photo
Site Plan
Environmental Assessment & SJVAPCD Comment Letter

Aerial Photo



Site Plan



INITIAL STUDY AND ENVIRONMENTAL ASSESSMENT

Singh Trucking Company Conditional Use Permit (CUP) 2018-01 Site Plan Review (SPR) 2018-03

This environmental assessment has been prepared to evaluate the impacts of the proposed project as required by the California Environmental Quality Act (CEQA). CEQA requires that public agencies consider the environmental consequences of projects over which they have discretionary authority before taking action on those projects (Public Resources Code [PRC] 21000 et seq.). For this project, the City is the lead agency under CEQA because it has the primary responsibility for approving and implementing the project, and therefore the principal responsibility for ensuring CEQA compliance.

Project: Conditional Use Permit 2018-01 and Site Plan Review 2018-03

Applicant: Gurjit Singh Dhaliwal
1369 Kenton Way
Madera, CA 93637

Owner: Ed Bass
2185 West Kennedy Drive
Madera, CA 93637

Location: The approximately 6.70 acre project site is located north on West Kennedy Street, approximately 450 feet east of the intersection of West Kennedy Street and Condor Drive (APN: 013-260-002).

Proposal

The applicant proposes to repurpose a former septic tank company property into a hub for their trucking company as well as an area for overnight parking of semi-trucks. The trucking company will accommodate a fleet of approximately thirty (30) semi-trucks in association with the trucking company and an additional approximately twenty-five (25) semi-trucks for overnight truck parking. It is anticipated that no more than 25 percent of the company fleet will be stored on the property at any one given time since the majority of trucks will be on the road at any one given time. The applicant will utilize the existing office as the trucking company's office. The existing repair shop structure will function as a maintenance and repair facility for the company's truck fleet. Paving of the site will occur as a component of its conversion to the trucking company. The trucking company will only dispatch from the site and no pickup or deliveries will occur. The existing residence at the southwest corner of the site will be retrofitted and used as a sleeping quarters for the employees and other truckers. The applicant will demolish the existing residence and detached garage at the northwest corner of the site, as well as a modular residence at the southeast corner of the site. The proposed hours of operation will occur twenty-four hours, seven (7) days per week.

CUP 2017-36: An application for a conditional use permit would allow for the establishment of a trucking company in the C2 (Heavy Commercial) Zone District.

SPR 2017-53: An application for a site plan review which will guide the development of the trucking company on the project site.

Off-site improvements for the project include the following:

- Construction of a new sewer service connection.
- Construction of a new water service connection and subsequent installation of a water meter and backflow prevention device.
- Installation of a separate water meter and backflow prevention device for landscape area.
- Installation of a fire hydrant on West Kennedy Street.
- Construction of new ADA-accessible concrete sidewalk along the entire project parcel frontage on Condor Street.
- Undergrounding of public utilities.
- Installation of street lights along the West Kennedy Street frontage.
- Irrevocable Offer of Dedication for twenty (20') feet of right-of-way along the entire project parcel frontage on West Kennedy Street.
- Dedication of a ten (10') foot Public Utility Easement across the entire project parcel frontage on West Kennedy Street.

Zone District (APN: 013-260-002): C2 (Heavy Commercial)

General Plan Land Use Designation: C (Commercial)

Surrounding Land Uses and Zoning:

- South – Vacant industrial land
- North – Vacant commercial land
- West – Vacant commercial land
- East – Mobile home park

Responsible and Interested Agencies:

- Madera Irrigation District
- San Joaquin Valley Air Pollution Control Board

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project involving at least one impact that is a "Potentially Significant Impact" or "Less than Significant with Mitigation Incorporated" as indicated by the checklist on the following pages:

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

DETERMINATION:

On the basis of this initial evaluation:

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

Signature: _____

Date: February 15, 2018

Printed Name: Robert Holt, Assistant Planner

Explanation of Environmental Checklist

I. AESTHETICS.

Would the project:

	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporation	Less than Significant Impact	No Impact
a. Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion: The project will not affect a scenic vista and will not have an overall adverse visual impact on the immediate area. The project will not affect a scenic highway, and will not have an overall adverse visual impact on any scenic resources. The project would result in some sources of light. Existing City Standards will insure that the impact is less than significant and will not substantially degrade the existing visual character or quality of the property and its surroundings.

- a. **No Impacts.** The project will not result in the obstruction of federal, state or locally classified scenic areas, historic properties, community landmarks, or formally classified scenic resources such as a scenic highway, national scenic area, or state scenic area. The project will not have a substantial adverse effect on a scenic vista. The City of Madera is located in a predominantly agricultural area near the base of the Sierra Nevada Mountain Range, which provides for aesthetically pleasing views and open spaces. By developing land within the city's sphere of influence, the proposed project will reduce development pressure on rural lands.
- b. **No Impacts.** The project will not damage scenic resources, including, but not limited to, rock outcroppings, and historic buildings within a state scenic highway.
- c. **Less than Significant Impacts.** The project will not substantially degrade the existing visual character or quality of the site and surroundings under examination. The proposed project would not alter the landforms, view sheds, and overall character of the area.
- d. **Less than Significant Impacts.** There will be an increase in light and glare and other aesthetic impacts associated with the addition of sixty (60) semi-trucks as a result of the project, although it will be a less than significant impact because lighting will be down shielded and directed per the approval of the City Engineer.

II. AGRICULTURE RESOURCES. In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland.

Would the project:

	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporation	Less than Significant Impact	No Impact
a. Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepare pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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. Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion: The project area is located on land identified as Urban and Built-Up Land within the 2016 California Farmland Mapping and Monitoring Program.

- a. **No Impacts.** The project would not convert prime farmland, unique farmland, or farmland of statewide importance (as shown on the maps prepared pursuant to the farmland mapping and monitoring program of the California resources agency) to non-agricultural use. The project site is identified as Urban and Built-Up Land on the 2016 Madera County Important Farmland Map. The project site has been identified for urban uses within the City of Madera General Plan, and the land has not being utilized for any agricultural purposes for an extended length of time.
- b. **No Impacts.** The project would not conflict with existing zoning for agricultural use and there are no Williamson Act contracts in the affected territory. The City of Madera General Plan identifies this site for commercial uses.
- c. **No Impacts.** The development of this property will not influence surrounding properties to convert from farmland to non-agricultural uses since this property is surrounded by property designated for industrial and commercial development, consistent with the Madera General Plan.

III. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations.

Would the project:

	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporation	Less than Significant Impact	No Impact
a. Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. 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 (including releasing emissions that exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d. Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e. Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion: The project area is located within the San Joaquin Valley Air Basin (SJVAB). Air quality conditions in the SJVAB are regulated by San Joaquin Valley Air Pollution Control District (SJVAPCD).

For reference, the District's annual criteria thresholds of significance for construction, operational permitted (stationary) and operational non-permitted (mobile) sources are: 100 tons per year of carbon monoxide (CO), 10 tons per year of oxides of nitrogen (NOx), 10 tons per year of reactive organic gases (ROG), 27 tons per year of oxides of sulfur (SOx), 15 tons per year of particulate matter of 10 microns or less in size (PM10), or 15 tons per year of particulate matter of 2.5 microns or less in size (PM2.5).

At the federal level for the National Ambient Air Quality Standards (NAAQS), the District is currently designated as extreme nonattainment for the 8-hour ozone standards; nonattainment for the PM2.5 standards; and attainment for the 1-Hour ozone, PM10 and CO standards. At the state level, the District is currently designated as nonattainment for the 8-hour ozone, PM10, and PM2.5 California Ambient Air Quality Standards (CAAQS). The SJAVPCD cannot determine if the project-specific emissions exceed the District's significance thresholds without specific analyses being completed.

A Health Risk Screening/Assessment (HRA) identifies a potential Toxic Air Contaminant's (TAC) impact on surrounding sensitive receptors, such as hospitals, daycare centers, schools, work-sites and residences. TAC's are air pollutants identified by the Office of Environmental Health Hazard Assessment/California Air Resources Board (OEHHA/CARB) that pose a present or potential hazard

to human health. A common source of TACs can be attributed to diesel exhaust emitted from both mobile and stationary sources. Industry-specific TACs generated must also be identified. In order to determine if TACs will impact the adjacent mobile home park residents to the east, a screening analysis will need to be conducted by the applicant. If a prioritization score of 10 or greater is a result of the analysis, then a refined HRA will need to be performed.

An Ambient Air Quality Analysis (AAQA) uses air dispersion modeling to determine if emission increases from a project will cause or contribute to a violation of the ambient air quality standards. The District recommends that an AAQA be performed for the project if emissions exceed 100 pounds per day.

The project is not subject to Rule 9510 (Indirect Source Review) by the SJVAPCD because no new construction of structures is proposed. The project is subject to Rule 4002 (National Emission Standards for Hazardous Air Pollutants) for the demolition of a single-family residential unit, detached garage and a modular residential unit. The project will not create any objectionable odors.

The project will be required to comply with all applicable rules and regulations of the SJVAPCD, including but not limited to Rules 4102 and 4641.

The proposed project would not create any new/permanent objectionable odors affecting a substantial number of people.

Mitigation Measure III(a-d)-1: The applicant shall comply with the requirements of the SJVAPCD comment letter provided to staff on February 9, 2018. The letter will be attached as Exhibit 1 in the Mitigation Monitoring Program.

IV. BIOLOGICAL RESOURCES.

Would the project:

	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporation	Less than Significant Impact	No Impact
a. Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion: With the preparation of the City of Madera General Plan, no threatened or endangered species were identified in the project area. The project area has been subjected to urbanization in the past, resulting in a highly maintained and disturbed habitat. There is no record of special-status species in this project area. Development of the project area is consistent with the urbanization of the Madera area, as evaluated in the General Plan and its EIR; therefore, impacts in this category are not anticipated to exceed the impacts addressed in those documents.

- a. **No Impacts.** The project would not have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service.
- b. **No Impacts.** The proposed project would not have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or US Fish and Wildlife Service.
- c. **No Impacts.** The project would not have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act, including, but not limited to, marsh, vernal pool, coastal, etc., through direct removal, filling, hydrological interruption, or other means.
- d. **No Impacts.** The project would not interfere 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.
- e. **No Impacts.** The project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.
- f. **No Impacts.** The project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional or state habitat conservation plan.

V. CULTURAL RESOURCES.

Would the project:

	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporation	Less than Significant Impact	No Impact
a. Cause a substantial adverse change in the significance of a historical resource as defined in §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 type="checkbox"/>	<input checked="" type="checkbox"/>
c. Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion: The project does not have the potential to cause a physical change that would affect unique historic, ethnic, or cultural values. The project will not disturb archaeological resources. The project will not disturb any unique paleontological or geologic resources. The project will not disturb any human remains. Prior clearances have been granted to the City of Madera relative to archeological surveys conducted in the same area. In the event any archeological resources are discovered with project construction, all activities shall cease and the Community Development Department shall be notified so that the procedures required by State Law may be applied.

- a. **No Impacts.** The proposed project would not cause a substantial adverse change in the significance of a historical resource as defined in §15064.5 of the CEQA Guidelines. There are no known historical resources located in the affected territory.
- b. **No Impacts.** The proposed project would not cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5 of the CEQA Guidelines. There are no known archaeological resources located in the project area.
- c. **No Impacts.** The proposed project would not directly or indirectly destroy unique paleontological resources or sites or unique geologic features. There are no known paleontological resources or sites or unique geologic features located in the affected territory.
- d. **No Impacts.** The project would not likely disturb any human remains, including those interred outside of formal cemeteries. If development occurs in the future and any remains are discovered, the requirements of CEQA that regulate archaeological and historical resources (Public Resources Code Section 21083.2 and 21084.1), and all local, state and federal regulations that regulate archaeological and historical resources would be complied with.

VI. GEOLOGY AND SOILS.

Would the project:

	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporation	Less than Significant Impact	No Impact
a. Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
ii. Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iii. Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
iv. Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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 type="checkbox"/>	<input checked="" type="checkbox"/>
d. Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Have soils incapable of adequately supporting the use of septic tanks or alternative waste 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"/>

Discussion: There are no known faults on the project site or in the immediate area. The project site is subject to relatively low seismic hazards compared to many other parts of California. Potential ground shaking produced by earthquakes generated on regional faults lying outside the immediate vicinity in the project area may occur. Due to the distance of the known faults in the region, no significant ground shaking is anticipated on this site. Seismic hazards on the built environment are addressed in *The Uniform Building Code* that is utilized by the Madera Building Division to monitor safe construction in the City.

- a.
 - i. **No Impacts.** No known faults with evidence of historic activity cut through the valley soils in the project vicinity. The major active faults and fault zones occur at some distance to the east, west, and south of the project site. Due to the geology of the project area and its distance from active faults, the potential for loss of life, property damage, ground settlement, or liquefaction to occur in the project vicinity is considered minimal.
 - ii. **No Impacts.** Ground shaking generally decreases with distance and increases with the depth of unconsolidated alluvial deposits. The most likely source of potential ground shaking is attributed to the San Andreas, Owens Valley, and the White Wolf faults. Based on this premise, and taking into account the distance to the causative faults, the potential for ground motion in the vicinity of the project site is such that a minimal risk can be assigned.
 - iii. **No Impacts.** Liquefaction describes a phenomenon in which a saturated soil loses strength during an earthquake as a result of induced shearing strains. Lateral and vertical movement of the soil mass combined with loss of bearing usually results. Loose sand, high groundwater conditions (where the water table is less than 30 feet below the surface), higher intensity earthquakes, and particularly long duration of ground shaking are the requisite conditions for liquefaction. There is no evidence of the presence of these requisite conditions.
 - iv. **No Impacts.** The project will not result in or expose people to potential impacts from landslides or mudflows.
- b. **No Impacts.** Construction of urban uses would create changes in absorption rates, drainage patterns, and the rate and amount of surface runoff on the selected project site. Standard construction practices that comply with City of Madera ordinances and regulations, the California Building Code, and professional engineering designs approved by the Madera Engineering Division will mitigate any potential impacts from future urban development, if any.
- c. **No Impacts.** The project site would not 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 off-site landslide, lateral spreading, subsidence, liquefaction or collapse.
- d. **No Impacts.** The project will not result in or expose people to potential impacts from expansive soils.
- e. **No Impacts.** Should urban uses be approved in the project area, the City of Madera would provide necessary sewer and water systems.

