

REPORT TO CITY COUNCIL

Approved by:

David Church

Interim Planning Manager

Arnoldo Rodriguez

Arnoldo Rodriguez, City Manager

Council Meeting of: June 17, 2020

Agenda Number: C-1

SUBJECT:

Continued Public Hearing regarding General Plan Amendment and Related Rezoning of property for Reconfiguration of Development Regarding Pecan Square Project and Council Consideration of the Planning Commission's Approval of Tentative Parcel Map 2019-03 and Tentative Subdivision Map 2019-03 and Approval of Same with Updated Conditions.

RECOMMENDATION:

It is recommended that the City Council (Council) hold the public hearing and after it is closed take the following actions by separate motion in order presented:

1. Adopt a Resolution Ratifying Planning Commission's Approval of Tentative Parcel Map 2019-03 and Tentative Subdivision Map 2019-03 and Approval of Same with Updated Conditions.
2. Adopt a Resolution Amending the General Plan Land Use Map for Property (Approximately 76 Acres) Located Southwest of the Intersection of West Pecan Avenue and Madera Avenue, Amending the Low, Medium, and High Density Residential and the Commercial General Plan Land Use Designations and Adopting a Mitigated Negative Declaration (APN: 012-480-005); and
3. Waive full reading and introduce an Ordinance Rezoning Property (Approximately 76 Acres) Located Southwest of the Intersection of Pecan Avenue and Madera Avenue to Adjust the Boundaries of the PD-6000, PD-3000 and PD-1500 (Planned Development) Zone Districts and the CN (Commercial Neighborhood) Zone District and Deleting the PF (Public Facility) Zone District.

SUMMARY:

The project proponent is requesting an amendment of the General Plan and rezoning of the subject 76-acre property located southwest of the intersection of Pecan Avenue and Madera Avenue as part of a project including a Tentative Parcel Map and Tentative Subdivision Map. The

plan amendment would change the configuration of planned land uses comprised of the LD (Low Density), MD (Medium Density), HD (High Density) and Commercial land use designations. Concurrently the ordinance changes the boundaries of corresponding PD 6000, PD 3000, PD 1500 and CN (Commercial Neighborhood) zones and removes PF (Public Facility) zone. Positive action on the requested general plan amendment and rezoning would enable the development of a 112-lot single family residential subdivision as provided by the tentative parcel map TPM 2019-03 and tentative subdivision map TSM 2019-03. A resolution approving the General Plan amendment (Attachment 4), and an ordinance implementing the rezone (Attachment 5) as well as a resolution (Attachment 6) ratifying the approval of the tentative subdivision map and parcel map with updated conditions have been prepared for Council consistent with the Planning Commission's actions at its May 12, 2020 meeting.

DISCUSSION:

The project proponents include the property owner, Robert Atamian, and the developer of the residential subdivision, D. R. Horton CA 3 Inc. The plan amendment, rezoning and parcel map are appropriate to facilitate a more functional and compatible arrangement of the several residential uses together with the commercial area. The tentative subdivision map provides the first phase of development within the LD planned area consists of a 22-acre 112-lot single family residential subdivision including a community park space. Precise plans as approved by the Planning Commission will provide design parameters for the design and architectural features of the residential components. The remaining approximately 54 acres will be suitably planned and zoned to accommodate a wide range of housing types together with commercial development to serve the surrounding neighborhoods. Precise plans will provide development and design standards as the phased developed of the residential areas occur.

The Planning Commission at its May 12, 2020 meeting recommended approval of the Mitigated Negative Declaration for the subject development applications together with approval of the plan amendment and rezoning. The Planning Commission also approved the tentative parcel map and tentative subdivision map. However, certain mandated conditions were not included that require clarification by the Council, namely conformity with the General Plan and Zoning Ordinance, and as a result staff and the applicant have worked to bring this matter before the Council to address this issue and ensure compliance with state law.

General Plan Amendment and Rezone

The plan amendment adjusts the configuration of the areas planned for HD (High Density), MD (Medium Density), and LD (Low Density) residential and the C (Commercial) uses to facilitate more efficient and compatible phased development of the subject site. The implementing PD-1500, PD-3000, PD-6000 and CN (Commercial Zoning) are correspondingly adjusted by the proposed rezoning. Additionally, the rezoning will remove a PF (Public Facility) zoning for a portion of the site which is no longer intended to accommodate a public facility use and was not acknowledged by the General Plan when most recently updated for the subject site.

A western most portion of the site, approximately 22-acres within the PD-6000 zone, is proposed to accommodate development of 112 single-family residential lots with an average lot area of 6,000 square foot. The proposed development at an approximate density of 5.28 units per acres

is consistent with the LD (Low Density) General Plan designation allowing for development ranging between 2.1 and 7 units per acre. The proposed zoning and further provides consistency with Policy LU-7 and LU-19 of the General Plan. In addition to these dwelling units, the related plan amendment and rezoning provides for a reconfiguration of planned land uses and implementing zoning on the remainder of the site which will facilitate more efficient site utilization and designs with increased residential density while accommodating site amenities.

Tentative Parcel Map and Tentative Subdivision Map

The tentative parcel map provides for the separation of the 22-acre western portion of the site which is proposed for immediate development. The eastern portion of the site is anticipated to develop in phases over the next several years. The tentative subdivision map will establish the 112 residential lots proposed for immediate development together with a parcel to accommodate public park space. The tentative maps are consistent with applicable provisions of the Vision Madera 2025 General Plan to provide for a “well-planned city” as further reviewed below.

The tentative parcel map and subdivision map have been included for the Council’s consideration together with the amendment and rezoning to allow for the additional mandated conditions of approval, as well as a comprehensive perspective of the implementation of the development of the subject property. The tentative maps are essential components of the project entitlements together with the plan amendment and rezone allowing for proposed development. The mitigated negative declaration prepared for the project addresses the subject plan amendment, rezone and tentative map applications and identifies appropriate mitigation measures to be implemented as the property develops. These mitigation measures have been incorporated into the tentative parcel and subdivisions maps and provide for appropriately phased construction of public facilities and infrastructure including sewer collection, water supply and fire suppression, public street improvements for adequate vehicle and pedestrian access including public safety response, and storm water drainage and mitigation of potential flooding in response to the site’s partial location within an identified 100-year flood zone.

CEQA

The mitigated negative declaration addresses the subject plan amendment, rezone, tentative parcel map, tentative subdivision map and precise plan. The Planning Commission considered the above applications and the proposed conditions of approval providing adequate mitigation of potentially adverse environmental affects related to vehicular and pedestrian access, public water supply for both domestic and fire suppression purposes, and wastewater collection capacity. The Planning Commission determined that specific acknowledgment be made that the southeastern corner of the subdivision site was within the flood inundation zone AD and that the design of finish grading plans and storm drainage improvements provide sufficient elevation and storm drainage removal to comply with applicable standards. Conditions of approval address public facility infrastructure improvements, including water supply, wastewater disposal, traffic circulation and stormwater collection and remediation measures.

FISCAL IMPACT:

The applicant submitted \$19,302 in Planning Department entitlement fees to offset the costs associated with processing this rezone request, the General Plan amendment, precise plan, and supporting environmental determination. Additional fees will be required from the Engineering and Building Departments in conjunction with final approval of civil improvement plans and building plan check and permitting. With development of the approved apartment complex, the developer will pay development impact fees toward supporting City infrastructure and services. Conditions of approval for the precise plan require annexation into a City's landscape maintenance district and the City's Community Facilities District 2005-01, supporting the provision of police, fire, parks, and storm drainage services in the City.

CONSISTENCY WITH THE VISION MADERA 2025 PLAN:

The proposed plan amendment and rezoning further accomplish the goals and objectives of the Vision Madera 2025 Plan. The first of four Plan vision statements provides that "A Well-Planned City," promotes and encourages development of housing. Approval of this project is specifically consistent with the aforementioned vision statement and Strategy 131, which envisions "well-planned neighborhoods throughout Madera that promote connectivity and inclusiveness with a mix of densities." The proposed development responds favorably to General Plan Policy H-3.7 that residential project design "reflect and consider natural features, circulation, access, and the relationship of the project to surrounding uses"; and Policy H-3.8 provides that "quality design and appearance of all new development so that they add value to the community's built environment and reduce potential for community objection".

ALTERNATIVES:

The Council could consider alternatives other than staff's recommendation for approval of the General Plan amendment and introduction of the rezone ordinance. Those include:

1. Denial of the request for General Plan amendment and rezone. Should the requests be denied, the project site would remain within the current General Plan and zoning. The approved precise plan would require amendment so as to comply with the current zoning. Revised environmental documentation might be necessary per the California Environmental Quality Act.
2. Continuing the item with direction to staff to provide additional information so as to allow the Council time to digest that information in advance of a decision.
3. Provide staff with other alternative directives.

ATTACHMENTS:

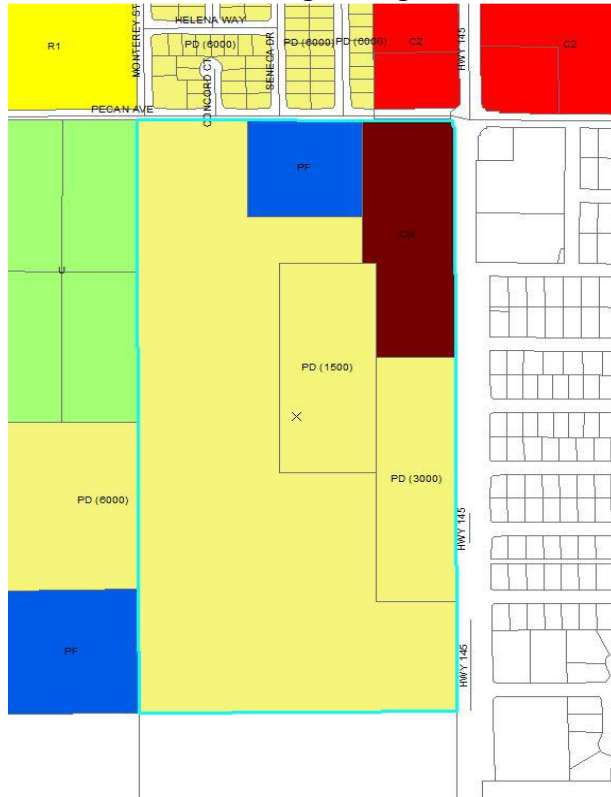
1. Aerial Imagery
2. Existing and Proposed Zoning
3. Present and Proposed Planned Land Use
4. Tentative Parcel Map (reduced)
5. Tentative Subdivision Map (reduced)
6. Planning Commission Resolution No. 1850
 - Exhibit A - General Plan Map
 - Exhibit B - Rezone Map
7. General Plan Amendment Resolution
 - Exhibit A – Current Land Use Designation
 - Exhibit B – Amended (New) Land Use Designation
 - Exhibit C – Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program
8. Rezone Ordinance
 - Exhibit A – New Zone District Map
9. TSM 2019-03 and TPM 2019-03 Resolution
 - Attachment A – Conditions of The Tentative Subdivision Map and Tentative Parcel Map

Attachment 1: Aerial Imagery

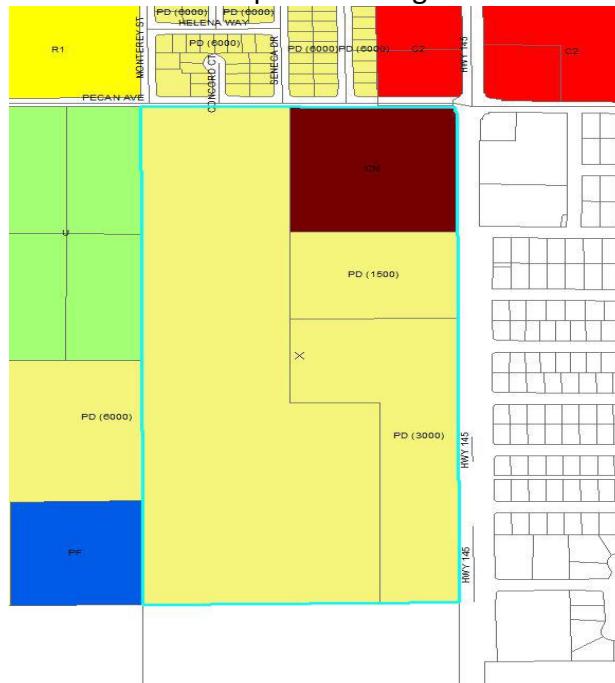


Attachment 2: Existing and Proposed Zoning

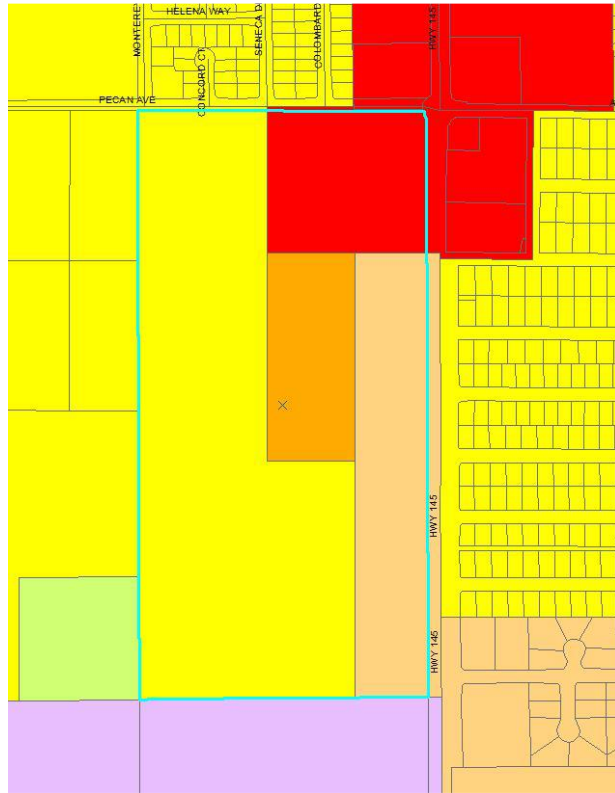
Existing Zoning



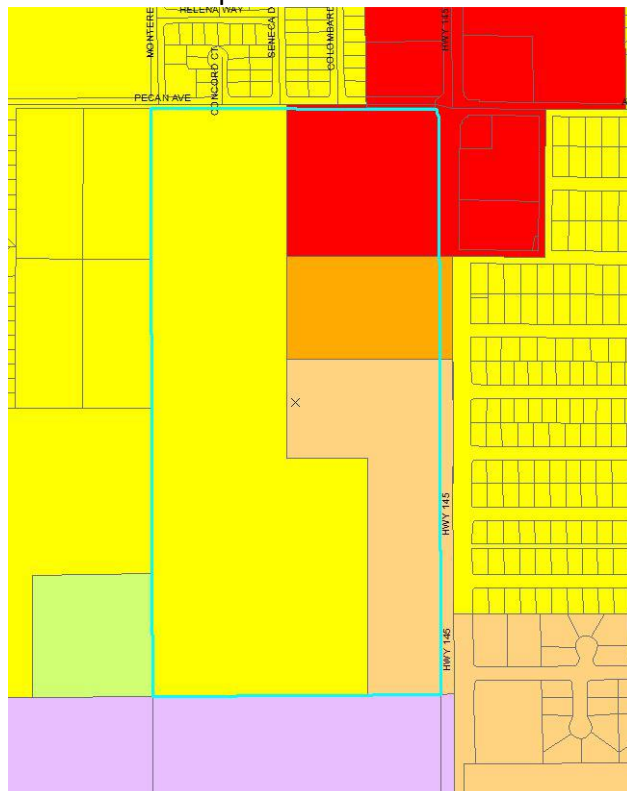
Proposed Zoning



Attachment 3: Present and Proposed Planned Land Use
Current General Plan



Proposed General Plan



Attachment 6: Planning Commission Resolution No. 1850

RESOLUTION NO. 1850

RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF MADERA RECOMMENDING TO THE CITY COUNCIL OF THE CITY OF MADERA APPROVAL OF AN AMENDMENT OF THE GENERAL PLAN CHANGING THE LAND USE DESIGNATION OF PORTIONS OF AN APPROXIMATELY 78.9 ACRE SITE TO MODIFY BOUNDARIES OF LOW DENSITY, MEDIUM DENSITY, HIGH DENSITY RESIDENTIAL AND COMMERCIAL DESIGNATIONS AND THE REZONING OF THE PROPERTY TO MODIFY BOUNDARIES OF PD-6000, PD-3000, PD-1500 (PLANNED DEVELOPMENT) AND C (COMMERCIAL) ZONING AND REMOVE PF (PUBLIC FACILITY) ZONING

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, D.R. Horton CA3, Inc., as the proposed subdivision developer, and the property owner, Robert Atamian, have filed an application initiating an amendment to the Madera General Plan to amend the boundaries of land use plan designations within an approximately 76.25 acre area located southwest of the intersection of West Pecan Avenue and Madera Avenue to modify the boundaries of the subject property's LD (Low Density Residential), MD (Medium Density Residential), HD (High Density Residential), and C (Commercial) land uses as shown in the attached Exhibit A; and

WHEREAS, D.R. Horton CA3, Inc., as the proposed subdivision developer, and the property owner, Robert Atamian, have filed an application initiating a Rezoning of the property to modify the boundaries of the PD-6000, PD-3000, PD-1500 (Planned Development) and the C (Commercial) Zone Districts to conform with the proposed planned land use boundaries, as shown in the attached Exhibit B; and

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

WHEREAS, the proposed General Plan amendment and Rezone are compatible with the neighborhood and are 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, General Plan amendment 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 recommends that the Madera General Plan land use map be amended as specified in attached Exhibit "A".
3. The proposed amendment to the Land Use Map is hereby found consistent with all elements of the Madera General Plan.
4. The proposed rezoning is hereby found to be consistent with all elements of the General Plan, including the land use map as amended by this application.
5. The Planning Commission hereby recommends the City Council adopt an ordinance rezoning property as specified within the attached Exhibit "B".
6. This resolution is effective immediately.

* * * * *

Passed and adopted by the Planning Commission of the City of Madera this 12th day of May 2020, by the following vote:

AYES: Commissioners; Israel Cortes, Robert Gran Jr., Richard Broadhead, Ramon Lopez, Alex Salazar

NOES: None

ABSTENTIONS: None

ABSENT: Commissioners; Pam Tyler, Ryan Cerioni,



Israel Cortes
Planning Commission Chairperson

Attest:



Darrell Unruh
Interim Planning Manager

Exhibit A

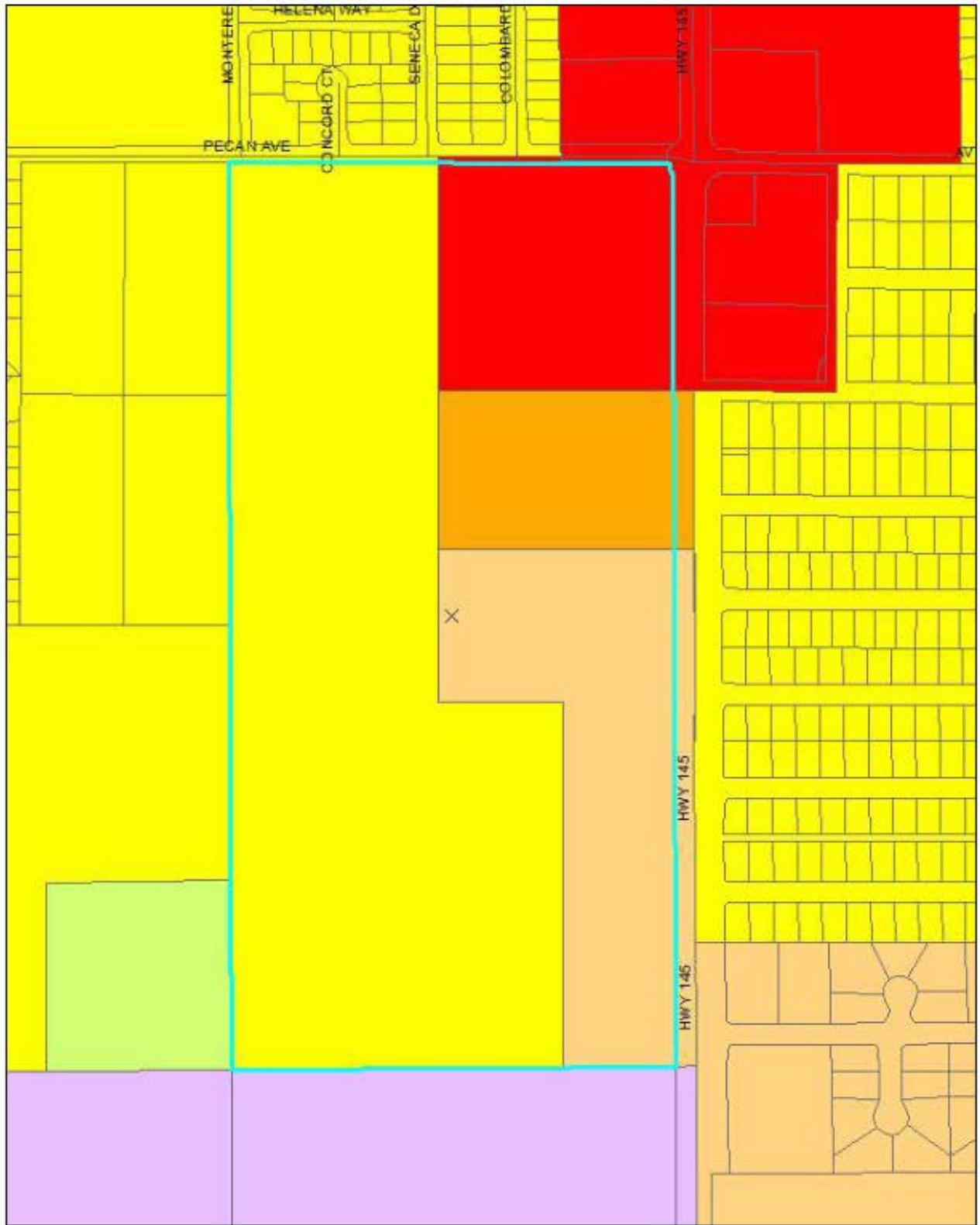
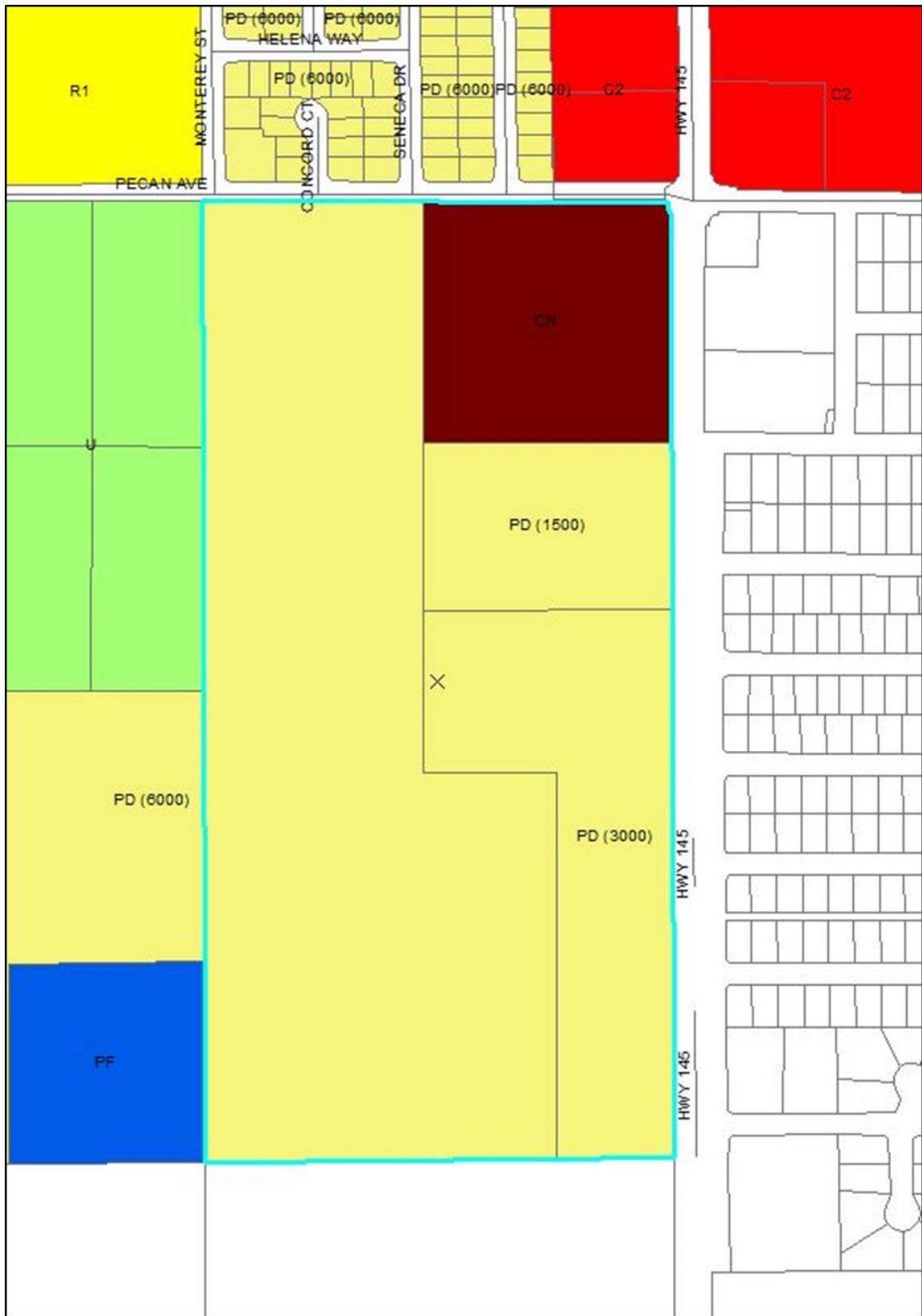


Exhibit B



Attachment 7: City Council General Plan Amendment Resolution

RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA APPROVING AN AMENDMENT OF THE GENERAL PLAN CHANGING THE LAND USE DESIGNATION OF APPROXIMATELY 76.25 ACRES LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF WEST PECAN AVENUE AND MADERA AVENUE TO MODIFY THE LAND USE DESIGNATIONS OF LOW DENSITY, MEDIUM DENSITY, HIGH DENSITY RESIDENTIAL AND COMMERCIAL LAND USE DESIGNATIONS (APN: 012-480-005) AND ADOPTING A MITIGATED NEGATIVE DECLARATION

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, the property owner has initiated an amendment to the Madera General Plan amending the land use designation for approximately 76.25 acres of property located on the southwest corner of the intersection of West Pecan Avenue and Madera Avenue modifying the LD (Low Density), MD (Medium Density), HD (High Density) and C (Commercial) land use designations as shown in the attached Exhibit A; and

WHEREAS, the property owner has initiated a Rezone of the property to establish PD-6000, PD-3000, PD-1500 (Planned Development) and CN (Commercial Neighborhood) Zone Districts and remove the existing PF (Public Facilities) Zone District, to be consistent with the proposed planned uses, as shown in the attached Exhibit B; and

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

WHEREAS, the proposed General Plan amendment and Rezone are compatible with the neighborhood and are 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 Mitigated Negative Declaration for the project in compliance with the California Environmental Quality Act; and

WHEREAS, the Mitigated Negative Declaration, General Plan amendment and rezoning were distributed for public review and comment to various local agencies and groups, and notice of 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 of the City of Madera held a public hearing on May 12, 2020, and adopted a resolution recommending to the City Council approval of the General Plan amendment and rezoning; and

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 Mitigated 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; and

WHEREAS, the City Council has completed its review of the staff report and documents submitted for the proposed project, evaluated the information and considered testimony received as a part of the public hearing process.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MADERA AS

FOLLOWS:

1. The above recitals are true and correct.
2. The City Council finds an environmental assessment initial study was prepared for this project in accordance with the requirements of the California Environmental Quality Act (CEQA) Guidelines. This process included the distribution of requests for comment from other responsible or affected agencies and interested organizations. Preparation of the environmental assessment necessitated a thorough review of the proposed project and relevant environmental issues. Based on this review and assessment, the City Council finds there is no substantial evidence in the record, that with all applicable mitigation measures applied to the project and with the mitigated monitoring and reporting program, this project may have a significant direct, indirect or cumulative effect on the environment, and that a Mitigated Negative Declaration is appropriate for this project. The City Council further finds the Initial Study and Mitigated Negative Declaration were timely and properly published and notices as required by CEQA, and no comments were received by the City within the required comment period. Therefore, the City Council adopts the Mitigated Negative Declaration for this project, and the mitigation monitoring and reporting program (MMRP), attached hereto as Exhibit "C".
3. Based on the testimony and information presented at the hearing, and all of the evidence in the whole of the record pertaining to this matter, the City Council hereby finds that the City of Madera General Plan Land Use Map be amended as specified and described in Exhibit "A" which is attached to this resolution and incorporated by reference.
4. Based on the testimony and information presented at the hearing, and all of the evidence in the whole of the record pertaining to this matter, the City Council hereby finds that

the proposed amendment to the City of Madera General Plan Land Use Map is hereby found consistent with all elements of the Madera General Plan and its goals, policies, objectives.