VII. GREENHOUSE GAS EMISSIONS.

Would the project:

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

Discussion: The San Joaquin Valley Unified Air Pollution Control District staff has concluded that existing science is inadequate to support quantification of impacts that project-specific GHG emissions have on global climatic change. This is readily understood when one considers that global climatic change is the result of the sum total of GHG emissions, both manmade and natural that have occurred in the past; that is occurring now; and may occur in the future. The Air District has advanced a methodology of reducing the (assumed) significance of impacts around performance measures applied to projects or alternatively, by comparing project-level impacts to an identified GHG emissions threshold.

In the absence of further regulatory or scientific information related to GHG emission and CEQA significance, it is currently too speculative to make a significant determination regarding this project's direct and indirect impact with respect to climate change. The City General Plan includes policies in support of GHG emissions reduction and climate change. The City supports local, regional, and statewide efforts to reduce the emission of greenhouse gases linked to climate change.

VIII. HAZARDS AND HAZARDOUS MATERIALS.

Would the project:

	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporation	Less than Significant Impact	No Impact
a. Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f. For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. 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"/>
h. Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion: The project will not bring about a direct increase in the risk of accidental explosion or release of hazardous substances. The project site has not been identified as a hazardous material site. The project will not result in a substantial air safety hazard for people residing in the area or future residents of the project. The project site is not within a quarter mile of any existing or proposed school. The project site is within the C1 (Outer Approach/Departure) Zone and the D (Other Airport Environs) Zone boundaries of the Madera Countywide Airport Land Use Compatibility Plan. The C1 Zone is “Conditionally Compatible” with short-term lodging and office uses so long as the intensity criteria is met. The site area encompassed in the C1 Zone includes an office and short-term lodging residence. The D Zone is considered “Normally Compatible” with auto parking surface lots and does not provide any airspace hazards. The project will not result in any hazards to air traffic or be a substantial air safety hazard. The project will not interfere with any emergency response or evacuation plans. Traffic generated with development is not expected to be substantially higher than current volumes. The project will not bring about an increase in fire hazards in areas from flammable brush, grass, or trees.

- a. **No Impacts.** The proposed project would not create any hazards to the public or the environment through the routine transport, use, or disposal of hazardous materials.
- b. **No Impacts.** The proposed project would not create any hazards to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment.
- c. **No Impacts.** The project would not emit hazardous emissions or require the handling of hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school.
- d. **No Impacts.** The land within the project site is not included on a list of hazardous materials sites and, as a result, would not create a significant hazard to the public or the environment.
- e. **Less than Significant Impacts.** The project site is located within the C1 (Outer Approach/Departure) Zone and D (Other Airport Environs) Zone of the Madera Countywide Airport Land Use Compatibility Plan (ALUCP). The risk concern with the C1 Zone is moderate and includes areas where aircraft turn from the base to the final approach legs of the standard traffic pattern and descend from the traffic pattern altitude. The C1 Zone also includes areas where departing aircraft normally complete their transition from takeoff power and flap settings to climb mode and have begun to turn to their en-route heading. Four (4%) percent of off-runway general aviation accidents near airports occur here. Object heights are restricted to as little as seventy (70') feet. The risk concern with the D Zone is occasional overflights that are intrusive to some outdoor activities. The risk concern is only with uses for which potential consequences are severe (e.g. very-high-intensity activities in a confined area). The proposed project site does not propose any objects with heights greater than 150 feet and the use does not provide very-high-intensity activities in a confined area. Cumulatively, the project would not bring about a safety hazard related to the airport or aviation activities for people residing or working in the project area.
- f. **No Impacts.** The project site is not located within the vicinity of a private airstrip, and would not result in a safety hazard for people residing or working in the project vicinity related to an airstrip or aviation activities.
- g. **No Impacts.** The proposed project would not impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan.

- h. **No Impacts.** The proposed project would not expose people or structures to a significant risk of loss, injury or death involving wildland fires.

IX. HYDROLOGY AND WATER QUALITY.

Would the project:

	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporation	Less than Significant Impact	No Impact
a. Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" 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, in a manner which would result in substantial erosion or siltation on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on- or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h. Place within a 100-year flood hazard area structures that would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| i. Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
| j. Inundation by seiche, tsunami, or mudflow? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Discussion:

The proposed project would not violate any water quality standards or waste discharge requirements. There will not be a significant reduction in the amount of groundwater otherwise available for public water supplies as a result of this project. Services will be provided in accordance with the City's Master Plans. The project will not change any drainage patterns or stream courses, or the source or direction of any water movement. During construction, the project site may be exposed to increased soil erosion from wind and water. Dust control will be used during construction. With completion, the project will not bring about erosion, significant changes in topography or unstable soil conditions.

The project will not expose people or property to water related hazards. During future construction, the project site may be exposed to increased soil erosion from wind and water. Dust control will be used during any future construction. With completion, the project will not bring about erosion, significant changes in topography or unstable soil conditions. Standard construction practices and compliance with City ordinances and regulations, *The Uniform Building Code*, and adherence to professional engineering design approved by the Madera Engineering Department will mitigate any potential impacts from this project. This development will be required to comply with all City ordinances and standard practices which will assure that storm water will be adequately drained into the approved storm water system. The project will not create any impacts on water quality.

Based on a review of the City's FEMA maps, the site is within Zone X, and the project will not place housing or other land uses in a 100-year flood hazard area. These are areas outside of the 500-year flood area. The project will not expose people or structures to a significant risk because of dam or levee failure. The project will not expose people or structures to a significant risk because of a seiche, mudflow, or tsunami.

- a. **No Impacts.** Development of the project site would be required to comply with all City of Madera ordinances and standard practices which assure proper grading and storm water drainage into the approved storm water systems. Any development would also be required to comply with all local, state, and federal regulations to prevent any violation of water quality standards or waste discharge requirements.
- b. **No Impacts.** The proposed project will not substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level.
- c. **No Impacts.** The proposed project would not alter the existing drainage pattern of the site or area through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site.
- d. **No Impacts.** The proposed project would not alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on or off-site.

- e. **No Impacts.** The proposed project would not create or contribute runoff water that would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff. All plant nutrient handling and/or transfer areas will include containment and capture features.
- f. **No Impacts.** The proposed project would not degrade water quality.
- g. **No Impacts.** The project would not place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map.
- h. **No Impacts.** The project would not place structures within a 100-year flood hazard area that would impede or redirect flood flows.
- i. **No Impacts.** The project would not expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam.
- j. **No Impacts.** The project would not have any potential to be inundated by a seiche, tsunami, or mudflow.

X. LAND USE AND PLANNING.

Would the project:

	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporation	Less than Significant Impact	No Impact
a. Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but no limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion: Development of the project area is consistent with the urbanization of the project area, as evaluated in the General Plan and its EIR; therefore impacts in this category are avoided.

- a. **No Impacts.** The project would not physically divide an established community. Rather, it logically allows development to occur in an orderly manner, adjacent to and within the urbanized area of the City.
- b. **No Impacts.** The proposed project would not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project adopted for the purpose of avoiding or mitigating an environmental effect. The proposed project is consistent with the requirements.
- c. **No Impacts.** The project would not conflict with any applicable habitat conservation plan or natural community conservation plan.

XI. MINERAL RESOURCES.

Would the project:

	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporation	Less than Significant Impact	No Impact
a. Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
a. No Impacts. The project would not result in the loss or availability of mineral resources.				
b. No Impacts. The proposed project would not result in the loss of availability of any locally important mineral resource recovery sites.				

XII. NOISE.

Would the project result in:

	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporation	Less than Significant Impact	No Impact
a. Exposure of persons to or generation of noise levels 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 type="checkbox"/>	<input checked="" type="checkbox"/>
b. Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e. For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project 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"/>
f. For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion: These potential impacts were addressed in the General Plan EIR, and goals and mitigation measures were adopted to reduce potential impacts to a less than significant level. Development of the project area is consistent with the urbanization of the Madera area, as evaluated in the General Plan, and its EIR; therefore impacts in this category are not anticipated to exceed the impacts addressed in those documents.

- a. **No Impacts.** The proposed project would not result in exposure of persons to or the generation of noise levels in excess of standards established in the City's General Plan.
- b. **Less than Significant Impacts.** The proposed project would not result in exposure of persons to or generation of excessive ground-borne vibration or ground-borne noise levels.

- c. **Less than Significant Impacts.** The proposed project would result in a permanent increase in ambient noise levels in the project vicinity above levels existing without the project, but the noise levels will not be substantial.
- d. **Less than Significant Impacts.** The proposed project may result in some temporary increase in ambient noise levels in the project vicinity during demolition of the existing residences on the site.
- e. **Less than Significant Impacts.** The proposed project site is located within an airport land use plan or within two miles of a public airport or public use airport. Figure 14 of the Madera Municipal Airport Master Plan Report demonstrates that all 60 and 65 CNEL noise contours are contained entirely within the boundaries of the airport.
- f. **No Impacts.** The project will is not located within the vicinity of a private airstrip.

XIII. POPULATION AND HOUSING.

Would the project:

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

Discussion: The proposed project will induce minor additional growth in this area, but not enough growth to be considered substantial. The property involved has one existing single-family residence and one modular residential unit that will be displaced. The property is within a commercial zoning district and general plan land use designation that does not anticipate residential uses for future development. This results in less than significant impacts because of the low number of residential units (2) and people (6) that will be displaced.

- a. **Less than Significant Impacts.** The proposed project will provide employment opportunities which may induce a minimal growth in population by individuals and/or families who move to Madera in response to opportunities for employment.
- b. **Less than Significant Impacts.** The proposed project will displace two existing single-family residential units and one modular residential unit. The existing residential units were grandfathered on the commercial site. Conditions of approval extinguish the nonconforming status and require the removal of the homes.
- c. **Less than Significant Impacts.** The proposed project will displace approximately six (6) people, which cannot be considered substantial necessitating the construction of replacement housing elsewhere.

XIV. PUBLIC SERVICES.

	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporation	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, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:				
i. Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
ii. Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iii. Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
iv. Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
v. Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Discussion: The project will not result in substantial adverse physical impacts from new or altered public facilities. As development occurs, there will be a resultant increase in job opportunities, and a greater demand placed upon services, such as fire and police protection, and additional park and school facilities. There will be an increase in street, and water and sewer system maintenance responsibility because of this project. However, based on the nature of the proposal, the increase in manpower requirements for the Public Works Department will be minimal.

The project will not bring about the need for new wastewater treatment facilities. The project will not significantly increase the demand on water supplies. There will not be a significant reduction in the amount of groundwater otherwise available for public water supplies as a result of this project. The project will not increase the need for additional storm water drainage facilities beyond the existing and master planned drainage basin facilities that are available to serve the project. The project area will be required to provide additional facilities within the development, and comply with the City’s Master Plan, Ordinances, and standard practices. The project will not bring about a significant increase in the demand for solid waste disposal services and facilities.

- i. Fire protection. **Less than significant Impacts.** The proposed project would not result in substantial adverse physical impacts to fire protection services.
- ii. Police protection. **Less than significant Impacts.** The proposed project would not result in substantial adverse physical impacts associated with the provision of police protection.

- iii. Schools. **Less than significant Impacts.** The Madera Unified School District levies a school facilities fee to help defray the impact of commercial development. The proposed project would not generate a significant impact to the schools in Madera.
- iv. Parks. **Less than Significant Impacts.** The proposed project would not generate a significant impact to the park facilities in Madera.
- v. Other public facilities. **Less than significant Impacts.** The proposed project would not have any impacts on other public facilities.

XV. RECREATION

	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporation	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 type="checkbox"/>	<input checked="" type="checkbox"/>
b. Does the project include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion: Commercial development is consistent with the City of Madera General Plan and Zoning Ordinance. Impacts in this category are not anticipated to exceed the impacts addressed in those documents.

- a. **No Impacts.** The project would not 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. **No Impacts.** The project does propose the construction of recreational facilities. The project will not have an adverse physical effect on the environment.

XVI. TRANSPORTATION/TRAFFIC.

Would the project:

	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporation	Less than Significant Impact	No Impact
a. Cause an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Result in a change in traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion: The project site was included in the General Plan and its accompanying EIR and the potential traffic generated from the eventual development of this land is considered. The goals and policies of the General Plan serve to mitigate traffic impacts that occur as a result of new development.

- a. **Less-Than-Significant Impacts.** The proposed project would not cause an increase in traffic that is substantial in relation to the existing traffic load and capacity of the street system that would result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections.
- b. **No Impacts.** The project would not exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways.

- c. **Less-Than-Significant Impacts.** The proposed project would not result in a change in traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks. The applicant provided staff the maximum number of trips generated at the peak hour would be twelve (12). In order to require a traffic impact study, a minimum of one-hundred (100) trips would need to be generated at peak hour.
- d. **No Impacts.** The proposed project would not increase hazards to transportation systems due to design features such as sharp curves, dangerous intersections, or incompatible uses.
- e. **No Impacts.** The proposed project would not result in inadequate emergency access.
- f. **No Impacts.** The proposed project would not result in inadequate parking capacity.
- g. **No Impacts.** The project will not conflict with adopted policies, plans, or programs supporting alternative transportation.

XVII. TRIBAL CULTURAL RESOURCES

	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporation	Less than Significant Impact	No Impact
a. Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in the Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place or object with cultural value to a California Native American tribe, and that is;	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i. 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 type="checkbox"/>	<input checked="" type="checkbox"/>
ii. 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 type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion: The project site location is not listed or eligible for listing in the California Register of Historical Resources. It does not provide any significance of resource to a California Native American tribe. Cumulatively, the project proposal and site will not cause a substantial adverse change in the significance of a tribal cultural resource, as defined in the Public Resources Code Section 21074.

- a. **No Impacts.** The project will not cause a substantial adverse change in the significance of a tribal cultural resource. As defined in the Public Resources Code Section 21074, the project site is not a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place or object with cultural value to a California Native American tribe.

- i. **No Impacts.** The proposed project site is not 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).
- ii. **No Impacts.** The proposed project is not a resource that is of significance to a California Native American tribe, as defined in Public Resources Code 5024.1(c).

XVIII. UTILITIES AND SERVICE SYSTEMS.

Would the project:

	Potentially Significant Impact	Less than Significant Impact with Mitigation Incorporation	Less than Significant Impact	No Impact
b. Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Result in a determination by the wastewater treatment provider that 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 type="checkbox"/>	<input checked="" type="checkbox"/>
g. Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h. Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Discussion: The City's community sewage disposal system will continue to comply with Discharge Permit requirements. The project will not bring about the need for new wastewater treatment facilities. The project will not significantly increase the demand on water supplies, adequate domestic water and fire flows should be available to the property. There will not be a significant reduction in the amount of groundwater otherwise available for public water supplies as a result of this project. The project will not increase the need for additional storm water drainage facilities beyond the existing and master planned drainage basin facilities that are available to serve the project. The project area will be required

to comply with the City's Master Plan, Ordinances, and standard practices. The project will not bring about a significant increase in the demand for solid waste disposal services and facilities.

- jj. **No Impacts.** The project will not exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board.
- kk. **No Impacts.** The proposed project would not require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.
- ll. **No Impacts.** The proposed project would not require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects.
- mm. **No Impacts.** There will be sufficient water supplies available to serve the project.
- nn. **No Impacts.** The project would not require a determination by a wastewater treatment provider.
- oo. **No Impacts.** The project would be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs.
- pp. **No Impacts.** Any development project that might be proposed on the project site would be required to comply with federal, state, and local statutes as well as regulations related to solid waste by the City of Madera.

XIX. MANDATORY FINDINGS OF SIGNIFICANCE.

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

Determination:

Based upon staff analysis and comments from experts, it has been determined that the proposed project could generate some limited adverse impacts in the areas of Aesthetics, Air Quality, Greenhouse Gas Emissions, Hazards and Hazardous Materials, Noise, Population and Housing, Public Services, and Transportation and Traffic. Air Quality require recommendations from the San Joaquin Valley Air Pollution Control District (SJVAPCD) that satisfy the District’s significance thresholds for emissions.

The air quality impacts identified in this Initial Study are considered to be less than significant with recommendations from the SJVAPCD. Therefore, a Mitigated Negative Declaration is the appropriate level of documentation for this project.

**CITY OF MADERA
MITIGATION MONITORING PROGRAM**

Project Name and/or File Number: Conditional Use Permit 2018-01
Site Plan Review 2018-03

Project Description: An application for a conditional use permit to allow for the establishment of a trucking company that will accommodate a fleet of approximately sixty (60) semi-trucks on-site. An application for site plan review accompanies the conditional use permit which will guide the development of the property. The project proposes the demolition of one single-family residential unit, detached garage and one modular residential unit. The project also proposes the retrofit of an existing single-family residential unit that will be used as sleeping quarters for the truck drivers. The project site appurtenances will include a repave of the parking field.

Monitoring Phase:

Pre-construction X ; Construction ; Pre-occupancy X ; Post-occupancy X

Public Resources Code 21081.6 requires public agencies to adopt mitigation reporting and monitoring programs for all projects for which a mitigated negative declaration has been prepared. This law is intended to ensure the implementation of all mitigation measures incorporated into the project as set down in the California Environmental Quality Act (CEQA) process.

The Mitigation Monitoring Program for the proposed project will be in place through all phases of implementation for the project. The City of Madera will have the primary enforcement role for mitigation measures that are the responsibility of the City of Madera to implement. The “Environmental Monitor” (EM) is the Planning Manager, who will be responsible for operation of the program. The EM is responsible for managing and coordinating monitoring activities with City staff and for managing City reviews of the proposed project.

During site development, site visitations, construction management and permit inspections by City staff assure that mitigation measures and conditions are being met. Failure to meet any condition of development may lead to a suspension of construction activities and code enforcement action.

CUP 2018-01 and SPR 2018-03 Mitigation Measures

III. Air Quality

III(a-d)-1: The applicant shall comply with the requirements of the SJVAPCD comment letter provided to staff on February 9, 2018. The letter will be attached as Exhibit 1 in the Mitigation Monitoring Program.

Exhibit 1



February 9, 2018

Jesus Orozco
City of Madera
Planning division
205 West Fourth Street
Madera, CA 93637

Project: CUP 2018-01 and SPR 2018-03 – Singh Trucking Company

District CEQA Reference No: 20180094

Dear Mr. Orozco:

The San Joaquin Valley Unified Air Pollution Control District (District) has reviewed the above referenced project consisting of an application for a Conditional Use Permit and Site Plan Review to allow for the development of a trucking company, for approximately 60 semi-trucks on approximately 247,000 square feet, to include resting quarters for truck drivers and a minor repair shop for company trucks only (Project), located at 2185 West Kennedy Street, in Madera, CA. (APN: 013-260-002) The District offers the following comments:

Emissions Analysis

- 1) At the federal level for the National Ambient Air Quality Standards (NAAQS), the District is currently designated as extreme nonattainment for the 8-hour ozone standards; nonattainment for the PM2.5 standards; and attainment for the 1-Hour ozone, PM10 and CO standards. At the state level, the District is currently designated as nonattainment for the 8-hour ozone, PM10, and PM2.5 California Ambient Air Quality Standards (CAAQS). The District recommends that the Air Quality section include a discussion of the following impacts:
 - a) **Construction Emissions:** Construction emissions are short-term emissions and should be evaluated separately from operational emissions. For reference, the District's annual criteria thresholds of significance for construction are: 100 tons per year of carbon monoxide (CO), 10 tons per year of oxides of nitrogen (NOx),

Seyed Sadredin
Executive Director/Air Pollution Control Officer

Northern Region
4800 Enterprise Way
Modesto, CA 95356-8718
Tel: (209) 557-6400 FAX: (209) 557-6475

Central Region (Main Office)
1990 E. Gettysburg Avenue
Fresno, CA 93726-0244
Tel: (559) 230-6000 FAX: (559) 230-6061
www.valleyair.org

Southern Region
34946 Flyover Court
Bakersfield, CA 93308-9725
Tel: (661) 392-5500 FAX: (661) 392-5585

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10 tons per year of reactive organic gases (ROG), 27 tons per year of oxides of sulfur (SOx), 15 tons per year of particulate matter of 10 microns or less in size (PM10), or 15 tons per year of particulate matter of 2.5 microns or less in size (PM2.5).

- i) *Recommended Mitigation Measure if needed:* To reduce impacts from construction related exhaust emissions, the District recommends feasible mitigation for the Project to utilize off-road construction fleets that can achieve fleet average emissions equal to or cleaner than the Tier III emission standards, as set forth in §2423 of Title 13 of the California Code of Regulations, and Part 89 of Title 40 Code of Federal Regulations. This can be achieved through any combination of uncontrolled engines and engines complying with Tier III and above engine standards.
- b) **Operational Emissions:** Operational Emissions: Permitted (stationary sources) and non-permitted (mobile sources) sources should be analyzed separately. For reference, the annual criteria thresholds of significance for operation of permitted and non-permitted sources each are: 100 tons per year of carbon monoxide (CO), 10 tons per year of oxides of nitrogen (NOx), 10 tons per year of reactive organic gases (ROG), 27 tons per year of oxides of sulfur (SOx), 15 tons per year of particulate matter of 10 microns or less in size (PM10), or 15 tons per year of particulate matter of 2.5 microns or less in size (PM2.5).
 - *Recommended Mitigation Measure (if needed):* Project related impacts on air quality can be reduced through incorporation of design elements, for example, that increase energy efficiency, reduce vehicle miles traveled, and reduce construction exhaust related emissions. However, design elements and compliance with District rules and regulations may not be sufficient to reduce project related impacts on air quality to a less than significant level. Another example of a feasible mitigation measure is the mitigation of project emissions through a Voluntary Emission Reduction Agreement (VERA). The VERA is an instrument by which the project proponent provides monies to the District, which is used by the District to fund emission reduction projects that achieve the reductions required by the lead agency. District staff is available to meet with project proponents to discuss a VERA for specific projects. For more information, or questions concerning this topic, please call District Staff at (559) 230-6000.
- ii) **Recommended Model:** Project related criteria pollutant emissions from construction and operation non-permitted (limited to equipment not subject to District permits) should be identified and quantified. Emissions analysis should be performed using CalEEMod (**C**alifornia **E**mission **E**stimator **M**odel), which uses the most recent approved version of relevant Air Resources Board (ARB)

emissions models and emission factors. CalEEMod is available to the public and can be downloaded from the CalEEMod website at: www.caleemod.com.

- c) **Nuisance Odors:** The Project should be evaluated to determine the likelihood that the Project would result in nuisance odors. Nuisance odors are subjective, thus the District has not established thresholds of significance for nuisance odors. Nuisance odors may be assessed qualitatively taking into consideration of Project design elements and proximity to off-site receptors that potentially would be exposed objectionable odors.
- d) **Health Risk Screening/Assessment:** A Health Risk Screening/Assessment identifies potential Toxic Air Contaminants (TAC's) impact on surrounding sensitive receptors such as hospitals, daycare centers, schools, work-sites, and residences. TAC's are air pollutants identified by the Office of Environmental Health Hazard Assessment/California Air Resources Board (OEHHA/CARB) (<https://www.arb.ca.gov/toxics/healthval/healthval.htm>) that pose a present or potential hazard to human health. A common source of TACs can be attributed to diesel exhaust emitted from both mobile and stationary sources. Industry specific TACs generated must also be identified and quantified.

The District recommends the Project be evaluated for potential health impacts to surrounding receptors (on-site and off-site) resulting from operational and multi-year construction TAC emissions.

- i) The District recommends conducting a screening analysis that includes all sources of emissions. A screening analysis is used to identify projects which may have a significant health impact. A prioritization, using CAPCOA's updated methodology, is the recommended screening method. A prioritization score of 10 or greater is considered to be significant and a refined Health Risk Assessment (HRA) should be performed. The prioritization calculator can be found at: http://www.valleyair.org/busind/pto/emission_factors/Criteria/Toxics/Utilities/PRIORITIZATION%20RMR%202016.XLS.
- ii) The District recommends a refined HRA for projects that result in a prioritization score of 10 or greater. It is recommended that the Project proponent contact the District to review the proposed modeling protocol. The Project would be considered to have a significant health risk if the HRA demonstrates that the Project related health impacts would exceed the District's significance threshold of 20 in a million for carcinogenic risk and 1.0 for the Acute and Chronic Hazard Indices.

More information on toxic emission factors, prioritizations and HRAs can be obtained by:

- E-Mailing inquiries to: hramodeler@valleyair.org; or
- The District can be contacted at (559) 230-6000 for assistance; or
- Visiting the Districts website (Modeling Guidance) at http://www.valleyair.org/busind/pto/Tox_Resources/AirQualityMonitoring.htm

- e) **Ambient Air Quality Analysis:** An ambient air quality analysis (AAQA) uses air dispersion modeling to determine if emissions increases from a project will cause or contribute to a violation of the ambient air quality standards. The District recommends that an AAQA be performed for the Project if emissions exceed 100 pounds per day of any pollutant.

If an AAQA is performed, the analysis should include emissions from both Project specific permitted and non-permitted equipment and activities. The District recommends consultation with District staff to determine the appropriate model and input data to use in the analysis. Specific information for assessing significance, including screening tools and modeling guidance is available online at the District's website www.valleyair.org/ceqa.

- 2) In addition to the discussions on potential impacts identified above, the District recommends the EIR also include the following discussions:
- a) A discussion of the methodology, model assumptions, inputs and results used in characterizing the Project's impact on air quality. To comply with CEQA requirements for full disclosure, the District recommends that the modeling outputs be provided as appendices to the EIR. The District further recommends that the District be provided with an electronic copy of all input and output files for all modeling.
 - b) A discussion of the components and phases of the Project and the associated emission projections, including ongoing emissions from each previous phase.
 - c) A discussion of Project design elements and mitigation measures, including characterization of the effectiveness of each mitigation measure incorporated into the Project.
 - d) A discussion of whether the Project would result in a cumulatively considerable net increase of any criteria pollutant or precursor for which the San Joaquin Valley Air Basin is in non-attainment. More information on the District's attainment status can be found online by visiting the District's website at:

<http://valleyair.org/aqinfo/attainment.htm>.

District Rules and Regulations

3) The proposed Project may be subject to District rules and regulations, including: Regulation VIII (Fugitive PM10 Prohibitions), Rule 4102 (Nuisance), and Rule 4641 (Cutback, Slow Cure, and Emulsified Asphalt, Paving and Maintenance Operations). In the event an existing building will be renovated, partially demolished or removed, the Project may be subject to District Rule 4002 (National Emission Standards for Hazardous Air Pollutants). Current District rules can be found online at the District's website at: www.valleyair.org/rules/1ruleslist.htm.

4) Based on information provided, the proposed Project would equal or exceed the relevant District Rule 9510 (Indirect Source Review) applicability threshold of 2,000 square feet of commercial space. Therefore, the District concludes that the proposed Project is subject to District Rule 9510.