5. This resolution is effective upon adoption.

* * * * *

EXHIBIT 'A' – Current Land Use Designation(s)

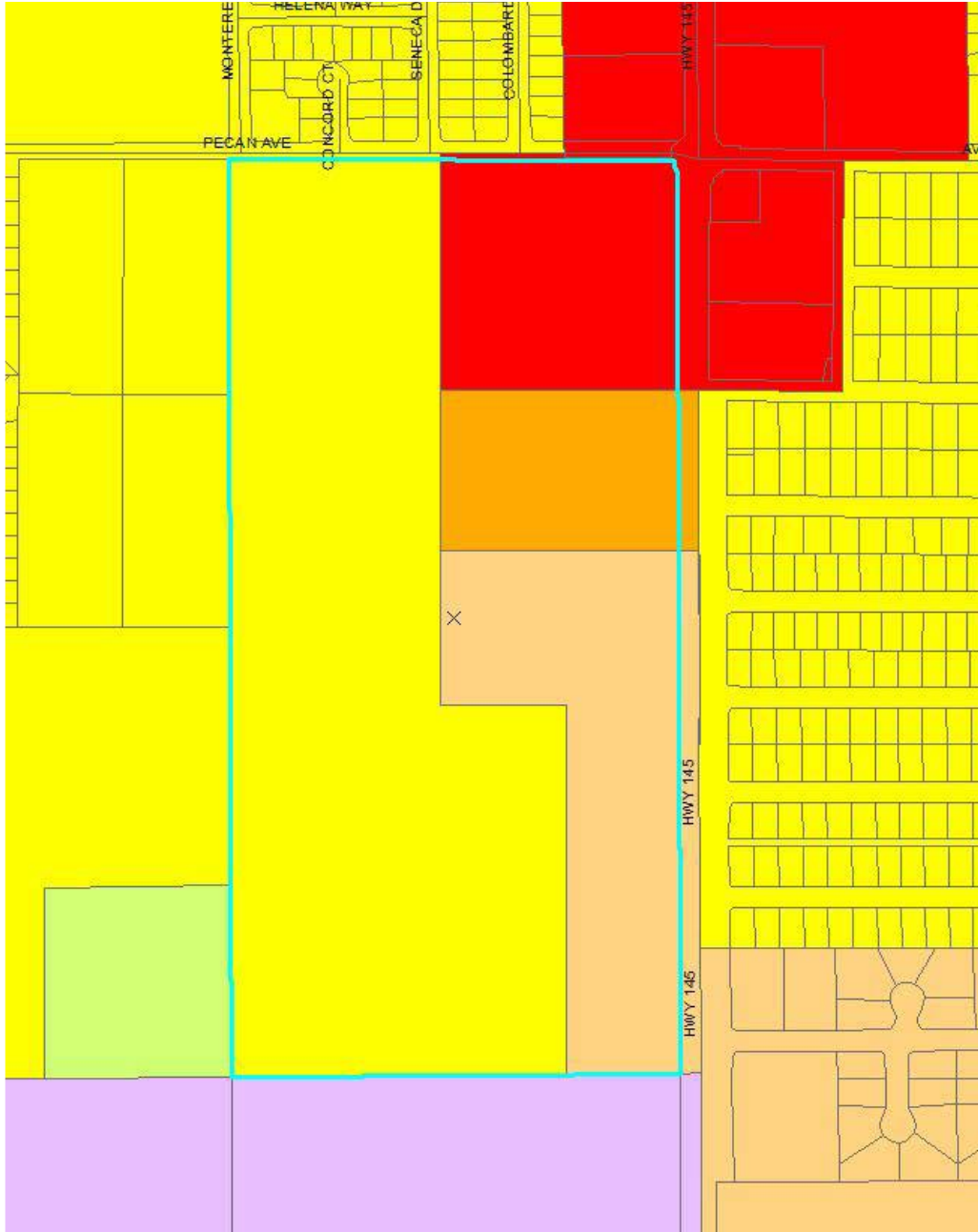


EXHIBIT 'B' – Amended (New) Land Use Designation(s)

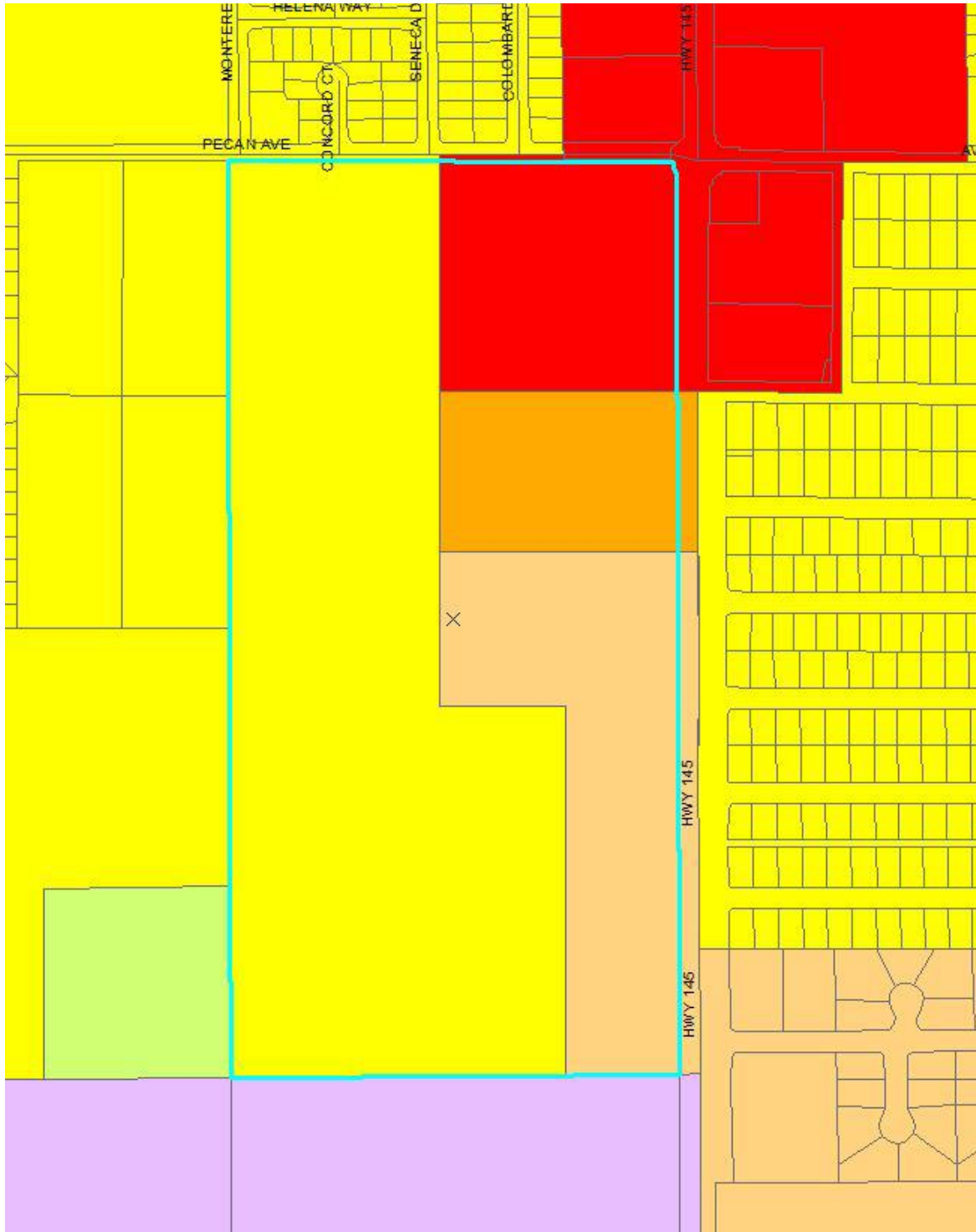


Exhibit 'C'
Mitigated Negative Declaration and
Mitigation and Monitoring Reporting Program

CITY OF MADERA
INITIAL STUDY / ENVIRONMENTAL CHECKLIST

I. Background and Project Description

1. **Application No.:**
General Plan Amendment 2019-03, Rezone 2019-06, Tentative Subdivision Map 2019-03, Tentative Parcel Map 2019-03, Precise Plan 2020-04
2. **Project Title:**
Pecan Square
3. **Lead Agency Name and Address:**
City of Madera, 205 W. 4th St., Madera, CA 93637
4. **Contact Person and Phone Number:**
Darrell Unruh – (559) 661-5433
5. **Project Location:**
Southwest of the intersection of West Pecan Avenue and Madera Avenue (SR 145).
6. **Project Applicant's/Sponsor's Name and Address:**
D. R. Horton – 419 Murray Avenue, Visalia, CA 93291
7. **General Plan Designation (Existing):**
LD (Low Density Residential), MD (Medium Density Residential), HD (High Density), C (Commercial).
8. **General Plan Designation (Proposed)**
Adjusted configuration of the LD, MD, HD, and C planned land use designations to facilitate design parameters.
9. **Zoning (Existing):**
PD-6000, PS-3000, PD-1500 (Planned Development: 6000, 3000, 1500 square feet site area per dwelling unit); PF (Public Facility); CN (Commercial Neighborhood); PF (Public Facility)
10. **Zoning (Proposed):**
Adjust configuration of the PD and CN zones and eliminate the PF zone.
11. **Project Background:**
The applications propose a plan amendment, rezoning, tentative subdivision map, parcel map, and precise plan to provide of a 112-lot single family residential subdivision and areas for future development residential and commercial development within a 79-acre site. The subdivision map and precise plan provide for lot sizes ranging between 4,250 and 13,778 square feet in area to accommodate single family residences of 1515 to 2814

square feet in area, one and two stories, two or three garage parking spaces, and three to five bedrooms. Development includes a public street circulation network providing primary access to West Pecan Avenue to the north and secondary access to the east to Madera Avenue (SR 145). A landscaped buffer will be provided along Pecan Avenue and a common area open space feature of 25,000 square feet or more in the southeast portion of the project site. The remainder of the site will be zoned but no development plans have been filed.

12. **Agencies Whose Approval or Review Is Required:**

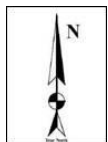
Madera Irrigation District, Madera Unified School District and San Joaquin Valley Air Pollution Control District.

13. **Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?**

The proposed project site has not been identified as a potential culturally sensitive site with the Madera General Plan EIR nor previous site-specific environmental reviews. California Native American tribes traditionally and culturally affiliated with the project area did not request consultation pursuant to Public Resources Code Section 21080.3.1.

II. ENVIRONMENTAL SETTING

The project site is vacant and has been planned and zoned for a range of residential densities as well as a future neighborhood commercial center on a vacant agricultural property located southwest of the intersection of West Pecan Avenue and Madera Avenue (SR 145). The project site encompasses a total of approximately 79 acres with approximately 22 acres now proposed for single family residential development. Primary access to the development will be provided from West Pecan Avenue with secondary access to Madera Avenue (SR 145). Existing urban residential and commercial development is located immediately to the north and east, with rural residents to the west and vacant agricultural land to the south. The City limits extend along West Pecan Avenue while the urban development to the east is unincorporated.



III. Environmental Checklist

	Aesthetics		Agricultural and Forest Resources		Air Quality
	Biological Resources		Cultural Resources		Energy
	Geology / Soils		Greenhouse Gas Emissions		Hazards and Hazardous Materials
	Hydrology / Water Quality		Land Use / Planning		Mineral Resources
	Noise		Population / Housing	✓	Public Services
	Recreation	✓	Transportation		Tribal Cultural Resources
✓	Utilities/Service Systems		Wildfire		Mandatory Findings of Significance

IV. 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: *Donald Church*

Date: March 24, 2020 amended May 13, 2020

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
1. AESTHETICS. Except as provided in Public Resources Code Section 21099, would the project:				
a) Have a substantial adverse effect on a scenic vista?				✓
b) Substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway?				✓
c) Substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?				✓
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?			✓	
<p>Discussion The project would not affect a scenic vista or have an overall adverse visual impact on the immediate area. The project would not affect a scenic highway and would not have an overall adverse visual impact on any scenic resources. The project would result in some sources of light and the anticipated residential development will add additional sources of light. The project would conform with and incorporate General Plan policies and requirements. No additional analysis is required.</p> <p>Less than Significant Impacts d) There will be an increase in light and glare and other aesthetic impacts associated with the development as a result of the project, although it will be a less than significant impact upon implementation of City standards. The overall impact of additional light and glare will be minimal.</p> <p>No Impacts a. 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 or state scenic area, or scenic vista. b) The project will not substantially damage scenic resources, including but not limited to trees, rock outcroppings, and historic buildings within a state scenic highway. c) The project will not substantially degrade the existing visual character or quality of the site and its surroundings. The project does not also conflict with applicable zoning and other regulations governing scenic quality.</p>				

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>2. AGRICULTURE AND FOREST 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 Department of Conservation as an optional model to use in assessing impacts on agriculture and farmland. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state’s inventory of forest land, including the Forest and Range Assessment Project and the Forest Legacy Assessment project; and forest carbon measurement Methodology provided in Forest Protocols adopted by the California Air Resources Board. Would the project:</p>				
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?			✓	
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?				✓
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				✓
d) Result in the loss of forest land or conversion of forest land to non-forest use?				✓
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?				✓
<p>Discussion The project site is located on land identified as “Vacant or Disturbed Land” on the 2016 California Farmland Mapping and Monitoring Program map.</p> <p>No Impacts</p> <p>a) 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 California Farmland Mapping and Monitoring Program map, which includes open field areas that do not qualify for an agricultural</p>				

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>category. The project site has been identified for residential uses within the City of Madera General Plan, and the land is not currently being utilized for agricultural purposes.</p> <p>b) The project would not conflict with existing zoning for agricultural use and there are no Williamson Act contracts affecting the subject property.</p> <p>c) The project would not conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland zoned Timberland Production because the project property is not defined as forest land (as defined by Public Resources Code Section 12220(g)), timberland (as defined by Public Resources Code Section 4526) or timberland zoned Timberland Production (as defined by Government Code Section 51104(g)).</p> <p>d) The project would not result in the loss of forest land or conversion of forest land to a non-forest use because the parcel is not defined as forest land (as defined by Public Resources Code Section 12220(g)).</p> <p>e) The project, which will develop an eight-unit apartment complex, will not involve other changes in the existing environment, due to the project property's location or nature, that would result in the conversion of Farmland to a non-agricultural use or conversion of forest land to non-forest use.</p>				
<p>3. AIR QUALITY. Where available, the significance criteria established by the applicable air quality management district or air pollution control district may be relied upon to make the following determinations. Would the project:</p>				
a) Conflict with or obstruct implementation of the applicable air quality plan?			✓	
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?			✓	
c) Expose sensitive receptors to substantial pollutant concentrations?			✓	
d) Result in other emissions (such as those leading to odors adversely affecting a substantial number of people?			✓	
<p>Discussion</p> <p>The project site is located within the San Joaquin Valley Air Basin (SJVAB). Air quality conditions in the SJVAB are regulated by the 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).</p> <p>Air quality is determined by the type and amount of contaminants emitted into the atmosphere, the size and topography of the SJVAB, and its meteorological conditions. National and state air quality</p>				

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>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.</p>				
<p>The State of California has designated the project site 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.</p>				
<p>The project would not conflict with or obstruct the implementation of applicable Regional Air Quality Control Plans.</p>				
<p>Similarly, the project will be evaluated to determine required compliance with District Rule 9510, which is intended to mitigate a project’s impact on air quality through project design elements or by payment of applicable off-site mitigation fees. Any applicant subject to District Rule 9510 is required to submit and Air Impact Assessment (AIA) application to the District no later than applying for final discretionary approval, and to pay any applicable off-site mitigation fees before issuance of the first building permit. Demonstration of compliance with District Rule 9510, including payment of all applicable fees before issuance of the first building permit would be made a condition of project approval.</p>				
<p>Short-term construction impacts on air quality, principally from dust generation, will be mitigated through watering. The project would not create substantial air emissions or deterioration of ambient air quality, and the development will 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.</p>				
<p>The proposed General Plan amendment and rezoning for the project site, and the development of the project site will not create impacts beyond those analyzed and addressed through the General Plan Update and the accompanying environmental impact report. All phases of site development will conform with and incorporate General Plan policies and requirements. All phases of development will similarly conform with and implement regional air quality requirements. No additional analysis is required. Any unique features or project impacts which are identified as specific projects are proposed within the project site will be evaluated and addressed on a project-by-project basis.</p>				
<p><u>Less than Significant Impacts</u></p>				
<p>a) According to the San Joaquin Valley Air Pollution Control District (SJVAPCD), the project is subject to some District Rules. The project will not conflict with or obstruct implementation of the applicable air quality plan.</p>				
<p>b) According to the SJVAPCD, the project would have a less than significant impact on air quality when compared to the significance thresholds of the following annual criteria pollutant</p>				

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>emissions: 100 tons per year of carbon monoxide (CO), 10 tons per year of oxides in 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).</p> <p>c) The project would not expose sensitive receptors to substantial pollutant concentrations.</p> <p>d) The development of the project would not result in other emissions, such as those leading to odors adversely affecting a substantial number of people.</p>				
4. BIOLOGICAL RESOURCES. Would the project:				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?				✓
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?				✓
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				✓
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?				✓
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				✓
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?				✓

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<p><u>Discussion</u></p> <p>With the preparation of the City of Madera General Plan, no threatened or endangered species were identified in the project area. There is no record of special-status species in the 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.</p> <p>The project site is void of any natural features, such as seasonal drainages, riparian or wetland habitat, rock outcroppings, or other native habitat or associated species. Development of the site would not conflict with any local policies or ordinances protecting biological resources, or conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan.</p> <p><u>No Impacts</u></p> <p>a) 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.</p> <p>b) The project would not have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service.</p> <p>c) The project would not have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means.</p> <p>d) The project would not 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.</p> <p>e) The project would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance.</p> <p>f) The project does 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.</p>				
5. CULTURAL RESOURCES. Would the project:				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to in Section 15064.5?				✓
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?				✓

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Disturb any human remains, including those interred outside of formal cemeteries?				✓
<p>Discussion</p> <p>The project does not have the potential to cause a physical change that would affect unique historic, ethnic, or cultural values. The project would not disturb any archaeological resources. The project would not disturb any unique paleontological or geologic resources. The project would not disturb any human remains. In the event any archaeological resources are discovered during 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.</p> <p>No Impacts</p> <p>a) The project would not cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5 because there are no known historical resources located in the affected territory.</p> <p>b) The project would not cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5 because there are no known archaeological resources located in the affected territory.</p> <p>c) The project would not disturb any human remains, including those interred outside of formal cemeteries, because there are no known human remains located in the affected territory. When development occurs in the future and if 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 affecting archaeological and historical resources would be complied with.</p>				
6. ENERGY. Would the project:				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?			✓	
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?				✓
<p>Less than Significant Impacts</p> <p>a) The project could utilize inefficient or unnecessary consumption of energy resources during project construction or operation, but because the project will be built to comply with Building Energy Efficiency of the California Building Code (Title 24), the project will not result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources during project construction or operation.</p> <p>No Impacts</p> <p>b) State and local authorities regulate energy use and consumption. These regulations at the state level intended to reduce energy use and greenhouse gas (GHG) emissions. These include, among others, Assembly Bill (AB) 1493 – Light-Duty Vehicle Standards, California Code of</p>				

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Regulations Title 24, Part 6 – Energy Efficiency Standards, California Code of Regulations Title 24, Part 11 – California Green Building Standards. The project would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency.				
7. GEOLOGY AND SOILS. Would the project:				
a) Directly or indirectly cause 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? Refer to Division of Mines and Geology Special Publication 42.				✓
ii. Strong seismic ground shaking?				✓
iii. Seismic-related ground failure, including liquefaction?				✓
iv. Landslides?				✓
b) Result in substantial soil erosion or the loss of topsoil?				✓
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?				✓
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?				✓
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?				✓
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?				✓
<p>Discussion</p> <p>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</p>				

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<p>shaking is anticipated on this site. Seismic hazards on the built environment are addressed in The Uniform Building Code that is utilized by the City of Madera Building Division to monitor safe construction within the City limits.</p>				
<p><u>No Impacts</u></p>				
<p>a)</p>				
<p>i. The project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving the 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. 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.</p>				
<p>ii. The project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving strong seismic ground shaking. 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.</p>				
<p>iii. The project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving seismic-related ground failure, including liquefaction. 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.</p>				
<p>iv. The project would not directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury or death involving landslides.</p>				
<p>b) The project would not result in substantial soil erosion or the loss of topsoil. 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 the City of Madera ordinances and regulations, the California Building Code, and professional engineering designs approved by the Madera Engineering Department will mitigate any potential impacts from future urban development, if any.</p>				

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<p>c) The project would not be located on a geologic unit or soil that is unstable as a result of the project, and not potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse.</p> <p>d) The project would not be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), not creating substantial direct or indirect risks to life or property.</p> <p>e) The project would not have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater. The City of Madera would provide necessary sewer and water systems upon project approval.</p> <p>f) The project would not directly or indirectly destroy a unique paleontological resource or site or unique geologic feature.</p>				
8. GREENHOUSE GAS EMISSIONS. Would the project:				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?			✓	
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?			✓	
<p>Discussion</p> <p>Climate change is a public health and environmental concern around the world. Globally, temperature, precipitation, sea level, ocean currents, wind patterns, and storm activity are all affected by the presence of greenhouse gas (GHG) emissions in the atmosphere. Human activity contributes to emissions of six primary GHG gases: carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons and sulfur hexafluoride. Human-caused emissions of GHGs are linked to climate change.</p> <p>In 2006, the California State Legislature adopted AB32, the California Global Warming Solutions Act of 2006, which aims to reduce GHG emissions in California. GHGs, as defined by AB 32, includes carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, and sulfur hexafluoride. AB 32 requires the California Air Resources Board (ARB), the State agency which regulates statewide air quality, to adopt rules and regulations that would achieve GHG emissions equivalent to 1990 statewide levels by 2020.</p> <p>As part of the 2011 City of Madera General Plan update, the Conservation Element includes several goals, policies and programs in the Air Quality, GHG Emissions and Climate Change sections which address and promote practices that meet or exceed all state and federal standards and meet or exceed all current and future state-mandated targets for reducing GHG emissions. The City also requires applicants for all public and private development integrate appropriate methods that reduce GHG</p>				

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emissions consistent with the Energy and Green Building sections of the Conservation Element, General Plan Policy CON-40 through 46.				
Less than Significant Impacts				
a) The project would not, by itself, generate significant GHG emissions or contribute to global warming because the new development that is proposed will be required to adhere to local, regional and state regulations.				
b) The project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHGs.				
9. HAZARDS AND HAZARDOUS MATERIALS. Would the project:				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				✓
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?				✓
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within ¼ miles of an existing or proposed school?				✓
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?				✓
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?				✓
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?				✓

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?				✓

Discussion

The project will not create hazards or expose people or property to hazardous conditions. The anticipated development will be consistent with the General Plan and will be delineated with the accompanying precise plan.

No impacts

- a) The project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials.
- b) The project would not 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.
- c) The project would not emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within ¼ miles of an existing or proposed school.
- d) The project would not 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, it would not create a significant hazard to the public or the environment.
- e) The project site is not located within an airport land use plan and would result in a safety hazard or excessive noise for people residing or working in the project area.
- f) The project would not impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan.
- g) The project would not expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildfires.

10. HYDROLOGY AND WATER QUALITY. Would the project:

a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?				✓
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?				✓

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would: i. Result in substantial erosion or siltation on- or off-site;		✓		
ii. Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site;				✓
iii. Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff; or				✓
d) In flood hazard, tsunami or seiche zones, risk release of pollutants due to project inundation?		✓		
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?				✓

Discussion

The 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 would 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 would be used during construction. With completion of the project, the project would not bring about erosion, significant changes in topography or unstable soil conditions.

Mitigation measures are required to assure people or property are not exposed to water-related hazards. Construction practices, compliance with City ordinances and regulations, The Uniform Building Code, and adherence to professional engineering design approved by the Madera Engineering Department are required to mitigate any potential impacts from this project. Development will be required to comply with all City ordinances and standard practices to assure no displacement of storm water must be accommodated by an approved storm water drainage system. The project would not create any impacts on water quality.