Any applicant subject to District Rule 9510 is required to submit an Air Impact Assessment (AIA) application to the District no later than applying for final discretionary approval. If approval of the subject project constitutes the last discretionary approval by your agency, the District recommends that demonstration of compliance with District Rule 9510, including payment of all applicable fees before issuance of the first building permit, be made a condition of project approval. Information about how to comply with District Rule 9510 can be found online at: <http://www.valleyair.org/ISR/ISRHome.htm>.

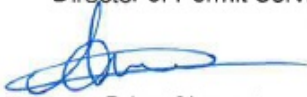
5) The above list of rules is neither exhaustive nor exclusive. To identify other District rules or regulations that apply to this Project or to obtain information about District permit requirements, the applicant is strongly encouraged to contact the District's Small Business Assistance (SBA) Office at (559) 230-6000. Current District rules can be found online at the District's website at: www.valleyair.org/rules/1ruleslist.htm.

The District recommends that a copy of the District's comments be provided to the Project proponent. If you have any questions or require further information, please call Georgia

Stewart at (559) 230-5937 or email georgia.stewart@valleyair.org. When calling or emailing the District, please reference District CEQA number 20180094.

Sincerely,

Arnaud Marjollet
Director of Permit Services

A handwritten signature in blue ink, appearing to be 'Arnaud Marjollet', written over a horizontal line.

For: Brian Clements
Program Manager

AM: gs

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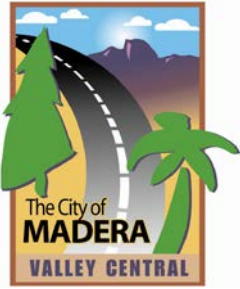
TSM 2018-01 and TSM 2018-02 Ventana Tentative Subdivision Maps

This item is being continued to the May 8, 2018 Planning Commission meeting.

[Return to Agenda](#)

CUP 2011-17 MOD 2 and SPR 2018-01
Valley Wide Recycling

This item is being continued to the April 10, 2018 Planning Commission meeting.



CITY OF MADERA
PLANNING COMMISSION

205 W. Fourth Street
Madera CA 93637
(559) 661-5430

**Staff Report: Singh Smog Shop
CUP 2018-02, SPR 2018-04 & Categorical Exemption
Item # 6 – March 13, 2018**

PROPOSAL: An application for a conditional use permit and site plan review to allow for the establishment of an automotive emissions (smog) testing business with emissions related repairs.

APPLICANT:	Ranjudh Singh	OWNER:	Don Bonander
ADDRESS:	96 East 6 th Street	APN:	007-152-007
APPLICATION:	CUP 2018-02 & SPR 2018-04	CEQA:	Categorical Exemption

LOCATION: The project site is located at the southwest corner of East 6th Street and South E Street.

STREET ACCESS: The site has access to East 6th Street and South E Street.

PARCEL SIZE: One parcel encompassing approximately 0.18 acres.

GENERAL PLAN DESIGNATION: C (Commercial)

ZONING DISTRICT: C1 (Light Commercial)

SITE CHARACTERISTICS: The project site is located in the downtown district of the City. A mixture of commercial activity is located to the north, south, east and west of the project site, with the Union Pacific Railroad tracks located immediately west of the project site.

ENVIRONMENTAL REVIEW: The project has been determined to be categorically exempt under the California Environmental Quality Act (CEQA) guidelines, Section 15301, (Existing Facilities).

SUMMARY: The proponent is proposing to establish an emissions (smog) testing shop with emissions related repair services within an existing structure. Approval of a conditional use permit is required as a component of establishing an automotive repair and service use in the C1 (Light Commercial) Zone District. The site plan review will facilitate necessary on and off-site improvements.

APPLICABLE CODES AND PROCEDURES

MMC § 10-3.801 Light Commercial Zones
MMC § 10-3.4.0102 Site Plan Review Applicability
MMC § 10-3.1205 Parking Exemptions
MMC § 10-3.1301 Use Permits

The City's Zoning Ordinance allows for the granting of a use permit by the Planning Commission subject to the Planning Commission being able to make findings that the establishment, maintenance or operation of the use or building will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood of the use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City.

If the Commission cannot make the appropriate findings, the use should be denied. Conditions may be attached to the approval of the use permit to ensure compatibility. Project design may be altered and on- or off-site improvements required in order to make the project compatible with nearby uses. In addition, the application may be subject to further review, modification or revocation by the Commission as necessary.

The City's General Plan indicates that land designated as C (Commercial) is appropriate for development of commercial activities. The City's Zoning Ordinance also allows for a variety of retail uses in the C1 (Light Commercial) Zone District, including the operation automotive emissions testing and related repair services, subject to the approval of a conditional use permit by the Planning Commission.

PRIOR ACTION

In October, 2014, the Planning Commission approved Conditional Use Permit 2014-24 and Site Plan Review 2014-33, allowing for a car wash and auto detailing use at the 96 East 6th Street address. None of the required conditions of approval were ever completed in association with the use permit and the use permit was ultimately extinguished.

Conditional Use Permit 2015-26 and Site Plan Review 2015-30 were approved in October, 2015, which allowed for a used auto sales business on the property. The used auto sales business closed, leaving the site vacant with an active use permit. None of the required off-site improvements were ever completed in association with the used car lot use permit.

An application for a conditional use permit and site plan review was later approved by the Planning Commission on August 9, 2016. Conditional Use Permit 2015-26 MOD and Site Plan Review 2016-27 allowed for the reestablishment of a car wash and auto detailing business on the site. The use permit was revoked by the Planning Commission on September 12, 2017 due to non-compliance with the required on and off-site improvements.

ANALYSIS

Operations

The applicant wishes to establish an emissions (smog) testing and related repair business in an existing structure. Vehicles will be directed into the building through an overhead coiling door. Once vehicles are inside the building, a specialist will be able to conduct the smog testing using diagnostic computer equipment. Emissions repair work on the site is proposed to occur on a need only basis. Typical repairs may include replacing sensors, spark plugs, wires and other hardware which require little to no mechanical equipment. The servicing of a single vehicle can be completed within ten (10) to thirty (30) minutes.

Parking

The City's parking standards are exempt, per section 10-3.1205(B) of the Madera Municipal Code, as the business is located within the Downtown Parking District.

Site Improvements

Due to the nature of use, the utilization of the space for emissions testing and repairs require no structural alterations, tenant improvements or installation of any mechanical equipment. However, Staff's support for establishing the use is contingent upon the applicant and property owner completing substandard improvements on the site not satisfied by the previous car wash and auto detailing use.

A single bin trash enclosure still needs to be constructed. Existing handicap ramps, unutilized driveway approaches and damaged sidewalks along property frontage will need to be upgraded/reconstructed to current ADA standards or a request for a waiver must be granted.

The proposed conditional use permits and site plan review were reviewed by various City Departments and outside agencies. The responses and recommendations have been incorporated into the recommended conditions of approval included in this report.

CONSISTENCY WITH THE VISION MADERA 2025 PLAN

Though approval of an allowance for the establishment of an emissions testing and related smog repair shop business is not specifically addressed in the vision or action plans, the overall project does indirectly support **Action 115.2** – *As a component of the General Plan Update, increase retail outlets and promote Shop Madera ...*”

RECOMMENDATION

The information presented in this report supports approval of the conditional use permit and site plan review request, subject to the recommended conditions of approval. Although prior applicants and the property owner have historically struggled to demonstrate compliance with required conditions of approval, staff desires to continue to promote and foster small business development and subsequently supports the request to allow for the establishment of an automotive emission (smog) testing and repair shop business at the 96 East 6th Street address. It is recommended that the Planning Commission consider the information in this report, as well as testimony in the public hearing, and approve Conditional Use Permit 2018-02 and Site Plan Review 2018-04 subject to the findings and conditions of approval.

PLANNING COMMISSION ACTION

The Planning Commission will be acting on the use permit and site plan review request.

Motion 1: Move to approve Conditional Use Permit 2018-02 and Site Plan Review 2018-04, based on and subject to the following findings and conditions of approval:

Findings

- This project is categorically exempt under Section 15301, Existing Facilities, of the California Environmental Quality Act (CEQA).
- An automotive emissions (smog) testing and repair use is consistent with the purposes of the C (Commercial) General Plan designation and the C1 (Light Commercial) Zone District which provides for the use, subject to the issuance of a conditional use permit.

- The development will be compatible with surrounding properties since improvements will be completed as required.
- The establishment, maintenance or operation of the smog testing and repair use will not, under the circumstances of this particular case, be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood of such proposed use, and will not be detrimental or injurious to property and improvements in the neighborhood or general welfare of the City.

CONDITIONS OF APPROVAL

General Conditions

1. Project approval is conditioned upon acceptance of the conditions of approval contained herein, as evidenced by receipt in the Planning Department of the applicant's signature upon an Acknowledgement and Acceptance of Conditions within thirty days of the date of approval for this use permit.
2. The applicant's failure to utilize this use permit within one year following the date of this approval shall render the conditional use permit null and void unless a written request for extension has been submitted to and approved by the Planning Commission.
3. Conditional Use Permit 2018-02 may be made null and void without any additional public notice or hearing at any time upon both the benefactors of the use permit and owners of the property voluntarily submitting to the City a written request to permanently extinguish the conditional use permit.
4. Conditional Use Permit 2018-02 will expire and be rendered null and void if the use is discontinued for a twelve month period unless a written request for extension has been submitted to and approved by the Planning Commission.
5. Site Plan Review 2018-04 will expire one year from date of issuance, unless positive action is taken on the project as provided in the Municipal Code or required action is taken to extend the approval before expiration date. (Municipal Code Section 10-3.4.0114, Lapse of Site Plan Approval)
6. Conditional Use Permit 2018-02 and Site Plan Review 2018-04 shall be subject to periodic reviews and inspection by the City to determine compliance with the conditions of approval and applicable codes. If at any time, the use is determined by Staff to be in violation of the conditions of approval, Staff may schedule a public hearing before the Planning Commission within 45 days of the violation to consider revocation of the permit.
7. The site or building plans submitted for any building permit applications shall reflect changes required by the herein listed conditions of approval. Any deviation from the approved plan or any condition contained herein shall require, at a minimum, prior written request by the applicant and approval by the Planning Manager.
8. Any proposed future modifications to the site, including but not limited to building exteriors, parking/loading areas, fences/walls, new buildings or landscaping shall require an amendment to Site Plan Review 2018-04.

9. It shall be the responsibility of the property owner and management to ensure that any required permits, inspections and approvals from any regulatory agency shall be obtained from the concerned agency prior to establishment of the use.

Building Department

10. Building permits are required for any tenant improvements. The uses of all rooms and activity areas shall be identified on any plans submitted for issuance of building permits.
11. Current State of California and federal handicap requirements shall apply to the entire site and all structures and parking thereon. Compliance shall be checked at the permit stage and confirmed at final inspection.

Engineering Department

General

12. Nuisance onsite lighting shall be redirected as requested by the City Engineer within 48 hours of notification.
13. The developer shall pay all the required fees for completion of the project. Fees due may include, but shall not be limited to, the following: encroachment permit processing and improvement inspection fees.
14. Improvements within the City right-of-way require an encroachment permit from the Engineering Department.

Sewer

15. The property owner has made a good faith effort to upgrade the sewer lateral to current City standards. Until such time as the sewer clean out is installed, the City's Public Works department shall not be responsible for the maintenance of the sewer lateral.

Streets

16. The existing handicap access ramp located at the southwest corner of South E Street and East 6th Street intersection shall be upgraded/reconstructed to current ADA standards.
17. The existing driveway approaches on South E Street and East 6th Street shall be reconstructed to the extent necessary to provide ADA accessibility along the entire site frontage.
18. The damaged sidewalk along East 6th Street shall be reconstructed per current City standards. The Applicant/property owner shall coordinate with the City Inspector to establish the limits of the repairs.
19. If the applicant believes that a hardship waiver is applicable based on the cost of this improvement in relation to overall project costs, a request for waiver may be submitted for consideration and an ultimate determination by the City.

Fire Department

20. All shop areas 2,500 square feet or more in area servicing commercial vehicles shall be equipped with fire sprinklers.

21. 2A10BC rated fire extinguishers are required in each commercial shop and/or garage building. A minimum of one for each 3,000 square feet of area of the building or fraction thereof.
22. A key box is required for rapid entry by emergency service personnel.
23. Any and all added permanently mounted equipment such as lifts must obtain building permits prior to installation.

Planning Department

Approved Automotive Activities

24. Conditional Use Permit 2018-02 allows for the following automotive services:
 - Car Emission (Smog) Testing
 - Engine & Ignition Computer Diagnostics
 - Emissions testing related repairs to include: replacement of sensors, spark plugs and wires, computer boards and other emissions diagnostic related repairs.

Unpermitted Automotive Activities

25. All automotive services not specifically approved by the above Condition 24 shall be prohibited, including the following:
 - Major Mechanical/Electrical Repairs
 - Heavy Engine/Transmission Repair Services
 - General Repair & Maintenance: oil, lube & filter, tune-ups
 - Heating & Cooling
 - Steering & Suspension
 - Undercar Services: brakes, anti-lock brakes
 - Auto Detailing & Window Tinting
26. Except as noted herein, all on- and off-site improvements specified in these conditions of approval shall be made prior to occupancy and issuance of a business license.

Structure

27. A new single bin trash enclosure shall be constructed consistent with City standards. The color of the trash enclosure shall be painted to match the existing structure. The location of the trash enclosure shall be shown on the required site plan for the parking field and shall be approved by the Public Works Director.
28. If the applicant wishes to repaint or refurbish the structure, a color and materials board of the proposed paint colors will be required for approval prior to paint application
29. The applicant shall operate in a manner that does not generate noise, odor, blight or vibration that adversely affects any adjacent properties.
30. Vandalism and graffiti shall be corrected per the Madera Municipal Code.
31. The property owner, operator and/or manager shall keep the property clear of all trash, rubbish and debris at all times; and dumping of refuse shall be restricted to the dumpster and refuse containers owned by the property owner. Outdoor storage of goods or materials shall not be allowed.

32. Hours of operation shall be from as early as 8:00 a.m. until as late as 8:00 p.m., seven (7) days a week.

Landscaping

33. The property owner and/or applicant shall maintain all landscaping in a healthy and well-manicured appearance. This includes, but is not limited to, ensuring properly operating irrigation equipment at all times, trimming and pruning of trees and shrubs, and replacing dead or unhealthy vegetation with drought-tolerant plantings.

Signage

34. All signage shall be in compliance with the Madera Sign Ordinance. All signage is required to have an approved Sign Permit issued by the Planning Department per MMC §10-6.

(OR)

Motion 2: Move to continue the application for Conditional Use Permit 2018-02 and Site Plan Review 2018-04 to the April 10, 2018 Planning Commission hearing for the following reasons: (specify)

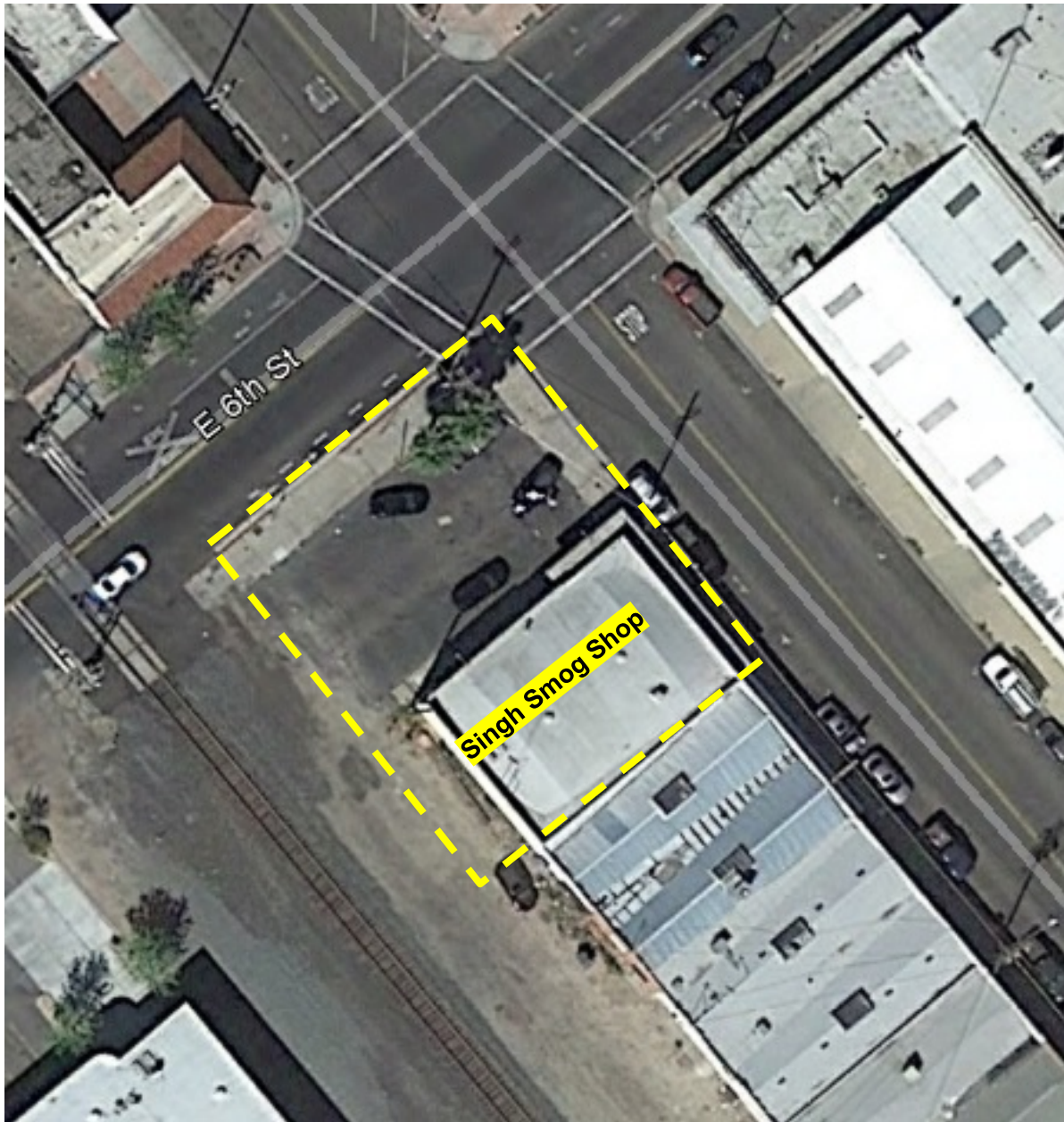
(OR)

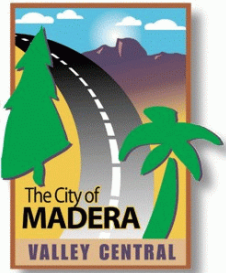
Motion 3: Move to deny the application for Conditional Use Permit 2018-02 and Site Plan Review 2018-04, based on and subject to the following findings: (specify)

ATTACHMENTS

Aerial Photo

Aerial Photo





CITY OF MADERA
PLANNING COMMISSION

205 W. Fourth Street
Madera CA 93637
(559) 661-5430

**Staff Report: West Cleveland American Tire Depot
Outdoor Display
CUP 2018-03 & SPR 2018-05
Item #7 – March 13, 2018**

PROPOSAL: Consideration of a request for a conditional use permit and site plan review to allow for the outdoor display of tires and wheels for an existing automotive tire and tune-up shop.

APPLICANT:	Bedros Darkjian	OWNER:	Niki Madera LLC
ADDRESS:	2300 W Cleveland Ave	APN:	006-390-020
APPLICATIONS:	CUP 2018-03 & SPR 2018-05	CEQA:	Categorical Exemption

LOCATION: The site is located at the southwest corner of West Cleveland Avenue and North Schnoor Avenue.

STREET ACCESS: The site has access to West Cleveland Avenue and North Schnoor Avenue.

PARCEL SIZE: One parcel encompassing approximately 0.37 acres.

GENERAL PLAN DESIGNATION: C (Commercial)

ZONING DISTRICT: C1 (Light Commercial)

SITE CHARACTERISTICS: The project site is located at the northeast corner of the Hallmark Town Center, which includes primary businesses such as Food 4 Less, Little Caesars, China Kitchen and Fitness Evolution. An office complex is located to the north and mixed commercial uses to the east and west of the project site.

ENVIRONMENTAL REVIEW: This project has been determined to be categorically exempt under the California Environmental Quality Act (CEQA) guidelines, Section 15301, (Existing Facilities).

SUMMARY: American Tire Depot has been utilizing on-site space for the outdoor display of tires and wheels for an extended period of time without an approved conditional use permit. Approval of the conditional use permit would facilitate the compliance of American Tire Depot. With the recommended conditions of approval, the auto repair tire shop will demonstrate itself to be compatible with surrounding uses.

APPLICABLE CODES AND PROCEDURES

MMC § 10-3.802 Uses Permitted
MMC § 10-3.801 Light Commercial Zone
MMC § 10-3.4.0102 Site Plan Review Applicability
MMC § 10-3.1202 Parking Spaces Requirements

The City's Zoning Ordinance allows for the granting of a use permit by the Planning Commission subject to the Planning Commission being able to make findings that the establishment, maintenance or operation of the use or building will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood of the use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City.

If the Commission cannot make the appropriate findings, the use should be denied. Conditions may be attached to the approval of the use permit to ensure compatibility. Project design may be altered and on- or off-site improvements required in order to make the project compatible with nearby uses. In addition, the application may be subject to further review, modification or revocation by the Commission as necessary.

The City's General Plan indicates that land designated as C (Commercial) is appropriate for development of commercial activities. The City's Zoning Ordinance also allows for a variety of retail uses in the C1 (Light Commercial) Zone District, including the outdoor display and sales activities, subject to the approval of a conditional use permit by the Planning Commission.

PRIOR ACTION

The project site was first developed as a tire store through Site Plan Review 1993-05. The site plan review allowed for the construction of the 4,400 square foot retail space. The project site has maintained consistent use throughout the change in business ownership.

ANALYSIS

Nature of Request

The applicant is requesting the allowance for outdoor display of tires along the West Cleveland Avenue frontage, on approximately 175 square feet of paved space. Tire display is also proposed to occur on the outside of each structural pillar that separates each automotive service bay from its neighboring bay. As proposed, the placement of tires and wheels would not impede any Americans with Disabilities Act (ADA) path of travel or present safety concerns for customers and employees on the site.

Analysis

Outdoor display and sales is a permitted activity within the C1 (Light Commercial) Zone District through the approval of a conditional use permit. As proposed, the outdoor display of tires and wheels on the site is compatible with surrounding uses. Approval of CUP 2018-03 and SPR 2018-05 will facilitate required site improvements that have not been address for a period of time.

Parking

As proposed, the request for the outdoor display of tires will not impact the number of required parking spaces nor will it impede circulation on to and off the property.

CONSISTENCY WITH THE VISION MADERA 2025 PLAN

Though approval of an allowance for outdoor display and sales activities is not specifically addressed in the vision or action plans, the overall project does indirectly support **Action 115.2- As a component of the General Plan Update, increase retail outlets and promote Shop Madera...**"

SUMMARY OF RECOMMENDATIONS

The outdoor display of tires is permitted with the approval of a conditional use permit. Conditions of approval are recommended in order to ensure compatibility with surrounding uses. It is recommended that the conditional use permit be approved as conditioned.

PLANNING COMMISSION ACTION

The Commission would be taking action regarding the conditional use permit.

Motion 1: Move to approve the requested Conditional Use Permit 2018-03 and Site Plan Review 2018-05 based on and subject to the findings and conditions of approval as listed below.

Findings

- This project is categorically exempt under Section 15301, Existing Facilities, of the California Environmental Quality Act (CEQA).
- The allowance for outdoor display of tires and wheels is consistent with the purposes of the C (Commercial) General Plan land use designation and the C-1 (Light Commercial) Zone District which provide for the use, subject to the issuance of a conditional use permit.
- As conditioned, the outdoor display of tires and wheels would be compatible with surrounding properties, because its operation would not negatively impact adjoining businesses within the Downtown District adjacent properties.
- As conditioned, the establishment, maintenance or operation of the outdoor display would not under the circumstances of this particular case, be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or general welfare of the City.

CONDITIONS OF APPROVAL

General Conditions

1. Project approval is conditioned upon acceptance of the conditions of approval contained herein, as evidenced by receipt in the Planning Department of the applicant's signature upon an Acknowledgement and Acceptance of Conditions within thirty (30) days of the date of approval for this use permit.

2. The applicant's failure to utilize this use permit within one year following the date of this approval shall render the conditional use permit null and void unless a written request for an extension has been submitted to and approved by the Planning Commission.
3. Conditional Use Permit 2018-03 may be made null and void without any additional public notice or hearing at any time upon both the benefactors of the use permit and owners of the property voluntarily submitting to the City a written request to permanently extinguish the conditional use permit
4. Conditional Use Permit 2018-03 will expire and be rendered null and void if the use is discontinued for a twelve month period unless a written request for extension has been submitted to and approved by the Planning Commission.
5. Site Plan Review 2018-05 will expire one year from date of issuance, unless positive action is taken on the project as provided in the Municipal Code or required action is taken to extend the approval before expiration date. (Municipal Code Section 10-3.4.0114, Lapse of Site Plan Approval)
6. Conditional Use Permit 2018-03 and Site Plan Review 2018-05 shall be subject to periodic reviews and inspection by the City to determine compliance with the conditions of approval and applicable codes. If at any time, the use is determined by Staff to be in violation of the conditions of approval, Staff may schedule a public hearing before the Planning Commission within 45 days of the violation to consider revocation of the permit.
7. The site or building plans submitted for any building permit applications shall reflect changes required by the herein listed conditions of approval. Any deviation from the approved plan or any condition contained herein shall require, at a minimum, prior written request by the applicant and approval by the Planning Manager.
8. Any proposed future modifications to the site, including but not limited to building exteriors, parking/loading areas, fences/walls, new buildings or landscaping shall require an amendment to Site Plan Review 2018-05.

Building Department

9. Site development shall be in accordance with the approved site plan and floor plan. The uses of all rooms and activity areas shall be identified on plans submitted for issuance of building permits. Plans must be wet stamped by a licensed architect or civil engineer.
10. Current State of California and federal handicap requirements shall apply to the entire site and all structures and parking thereon. Compliance shall be checked at the permit stage and confirmed at final inspection.
11. Additional items identified as not complying with current codes and ordinances which require correction or attention may be identified after reviews are completed. Any item not in conformance with current codes and ordinances must be corrected.

Engineering Department

General

12. Nuisance onsite lighting shall be redirected as requested by the City Engineer within 48 hours of notification.
13. The developer shall pay all required fees for completion of the project. Fees due may include but shall not be limited to the following: encroachment permit processing and improvement inspection fees.
14. Improvements within the City right-of-way require an encroachment permit from the Engineering Division.

Water

15. The existing water service connection shall be upgraded to current City standards including an Automatic Meter Reading (AMR) water meter installed within the City right-of-way and a backflow prevention device installed within private property.

Sewer

16. The existing sewer service connection(s) shall be upgraded to include a cleanout per City standards.

Planning Department

17. Except as noted herein, all on- and off-site improvements shall be made prior to the commencement of any outdoor display activity.