FIRM Panel 1170E identifies the southeast portion of site located within Zone AO and subject flooding in a 100-year flood event without implementation of adequate drainage mitigation. The project is required to prepare plans and construct site grading, including elevated building pads and stormwater drainage collection and storage to assure compliance with FEMA and flood insurance program requirements. The project would not expose people or structures to a significant risk because of dam

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or levee failure. The project would not expose people or structures to a significant risk because of a seiche, mudflow, or tsunami.				
No Impacts				
<p>a) The project would not violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality. The development of the project site will 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 will also be required to comply with all local, state, and federal regulations to prevent any violation of water quality standards or waste discharge requirements.</p> <p>b) The project would not substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin.</p> <p>c)</p> <p>i. The project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would not result in substantial erosion or siltation on- or off-site.</p> <p>ii. The project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would not substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site.</p> <p>iii. The project would not substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would not create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff.</p> <p>d) The project is not located in flood hazard, tsunami or seiche zones and it will not risk release of pollutants due to project inundation.</p> <p>e) The project does not conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan.</p>				
11. LAND USE AND PLANNING. Would the project:				
a) Physically divide an established community?				✓
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the				✓

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
purpose of avoiding or mitigating an environmental effect?				
<p>Discussion Development of the project site is consistent with urbanization of the project site, as evaluated in the General Plan and its EIR as well as environmental analysis pertaining to the previous annexation of site into the City of Madera; therefore, impacts in this category are avoided.</p> <p>No Impacts</p> <p>a) The project would not physically divide an established neighborhood. The project logically allows development to occur in an orderly manner, adjacent to future urban development.</p> <p>b) The project would not cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.</p>				
12. MINERAL RESOURCES. Would the project:				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				✓
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?				✓
<p>No Impacts</p> <p>a) The project would not 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.</p> <p>b) The project would not 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.</p>				
13. NOISE: Would the project result in:				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance or applicable standards of other agencies?				✓
b) Generation of excessive ground borne vibration or ground borne noise levels?				✓
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?				✓

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<p>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 these documents.</p> <p>No Impacts</p> <p>a) The project would not generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance or applicable standards of other agencies.</p> <p>b) The project would not generate excessive ground borne vibration or ground borne noise levels.</p> <p>c) The project site is not located within the vicinity of a private airstrip or an airport land use plan and would not expose people residing or working in the project area to excessive noise levels.</p>				
<p>14. POPULATION AND HOUSING. Would the project:</p>				
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				✓
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?				✓
<p>Discussion The proposed project is consistent with planned urban growth of General Plan and Housing Element and is necessary to meet the housing need projected by State of California Housing and Community Development would not induce additional substantial growth in this area. The project site would not displace any housing. Likewise, the project would not displace substantial numbers of people, necessitating the construction of replacement housing elsewhere.</p> <p>Less than Significant Impacts</p> <p>a) The project does induce unplanned population growth in the area directly with the construction of eight new dwelling units, but the growth will not be substantial.</p> <p>No Impacts</p> <p>b) The project will not displace substantial numbers of existing people or housing which will not necessitate the construction of replacement housing elsewhere.</p>				

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
15. PUBLIC SERVICES. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities or need for new or physical 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:				
a) Fire protection?				✓
b) Police protection?				✓
c) Schools?				✓
d) Parks?		✓		
e) Other public facilities?		✓		
<p>Discussion</p> <p>The development of the project site would not result in substantial adverse physical impacts from new or altered public facilities. Proposed project provides housing to meet projected demands of General Plan, Housing Element and State HCD housing allocation. Increase demands upon public facilities and services are anticipated including school facilities. Project will contribute dedicated and improved public park space per applicable plans, ordinances and statutes. This additional demand is consistent with the demand anticipated in the General Plan and evaluated in the General Plan EIR.</p> <p>The project would not bring about the need for new wastewater treatment facilities. The project would not significantly increase the urban demand on water supplies beyond the levels anticipated in the General Plan and the Water Master Plan. Project will contribute improvements or funds to complete water supply and distribution improvements and will not result in a significant reduction in the amount of groundwater otherwise available for public water supplies as a result of this project. The project would not increase the need for additional storm water drainage facilities beyond the existing and master planned drainage basin facilities that are planned to serve the project area. The project area would be required to provide additional facilities within the development, and comply with the City's Master Plan, ordinances and standard practices. The project would not bring about a significant increase in the demand for solid waste disposal services and facilities.</p> <p>No Impacts</p> <p>a) The project would not result in substantial adverse physical impacts to fire protection services.</p> <p>b) The project would not result in substantial adverse physical impacts to police protection services.</p> <p>c) The project would not result in substantial adverse physical impacts to school services. The Madera Unified School District levies a school facilities fee to assist defraying the impact of residential development.</p> <p>d) The project would not result in substantial adverse physical impacts to park facilities.</p> <p>e) The project would not result in substantial adverse physical impacts on other public facilities.</p>				

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
16. RECREATION. Would the project:				
a) 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) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				✓
<p>Discussion Residential 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.</p> <p>No Impacts</p> <p>a) 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.</p> <p>b) The project will include the construction of large open space areas with a central area for the complex, a water recreational feature, nine covered lounge areas and a basketball court that would provide for recreational activities, but they will not have an adverse physical effect on the environment.</p>				
17. TRANSPORTATION. Would the project:				
a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?		✓		
b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?				✓
c) Substantially increase hazards due to a geometric design feature (for example, sharp curves or dangerous intersections) or incompatible uses (for example, farm equipment)?				✓
d) Result in inadequate emergency access?			✓	

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
<p>Discussion</p> <p>The intensive urban development was addressed by Madera General Plan and accompanying EIR, and potential traffic and travel demand attributable to urban development of this land considered within goals, policies and circulation system components of the General Plan to mitigate the vehicle and pedestrian travel demands of this development. Project streets will provide adequate vehicular and pedestrian circulation with primary access to West Pecan Avenue and secondary to Madera Avenue (SR 145). Project will construct improvements to West Pecan Avenue and Madera Avenue corresponding to increased traffic volumes as identified by the traffic analysis prepared and approved by City Engineer to accommodate project access. Fair share contribution to SR 145 will be made per Caltrans to extent project's fare share obligation is not met by project improvements.</p> <p>No Impacts</p> <p>a) The project would not conflict with any program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities. All pedestrian walkways will be constructed consistent with the City of Madera Engineering Department standards and Americans with Disabilities Act (ADA) standards.</p> <p>b) The project would not conflict or be inconsistent with CEQA Guidelines Section 15064.3, subdivision (b). The project is not located within one-half mile of an existing major transit stop or along an existing high-quality transit corridor.</p> <p>c) The project would not substantially increase hazards due to a geometric design feature (for example, sharp curves or dangerous intersections) or incompatible uses (for example, farm equipment).</p> <p>d) The project would not result in inadequate emergency access.</p>				
18. Tribal Cultural Resources. Would the project:				
<p>Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in 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:</p> <p>a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or</p>				✓
<p>b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision (c) of</p>				✓

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe				
<p>No Impacts</p> <p>a) The planned urban development of the project site has not previously been identified as potentially causing a substantial adverse change in the significance of a tribal cultural resource, defined in 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 the project 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).</p> <p>b) The project is not a resource determined by the lead agency (City of Madera), in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1. The project site is not listed as a historical resource in the California Register of Historical Sources.</p> <p>c) Comply with Madera G.P., HC-9.1 & 9.2 specifying compliance with provisions of CEQA Section 15064.5 pertaining to notification of discovery, consultation and implementation of remediation measures and procedures as determined appropriate by a qualified archaeologist.</p>				
19. UTILITIES AND SERVICE SYSTEMS. Would the project:				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or which could cause significant environmental effects?			✓	
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?		✓		
c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?				✓
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?				✓

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?				✓
<p>Discussion</p> <p>The City's community sewage disposal system would continue to comply with Discharge Permit requirements. The project would not bring about the need for new wastewater treatment facilities. The project would not significantly increase the demand on water supplies, adequate domestic water and fire flows should be available to the property. There would not be a significant reduction in the amount of groundwater otherwise available for public water supplies as a result of this project. The project would not increase the need for additional storm water drainage facilities beyond the existing and master planned drainage basin facilities that are planned to serve the project. The project site would be required to comply with the City's Master Plan, ordinances and standard practices. The project would not bring about a significant increase in the demand for solid waste disposal services and facilities.</p> <p>Less than Significant Impacts</p> <p>a) The project would require the construction of new water and storm water drainage facilities, but the construction would not cause significant environmental effects.</p> <p>No Impacts</p> <p>b) The project would have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years.</p> <p>c) The project would result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments.</p> <p>d) The project would not generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals.</p> <p>e) The project would comply with federal, state, and local management and reduction statutes and regulations related to solid waste.</p>				
<p>20. WILDFIRE. If located in or near state responsibility areas or lands classified as very high fire hazard severity zones, would the project:</p>				
a) Substantially impair an adopted emergency response in an or emergency evacuation?				✓
b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?				✓

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?				✓
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?				✓
<p>Discussion</p> <p>The project site is not located in or near state responsibility areas or lands classified as very high fire hazard severity zones. The project will be developed consistent with all regulations of the California Fire Code and would provide no impact to wildfire hazards.</p> <p>No Impacts</p> <p>a) The project would not substantially impair an adopted emergency response plan or emergency evacuation.</p> <p>b) The project would not, due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire.</p> <p>c) The project would not require the installation or maintenance of roads and will not exacerbate fire risk or result in temporary or ongoing impacts to the environment as the project is also not located in or near state responsibility areas or lands classified as very high fire hazard severity zones.</p> <p>d) The project would not expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes.</p>				
21. MANDATORY FINDINGS OF SIGNIFICANCE. Would the project:				
e) Have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?				✓

ENVIRONMENTAL IMPACTS Issues (and Supporting Information Sources):	Potentially Significant Issues	Potentially Significant Unless Mitigation Incorporated	Less Than Significant Impact	No Impact
f) 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 the past projects, the effects of other current projects, and the effects of probable future projects.)				✓
g) Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?				✓
<p>Discussion</p> <p>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, Energy, Greenhouse Gas Emissions, Population and Housing, and Utilities and Service Systems.</p> <p>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.</p> <p>No Impacts</p> <p>a) The project would not have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory.</p> <p>b) The project would not have cumulatively considerable impacts that are beyond less than significant.</p> <p>c) The project would not have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly.</p>				

**CITY OF MADERA
MITIGATION MONITORING PROGRAM**

Project Name and/or File Number: General Plan Amendment 2019-03, Rezone 2019-06,
Tentative Subdivision Map 2019-03, Tentative Parcel Map 2019-03, Precise Plan 2020-04

Project Description: plan amendment, rezoning, tentative subdivision map, parcel map, and precise plan to provide of a 112-lot single family residential subdivision and areas for future development residential and commercial development within a 79-acre site. The subdivision map and precise plan provide for lot sizes ranging between 4,250 and 13,778 square feet in area to accommodate single family residences of

1515 to 2814 square feet in area, one and two stories, two or three garage parking spaces, and three to five bedrooms. Development includes a public street circulation network providing primary access to West Pecan Avenue to the north and secondary access to the east to Madera Avenue (SR 145). A landscaped buffer will be provided along Pecan Avenue and a common area open space feature of 25,000 square feet or more in the southeast portion of the project site. The remainder of the site will be zoned but no development plans have been filed.

Monitoring Phase:

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

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.

General Plan Amendment 2019-03, Rezone 2019-06, Tentative Subdivision Map 2019-03, Tentative Parcel Map 2019-03, Precise Plan 2020-04

10. Hydrology and Water Quality

10. c) & d) Project required to design and construct site grading and drainage improvements to assure protection of buildings and improvements and that storm water is not displaced but discharged to an approved storm water detention basin or other approved facility.

15. Public Services

15. d)-1 Park dedication and improvements as provided by the Tentative Tract Map and conditions of approval.

15. d)-2 Water supply distribution and well site as provided by conditions of approval.

17. Transportation/Traffic

17(a)-1 The on- and off-site improvements relative to traffic impacts shall be consistent with the recommendations of the traffic impact study, City requirements, and resulting condition of approval in the attached document(s) as well as any modifications to the requirements contained therein as part of the final traffic study approval.

Attachment 8: Rezone Ordinance

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MADERA AMENDING THE OFFICIAL CITY OF MADERA ZONING MAP TO REZONE AN APPROXIMATELY 76.25 ACRE PROPERTY (APN: 012-480-005), LOCATED AT THE SOUTHWEST CORNER OF THE INTERSECTION OF WEST PECAN AVENUE AND MADERA AVENUE, FROM THE PD-6000, PD-3000, PD-1500 (PLANNED DEVELOPMENT), AND CN (NEIGHBORHOOD COMMERCIAL) ZONE DISTRICTS TO THE PD-6000, PD-3000, PD-1500 (PLANNED DEVELOPMENT) AND CN (NEIGHBORHOOD COMMERCIAL) ZONE DISTRICTS, AND DELETING THE PF (PUBLIC FACILITY ZONED DISTRICT).

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF MADERA DOES ORDAIN AS FOLLOWS:

SECTION 1. The Planning Commission of the City of Madera and the City Council have held public hearing(s) on Rezone 2019-06 for the rezoning of approximately 76.25 acres of property located at the southwest corner of the intersection of West Pecan Avenue and Madera Avenue to the PD-6000, PD-3000, PD-1500 (Planned Development) and CN (Neighborhood Commercial) zone districts.

SECTION 2. Based on the testimony and information presented at its public hearing, the City Council 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. The City Council has further determined that the adoption of the proposed rezoning is in the best interest of the City of Madera. Such determinations are based on the following findings:

FINDINGS:

1. THE PROPOSED REZONE WILL PROVIDE THE REQUIRED CONSISTENCY BETWEEN THE GENERAL PLAN 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 3. The City Council hereby approves Rezoning 2019-06 by rezoning of the above-described property to PD-6000, PD-3000, PD-1500 (Planned Development) and CN (Neighborhood Commercial) zone districts. The City Council hereby amends the City of Madera Zoning Map as illustrated in Exhibit "A" which is attached and incorporated by reference and which indicates the segment of the City of Madera Zoning Map to be amended.