Site Data

- Building Area: 4,520 square feet
- Uses: Automotive tire & tune-up shop
Outdoor display of tires and wheels
- Minimum Parking Requirements: 12 spaces (including 1 ADA accessible space)
- Parking Provided: 15 spaces (including 1 ADA accessible space)

Operations

18. Conditional Use Permit 2018-03 allows for the outdoor display of tires and wheels on the project site.
19. The outdoor display of tires and wheels shall only be permitted to occur between the hours of 8:00 am and 8:00 pm.
20. The outdoor display of tires and wheels shall be consistent with the submitted site plan. At no time shall the outdoor display of merchandise encroach into the City right-of-way, impede circulation on the site or ADA paths of travel.
21. The property owner, operator, and/or management shall keep the property clear of all trash, rubbish and debris at all times. Dumping of refuse shall be restricted to the trash enclosure.

22. All required parking shall be permanently maintained with all parking spaces to be shown on plans submitted for building permits. Any modifications in the approved parking layout shall require approval by the Planning Department.
23. Any on-site vandalism and graffiti shall be corrected per the Madera Municipal Code.
24. The applicant shall provide a waste and tire removal plan, consistent with applicable laws and regulations, to ensure the storage of waste tires does not exceed the capacity of the approved waste tire storage area.
25. The applicant shall comply with all federal, state and local laws, including laws related to the storage and disposal of waste tires.

Landscaping

26. The property owner shall maintain landscaping in a healthy and well-manicured appearance. This includes, but is not limited to, ensuring properly operating irrigation equipment at all times, trimming and pruning of trees and shrubs, and replacing dead or unhealthy vegetation along property frontages and parking field islands on the project site.

Signage

27. Any current and future signage shall be consistent with the Madera Municipal Code. Signage shall be reviewed and approved by the Planning Department.
28. Promotional pennants and banners shall only be displayed during the approved holiday periods or through the approval of a temporary sign permit as permitted by the Madera Municipal Code.

(OR)

Motion 2: Move to continue the request for approval of Conditional Use Permit 2018-03 and Site Plan Review 2018-05 to the April 10, 2018 regular Planning Commission meeting for the following reasons or in order for the following information to be provided: (Please specify reasons.)

(OR)

Motion 3: Move to deny the request for Conditional Use Permit 2018-03 and Site Plan Review 2018-05 based on the following findings: (Please specify reasons.)

ATTACHMENTS

Aerial Photo
Site Plan
Site Photos

Aerial Photo



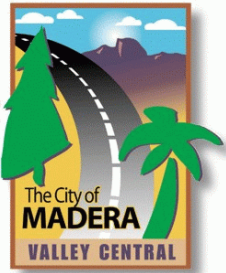
Site Photos



Current display of tires and banners



Unmaintained landscaping



CITY OF MADERA
PLANNING COMMISSION

205 W. Fourth Street
Madera CA 93637
(559) 661-5430

**Staff Report: South D Street American Tire Depot
Outdoor Display
CUP 2018-04 & SPR 2018-06
Item #8 – March 13, 2018**

PROPOSAL: Consideration of a request for a conditional use permit and site plan review to allow for the outdoor display of tires and wheels for an existing automotive tire and tune-up shop.

APPLICANT:	Bedros Darkjian	OWNER:	AVA Property Investments
ADDRESS:	200 South D Street	APN:	007-154-001
APPLICATIONS:	CUP 2018-04 & SPR 2018-06	CEQA:	Categorical Exemption

LOCATION: The site is located at the southwest corner of East 6th Street and South D Street.

STREET ACCESS: The site has access to East 6th Street and South D Street

PARCEL SIZE: One parcel encompassing approximately 0.28 acres.

GENERAL PLAN DESIGNATION: C (Commercial)

ZONING DISTRICT: C1 (Light Commercial)

SITE CHARACTERISTICS: The project site is located in the downtown district of the City. There is a mixture of commercial activity located to the north, south, east and west of the project site.

ENVIRONMENTAL REVIEW: This project has been determined to be categorically exempt under the California Environmental Quality Act (CEQA) guidelines, Section 15301, (Existing Facilities).

SUMMARY: American Tire Depot has been utilizing on-site space for outdoor display of tires and wheels for an extended period of time without an approved conditional use permit. Approval of the conditional use permit would facilitate the compliance of American Tire Depot. With the recommended conditions of approval, the auto repair and tire shop will demonstrate itself to be compatible with surrounding uses.

APPLICABLE CODES AND PROCEDURES

MMC § 10-3.802 Uses Permitted
MMC § 10-3.801 Light Commercial Zone
MMC § 10-3.4.0102 Site Plan Review Applicability
MMC § 10-3.1202 Parking Spaces Requirements

The City's Zoning Ordinance allows for the granting of a use permit by the Planning Commission subject to the Planning Commission being able to make findings that the establishment, maintenance or operation of the use or building will not, under the circumstances of the particular case, be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood of the use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the City.

If the Commission cannot make the appropriate findings, the use should be denied. Conditions may be attached to the approval of the use permit to ensure compatibility. Project design may be altered and on- or off-site improvements required in order to make the project compatible with nearby uses. In addition, the application may be subject to further review, modification or revocation by the Commission as necessary.

The City's General Plan indicates that land designated as C (Commercial) is appropriate for development of commercial activities. The City's Zoning Ordinance also allows for a variety of retail uses in the C1 (Light Commercial) Zone District, including the outdoor display and sales activities, subject to the approval of a conditional use permit by the Planning Commission.

PRIOR ACTION

The first recorded entitlement on the property was the approval of Resolution No. 298 to grant Conditional Use Permit 1960-07 on March 29, 1960. The conditional use permit allowed for the placement of a neon "Firestone" tire company sign on the project site.

Most recently, Site Plan Review 2014-14 allowed for a 733 square foot area to be enclosed so as to provide for the indoor storage of tires.

ANALYSIS

Nature of Request

The applicant is requesting the allowance for outdoor display of tires along the South D Street frontage, on a parking stall proposed to be abandoned and on the outside of each structural pillar that separates each automotive service bay from its neighboring bay. As proposed, the placement of tires and wheels would not impede any Americans with Disabilities Act paths of travel, or present safety concerns for customers and employees on the site.

Analysis

As a component of SPR 2014-14, there were a number of on-and off-site requirements. The construction of a double bin trash enclosure and the installation ADA compliant ramps have not been completed to date. These incomplete conditions of approval have been incorporated into the approvals for CUP 2018-04 and SPR 2018-06. It is recommended that the construction of a double bin trash enclosure and the installation ADA compliant ramps be completed prior to the commencement of any outdoor display activities requested as a component of the current conditional use permit request.

Parking

As proposed, the request outdoor display of tires and wheels will not impact the number of required parking spaces nor will it impede circulation on to and off the property.

CONSISTENCY WITH THE VISION MADERA 2025 PLAN

Though approval of an allowance for outdoor display and sales activities is not specifically addressed in the vision or action plans, the overall project does indirectly support **Action 115.2- As a component of the General Plan Update, increase retail outlets and promote Shop Madera...**"

SUMMARY OF RECOMMENDATIONS

The outdoor display of tires is permitted with the approval of a conditional use permit. Conditions of approval are recommended in order to ensure compatibility with surrounding uses. It is recommended that the conditional use permit be approved as conditioned.

PLANNING COMMISSION ACTION

The Commission would be taking action regarding the conditional use permit.

Motion 1: Move to approve the requested Conditional Use Permit 2018-04 and Site Plan Review 2018-06 based on and subject to the findings and conditions of approval as listed below.

Findings

- This project is categorically exempt under Section 15301, Existing Facilities, of the California Environmental Quality Act (CEQA).
- The allowance for outdoor display of tires and wheels is consistent with the purposes of the C (Commercial) General Plan land use designation and the C-1 (Light Commercial) Zone District which provide for the use, subject to the issuance of a conditional use permit.
- As conditioned, the outdoor display of tires and wheels would be compatible with surrounding properties, because its operation would not negatively impact adjoining businesses within the Downtown District adjacent properties.
- As conditioned, the establishment, maintenance or operation of the outdoor display would not under the circumstances of this particular case, be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or general welfare of the City.

CONDITIONS OF APPROVAL

General Conditions

1. Project approval is conditioned upon acceptance of the conditions of approval contained herein, as evidenced by receipt in the Planning Department of the applicant's signature upon an Acknowledgement and Acceptance of Conditions within thirty (30) days of the date of approval for this use permit.
2. The applicant's failure to utilize this use permit within one year following the date of this approval shall render the conditional use permit null and void unless a written request for an extension has been submitted to and approved by the Planning Commission.
3. Conditional Use Permit 2018-04 may be made null and void without any additional public notice or hearing at any time upon both the benefactors of the use permit and owners of the property voluntarily submitting to the City a written request to permanently extinguish the conditional use permit
4. Conditional Use Permit 2018-04 will expire and be rendered null and void if the use is discontinued for a twelve month period unless a written request for extension has been submitted to and approved by the Planning Commission.
5. Site Plan Review 2018-06 will expire one year from date of issuance, unless positive action is taken on the project as provided in the Municipal Code or required action is taken to extend the approval before expiration date. (Municipal Code Section 10-3.4.0114, Lapse of Site Plan Approval)
6. Conditional Use Permit 2018-04 and Site Plan Review 2018-06 shall be subject to periodic reviews and inspection by the City to determine compliance with the conditions of approval and applicable codes. If at any time, the use is determined by Staff to be in violation of the conditions of approval, Staff may schedule a public hearing before the Planning Commission within 45 days of the violation to consider revocation of the permit.
7. The site or building plans submitted for any building permit applications shall reflect changes required by the herein listed conditions of approval. Any deviation from the approved plan or any condition contained herein shall require, at a minimum, prior written request by the applicant and approval by the Planning Manager.
8. Any proposed future modifications to the site, including but not limited to building exteriors, parking/loading areas, fence/walls, new buildings or landscaping shall require an amendment to Site Plan Review 2018-04.

Building Department

9. Site development shall be in accordance with the approved site plan and floor plan. The uses of all rooms and activity areas shall be identified on plans submitted for issuance of building permits. Plans must be wet stamped by a licensed architect or civil engineer.
10. Current State of California and federal handicap requirements shall apply to the entire site and all structures and parking thereon. Compliance shall be checked at the permit stage and confirmed at final inspection.

11. Additional items identified as not complying with current codes and ordinances which require correction or attention may be identified after reviews are completed. Any item not in conformance with current codes and ordinances must be corrected.

Engineering Department

12. Nuisance onsite lighting shall be redirected as requested by the City Engineer within 48 hours of notification.
13. The developer shall pay for all required fees for completion of the project. Fees due may include but shall not be limited to the following: encroachment permit processing and improvement inspection fees.
14. Improvements within the City right-of-way require an encroachment permit from the Engineering Division.

Sewer

15. Existing sewer service connection(s) shall be upgraded to include a cleanout per City standards.

Streets

16. The existing Americans with Disabilities Act access ramp located at the southwest corner of D Street and 6th Street shall be reconstructed/upgraded per current ADA standards prior to the commencement of any outdoor display activity.

Planning Department

Site Data

- Building Area: 5,026 square feet
- Uses: Automotive tire & tune-up shop
Outdoor display of tires and wheels
- Minimum Parking Requirements: 9 spaces (including 1 ADA accessible space)
- Parking Provided: 13 spaces (including 1 ADA accessible space)

Operations

17. Conditional Use Permit 2018-04 allows for outdoor display of tires and wheels on the project site, subject to the herein listed conditions of approval.
18. The outdoor display of tires and wheels shall only be permitted to occur between the hours of 8:00 am and 8:00 pm.
19. Outdoor display of tires and wheels shall be consistent with the submitted site plan. At no time shall outdoor display of merchandise encroach into City right-of-way, impede circulation on the site or ADA paths of travel.
20. The property owner, operator, and/or management shall keep the property clear of all trash, rubbish and debris at all times. Dumping of refuse shall be restricted to the trash enclosure.

21. All required parking shall be permanently maintained with all parking spaces to be shown on plans submitted for building permits. Any modifications in the approved parking layout shall require approval by the Planning Department.
22. Any on-site vandalism and graffiti shall be corrected per the Madera Municipal Code.
23. Except as noted herein, all on- and off-site improvements required by conditions of approval shall be made prior to the commencement of any outdoor display activity. All unpermitted outdoor display shall be discontinued until all required conditions of approval are met.

On-site Improvements

24. A new trash enclosure with a finish and color similar to the primary structure shall be built to City standards to hold two bins. The location of the trash enclosure shall be approved by the Public Works Department. Outdoor display activities shall not occur until all site improvements are completed.
25. As a component of the new trash enclosure, an additional area for waste tire storage shall be constructed. The location and design of which shall be approved by the Planning Manager. Outdoor display activities shall not occur until all site improvements are completed.
26. The applicant shall provide a waste and tire removal plan, consistent with applicable laws and regulations, to ensure the storage of waste tires does not exceed the capacity of the approved waste tire storage area.
27. The applicant shall comply with all federal, state and local laws, including laws related to the storage and disposal of waste tires.

Landscaping

28. The property owner shall maintain landscaping in a healthy and well-manicured appearance. This includes, but is not limited to, ensuring properly operating irrigation equipment at all times, trimming and pruning of trees and shrubs, and replacing dead or unhealthy vegetation along the East 6th Street and South D Street property frontages.
29. The applicant shall provide a total of six (6) trees consistent with the submitted site plan. The submitted site plan included existing trees that are not on the project site. Shade trees shall be chosen from the City's approved list of street trees and be planted at a minimum of 15 gallon size.

Signage

30. Any current and future signage shall be consistent with the Madera Municipal Code. Signage shall be reviewed and approved by the Planning Department.
31. Promotional pennants and banners shall only be displayed during the approved holiday periods or through the approval of a temporary sign permit as permitted by the Madera Municipal Code.

(OR)

Motion 2: Move to continue the request for approval of Conditional Use Permit 2018-04 and Site Plan Review 2018-06 to April 10, 2018, for the following reasons or in order for the following information to be provided: (Please specify reasons.)

(OR)

Motion 3: Move to deny the request for Conditional Use Permit 2018-04 and Site Plan Review 2018-06 based on the following findings: (Please specify reasons.)

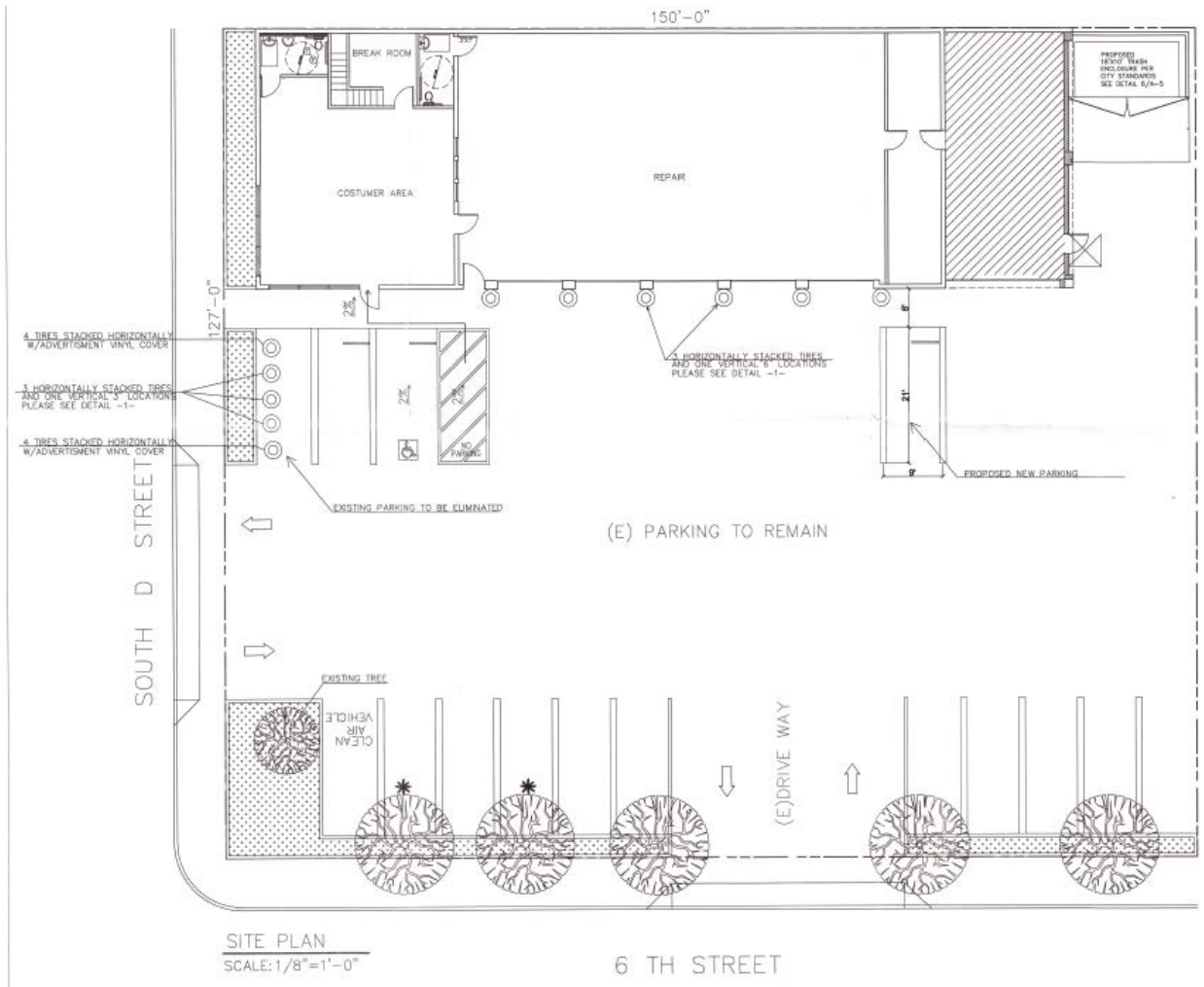
ATTACHMENTS

Aerial Photo
Site Plan
Site Photos

Aerial Photo



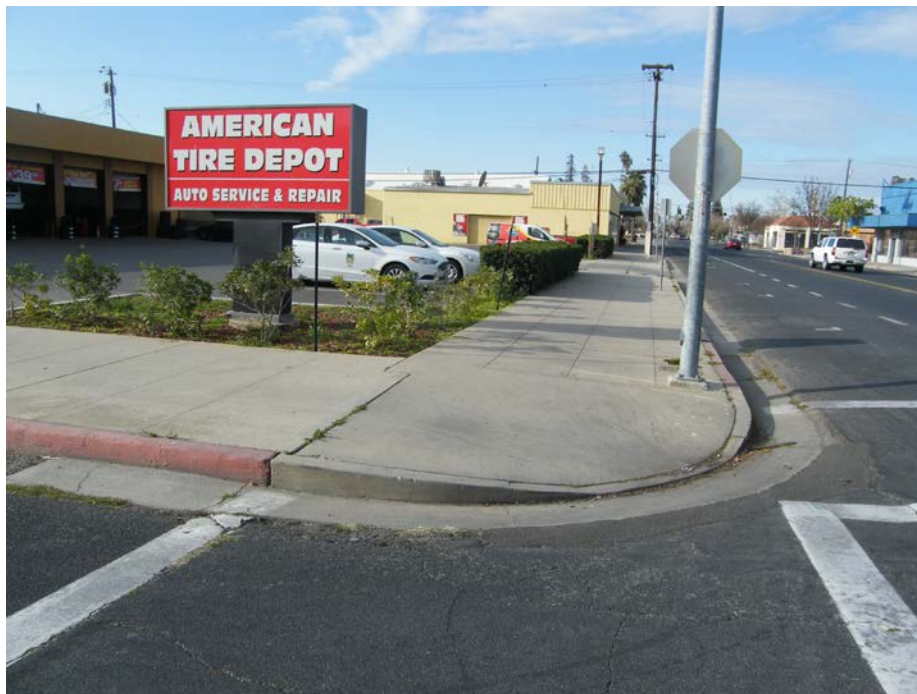
Site Plan



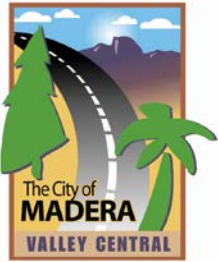
Site Photos



Current display of tires and banners



Unreconstructed ADA access ramp



CITY OF MADERA
PLANNING COMMISSION

205 W. Fourth Street
Madera CA 93637
(559) 661-5430

**Staff Report: Consideration of a Resolution finding that
the 2018/2019 to 2022/23 Capital Improvement Program
is in Conformance with the General Plan
Item #9 – March 13, 2018**

PROPOSAL: Evaluation of the City of Madera Capital Improvement Program (CIP) for fiscal years 2018/19 through 2022/23 to determine conformity with the City of Madera General Plan.

APPLICANT:	City of Madera	OWNER:	N/A
ADDRESS:	Multiple	APN:	Multiple
APPLICATION:	N/A	CEQA:	Exempt

SITE CHARACTERISTICS: The projects included in the Capital Improvement Program (CIP) are located within the urbanized area of the City of Madera. Surrounding land uses vary depending upon the individual project, but are typically commercial, residential or industrial in nature.

ENVIRONMENTAL REVIEW: The proposed project is a finding of conformance and supporting resolution regarding the Capital Improvement Program (CIP) for fiscal years 2018/19 through 2022/23. The CIP identifies proposed capital improvements and preliminary budgets for capital improvements throughout the City. Projects in the Plan include a range of public works and infrastructure projects to improve the quality of life for local residents and visitors alike. The project has been determined to be exempt under the California Environmental Quality Act (CEQA) guidelines, Section 15061(b)(3), which states that a project is exempt from CEQA if “the activity is covered by the general rule that the CEQA applies only to projects, which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.” The resolution of finding of conformance under review by the Commission at this time does not have the possibility of having a significant effect on the environment. The individual projects, proposed within the CIP are subject to CEQA analysis individually, on a project by project basis.

SUMMARY & RECOMMENDATION: The City Council of the City of Madera has reviewed the active and proposed projects in the Capital Improvement Program and forwards the CIP to the Planning Commission for determination of conformance with the City General Plan pursuant to Government Code Section 65401. It is recommended that the Planning Commission adopt a resolution finding the Capital Improvement Program in conformance with the General Plan and Specific Plans of the City of Madera.

ANALYSIS

Under the terms of Section 65401 of the Government Code, the Planning Commission of each city or county is required to review any Capital Improvement Program (CIP) and the projects contained therein, within that jurisdiction as to conformance with that agency's General Plan.

The proposed projects are for new major infrastructure improvements and reconstruction of existing facilities. The projects are divided into the following categories:

Airport Operations	7	Projects
Community Development	1	Projects
Alley Improvements	2	Projects
Traffic Signal/Improvements	5	Projects
Streets & Bridges	27	Projects
Park Development	8	Projects
Water System Utility	23	Projects
Sewer System Utility	7	Projects
Drainage System Operations	6	Projects
Engineering Department	3	Projects
Public Works Department	2	Projects
Fire Department	3	Projects
Successor Agency	5	Projects
Transit System	2	Projects

A brief description of the projects in each category is listed below:

Airport Operations – Reconstruct runway and taxiway pavements, construct new aprons and Tee Hangers, and update security gates.

Community Development – The future relocation of City Hall.

Streets & Roads – Improvements include widening existing streets, adding landscaping, installing sidewalks, installing traffic signals and other safety improvements. Reconstruction and rehabilitation includes major repairs and rehabilitation of existing streets to extend useful life and pavement resurfacing. All street projects take place on arterials and collectors as designated by the General Plan Circulation Element.

Park Development – Construction projects include new trails, bike paths and improvements to various Parks and Recreation facilities. Proposed projects are consistent with the City's approved Bicycle Transportation Plan and the Park and Recreation Element of the General Plan.

Water System – Construction projects include new water wells, major replacement of water distribution systems components, water tower maintenance, and replacement or rehabilitation of water mains.

Sewer System – Construction projects include trunk sewer pipelines, replacement and up-grade of sewer main pipelines and rehabilitation sewer lift stations.

Drainage System – Construction projects include storm drain pipelines, drainage basins acquisition and enhancements to the existing drainage system.

Fire Department – Construct a Fire Station in the northwest quadrant of the City.

Successor Agency – Facilitate completion of Adelaide Subdivision, the Riverwalk subdivision project and the Southwest Industrial Master Plan.

Transit System – Construct Transit and Public Works Maintenance and Administration Facility.

A Capital Improvement Program summary is attached to this report. The full Capital Improvement Program (CIP), including a detail sheet for each project, is available for review at the City Engineering Department (205 W. 4th Street, Madera) during normal business hours. The full Capital Improvement Program can also be reviewed on the City's web-site at the following: Capital Improvement Plan (CIP) Fiscal Year 2018/19 to 2022/23.

GENERAL PLAN CONFORMITY

If a project identified in the proposed Capital Improvement Program (CIP) would implement or generally support attainment of a General Plan goal, policy or action item, staff recommends that a finding of conformance be made. Where the linkage between the General Plan and a Capital Improvement Plan is less direct, a finding of conformance is recommended to the extent that no conflicts are identified and the project will not obstruct attainment of General Plan goals, policies and action items. If adopted policies do not support a project, or the project prevents attainment of an adopted policy, a conformity determination should not be made.

A screening level analysis was completed for each Capital Improvement Program (CIP) project against the goals, policies and action items in all ten elements of the General Plan. No conflicts were identified between any proposed project and any feature of the adopted General Plan. In general, capital projects identified in the CIP are consistent with the General Plan's intent to provide adequate circulation and utilities, and to support enhanced transit, walkability and recreational opportunities. Airport related projects are consistent with the General Plan policy supporting the Airport in its role as an important part of the local commercial economy.

The Commission's finding that a proposed Capital Improvement Program (CIP) item conforms with the General Plan does not necessarily mean that the Commission or the City endorses the project in a particular form. Individual capital projects must undergo environmental review and receive approval prior to being carried out. As projects proceed from concept to final design and construction, individual projects are commonly modified. Where the General Plan points to specific features that affect design, these features will be incorporated. The City Council will continue to have full discretion in deciding to move forward with CIP items.

If the Planning Commission finds that the projects are in conformance with the General Plan, the Fiscal Year 2018/19 to 2022/23 Capital Improvement Program (CIP) will be forwarded on to the City Council for final adoption during its consideration of the Fiscal Year 2018/19 Budget.

CONSISTENCY WITH THE VISION MADERA 2025 PLAN

Consistent with Action 126 and Action 132 of Vision 2025, the projects support the strategy for providing clean attractive streets that are safe and aesthetically pleasing, and connecting Madera's neighborhoods through streets, trails and walkways that promote community interaction. The requested action is for the improvement of infrastructure and is not in conflict with any of the actions or goals contained in the plan.

SUMMARY OF RECOMMENDATIONS

The information presented in this report supports adoption of a resolution finding the Fiscal Year 2018/19 to 2022/23 Capital Improvement Program (CIP) in conformance with the General Plan and Specific Plans of the City of Madera.

PLANNING COMMISSION ACTION

The Planning Commission will be acting on the adoption of a resolution, included herein as an attachment.