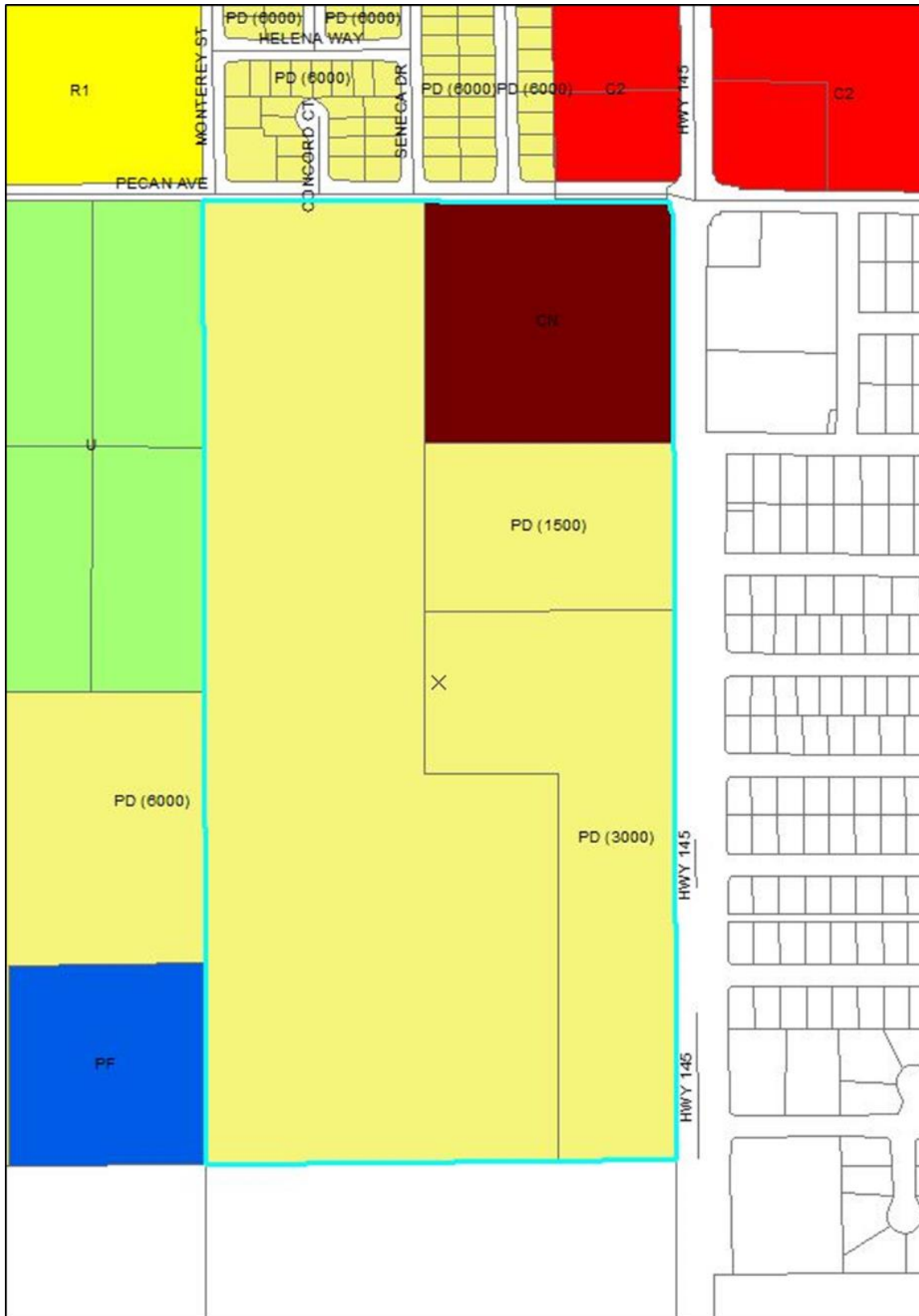
SECTION 4. Unless the adoption of this amendment to the Zoning Map is lawfully stayed, thirty-one (31) days after adoption of this amendment, the Planning Director and City Clerk shall cause these revisions to be made to the City of Madera Zoning Map which shall also

indicate the date of adoption of this revision and be signed by the Planning Director and City Clerk.

SECTION 5. This Ordinance shall be effective and of full force and effect at 12:01 a.m. on the thirty-first day after its passage.

* * * * *

EXHIBIT A – New Zoned District Designation(s)



Attachment 9: Tentative Parcel Map and
Tentative Subdivision Map Resolution

RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MADERA RATIFYING THE PLANNING COMMISSION'S APPROVAL OF TENTATIVE PARCEL MAP 2019-03 AND TENTATIVE SUBDIVISION MAP 2019-03 AND APPROVAL OF SAME WITH UPDATED CONDITIONS

WHEREAS, on May 12, 2020, the Planning Commission recommended approval of GPA 2019-03, and REZ 2019-06 to the City Council; and

WHEREAS, on May 12, 2020, the Planning Commission further approved TPM 2019-03 and TSM 2019-03 with conditions, and

WHEREAS, City Staff and the Applicant agree the conditions approved by the Planning Commission did not include certain mandated conditions and required clarification by the City Council namely conformity with the General Plan and Zoning Ordinance; and

WHEREAS, the City Council is considering this action concurrently with the public hearing on GPA 2019-03 and REZ, and the associated CEQA for the project; and

WHEREAS, all prerequisites have been satisfied, and the City Council now desires to ratify the Planning Commission determination for TPM 2020-03 and TSM 2019-03 and approve those entitlements with the conditions adopted by the Planning Commission and the additional conditions which are collectively set forth in Attachment "A" to this resolution.

NOW, THEREFORE, the City Council of the City of Madera resolves as follows:

1. The foregoing recitals are true and correct.
2. The City Council both ratifies the Planning Commission determination for TPM 2019-03 AND TSM 2019-03 subject to the conditions as set forth in Attachment "A" and approves same.

3. This resolution shall become effective immediately but will not become final until the date when City Council approval of REZ 2019-06 becomes final and effective.

* * * * *

ATTACHMENT A

CONDITIONS OF THE TENTATIVE SUBDIVISION MAP TSM 2019-03 AND TENTATIVE PARCEL MAP TPM 2019-03

General Conditions

1. All conditions of approval shall be the sole financial responsibility of the applicant/owner, except where specifically noted in the conditions or mandated by statutes. *TSM & TPM*
2. Any minor deviation from the approved map or any condition contained herein shall require prior written request by the applicant and approval by the Planning Manager. *TSM & TPM*
3. It shall be the responsibility of the property owner 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.

Engineering

4. Prior to recording of the final map or parcel map, all action necessary for annexation into Community Facilities District 2005-01 shall have been taken, and all property included in said subdivision or parcel map shall be made a part of such district and subject to its taxes. *TSM & TPM*
5. A final subdivision or parcel map shall be required per Section 10-2.502 of the municipal code. For subdivisions, if the project is phased, the phasing pattern is subject to approval by the City Engineer to ensure that the applicable conditions of approval are satisfied. *TSM & TPM*
6. The park land, as shown in the Tentative Parcel Map (TPM) and Tentative Subdivision Map (TSM), shall be dedicated to the City in advance of, or in conjunction with, recordation of the final subdivision map or parcel map. *TSM & TPM*
7. All lots are to be numbered in sequence throughout the entire subdivision, including all phases, with the last lot in each phase circled for identification. As an alternative, subject to the approval of the City Engineer, lots may be numbered in sequence within blocks that are also separately identified. A consecutive subdivision name and a consecutive phase number shall identify multiple final maps filed in accordance with an approved tentative map. *TSM*
8. A survey benchmark shall be established per City Standards and related data shall be submitted to the Engineering Department prior to acceptance of the improvements that correspond to the extent of the proposed development of the subdivision map. *TSM*
9. Prior to any site construction or initiation of work within a public right-of-way, a construction route and traffic control plan will be reviewed and approved by the City Engineer. The construction route and traffic control plan shall depict proposed construction vehicle routes to and from the site. This will minimize potential damage to other streets and disruption to the neighborhood. *TSM & TPM*
10. Nuisance on-site lighting shall be redirected as requested by City Engineer within 48 hours of notification. *TSM & TPM*
11. Development impact fees shall be paid at time of building permit issuance. *TSM & TPM*
12. Improvement plans sealed by an engineer shall be submitted to the Engineering Division according to the Engineering Plan Review Submittal Sheet and Civil Plan Submittal Checklist. *TSM & PM*

13. The developer shall pay all required fees for processing the subdivision or parcel map and completion of the project. Fees due may include but shall not be limited to the following: subdivision or parcel map review and processing fee, plan review, map recording, easement acceptance, encroachment permit processing and improvement inspection fees. *TSM & TPM*
14. 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. *TSM & TPM*
15. Prior to the construction of improvements within the City right-of-way require an Encroachment Permit from the Engineering Division. *TSM & TPM*
16. The improvement plans for the project shall include the most recent version of the City's General Notes. *TSM & TPM*
17. Proposed improvements shall account for the areas of the TPM and TSM which lie within the boundaries of a FEMA Special Flood Hazard Area, Zone AO. *TSM & TPM*

Water

18. Prior to approval of subsequent development associated with Parcel 1 of the TPM, the City shall determine if a new water well is required to accommodate demands of the future proposed development. If a well is determined to be needed to accommodate anticipated needs of future development within Parcel 1 of the TPM the future developer of Parcel 1 will also be required to design the well, dedicate right-of-way and construct a municipal well. The developer of the TPM may finance the development of the well, if the City has not acquired the proper funds at the time of construction. If City funding is not secured, then the developer of the TPM will construct and fund the municipal well. The cost of the well shall be 100% reimbursed by the City, upon the availability of funds. If a well is not immediately determined to be necessary, an appropriate well site shall be identified and offered for dedication as part of a future TPM or TSM. *TPM*
19. Prior to framing construction on-site, a water system shall be designed to meet the required fire flow for this type of development and approved by the fire department. Fire flows shall be determined by Uniform Fire Code appendix III-A. *TSM & TPM*
20. Unless the City Engineer or fire flow analysis specifies larger lines, water lines, a minimum of 8 inches in diameter shall be installed in all streets proposed within each corresponding map. Water main installation shall be per the City of Madera installation procedures and guidelines. Any new water main or fire hydrant line installations of 18 feet or more shall be sterilized in accordance with the water main connection procedures, including the temporary use of a reduced pressure assembly. Water service connections are required to be hot tap type connections to existing City main. If the subdivision is constructed in phases, blow-offs will be required at each termination point. All water system bacterial analysis testing costs shall be reimbursed to the City prior to approval of any units for final occupancy. Fees shall be based on rates established by the Department of Public Works. *TSM & TPM*
21. Prior to beginning any framing construction, approved fire hydrants shall be installed in accordance with spacing requirements for residential development (400 feet) or commercial development (300 feet). A copy of the preliminary water and hydrant location plan shall be provided to the City Engineer and the fire protection planning officer for review and approval. Fire hydrants shall be constructed in accordance with City Standard W-26. Fire hydrant pavement markers shall be installed as soon as the permanent pavement has been installed. *TSM & TPM*

22. As it pertains to the TSM and future TSMs water services shall be placed 3 feet from either property line, opposite of streetlight and fire hydrant installations, installed and tested at the time the water main is installed, and identified on the curb face. Water meters shall not be located within driveway approaches or sidewalk areas. Water services shall not be located at fire hydrant or streetlight locations. *TSM*
23. One water quality sampling station shall be shown on the improvement plans and installed within the subdivision and approved by the water quality division of the Public Works Department. *TSM*
24. Prior to commencement of grading or excavation on site, all water sources used for construction activities shall have an approved backflow device installed. All water trucks/storage tanks will be inspected for proper air gaps or back-flow prevention devices. *TSM & TPM*
25. Water service connections serving the TSM and developments within the TPM shall be constructed per current City standards including water meters located within the City's right-of-way. *TSM & TPM*
26. Water service connection(s) shall be shown on the improvement plans and 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. *TSM & TPM*
27. A separate water meter and backflow prevention device shall be required for landscape areas. *TSM & TPM*
28. Existing wells if any shall be abandoned as directed and permitted by the City of Madera for compliance with state standards, prior to the issuance of building permits or any activities in which the well to be abandoned may be further damaged resulting in potential contamination to the aquifer below. *TSM & TPM*
29. Prior to final occupancy pertaining to future development of Parcel 1 of the TPM, the future developer shall construct a 12-inch water main along State Route 145 from its current termination point at the intersection of Pecan Avenue and State Route 145 to the southern property line of the proposed project site. The water main shall be constructed to current City standards. The oversize component (difference in cost between 12-inch and 8-inch pipe) of the construction of this line is considered reimbursable through the City's Development Impact Fee Program, subject to availability of funds. Half of the 8-inch component is reimbursable from adjacent properties as they develop and connect. *TPM*
30. Prior to the issuance of an encroachment permit for off-site improvements. The developer shall reimburse its fair share cost for the 8-inch component of the water line to the City for the previously constructed water main along the project frontage on Pecan Avenue. *TSM & TPM*

Sewer

31. The existing sewer system that serves this section of the City is approaching or at capacity due to a constricted section of the sewer system on Pecan Avenue. The developer shall construct the following master plan improvements to accommodate sewer loads for this development:
 - a. The developer of the TSM shall construct a parallel 18-inch sewer main in Pecan Avenue from the easterly edge of the TSM to the furthest extent west that the TSM expands. From the westerly edge of the TSM, the parallel 18-inch sewer main shall be constructed to extend to nearest sewer main on Stadium Road in place prior to final occupancy. *TSM*

- b. The future developer of Parcel 1 of the TPM shall construct a parallel 18-inch sewer main on Pecan from the intersection of Pecan Avenue and State Route 145 to the easterly edge of the TSM, or to nearest sewer main in place at the time of construction to the west. *TPM*
 - c. If the sewer main will be required to be extended beyond the extent of the TSM, reimbursement of construction costs shall be provided to the entity which installs the sewer main.
32. The construction of the parallel sewer main in Pecan Avenue mentioned in Conditions 31a, b and c is considered 100% reimbursable through the City's Development Impact Fee Program, subject to availability of funds. Impact fee credits that are due and payable at the time of building permit issuance are available for use on these specific improvements due to identified deficiencies in the overall system capacity that will be improved at completion of said improvements. *TSM & TPM*
33. Sewer lines installed within internal publicly owned streets to serve the development within the TSM and TPM shall be sized accordingly and shall be a minimum of 8 inches in diameter. Sewer main connections to any existing City main 6 inches or larger in diameter shall require the installation of a manhole. All sewer mains shall be air-tested, mandrelled and videotaped after the trench compaction has been approved and prior to paving. DVD's shall be submitted to the City Engineer and be approved prior to paving with all costs to be borne by the sub-divider. *TSM & TPM*
34. Prior to recordation of the final subdivision map, the TSM'S approved improvement plans shall depict sewer services located at the approximate centerline of each lot or as required for construction of residential development with a clean-out installed per City Standards and identified on the curb face. Termination of service shall be 10 feet past property the line. Where contiguous sidewalks are installed, the 4-inch-sewer clean out shall be located 18 inches back of the sidewalk in a dedicated public utility easement. Sewer clean-outs shall not be located within sidewalk or approach areas unless approved by the City Engineer. Sewer services shall be installed 10 feet beyond the property lines as a part of the sewer system installation for testing purposes. *TSM*
35. Sewer service connections shall be constructed to current City Standards. Each parcel shall have a separate sewer service connection or record a reciprocal easement agreement across all parcels. *TPM*
36. Existing septic tanks, if found on-site or within any area subject to construction of public or private improvements, shall be removed, permitted, and inspected by City of Madera Building Department. *TSM & TPM*

Storm Drain

37. A detailed drainage study shall be provided to support the chosen path of conveyance and design of any necessary conveyance facilities prior to any excavating or grading activities. *TSM & TPM*
38. Storm runoff from this project site is planned to go to the Agajanian Basin (also referred to as the Atamian Basin) located southwest of the proposed project site. The developer shall, as may be necessary, construct sufficient facilities in accordance with criteria in the Storm Drainage Master Plan to convey storm runoff to the existing basin and excavate or expand the basin to an amount equivalent to this project's impact on the basin. The extent of the improvements required shall correspond to the extent of the TSM and the remaining extent of the TPM. The improvements corresponding with the TSM shall be required to be complete within 24 months of recordation of the final subdivision map. The improvements pertaining to developments in Parcel 1 of the TPM shall be required prior to the issuance of the first building permit. Any temporary improvements installed that may need to be removed or re-located cannot be reimbursed. All improvements should be installed in their permanent location. *TSM & TPM*
39. This project shall, as applicable, comply with the design criteria as listed on the National Pollutant Elimination Systems (NPDES) General Permit for Storm Water Discharges from Small Municipal Separate Storm Sewer System (MS4's) as mandated by Water Quality Order No. 2013-0001-DWQ, NPDES General Permit No. CAS000004. For the purpose of this proposed development, post development runoff shall match or be less than pre-development runoff. The development shall be subject to future inspections by City or other designated agencies relative to the improvements installed as a result of this condition to ensure they remain in compliance with the conditions imposed under this condition. *TSM & TPM*

Streets

40. The developer shall be a proponent of annexing into existing Landscape Maintenance District (LMD) Zone 8. If the annexation into LMD Zone 8 is not attainable, the developer shall at their sole expense, form a new Landscape Maintenance District zone. The sub-divider shall sign and submit a landscape district formation and inclusion form, an engineer's report and map prior to recording of any final map. *TSM & TPM*
41. Prior to the approval of any final maps, the developer shall submit a cash deposit in an amount sufficient to maintain lighting and landscaping within the required LMD Zone 8 or new LMD Zone for a period of one year. The specific amount of the deposit shall be determined by the City Engineer and be established based on landscape plans approved by the Parks and Community Services Department and the Engineer's Report for the required improvements. The deposit will be used to maintain landscaping improvements existing and new improvements which are required to be constructed by the developer and included in the City-wide LMD, after the improvements for the subdivision have been approved but before any revenues are generated by the assessment district to pay for the maintenance of the landscape. Any funds deposited by the developer and not needed by the Parks Department for maintenance of eligible landscaping shall be refunded to the developer. *TSM*
42. Prior to final occupancy of any development of Parcel 1 of the TPM, the west half of State Route 145 along the entire project frontage of Parcel 1 of the TPM shall be improved to a 100-foot arterial roadway per City standards. Adequate transitions with the existing improvements relative to grade and alignment shall be provided. In addition to basic City arterial and Caltrans highway improvements, off-site construction requirements including additional lanes are subject to complying with the mitigation measures provided within the traffic study. *TPM*
43. The south half of Pecan Avenue shall be improved to a 100-foot arterial roadway standard with a five-foot sidewalk pattern. The extent of the improvements required shall correspond to the

extent of the TSM and Parcel 1 of the TPM. The street frontage improvements for the TSM shall be required within 24 months of recordation of the final subdivision map and the improvements that pertain to the frontage along Parcel 1 of the TPM shall be required prior to first occupancy for the parcel map. The south half of the street shall include but not be limited to fire hydrants, streetlights, curb and gutter, park strip, sidewalk, a 30-foot asphalt section and a 16-foot landscaped median island. Adequate transitions with the existing improvements relative to grade and alignment shall be provided. The two lanes (28-feet total), which includes the median island and east bound travel lane, are eligible for reimbursement through the City's Impact Fee program, subject to availability of funds. *TSM & TPM*

44. Prior to or in conjunction with the recordation of final subdivision map, the developer shall provide sufficient right-of-way and associated improvements to allow for westbound U-turn movements at Pecan Avenue and Monterey Street. *TSM*
45. The developer shall provide a temporary paved pathway on the south side of Pecan Avenue between the westerly edge of the TSM connecting to the sidewalk approximately 150 east of Munras Avenue. This is contingent on the City confirming the acquisition of right-of-way for the path of travel to connect with the existing sidewalk near Munras Avenue. *TSM*
46. An Irrevocable Offer of Dedication shall be made to dedicate sufficient right-of-way along the entire project parcel frontage on Pecan Avenue to provide a half-street width of fifty (50-ft) feet, south of the center line, to accommodate for an arterial standard roadway, prior to or in conjunction with the recordation of the final subdivision and parcel map. *TSM & TPM*
47. An Irrevocable Offer of Dedication or dedication deemed by Caltrans shall be made for additional right-of-way along State Route 145 in accordance with that specified by Caltrans through the traffic study, prior to, or concurrent, with the recordation of the final tentative parcel map. *TPM*
48. The developer shall dedicate a 10-foot Public Utility Easement (PUE) along Pecan Avenue and State Route 145 adjacent to entire project site as well as all internal publicly dedicated streets prior to, or concurrent with, recordation of final subdivision map and final parcel map. *TSM & TPM*
49. Interior streets shall be constructed in accordance with City standards for a residential street, or as may be applicable, including a five-foot sidewalk, curb and gutter, streetlights, fire hydrants and all other components necessary to complete construction per City standards, prior to acceptance of improvements by the City. *TSM & TPM*
50. An approved on-site or off-site turn-around shall be provided at the end of each stub-out or roadway 150 feet or more in length pursuant to the uniform fire code. Cul-de-sacs shall be no longer than 450 feet. Any off-site turn-around shall have a maintenance covenant and easement recorded prior to recording of final map. The developer is responsible for all fees associated with the approval of all documents. *TSM & TPM*
51. Prior to approval of the first project with Parcel 1 of the tentative parcel map, the future developer shall provide a traffic study that addresses and mitigates the impacts of the planned developments within the boundaries of the TSM and TPM on the street system. At a minimum, the intersection of Pecan Avenue & Madera Avenue, the intersection of Pecan Avenue & Monterey Street, the intersection of Madera Avenue & Avenue 12 and the project driveways shall be evaluated as part of the traffic study. Study shall also address minimum storage requirements and conflicts between study location and adjacent intersections or driveways. Caltrans should be contacted to confirm scope. *TPM*
52. Driveway locations shall be planned in conjunction with developments proposed as part of the Tentative Parcel Map as well as existing driveways and intersection. Minimum spacing of

driveways/streets shall be a 400 to 500 feet regardless of individual project/phase limits. Failure to place initial driveways at proper minimum spacing and plan for left turn storage requirements may result in the inability to construct future driveways that adequately serve proposed land uses. *TPM*

53. The traffic generated as part of the traffic study prepared for the TSM shall be considered as the first phase of a multi-phase development for the purposes of preparing the traffic study associated with the development of Parcel 1 of the TPM and assigning fair share responsibility for identified mitigation measures to all land areas originally associated with the TPM (the TSM is included in TPM for the purposes of this condition). If fair share calculations as determined in the first phase traffic study are less than that determined in the TPM traffic study, those monetary amounts shall be assigned to the future developer of Parcel 1 of the TPM or shall be the responsibility of the future developer of the TPM. *TSM & TPM*
54. "No Parking" signs shall be installed along Pecan Avenue and State Route 145 frontages per City standards for corresponding frontage of the tentative subdivision map and tentative parcel map. *TSM & TPM*
55. Industry standard traffic calming features, as approved by the City Engineer, shall be implemented throughout all interior streets associated with the TSM and TPM. Maximum distance between calming devices shall be 300 feet. Any increase in separation shall be approved by the City Engineer. Approval of traffic calming features shall be sought prior to approval of the off-site improvement drawings. *TSM & TPM*
56. Landscaping and irrigation systems shall be installed in accordance with the approved landscaping and irrigation plans before the final building inspection of any adjacent residential units or commercial buildings. *TSM & TPM*
57. Access ramps shall be installed at all curb returns per current City standards prior to issuance of certification of complete of the improvements. *TSM & TPM*
58. Driveway approaches shall be constructed per current City standards. *TSM & TPM*
59. The developer shall be required to install streetlights along Pecan Avenue and Madera Avenue frontages and all interior streets associated with the TSM and TPM in accordance with current City spacing standards. The extent of the installation of streetlights required shall correspond to the extent of the tentative subdivision map and the remaining tentative parcel map. The adjacent installations for the TSM shall be required within 24 months from the recordation of the final subdivision map and the installations adjacent to the TPM shall be required prior to issuance of first occupancy for the parcel map. Streetlights shall be LED using Beta Lighting standards or equal in accordance with City of Madera standards. *TSM & TPM*
60. Except for streets not having direct residential access, installation of sidewalks and approaches may be deferred and constructed at the builder's expense with residential development after the acceptance of the subdivision improvements. Each dwelling shall at occupancy have full, uninterrupted ADA access from front door to nearest collector street, arterial street or other street that provides ADA access provisions. Provisions for construction in conjunction with building permits shall be established as a part of the improvement plan approval and subdivision agreement, and bonding for uncompleted work in conjunction with the subdivision's public improvements will not be required. *TSM*
61. If developed in phases, each phase shall have two (2) points of vehicular access within a recorded easement for fire and other emergency equipment and for routes of escape which will safely handle evacuations as required by emergency services personnel. An all-weather access road shall be two inches of type "B" asphalt over 6 inches of 90% compacted native soil or four (4) inches of Class II aggregate base capable of withstanding 40,000 pounds of loading. A

maintenance covenant and easement along with associated fees shall be recorded prior to recording the final map for any phased development. *TSM & TPM*

62. Improvement plans prepared in accordance with City Standards by a registered civil engineer shall be submitted to the City Engineer for review and approval on 24" x 36" tracing with City of Madera logo on bottom right corner. The cover sheet shall indicate the total linear feet of all streets, fire hydrant and street water main linear feet, and sewer line linear feet, a list of items and quantities of all improvements installed and constructed for each phase respectively, as well as containing an index schedule. All development is subject to the City Standards, updated standards available on the City of Madera website. The plans are to include the City of Madera title block and following:
 - a. Detailed site plan with general notes, including the location of any existing wells and septic tanks;
 - b. Street plans and profiles;
 - Drainage ditches, culverts, and other structures (drainage calculations to be submitted with the improvement plans)
 - Streetlights
 - Traffic signals
 - Construction details including traffic signage and striping plan.
 - c. Water and sewer plans (sewage flow and water demand calculations to be submitted with the improvement plans).
 - d. Grading plan indicating flood insurance rate map, community panel number and effective date.
 - e. Landscape and irrigation plans shall be prepared by a landscape architect or engineer.
 - f. Storm water pollution control plan and permit.
 - g. Itemized quantities of the off-site improvements to be dedicated to the City. *TSM & TPM*
63. Submittals shall include (submit a PDF and the stated number of hard copies for each item):
 - a. Engineering Plan Review Submittal Sheet
 - b. Civil Plan Submittal Checklist – All required items shall be included on the drawings
 - c. Four copies of the final map
 - d. Two sets of traverse calculations
 - e. Two preliminary title reports
 - f. Two signed copies of conditions
 - g. Four hard copies of complete improvement plans
 - h. Three hard copies of landscape and irrigation plans
 - i. Two sets of drainage calculations
 - j. Two copies of the engineers estimate

Partial submittals will not be accepted by the engineering department.

PLEASE NOTE: If COVID-19 measures are still in place at the time of submittal, all submittals must be electronic.

Caltrans District 6, Madera Avenue/State Route 145 Requirements

64. Caltrans District 6 Requirements pursuant to Pecan Square Traffic Impact Study (TIS) prepared by VRPA Technologies, Inc., for Q-K Inc.
- a) In the 2040 Scenario, it is recommended that a dual left turn lane be added to the northbound leg to maintain symmetry between the lane lines of the southbound and northbound approaches. Considering these improvements, the need for right-of-way is anticipated along the west side of Madera Avenue as well as the south side of Pecan Avenue including corner clearance on the southwest corner of the intersection.
- b) The approximate cost of the cumulative intersection improvements was found to be \$2,576,977. The approximate fair share cost that the developer can expect to contribute based on the fair share percentage of 7.4% as calculated on page 37 of the Pecan Square Development TIS is calculated below:
- Approximate Fair Share Cost = Fair Share Percentage x Intersection Improvements Cost
Approximate Fair Share Cost = 0.074 x \$2,576,977.00 = \$190,120.00.
- Traffic Mitigation Agreement (TMA) for the collection and tracking of these funds needs to be executed prior to issuance of City building permits and payment of fair share mitigation amount needs to occur prior to occupancy.