ATTACHMENTS

CIP Summary
Resolution

City of Madera, California

Capital Plan

'18/'19 thru '22/'23

PROJECTS BY DEPARTMENT

Department	Project #	Priority	'18/'19	'19/'20	'20/'21	'21/'22	'22/'23	Total
Airport								
AIP-0028 T-Hangar Development Phase 1	AIP-0028	1		75,000	655,000			730,000
AIP-0029 Tee Hangar Development Const-II	AIP-0029	1			70,000	729,000		799,000
AIP-0031 Apron & Taxiway Drainage	AIP-0031	1	70,000	744,000				814,000
AIP-0034 Commercial Hangar Develop Extend-III	AIP-0034	1				155,000	2,550,600	2,705,600
AIP-0035 Extend Runway 12-30 & Taxiway P	AIP-0035	1					620,000	620,000
AIP-0036 Airport Gate Security Update	AIP-0036	1		373,000				373,000
AIP-0037 AGIS Survey & Obstruction Mitigation	AIP-0037	1	125,000	280,000				405,000
Airport Total			195,000	1,472,000	725,000	884,000	3,170,600	6,446,600
Community Development								
CD-00001 City Hall Relocation & Expansion	CD-00001	1				0	19,863,000	19,863,000
Community Development Total						0	19,863,000	19,863,000
Engineering								
ALY-0001 Torres Way Alley Paving	ALY-0001	1	15,000	185,000				200,000
ALY-002 Alley Paving-Variou Locations	ALY-0002	1	751,000					751,000
B-000002 Westberry Bridge Construction	B-000002	3				500,000	2,000,000	2,500,000
B-000004 BPMP Rehab/Repair of 3 Bridges	B-000004	1	188,000					188,000
ENG-000C Traffic Warrants	ENG-000C	1	25,000	25,000	25,000	25,000	25,000	125,000
ENG-000G Micro-Paver Distress Survey	ENG-000G	1	5,000					5,000
MUP-UDII Master Utility Plan Update, II	MUP-UDII	1					475,000	475,000
R-000010 Olive Ave Widening-Gateway to Knox	R-000010	1	7,579,125					7,579,125
R-000025X Fourth St Tree Replacemt-Pine to K	R-000025X	1	125,000					125,000
R-000031 Contingency / Project Administration	R-000031	1	160,000	160,000	160,000	160,000	160,000	800,000
R-000032 UPPR Crossing - Street Approach	R-000032	1	50,000	80,000	80,000	80,000	80,000	370,000
R-000037 Raymond Rd Shoulder-n/o Cleveland	R-000037	1	262,000					262,000
R-000038 Gateway/Central/3rd/E St Sidewalks	R-000038	1	451,000					451,000
R-000041 Concrete Projects - Share Program	R-000041	1	75,000	20,000	20,000	20,000	20,000	155,000
R-000046 Lake St Widening-Fourth to Cleveland	R-000046	1	64,000		936,000		2,822,000	3,822,000
R-000049 Olive Ave Concept Plan	R-000049	1	12,000					12,000
R-000050 Pine St Reconstr-Howard to Fourth St	R-000050	1			515,000			515,000
R-000054 Cleveland Ave Widen-Schnoor to SR99	R-000054	1		60,500		0		60,500
R-000057 Lake-Fourth-Central Intersection	R-000057	1	260,000	1,607,000				1,867,000
R-000058 Schnoor Ave Sidewalk-Sunset to River	R-000058	1			22,000	128,000		150,000
R-000060 Storey Rd Shoulder Paving	R-000060	1		31,000	275,000			306,000
R-000062 Sidewalks-School & Commercial	R-000062	1	281,000					281,000
R-000064 ADA Walkability Sidewalks 16-17	R-000064	1	5,000	35,000			60,000	100,000
R-000065 Surface Seals-AC Overlays 16-17	R-000065	1	771,000					771,000
R-000066 Sunset Ave Sidewalk, Granada-Foster	R-000066	1	448,855					448,855
R-000067 Pecan Ave Shoulder Paving	R-000067	1	3,000	66,000	599,000			668,000
R-000068 Golden State Blvd Shoulder Paving	R-000068	1	10,000	113,000				123,000
R-000070 Surface Seals-AC Overlays 18-19	R-000070	1	480,000					480,000
R-000071 Surface Seals-AC Overlays 20-21	R-000071	1		30,000	925,000			955,000
R-000072 Ave 17/Sharon Blvd Improvements	R-000072	4	5,310,910					5,310,910

Department	Project #	Priority	'18/'19	'19/'20	'20/'21	'21/'22	'22/'23	Total
R-000073 Washington School Sidewalks	R-000073	1	354,207					354,207
RM-00001 Rtne Maint City Bridges Fresno RVR	RM-00001	1	35,000	10,000				45,000
S-000012 Schnoor Ave Trunk Sewer Rehab	S-000012	1	48,000	489,000				535,000
SD-00014 NW Quad Storm Drain Improvement	SD-00014	4					7,400,000	7,400,000
SD-00015 SE Quad Storm Drain Improvements	SD-00015	4					17,500,000	17,500,000
SD-13-PX Retention Basin Land Acquisition	SD-13-PX	1	50,000	40,000	40,000	10,000		140,000
SD-14-P11 Granada Dr/Ave 12.5 Retention Basin	SD-14-P11	1		100,000				100,000
SD-15-P7 Ellis St/Krohn St Retention Basin	SD-15-P7	1		100,000				100,000
SD-P18 Sienna Basin	SD-P18	1	115,000					115,000
SS-00006 Fairgrounds Liftstation-VFD	SS-00006	n/a	425,000					425,000
SS-00007 Airport Lift Station Force Main Study	SS-00007	n/a	20,000					20,000
SS-00008 2018 Sewer Manhole Project	SS-00008	n/a	50,000					50,000
SS-00009 2018 Sewer Repairs	SS-00009	n/a	500,000					500,000
S-STDY-1 Sewer System Assess/Rehab	S-STDY-1	1	123,825					123,825
S-VI-002 Sewer Main Video Inspection	S-VI-002	1	740,930					740,930
TS-00017 Granada Dr/Howard Rd Traffic Signal	TS-00017	1	490,000					490,000
TS-00019 Howard Rd/Westberry Traffic Signal	TS-00019	3	467,500					467,500
TS-00020 Sunrise Ave/Tozer St Traffic Signal	TS-00020	1			35,000	350,000		385,000
TS-00023 HOPYQ Intersection Traffic Signals	TS-00023	1	15,000	120,000				135,000
TS-00024 Cleveland/Granada Dr Traffic Signal	TS-00024	1			375,000			375,000
W-000003 Water Main Upgrades - Locations 1-12	W-000003	1	100,000	750,000				850,000
W-000004 Water Main Upgrades - Locations 13-23	W-000004	1	120,000		1,380,000			1,500,000
W-000006 H St-Water Main Upgrades	W-000006	1	10,000	255,000				265,000
W-000008 10th St-Water Main Upgrades	W-000008	1		10,000	770,000			780,000
W-000009 Gateway-Riverside River Crossing	W-000009	1	184,000					184,000
W-000017 Well 27 Pipe Outfall Extension	W-000017	1	530,000					530,000
W-000020 Well 28 Pump Replacement	W-000020	1	500,000					500,000
W-000022 Water Tower Recoating	W-000022	1	1,490,000					1,490,000
W-000026 Water Tower Demolition	W-000026	1		285,000				285,000
W-000029 Downtown Valve Replacement	W-000029	1	130,000					130,000
W-GW-001 Water Well 37-Install Pump	W-GW-001	3				1,012,000		1,012,000
W-GW-002 Water Well 35-Ellis w/o Chapin	W-GW-002	4					2,011,000	2,011,000
W-GW-0024 Sharon Blvd. S/O Ave 17 - Well	W-GW-0024	1	2,000,000					2,000,000
W-GW-003 Water Well 36- SR 145/Indigo	W-GW-003	4				121,000	1,890,000	2,011,000
W-GW-005 VFD Retrofit 4 Wells	W-GW-005	1	160,000					160,000
W-MS-001 Meter Shop	W-MS-001	1	300,000					300,000
W-PNE-04 Lake St Water Main-Ellis to Ave 17	W-PNE-04	2	25,000	615,000				640,000
W-PS-001 Ave 17 & Lake Pump Station/Tank	W-PS-001	2	103,000	377,000	5,893,000			6,373,000
W-PSW-45 Almond Ave Water Main, Pine-Stadium	W-PSW-45	3				88,000	188,000	276,000
W-STDY-1 Water Feasibility & New Water Supply	W-STDY-1	1	150,000	150,000	150,000	150,000		600,000
W-STDY-2 Water System Condition Assess/Rehab	W-STDY-2	1	250,000					250,000
W-STDY-3 Asset Management Software	W-STDY-3	1	150,000					150,000
W-T-0001 Water Storage Tank Installation	W-T-0001	2	513,000	448,000		9,000,000		9,961,000
Engineering Total			27,479,352	6,161,500	12,200,000	11,644,000	34,631,000	92,115,852
Fire Department								
FD-00001 Fire Station 7 - Parking Lot Paving	FD-00001	1			67,000			67,000
FD-00002 Fire Station Constr, Northwest	FD-00002	1	6,450,000					6,450,000
FD-00003 Fire Station 6 Parking Lot	FD-00003	1			70,000			70,000
Fire Department Total			6,450,000		137,000			6,587,000
Parks & Community Services								
PK-00001 Ped/Bike Facilities	PK-00001	1	94,000	35,000	36,000	36,000	36,000	237,000
PK-00008 FRT-Gateway/JPRR Undercrossing	PK-00008	1	815,000					815,000
PK-00013 Sunrise Rotary Sports Complex	PK-00013	1	462,194					462,194

Department	Project #	Priority	'18/'19	'19/'20	'20/'21	'21/'22	'22/'23	Total
PK-00048 Tulare/Cleveland/Raymond Bike Path	PK-00048	1	10,000	315,000				325,000
PK-00056 Bike/Ped Path, FRT-Cleveland Ave	PK-00056	1		45,000	339,000			384,000
PK-00058 FRT-Granada to MID, North Bank	PK-00058	1			40,000	156,000		196,000
PK-00062 ADA Improvements at Pan-Arn and Bergon	PK-00062	1	65,000					65,000
PK-00063 Centennial Park Rehab - Lighting	PK-00063	1	430,000					430,000
Parks & Community Services Total			1,876,194	395,000	415,000	192,000	36,000	2,914,194
Public Works								
S-000011 Sewer Manhole Covers-Replacement	S-000011	1	75,000					75,000
W-000030 4th/Gateway Valve Replacement	W-000030	1		30,000	220,000			250,000
Public Works Total			75,000	30,000	220,000			325,000
RDA Successor Agency								
RDA-16-04 SW Industrial Master Plan	RDA-16-04	1	70,000					70,000
RDA-16-05 Adelaide Subdivision	RDA-16-05	1	1,568,650					1,568,650
RDA-17-01 Malone	RDA-17-01	1	228,946					228,946
RDA-17-02 Yosemite Lot Plan Review	RDA-17-02	1	600,970					600,970
RDA-18-01 Riverwalk Improvements Phase II	RDA-18-01	3	812,149					812,149
RDA Successor Agency Total			3,280,715					3,280,715
Transit Program								
TRANS-01 Transit Operations Facility	Trans-01	1	270,000					270,000
Trans-09 RMRA Sustainable Communities 145/Main	Trans-09	n/a	308,000					308,000
Transit Program Total			578,000					578,000
GRAND TOTAL			39,934,261	8,058,500	13,697,000	12,720,000	57,700,600	132,110,361

RESOLUTION NO. 1826

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MADERA FINDING THAT THE PROPOSED 2018/19 TO 2022/23 CAPITAL IMPROVEMENT PROGRAM IS IN CONFORMANCE WITH THE GENERAL PLAN AND SPECIFIC PLANS OF THE CITY OF MADERA AS REQUIRED BY SECTION 65401 OF THE GOVERNMENT CODE.

WHEREAS, Section 65401 of the Government Code requires the Planning Commission of cities and counties to review any Capital Improvement Program in its jurisdiction for conformance with the agency's adopted General Plan and Specific Plans; and

WHEREAS, the City Council of the City of Madera reviewed the active and proposed projects in the Fiscal Year 2018/19 to 2022/23 Capital Improvement Program at their meeting on February 21, 2018; and

WHEREAS, the proposed projects reflect the major need for airport, streets, public utilities, parks and other community facilities during the next five years in concert with the provisions in the adopted General Plan and Specific Plans; and

WHEREAS, The City Council of the City of Madera has forwarded the Fiscal Year 2018/19 to 2022/23 Capital Improvement Program to the Planning Commission for determination of conformance with the City General Plan and Specific Plans pursuant to Government Code Section 65401; and

WHEREAS, The Planning Commission has completed its review of the Staff Report, evaluated all attached supporting documents, and considered testimony received as part of the public hearing process.

NOW THEREFORE BE IT RESOLVED BY THE PLANNING COMMISSION OF THE CITY OF MADERA AS FOLLOWS:

1. The above recitals are true and correct.
2. In the independent judgement of the Planning Commission, and based upon the whole of the record before the Commission, the Commission finds that the resolution of finding of conformance under review by the Commission at this time does not

have the possibility of having a significant effect on the environment and has been determined to be exempt under the California Environmental Quality Act (CEQA) guidelines, Section 15061(b)(3), which states that a project is exempt from CEQA when the activity is covered by the general rule that CEQA applies only to projects which have the potential for causing a significant effect on the environment.

3. The Planning Commission hereby finds the Fiscal Year 2018/19 to 2022/23 Capital Improvement Program in conformance with the General Plan and Specific Plans of the City of Madera.
4. This resolution is effective immediately upon adoption.

* * * * *

Passed and adopted by the Planning Commission of the City of Madera this 13th day of March, 2018, by the following vote:

AYES:

NOES:

ABSTENTIONS:

ABSENT:

Robert Gran, Jr., Chairperson
City Planning Commission

Attest:

Christopher Boyle
Planning Manager