TSM & TPM

65. All utilities (water, sewer, electrical, phone, cablevision, etc.) shall be installed prior to curb and gutter installation. Trench compaction shall be as required for curb and gutter installation. If curb and gutter is installed prior to utility installation, then all trenches shall be back-filled with a 3-sack sand slurry mix extending one-foot past curb and gutter in each direction. *TSM & TPM*
66. The applicant shall coordinate with the pertinent utility companies as required regarding establishment of appropriate easements and under-grounding of service lines prior to approval of improvement plans. A ten-foot-public utility easement will be required along all interior lot frontages. *TSM & TPM*
67. All existing and proposed public utilities (electric, telephone, cable, etc.) shall be undergrounded, except transformers, which may be mounted on pads. Public utility easements shall be dedicated outside and adjacent to all streets rights-of-way. All public utilities within the subdivision and adjacent to the project property frontage on peripheral streets (on the development side of the street centerline) shall be placed underground except those facilities exempted by the public utilities Commission Regulations or operating at 70,000 volts or greater. All of which shall take place within 24 months from the recordation of any final map or prior to final occupancy of building permits for all other development types. *TSM & TPM*
68. A preliminary title report and plan check fees along with the engineer's estimated cost of installing the improvements shall be submitted with the initial improvement plan submittal. Inspection fees shall be paid prior to initiating construction. *TSM & TPM*
69. A final soils report including "R" values in future streets prepared by a registered civil engineer in accordance with the California Health and Safety Code must be submitted for review prior to the approval of the improvement plans and the filing of the final map, if required by the City Engineer. The date and name of the person who prepared the report are to be noted on the final map. *TSM*
70. The sub-divider shall enter a subdivision agreement in accordance with the municipal code prior to recording of the final map. The subdivision agreement shall include for deposit with the City a performance bond, labor, material bond, cash bond, or other bonds as required by the City Engineer, prior to acceptance of the final map. *TSM*

71. For all developments that may be eligible for reimbursements, a reimbursement agreement is required. *TSM & TPM*
72. The sub-divider may commence off-site construction prior to approval of the final map in accordance with Section 7-2.02 MMC, an encroachment permit, providing improvement plans are approved and submitting 100% performance bond, additional bond (50% labor & material) and insurance certificate, shall be submitted prior to initiating any construction work within any street or right-of-way which is dedicated or proposed to be dedicated by the subdivision. The encroachment permit fee shall be per City of Madera Development Application Fees as approved by City Council and shall be paid at the time of permit. *TSM*
73. The developer's engineer, upon completion of the improvements, shall certify to the City Engineer that the improvements are made in accordance with City requirements and the approved plans. As-built plans showing final existing conditions and actual grades of all improvements and facilities shall also be submitted prior to acceptance of the improvements by the City. *TSM & TPM*

Improvement Inspections:

74. Engineering department plan check and inspection fees along with the engineer's estimated cost of installing off-site improvements shall be submitted along with the improvement plans. *TSM & TPM*
75. Prior to the installation of any improvements or utilities, the general contractor shall notify the engineering department 48 hours prior to construction. The inspector will verify prior to inspection that the contractor requesting inspection is using plans signed by the City Engineer. *TSM & TPM*
76. No grading or other construction activities, including preliminary grading on site, shall occur until the City Engineer approves the improvement plans or grading plans. The inspector will verify prior to inspection that the contractor requesting inspection is using plans signed by the City Engineer. *TSM & TPM*
77. No occupancy of any buildings within the subdivision or parcels shall be granted until improvements are completed to the satisfaction of the City Engineer. After request for final improvement inspection, the generation of a written punch list will require a minimum of five working days. *TSM & TPM*

Special Engineering Conditions:

78. Project grading shall not interfere with the natural flow or adjacent lot drainage and shall not adversely impact downstream properties. Grading plans shall indicate the amount of cut and fill required for the project, including the necessity for any retaining walls. Retaining walls if required shall be approved as to design and calculations prior to issuance of a grading permit, therefore. *TSM & TPM*
79. Lot fill in excess of 12 inches shall require a compaction report prior to issuance of any building permits. Soil shall not slope onto any adjacent property. Lot grade elevation differences with any adjacent properties of 12 inches or more will require construction of a retaining wall. *TSM & TPM*
80. Retaining walls, if required, shall be concrete blocks. Design calculations, elevations, and locations shall be shown on the grading plan. Retaining wall approval is required in conjunction with grading plan approval. *TSM & TPM*
81. Prior to the issuance of any building permits or any construction on the subdivision or parcels, a storm water pollution plan shall be prepared, and a storm water permit obtained as required

by the State Regional Water Quality Control Board for developments of over one acre in size.
TSM & TPM

82. Any construction work on MID facilities must not interfere with either irrigation or storm water flows, or MID operations. Prior to any encroachment upon, removal or modification of MID facilities, the developer must submit two sets of preliminary plans for MID approval. Permits must be obtained from MID for said encroachments, removal, or modification. Upon project completion, as-built plans shall be provided to MID. Abandonment of agricultural activities will require removal of MID facilities at the owners' expense. Turnouts and gates shall be salvaged and returned to the MID yard. *TSM & TPM*
83. Prior to recording the final subdivision map or parcel map, any current and/or delinquent MID assessments, plus estimated assessments for the upcoming assessment (calendar) year, as well as any outstanding crop water charges, standby charges or waiver fees must be paid in full. Assessments are due and payable in full November first of the year preceding the assessment year. *TSM & TPM*
84. The developer of the property can expect to pay current and future development impact fees, including, but not limited to sewer (special service area), water, streets, bridge, public works, parks, public safety and drainage, that are in place at the time building permits are issued. All fees must be paid, as applicable, prior to building permits. *TSM & TPM*
85. Final street names shall be approved by the Building Official prior to recording the map for each phase of the development or approval of the improvement plans. Road names matching existing county roads must maintain the current suffix. All streets, even the small segments, shall have street names on the final map. Entry streets, cul-de-sacs and courts should utilize the name of the nearest subdivision street. *TSM & TPM*
86. The applicant shall coordinate with the United States post office relative to the proposed location of the postal boxes for the project, prior to approval of final occupancy. In regard to this item, all adjacent sidewalks shall retain a minimum clear walkway width of five feet. *TSM & TPM*

Fire Department

87. The subdivision development shall be provided with a minimum of two points of access for emergency vehicles, prior to the issuance of occupancy. *TSM*
88. Prior to any on-site framing, fire hydrants or other acceptable fire suppression equipment shall be provided at the streets and shall comply with the City of Madera Engineering standards and the California Fire Code (CFC). *TSM*

Planning Department

General

89. All conditions of approval shall be the financial responsibility of the developer/owner, except where specified in the conditions of approval listed herein or mandated in statutes. *TSM & TPM*
90. Project approval is conditioned upon acceptance of the conditions of approval contained herein within thirty (30) days, as evidenced by the applicant/owner's signature on the required Acknowledgement and Acceptance of Conditions of Approval form.
91. Vandalism and graffiti on walls, fences and/or homes shall be corrected pursuant to the Madera Municipal Code.

Street Names

92. The internal street names shall comply with the recommendations of the Planning Department with approval of the Final Map. *TSM*

Tentative Subdivision Map

93. There shall be no access to lots from street side of corner lots or street rear of double frontage lots as noted by the relinquishment of access notation on the tentative subdivision map (lots 1-7, 39, 40, 43, 51, 52, 60, 61, 73, 74, 93, 102, 103, 112). *TSM*

Fences and Walls

94. A six (6') foot tall decorative split-faced masonry block wall with capstone shall be developed within the subdivision as follows: *TSM & PPL*
- Along all rear property lines of lots abutting West Pecan Avenue (lots 1-6).
 - Along the street side yard of corner lot 6 and 7 which is extending from the rear property line to the front yard setback line.
 - Along all property lines abutting the dedicated park space (Lot 42).
 - All walls proposed on property located in the side yard shall be six feet tall along the side property line. In addition, when the wall is located within the front yard setback, the height of the wall will be decreased to 2.5 feet.
95. Except as provided for in the above condition, six (6') foot tall wooden fencing shall be provided along all side and rear yards. *TSM*
96. Any retaining walls greater than eighteen (18") inches in height shall be split-faced masonry block. Residential fencing shall have a gate that allows for easy access by an automated solid waste container provided by the City. The width of the gate shall be a minimum of thirty-six (36") inches. *TSM*

Precise Plan for the Tentative Subdivision Map

97. 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 30 days of the date of approval.
98. 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 30 days of the date of approval.
99. All conditions of approval shall be the sole financial responsibility of the applicant/owner, except where specified in the conditions of approval listed herein or mandated by statutes.
100. Any minor deviation from the approved elevations and floor plans or any condition contained herein shall require prior written request by the applicant and approval by the Planning Manager, at a minimum. *TSM*
101. Any substantial future modifications to the subdivision lots involving, but not limited to, building exteriors, parking/loading areas, fences/walls, new buildings or landscaping shall require an amendment to Precise Plan 2020-04. *TSM & PPL*
102. It shall be the responsibility of the property owner 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. *TSM & PPL*

- 103. The project shall be developed in accordance with the elevation drawings and floor plans, as reviewed and approved with Precise Plan 2020-04. Minor modifications to Precise Plan 2020-04 necessary to meet regulatory or engineering constraints may be made with approval of the Planning Manager. All site improvements shall be completed in advance of any request for building permit final inspection. *TSM & PPL*
- 104. Fire Department: All dwellings shall be equipped with residential fire sprinklers, smoke alarms and carbon monoxide detectors. *TSM & PPL*
- 105. Illuminated addresses shall be provided at certificate of occupancy and temporary construction addresses shall be provided during construction. *TSM & PPL*
- 106. Vandalism and graffiti on walls, fences and/or homes shall be corrected pursuant to the MMC. *TSM & PPL*
- 107. Four models are approved as part of Precise Plan 2020-04. The homes shall be constructed upon the lots encompassed within TSM 2019-03. The home models are as follows:

MODEL NAME	FLOOR AREA	BED/BATH
Adams	1,515 sq. ft.	3 bed/2 bath
Coolidge	1,862 sq. ft.	3 bed/2 bath
Lincoln	2,554 sq. ft.	4 bed/3 bath
Monroe	2,814 sq. ft.	4 bed/3 bath

Models have attached two-car garages with a three-car option. *PPL*

- 108. The Developer shall construct homes as they are shown in the rendered elevations, provided in PPL 2020-04 and included in the staff report to Planning Commission. Specifically, the N415, N419, N424 and N428 models. Each elevation of each model shall have at least three different three-color paint schemes. Any new or additional models require approval by the Planning Commission through an amendment to the Precise Plan. *TSM & PPL*
- 109. All standards for the location and design of buildings (including accessory structures) and fences which are not specifically included in Precise Plan 2020-04 and TSM 2019-03 shall conform to R1 (Residential) Zone District standards. *TSM & PPL*
- 110. Except otherwise conditioned herein, all driveways and encroachments shall conform to City standards regarding setbacks from adjacent property lines, and near intersections. All approaches shall conform to City standards. *TSM & PPL*
- 111. The floor plans of all units shall be reversible and driveway approaches on corner lots shall be located on the interior side of the property. *PPL*
- 112. The appearance of a home is affected by at least three primary features, which are the home model, alternative elevations for each plan, and color. Homes built on side-by-side lots shall not repeat more than two of these primary home features. The model floor plans shall not be repeated on more than two consecutive lots. *PPL*
- 113. The minimum setbacks for all lots within the TSM and PPL shall be:

- Front: Twelve feet to living space, twenty feet to garage
 - Interior side: Five feet
 - Exterior side: Ten feet
 - Rear: Fifteen feet
114. The front setback shall vary from the minimum of twelve feet to living space to a maximum of twenty feet to living space, with at least a two-foot variation amongst any two adjacent lots, and a five-foot variation over any five consecutive lots, regardless of home model. Garages shall be setback a minimum of twenty feet. *TSM & PPL*
 115. A ten percent minor variation for rear setbacks may be granted with approval by the Planning Director when deemed necessary. *PPL*
 116. Any variation to the development standards of Precise Plan 2020-04 shall require an amendment to the precise plan. *PPL*
 117. The applicant shall submit a color and materials presentation board as a component of the precise plan. The color and materials presentation board shall be approved by the Planning Manager and shall be included in the precise plan. *TSM & PPL*
 118. The construction of buildings approved as a component of the precise plan shall be consistent with the approved color and materials presentation board, as reviewed and approved by the Planning Department. Any alteration shall require, at a minimum, approval by the Planning Manager. *TSM & PPL*
 119. [Removed by Planning Commission May 12, 2020.]
 120. All exterior lighting shall be down shielded and directed in such a way as to not interfere with the driving safety of vehicular traffic. Exposed bulbs shall not be permitted. *TSM & PPL*
 121. The specifications and types of exterior lighting fixtures to be installed in the subdivision area shall be submitted to and approved by the Planning Department prior to issuance of any building permit(s). *TSM*
 122. The development of any temporary construction trailer, materials storage yard and/or model home sales center on any lot in the subdivision requires approval of a Zoning Administrator Permit. *TSM*
 123. Along all side and rear property lines, wood fencing shall be required for all single-family homes. Any retaining walls greater than eighteen inches in height shall be split-block masonry. Residential fencing shall have a gate that will allow for easy access by an automated solid waste container provided by the City. The width of the gate shall be a minimum of 36 inches. *TSM*
 124. Street side yard fencing shall be set back no less than five feet. *TSM*
 125. Heating ventilation and air-conditioning (HVAC) units shall be ground-mounted. No roof-mounted HVAC units shall be allowed. All ground-mounted HVAC equipment shall be located in the interior side or rear yards behind six-foot tall fencing. There shall be no allowance for the placement of HVAC units in the exterior side yard. *TSM & PPL*

126. If fireplaces are installed, they shall be either gas-burning or EPA-certified wood-burning. Natural gas and electric outlets are recommended to be installed in the rear yard for barbecues. Outside electric outlets are recommended in the front and rear yards of the units to facilitate the use of electric lawn mowers, edgers, etc. Electric or low nitrogen oxide emitting gas-fired water heaters should be installed. *TSM*
127. 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. Each home model shall have its own landscape and irrigation plan. Landscape and irrigation plans shall be approved by the Planning Department prior to issuance of building permits. Landscape and irrigation plans shall be designed for front yards for the entire subdivision as a whole. Installation shall be completed in conjunction with occupancy of the individual homes. The plans shall demonstrate compliance with the State of California's Model Water Efficient Landscape Ordinance (MWELO). *TSM & PPL*
128. City Council Added Condition: The approval of TSM 2019-03 and TPM 2019-03 shall not become final until the date when City Council approval of Rezone 2019-06 becomes final and effective.